

Language and the recognition of rationality in Fichte's Jena
Wissenschaftslehre

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Abstract:

This thesis examines a variety of texts from Fichte's Jena *Wissenschaftslehre* in order to argue that his 1795 essay *On the linguistic capacity and the origin of language* and associated texts from 1794 to 1796 contain an alternative account of the intersubjective recognition Fichte calls *Anerkennung*, and the reciprocal interaction in which it is realized called the summons (*Aufforderung*). Fichte introduces these concepts in the *Foundations of Natural Right* (1796) in the context of arguing that the self-consciousness of rational individuals depends on a rational influence by other human beings. His deduction of the concept of the summons and the criterion of the recognition of rationality are contrasted with a reconstruction of the alternative linguistic account, against the systematic background of the Jena *Wissenschaftslehre*. This is attempted in four main chapters. The first chapter provides an overview of the *Wissenschaftslehre*, with respect to its aims, method, and basic principles, its depiction of finite human activity as well as its relation to the kind of inquiry Fichte pursues in his essay on language. The second chapter summarizes the deduction of the summons in the *Natural Right* and examines the concepts of 'subtle matter' and the human body as a sign of freedom. The third chapter argues that the *Wissenschaftslehre* contains two conflicting accounts of the self-constitution associated with the summons. In the fourth chapter, Fichte's deduction of language is systematically reconstructed in order to show that it contains an account of the cultivation of reason by means of the development of our communicative capacities. It is concluded that this developmental conception of the summons provides an alternative, and superior, criterion for rationality than the account given in *FNR*, and that this conception essentially concerns language.

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Introduction

Johann Gottlieb Fichte formulated the first form of his philosophical project the *Wissenschaftslehre* during his time at Jena, from 1794 to 1799. The body of text written in this period has therefore come to be known as the 'Jena Wissenschaftslehre'. A central theme of this early system, which will occupy me in this thesis, is that an intersubjective relation is required for an individual's self-conscious awareness of its free and rational capacities. While this condition is already present in *Grundlage der gesamten Wissenschaftslehre* (1794), it finds its most explicit formulation in the first part of the *Foundations of Natural Right*¹ (*Grundlagen des Naturrechts*) (1796). Fichte there refers to the rational influence which leads to the required mutual recognition (*Anerkennung*) between rational beings as the *summons* (*Aufforderung*). Although Fichte parenthetically identifies the reciprocal interaction involved in the summons with linguistic communication, he does not further elaborate on the nature of language or on how this communication is realized. Instead, he postulates the necessity of two kinds of 'subtle matter' (empirically realized by air and light) serving as the medium of rational influence, and provides an account of the human body as a sign (given through the medium of light) of rationality and freedom.

Fichte's neglect of the topic of language in this context has been highlighted by scholars. In *Recognition* (1992), Robert Williams states that Fichte's references to an "intelligent communication"² in the FNR "implies that the summons has a linguistic component", but claims that "Fichte does not spell this out, or provide examples"³. Holger Jergius points out that in FNR, Fichte postulates the necessity of a language alongside the necessity of the other subject as a freely controllable medium of recognition⁴. However, he notes that the linguistic medium at work in this deduction is that of air (rather than a system of signs)⁵. F. Scott Scribner extensively discusses the notion of subtle matter and its relation to the summons in *Matters of Spirit* (2010). He believes that through his notion of 'subtle matter', Fichte attempts to account for "communicative recognition - an influence that would proceed across the registers of material and immaterial worlds"⁶. The attempt is claimed to be unsuccessful, as Fichte's references to subtle matter "expose the shortcomings of his intersubjective account" and "highlight the difficulties of a strictly self-conscious, reflective model of subjectivity"⁷. This criticism recalls Habermas' depiction of this issue. Habermas claims that in the central argument of FNR, Fichte lays "claim to language as a medium" of intersubjective influence and recognition, but that he is "unable to exhaust the explanatory

¹ Henceforth 'FNR' or 'Naturrecht'.

² Williams 1992, 59

³ Ibid, 68

⁴ Jergius 1975, 69

⁵ Ibid, 69

⁶ Scribner 2010, 15

⁷ Ibid, 45

potential of this solution" as he "peers right through language as though it were a glassy medium without properties"⁸. Intersubjective relations can therefore not be understood in this context as conditioning the cultivations of one's powers, but as merely constituting legal restrictions⁹.

While these commentators are right concerning the depiction of the summons in the *Naturrecht*, Fichte did in fact further elaborate the issue of language in a short treatise titled *Concerning the linguistic capacity and the origin of language (Von der Sprachfähigkeit und dem Ursprung der Sprache)*¹⁰ which was published in the *Philosophisches Journal einer Gesellschaft Teutscher Gelehrten* in 1795¹¹. Fichte defines language as the communication of thought by means of arbitrary [*willkürliche*] signs, and claims that it must be necessarily developed by human beings due to the highest principle of reason. He provides an *a priori* deduction of how signs that initially signify their object by means of resemblances come to be developed into a truly linguistic system of signs relating arbitrarily to what they express. Fichte wrote the essay on language in the winter semester of 1794-5 shortly after presenting and publishing *Some Lectures concerning the Scholar's Vocation* (September 1794). In both works, Fichte is concerned with certain kinds of social activity that are shown to be necessary for the development of human beings striving after self-determination. This topic is elaborated on further in three lectures that "belong to the series of public lectures"¹² on 'Morality for Scholars' Fichte gave in the winter semester, but which he never presented or published, titled "Concerning the Difference between the Spirit and the Letter within Philosophy". The development of human beings is here portrayed as requiring the cultivation of a capacity Fichte calls the productive imagination, and identifies with 'spirit' (*Geist*). Another key text in my analysis of the linguistic aspect of the summons is Fichte's lecture notes on Ernst Platner's philosophical aphorisms. Written around Easter of 1796, these notes mirror the overall argument of the *Sprachfähigkeit*, as well as key passages of *Concerning the spirit and the letter* and *FNR*, and explicitly identify language with the summons. Günter Zöllner remarks on the "vast overlap between the two sets of material" found in *FNR*'s deduction of the summons and the notes on Platner, and points out that "the section on the origin of language in the Platner lectures contains the material corresponding to the theory of solicitation in the *Naturrecht*"¹³.

It is the aim of this thesis to argue that these texts of the early Jena Wissenschaftslehre address the same explanatory context in which *FNR* posits the necessity of the summons, and that

⁸ Habermas 2005 161

⁹ Ibid, 161

¹⁰ Henceforth '*Sprachfähigkeit*'

¹¹ The only extensive discussion of this text is Surber's *Language and German Idealism*. I will not discuss Surber's analysis here as he takes Fichte to be primarily concerned with the arbitrary nature of signification rather than any "pragmatic aspects of communication" (Surber, 38). I will however cite his translation of the *Sprachfähigkeit* and Platner notes.

¹² EPW, 185

¹³ Zöllner 2006 , 102

they contain an alternative conception of how this influence is realized and recognized by human individuals, in the form of language. This will be attempted over the course of four chapters, by elucidating the particular explanatory context in which Fichte postulates an intersubjective mediation as a necessary condition for the self-constitution of a particular kind of selfconsciousness, and examining the different ways in which he proclaims to resolve this issue in *FNR* and the deduction of language.

The first chapter will provide an overview of the *Wissenschaftslehre*, with respect to its aims, method, and basic principles (§1.1), its depiction of finite human activity (§1.2.) as well as its relation to the kind of inquiry Fichte pursues in the *Sprachfähigkeit* (§1.3). Different conceptions of the I will be shown as both implicitly and explicitly operative within the Jena WL, and will be differentiated in order to render intelligible the different perspectives on human activity assumed by Fichte (§1.2.2). Most importantly, I will distinguish between the philosophical and ordinary consciousness, and further between two types of ordinary self-consciousness (this difference consisting, broadly, in whether they have grasped themselves as rational through the summons) (§1.2.2). The particular perspective characterizing the *Sprachfähigkeit* will be broadly outlined by reference to the other texts of the winter semester, and characterized as concerning finite human beings apart from their relation to other rational beings, and the necessary developments they must undergo in order to realize themselves as free rational agents (§1.3.1). This kind of account will be defined as a 'developmental' account of the self-constitution through intersubjective mediation, as opposed to an 'instantaneous' account found in *FNR* (§1.3.2). The second chapter concerns how the topics of intersubjectivity and the recognition of rationality are treated in the first part of the *Naturrecht* through the concept of the 'summons'. After summarizing the exposition and demonstration of the necessity of the summons (§1.1), I will critically examine the concepts and arguments Fichte puts forward in order to explain how the summons can be manifested and recognized in experience (§1.2. & §1.3.), and show that these concepts and arguments are beset by various problems. In the third chapter, the textual tensions between instantaneous and developmental viewpoints in *FNR* will be examined (§3.1 & 3.2), and the developmental account of the summons will be elucidated by reference to Fichte's suggestion that the summons is to be identified with the upbringing [*Erziehung*] of children. By relating this account to passages from the texts of the winter semester and the Platner notes, the spiritual development through the summons will be explained as the cultivation of the capacity of productive imagination through communicative activity (§3.3). The fourth chapter concerns the deduction of language in the *Sprachfähigkeit*. After a discussion of the definition of the main concepts and methodological claims (§4.1.), I will reconstruct the deduction of language by reference to the main steps of the method of *FNR*. First, the necessity of language will be demonstrated by reference to the nature of human drives (§4.2.). Second, its possibility will be demonstrated by reference to the nature of human sensibility (§4.3), and I will examine each of the

main steps of Fichte's *a priori* history of the development of signs (§4.3.2). Finally, I will claim that his linguistic genealogy of spiritual concepts contains a criticism of the notion of subtle matter (§4.3.2.3)

I will conclude that this alternative account of the summons is superior to the account of FNR, and that Fichte's conception of the linguistic capacity proves to be of great insight to the understanding of the necessary relation between self-consciousness and mutual recognition proclaimed by the Jena Wissenschaftslehre.

