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Perfektionismus der Autonomie

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Inhalt

The Reciprocal Cultivation of Self and State

Fichte's Civic Perfectionism

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> The moral law, which extends to infinity, absolutely commands us to treat human beings *as if they* were forever capable of becoming perfected [*Vervollkommnung*] and remaining so, and this same law absolutely prohibits us from treating human beings in the opposite manner. One cannot obey such a command without believing in perfectibility [*Perfectibilität*].[1]

J.G. Fichte developed his Jena *Wissenschaftslehre* with the goal of overcoming the Kantian dualisms of theoretical and practical reason, of individual and community, of the finite conditions of human activity and the infinite goal of that activity. He embraced ethical perfectionism as the overall form of his ethical theory even as he sought to maintain Kant's insistence that autonomy, the formal freedom of the will, is an absolute requirement of moral action. Fichte saw in Kant's conception of the Highest Good (the unity of duty and happiness as the complete object of the will) a way to unite the claims of autonomy and perfection. But rather than think of postulates of practical reason that are indexed to a noumenal realm outside of time, Fichte thought of the perfection of reason and freedom as an ideal endpoint that orients moral action in the present. He did not want to theorize the merely possible, but rather to move from a formulaic philosophy to an applicable philosophy, and thus to derive from freedom the conditions of finite agency. Fichte does, however, retain a split between formal freedom as the inner condition of morality and material freedom as the outer achievement of morality. In his efforts to reconcile the two elements he demonstrates both the promise and the perils of basing a theory of perfection on an inherently indeterminate ideal of free activity.

Fichte's ethical goal of perfection makes reference to the ethical community, yet in his writings on politics Fichte argues against a connection of ethical perfection and political right. In his *Foundations of Natural Right*, with its famous arguments for a summons to freedom and mutual recognition, he argues

1 *SW* IV, 241; *SE*, 229.

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for a conception of right that has nothing to do with the good, either with the good will or the final good of reason. At the same time, in *FNR* and *The Closed Commercial State*, he gives a theory of economic justice that rests on a substantive ethical ideal of equality. I argue in this paper that his political and economic theory can be considered a kind of civic perfectionism, directing the state not towards the goal of individual excellence but towards a proper distribution of well-being throughout the nation.

1. Perfection in "Some Lectures Concerning the Scholar's Vocation"

The theme of perfection is prominent in the first series of public lectures that Fichte delivered in 1794 in his new position as the successor to K.L. Reinhold in Jena. "Some Lectures Concerning the Scholar's Vocation" provide an accessible template for the intricate system of practical philosophy that Fichte works out during his Jena period. The lectures begin with a treatment of "the vocation of man as such"[2], which for Fichte is the development and realization of one's own freedom as a rational being. Central to Fichte's picture is a distinction between what he calls the pure I and the empirical I, between pure activity and the finite embodied subject.[3] He proposes that the vocation of man as a moral being is precisely to overcome the resistance to freedom within the finite self. He casts the point in Kantian terms:

> Man's ultimate and supreme goal is complete harmony with himself and – so that he can be in harmony with himself – the harmony of all external things with his own necessary, practical concepts of them (i.e., with those concepts which determine how things ought to be). Employing the terminology of the Critical Philosophy, this agreement is what Kant calls "the highest good".[4]

For Kant the Highest Good is the complete object of the will, the unity of duty and happiness as a world in which happiness would follow in proportion to dutifulness.[5] For reasons that go to the heart of his perfectionist turn, Fichte needs no such split between duty and happiness. He writes:

2 *SW* VI, 294; *EPW*, 146.

3 For good introductions to Fichte's *Wissenschaftslehre* or "Science of Knowledge," see Neuhouser (1990), Wood (1991), Martin (1997), and the essays collected in Breazeale (2013).

4 *SW* VI, 299; *EPW*, 150.

5 It is this idea with which Kant grounds the postulates of freedom, God and immortality. Fichte's transformation of the Highest Good thus both reflects his transformation of freedom and gives him an opening to reinterpret the concepts of God and immortality.

> this 'highest good' by no means consists of two parts, but is completely unitary: the highest good is the *complete harmony of a rational being with himself*. In the case of a rational being dependent upon things outside of himself, the highest good may be conceived as twofold: [firstly] as harmony between *the willing* [of such a being] and the idea of an eternally valid willing (i.e., as *ethical goodness*), and [secondly] as the harmony of our willing (…) with *external things* (i.e., as *happiness*).[6]

Fichte's twofold conception seems to reproduce Kant's divide between the pure willing of duty and the harmony of duty and happiness. But Fichte's point is that these two sides ought to be one and the same thing. He is in fact tempted by the Stoic idea of simply defining happiness in terms of morality. That would make the theoretical problem easier but it would lose the Kantian appeal to the ordinary (Epicurean) conception of happiness as connected with sensible drives.

Though many of Fichte's claims invoke the purity of the I and reason, he has a very important place in his theory for a conception of *culture* [*Kultur*] that involves both the sensuous and the rational. His philosophy is addressed to those who have become conscious of their freedom. He stresses the fact that one's inclinations will have already been developed in various ways at the time that one becomes aware of one's freedom. We cannot simply will away everything in ourselves that does not conform to reason. We need to acquire the skill [*Geschicklichkeit*] of self-transformation that he calls culture, "the skill to suppress and eradicate those erroneous inclinations which originate in us prior to the awakening of our reason and the sense of our own spontaneity, and … to modify and alter external things in accordance with our concepts"[7]. Culture is both a means to perfection and a key indicator of the level of perfection that we have reached at any given time. Because it is an educative process, culture can cut across the divide between inner freedom and external circumstances, a divide that is both central to Fichte's theory and one of the greatest obstacles to understanding how that theory is to be put into practice.

The challenge of Fichte's ethics is to think of harmony as the purpose to be achieved in the infinite future, while also seeing each individual agent in the here and now as already capable of realizing that harmony in a determinate social world. In one of the clearest statements of his perfectionism Fichte stresses our capacity for self-improvement through ethical action:

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6 *SW* VI, 299; *EPW*, 150-51; he adds: "And thus we may note in passing that it is not true that the desire for happiness destines man for ethical goodness. It is rather the case that the concept of happiness itself and the desire for happiness first arise from man's moral nature. Not *what makes us happy is good*, but rather, *only what is good makes us happy*." (Ibid., 151)

7 *SW* VI, 298; *EPW*, 150.

