

Introduction

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In the wake of Kant's works on moral philosophy, the *Groundwork for the Metaphysics of Morals* and the *Critique of Practical Reason*, many philosophers entered the ensuing debate on the foundations of morality and the content of its demands. Fichte's voice was one of the most powerful in this regard. From the early stages of his philosophical thought, Fichte felt an especially strong connection with the outlook of Kant's moral philosophy. In a 1790 letter to his close friend F. A. Weissshuhn, Fichte famously wrote: "I have been living in a new world ever since reading the *Critique of Practical Reason*" (GA III/1: 167). At the same time, Fichte's original project of a new systematic account of philosophy, the *Doctrine of Science*, included from the outset a part devoted to moral philosophy. Fichte's programmatic outline of a system accordingly mentioned "new theories of natural law and morality" (GA I/2: 151).

This part of Fichte's project was fulfilled, only three years after the publication of the *Foundations of the Entire Wissenschaftslehre*, when the *System of Ethics* came out in April 1798, for the *Ostermesse* (see GA I/5: 2). The work was anticipated by the lectures on ethics that Fichte had been giving in Jena since 1796. As is witnessed by student notes (published in GA IV/1), he presented in those lectures a first version of the views put forward in the work that he published in 1798. The *System of Ethics* belongs to the core of Fichte's Jena system, along with the two 1797 *Introductions into the Wissenschaftslehre*, the *Natural Right* (1796), and the *Wissenschaftslehre Nova Methodo* (1796–1798). The *System of Ethics* is thus Fichte's last major work before the momentous disruption caused by the accusation of atheism that led to his departure from Jena in 1800. The philosophical significance of such a work can then best be understood by considering the work as a systematic whole.

The high systematic significance of the *System of Ethics* goes in fact well beyond the terms of the post-Kantian debate in moral philosophy. Fichte writes that the subject matter of the work is "our consciousness of our

moral nature in general and of our specific duties in particular” (GA I/5: 35; SL 4: 15). However, it is a distinctive feature of the *System of Ethics* that it is not merely a work of ethical theory. An utterly ambitious work, it encompasses (1) a theoretical foundation that supplements the views put forward in Fichte’s previous expositions of the “doctrine of science” (*Wissenschaftslehre*), (2) a more specific foundation of moral principles and their authority, and (3) a systematic exposition of moral duties, both general and relative to the individual’s role in society. As a systematic work, the *System of Ethics* provides important additions and revisions to the core of Fichte’s thought, reflecting his position in the *Wissenschaftslehre nova methodo* that he was presenting in lectures in those years, without publishing it in full. As a work in moral philosophy, the *System of Ethics* enjoys a special priority in classical German philosophy. Kant’s own exposition of ethics, the “Doctrine of Virtue” of the *Metaphysics of Morals*, was published only a few months before Fichte’s work, in August 1797, and could not play a role in the development of Fichte’s view. The *System of Ethics* is thus independent from Kant’s parallel work and is without question the main work on practical philosophy between Kant’s *Critique of Practical Reason* and Hegel’s *Philosophy of Right*. Thus, while Fichte’s other Jena works have been investigated more fully than the *System of Ethics* so far, the *System of Ethics* can be regarded, because of its complexity, as “the most mature work of his Jena years, and it easily surpasses in clarity and concision the two versions of the Jena *Wissenschaftslehre*.”¹

In spite of its significance in more than one respect, the *System of Ethics* has been mostly ignored, both from Fichte’s contemporaries and from later scholars. Fichte’s previous writings had attracted a great deal of attention and had been intensely discussed. Only two years earlier, the *Natural Right*, with which the *System of Ethics* was closely connected for thematic and philosophical reasons, had enjoyed especially positive consideration. Yet, the *System of Ethics* was poorly received. Only five reviews of the work were published, one of which suggested that “there could hardly be a more superfluous work” (see GA I/5: 11). The rapidly growing hostility toward Fichte and the accusation of atheism might have prevented further unbiased appraisal of it. Also some tensions in Fichte’s views and the focus of the philosophical debate moving to other issues may have diverted attention from the merit of Fichte’s ethics. Whatever the reasons, the *System of Ethics* remains the least appreciated work of his activity in Jena. A survey of its reception bears the appropriate title “Two Hundred

¹ Beiser (2002, 324).

