Fichte's Certainty in the Spirit by the Letter

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ABSTRACT: Fichte's Jena writings sought to combine the apparently conflicting requirements of settling philosophy on scientific grounds and of respecting its character as a self-determined vocation. In reconciling these tasks, he understood himself to be faced at once with the meta-philosophical one of motivating the questions he addressed, the pedagogical one of adequately communicating his position, and the polemical one of accounting for the incomprehension of his adversaries. I show how these layers constitute Fichte's response to the larger problem of specifying the relation between the rote 'letter' of a philosophical doctrine and the intersubjective 'spirit' of its communicability.

RÉSUMÉ : Dans ses écrits de Jena, Fichte tente de résoudre l'apparent conflit entre la nécessité de faire reposer la philosophie sur des principes scientifiques et celle de respecter sa nature de vocation autonome. Ce faisant, il a prétendu accomplir d'autres tâches, sur les plans métaphilosophique, pédagogique et polémique : justifier les questions qui l'occupaient, communiquer sa pensée correctement et répondre aux incompréhensions de ses adversaires. Cet article montre qu'à travers ces considérations, Fichte s'essaie aussi au problème plus vaste qui consiste à préciser la relation entre la «lettre» de la philosophie comme doctrine et son «esprit» intersubjectif.

Keywords: Fichte, German Idealism, intersubjectivity, recognition, foundationalism

I. The Spirit of Certainty in Doubt

The history of modern philosophy might be told in counterpoint between the search for certain, autonomous grounds, and the reappearance of doubt about those grounds. Even as the paradigm of mathematical reasoning offered

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Descartes unexampled powers of constructive rational mastery, it is just as evident that such a paradigm cannot but have generated doubts of its own—not simply because it lengthened the shadow of what is doubtful, nor because we may continue to ask about the correctness of particular appeals to the *lumen naturale*, but because clarity and distinctness are not self-sufficient criterial standards so much as descriptions of the experience of our own private certainty. The conditions of shared insight are not thereby brought into focus.

The relationship between mathematical procedure and the standards of philosophical precision since Descartes has been by no means uncomplicated, but it is clear that the early modern mathematisation of the natural sciences exercised an irresistible attraction over the shape of philosophy's programmatic aspirations at least through the beginning of the nineteenth century, thereby also ensuring the recurrence of basic questions about the nature of its foundational certainty. As Fichte states his version of the matter in his 1797 Introduction to the first *Wissenschaftslehre*, all his critics' errors may well consist in (1) "that they have never attained a really clear conception of what *proof* is," (2) that they do not know "what it is to prove a thing to *somebody*," and (3) that they do not "reckon upon the other's self-activity," since "neither party can think himself into [*hineindenken*] the soul of the other without himself being that other."[1] The certainty of philosophy's foundation rests therefore not merely on the certainty of its first principles, but on the establishment of a commonmindedness that, as requiring persuasion, education, and freely shared conviction, cannot be directly compelled. Pushed to its limits, the very possibility of quasi-mathematical, demonstrative reasoning—that one could be forced to conclude what cannot be denied without contradiction—paradoxically continues to depend on a dimension of subjectively shared responses that elude systematisation.

I'd like to suggest that this issue of the relation between certainty and its intersubjective justifications is exceptionally, perhaps singularly, well defined in Fichte's Jena writings. His commitment to rendering philosophy scientifically systematic during the 1790s prompts his corresponsive attention to the problem of what the psychic or spiritual conditions of acquiescence to such a science would have to be—conditions that, precisely by being extra-scientific and intersubjective, then sit uneasily by the side of the demand for certainty that gives rise to them in the first place. As the above passage from the Second Introduction suggests, Fichte explicitly understood the foundation of scientific inquiry to face three inseparable tasks: (1) demonstrating the necessity and peculiar indemonstrability of that foundation, (2) being pedagogically sensitive to his philosophical reception, and (3) accounting for the psychic conditions of shared conviction as such. These additional layers are not always

[1] SW I. 508–509/*SK* 77–78 (trans. mod.).

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distinct, but I want to show how it is that Fichte's attention to each of them responds to a particular tension that was not otherwise fully articulated within German Idealism (and only rarely within early modern philosophy generally): the problem of describing the right relation between the rote form of a philosophical science and its subjectively incorporated understanding, or what Fichte (following Kant, following St. Paul) referred to as the relation between the 'letter' and the 'spirit.'

The distinction between spirit and letter is, I argue here, crucial to clarifying the bond between Fichte's theoretical commitments, his pedagogical thought, and his notoriously unsavory rhetorical tactics, which most scholars have either politely disregarded or written off as "irrelevant."[2] I am not the first to have noticed that Fichte's *ad hominem* truculence is continuous with his conception of philosophical certainty. I am rehearsing here certain aspects of what has been shown by Peter Suber (who emphasises the theoretical significance of Fichte's polemics) and Paul Franks (who, leaning on Stanley Cavell, connects the spirit/letter distinction in Fichte with his scepticism about other minds).[3] My aim here is at once to bring into view the unity between these aspects—Fichte's theoretical philosophy, his views on pedagogical intersubjectivity, and the character of his polemics against his sceptics—while also, in the central part of my essay, showing how they may be seen to radiate from Fichte's particular appropriation of Kant's *Critique of Judgment*. It is from that work that Fichte draws the distinction between spirit and letter into philosophical use. What is distinctive about his position is the way in which that relation is itself supposed to play a decisive role within his project of rendering philosophy fully scientific (as it does not for Kant). And this expresses itself, as I'll argue, in a pattern of specific dissonances in Fichte's views of the communicability of philosophy. His desire to rest on the letter alone cannot refrain from invocation of its spirit, even as it continually recoils from it.

II. Demonstrating the Indemonstrable

I want to begin to show that and how Fichte's theoretical first principles must, both by virtue of their character and of his scientific ambitions, themselves elicit questions about the communicability of philosophy: a version of the distinction between spirit and letter is thus already present within his way of approaching the question of self-consciousness. Now, there are few points of so striking agreement between Kant and his immediate successors as the aim of transforming philosophy into a science, *Wissenschaft*, on analogy to the transformation undergone by mathematics and the physical sciences in

[2] Rockmore, "Fichte's Antifoundationalism," 87.

[3] See Suber's "A Case Study," and Franks' "Discovery of the Other." See too, in this connection, Sallis' "Fichte and the Problem of System."