> Man's final end is to subordinate to himself all that is irrational, to master it freely and according to his own laws. This is a final end which is completely inachievable and must always remain so – so long, that is, as man is to remain man and is not supposed to become God. It is part of the concept of man that his ultimate goal be unobtainable and that his path thereto be infinitely long. Thus it is not man's vocation to reach this goal. But he can and he should draw nearer to it, and his true vocation qua *man*, that is, insofar as he is a rational but finite, a sensuous but free being, lies in *endless approximation toward this goal*. Now if, as we surely can, we call this total harmony with oneself 'perfection,' in the highest sense of the word, then *perfection* is man's highest and unattainable goal. His vocation, however, is to *perfect himself without end*. He exists in order to become constantly better in an ethical sense, in order to make all that surrounds him better *sensuously* and – insofar as we consider him in relation to society – *ethically* as well, and thereby to make himself ever happier.[8]

A lot depends on whether or not we can give a determinate sense to this "*endless approximation*." We can certainly make sense of the idea of an end that is in principle unobtainable because of our finitude. Another important question is whether the subject should be oriented more by her cultivation of herself or more by her cultivation of her environment. The Stoic dimension of Fichte's claim – that happiness is just being virtuous – might collide with the harmony-based element according to which it is only in actually achieving harmony with what is outside of myself that I can be both virtuous and happy.

The implication of Fichte's demand for external harmony is that freedom is essentially a social project. He is forthright that his conception of community is highly idealized, a community based on concepts, on rationality, rather than the type of social organization called the state. After acknowledging the differences among agents, he writes, "There is only one thing in which they are in complete agreement: their ultimate goal – perfection. Perfection is determined in only one respect: it is totally self-identical. If all men could be perfect, if they could all achieve their highest and final goal, then they would be totally equal to each other. They would constitute but one single subject."[9] We are to "approximate" this goal in society through a process that Fichte calls "unification" [*Vereinigung*]. We do this by constantly searching for perfection, by giving and asking for reasons, by holding up our ideals of what is best to others and receiving criticism and trying to raise others and ourselves to the highest standards. This too may seem rather empty as an end, but for resolving the main tension within Fichte's view it is crucial. The tension between formal inner freedom and material outer freedom can only be addressed through such

8 *SW* VI, 152; *EPW*, 299/300.
9 *SW* VI, 310; *EPW*, 159.

communicative action – action which is part of his overall theory of culture as the process of individual and social perfection.

When Fichte begins to give some definition to the social order appropriate to the human vocation, he quickly arrives at the idea of a *division of labor*. Fichte holds that the realization of the moral end requires the division of society into different *estates*. This theory of social differentiation is actually an integral part of his overall perfectionism, for the idea of perfection that Fichte adapts from Kant is that of a harmonious unity that preserves the differences among the elements of that unity.[10] Fichte argues that nature simply produces individuals with different talents, and this is a fact that philosophy cannot alter but must accommodate into the system of freedom. In principle, the moral law, as "the law of total self-harmony or absolute identity"[11] would dictate "that all of an individual's talents ought to be developed equally and that all of his abilities ought to be cultivated to the highest possible degree of perfection"[12]. This would in turn lead to "the demand *that all of the various rational beings ought to be cultivated or educated equally*"[13] and that "the final aim of all society is *the complete equality of all of its members*."[14] It would seem, then, that the ethical end is a manifestly social and political end directed at improving the educational and economic fortunes of all its members.

But Fichte does not imagine that there could ever be equality in the sense that there would be no division of labor. Rather, he argues for an element of "culture" that can serve as a metric of equality even though the actual circumstances of individuals are necessarily different. He writes,

> Everyone has the duty not only to want to be generally useful to society, but also the duty, according to the best of his knowledge, to bend all of his efforts toward society's final end: the constant improvement of the human species – liberating it more and more from natural compulsion, and making it ever more independent and autonomous. And thus, from this new inequality [of classes] there arises a new equality: the equitable advancement of culture in every individual.[15]

Fichte's idea here is that in entering a profession each person enters a program of education that equips him for the tasks within that part of the labor force. This education is a version of culture that is equitable in that each has a place she has chosen and develops her talents in the service of a part that

10 See Wood (2016), 220.
11 *SW* VI, 314; *EPW*, 162.
12 Ibid.
13 Ibid.
14 Ibid.
15 *SW* VI, 321; *EPW*, 167-68.

contributes to the whole. This theory of labor ties into Fichte's vision of the ultimate end as a social end: "an association in which one cannot work for others without working for himself; for the successful progress of any member is the successful progress of them all, and one person's misfortune is everyone's misfortune."[16] This is Fichte's vision of reciprocity, a simple vision underlying all the complexities of the practical philosophy he develops through 1800.

2. The Final End in the *System of Ethics*

The biggest interpretive difficulty with Fichte's 1798 *System of Ethics* as a whole is the split between a *formal* side, culminating in conscience, and a *material* side, culminating in Fichte's extensive account of the content of duties in light of the final purpose of reason. In trying to decipher Fichte's position on the relation of specific individuals' actions, on the one hand, and the final end of perfection, on the other, there are two closely intertwined issues that stand out. First, there is the issue of how the infinite end is related to the finite series of actions that are the duty of the specific individual. This issue is especially pressing for Fichte because he holds that there are *no indifferent actions*. One and only one action is demanded at every moment. Second, there is the issue of the focus of ethical activity: is my duty to cultivate my own moral feeling and disposition, to perfect my own capacities for doing what is right and good? Or should my focus be on producing good outcomes, creating a better overall condition of the world through my actions? On this second issue there is no strict either-or, for it makes sense for self-perfection to be a vehicle for the perfection of the world. Yet there are significantly different ways of thinking about the moral life depending on whether self-cultivation or the production of ethical outcomes is primary.