Years of Solitude: The Failed Reception of Fichte's *System of Ethics*.”² The later scholarship has not yet fully rectified the neglect of such a work.

The past two decades have witnessed a steady rise of interest in Fichte in the Anglophone world, with numerous translations, volumes, and monographs devoted to interpreting his philosophy. One cause for this surge of interest is the flourishing of scholarship on Kant and Hegel, which has secured the status of post-Kantian philosophy as an independently valid period of intellectual history. As a result, Fichte has come to enjoy the credentials of an original thinker whose system deserves serious attention. However, Fichte's moral philosophy has not received the same level of engagement, and even the most basic terms of his ethical thought – “freedom,” “morality,” “drive,” “conscience,” and “self-sufficiency” – have yet to receive agreed-upon interpretations. Fichte's views on moral philosophy have been considered only in specific investigations. Before the last decade, the scant literature was mainly represented by a few German and Italian monographs.³ Fichte's moral philosophy has been almost entirely neglected also in recent expositions of the history of ethics, in spite of the great current interest in eighteenth- and nineteenth-century ethics.⁴ The present volume aims at calling attention to the *System of Ethics* in its complexity, both as an important part of Fichte's philosophical system and as his key work on moral philosophy, which represents an original contribution to the history of ethics at large.

This volume does not provide a full commentary on Fichte's work, but it aims at a reappraisal of the *System of Ethics* in its entirety, by examining the foundational issues discussed in the first part of the work, its central account of the authority of morality, as well as the normative account of morality extensively presented in the last part of the *System of Ethics*. While this is not a commentary, the volume closely follows the outline of the

² Zöller (2008). Still in 2017, a review of a recent German commentary of the work stresses that the *System of Ethics* has not received an appropriate amount of attention either by Fichte scholars or moral philosophers more generally. See Jacobs (2017, 235).

³ See Verwey (1975), Ivaldo (1992), Fonnesu (1993), and De Pascale (1995, 2003). In the last years, a rise of involvement in Fichte's ethical thought is witnessed by a commentary in German (Merle and Schmidt [2015]), several articles, and three monographs like Allen Wood's (2016a), Michelle Kosch's (2018), and Owen Ware's (2020).

⁴ Terence Irwin's three-volume *The Development of Ethics*, which includes extensive chapters on Kant, Hegel, Schopenhauer, Kierkegaard, Marx, and Nietzsche, mentions Fichte only on one page, in passing, with regard to a passage of the *Foundations of Natural Right* criticized by Hegel (Irwin [2009, 139]). The *Oxford Handbook of the History of Ethics* devotes less than one page to Fichte's *System of Ethics* in a chapter on “Kantian Ethics” (Höffe [2013, 470]). The chapter on “Ethics” in the *Oxford Handbook of Nineteenth-Century German Philosophy* (Katsafanas [2015]) passes over Fichte entirely. The only reference work available in English that devotes a part to Fichte is the *Cambridge History of Moral Philosophy* (Wood [2017a]).

work and, after a comprehensive look in Chapter 1, the following chapters engage with key issues discussed in specific sections of the *System of Ethics*. The underlying aim, which has also guided the selection of the topics to focus on, is to highlight the distinctive features of the views presented in Fichte's main work on moral philosophy and promote further discussion with new interpretations.

Fichte's *System of Ethics* was composed when the discussion in moral philosophy was dominated by the debate on Kant's view of morality in the *Groundwork for the Metaphysics of Morals* and the second *Critique*. Fichte shared with many others not only the enthusiasm for the perspective that those works had opened up but also the urgency to consolidate the foundations of morality and complement it with a critical treatment of ethics proper. In his lectures on moral philosophy and the *System of Ethics*, Fichte presented a complete theory of morality in a Kantian spirit almost anticipating Kant's own "Doctrine of Virtue." If the relationship to Kant's thought is crucial to every aspect of Fichte's philosophy, it is here even more significant and complex. A comparison with Kant's outlook goes through the entire *System of Ethics*. Thus, all chapters of this volume will touch, to some extent, upon Fichte's relation to Kant's moral philosophy.