1. The systematic context of the *Sprachfähigkeit*

1.1. The Wissenschaftslehre: basic principles and method

Fichte's overall philosophical project, the *Wissenschaftslehre*, provides the framework in which any conceptual investigation must take place if it is to constitute what he considers a real philosophical science. The *Sprachfähigkeit* is no exception, and it constitutes an instance of a 'genetic' deduction of a necessary concept, such as his investigation into the concept of 'right' given in FNR. Like this text, Fichte's inquiry into language assumes the foundational principles first established in *Foundations of the entire Wissenschaftslehre* (1794) and later reformulated in the lectures referred to as the *Wissenschaftslehre Nova Methodo* (1798). In his essay on language, Fichte states the highest principle in an imperative form as a demand to the human being to always be in unity, or harmony, with itself. While this is not uncommon in the other texts of the WL, it is indicative of a certain dialectical context and associated with a particular perspective on the I. I will therefore provide an outline of the foundational principles of the Wissenschaftslehre in light of which I will argue for the different systematic import attaching to different formulations of the highest principle of reason. Hence, this section will locate the general relation of the *Sprachfähigkeit* to the WL, as well as the general character of the therein adopted philosophical perspective and the kind of human activity it observes. By discussing the different perspectives of 'philosophical' and 'ordinary' consciousness, I will suggest two different approaches to self-constitution that are at odds with one another in Fichte's text, which I will call the 'instantaneous' and 'developmental' accounts of self-constitution. In the next section, the specific dialectical context and the determinate activity to be explained through the perspective examined in the first section, as well as the more specific method of deduction, will be discussed.

1.1.1. The I as first metaphilosophical principle of philosophical reflection

The *Wissenschaftslehre* is presented as an idealist philosophical inquiry which aims to exhibit a lawful system of interdependent propositions that are grounded in a single basic principle. Although Fichte gives it many different renditions, this principle asserts that the

intellect or 'I' is essentially self-sufficient and self-conscious, which constitutes its unity or harmony. Its self-sufficiency consists in the independency of its determinations from anything besides the I's activities. To enter into his system, Fichte typically asks the reader or listener to engage in a kind of partial consideration or abstraction he calls 'philosophical reflection', which characterizes a 'philosophical consciousness' that is crucially distinct from, but dependent on, the 'ordinary' consciousness attending to empirical objects.

Fichte claims that all of our ordinary conscious states ("determinations of consciousness"¹⁴) reveal (upon reflection) two fundamentally distinct aspects: some of our states are "are accompanied by a feeling of freedom"¹⁵ and "depend merely on our free choice [Willkür]"¹⁶, others "are accompanied by a feeling of necessity"¹⁷. Fichte ascribes the first kind of determinations to "our imagination and our will" and identifies the second kind as cognitions¹⁸. Consciousness thus necessarily contains both volitional and representational states. Representational states appear to us as depending on "something that exists independently of our own efforts"¹⁹, and which constrains our efforts to represent it truthfully. As Wayne Martin points out, the feeling of necessity Fichte ascribes to representational states marks the "objectivity or referential character of consciousness"²⁰. Experience is to be identified with "the system of representations accompanied by a feeling of necessity", and it is the task of philosophy to explain experience²¹. On Fichte's view, Transcendental Idealism achieves this task by distinguishing the volitional aspect of experience as revealing its subjective element, the I, and the representational aspect as referring to the not-I, understood as 'being', and explaining the determinations of the latter as grounded in the former. This, he claims, explains the representational character of our experience without introducing any passivity of the I towards any extra-experiential thing in itself. The reflective process providing the elements for this explanation isolates the subjective aspect of experience by attending to it in exclusion of its empirical determinations within representational states. As such, the I is characterized only as activity, but the particular activity constitutive of it is to be revealed by following Fichte's demand to reflect on the concept of the I: "Think of yourself [...] and notice how you do it"²². He claims that everyone "will find that in the thinking of this concept his activity as an intelligence reverts into itself and makes itself its own object"²³.

¹⁴ Fichte 1994, 8

¹⁵ Ibid, 8

¹⁶ WLnm, 12

¹⁷ Fichte 1994, 8

¹⁸ Ibid, 7-8

¹⁹ Ibid, 7

²⁰ Martin 1997, 20

²¹ Fichte 1994, 7

²² SW I, 485

²³ Ibid, 485

This self-reverting activity is what Fichte calls (in a twist on Kant) 'intellectual intuition': "intellectual intuition is the immediate consciousness that I act and of what I do when I act"²⁴. Awareness of the I as intellectual intuition, an activity that is its own object, is not a fact [*Tatsache*] of empirical consciousness but an act [*Tathandlung*] performed in philosophical consciousness²⁵.

1.1.2. The I as posited in the first synthesis, and the synthetic method

As the philosopher herself is not just a rational, but also a finite being, she must not just intuit the I, but think it in order to grasp it discursively. In all finite thought, consciousness is only possible through reflection, and reflection through limitation²⁶. What is presented in intellectual intuition is an immediate unity of subject and object which the philosopher must analytically differentiate into distinct elements to be united by successive syntheses which follow necessarily from reflecting on, and attempting to determine, the concept of the I. Consequently, Fichte asserts in the *Grundlage* that the ascription of absolute selfidentity constitutes only one of three equiprimordial acts of 'positing' corresponding to three basic principles (*Grundsätze*), which together form the essential activity structure of the finite self and the fundamental ground of all further propositions to be deduced by the WL:

(GL§1) The I posits itself absolutely.²⁷

(GL§2) The I posits itself in opposition to a not-I.^{28,29}

(GL§3) The I posits a limit I in opposition to a limited not-I / The I posits the I and not-I as mutually determining each other²⁹.

While Fichte himself does not provide any definition of 'positing', Paul Franks appropriately calls it Fichte's "maximally general term designating the mind's active relationship to its objects of judgment"³⁰. Hence, the first act of positing, the *Tathandlung* which begins the WL, is that of self-positing in which the subject's activity is its own object: "The I posits itself [...] It is at once the agent [*das Handelnde*] and the product of action [*Handlung*]; the active [*das Thätige*], and what the activity [*die Thätigkeit*] brings about"³¹. The pervasive ambiguity between the act and the product of judgment frequently noted by Kant commentators is enthusiastically embraced and generalized by Fichte to all manifestations of reason. In this

²⁴ Ibid, 463

²⁵ SW I, 98

²⁶ Fichte 1982, 237

²⁷ SW I, 96

²⁸ SW I, 103

²⁹ SW I, 109, 247

³⁰ Franks, 359

³¹ SW I, 96

vein, the ‘formal’ and ‘material’ constraints by which the above stated principles are characterized applies equally to acts and the judgments expressing their principle. In *Concerning the Concept of a Wissenschaftslehre* (1794), Fichte addresses the manner in which this distinction applies to judgment understood as result or product of a judging: *That* something is known constitutes the form, and *what* is known constitutes the content of a judgment³². In FNR, the distinction is applied to judgment understood as an act when Fichte defines whether an activity is free or constrained by reference to its form and its content³³. These terms seem to mark two types of condition. Those related to form concern “that the activity occurs” at all, whereas those related to its content “concern that the activity, once it occurs in a particular case, proceeds in a certain way”².

The first principle is absolutely unconditioned both with respect to form, as it does not depend on any prior acts of positing, and with respect to content, since the I exists in virtue of this very positing. The second principle expresses an act that Fichte calls *entgegensetzen*, opposing or counterpositing, which necessarily accompanies any act of positing if this act is to be grasped determinately. The counterpositing of the not-I marks an original limitation of the I – original in the sense that it too is formally unconditioned and not subject to further deduction. However, this principle is conditioned with respect to its content (or matter), which is the I posited in the first principle. Fichte identifies the contentfulness of the principle here with it asserting a determinate (rather than general, or bare) limitation. The third principle is conditioned with respect to form, as it presupposes the first two acts of positing, but unconditioned with respect to content, as it posits the I and not-I as determinable in a different manner than these previous acts. It posits them as mutually determinable and thus united in one consciousness³⁴. The determination it asserts can go either way – the I can determine, or limit, the not-I and vice versa. The two possible determinate formulations of this principle are the branches where theoretical and practical philosophy separate from the main root of transcendental philosophy. I will only state the abstract main formulations of these here and Section §1.2 will further elaborate on these two principles when theoretical and practical activity are described.

GL§3a. *Principle of Theoretical Philosophy*: The I posits itself as determined by the not-I³⁵

³² SW I, 49

³³ FNR, 18. A more specific way of applying the formal/material distinction to characterise the ways in which an act is free or constrained is elaborated in the *System of Ethics* and will be further discussed in §4.1.

³⁴ SW I, 247

³⁵ SW I, 127

GL§3b. *Principle of Practical Philosophy*: The I posits itself as determining the not-I³⁶

The third principle "thus expresses the first and fundamental synthesis [...] if further synthetic a priori propositions are to be possible, then they must already be implicitly contained in the first synthesis"³⁷.

This fundamental synthesis exhibits the first systematic instance of what Fichte calls the highest principle of all synthetic thought - the law of reflective opposition (*Reflexionsgesetz des Entgegensetzens*). He does not give a definite statement of this principle, but its general meaning can be explained as follows³⁸: For a finite being, all determination is limitation. For some x to be determinately thought, we must think a determinable C of which x is one of a multiplicity of possible instances. In order to relate x to C as one of its determinate instances, we must oppose it to some y which is a different instance of C. In determining the manner in which x and y are both C but different from one another, we think them determinately. Those features of x by which I intelligibly grasp it as an instance of C are brought out by the contrast to y in which C figures as the measure of sameness and difference. The determinable C therefore serves simultaneously as a principle of differentiation and individuation.