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early modernity. It is plain that that analogy was interpreted in very different ways, and that the project was not understood in any of its versions as a crudely symbolic formalisation of philosophy—it is not a project of *mathesis universalis*, as conceived by Descartes or Leibniz. But it is also clear that Kant intends more than idle comparison when he writes that the task he had set himself consists in the "attempt to transform the procedure previously followed in metaphysics, by subjecting metaphysics to a complete revolution, thus following the example set by the geometricians and investigators of nature."[4] Even as Kant did not understand himself in his *Critiques* to be providing more than transcendental grounding for subsequent systematisation, one might minimally paraphrase the claim as offering the possibility that, in spite of reason's intrinsic penchant toward the unconditioned, one could put paid to certain kinds of traditional metaphysical disputes once and for all. That is, that philosophy could cease to be a permanent feud over first principles, but might become an additive discipline, by which inquiry could accrue results on a previously settled basis. Metaphysics would be able to "complete its work and put it aside for the use of posterity, as a framework that can never be augmented."[5]

Of all of Kant's immediate successors, no one insists as often and as stringently on this desideratum as does Fichte. It would perhaps be an exaggeration to say that one finds it expressed in every single programmatic statement he made in his Jena writings, but if it is, the truth does not lag far behind. The term '*Wissenschaftslehre*'—*Science of Knowledge*, the name of the work that, throughout its many versions, he considered to be the cornerstone of his thought—was itself coined in contrast to "mere love of knowledge" or "philosophy."[6] In the Preface to the 1794 version of the same, he announces that "I thought and still think myself to have discovered the way in which philosophy must raise itself to the level of a manifest science."[7]

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4 B xxii.

5 B xxiv (trans. mod.). One should qualify this by adding that Kant's conception of his own project is not systematic in the same sense adopted by a number of his successors. See Franks' distinction between types of monism in *All or Nothing*, 84–145. While, in this essay, I focus rather more on Fichte's formulation of a *Grundsatz* as a distinctive first principle from which philosophical science can proceed, it is clear that Fichte also maintained that such a principle could only be fully ratified once its conformity to the whole of ordinary experience has been *a posteriori* established. See, Rockmore's "Antifoundationalism," alongside SW I. 61–62/EW 119, SW I. 80/EW 133, SW I. 410/EW 306, SW II. 446/EW 326.

6 Cf. his letter to Böttiger from 3/1/94, BW n. 156; SW I. 44–45/EW 106; GA I. 7. 188/*CC* 42.

7 SW I. 86/*WL* 89.

His letters from the same period make frequent reference to the same endeavour, which "concerns nothing less than a scientific philosophy, one which can measure itself against mathematics."[8]

Fichte plainly wavered throughout the 1790s as to just *how* closely to construe this analogy between philosophy and mathematics (geometry in particular). The Zurich *Wissenschaftslehre* (predating his arrival in Jena) begins, Euclid-wise, with a series of definitions; he then abandoned this overt approach until the *Neue Bearbeitung der Wissenschaftslehre* of 1800, which, written under the inspiration of Spinoza's *Ethics*, is the version *Wissenschaftslehre* most obviously patterned after the *Elements*.[9] These variations notwithstanding, Fichte evidently continued to turn to geometry as a paradigmatic model for his purpose of establishing philosophy as a systematic totality of mutually fixed, apodictically determined inferences.[10] It is clear, moreover, that any such deductive model of cognition must put pressure on the postulates and definitions that underwrite its starting point, so that it is this conception of philosophy that already suggests the immense importance that Fichte attached to a further issue—an issue that sets him apart in emphasis from the generic intention to render philosophy into science found in Kant, Schelling, and Hegel: I mean his insistence that the systematic character of philosophical science depend on its deduction from a single first principle.[11]

To abridge a longer story: one of the most pressing, unresolved questions for the reception of Kant in the late 1780s and early 1790s was the search for a unifying principle that would account for what were perceived to be unwarranted or unsubordinated elements in Kant's system. Fichte refers to the separation of practical from theoretical reason, the division between sensibility and understanding, and the bald givenness of intuition and of the table of categories, as some of the Kantian *disiecta membra* that still stand in need of further unifying justification.[12] K.L. Reinhold—Fichte's predecessor at Jena—had been the first to supply an influential answer to this problem of unity with his

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8 BW n. 152/EW 15; cf. BW n. 140/ EW 366–367, BW n. 145/EW 371, BW n. 159/ EW 372–373, SW II. 435/EW 317–318. *Sed contra*: SW II. 462/EW 344.

9 See Wood's "*Mathesis of the Mind*," 121–160.

10 See SW I. 440/*WL* 20, BW n. 145/EW 371, BW n. 159/EW 372.

11 It must be qualified that Fichte (like Kant) did not understand geometrical postulates to be axiomatic (as if stipulating a set of primitive, given propositions on the basis of which all further investigation is to proceed), but rather constructive (that is, as the repertory of acts by means of which geometrical space can be articulated). See again Wood's "*Mathesis of the Mind*," 121–136, and Stolzenberg's *Fichtes Begriff*, 33, 40.

12 Cf. SW II.476–477/EW 350, BW n. 135/EW 368–369, SW 478ff./*WL* 51ff.

single Principle of Consciousness, which purported to establish the foundational grounds from which the Kantian oppositions just noted could be deduced. I need not rehearse the details of Reinhold's Principle or of Fichte's opposition to it here, which would take me afield, except to note that, even though he disagreed with the substance of Reinhold's suggestion, Fichte obviously admired it as setting the right agenda: he refers to Reinhold's contribution—in private correspondence and in print—as commensurable with Kant's.[13] Even allowing for flattery, the comparison underscores how closely Fichte identifies the establishment of a self-evident first principle (*Grundsatz*) with the possibility of rendering philosophy systematic and scientific.[14]

It was just such a principle that, beginning with the *Aenesidemus Review*, Fichte would call '*Tathandlung*'—'deed-doing' or 'deed-act'—an obsolescent word that Fichte rehabilitates to express the qualitatively exceptional character of consciousness as a first principle that could not be true, apart from our own agency.[15] The philosophical run-up to this point may be very briefly summarised as follows. Fichte is intent on showing that no candidate for foundational principle of philosophy could be a matter of fact—something that could happen to strike us as true or not. What characterises a (mere) fact is not only its finitude, its logical dependence on some other fact, but its separability from my grounds for establishing it—no fact (not even something like A=A, in Fichte's view) is self-validating in this sense. For anything at all to be the case, it must be able to count as the case *for me*: I must be able to know it as my thought (in the transcendental, Kantian sense), and I must be able to claim my own free reason for holding to it (I must be able to 'posit' it, as Fichte puts it), because nothing other than my autonomous reasons for it can count as sufficient grounds for its justification. Any merely factual explanation must already assume the *explicandum*, must assume an exogenous vantage from which reasons are to be endorsed. And where we can therefore appeal to no self-evident state of affairs, the search for the bedrock principle of philosophical science can only remit to our original capacity of upholding reasons as our own in the first place, a capacity which, as an autonomous 'doing' rather than fact, cannot be known apart from our own enactment of it.[16] It is this original, self-grounding act that Fichte calls '*Tathandlung*.'