Fichte's bold proclamations on the final end of reason have the ring of ethical fanaticism, but this impression is misleading. He does sound extreme when he proposes that the ideal of perfection would be a world in which everything is determined by my rational will:

> self-sufficiency, which is our ultimate goal, consists in everything depending on me and my not depending on anything, in everything that I will to occur in my entire sensible world occurring purely and simply because I will for it to occur – just as happens in my body … The world must become for me what my body is.

16 *SW* VI, 321; 168.

> This goal is of course unreachable … This process of drawing ever nearer to my final end is my finite end.[17]

Yet Fichte qualifies this claim in many ways that make clear that it is not some kind of insane egoism.[18] In fact, the discussion that immediately follows is intended to make clear that what we think of as individuality is the contingent starting point for the pure I once the agent becomes conscious of her freedom. His emphasis is on "I-hood," the basic root of freedom and reason, the activity that determines our action in so far as we are moral. He writes,

> Since it is for I-hood as such a contingent fact that *I*, individual A, am precisely A, and since the drive for self-sufficiency is supposed to be a drive of I-hood, essentially as such, the aim of this drive is not the self-sufficiency of [the individual] A, but rather, the self-sufficiency of reason as such. Our ultimate goal is the self-sufficiency of all reason as such and thus not the self-sufficiency of one rational being, insofar as the latter is an individual rational being.[19]

Especially striking in this passage is the claim that our end does not single out reason in each of us as more important than reason in any other. The initial point is just that for all of his emphasis on the I, Fichte does not direct the ethical agent to self-perfection at the expense of the perfection of others.

But the fact remains that Fichte does think that each of us is in a privileged position to know the *morality* of our actions, for that is an inner quality of actions that is not open to the judgment of others.[20] This thesis is tied to Fichte's very strong thesis about the formal aspect of moral action, namely that the judgment of what action is right must come from the individual, be ratified in the individual's conscience. The heart of this doctrine is Fichte's transformation of Kant's idea that moral action is action done *from duty*, for the sake of duty, out of respect for the moral law, etc. Fichte's moral law is agreement with oneself, and conscience is a feeling of harmony, so one acts on duty when one acts from the feeling of conviction that is signaled in conscience's approval. Just how much work this feeling does in *determining* an individual's duty is a

17 *SW* IV, 229; *SE*, 217.

18 His analysis of the person who wills lawless dominion, and the contrast with the moral individual, is especially instructive. See *SW* IV, 184-191; *SE* 175-181.

19 *SW* IV, 231; *SE*, 220.

20 He writes, "Whether someone actually fulfills *his duty* within his estate is therefore something that he alone can calculate, before the witness of his own conscience" (*SW* IV, 326; *SE*, 309), and, "When it comes to morality, no human being can or ought to judge another." (*SW* III, 265; *GNR*, 230).

difficult question that is an ongoing subject of debate in the literature.[21] The important point for my account is that one cannot act morally unless one is motivated to act *from* one's sense of conviction, from one's conscience. This implies that there is simply no perspective from which one can aggregate the morality of the world at any given moment.[22] The morality of all may be our ultimate end, but that ultimate end includes a condition that rules out *ever* knowing that the end is realized.

The individual's inner life is an ineliminable element in the final end of perfection. This does not mean that each of us is shut up in the circle of our convictions. On the contrary, we need to communicate the content of our convictions to others in order to be secure in our subjective certainty. It is, indeed, this simultaneous emphasis on individual conviction and impersonal reason that makes Fichte the originator of discourse theory and communicative action.[23] He holds that "I am even obliged by my conscience to develop this same conviction just as self-sufficiently and as broadly as I can. // Such development, or at least the continuation of the same, is possible, however, only by means of reciprocal communication with others."[24] Only in conversation with others will I be able to get over the suspicion that "in the most secret depths of my own mind"[25] I am not certain of my conviction. Arguing against "blind enthusing" and "sterile brooding," he writes that "The mind as a whole must be trained completely and from all sides and by no means one-sidedly."[26] Part of our ethical end is the cultivation of the mental capacities of judgment.

Fichte is wary of thinking that there is a procedure that would allow us to generate judgments of duty in any situation. In the course of arguing that one must be prepared to die while doing one's duty, he writes, "Everyone ought to do and everyone simply must do whatever his situation, his heart, and his insight order him to do – this, and nothing else; and one simply must not do anything one is prohibited from doing by one's situation, heart, and insight."[27] These are not casual references to "heart" and "insight," for these subjective

21 Kosch has argued against the widely held view that conscience does have a first-order role that conscience is instead merely a second-order consciousness that one has reached conviction about one's duty. See Kosch (2014). Wood also now holds that conscience does not simply determine duty, but he does – in contrast to Kosch – still retain a first-order role for conscience. Wood (2016), Chapter 5.

22 See also the claim by Ware that "*There is only an inner condition of moral worth.*" Ware (2017), 11.

23 See Wood (2016), 212.

24 *SW* IV, 245; *SE*, 233.

25 *SW* IV, 245; *SE*, 234.

26 *SW* IV, 262; *SE*, 251.

27 *SW* IV, 270; *SE*, 258.

elements of the individual are inescapable elements of morality. In an important passage he contrasts the world in which everyone acted "in accordance with reason," or legally, with the world in which the demand is met "that this should occur freely, in consequence of the moral law, and hence that genuine, true morality should rule."[28] His conclusion is that "every morally good human being's goal is the formal freedom of all rational beings"[29]. This seems sensible enough, but it does imply that our goal is a state of affairs to which we literally could not have access given the inner quality of formal freedom.

Each individual's formal freedom is the precondition of her moral worth, but the goal of moral action is impersonal, involves seeing through one's own freedom to the realization of reason in general. This comes out in Fichte's discussion of Kant's formula of humanity according to which each individual human being is an "end in itself." For this essay the important issue is the sense in which any individual takes her own perfection as an end.[30] Fichte elaborates his point with explicit reference to Kant's formula of humanity and clarifies that while others are ends in themselves for me, "no one is an end for himself" because "everyone is a *means* for realizing reason."[31] Turning to perfection and giving a non-egoistic interpretation of what moral perfection consists in, he writes,

> Those who think that perfection lies in pious meditations and devout brooding over oneself and who expect such exercises to produce the annihilation of their individuality and their merger with the godhead are very mistaken indeed. Their virtue is and remains egotism; they want only to perfect *themselves*. True virtue consists in acting, in acting for the community, by means of which one may forget oneself completely.[32]

The final end of morality is located in the community, in perfecting not oneself but reason in general as embodied in the community.