This principle is at work both in the perspective ascribed by Fichte to the philosopher and to ordinary consciousness. Finite rationality, which can only reflect on something determinate, must raise determinations of the I to conscious awareness by opposing itself to a not-I. It must then think the two as united under a higher determinable, and thus proceeds synthetically. Fichte states that in this process, the finite being is aware of its activity only as determinate: "all of my action is a transition [Überschweben] from determinable to determinate"³⁹. Therefore, synthetic thought crucially depends on the capacity for 'imagination' which Fichte defines as "the faculty of grasping the determinable, which thinking is incapable of, due to being merely discursive"⁴⁰. He thus claims that the faculty of imagination is immediately deduced by pointing out the necessity for all consciousness of passing from determinability to determinacy⁴⁰. In the activity of uniting opposed elements in

³⁶ SW I, 248

³⁷ Förster, 187

³⁸ My rendition is closer to Fichte's depiction of the law of sufficient reason in GL. According to Fichte, this logical law has two formulations depending on whether S is to serve as a ground of distinction between x and y or a ground of conjunction. In the first way, we proceed analytically, in the second synthetically. (SW I, 111)

³⁹ AA IV, 2 (142-145)

⁴⁰ AA IV, 2 (214)

⁴⁰ AA IV, 214

consciousness, it allows the I to 'oscillate'⁴¹ "between determinacy and determinability"⁴², the respective moments of which are named as 'real' and 'ideal' activity. Ideal activity (IA) is the positing of the determinable sphere that is to be limited by real activity (RA), which is the selection of a determinate choice amongst other equally possible courses of theoretical or practical activity. By reference to these shared capacities and rules of the philosophical and ordinary perspective, some of their main differences can be elaborated further. Both the philosopher and the ordinary consciousness think thoughts determinately, by means of RA that brings IA to rest. However, the objects of their reflection differ: "from the point of view of common consciousness, there are only objects and no concepts"⁴³. Concepts are taken to represent the I's determinate ways of acting by which objective representations are thought⁴⁴. They are not things, but ways of judging things⁴⁵. Philosophical consciousness turns one's attention away from the empirical objects of ordinary consciousness and reflects "instead upon one's own consciousness of these same objects"⁴⁴. Concepts are a different way of considering an object in that they represent an act-type that is contingently instantiated in the representation of this object, but can necessarily be manifested in other instances. A capacity is a different way of considering an act by contrasting it with a sphere of alternative act-types that could also be instantiated in its place. While ordinary consciousness posits this indirectly as the representation of a capacity at rest in its determinate products⁴⁵, philosophical consciousness represents both the determinable sphere of possible actions (IA), and the real activity through which the limited part of this sphere is raised to consciousness.

Transcendental and empirical consciousness therefore present necessarily distinct series of representations of the same activity, since "one and the same I cannot, with one and the same activity, simultaneously produce a not-I and reflect upon it as its product"⁴⁶. Hence the concepts reflected on in the *Wissenschaftslehre* are operative in ordinary consciousness, but "in acting, the rational being does not become conscious of its acting [but of] what emerges for it in this acting [...] and this is the object of consciousness, or the thing"⁴⁷. The philosopher ascends to a higher level of reflection in considering the acting apart from its

⁴¹ Allen Wood characterizes as "the faculty that represents a wavering between, or hovering over, alternative possibilities"(Wood, 79).

⁴² SW I, 404

⁴³ FNR, 5.

⁴⁴ FNR, 6

⁴⁵ FNR, 53.

⁴⁴ Breazeale 2006, 24

⁴⁵ WLnm, §2, 39-40

⁴⁶ SW I, 374

⁴⁷ FNR, 4

contingently realized products and hence also reflects on the ideal activity of finite consciousness, which the latter only represents as limited in a certain way.

The imagination is further distinguishable by reference to its reproductive and productive capacities: "Reproductive imagination repeats something which was already present within empirical consciousness though it does not repeat it in exactly the same context" and is further capable of assembling "a new whole by combining various other ones"⁴⁸. With regards to its "productive power"⁴⁹, the imagination is "a capacity or faculty of the only immediately given thing in itself - the I"⁵⁰. It is only through productive imagination that something comes to be present within empirical consciousness to begin with, as it produces the representation of the not-I that is to be thought as synthetically united with the I. Fichte therefore sometimes identifies the productive imagination with "spirit as such"⁵¹, and Eckhart Förster calls the imagination "the fundamental faculty of the self-positing I" as it combines opposed and isolated elements "and *forms (bilden)* something common which as such can become an object of consciousness"⁵². This activity will be further elaborated in §2.2.2.1

1.2. The I as a striving in finite activity

1.2.1. The representation of theoretical and practical activity

Ichheit as the original unity of subject and object can only be inferred, as it appears as separated in all actual consciousness⁵³. Nevertheless, the demand for such unity or harmony between subject and object is not an absurdity when posed to this finite I. The three cognitive elements of every 'complete' representation of actual consciousness are given in the 2nd Introduction to the *Wissenschaftslehre* as follows⁵⁴:

- I. Intellectual intuition – "That whereby the representation is related to a subject and thus becomes my representation"
- II. Sensible intuition – "That whereby the representation obtains a relation to an object and thus becomes a representation of something"
- III. Concept – "That whereby [1 and 2] are united and thus become a representation"

⁴⁸ EPW, 192

⁴⁹ Ibid, 192

⁵⁰ Ibid, 192

⁵¹ Ibid, 192

⁵² Förster, 194

⁵³ SoE, 7

⁵⁴ Fichte 1982, 58

Again, we here find representational correlates of the three basic principles, one immediately presenting that which is subjective, one that which is objective, and one which mediately allows us to think the two as unified. Corresponding to the two main formulations of the third principle, there are two ways for ordinary consciousness in which “what is subjective and what is objective are unified, or viewed as harmonizing”⁵⁵, correlated with two types of activity I can engage in⁶. Either,

(TA) I engage in cognition, in which case what is subjective in consciousness is represented as following from what is objective: “the former is supposed to agree with the latter [and] theoretical philosophy investigates how we arrive at the assertion of such harmony”⁵⁶

(PA) I act efficaciously, in which case what is objective in consciousness is represented as following from what is subjective: “a being is supposed to follow from my concept (the concept of an end [Zweckbegriff]”⁵⁷, and this harmony is investigated by practical philosophy

Fichte’s depiction of different ways to achieve ‘harmony’ between subject and object, corresponding to the theoretical and practical dimensions of human activity, closely resembles the manner in which modern philosophy of mind employs the metaphor of a ‘direction of fit’ to distinguish and relate belief and desire as having respectively a mind-to-world and world-to-mind direction of fit. On Fichte's view, the ultimate fit to be achieved between subject and object is of course the self-identity that characterizes the I of philosophical consciousness, which is progressively approached through the dynamical interaction of TA and PA. In theoretical reason, the ideal activity primarily identifies an effect as a limitation on the cognitive capacity by a not-I by providing a determinable sphere of possible sensible objects to which this effect can be intelligibly attributed. Real activity produces an intuition of an object by limiting this sphere through determining a particular object which can be thought as sensibly influencing the subject. Fichte therefore describes this kind of activity as a *nachbilden* or imitating⁵⁸. The I is supposed to be limited in such a way that it can accurately represent the object, this representation being called a *Nachbild*, an imitation or, literally, an ‘after-image’, of the object by Fichte. Fichte refers to a *Nachbild* as a “cognitive concept”⁵⁹ which is actively produced by the I, but must allow the I to harmonize with the sensible object it represents. In practical reason, what is supposed to

⁵⁵ SoE, 7

⁵⁶ Ibid, 7

⁵⁷ Ibid, 8

⁵⁸ EPW 279, WLnm 54, SW I 375

⁵⁹ SoE, 7

result from the I's activity is action, and the representation of this end is coined a 'Vorbild', a prototype or, literally, 'before-image' of its product.

1.2.2. The different appearances of the I in the Jena Wissenschaftslehre

Philosophical reflection reveals a complex structure of activities that the individual must manifest, but is not necessarily aware of. This brings us back to the question of the relation of the series of transcendental and empirical consciousness: "do these acts of combination which the *Wissenschaftslehre* ascribes to the I [...] really occur in [empirical] consciousness?"⁶⁰. In empirical consciousness, the reconciliations treated by the philosopher in the progressive syntheses of concepts appears as a 'striving' towards selfdetermination, a fundamental disposition or drive to actively overcome any objective obstacles to our free activity. To this conditioned, embodied agent the unconditioned nature of the I is not explicitly present as an isolated intellectual intuition, but as an (at least implicit) imperative to be self-determined, that is, as an 'idea'. The different ways in which the I appears in these two series is expressed by Fichte in the *Grundlage* as follows:

"In the I, as intellectual intuition [I1a], there is merely the form of Ihood, the selfreverting activity [...] The I exists in this form [*Gestalt*] [I1a] only for the philosopher [I2c]. And insofar as one grasps it in this form [I1a], one thereby raises oneself to the level of philosophy. But the I is present as an idea [I1b] for the I itself, I.e., for the I the philosopher is observing. The philosopher does not portray this as his own I [I2c] but rather as the idea of the natural, albeit completely cultivated [*ausgebildeten*] human being [I2b]"⁶¹

The two main versions of the I in Fichte's philosophy can therefore be further differentiated in accordance with the particular roles they serve in his texts that will be of importance here:

- I1. 'I' as the pure will/reason, or form of all willing, or an intellectual intuition.
 - a. Posited as a first principle of consciousness, as well as of metaphilosophical and philosophical reflection ('pure Will', 'I-hood', 'subject-objectivity')
 - b. Posited as the unachievable idea or telos of human activity (the highest good)
- I2. 'I' as the individual agent, whose determinate acts and states contain an intellectual intuition as a necessary constituent, thought in combination with a sensible intuition.
 - a. As the individual finding itself immediately conscious in willing (real efficacy related to sensible constraint, action in accordance with a concept of an end)