The Kantian background of Fichte's ethical theory, however, is specifically addressed in Chapter 1, by Allen Wood. While the *System of Ethics* was without question inspired by Kant, Wood highlights the fact that this work was composed independently of Kant's systematic account of ethical duties in the "Doctrine of Virtue" (published only a few months before the *System of Ethics*). Both systems ground ethical obligation on a categorical imperative, Wood explains. Kant, however, takes the very concept of such an imperative to have a specific moral content, and to provide us with, first, a formal criterion of moral judgment (universal law or law of nature), second, a substantive value (humanity as end in itself) motivating obedience to duty and capable of grounding specific classes of ethical duty, and third, a conception of an ideal of moral perfection in a community of rational beings (the realm of ends). Fichte's ethics contains all three of these things (or at least analogues to them), but Fichte thinks they need to be derived independently of the concept of categorical obligation, because he regards the categorical imperative as purely formal and empty of content. On Wood's account, then, Fichte departs from Kant's ethics in three crucial ways. The first is Fichte's alternative derivation of the criterion of judgment in a theory of conscience. The second is his alternative conception of classes of duty in a transcendental theory of the embodied, intellectual, and intersubjective aspects of human agency. And the third is

Fichte's alternative account of our communicative and cooperative relations to others in a theory of social perfection.

During the second half of his tumultuous tenure in Jena, Fichte developed two parallel accounts of what he variously called the “instinct of reason” (in the *Wissenschaftslehre nova methodo* lectures, 1796–1798) and our “moral nature” (in the *System of Ethics* of 1798) – that is, our commonsense level recognition of categorical moral demands. He carefully differentiated these accounts from the more concrete project of delimiting actual duties as well as from accounting for our experience of morality as constraining us to act or refrain from acting in a certain way. While Fichte did not explore classical metaethical inquiries along lines we would call metaphysical (“are there moral facts?”), epistemic (“if there are moral facts, how do we know about them?”), or semantic (“what sort of meaning do moral claims have?”), he nevertheless posed foundational questions about morality. The aim of Chapter 2, by Benjamin Crowe, is to arrive at an understanding of Fichte's metaethics that integrates these two parallel accounts. Crowe first characterizes his metaethics as theoretical (i.e., not directly concerned with practical deliberation or action) and idealist (i.e., as avoiding both naturalist and supernaturalist metaphysics along with causal explanation in general). While it is accurate to label Fichte's approach “transcendental,” Crowe argues that both accounts ultimately introduce a theological element, namely, the idea of God. On Crowe's account, the role of God turns out to be a “necessary Idea” within Fichte's genetic explanation of our moral nature, without reducing to any form of supernaturalist metaphysics.

Questions of Fichte's metaethics lead naturally to the foundational portion of the *System of Ethics* devoted to a “Deduction of the Principle of Morality” in §§1–3 of Part I. In Chapter 3, Ulrich Schlösser contextualizes these opening moves of the book with reference to Kant's definition of autonomy as the idea of a lawgiving will possessed by all rational beings. According to Schlösser, Fichte objects to this theory of autonomy on two fronts. First, Fichte argues that Kant fails to present a “genetic” account that reveals the inner structure of the legislating subject. From Fichte's point of view, this line of reasoning merely explains that we have to take ourselves as lawgiving, but not how we can understand ourselves to be bound by a law we are giving. Second, Kant argues that the imperative can be applied to sensible incentives, but according to Fichte, he fails to articulate a mediating a priori form that shapes sensibility itself. Schlösser argues that Fichte's conception of striving toward the “entire I” is meant to respond to these perceived shortcomings in Kant's ethics. Because we access selfhood from

a first-personal perspective, we do not have an overview of it in its entirety; we always partly objectify it. The striving ascribed to the self, when objectively understood, is what Fichte calls the “formative drive” (*Bildungstrieb*). But that same striving, Schlösser argues, is what Fichte calls the spontaneity of intelligence when it is considered subjectively, and hence these two aspects of selfhood form a complete identity.