Yet a bit later in the text Fichte makes an argument that seems to undercut the above emphasis on the community. He argues against the temptation to forego marriage: "One is not permitted to sacrifice this end [marriage] to other

28 *SW* IV, 275; *SE*, 263.

29 *SW* IV, 276; *SE*, 263.

30 "Hence I am *for myself* – i.e., before my own consciousness – only an instrument, a mere tool of the moral law, and by no means the end of the same. – Driven by the moral law, I forget myself as I engage in action; I am but a tool in its hand. A person who is looking at the goal [of his action] does not see himself, for the goal in question lies outside that person." (*SW* IV, 256; *SE*, 244)

31 *SW* IV, 256; *SE*, 244.

32 *SW* IV, 256; *SE*, 245.

ends, such as service to the church, the aims of the state or the family, the calm of a life devoted to speculation, and the like; **for the end of being a complete human being is higher than any other end**."[33] That is an emphatic statement of an individual-based end, *being a complete human being*, that would seem to take precedence over other ends that might lead one to avoid marriage. I do not think one can explain this away as an outgrowth of Fichte's strange and rather repugnant conception of marriage. He seems quite aware of the problems with any one-sided focus on the end of reason within an individual life. No amount of devotion to science can justify neglecting development of the whole range of one's capacities.

The picture that emerges from the *Sittenlehre* is that of a self-perfection that ought to take social perfection as its goal, and a social system that ought to take the perfection of individuals as its goal. But strictly speaking we are only talking about the ethics of the individual, not the policies of the rational state.[34] Fichte is quite well aware of the dangers of trying to impose a moral order on individuals. Morality must be freely chosen by individuals if it is to have the value of morality. This is nothing other than the central conundrum of a perfectionism of autonomy. A person can directly will only her own autonomy, and she can indirectly will the autonomy of others by willing the creation of a social world that provides options and avenues of autonomous action. Even so, we should be able to give some definition to the world that would realize freedom, and some real guidance to ethical judgment as to which action moves us further along the path to perfection.

3. Consequentialist and Deontological Perfectionism

In this section I review a current debate over Fichte's ethics with a view towards specifying the nature of his perfectionism. Michelle Kosch has recently defended a view of Fichte's ethics as a *consequentialist* theory anchored in the final end.[35] She contrasts Fichte's focus on the final end as the principle of morality with Kant's emphasis on universal legislation. She writes, "Kant emphasizes that this principle is 'formal'; a material principle, by contrast, would prescribe the production of an end and judge the goodness of acts, rules, or

33 *SW* IV, 333; SE, 315, my bold.

34 Though Fichte does include a provocative section near the very end on the duties of the state official.

35 Kosch (2014), (2015). The book (2018) appeared too late for me to incorporate into this article.

policies on the basis of their tendency to produce or further that end. Fichte's moral principle, by contrast, is material in just this sense."[36] According to Kosch's interpretation, Fichte's material principle determines an agent-neutral theory in which actions are determined by their "tendency to produce" the end of "broadening the scope of possible rational plans of action."[37] She gives further definition to her view of the final end (which she admits is too abstractly formulated in the *System of Ethics*) by emphasizing the role that greater control over nature plays in furthering this end. Specifically, she finds Fichte's consequentialism gives him a way to support "basic scientific research, education, and technological and social innovation."[38]

While not making perfectionism a central focus of her interpretation, Kosch does indicate that she wants to do justice to Fichte's references to perfection. This makes sense given her emphasis on the material end (that Fichte identifies with perfection) as the central and most distinctive aspect of his ethical theory. She writes at the outset of her account, "His moral principle requires, not that we act only on maxims suitable for universal legislation in a kingdom of ends, but instead that we pursue the substantive end of rational agency's perfection and material independence from external limitations of all kinds."[39] Note that there are two main components to the substantive end, one being the perfection of rational agency and the other being material independence from external limitations. She is surely right that Fichte requires both, but the question arises from her formulation of whether this is one end or two, for she seems to put perfection on the side of rational agency as distinct from material independence. This goes against the unity claim that we saw above with Fichte's reference to the Highest Good; perfection has to include the outer conditions of agency that Fichte aligns with happiness. At the conclusion of her paper she writes of Fichte's claim that self-sufficiency is our absolute final end, "It simply amounts to the claim that, beyond the perfection of the exercise of rational agency and the expansion of its scope, there is no further end that a rational agent must, *qua* rational agent, have."[40] The first component covers the internal activity and the second the external dimension contained in the demand that we bring the bring the external world under the dominion of reason. This makes the subject's capacities into the goal of perfection rather than

36 Kosch (2015), 349.
37 Ibid., 350.
38 Ibid., 350.
39 Ibid., 349-50.
40 Ibid., 371. In a footnote she suggests that Fichte's material principle might escape Kant's objections to all material principles because that Kantian argument did not really address all principles of perfection. Ibid., 373, n81.

taking the goal of perfection to include the realized material end in the social world.

In his critique of Kosch's interpretation, Allen Wood takes issue with both the characterization of the absolute end and with the way that Kosch proposes to use it to support her consequentialist reading. Wood denies that "the degree of *rational human control over nature*"[41] captures Fichte's conception of the final end of self-sufficiency. But he does not merely reject that specific formulation, for he argues that there is *no way of specifying the final end* that would allow us to think of specific actions as maximizing that end.