⁶⁰ SW II, 4651

⁶¹ SW1, 515

- b. As the individual finding itself as one rational being amongst another (free efficacy related to rational constraint, action in accordance with the concept of a concept of an end)
- c. As the idealist philosopher attempting to ground the constrained activity of I2 in I1

The relation of I2 in general to the different formulations of I1 is brought out nicely by Günter Zöllner: "Individual consciousness is systematically positioned between the preindividual domain of the origin of all mental life (and its objects)⁶² and the supraindividual domain of the ultimate, yet unreachable end⁶³ of all human efforts"⁶⁴. The identity of subject and object is only necessarily asserted when we are dealing with I1. Its first formulation as I1a isolates the characteristic nature of intellectual intuition, and thus the rational self, by means of philosophical abstraction performed by I2c. I1b, while not empirically realizable, occurs implicitly and explicitly in empirical consciousness as the final end of all activity. It is essential to empirical consciousness that no such absolute identity can be achieved by I2, as its activities must instead manifest an absolute tendency, or striving, towards this identity. The empirical I remains forever constrained by a not-I, and is thus always engaged in this striving. The relation of the different versions of I2⁶⁵ can be brought out as follows: While I1 is absolutely independent of a not-I, I2a depends on a not-I in the form of the original, undeducible *Anstoss* (check)⁶⁶, and I2b depends on the not-I in the form of the deducible *Aufforderung* (summons). I2a and I2b are asymmetrical insofar as the latter presupposes the former, and the free efficacy through which the latter operates therefore includes the real efficacy of the former, but not vice versa. Both I2a and I2b stand in an asymmetrical explanatory relation to I2c. The philosopher must be a rational free being and capable of reflecting on her efficacy, both in order to abstract the I (as I1) from its empirical representations, and in order to explain the system of these representations by reference to the I (as I1). The acts performed by I2a and I2b therefore relates to those of I2c as the series of ordinary consciousness to that of philosophical consciousness. While the series of representations posited by a finite subject of I2a and I2b are the determinate dynamic manifestations of PA and TA that make up its empirical career, I2c reflects on a series of representations that characterizes these actions at a higher level of determinability and reveals

⁶² Here represented by I1a

⁶³ Here represented by I1b

⁶⁴ Zöllner 1998, 58

⁶⁵ While the I as I2a does not appear explicitly within the GL passage above, the distinction between I2a and I2b is central to my reading of the Jena WL, and arguably implicit in the passage as the distinction between a cultivated and uncultivated human being.

⁶⁶ SW I, 213

them to be necessarily grounded in the self-reverting activity of I1. I will return to how these complex explanatory correspondences pose problems for determining how I2a and I2b are related after giving an expository account of these two types of individual agency.

The original limitation of the I by a sensible not-I is what Fichte calls the *Anstoss*. Like the positing of the I, the not-I in this sense is original in that it constitutes a necessary condition of all consciousness and is not further deducible. When examined transcendently, the *Anstoss* is analysable into a manifold of 'feeling', simple determinations of the intellect that Fichte describes as the preconscious matter of all experience which the I can alter, but not ultimately create or annihilate⁶⁷. These feelings are raised to consciousness by being ascribed to a not-I and thus represented as determinate effects limiting the practical activity of the I, grasped as the sphere of volitional states found to be in discord with these representational states. The causes of these effects are represented as "a system of objects, I.e. a world that exists independently of the I"⁶⁸, and which the I can intuit through its system of sensibility. The I as willing and as intelligence are therefore originally opposed, as it is the function of representation to posit the I as determined by the not-I. My striving towards self-determination, the general form of which is that nothing shall be in disharmony with the pure I⁶⁹, can only be felt as a determinate drive insofar as it is frustrated⁷⁰. Objects are therefore represented as that which limits the practical activity of the I in some particular manifestation of its drive to self-harmony. The capacity to real efficacy is revealed in altering some sensible manifold in accordance with an end through a continuous sequence of subjective and objective states. The body, being immediately determinable by the will, constitutes the I as an "immediate cause"⁷¹ in the sensible world as will be further discussed in §2.2. How this efficacy is realized is not down to the I, but depends on the properties of the objects we intend to modify and the effort required to bring about the desired properties: "what ordinary consciousness tells us therefore is this: in executing our ends we are bound to a certain order of means"⁷². As I2a, I thus find myself as confronted with a world that I did not create and that is not purely determinable by my will. I am conscious of determinate objects that require determinate actions on my part if I intend to change them in some manner and thereby manifest my drive towards I1b efficaciously in the sensible world. There is thus no consciousness prior to I2a, as we find ourselves immediately as willing, that is, as possessing a power of real efficacy to alter sensible determinations in accordance with our volition.

⁶⁷ FNR, 29

⁶⁸ FNR, 24

⁶⁹ Schrader, 31

⁷⁰ WLnm 71

⁷¹ SW IV, 98

⁷² SW IV, 95

Fichte claims that our ability “to have an effect upon the world” is a fact of consciousness known to everyone⁷³⁷⁴.

The limitation of the I through which it is determined as I2b, and thus as possessing what Fichte calls a free efficacy, comes through the recognition of the *Aufforderung*, often translated as ‘summons’. The *Aufforderung* resembles the *Anstoss* insofar as it is to be posited as a limitation on the activity of the I that is necessary for the I to raise a particular, and important, kind of activity to consciousness. Unlike the *Anstoss*, this limitation is not original, nor is it sensible, but instead confronts the I with an effect that can only be attributed to another rational being outside of me, and that therefore constrains me in a distinctively rational manner. Whereas I2a is thus a consciousness of myself as an efficacious embodied being in a world of sensible objects, the kind of self-consciousness I2b enables is consciousness of myself as one rational, finite individual amongst others, efficacious in a spiritual (or intellectual) manner. The conditions of this achievement are deduced first in the *Foundations of Natural Right*, and its necessity is assumed in texts such as the *Sprachfähigkeit* and *Scholar’s Vocation*, and will be discussed in the following sections. First, however, the relationship between I2a and I2b, as well as their relation to the series of philosophical reflection, requires further clarification.

1.3. Finite activity and pragmatic history

It is clear that Fichte takes the highest principle, as it appears primarily to the practical finite agent, to have the imperatival teleological form of I1b, and that the self-constitution of the empirical individual is to constitute a progressive development in accordance with this principle. In some sense, the syntheses of the *Wissenschaftslehre* exhibit the act-types necessarily instantiated by empirical individuals in their striving towards the independence characteristic of I-hood. This ‘pragmatic history’ of the mind relates to the life and mind of ordinary individuals in complex ways that are difficult to concern. As the rendition of the highest principle in the *Sprachfähigkeit* is given as an imperative, the general relation of *a priori* and *a posteriori* matters, and their particular application to the recognition of rationality will be examined.

⁷³ SoE, 5-7

⁷⁴ SoE, 7

1.3.1. The general problem with pragmatic history: the relation of transcendental to empirical consciousness

Prior to 1795, Fichte called the series of acts exhibited by the *Wissenschaftslehre* "a pragmatic history" of the mind, and after came to refer to it as a genetic presentation of it⁷⁵. The general problem with the dual series of representations figuring in this history concerns their general explanatory and justificatory relations. The series of acts posited by idealism are not to be viewed as spatiotemporal occurrences, but "necessary thinkables, something ideal; for instance the pure I is nothing real in this [empirical] sense, as the I occurring in experience is the person"⁷⁶. Nevertheless, it is not merely a heuristic device, but represents the original system of the I's necessary self-constituting acts. Which concepts must be shown to be a necessary condition of consciousness by means of genetic proof is a matter on which Fichte gives different programmatic statements.

Wayne Martin points out that Fichte expresses his project in its "maximally ambitious form" (Martin, 26) in *Concerning the Concept of a Wissenschaftslehre*. There Fichte states that "the most specific as well as the most general" laws, and that even "the construction of the smallest blade of grass [...] must be derivable" *a priori* from the highest principle⁷⁷. The correspondence between the series in its maximally ambitious form is affirmed again in the *Annals of Philosophical Tone* (1797), where it is claimed that *a priori* and *a posteriori* are just two perspectives on the same act⁷⁸.

Daniel Breazeale states that the relationship of *a priori* and *a posteriori* reflection on experience is an ambiguity in the entire Jena project⁷⁹. The question is whether "the term 'history' here refers to a series of (past?) events (*historia res gestae*) or [...]instead to the description or presentation of the same (*historia rerum gestarum*)"⁸⁰. Breazeale believes that "Fichte's pragmatic history of the human mind must be understood in both these senses"⁸¹. The *Naturrecht* as well as other Jena period works employ a method "quite a bit more complex" than the above outlined synthetic method, and especially the former contains "very little in the way of a 'history' of the necessary acts of the I, and an enormous amount of sheer conceptual analysis, logical inference, dialectical argumentation, and empirical description"⁸². The *Naturrecht's* method of deduction does not only seek to justify its concepts through strict *a priori* synthesis, but in their applicability to real sensible things⁸³. According to Breazeale, Fichte must thus either endorse the correspondence between what is *a priori* and what is *a posteriori* in its maximally ambitious form, or he must

⁷⁵ Breazeale 2001, 696

⁷⁶ WLnm 23, AA IV, 2(26))

⁷⁷ SW I, 65

⁷⁸ EPW, 347- 8

⁷⁹ Breazeale 2006, 130

⁸⁰ Breazeale 2001, 687

⁸¹ Ibid, 687

⁸² Breazeale 2006, 121

⁸³ Ibid, 126-7

abandon the ambition to derive experience in all its material determinacy and acknowledge its “radical contingency”⁸⁴. Williams comes to a similar position when he claims that “the strictly theoretical transcendental deductions require further post-transcendental, or transcendental pragmatic verification in experience”⁸⁵. In his discussion of the positing of the *Summons* in the *Naturrecht*, Scribner claims that Fichte revises his understanding of the relation of the transcendental perspective: “while empirical experience cannot and should not determine the content of transcendental claims, it nevertheless can determine their validity”⁸⁶. He expresses a somewhat mitigated version of Williams account by claiming that pragmatic history does not require an empirical verification, but that “it is with reference to experience that transcendental claims are falsifiable”⁸⁷.