This starts more hares than I can pursue in this context—much attention has been devoted to understanding what Fichte conceived by such a notion in its

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13 See BW 228/EW 384; and SW I. 31/EW 96.

14 Cf. SW I. 58–59/EW 116–117.

15 '*Tathandlung*' is widely taken to be Fichte's neologism by Anglophone scholarship, but see Franks' "Freedom, *Tatsache*, and *Tathandlung*," 318–319.

16 Cf. esp. SW I. 465–468/*WL* 40–42; Rockmore's "Fichte's Antifoundationalism," 79–81, 88–89; Pippin's "Fichte's Alleged, Subjective, Psychological, One-Sided Idealism," 157.

different formulations,[17] and I do not aim to enter further in to that debate, except to insist on its altogether *sui generis* character as a principle that is inextricably theoretical and practical, and on its close connection to the spirit/letter distinction elsewhere in Fichte's writings. Fichte's denial that there could be a meaningfully sustained distinction between facts and their warrants, between the *what* and *why* of our self-conscious experience, entails that the foundation of our knowledge cannot be understood simply as a fixed proposition that is not subject to being further demonstrated or denied (Descartes), or even as an activity conditioning experience—something that we could come to know as quasi-empirically true *about* ourselves (Fichte's criticism of Reinhold[18])—but must be construed instead as a self-constituting experience, something that we know to be true only in the act of making it so. The "I am" is not a fact, Fichte maintains, because "it is at once the agent and the product of the action; the active and what the activity brings about; action and deed are one and the same, and hence the 'I am' expresses an Act [*Tathandlung*]."[19] We thus know the *Tathandlung* to be true "through itself"[20] in the sense that we might be said to know that the space of reasons is self-grounding: it is not an insight that can be contained as an item within the repertory of our knowledge, but the very condition of rational autonomy freely exercising itself into being.

By the same token, however, it is not difficult to see why Fichte's first principle should then be subject to special difficulties of demonstration, given how we must be distinctively implicated in the affirmation of our own self-conscious foundation. Fichte insists throughout his Introductions to the first *Wissenschaftslehre* that the *Tathandlung* is by its very nature not a principle that could irrefutably impinge on us from without to compel our acquiescence, in the way that logical proof or given facts are generally understood to do.[21] In *Concerning the Concept of the Wissenschaftslehre*, he explicitly identifies this possibility as a sceptical threat to philosophy (just as it will recur later, in the *Vocation of Man*), saying that the science he has described "is not something which exists independently of us and without our help. On the contrary, it is something which can only be produced by the freedom of our mind, turned in a particular direction."[22] Nor does its foundational adequacy consist in its brute indemonstrability, as if we had arrived in it at a first axiom of all thinking, the truth of which could only be established by extra- or trans-rational authority. This latter point

17 Cf. esp. Henrich's "Fichte's Original Insight."

18 See Stolzenberg, *Fichtes Begriff*, 21–33.

19 SW I. 96/*WL* 97.

20 SW I. 49/EW 109.

21 Cf. SW I. 429/*WL* 11, SW I. 506/*WL* 76.

22 SW I. 46/EW 107; cf. GA II. 3. 335/EW 209, SW II. 453/EW 331, SW I. 89/*WL* 91.

had figured in F.H. Jacobi's indictment of the aspirations of rationalism from the mid-1780s,[23] and it was a version of foundationalism that Fichte evidently studied to reject. He argues instead that we cannot be spectators when it comes to knowing the original act of self, we cannot catch ourselves in the act of self-consciousness as onlookers, but can only know it as participants engaged in the task of producing the grounds upon which we stand.

The *Tathandlung* could only therefore have its proper basis in our enacting in and for ourselves a demonstration of our own self-constitution. Fichte will insist again and again on the point that we must each achieve such an act of intellectual intuition in the first person, by virtue of what might be described as a "performative" utterance.[24] But this also means that Fichte has now made a non-discursive, internal act a condition for fully understanding him—it is not enough, as he will often note, to have the right idea of the *Tathandlung*; one must have the right idea in the right context of reasons. One can only understand if it becomes one's *own* necessity.[25] And this is no longer exactly a condition of truth and error espoused by any of his contemporaries. Kant also speaks of self-consciousness as a kind of activity, but he does not—at least within a theoretical context—call for his readers' voluntary explicitation of it, nor insist on our participation in his argument as an additional requirement for understanding it.[26] Kant's so-called "fact of reason" does then seem to call for just such an explicitation in a practical context, but it is precisely this distinction between theoretical and practical that Fichte takes himself to be bridging in his vindication of the *Tathandlung* as the single synthetic principle underlying all self-conscious acts.[27] In any case, Fichte moves the implications of such a practical explicitation a step further than Kant ever countenances, in his (Fichte's) readiness to distinguish merely rote (and so specious) avowals of such an act from their genuine expression:

> This description (viz., that the I is what simply posits itself, what is at once subject and object) is, however, not sufficient. It is no more than a formula, and for those who do not breathe life [*belebte*] into it by an inner intuition which they themselves produce, it remains an empty, dead, and unintelligible figure of speech [*Redensart*].

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23 See Jacobi's *Main Philosophical Writings*, 234.

24 Cf. on this point Thomas-Fogiel's *Critique de la représentation* (81–93), Fischbach's *L'être et l'acte* (31–52), Ralickas' "Fichte, poéticien" (129), and Wood's "The 'Double Sense' of Fichte's Philosophical Language" (3–6).

25 See SW I. 89/*WL* 91.

26 Cf. A xv: "… for the author should only submit grounds, and should not pronounce on their effect on his judges."

27 AA 5. 31; for the best analysis of Fichte's denial of the distinction between theory and practice as patterned after Kant's presentation of *das Faktum der Vernunft*, see Franks' *All or Nothing*, 260–336.

> An inner act [*ein inneres Handeln*] is required of the student of the *Wissenschaftslehre* … [Anyone who is incapable of doing this] will obtain a mere object, which has been given to him from without by his teacher.[28]

It is not simply our explicit, formulated reasons that are called for as criteria of our understanding the *Tathandlung*, therefore; it is the practical stance underlying our reasons. In the interest of surmounting the separation between receptivity and spontaneity, or between theoretical and practical reason, that troubles him in Kant, Fichte now finds it necessary to distinguish between the quickening breath of freely held conviction and its empty imitation—between, in other words, what he elsewhere, as we will see, calls the 'letter' and the 'spirit.'