Arguably, Fichte’s genetic account of agency constitutes one of his most original contributions to the landscape of post-Kantian moral philosophy. It comes to the foreground in Part II of the *System of Ethics* titled “Deduction of the Reality and Applicability of the Moral Law.” As Chapter 4, by Owen Ware, shows, what motivates this second deduction is a concern to avoid what Fichte calls “empty formula philosophy,” which fails to explain how willing an object is possible. Fichte sets out to avoid this shortcoming by offering a complex theory of the drives, focusing first on what he calls our “lower capacity of desire.” Ware argues that the key to understanding this section of the *System of Ethics* lies in Fichte’s attempt to derive the character of our “natural drive” (*Naturtrieb*) from how we represent the system of nature as a whole. At the center of this derivation we find Fichte draws upon an organicist model of nature, according to which all the parts of natural systems reciprocally interact for the sake of the whole, and vice versa. While largely overlooked by scholars, Ware shows that this organicist model gives Fichte the resources to present an original theory of desire as an activity of “forming and being formed” by natural objects, in a way that foreshadows what Fichte later calls our “ethical drive” (*sittlicher Trieb*) to unite with others, both cooperatively and reciprocally, in rational community. Even at this most fundamental form of agency, then, the natural drive reveals an original connection to the I and its self-activity.

However, this is just the first stage in a much longer account of the genesis of agency, which Daniel Breazeale shows culminates in Fichte’s theory of freedom. One problem of interpretation is that Fichte employs different senses of freedom throughout the *System of Ethics*, and it is not always clear, given the context, what meaning he intends to assign to this word. To complicate matters, Fichte draws an explicit distinction between “formal” freedom and “material” freedom, but scholars to this day have yet to reach any degree of consensus over their exact definitions. In Chapter 5, Breazeale argues that formal freedom is characteristic of the unconditioned, spontaneous activity of the I as such, that is, of the “pure I”: It underlies and makes possible both the freedom of conscious reflection and the freedom of practical willing and acting, including the freedom to

determine not only the means toward one's ends but also these ends themselves. The latter constitutes full material freedom. However, these two senses admit of different degrees, and Fichte himself is committed to the view that reaching full material freedom depends on a process of ongoing cultivation. On Breazeale's account, moral cultivation is a process that begins with a prereflective state of agency and then develops, progressively over the course of one's self-reflective acts, to the height of moral autonomy. In this process, Breazeale argues, one achieves concrete material freedom of choice only by reflecting upon one's own underlying formal freedom as an I.

With these foundational arguments in place, Fichte's next task in the *System of Ethics* is to shed light on the formal and material conditions of morality, first providing a theory of conscience and then, for the remainder of Part III, providing a doctrine of duties. In arguing for the feeling of conscience as a formal absolute criterion for the belief in one's duty, however, Fichte seems to render impossible an account of ethical content. If the individual conscience decides and its verdict cannot be appealed, how can the philosopher claim to give an account of the ethical content that everyone must act upon? Chapter 6, by Dean Moyar, explores Fichte's two arguments for ethical content in the *System of Ethics* and examines the difficulties they raise for the coherence of his overall position. Moyar argues that Fichte has good arguments for deriving ethical content on the basis of the original freedom of the I, but that these arguments put serious pressure on the appeal to formality in the basic argument for conscience as an absolute criterion. The argument for individuality and intersubjectivity later in the *System of Ethics*, in particular, raises questions about whether the methodological individualism of the formal derivation is compatible with the account of content.