Although Fichte never satisfactorily explains the relation between the series of philosophical and ordinary consciousness⁸⁸, he appears to have something like this mitigated justificatory relation in mind in anthropologically infused accounts such as the *Sprachfähigkeit*. While these texts appeal to a variety of empirical claims in depicting the various determinate contexts of finitude in which human beings find themselves, they emphasize that the concepts to be deduced as necessary must neither be presupposed nor deduced from experience, but must nevertheless cohere with experience insofar as these concepts are abstractions from determinate empirical acts. Similarly, FNR depicts the criterion of the necessity of a concept for self-consciousness more narrowly as the concept being “operative wherever human beings live together, and it must be expressed, or have some designation in their language”⁸⁹.

During his first semester at Jena (Winter of 94/95) Fichte held a series of lectures titled *Morality for Scholars*. The materials written for this course include the published *Scholar's Vocation* as well as the unpublished *Concerning the spirit and the letter*. Around the same time, either during the semester or during his exile in Osmannstädt, Fichte also composed the *Sprachfähigkeit*. The texts of Fichte's first winter semester in Jena observe human activity at a level in which the highest principle figures as the *telos* of the striving of individuals, portrayed as constrained in certain determinate ways and therefore manifesting this principle more determinately in the form of drives. The pure I figures here as I1b, the highest good, the vocation (Bestimmung) of humanity as such, and appears to the individual and its drives as a nested structure of ‘vocations’ to be pursued. Martin remarks that the *Scholar's Vocation*, “seeks to articulate [...] a philosophical anthropology of sorts”⁹⁰. This rational anthropological approach also characterizes the other texts of this period,

⁸⁴ Ibid, 130-1

⁸⁵ Williams, 40

⁸⁶ Scribner, 108

⁸⁷ Ibid, 108

⁸⁸ Ibid, 111

⁸⁹ FNR, 50

⁹⁰ Martin, 125

including the *Sprachfähigkeit*. In each of these texts, the concept to be demonstrated as necessary is being deduced as a manifestation of the social drive, or the vocation to society (itself a particular manifestation of I1b). The human being is stated to be essentially social, and self-consciousness necessarily involves consciousness of other rational beings. Hence, Fichte frequently posits the expectation of rationality outside of me as a general manifestation of the highest principle, and claims that the individual can only acquire rationality by reciprocal interaction with others⁹¹. In the *Scholar's Vocation* and the *Sprachfähigkeit*, Fichte goes on to demand a criterion for the ascription of rationality to other beings that is assumed in this reciprocal influence. In *Concerning the spirit and the letter* and the Platner lecture notes, he identifies language as the medium of this influence, and provides a more detailed deduction of this concept in the *Sprachfähigkeit*.

The pragmatic history of those texts is both a *historia res gestae* in that the acts it describes have in fact occurred (e.g. humans do live in communities and communicate by means of language), and a *historia rerum gestarum* in the sense that it does not depict them as a series of factual chronological occurrences, but provides a rational reconstruction of why act-types such as these must occur in human development, and how human beings are capable of developing and manifesting them. They do so by imagining an 'uncultivated' kind of human individual incapable of exercising its capacities in a distinctively rational manner, and postulate specific drives that implicitly manifest the highest principle and which guide humans to strive towards self-harmony and cultivate their capacities. This generic representation of an individual characterized as I2a does not yet possess full self-consciousness in the sense of I2b, but all the capacities and drives required to attain this self-consciousness. In this sense these texts approximate to Kant's definition of the 'pragmatic' character of an inquiry⁹², which consists in examining "what man, considered as a freely active being, makes of himself or what he can and should make of himself"⁹³. They consider the progressive development of reason in human activity with regards to specific necessary concepts, and depict the general ways in which an individual of type I2a must cultivate the basic capacities of reason in order to ascend to the awareness of itself as I2b (as will be shown in §3).

The topic of intersubjectivity is addressed at length in the *Naturrecht*, where Fichte claims that the I can only posit itself as a free rational being (I2b) by finding itself mutually determined in relations of right to other rational beings. While the texts of the winter semester, the Platner notes, and the *Naturrecht* significantly overlap in explanatory context and material, the latter advances a series of novel claims as well as differing on some important claims of the other texts. The

⁹¹ SW VI, 306; Fichte 1996a 123; Fichte 1996b 160; EPW 196

⁹² As given in *Anthropology from a pragmatic point of view* (1798) with which "Fichte became acquainted in manuscript form during his stay in Königsberg in the summer of 1791" (Breazeale 2001, 687). The commonalities and differences between Kant's and Fichte's conception of 'pragmatic history' are closely examined in Breazeale 2001.

⁹³ Breazeale 2001, 688

Naturrecht provides a lengthy account of the influence through which an individual comes to grasp its free efficacy, as well as of the criterion for rationality outside oneself. In contrast to the role afforded to linguistic communication in the texts of the winter semester, he here depicts the recognition of rationality as immediate manifested in the human body as a sign of freedom and rationality. While the instantaneously acquired quasi-aesthetic⁹⁴ influence strongly differs from the developmental process depicted in the *Morality for Scholar's* lectures and the texts on language, the *Naturrecht* contains further claims conflicting with the instantaneity claimed for the body's recognition in which the summons is identified with the process of upbringing. Before I will examine the conflicting claims, the particular problem of how the transcendental and empirical series relate will be elucidated by reference to the instantaneous and developmental construal of self-constitution as I2b.

1.3.2. The particular problem of pragmatic history: the relation between I2a and I2b

We have seen that the acts observed by I2c are related to those of I2a and I2b in asymmetrical explanatory and possibly justificatory relations. Furthermore, their correlation is not one-to-one. The philosophical consciousness contains something that does not occur within common sense⁹⁵. The unity of a set of syntheses in a determinate act of empirical consciousness does not entail its unity in the series of transcendental acts, and the multiplicity of acts in transcendental consciousness does not entail their separate instantiation in experience. This leaves open the actual manner of the correlation constituting the different spheres of activity of I2a and I2b, that is, how these act-types are taken to be concretely instantiated in ordinary consciousness: is their separation and ordering merely a heuristic abstraction of elements that are necessarily united in ordinary consciousness, or do individuals find themselves, for example, at some temporal point $t1$ determined as I2a and have to undergo a concrete development in order to recognize themselves as I2b at some later point $t2$? Furthermore, if the summons describes an empirical influence in space and time through which an individual comes to grasp itself as I2b, is this influence manifested as an event or a process?

If we consider I2a and I2b as different partial consideration of the same determinate being, treated at different levels of determinability (first considered as determinable in a relation of sensible influence to an empirical object, second as rationally determinable in a relation of spiritual influence to another rational individual), then Fichte does not in fact claim that there are individuals (in the sense of conscious human beings) who instantiate the capacities of I2a but not I2b. These steps are merely abstractions from the highly determinate structure of ordinary consciousness, presented as chronological only for the purposes of philosophical reflection. Let us call this approach the 'instantaneous account', of which a stronger and weaker version can be distinguished. The strong

⁹⁴ Cf. Scribner 2006, Scribner 2010, Nuzzo 2006

⁹⁵ AA IV, 2 (26-27), WLnm 24

version claims that self-constitution of a rational being occurs, as it were, in a single but complex act, many aspects of which we must render intelligible as philosophers, and which we can artificially separate as I2a and I2b, for example. The weaker version claims that although individuals can at one point instantiate I2a and come at a later time to be I2b, the *summons* marks an instantaneous event. Any account of this kind is limited insofar as the self-constitution of an individual remains always incomplete, represented imperatively as the unobtainable self-identity of I1b. Development and self-cultivation remain necessary manifestations of self-constitution, as the vocation of the human being is to determine itself to be self-determining, which proceeds in an endless striving towards its end. An instantaneous account must therefore present these progressions as achievements characterizing the empirical career of subjects who already recognize themselves as I2b.

If, however, we take the philosopher's discursive representation of the recognition of rationality as an unfolding series of act-types to correspond in some stronger sense to a temporal chronology of these acts in the development of an individual consciousness, we can conceive of an individual instantiating I2a but not I2b. In this sense the different versions of I2 are different necessary levels of the ontogeny of each actual conscious individual human being, who finds herself immediately as I2a and becomes I2b through a determinate process of striving in accordance with I1b involving the 'summons'. I will refer to this approach as the 'developmental account'. Fichte's extensively comments on the matter in his *corollaries* to the fifth theorem of FNR, but while he presents this section as explicit support for the (weak) instantaneous account, it contains many claims that instead seem to point at the developmental alternative. In any case, there is a limit to this correlation, as we have seen that I2a finds itself as already efficaciously willing in a sensible, spatio-temporal world. A developmental account of self-consciousness will therefore not concern itself, for example, with a hypothetical empirical being that has not acquired any awareness of spatial or temporal relations, as Fichte would deem this impossible.

The next section (§2.) concerns the method of the FNR and its depiction of the intersubjective relation that is the *Aufforderung*, as well as the criteria for the recognition of rationality Fichte provides in the form of subtle matter and the human body. This section is followed by §4, an examination of the tensions of instantaneous and developmental claims in FNR, and the rival account given in other texts of the period. The discussion of the texts from the winter semester 9495 will reveal the therein pursued account to be distinctively developmental, concerning the manner in which an I posited as I2a can come to recognize itself as I2b by cultivating its communicative capacities.