Wood argues that Fichte is a radical *deontologist* whose basic requirement of willing duty for its own sake cuts against the consequentialist reading. He writes that Kosch leaves out something crucial: "There is also clearly one crucial aspect of what Fichte means by 'independence and self-sufficiency' of which this interpretation takes no account at all: namely the human choice of dutiful actions for the sake of duty exhibiting the independence of our will from all natural drives and from every enjoyment of their satisfaction only for its own sake".[42] This choice is the side of formal freedom that appears ineluctably inner in Fichte's view and therefore cannot be assessed in any standard consequentialist manner. I think that Wood is somewhat uncharitable towards Kosch here, for, as we have seen, she does think that *part* of the final end is "the perfection of the exercise of rational agency," and she would surely admit that what Wood calls "exhibiting the independence of our will" is included in that perfection. The question is whether this willing can be included in the consequences in a way that would not cause trouble for other aspects of Kosch's view. Her split between a subject-oriented element ("the exercise of rational agency") and a world-oriented element ("the expansion of its scope") suggests that she does think there is such a way. But I take it that she does not think that Fichte gave us much guidance in how to unite the two elements into a single end.

Wood's alternative answer to how the final end informs ethical life is what he calls "a Recursive Projection of our Finite Ends".[43] He writes, "our choice of the next member of the series is not guided calculatively, by a conception of the final end and the action calculated as a means to it. It is guided instead by the actions we have already taken. The next action is chosen as the further extension or projection of these same actions, when they are considered as

41 Wood (2016), 176.
42 Ibid.
43 Ibid., 179.

a *series*."[44] The final end itself always remains indefinite, for it does not determine specific actions except insofar as there has to be a conception of the infinite end for the idea of the series to be coherent. But the specific actions tend towards the material end on their own terms, without adding to them the end of perfection: "Each recursion, moreover, involves setting *only* a new end within a determinate range, and not *also* setting the final end according to some determinate concept of it."[45] This formulation is true to Fichte's frequent emphasis on our determinate limitations, but it does render rather unclear what guidance the final end offers for our finite end-setting.

Wood's interpretation of the final end is reflected in his view of the moral life. Rather than taking practical reason to be a calculative operation on agent-neutral reasons, Wood's Fichte endorses a situation ethics oriented by the specificity of cases and the individual agent's commitments. He writes, "The facts that provide us with moral reasons always remain heterogenous and unsystematic – too varied in nature to admit of reduction to any deliberative procedure. There is no discursive criterion of right action."[46] He holds that this accords with the role that Fichte assigns individual conscience as the conclusion of deliberation.

The existentialist bent of Wood's interpretation comes out in his proposal that Fichte has a new way of answering philosophers who worry that the moral demand threatens to rob individuals of their integrity. Fichte's moral agent, on Wood's view, "reconceives morality in such a way that everything belonging to our ground project becomes our moral duty."[47] He holds that morality for Fichte "displaces any desire or project not integrated by moral reflection into my project of being the free self that I am. … There is no conflict between the rational impartiality of the moral law and the concrete demands of my situation. For Fichte, they are the same. My care for other people, the projects and causes to which I devote myself, all belong to my moral vocation."[48] Wood thus argues that we should not divide agent-relative and agent-neutral reasons in Fichte, for care and integrity are the main hallmarks of agent-relativity. By integrating these in moral reflection, we do justice to the demands of impartiality that motivate the agent-neutral.

The Fichtean moral life looks so dramatically different on these two accounts, both of which can find support in Fichte's texts, that we may be led

44 Ibid., 180.
45 Ibid., 181.
46 Ibid., 151.
47 Ibid., 193.
48 Ibid., 194.

to suspect that the view is not in the end coherent. But it may be just that Fichte is pushing at the bounds of our categories. Owen Ware has argued for a middle position of sorts between Wood's radical deontological view and Kosch's calculative consequentialism, arriving at a view that he calls "social perfectionism."[49] Ware agrees with Kosch that Fichte's view is agent-neutral, but he argues against her consequentialism, citing many passages where Fichte denies that one should base ethical decisions on the expected consequences.[50] But he also argues that we should not read Fichte as deontological in Kant's sense because Fichte holds the formal moral law to be empty and that teleological arguments must be employed to generate the content of morality. Ware argues that Wood goes too far in claiming that the final end is indeterminate, for by Wood's own lights we can say that social harmony is the final end.[51]

For Ware, Fichte's teleology and his perfectionism come to the fore at the level of philosophical reflection while deontology predominates at the level of ordinary consciousness.[52] This theoretically specifiable end has to do with harmonization rather than maximization: "objects are measurable by their tendency to harmonize with a final end."[53] Ware holds that the end of social harmony is determinate enough to ground our duties, at least when that is understood as the grounding of ethical content from the philosophical point of view.[54] Ware's claim is that in the social end we have a determinate enough condition to provide an account of ethical duties, duties that are viewed as unconditionally binding for individuals not because of their consequences, but simply because they accord with the individual's moral feelings in free deliberation.

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49 Ware (2017), 1.

50 Ibid., pp. 10-13.

51 "Human beings are different from one another by nature in their predispositions and talents. The perfection of society consists in combining their capacities and activities into a single harmonious whole." Wood (2016), 221.

52 See also Wood's suggestion ((2016), 175) that Kosch's consequentialism could be understood as part of a two level view in which the consequentialism defines the philosophical truth of how norms are justified in contrast to the agent's deontological viewpoint.

53 Ware (2017), p. 14.

54 Wood has replied that he is reluctant to use the perfectionist label because of its widespread use as a "pernicious stereotype. A perfectionist ethics is normally assumed to aim at the perfection of the individual agent. It is assumed that this agent has a 'nature' to be perfected, that we can have a determinate concept of this nature, and that everything the agent is or does can be determined by this nature and this concept". Wood (2017), cited by Ware (2017), p. 16, n16.

I agree with Ware's emphasis on the social character of Fichte's perfectionism, but we are left in an odd position if we accept a split-level view of justification. The idea is that an individual knows her duty and is in a position to act for the sake of duty simply in following the guidance of moral feeling in deliberation. This is not to say that feeling determines our duty but that it reliably identifies our duty in any given situation. The philosopher can give a general account of duties as those purposes that lead towards the final end of social harmony. The question this raises is why individuals should be barred from taking social harmony as guiding their own deliberation and, further, why they are not the ones actually setting the terms for that harmony. The latter would seem to be consonant with Fichte's Rousseauian understanding of the general will. It seems that what we need is not a two-level picture of ordinary and theoretical reasoning but rather a single view of reasoning internally differentiated by the different objects of deliberation: 1) actions that I believe it is right for me to perform here and now and 2) those norms and laws that constitute my social context. These two sets of objects could be united if we held that the moral life is the life devoted to social reform. Fichte's theory is among the first, if not *the* first, to make such a view of ethics seem attractive.[55] Fichte himself only partly drew this conclusion in his Jena period, for he thought we needed to separate morality and politics, and in fact took it as one of his main goals to establish grounds of (political) right independent of the moral law. It is to that split, and to the surprising ways in which Fichte also works to overcome it from the side of right, that I now turn.