We find ourselves far now from what the analogy between philosophical science and mathematics might have originally suggested—say, a definitive system of knowledge inexorably deduced from incontrovertible first principles. It's at least clear that Fichte saw the formal analogy between the two as standing in need of serious qualification.[29] It is nonetheless remarkable to observe how those qualifications—qualifications placed on the spirit in which our reasons are held—arise in some ways from his pursuit of the mathematical analogy while in others rendering it untenable: the search for a grounding first principle of demonstration is traced back to an act of self, our understanding of which is then conditioned by our performance of it, which must in turn be carried out with the right spirit. The project of identifying sure grounds of systematic construction thus predicates that certainty on something like an act of conversion, an uncaused leap of stance.

It may be doubted whether this additional demand for the spirit of conviction deserves to be considered essential to Fichte's contribution to the question of self-consciousness narrowly understood, rather than as a familiar strategy of rhetorical intimidation that would have us conflate disagreement with incomprehension. On one level, it is true that we can inspect Fichte's positions critically and without entering into discussion of the spirit in which we do so. But I have also noted how such a distinction might already arise, for one, from the demands placed on the indemonstrability of a necessary first principle of science, such that his demands on our conviction about the original act of consciousness can be seen as an extension of his denial of the separability of facts from our normative activity of upholding them. If our grounding principle is not a mere fact but the expression of practical identity, one might minimally agree that it is an equivocation to treat first-personal knowledge as if it were

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28 SW II. 442/EW 323.

29 See Wood's "*Mathesis of the Mind*," 145, 148, 176, for further discussion of these limitations, as Fichte saw them.

third-personal, that we will misunderstand ourselves so long as we keep our role in self-knowledge at arm's length as one topic among many, and so that there is a sense (or a spirit) in which we make such knowledge our own that cannot be fully determined logically or propositionally without begging any questions.

It is also true that Fichte's use of the spirit/letter distinction is even more ambitious than this way of putting it would suggest, insofar as he intends by it not simply the conditions of our conviction, but the conditions of our shared conviction: the conditions under which we can enter into one another's reasons. Fichte appeals to the spirit in which we make the argument our own as a way of articulating the requirement that the privacy of our experience not keep us apart, that we not be kept separate by the mere letter.

He does then often enough, as we will see, exaggerate this difference for his own uses. Nevertheless, his appeals to some form of the distinction between the letter and the spirit throughout his Jena writings are so frequent and purposeful they should considered to be—more than a debater's get-out-of-jail-free card—properly structural to his thinking. Not only because, as I've noted in this section, they reveal the consequences of his desire for scientific certainty and are, in fact, its consummation. But also because the development of such a distinction is connected with another of Fichte's central philosophical interests, namely, his search to give adequate expression to the conditions of learning, of communication, and of intersubjectivity as such. We have seen something about how the distinction between spirit and letter might arise from the first question I noted in the introduction: what is proof? That question, in considering our common participation in the first principle of science, motivates the second: what is it to prove something to *someone*?

III. Teaching the Unteachable

Fichte was, by many accounts, a brilliant, charismatic teacher. The zeal with which he threw himself into his duties at Jena embodied something of the exalted description of the scholar's calling in his *Lectures* by that name, and it is evident that he gave a great deal of thought to the conditions of success of his own pedagogical activity. As he himself sometimes notes, furthermore, his preoccupation with pedagogical themes in several of his Jena essays is without parallel among his Idealist contemporaries.[30] This is for better and for worse, as I've noted; Fichte's sensitivity to these questions is not easily distinguishable from his irritability. Its value is to render him exceptionally attentive to what might be called the subjective or personal conditions of persuasion: the challenge of establishing the necessary and necessarily non-discursive—that is to say, not merely theoretical or propositional or *a priori* formalisable—difference between philosophy and sophistry. In other words, Fichte maintains

30 Cf. SW II. 460/EW 341.

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that subscribing to correct philosophical propositions is itself not a sufficient criterion of their full understanding, because the latter involves a practical, animating dimension that he will variously call—following Schiller's *Letters* and Kant's *Religion within the Boundaries of Mere Reason*—'heart' or 'love' or 'spirit' (though not interchangeably) throughout his career. As I will show in this section, he developed in Jena a conception of that latter dimension by means of the aesthetic lexicon available to him from Kant's *Critique of Judgment*. The effects of that text on Fichte's views of the communicability of philosophy afford us a crucial view, unnoted by scholars, of the connection between his conception of philosophy as such (in the previous section) and his polemical rhetoric (in the next).

Above, I've connected Fichte's distinction between the spirit and the merely literal sense of his thought to the ways in which he sought to modulate the analogy between geometry and philosophy that he elsewhere pursues. But that purpose—by virtue of its insistence on the enactment of its principles *in propria persona*—then also bears on his conception of the very communicability of philosophy: he does not understand teaching as the imparting or transmission of a body of knowledge, but as an activity of spiritual communion itself constitutive of the discipline. The contrast between letter and spirit is therefore intended to express at once the relative inadequacy of all verbal communication, the sense in which we are forced to overcome that inadequacy, and so the need for true understanding to express itself in terms that must (paradoxically) differ from the image of their original in order to remain faithful to it.

Fichte frequently mobilises this distinction as a way of justifying his insistence that his thought is Kantian, when his basic nomenclature and approach departs *prima facie* so radically from Kant's.[31] But we likewise find him making some extraordinarily generous pronouncements about his own philosophical pedagogy:

> No teacher can make his teaching completely individualized, and no teacher should do this. Everyone must discover for himself *how* something is construed in accordance with his own manner of thinking and how this is to be squared with what he previously considered true and settled; no stranger can give it to him. This requires at least a certain degree of *spirit*. The literalist [*Buchstäbler*] clarifies nothing for himself; instead, he learns it by heart and then repeats it.[32]

This observation is consonant with another he repeats, in his letters to Reinhold and in print, i.e., that his theory does not admit of one single version, but rather

[31] See Kant's response to this issue in his open letter on Fichte's *Wissenschaftslehre* (8/7/1799), quoted by Harris in *Between Kant and Hegel*, 293.

[32] GA II. 3. 339/EW 212 (trans. mod.).