2. The Recognition of rationality in the *Naturrecht*

The methodology outlined and employed by Fichte in FNR is proclaimed by him to constitute ‘real’ [reele]⁹⁶ rather than merely ‘formulaic’ philosophy⁹⁷. Real philosophy seeks to provide a ‘deduction’ of a concept within the basic framework of the *Wissenschaftslehre*, where ‘concept’ is understood as a “certain modification of thought, a certain way of judging things”⁹⁸. The term ‘deduction’ is used by Fichte in this context in a wide and a narrow sense. The narrow sense of ‘deduction’ refers to the demonstration that a concept is necessary for rational human beings. As such it is distinguished from demonstrating its possibility, an argument establishing that reason contains the enabling conditions of realizing this concept, which Fichte terms the demonstration of the applicability of the concept, followed by its application. The latter application is akin to the Kantian schematism⁹⁹, and serves to further determine the concept in describing “the way it must be realized in the sensible world”¹⁰⁰. The wide sense of ‘deduction’ embraces all three of these tasks, and therefore has three main divisions corresponding to them. By performing such a deduction, the philosopher describes the concept as a “determinate action” with respect to its form and content, and thereby “simultaneously provides proof of the concept’s necessity, determines the concept itself, and shows its application”¹⁰¹. In FNR, the concept of right is shown to be a necessary condition of self-consciousness (in the sense of I2b) through a series of intermediate notions, such as free efficacy and the summons, on which self-consciousness immediately depends. Briefly put, self-consciousness of myself as a rational being depends on conscious awareness of my ability to act efficaciously in the sensible world in accordance with freely set ends. I can only recognize myself to be a rational being capable of free efficacy if I can recognize myself as one amongst other rational beings, and to do so I must be able to think of myself as being related to other rational beings in a distinctively rational manner. Here the intersubjective relation in question is that of right, which constitutes a necessary condition for self-consciousness as it determines normative limitations on the free efficacy of a rational being when confronted by another being capable of free efficacy, which distinguish both of them as possessing a causality distinct from that of other beings in the natural world. This causality is understood as well as realized in understanding a particular kind of influence caused by

⁹⁶ In that it refer to an (intellectual) intuition

⁹⁷ Which arbitrarily deduces analytic relations between concepts.

⁹⁸ FNR, 53.

⁹⁹ "In both cases, something that is nonsensible in origin is given a sensory form in order to become empirically real" (Zöllner, 81)

¹⁰⁰ FNR, 12

¹⁰¹ Ibid, 9

the other rational being called the summons (*Aufforderung*). It is consequently also the task of the deduction of right to deduce the necessity, and possibility, of this summons and the mutual recognition (*Anerkennung*) of rationality it allows for. In the lectures on Ernst Platner's aphorisms, Fichte situates linguistic communication within this very same explanatory context. There, Fichte establishes the necessity of recognizing other rational beings, and goes on to claim that "'I can infer that there is a free being outside of me only through the communication of some knowledge"¹⁰². As "no immediate influence is possible"¹⁰³, and "something can only be communicated by a sign"¹⁰⁴, rational beings come to recognize one another by means of employing signs. Contrary to FNR, the sign by which this communicative influence is established is not merely the human body, but language as defined in the *Sprachfähigkeit*: "To this extent, man is never without language, without arbitrary signs, nor can he be without them"¹⁰⁵. Language, understood as the communication of thought by means of arbitrary signs, is postulated by Fichte to play the same role the summons and the relation of right have in FNR.

In this section I will summarize parts of this deduction in order to explain the crucial notion of the summons. This will further allow me to indicate the specific dialectical context relevant to the *Sprachfähigkeit* insofar as this section will establish the requirement of an intersubjective relation for self-consciousness, as well as the basic properties of this relation. Rather than treating the entirety of the deduction in the wide sense, I will focus on the first two steps, the demonstration of the necessity and possibility of the concept of right, insofar as they reveal the nature and necessity of intersubjectivity and the summons. It will be shown that Fichte argues that the medium of the summons is something he calls 'subtle matter', and that the criterion for rationality is the human body functioning as a sign of freedom. Furthermore, the account of this recognition is instantaneous rather than developmental. It will be argued that the notions of subtle matter and the body as a sign of freedom exhibit systematic tensions and weaknesses that the account of language will ultimately be shown not to possess.

¹⁰² Fichte 1996², 156

¹⁰³ Ibid, 156

¹⁰⁴ Ibid, 156

¹⁰⁵ Ibid, 156 Fichte seemingly contradicts this claim in a footnote to the *Sprachfähigkeit* that "language has been held to be much too important if one believed that without it no use of reason at all would have occurred" (Fichte 1996a). However, the history of language in §4.2 will show that although human beings manifest reason without arbitrary signs, they must develop such signs in order to posit themselves as I2b.

2.1. Demonstration of the necessity of the summons (deduction in the narrow sense)

The deduction of the concept of right proceeds in three main ‘theorems’ and inferences from them:

(FNR§1) First theorem: A finite rational being cannot posit itself without ascribing a free efficacy to itself

(FNR§2) Inference: A finite rational being cannot posit its capacity to exercise a free efficacy without positing and determining a sensible world outside of itself

(FNR§3) Second theorem: The finite rational being cannot ascribe to itself a free efficacy in the sensible world without also ascribing such efficacy to others, and thus without also presupposing the existence of other finite rational beings outside of itself

(FNR§4) Third theorem: The finite rational being cannot assume the existence of other finite rational beings outside it without positing itself as standing with those beings in particular relation, called a relation of right

The first two steps of the deduction restate and crucially elaborate on the previously discussed basic requirement that the I finds itself immediately as willing: “what is being claimed is that the practical I is the original I of self-consciousness”¹⁰⁶. The manifestation of willing or practical reason, of our capacity to set practical ends and realize them, is here referred to as ‘efficacy’ and, if reflectively thought, ‘free efficacy’. Self-ascription of this capacity depends on there being a sphere in which these ends – and consequently my efficacy - are realized, which is then ascribed to a world of sensible objects posited in opposition to the I. Hence, I and Not-I are opposed as the determinable sphere of free actions and the determinate sphere of sensible objects that resist them. Within the deduction, this concept precedes the synthesis through which we can think ‘free efficacy’, and is therefore identifiable as I2a. Fichte claims that the attempt to grasp oneself as free in this dialectical context, and thus ascend to the self-consciousness of I2b, generates a contradiction that is to be resolved by the second and third theorem: If the I has to grasp itself as free, it must make its efficacy the object of a reflection. However, “the nature of an object is such that, when it is comprehended by a subject, the subject’s free activity is posited as constrained. But this object is supposed to be the subject’s own efficacy”, which is of course to be comprehended as something “absolutely free and self-determining”¹⁰⁷. The nature of the objective element of cognition is such that it

¹⁰⁶ FNR, 20.

¹⁰⁷ FNR, 31.

¹¹⁰ FNR, 31

constrains the subjective element. A thought of an object presents the latter determinately by limiting a determinable sphere posited as Not-I, and thus constraining the I. As long as we cannot conceive of an object for reflection that does not have the cognitive significance of a constraint on one's activity in this manner, we therefore cannot reflect on our activity without either contradicting the nature of the subject or of the object. How, then, can we posit an object that is "nothing other than the subject's efficacy?"¹¹⁰.

2.1.1. Exposition of the summons

Fichte gives us an 'expository' account of the synthesis to be achieved here. First, he states that "both [subject and object] are completely unified if we think of the subject's being-determined as its being determined to be self-determining, i.e. as a summons [eine Aufforderung] to the subject, calling upon it to resolve to exercise its efficacy"¹⁰⁸. The object to be grasped is thus the highest principle in imperative form as depicted by I1b. While this provides a broad characterization of the constraint that the summons must exercise, Fichte asserts further basic conditions of how free efficacy, as the object of this synthesis, must be given and represented. The object "must be given in sensation, and in outer, not inner sensation"¹⁰⁹ as it is to pose a constraint on the subject's real activity. Recognition of the summons therefore contains, as one of its necessary moments, the perception of an influence in sensible intuition. Furthermore, insofar as "the subject comprehends the object, so too does it possess the concept of its own freedom and self-activity, and indeed as a concept given to it from the outside"¹¹⁰. This acquired concept is grasped as something that is not posited as actually existing, but something that has the status of an imperative for the subject. The concept of my free activity that I grasp in the summons presents this freedom to me as something that ought to exist. Crucially, this imperative does not necessitate the subject's reaction to the summons in any particular way. In this way, the relevant influence obviously differs from any merely mechanical effects apprehended in sensible intuition. The subject finds itself summoned by it "insofar as it finds itself as something that could exercise its efficacy but that can just as well refrain from doing so"¹¹¹. Either way of acting presupposes the capacity to realize free efficacy on the part of the summoned subject, and in grasping the summons the subject thus realizes this efficacy regardless of how it chooses to react. If this ambiguous employment of the concept of 'realizing one's free efficacy' is to be consistent, we must understand an action of summoning not as presenting the addressee with a choice to

¹⁰⁸ FNR, 31

¹⁰⁹ FNR, 32

¹¹⁰ FNR, 32

¹¹¹ FNR, 32-33

either act freely or not, but as demanding a determinate free action the refusal of which is an equally free choice¹¹².

The characterization of the summons as a demand to realize one's free efficacy is a representation at the level of determinability, which in practice appears as the sphere of possible determinate free actions, e.g. to pass over the salt or to keep it. Hence to act in accordance with the demand, or to refuse to act, are both determinate limitations of the determinable sphere of free efficacy.