4. Avoiding Political Perfectionism, Embracing Economic Justice

It is a social end that ultimately defines Fichte's ethical perfectionism, yet he denies that the political powers can be oriented towards this ethical purpose. From the side of ethics there are indeed duties of right, such as the duty to obey the laws of your state. But there do not seem to be grounds *within the relation of right* to make individual or communal perfection the goal of state action. Fichte makes claims that, taken literally, would give the domain of right and the domain of ethics *opposed purposes*. While ethics is oriented by a final end in which all individuality is to disappear, the whole theory of right consists of conditions to establish and secure individuality, and this can lead to a good

55 The clearest descendant of this program is that espoused by Bruno Bauer in his writings prior to 1848. See Chapter 9 of this volume.

deal of uncertainty about what the individual agent's aims should be.[56] Fichte is uncompromising in separating the validity of right from the well-being of ethical agents, insisting that justice must survive even if it means the world will perish.[57] But he does not support the kind of right libertarianism that often accompanies a focus on property and a non-moral state. Quite the contrary. And that brings us to the puzzle of his economic and political philosophy as a whole: how does a theory arguing for individual *independence* end up with one of the most robust theories of *interdependence* in modern political philosophy?

4.1 *Consent, Reciprocity and Unification*

Any direct move from *ethical* perfectionism to *political* perfectionism is blocked by Fichte's assertion of a very strong separation of morality and right.[58] In his *Foundations of Natural Right* he contrasts the moral law's unconditional commands of duty with the law of right's conditional permissions. Fichte situates himself within the social contract tradition and bases right on the voluntary consent of those who are subject to laws of right. He also thinks of right as strictly *external*, and thus as independent of anyone's good will. His theory is based largely on property right and coercion, and thus seems at first to belong more to the classical liberal tradition than to any potentially perfectionist doctrine. Yet Fichte's theory of sociality, mutual recognition, leads him into claims in the *Foundations* about the political that appear to go beyond his initial restrictions. These claims make the radical economic arguments of *The Closed Commercial State* rather less unexpected. The reciprocity at the heart of right is incompatible with an unjust social order, and to the extent that social reciprocity and ethical perfection are overlapping ideals, there is a way to understand the ethical and political theories as converging on a vision of social harmony.

There are in fact two distinct sociality arguments at the beginning of the *Foundations*, the "summons argument" and the "recognition argument." In order to become conscious of one's freedom one must be summoned to that freedom by the activity of another free individual. This summons argument concerns a necessary condition of freedom, and is, strictly speaking, about the

56 As Kosch writes, "He does not tell us, in any systematic way, how the imperatives of protecting individuality and expanding material self-sufficiency are to be balanced against one another, or against non-political associative duties, in practical deliberation." Kosch (2015), 374.

57 He writes, "it is an utterly false proposition that the government is instituted to serve the best interests of those who are governed. (*Salus populi suprema lex esto*) What is right is because it ought to be; it exists absolutely, and it ought to be enforced even if no one were to benefit from this (*Fiat justitia, et pereat mundus*)." (*SW* IV, 358; *SE*, 338)

58 On this point, see Neuhouser (2016) and Clark (2016).

development of the individual to the initial awareness of freedom.[59] The second argument does not establish the same kind of necessity, for it concerns a relation that individuals *voluntarily* enter into with each other and the consequences of that voluntary act.[60] It is this second argument that is decisive for the *Foundations*, for it turns on each individual recognizing the discrete sphere of activity of other persons, and all the subsequent requirements of right are just so many consequences of this original relation voluntarily entered into and maintained. This relation is a condition of one's individuality, for without this definition through secure contrast with another agent's sphere of freedom, one is not an individual. The groundbreaking claim is that I can only be an individual in community, and if I will the conditions of community I have to will all the conditions of right that follow from it. Yet – and here is the opening for a return to the more traditional contractualism – I cannot count on the good will of others or trust that they will continue to recognize me. By virtue of our mutual voluntary consent they are obligated to recognize me, but the *guarantee* of this recognition to which I am entitled comes only with the coercive laws of the state.

There is thus a strong strand of what I call *atomistic contractualism* running through the *Foundations*.[61] But beneath this superstructure of atomism there remains a stronger social element that irrupts in Fichte's presentation of the series of contracts with which he establishes the state's authority. His *holistic contractualism* comes out most strikingly in what he calls *the unification contract*.[62] This contract has the effect of nullifying contractualist logic in the sense that it takes individuals out of their bare individuality as atomistic property owners and unites them into an organic whole. He writes, "the individual becomes a part of an organized whole, and thus melts into one with the whole"[63]. We get an inkling of how such incorporation into a whole could lead to a perfectionist doctrine in Fichte's claim that "Apart from the state, human beings would experience only passing gratification, but never the least concern for the future"[64]. Entry into the organic whole is transformative, for it changes the way that we experience our desires, and, Fichte suggests, makes us into beings who can think ahead, delay gratification, etc.

59 *SW* III, 30-40; *FNR*, 29-39.
60 *SW* III, 41-53; *FNR*, 39-49.
61 For worries about how well this fits with Fichte's arguments for sociality, see Martin (2006) and Baur (2006).
62 For a longer discussion of this, see Moyar (2016).
63 *SW* III, 204; *FNR*, 177.
64 *SW* III, 208; *FNR*, 181.