"should be expounded in an infinite number of ways. Everyone will have a different way of thinking it—and each person must think of it in a different way, in order to think it at all."[33] It is likewise in this vein that he emphasises the intrinsically inadequate, provisional character of his presentations, claiming that he will eschew fixed terminology and refrain from disabusing the reader of every misunderstanding in the interest of encouraging independence of thought.[34] The proliferation of versions of the *Wissenschaftslehre*—there are over 20—itself attests to this plasticity of presentation constituting what he refers to as the scholar's "art of communication."[35]

This commitment in turn entails a latent notion of Romantic authenticity in some of Fichte's passages about education: the notion (pioneered by Herder) that we are each, by virtue of being unique, in a position to give intrinsically valuable expression to the truth.[36] Fichte construes individuality aesthetically in such passages, taking his bearings from Kant's *Critique of Judgment*. If, he suggests, philosophical principles must be practically embodied in order to be fully understood, then the successful expression of such principles must be in each case exceptional, must be one of a kind in the way that the works of art and nature are. We will be able to supply no *a priori* rule by means of which to measure the realisation of authenticity, because there can be no fixed image of our original appropriation.

This line of reasoning is most in evidence in Fichte's *Concerning the Difference between the Spirit and the Letter within Philosophy*, where he distinguishes between at least four senses of what he means by 'spirit': (1) the way in which all human beings are free, (2) the way in which we all have an undeveloped intuition of or feeling for truth, (3) our capacity for raising such feelings into representations, and (4) our capacity for communicating those representations to others, for inspiring them with shared meaning. These four senses are increasingly restrictive: everyone partakes of spirit in the first sense, while the final sense characterises something like the philosophical excellence that he is encouraging in his listeners. 'Spirit' in this highest sense is identified with the capacity to advance humanity by communicating to it its own inarticulate ideals. Fichte underlines that these highest expressions of spirit are characterised by their inimitability:

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33 BW n. 287/EW 417; cf. BW n. 246/EW 398; BW n. 291/EW 421; SW II. 453/EW 331–332.

34 SW I. 89/*WL* 91; cf. BW n. 287/EW 417; SW I. 87/*WL* 90; K 22/H 25/*NM* 101.

35 SW VI. 330/EW 173.

36 See Taylor's *Hegel*, 3–50, for what is still the best succinct introduction to the development of Romantic expressivism. Fichte's Romantic/aesthetic commitments continue to be relatively underestimated, however (as they are in Taylor's account). For one attempt to remedy this, see Lohmann's "Die Funktionen der Kunst."

> Spirit obtains its rules from within itself. It needs no law; it is a law unto itself. The person without spirit [*geistlose*] obtains his rules from without; he is able to do nothing but copy. He cannot do anything unless someone tells him how to do it. The man without spirit and the man who is rich in spirit [*geistvolle*] follow the same rule, but there is an enormous difference in the way they do this. The latter acts according to the rule and as if it were no rule. And it really is no rule for him; it is nature. The person without spirit acts according to the rule, but in a manner which always allows one to see the rule, as well as to see his anxious observance of it.[37]

Fichte's debt to the *Critique of Judgment* is obvious here—in the notion of spiritual rule as a kind of second nature, in the notion that spirit is a law unto itself, and in the allusion to the lawful lawlessness by which Kant characterises the free play between imagination and understanding in reflective judgement.[38] Kant explicitly mentions the difference between letter and spirit in his discussion of the quickening (*Belebung*) of content that takes place in a work of art,[39] and, indeed, the above quote comes on the heels of an extended comparison that Fichte draws between the presentation of genuinely spiritual ideas and the way in which the mere imitators of Pygmalion's statue were bound to fail.

Fichte probably helps himself to the terms of the third *Critique* with more than one purpose in mind—the role of artistic genius in Kant's account, for instance, is clearly being extended to include the highest form of philosophising that Fichte takes himself to be presenting. I take the main point of such borrowings, however, to be the search for an adequate conception of the concrete instantiation of principles that Fichte thinks of as intrinsic to communication. He is intent on distinguishing between a formulaic or literal understanding of philosophy—the rote expressions of philosophy that Fichte refers to as mere, external images or "bodies"[40]—and a vision of philosophy requiring an intimate assimilation, a mediation of universal truth within the form of particular subjectivity, and so, like a work of art, present as a rule that can only serve as a pattern of itself. As he will put it at the conclusion to the *Nova Methodo* lectures: "the philosopher has to possess an aesthetic sense, i.e., 'spirit' … he must be animated by the same spirit that, when cultivated, serves to develop one aesthetically."[41]

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37 GA II. 3. 321–322/EW 198.

38 *KU* §§32, 35, 42, 45–47, 49.

39 *KU* §49; and see *KU* §43 and AA 7. 225–226, 246–247/*APV* 329–330, 349–350.

40 GA II. 3. 333/EW 207; note the difference from *KU* §43, where Kant presents "bodies" as dialectically dependent on spirit.

41 K 244/*NM* 474. Here and elsewhere (e.g., GA II. 3. 324/EW 200), the suggestion is that art and philosophy are species encompassed by the genus "spirit." For a clarifying discussion of Fichte's views on the relationship between art and philosophy (in the context of his quarrel with Schiller), see Wildenburg's "Aneinander vorbei," 35–41.

Far from supposing that any of this contradicts his vision of philosophy as a cumulative scientific project, Fichte will continue to insist on our need for spirit in becoming acquainted with the "laws" of the spirit.[42] Spirit, in other words, stands for the non-discursive *tertium quid* by means of which the universal principles of science can be understood as the explanatory conditions of one's experience—it is the particular way in which each must originally incorporate the truth—and therefore for the grounds of the possibility of common-mindedness as such. It is the condition by which minds can communicate both by means of and in spite of discursive images.[43] Fichte calls spirit a *Gemeinsinn* in his *On the Spirit and the Letter in Philosophy*, a "common sense," echoing Kant's notion of a *sensus communis*, the unspecifiable condition of what is paradigmatically communicable (and the closest Kant will come to discussing intersubjectivity as such in any of his works).[44] Like Kant, that is, Fichte uses the term 'spirit' to express one of the constitutive paradoxes of reflective judgement—that what is most communicable is also what is uniquely (and adequately) concrete—except that he extends the domain of the term far beyond Kant's purposes, to the possibility of discursive communication as such.[45]

It is not difficult, on the other hand, to see how precarious it is to insist on such conditions in any particular case, which Fichte does not hesitate to do. That is, while it is the very nature of the distinction between spirit and letter to elude definition and to emphasise variety as a necessary condition of authenticity, Fichte has no qualms about using his own views as the measure of whether something should count as properly spiritual. (At least he cannot but excite our suspicions that he is doing so, which may or may not come to the same thing.) While Fichte affirms the difference between letter and spirit as a way of explaining the task the reader faces in understanding the variety of the letter of his own thought, he never explicitly entertains the possibility that the

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42 GA II. 3. 335/EW 209.