Indeed, this perceived tension between Fichte's commitments to individuality and intersubjectivity finds expression in his theory of evil. Chapter 7, by David James, examines this issue in relation to the question of whether Fichte's theory of evil lends itself more to an individualistic reading or a social one. Although James acknowledges that there is textual support for the idea that evil is the product of a morally corrupt society and its influence, Fichte's account of the moral agent's ultimate responsibility for the state of evil in which he or she finds himself or herself implies a moment of radical individualization in his ethical theory. To locate the source of moral evil in social factors, in contrast, would amount to a form of social determination that is incompatible with Fichte's understanding of moral autonomy. James also discusses Fichte's claim

that his theory of evil provides the correct interpretation of Kant's theory of radical evil, and how his attempt to interpret Kant generates a puzzle concerning how an individual could ever come to be responsible for his or her evil disposition. Finally, James ties his discussion to an account of how Kierkegaard's concept of sin can be seen to develop some of the implications of Fichte's position.

Scholars have long recognized that Fichte's derivation of content for the moral law comes not from his theory of conscience in Part II but from his theory of the transcendental conditions of I-hood in Part III. But just how this derivation of content is supposed to work remains subject to much controversy. In Chapter 8, by Angelica Nuzzo, Fichte gives us a quasi-phenomenological account of how the I develops through a system of drives in which nature and freedom are constitutively intertwined. In this framework, Nuzzo argues, embodiment plays a crucial role. This is because the body is the locus in which nature and freedom originally intersect: Indeed, it is through the body that the natural drive address itself an agent, and for Fichte it is through the body that one exercises causality in the world. Nuzzo's chapter examines the details of this theory of embodiment by setting it in the larger context of Fichte's confrontation with Kant's formal idea of morality. The quasi-phenomenological setup of the argument is grounded in Fichte's attempt to bridge the gap between the strict apriorism of the ethical law grounded in reason and the experiential dimension of the "original drive" as it is progressively and infinitely actualized in our life.

It might come as a surprise to some readers that Fichte devoted so many pages of his most important ethical work to the state, the church, and even to the learned republic, that is, the learned public opinion. The surprise could be justified, however, when one considers Fichte as the most radical supporter of the separation between law and morality. Chapter 9, by Luca Fonnesu, advances an interpretation of the role and importance of the social institutions (state, church, and learned republic) in Fichte's ethical thought. Almost half of the *System of Ethics* and almost the whole ethics "proper" (*im eigentlichen Sinne*) are devoted to a theory of society that can be understood as a theory of ethical life (*Sittlichkeit*) articulated in different institutions. The exposition of this theory begins with Fichte's theory of intersubjectivity and with his conception of society as a presentation of reason (*Darstellung der Vernunft*) and ends with the doctrine of duties, which has in Fichte's work a different form when compared to the modern doctrine of duties, including Kant's *Metaphysics of Morals*. Fonnesu argues that Fichte's moral theory is a social theory of morality as ethical life,

including an objective, that is, social, doctrine of duties, contrasting the subjective, that is, individualist, doctrine of the tradition. Fichte's theory has many features in common with the Hegelian theory of the ethical life, but while Hegel unifies law and morality in a superior space called ethical life (*Sittlichkeit*), Fichte unifies law and morality in an original theory of society.

Like most eighteenth-century writers, Fichte equates "ethics in the proper sense of the term" with a "doctrine of duties." A substantial part of the *System of Ethics* (§§ 19–33) is thus devoted to sketch an account of our main ethical obligations. In spite of its significance for the aims of the work, Fichte's outlines of a normative ethics have scarcely been examined in any detail. The aim of Chapter 10, by Stefano Bacin, is to shed light on some of the most original elements of Fichte's conception of morality as expressed in his account of specific obligations. After some remarks on Fichte's original classification of ethical duties, Bacin focuses on the prohibition of lying, the duty to communicate our true knowledge, and the duty to set a good example. Fichte's account of those duties not only goes beyond the mere justification of universally acknowledged demands but also deploys different arguments than his contemporaries, most notably Kant. Fichte thereby sketches a conception of morality in which the agent is crucially required to contribute to the morality of others. Bacin's chapter explores the contrast between Fichte's view and Kant's thought of an end in itself and suggests that Fichte's view of morality amounts to a form of normative perfectionism that is qualified by the underlying claim of the agent-neutral character of moral demands.