The unification introduces elements into the *Foundations* that one might have thought were ruled out by his strict separation of morality and right. Though he does not go all the way towards making the political authorities responsible for cultivating the good will, there is a sense in which the state is the appropriate precursor to moral perfectionism. He writes, "Humanity was divided into several independent members; the natural institution of the state already cancels this independence provisionally and molds individual groups into a whole, until morality re-creates the entire species as one"[65]. Here again Fichte's ultimate goal, the ultimate perfection at which we aim, is universal agreement or oneness. This whole is not merely held together by the mechanical operation of coercive law, but also defines obligations. He writes of "an absolute civic duty"[66] to help those in need, and he argues that your property is not really yours when another citizen is suffering from lack of property. These terms of the unification contract do not present a clear argument for politics as the means to the perfection of individuals, but it does erect a political ideal of social harmony. We can call the view *civic perfectionism*, the point being that the state aims at the perfection of the whole, the *reciprocity* among members of the whole. The high standard set by these claims about property comes to the fore in the extreme measures Fichte entertains in the economic sphere to secure a system of labor that ensures the well-being of all.

4.2 *Pleasure and Value in the Closed State*

The radical economic proposals of Fichte's 1800 *The Closed Commercial State* certainly do not seem to lie in the ordinary classical liberal contractualist line of thought. The work does rely on some of the contractualist reasoning of the *Foundations*, but the thrust of the work is a strongly egalitarian centralized State that aims at complete control over economic forces. As Douglas Moggach has pointed out, Fichte frames his text as a middle path between the non-interventionist doctrines of Humboldt and the classical perfectionism of Christian Wolff.[67] Fichte takes it for granted that traditional perfectionism is no longer an option: "The opinion that the state is the absolute [*unumschränkt*] guardian of humanity in all its affairs, making it happy, rich, healthy, orthodox, virtuous, and, if God so wills, even eternally blessed, has been sufficiently refuted in our day."[68] Yet Fichte strongly resists the non-interventionist alternative. The state cannot just take existing property relations as given, or as irrelevant

65 *FNR*, 176; *SW* III, 203.
66 *FNR*, 220; *SW* III, 252.
67 Moggach (2011).
68 *SW* III, 399; *CCS*, 91.

to the basic justice of the laws, but rather must put itself in a position "to first *give* each what is his."[69] Fichte thus insists that the reciprocity at the heart of the state's authority depends quite fundamentally on economic justice. Unless each person is able to live from their labor, no one has a genuine claim to property in excess of what they require for mere life. Fichte puts a great deal of weight on our original equality and on the social institution of property. You only own something in so far as everyone else renounces their right to it. There is no reason for everyone to accept that some people are entitled to more property than others.

Because Fichte is committed to giving a social and political theory that stays away from appeals to the good will or other moral notions, he attempts to make his arguments in the basic and straightforward terms of life, pleasure and value. These are not terms external to subjectivity in general, for no mere quantities of stuff could serve as a measure for justice. The fundamental category for Fichte is *activity*, the purpose of which is first of all "to be able to live."[70] Life in turn can be translated into pleasure: "Everyone wishes to live as pleasantly as is possible. Since everyone demands this as a human being, and no one is more or less human than anyone else, everyone has an equal right in [making] this demand."[71] Fichte does not imagine that we could guarantee for each an equally pleasurable life. We need to make it *possible*, for each "must be able".[72] to live as pleasantly as others, but it is up to individuals to make this happen once they have been given the opportunity. Fichte's reference to pleasure and the teleological dimension of his thinking might give the impression that he is offering a utilitarian account here. But there is clearly no maximization *across* persons. Without equality *between* persons there is no right, so right is not there to maximize an overall amount of pleasure in the world.

The more pressing question is whether Fichte takes a position on which activities are more pleasant than others. Is it merely a question of subjective intensity? Or can we distinguish higher and lower pleasures in a way that would open the door to political perfectionism? If the state is in the business of distinguishing higher and lower, essential and inessential pleasures, this could lead to a perfectionist doctrine.

Fichte makes an important move towards an objective account of pleasure when he translates pleasantness into *value*. "Let one posit, as the first of two

69 Ibid.; In *Foundations* Fichte casts this point as an even more radical version of a similar point made by Rousseau. *SW* III, 204-05; *FNR*, 177.

70 *SW* III, 402; *CCS*, 93.

71 Ibid.

72 Ibid.

magnitudes, a determinate sum of potential activity within a certain sphere of efficacy. The value of this magnitude is the pleasantness of life resulting from this activity."[73] This does not at first seem to address the issue of the value of different pleasures, but rather seems to reduce value to pleasure, and thus simply to reformulate the question rather than to solve it. He admits that the "pleasantness of life" "is based on personal taste and inclination, and thus is not suitable, in and for itself, to serve as a universally valid standard measure."[74] He turns instead "to the possibility of living, the true intrinsic value of every free activity"[75], and on that basis argues for *bread* as having "value absolutely, and it is by this measure that we estimate the value of everything else."[76]

Things get trickier for Fichte's account when he returns to the issue of pleasure and formulates a way in which the value of diverse consumer goods can be measured in terms of bread. The greater pleasantness of items to be consumed (and I think this can be extended beyond food and drink to consumption in general) is to be determined by "a universally valid estimation" that amounts to the "greater expenditure" of "time, force, skill, and soil"[77] in producing those more pleasurable items. We can translate that expenditure back into an equivalent expenditure that would be required for producing bread.[78] What is important for Fichte at this point is that the luxury goods produced would represent an excess of effort beyond mere subsistence, and that this excess is also to be distributed by the state to prevent inequality.