43 Cf. GA II. 3. 328/EW 203.

44 GA I. 6. 354/*SLP* 88. For Kant's *sensus communis*, cf. *KU* §§ 8, 22, 32, and especially 40.

45 As Scribner puts it in *Matters of Spirit*, Fichte takes spirit to be "pure communicative transparency" (17). Scribner argues that Fichte's interest in phenomena like mesmerism, hypnotism, and magnetic psychology in Berlin was itself continuous with his concern with spirit and intersubjectivity (i.e., as attempts to *materialize* his account of common-mindedness from his Jena period). For the presence of the notion of spirit after Jena, see Bertinetto's *La forza dell'imagine*, 174–176. One might also draw a (speculative) connection between Fichte's desire for communicative transparency and his turn to oral teaching in Berlin (cf. EW 34), as well as with his involvement with Freemasonry (cf. Franks' "Discovery of the Other," 101–102).

spirit of philosophy is itself multiple, that there could be some array of more or less compatible (yet similarly authentic) positions.[46] The transposition of the spirit/letter distinction from its original aesthetic context becomes jarringly relevant here, because while Kant states that our agreement on matters of taste can only be problematically postulated, Fichte mobilises his spiritual judgements with all the conviction of scientific certainty. The following gibe (aimed at his colleague, Erhard Schmid) becomes telling in this connection:

> [The *Wissenschaftslehre*] lies in a world which does not exist for him [Schmid] at all—for he lacks the sense through which it becomes present to one. If it is a painting which is supposed to be evaluated, one listens to the opinion of people that can see. However bad a painting may be, I do not think that it should be criticized by people who are blind from birth.[47]

In matters of substantive philosophical disagreement, that is, Fichte cannot remain within the aesthetic logic of the *Critique of Judgment*, but breaks with it as he denies his opponent the condition for the possibility of disagreement as such. One might say that, while the distinction between spirit and the letter is one that can only be made by the spirit, Fichte continues to insist on making it literally.

We find, in sum, two relatively independent tendencies within Fichte's pedagogical thought. On the one hand, he should command our recognition for seeing how the issue of quasi-scientific certainty raises the issue of second-personal demonstrability—of the conditions under which two interlocutors could share the same truth, when that truth is acknowledged not to be independent from our own agency. On the other hand, the distinction between letter and spirit must remain at odds with his continuing demands for that very certainty. And it is the specific friction between these two commitments—between stipulating freedom of minds as a condition for communication, and then denying that freedom to others—that I want to say results in Fichte's fiercely polemical streak, causing him to impute often malicious motives to his adversaries. (As he poignantly puts it in 1801: "I am tired of seeing my words negligently passed from mouth to mouth so that soon I do not recognize them anymore"[48]—it is as if his desire for every one of his interlocutors to spirit the

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46 As when he tells Reinhold, in a friendly letter, that the spirit/letter distinction isn't fully applicable to his (Reinhold's) philosophy at BW n. 246/EW 398. It is a kind way of saying an unkind thing: that Reinhold is spiritually deficient.

47 SW II. 457/ EW 335.

48 GA I. 7. 267/*CC* 115; by comparison, Fichte is willing, in a letter to Reinhold, to claim that Kant's explicit statements do not contradict the *Wissenschaftslehre*, and "If they did, then Kant would be in utter contradiction with himself, and this would be obvious to everyone" (BW n. 291/EW 420).

Wissenschaftslehre into meaning does not extend beyond the scope of his own authority.[49]) That is, the third condition of demonstration I noted in the introduction—that we must "reckon upon the other's self-activity," since "neither party can think himself into the soul of the other without himself being that other"—involves Fichte in a more detailed description of the practical conditions under which we may be said to hold to and be convinced by any theoretical position as such.

IV. Refuting the Irrefutable

There can be little doubt that the peculiarities of Fichte's personality obtrude into his philosophical writings in a way that, say, Kant's or Reinhold's or Hegel's hardly ever do. As Peter Heath and John Lachs put it: "[Fichte's] literary *persona*, alternating between arrogance and mock humility, and always ready for vitriolic attacks, is thoroughly unbearable."[50] There are well-known biographical reasons that Fichte should have been more chip than shoulder, but it is not my aim to psychologise him. It is nonetheless remarkable that just as Fichte's philosophical rhetoric often calls his biographical circumstances directly to mind, his characteristic unwillingness to separate his interlocutors from their positions itself bears witness (as in the cases of Hume and J.G. Hamann[51]) to what must be regarded as one of his central commitments about the realisation of the science he sought to found: that such a science could not be complete as a purely theoretical system, but could only be adequately expressed within the full coherence of practical experience. That is, his turning an argument *ad hominem*, so far from being simply malicious or fallacious, must be said to be an image of his conception of the demonstrability of conviction within practical embodiment.

The role that conscience and conviction play in Fichte's moral philosophy is well documented, and several scholars have also observed the way this emphasis on the finitude of agency can be understood as a version of existentialism *avant la lettre*.[52] The structural connection between Fichte's aspiration to systematic science and his development of an account of philosophical embodiment, however, has not, I think, been well understood. The full circle of Fichte's

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49 Or as if he can only bring himself to trust a mind created out of his own: one thinks of the way in which Fichte repairs to dialogue form in two of his post-Jena works—*Clear-as-Daylight Report* and *Vocation of Man*.

50 *WL* vii.

51 See Dahlstrom's *Philosophical Legacies*, 74.

52 For discussion of Fichte on conscience (in relation to its Kantian points of departure), see Pong's *Das Verhältnis* (esp. Chapter 5), and Vigo's "Conciencia moral." Breazeale's "Vom Idealismus zum Existenzialismus" helpfully sketches a number of lines of thought between Fichte and Sartre. And see Pinkard's *German Philosophy*, 121, for further references on this theme.

thought is perhaps best expressed in the sequel to the passage from the Second Introduction about being unable to penetrate the minds of his opponents, where, faced with opposition and incomprehension, he feels himself compelled to give an account of the relationship between certainty and intersubjectivity. After accusing his opponents of an "evil consciousness"[53] for responding to him as they have, he is moved to speculate about what it would mean to identify the kind of genuine philosopher who *would* be competent to judge him. Fichte rightly notes that such a definition must depend on one's conception of philosophy itself. We are in danger of begging the question by choosing as judges those who already agree with us. But that raises the threat that there might simply be different, incompatible versions of philosophy, while, he says, "philosophy can only be one."[54] It is at that point that he turns to the notion of conviction, in much the same way that we have elsewhere seen him turn to spirit. The rest is worth quoting at length:

> If even a single person [*Einer*] is completely convinced of his philosophy, and at all hours alike; if he is utterly at one with himself about it [*Eins ist mit sich selbst*]; if his free judgment in philosophizing, and what life obtrudes upon him, are perfectly in accord; then in this person [*in diesem Einen*] philosophy attained its goal and completed its circuit [*ihren Umkreis vollendet*] … philosophy, as a science, is genuinely present in the world, even if no man but this one [*außer diesem Einen*] should grasp or accept it, and even if this one should be quite unable to give it outward expression [*ja wenn auch etwa jener Eine sie gar nicht außer sich darzustellen wüsste*]. Let us not be confronted here with the trivial retort that the system-builders of old were invariably convinced of the truth of their systems. This claim is groundless [*grundfalsch*], and is grounded solely on ignorance of what conviction is. What it is can be experienced only if one has the fullness of conviction [*die Fülle der Überzeugung*] in oneself. … Conviction is that alone which has no dependence on time or change or situation; which is not something merely contingent on disposition, but is disposition [*das Gemüt*] itself. One can be convinced only of the unchanging and eternally true: conviction of error is utterly impossible. In the history of philosophy there can have been few cases of such conviction, perhaps scarcely one [*kaum Einen*], and perhaps not even this one [*diesen Einen*].[55]

Two dovetailed tendencies are again in evidence here. (1) Once he has withdrawn the criterion of philosophical truth into conviction's sanctum—once he has, in other words, shifted the original grounds of error from the discursive to the personal—we see Fichte appealing to a mode of practical confirmation, and to his own philosophy as the only one that can be in tune

53 GA I. 4. 261/SW I. 510/*WL* 79.

54 GA I. 4. 263/SW I. 512/*WL* 80.

55 GA I. 4. 263–264/SW I. 512–513/*WL* 81 (trans. mod.).

with ordinary experience. This strategy of refutation is a familiar one deployed against aggressive forms of scepticism: where the conditions of logical thought are called into question, one can then try to catch the sceptic out by pointing out the inadequacy of what he takes himself to be doing in the face of what he actually does (of whether he is, as it were, walking the talk). But Fichte's commitment is more than a last-ditch tactic borne of exasperation, because he is not simply offering the consistency of theory and practice as a way of checking up on one's avowed principles. The thought runs deeper to the practical emphasis that philosophy must be regarded as more than a system of propositions bearing correct truth-values, but as the practical task of becoming—as the passage above emphasises—*one* with oneself, of striving to be whole, of achieving integrity (in its etymological sense).[56] Action is not just a telling index of philosophical truth, but is in a sense expressive of it and therefore a condition for its perfection: it represents an internal measure of philosophical coherence to the extent that reason can only be unified with itself by being fully embodied in ordinary experience. As we have already seen in the case of the *Tathandlung*, we are therefore asked to turn to our own enactment or expression of a principle in order to be able to be in the position to fully assess it.[57]

Hence Fichte's frequent insistence elsewhere that "truth is agreement with ourselves, harmony,"[58] or, that "man's highest drive is directed at the attainment of absolute … agreement between the theoretical and practical faculties, the head and the heart,"[59] or (somewhat notoriously), "What sort of philosophy one chooses depends, therefore, on what sort of man one is … it is rather a thing animated [*beseelt*] by the soul [*Seele*] of the person who holds it."[60] The point is not and cannot be, as is sometimes asserted, that different points of view are as contingent as hair colours, but rather that philosophy is conditioned by its right espousal, by the discipline and culture that are appropriate to it, by its being married to and upheld by the right practical attitude or disposition (*Gemüt*, in the above passage but one)—a matter as much of habit as of understanding—and so that theoretical error will out in practical incoherence.

(2) But Fichte is not content to point out that pre-Kantian philosophers *had* to remain practically at odds with themselves because they could not live up to

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56 See Korsgaard's fomulation in *Sources of Normativity*, 102: "to be a thing, one thing, a unity, an entity; to be anything at all: in the metaphysical sense, that is what it means to have integrity." The notion goes back to Book IX of Plato's *Republic*, though Fichte is, to my knowledge, the first to recover it in response to Kant's dualism.

57 Breazeale's formulation in "Certainty, Universal Validity, and Conviction," 51.

58 K 106/*NM* 230.

59 BW n. 250/EW 408.

60 SW I. 434/*SK* 16.

the conditions of the possibility of their own freedom, and to leave it at that; he is not content to dispatch his nay-sayers as Hegel dispatches the characters in his *Phenomenology* who do not live up to their own purport (unconcerned, that is, by the fact that they might not themselves acknowledge his analysis of their actions). Instead, Fichte is evidently very troubled by the possibility that such a position could, even so, still be denied, so that he then tends to undermine the expressivist, intersubjective cast of his own argument by *also* claiming that philosophy could be fully present in the world in the conviction of a single man, even one "quite unable to give it outward expression." He thereby turns certainty back into the privacy of a feeling ("what it is can be experienced only if one has the fullness of conviction in oneself"), into the ineffable way the mind looks to itself from the inside out, simply by virtue of being rightly convinced—the one thing that in the terms proposed cannot be shared or communicated. In order to become one (*Eins*), Fichte runs the risk of ending up as the only one in the position to see the truth (that is: *einsam*). We are thus brought back into the meta-difficulties I have noted about the kind of certainty in acknowledgement required by Fichte's position.

It has, of course, been clear from the outset that this deliberate contrast between rigour and conviction, or letter and spirit, is subject to serious difficulties by virtue of its insistence on the indeterminate gap between philosophical propositions and the practical intentions underlying them.[61] Philosophy perhaps cannot and should not avoid some version of this distinction. The role of moral judgement in Kant, for instance (like final appeals to the man of practical wisdom, the *phronimos*, in Aristotle's *Ethics*), may be said to play a similar role: the fact that every agent must develop in and through experience the moral sensitivity requisite to applying the categorical imperative aptly in the first place. That is, there can be no fixed, formalisable, reliably teachable method by which to guarantee the correct application of moral principles themselves to any particular case.[62] In addition to its uses in the *Critique of Judgment* and the *Anthropology* noted above, Kant reaches for the spirit/letter opposition in the *Critique of Practical Reason* and in the *Religion* book to distinguish our allegiance to moral duties from rigourism and legalism.[63] The distinction there is meant to express the necessary inexpressibility (and invisibility) of moral intention: just as we cannot be fully certain of the purity of our moral incentives, so our compliance with the spirit of the moral law is *per necessarium* not subject to further determination. In Fichte, however, appeals to

[61] Nirenberg's *Anti-Judaism* calls attention to some of the hateful functions that the distinction has (historically) been made to perform. He connects Fichte's notion of love to anti-Semitism at 388–391.

[62] AA 4. 389/*GMM* 5.