2.1.2. Necessary inferences from the summons

After this 'expository' characterization of the summons, Fichte postulates a number of necessary inferences drawn by the subject "in consequence of this influence"¹¹³: First, insofar as the subject posits a limitation it posits something that is "outside itself as the determining ground of this influence"¹¹⁴. A limitation is the representation of a feeling as an effect not immediately grounded in the subject's volition but posited in conflict with it, and hence requires the representation of an external cause. As this effect is posited as a determinate influence, it must be accompanied by the positing of a determinate cause. Necessarily, the question arises "what kind of ground" can produce such an effect and "what characteristics must belong to it"¹¹⁵. Fichte identifies the above depicted content of the influence, that is, the summons, as the end of the postulated causality, which is therefore fundamentally understood as purposively aiming to determine the subject to free efficacy. As we have seen, this means that the influence in question does not immediately causally necessitate the subject to act in accordance with some particular end, but mediately represents the concept of this end to the subject as a possible course of action. It therefore determines the subject's capacity to construct the concept of an end that can be practically realized. Thus, the purposive influence of the summons aims at the subject's comprehension of the concept of the end that is to be realized through its free efficacy. In comprehending and reacting to the summons, I draw on my capacity to construct ends and freely choose whether to act in accordance with them. Consequently, "the purposiveness of the summons is conditional on the understanding and freedom of the being to whom it is addressed"¹¹⁶. The subject's rational capabilities are a formal condition of the summons, a condition without which it could not occur and that is intrinsically tied to its realization. According to Fichte, this condition must therefore also characterize the cause of the influence insofar as this cause must possess a

¹¹² This conception of willing will be shown in §4 to correspond to what Fichte calls 'Willkür'

¹¹³ FNR, 34

¹¹⁴ FNR, 34

¹¹⁵ FNR, 34

¹¹⁶ FNR, 35

concept of the end that it demands of the subject. As “it is impossible to ascribe to [nature] the capacity to grasp the concept of an end”¹¹⁷, the particular purposiveness of the summons cannot be ascribed to any natural causality. “A rational cause”, on the other hand, necessarily “constructs for itself the concept of a product that is to be realized through its activity”¹¹⁸. Therefore, the possibility of understanding the summons, which is in turn a condition for the possibility of its occurrence, requires the ascription of this effect to a rational cause itself capable of understanding¹¹⁹. Fichte emphasizes that other ways of rendering the action of this rational cause intelligible must be excluded if it is to constitute the summons: “it would have to be impossible to think that the action had any other end [...] unless it were intended as one that intended to produce cognition”¹²⁰.

Consequently, the summons is a reciprocal determination of an I and not-I which are thereby both thought as rational beings capable of free efficacy, under the concept of ‘individuality’, which marks the determinate instances of the determinable sphere of rational beings, or rationality as such. In order for the summons to succeed, both beings must determine the other in this manner - recognition of rationality must be mutual recognition (*Anerkennung*): “The concept of individuality is a reciprocal concept, i.e. a concept that can be thought only in relation to another thought [and which] (with respect to its form) is conditioned [...] by an identical [...] thought. This concept can exist in a rational being only if it is posited as completed by another rational being [...] it is a shared concept within which two consciousnesses are unified into one”¹²¹.

In WLnm, Fichte describes this ideal activity and its product as follows: “the determinable is a realm of rational beings outside of me”¹²². Reflective opposition posits an I and not-I under this determinable by relating and distinguishing them by reference to their distinctively rational capacities: “I am the determinate, (and since I am opposing to myself a sphere of the rational) I as individual. We here must contrast the determinable and the determinate; they are opposed in this: the determinate is I, the determinable is [...] not-I, both are equal in that they are both equally spiritual [*geistig*]”¹²³. This description is somewhat misleading, as the determinable identified as the sphere of spiritual, or rational beings as such, is not itself counter-positing to the I, but both I and not-I, *R1* and *R2*, must be understood as limitations of that determinable sphere – two instances of individuality. Fichte expresses this

¹¹⁷ FNR, 36

¹¹⁸ FNR, 36

¹¹⁹ FNR, 36

¹²⁰ FNR, 37

¹²¹ FNR, 45

¹²² WLnm §13, 150

¹²³ WLnm §13, 149

better in WLnm by stating that the determinable sphere is related to the determinate individual as a “measure of the purely spiritual” and that the “the I is a determinate part of this measure”¹²⁴. Grasping the summons therefore allows us to determine ourselves specifically with regard to our spiritual rather than sensible characteristics, and ascend to the level of reflection I2b. Just as an instance of volitional consciousness (an instance of PA) is the determinate limitation of the determinable sphere of my real efficacy (I2a), the effect *e* grasped as the summons (and the action that is the response to it), is a determinate instance of consciousness thought as a particular limitation (in the form of free efficacy) of the rational individual I2b, which in turn is a determinate limitation of the highest determinable sphere - that of rational beings, or reason or the pure will as such¹²⁵. Let us add this concept of the I to the list of formulations given in §1.2.2.: (I3) As the determinable sphere of rational beings posited by the individual agent in positing herself as a determinate rational individual I2b. Whereas instances of I2a and the not-I it opposes to itself are determinate under the concept of sensibility or matter, and constitute *phenomena*, instances of I2b are determinates of the intelligible realm of I3 and constitute *noumena* – beings not efficacious in virtue of merely sensible properties, but due to their manifestation of a different order of causality¹²⁶.

2.2. Demonstration of the applicability of the summons and rationality

2.2.1. Deduction of the body as articulation

The second main division of the deduction of the concept of right concerns its applicability and begins with a demonstration of the necessity of the body, which I will only summarize here briefly with respect to its relevance for the applicability of the concept of other rational beings grasped through the summons. It picks up from the first main division’s proof that a rational individual cannot posit itself as such without “exclusively ascribing to itself a sphere for its freedom”¹²⁷ by sketching the conditions under which this self-ascription can be realized. As the I under consideration here is not the formal suprapersonal I but a particular “determinate, material I, or a person”¹²⁸, the sphere posited by the I as the domain of its possible free actions is not the world as such, but a determinate part of that world. Specifically, it is that part of the world which is immediately determinable by my will. This is the body as a whole of moveable, interdependent parts, what Fichte calls ‘articulation’ [*Leib*]. As usual, we find here an interdependence between the determinate particular

¹²⁴ WLnm, 149

¹²⁵ WLnm §16, 179

¹²⁶ WLnm §19. This is of course the noumenal causality of freedom postulated by Kant in the third critique as necessarily beyond demonstration through theoretical reason.

¹²⁷ FNR, 53

¹²⁸ FNR, 54

movement of my body parts and the apprehension of my body determinable as a whole in the sense that I understand which parts are moving by opposition to the rest of others. Further, my body is posited in opposition to the sensible world apart from it, the specific objects with which I interact and the resistance they pose to my possible and actual movements, as ‘matter’ or ‘stuff’. I and not-I are both posited as limitations of the sensible world, distinguished by whether they are subject to immediate change by my will or whether they resist my will and require further effort on my part if they are to agree with my ends. Any actual resistance is determined as determinate in that I cannot grasp myself as entirely constrained, but only in a particular way that always leaves room for alternative free action (or else I am dead or unconscious)¹²⁹. Matter, in the form of solid objects, is thus that to which we necessarily attribute the resistance we encounter to our actions as embodied beings, and what we can alter by means of such actions. The crucial point is that, although we necessarily posit a distinction between the subjective and objective aspects of such experiences by their relation to our willing, any causal influence between myself as a body and some sensible matter is to be conceived of as merely sensible or physical: “the body must have physical power to resist the impression of such matter, if not immediately by willing, then mediately by skill, i.e. by applying the part of the body’s articulation that is still free. But then the organ of this causality must itself be composed of such resistant, solid matter”¹³³, and the determinate way in which I grasp myself as efficacious in these contexts is as ‘stuff’ rather than free efficacy. It is the limited representation of efficacy expressed by I2a.

2.2.2. Deduction of subtle matter and the body as a sign of freedom

Similarly to how §5 of FNR demonstrates, by reference to the human body as articulation, the applicability of the conceptual structure involved in §1-2 of the initial deduction, that is, the I as a free efficacy operative in the sensible world, §6 deals with the applicability of the concept of another rational being and its distinctive influence on me¹³⁰. In FNR, this influence is said to be possible by means of two concepts: that of the human body as a sign of freedom, and of ‘subtle matter’ as the medium for the distinctive kind of influence that is formally and materially characterized as the summons.

The initial exposition and inferences depicting the summons have shown, positively, that this influence must be given in sensible intuition and be grasped as an imperative to free efficacy. Negatively, they have shown that this influence must exhibit a different kind of causality than the mechanical interaction of sensible objects. It can only be understood as a

¹²⁹ FNR, 68

¹³³ FNR 68

¹³⁰ As §7 provides a proof that in light of §5&6 the concept of right can be applied, I will not discuss it here.

distinctively rational and purposive causality, and its effects must not pose the kind of resistance and material constraint constitutive of the not-I conceived of as matter, as these reveal the I to be efficacious (I2a), but do not explicitly reveal efficacy to be free and rational (I2b). Consequently, Fichte extends the account of the body as articulation in order to account for the positing of an efficacy that is not constrained by resistant matter. He claims that this necessarily entails the positing of a different kind of matter he refers to as ‘subtle matter’ that interacts with the body as dual articulation.

2.2.2.1. Deduction of the body as articulated as a dual organ

“Any activity of the person is a certain way of determining his articulated body; thus to say that an activity of the person is restricted means that a certain determination of his articulated body has been rendered impossible”¹³¹. Fichte claims that this restriction can only be grasped by representing this action as possible in a different way. This is a different claim from the above mentioned requirement that a constraint of the articulated body must always be partial. Here Fichte claims one and the same action in which we encounter seemingly insurmountable constraint, such as failing to open a gate by pushing against it, must be both posited as possible and impossible. To think of the I’s activity as both limited and free in affection, we must posit “a double manner of determining the body’s articulation, [...] a double organ, the two sides of which relate to each other” in several ways¹³². The two sides are the ‘higher organ’ and the ‘lower organ’, which are modifiable respectively by subtle and resistant matter. Their modifications, or determinations, are schemata functioning either as representing actions or object, depending on whether the I engages in TA or PA. They are further functionally distinct insofar as the higher organ can be “modified by the will”¹³³ without a corresponding modification of the lower organ. In these cases, Fichte speaks of the higher organ as restraining the lower. This relation of the two organs is manifested in intuition. Modification of the higher organ can also lead to a modification of the lower, which is manifested in action.