Fichte's theory of equality is more complex than it might seem at first, for as we saw already in the *Vocation* lectures, he subscribes to a principle of the estates, or a division of labor that is also a division in manner of living. He thus glosses "relatively equal" with the claim that "each one will maintain the kind of force and well-being he needs for his specific occupation."[79] Comparing the scholar to the farmer, Fichte notes that someone engaged in thought requires different, and presumably more expensive nourishment, for it is "nourishment that satisfies in smaller quantities"[80]. It is also crucial for the scholar to have "an environment in which the cleanliness and nobility that should rule him within

73 Ibid.
74 *SW* III, 415; *CCS*, 104.
75 *SW* III, 415; *CCS*, 104.
76 Ibid.
77 *SW* III, 417; *CCS*, 105.
78 Adler criticizes Fichte on this point the it "sneaks in market forces through the back door" and he argues that "it is unlikely that this principle of substitution could provide a foundation for equating the value of heterogenous forms of activity." Adler (2012), 37.
79 *SW* III, 417-18; *CCS*, 106.
80 *SW* III, 418; *CCS*, 106.

is constantly placed before his eyes in the outside world."[81] Fichte does not shy away from distinguishing between lower and higher occupations, or from talking about what is truly human.[82] Thus, he writes, "Yet even the farmer, on his day of rest, when he enters into a thoroughly human existence, deserves to enjoy together with the others the better things that the soil of his land grants, and wear clothing worthy of a free man."[83] Fichte thereby balances a respect for the highest things that can be accomplished by individuals with a concern for the perfection of the whole. His *civic perfectionism* is on display when he writes that "the intrinsic essential state of prosperity consists in being able to procure for oneself the most truly human pleasures with the least difficult and time-consuming labor. This should be the state of prosperity of the *nation* as a whole and not only of a few individuals …"[84] This passage does seem to set a scale of pleasures, with "the most truly human" at the top, and to set a goal for the nation of distributing this value in an optimal manner. Fichte is arguing, not unlike some contemporary consequentialists, that the final value is a certain distribution of value among individuals.[85]

In discussing the transition from an open to a closed state, Fichte raises the issue of existing needs and the right to continue to enjoy the pleasures that one has come to expect. "This habituation has turned these goods into needs that are indispensable to their well-being."[86] But what if these needs can only be sustained through trade with other countries? As much as possible the State must develop the production of these goods within its own borders. But there are limits here, limits with which Fichte distinguishes the element of perfection in his theory from an unlimited pursuit of luxury goods and refined needs. He writes, "a distinction must be made between those needs that can actually contribute something to well-being and those that only take opinion

81 Ibid.

82 Christopher Yeomans has put the worries with division of labor in these terms: "the very way that the individual's limited material independence is secured is precisely by removing from them the status of an end and making them into a means for the self-sufficiency of reason as such. The self-sufficiency of reason as such is not only consistent with paternalistic subordination of individuals, but in fact requires it." (2015), 67.

83 *SW* III, 418; *CCS*, 106.

84 *SW* III, 423; *CCS*, 110.

85 "Within the country agriculture and the factories have now been brought to the intended degree of perfection, and the ratio of each to the other, of trade to both of them, and of the public officials to all three, has been calculated, ordered, and fixed." (*SW* III, 504; *CCS*, 191)

86 *SW* III, 478; *CCS*, 165.

into account."[87] Is there a notion of well-being here that could be the basis of true needs, true pleasures, and the basis of the State's contribution to human perfection?

Fichte's position could simply be taken to rely on the common sense idea of necessity and luxury, but it is notoriously hard to distinguish what one really needs from what is superfluous. Fichte's gestures in this direction will no doubt seem self-serving, as when he writes about travel:

> Only the scholar and the higher artist will have to travel outside of a closed commercial state. Idle curiosity and the restless hunt for distraction should no longer be allowed to tote their boredom from land to land. The travels of the scholar and the higher artist happen for the benefit of humanity and the state, and the government, far from trying to prevent these trips, should even encourage them, sending scholars and artists on trips at public expense.[88]

Here is a selective allowance for scholars and artists, but one that is justified by a higher moral purpose of the perfection of humanity. The goods of mere tourism are not enough to justify the opening of the state, the anarchy of the market, and the proliferation of false needs. This case demonstrates better than any external criticism how the desire to reform the state for the good of all tends to favor certain elites of spirit over the elites of industry, and thus to put one class conflict in place of another.

Conclusion

As is often the case with Fichte, his boldest pronouncements lead us to expect more than he is able to deliver in the end. But this is by design, and it is a mark of his heroic honesty that he did not shy away from erecting roadblocks to the ends that he himself declares to be sovereign. Without the separation of morality and right, the moral end of perfection could be misunderstood as a doctrine that overrides the free choice of individuals to determine the right and good for themselves. But Fichte holds that obeying the existing laws, and thus respecting the expectations that they have brought into being, is itself

87 *SW* III, 479; *CCS*, 166; He notes, "it is hardly clear why the coat must be of sable or the dress of silk, when the country produces neither sable nor silk. And it is even less clear why it would be so terrible if one day our clothing suddenly lacked all that embroidery through which it is made neither warmer nor more durable." (*SW* III, 479; *CCS*, 166) See also Adler (2012), 38-39 on this passage.

88 *SW* III, 506-07; *CCS*, 193.

an ethical demand.[89] He is also willing to ascribe to heads of state the duty to bring about the ethical end, and he even invokes Plato's philosopher kings in support of the need for enlightened rule.[90] But Fichte stops short at calling for immediate change, or an immediate move to the equality that he clearly cherished. This comes at least in part from respecting those individuals who already exist and who cannot simply be reeducated to a new revolutionary condition. In the end Fichte's perfectionism finds its proper home in the progress of *culture*, which the State can encourage but not mandate. "As the level of culture rises and as culture spreads more widely such privileges will cease, and it is the end of both nature and of reason that they should cease and that there should arise a complete equality of all citizens according to *birth* … The spread of culture is thus the end of both nature and of reason."[91] This faith is fully compatible with the imperative of reason that we each must act in order to bring about the transformation of culture, one step at a time, both in ourselves and in others. Perfectionism must be accompanied by realism about the limitations of human action and community.

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89 "It is a matter of conscience to submit unconditionally to the laws of one's state; for these laws contain the presumptive general will, against which no one may influence others. Everyone receives moral permission to have an effect on others only by virtue of the fact that the law declares their consent to be influenced in this way." (*SW* IV, 238; *SE*, 226-27)

90 "But reason still demands that the social bond should gradually approximate that bond that is the only rightful one, and this is also what is demanded by the arrangement of nature. Thus a governor [*Regent*] who has to govern the state with this end in mind must be acquainted with the latter. According to what was said above, a person who elevates himself above ordinary experience by means of concepts is called a scholar; hence the state official must be a scholar within his own field. Plato says that no prince could rule well who did not participate in the ideas, and this is exactly what we are saying here." (*SW* IV, 357; *SE* 337)

91 *SW* IV, 360; *SE*, 340.

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