[63] Cf. AA 5. 72/*CPR* 95; AA 6. 23–24, 30, 71, 84, 112/*RBR* 72–73, 78, 111, 122, 144. Kant distinguishes 'spirit' from 'inner feeling' at AA 6. 113–114/*RBR* 145.

the difference between letter and spirit (or between our discursive propositions and the convictions underlying them) are not simply a necessary surd, as they are in Kant, nor are they restricted to the scope of practical philosophy or aesthetics, for reasons we have seen. Rather they signal his unique preoccupation with the communication of scientific certainty as such—a problem that he understands not simply as rhetorical, but as intrinsic to the structure of his philosophical project.

By the same token, however, Fichte's persistence in involving pre-discursive motive in his assessment of his rivals has a way of blurring the distinction between philosophy and religion (or zealotry, rather). Luther's use of the spirit/letter distinction is also polemical in the sense that it is meant to mark the difference between Judaism and Christianity in terms that Judaism itself would not accept.[64] But then its context is such that it does not rest only and foremost on the evidence of its own discursive articulation—it is precisely that difference that makes it religious, rather than philosophical. Fichte requires it to perform both a discursive and a properly spiritual task, however, so that it is not then a surprise when his own rhetorical presentation appropriates Christian language to suit his own purposes in earnest. He refers to the scholar's vocation as becoming "a priest of truth," describes the knowledge of his philosophy as scales falling from one's eyes, calls those who do not understand the *Wissenschaftslehre* the "unconsecrated," and perhaps echoes Tertullian's *credo quia absurdum* by saying that "one enters my philosophy by means of what is absolutely *incomprehensible*."[65] The above-mentioned passage in which he says that all of our philosophical assertions (*Philosopheme*) are "bodies" brazenly borrows Jesus' words at the Last Supper ("we hand these bodies over to you [*die wir Ihnen hingeben*] in order to help you to develop philosophy out of and through your own self[66]"). And what he calls his "act of annihilation" (*Tat der Vernichtung*) of Schmid—his fulmination that Schmid is "*nonexistent as a*

64 See 2 *Corinthians* 3:6, *Romans* 2:29 and 7:6.

65 Respectively: SW VI. 333/EW 176, SW I. 514/*WL* 82, SW II.445/EW 326, BW n. 246/EW 399.

66 GA II. 3. 333/EW 207; cf. *Luke* 22:19, *John* 6:63. I am indebted to Eduardo Ralickas for this suggestion. For a good account of how Fichte's extensions and modifications of Kant's moral theology eventuated in the so-called 'Atheism Dispute' that led to his resignation from Jena, see Bowman's "Fichte, Jacobi, and the Atheism Controversy." Within that controversy, Fichte explicitly compares his own situation to the martyrdom suffered by Jesus and the saints of past ages: see Bowman and Estes' *J.G. Fichte and the Atheism Dispute*, 95 (and see 106–125 for a theologically strident discussion of his opponents' incomprehension). For more on Fichte's incorporation of Christian theology as such, see Goddard's *La philosophie fichtéenne de la vie*, 183–210.

philosopher so far as I am concerned"[67]—cannot but recall the act of creation to which it is implicitly opposed. Fichte's arrogation of the spirit of truth to his own terms has the effect of rendering him rhetorically a lone deity, acknowledged by none save himself.

V. For the Love of Science

It is telling that Kant stands as the first modern philosopher for whom the relationship of spirit to letter is brought into problematic relief—it was then put to work by Reinhold, Schiller, Jacobi, Fichte, Schelling, Schlegel, Hegel, and just about every major post-Kantian figure[68]—even as Kant is also the last great modern philosopher for whom intersubjectivity was not a central focus of philosophical concern. It would be beyond the compass of this essay to establish the extent of the connection between these two issues, though it is at least evident that both of them are, as I have suggested here, at the cusp of related aspects of the *Critique of Judgment*: such was the impact of the *Critique of Pure Reason* that a new set of non-empirical categories had to be developed to account for second-personal knowledge and intersubjectivity in its wake. Fichte's was the first such account, and I have tried to show some of the reasons why he finds it useful to invoke some version of the spirit/letter distinction, along with an expressivist view of action, in that connection.

Moreover, as I have argued, Fichte stands at the beginning of a strain of modern philosophy (present in Descartes and developed by Rousseau perhaps, though I am thinking here of Schopenhauer, Kierkegaard, and Nietzsche, along with their existentialist successors) that recovered attention to the subjective conditions of philosophising, that is, to the peculiar difficulties to which its communication and teachability are subject, and to its status as an embodied insight, not fully reducible to a doctrinal body of knowledge. It is likewise evident that Fichte's approach to these two issues—intersubjectivity and the subjective incorporation of philosophy—is such that they cannot simply represent seamless additions to the Kantian edifice, but also represent wholesale reorientations of method by invoking a different notion of philosophy and its first principles altogether. Whatever his protestations to the contrary, Fichte cannot be understood to be making simply emendations to the letter of Kant, but as demanding from us a different spirit, a spirit that represents a helpful corrective to our post-Cartesian impulses to reform philosophy in the pattern of mathematics and the natural sciences.

But, as I've underlined, the stress on spirit in such a context readily lends itself to abuse. Worse: it must also be said that Fichte's analyses of error and failure are stock ones, not especially illuminating. He accuses Schmid

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67 SW II. 457/EW 335.

68 Franks identifies the first significant use of the distinction in Reinhold's criticism of Beck ("Discovery of the Other," 83).

of incapacity, Reinhold of hypersensitivity, Schiller of incomprehension, and compares his detractors to the devil.[69] In passages where he enters into more detail about the nature of error, he names arrogance and mental inertia as motives clouding our pursuit, even as he also makes the Socratic claim that no one errs willingly and that the desire for truth is one of our purest drives.[70] There is no worked out psychological account, in other words, of why human beings may desire to deceive ourselves, or may in some circumstances pathologically prefer error to truth (as in Plato, Nietzsche, or Freud). Nor is there any worked out account of the teleology of meaningful failure (as in Hegel), nor an account of what it means for us to recognise our own words within the mouths of others (as in Wittgenstein).

Fichte's Jena writings therefore offer us the spectacle of two of the most significant aspects of modern philosophy in collision—he shows us the desire for certainty producing demands on common mindedness in terms that cannot be satisfied. The more Fichte insists on the pre-discursive conditions of insight, on the fact that he alone has understood Kant's system, on the fact that his system alone is subject to a variety of presentations, the more he isolates himself to his own letter. The means by which he purports to settle the foundations of philosophical science once and for all are thus the same that ensure that he is the only one who will be able to inhabit the final edifice. Just so, the attempt to expel love from the love of wisdom must be haunted by the recurrence of what has been displaced.

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[69] BW n. 236/EW 388, BW n. 244/EW 392, SW VI. 328–329/EW 173, respectively.

[70] SW VIII. 342–346/EW 223–226.

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