I suggest that the terminology of double articulation and the double organ is a way of elaborating the distinctive kind of imitation and constraint by which the same schemata that can represent action as its ‘Vorbild’ or prototype can represent external objects and their effects on the sensible body in the form of a ‘Nachbild’ or imitation. A schema is a line drawn by the productive imagination, representing activity in general¹³⁴. In Fichte’s focus on practical activity, the drawing of a line is interpreted as a schema for activity itself. Space is

¹³¹ FNR, 60

¹³² FNR, 60

¹³³ FNR, 61

¹³⁴ WLnm, 110

understood as egocentric¹³⁵, and the schema of empty space (space as infinitely determinable) in inner sense are lines proceeding infinitely in all possible directions in which I can move¹³⁶. The schema of a determinate action represents the bodily movements and effort required to bring about the determinate end of that action. Let us refer to the schema of the action of pressing against the gate as *aI*. In the case of practical activity, *aI* figures as the concept of the end of the action, and my will therefore immediately determines my higher organ in accordance with this concept, which in turn influences the lower organ. This means that my body is determined to press against the gate. In this case, *aI* represents what has above been called a *Vorbild*. If the lower organ is constrained by resistant matter, this matter is intuited as an external object affecting the I by being posited as a determinate sensible not-I in causal influence with the body. This requires a free act of reflection in which the I determines its higher organ to ‘imitate’ the restrained activity of the lower organ. This imitation produces a schema of the object by reference to the limitation encountered in action. For example, I find myself frustrated in the effort to push open the gate, encountered as resistance to my tactile perception in accordance with the end of moving beyond it, and decide to step back and look at it. Fichte depicts visual perception as a tracing of the object’s outlines accompanied by an anticipation of tactile resistance, which produces a schema of this object by drawing lines in the imagination: “a person cannot see if he does not first accept an influence upon himself and then internally reproduces the form of the object, that is, actively constructs the object’s outline”¹³⁷. Schemata of determinate objects in space are therefore lines which limit space in accordance with how my movement is (actually or possibly) limited by these objects. In seeing an object, intuition “projects something outward [...] before the hand (which is slower) can copy the outline of the shape”¹³⁸. Fichte therefore also compares the activity of the productive imagination in seeing an object with the movements of sculpting this object¹³⁹.

Any determinate effect must therefore be understood through a determinate way of employing the articulation of my body, by a reflection on the constrained action *aI* accompanied by a construction in the productive imagination. Schemata of bodily movements and their effects are represented in a different manner in order to recognize effects contrary to my will as caused by objects: “something has been produced in the person that he himself is able to produce, but that is now produced in such a way that he must ascribe it not to his own efficacy, but to the efficacy of a being outside of himself”¹⁴⁰.

¹³⁵ WLnm, 122

¹³⁶ Wlnm, 111

¹³⁷ FNR, 60

¹³⁸ WLnm, 55

¹³⁹ FNR, 78

¹⁴⁰ FNR, 61

This schema is ‘projected outward’ by the I and posited as a sensible not-I to which the effect encountered as limitation is ascribed. “What has been produced in the person’s [lower] organ is freely reproduced by him through his higher organ”; In this case, the schema functions as what has above been called a ‘Nachbild’, an imitation of external objects represented in perception.

2.2.2.2. The mereological argument concerning practical activity

In these interactions of higher and lower functions of the double organ, action schemata serve explicitly in willing and implicitly in intuiting, our practical capacity being represented as limited directly in PA and indirectly in TA. In order to infer the necessity of subtle matter from this double articulation, Fichte makes some claims about how the mereological properties of resistant matter relate to the resistance it poses to the I’s activity. In PA, I influence resistant matter by means of the lower organ which is itself composed of such matter. I cannot immediately determine the gate to open by willing it, but it must mediately be altered by temporally extended efficacious action. The argument by which Fichte seeks to prove the necessity of subtle matter from such considerations, which I will here call the ‘Mereological argument concerning practical activity’, runs as follows: (MPA) Mereological argument concerning practical activity

P1. The summons must be posited as an external influence given in outer sensation

P2. The summons must be posited as influencing the I without compulsion

P3. Influences given in outer sensation are ascribed to the causal activity of resistant matter

P4. Resistant matter influences the I by compulsion

C1. Therefore, the summons cannot be attributed to the causal activity of resistant matter

The MPA establishes further intermediate premises about how the parts of material object relate to one another in order to determine more closely what properties of resistant matter preclude it from being the determinable sphere in which the determinate effects of the summons must be manifested. This allows him to preserve the truth of P1, P2 and P4 in face of P3:

P5. Matter is resistant if its parts are composed and related in such a manner that they cannot be immediately altered (moved, separated, recombined) by the will, but mediately through real efficacy.

P6. If a resistance encountered in outer sensation cannot be removed immediately by the will, the object is understood as influencing the I by compulsion

C2: Therefore, the matter manifesting the summons must be composed and related in such a manner that they can be immediately altered by the will (via P2, P5, P6) Fichte defines this strange concept of ‘subtle matter’ almost entirely in opposition to resistant matter in order to allow for a kind of influence that is effortless but manifested in a perceptible medium. Scribner points out that what Fichte needs to explain at this step in his dialectic is “how, in recognition, an immaterial intellectual or spiritual awareness could have a material or causal-like influence upon another rational being (as distinct from any other sort of being)”¹⁴¹. Subtle matter is the “quasi-empirical explanation of that obscure communicative dynamic [called] the *Aufforderung*”, and introduced to resolve this task by designating “a middle term [...] that could mediate between material and immaterial worlds by embodying characteristics of each”¹⁴². Subtle matter is quasi-empirical in the sense that it bears all the functions of the matter of sensible experience besides the resistance that ultimately defines the latter. It interacts with the articulated body, modifies it and can be modified by it in return, albeit through an immediate exercise of the will akin to the control we have over the articulated body itself. It is also quasi-empirical in the sense that it is identified with elements of the empirical physical world, air and light¹⁴³, while being postulated entirely on *a priori* grounds. Fichte goes on to postulate two types of subtle matter, matter A and matter B. Type A is “a medium for the reciprocal influence of rational beings upon one another”¹⁴⁴ and can be “modified by the movement of the higher organ itself”¹⁴⁵, whereas type B is “immovable and imperturbable amidst the constant motion of matter A”¹⁴⁶. The reason for this distinction appears to be akin to the philosophical distinction between a substance and its accidents, insofar as Fichte's worry is that if there was only a single kind of subtle matter in constant motion, the other human being could not appear to me as one and the same throughout the varying modifications of this matter. Hence, Fichte claims that the human body must be able to “exercise an influence in a state of rest”, and that type B of subtle matter is the medium “in which our shapes are imprinted”¹⁴⁷. This medium is light, and “appearances in light can be modified by us only mediately, i.e. only to the extent that the shape [of the body] itself can be modified”¹⁴⁸.

In FNR, the communicative aspect of the summons is most explicitly addressed when Fichte identifies air as type A of subtle matter: “suppose that we stand in reciprocal

¹⁴¹ Scribner, 23

¹⁴² Scribner, 14

¹⁴³ FNR, 71

¹⁴⁴ FNR, 70

¹⁴⁵ FNR, 70

¹⁴⁶ FNR, 71

¹⁴⁷ FNR, 71

¹⁴⁸ FNR, 71

interaction with one another via the moveable subtle matter (e.g. we speak with one another)"¹⁴⁹. The identification of light as the other type of subtle matter is postulated by Fichte as a prerequisite of his claim (to be elucidated below) that the human body, merely by being visible, serves as a sign of freedom. The two types of subtle matter are thus related to the sensory modalities of sight and hearing, which will play an analogous role in the demonstration of the possibility of a language in the *Sprachfähigkeit*, although Fichte here focuses on sight as he is concerned with arguing that the human body constitutes an empirical criterion of freedom and rationality. This focus is to the detriment of the reciprocal interaction via moveable subtle matter, as speech is not further elaborated on in this deduction.

2.2.2.3. The mereological argument concerning theoretical activity

Fichte employs the conceptual framework of reflective judgment established in Kant's third critique, in which the attribution of a *telos* to an object is closely linked to the mereological properties of that object. I will call the argument he employs the 'mereological argument concerning theoretical activity (MTA). Kant claims that that certain natural forms exhibit purposiveness insofar as their "shape or inner structure is of such a character that we must [...] base their possibility on an idea" of an end¹⁵⁰. They are arranged in a manner that is at odds with anything that can be fully explained through efficient causation, since forms produced through "mechanical necessity" such as stones are "mere aggregates"¹⁵¹ of their parts. We can separate such contingent wholes both in theory and practice without the nature of their parts being affected. This is not the case with plants and animals, whose parts are individuated by reference to their role in the organism as a whole and do not exist apart from their relation within this whole. In a whole that exhibit natural purpose, "the possibility of [the] parts (as concerns both their existence and their form) must depend on their relation to the whole"¹⁵² [...] "just as each part exists only *as a result of all the rest*, so we also think of each part as existing *for the sake of the others and the whole*, I.e. as an instrument (organ)"¹⁵³. The mereological difference between the objects of efficient causation and those of final causation therefore more or less consists in the difference between a heap and a whole.

Fichte adopts this concept of organization and distinguishes between different products of nature by reference to what kind of purposive concept allows us to fully comprehend their respective mereological properties. The different functions of a plant's parts are explained by reference to the growth and reproduction of the whole. The seed is both

¹⁴⁹ FNR, 71

¹⁵⁰ Kant, 405

¹⁵¹ Kant, 405

¹⁵² Kant, 252

¹⁵³ Kant, 253

beginning and end of the organizational process, which thereby constitutes a closed developmental cycle. Consequently, plants are natural wholes that can be determinately grasped under the concept of 'organization'.

Animals too are organized products of nature, since they must grow and reproduce, but animal life differs from that of plants, as the animal's body moves around freely. It therefore cannot be fully understood through a concept of organization, but requires a concept of articulation similar to that depicted in §6. The animal's articulated body must be thought as determined by reference to "some *determinate sphere* of arbitrary movement"¹⁵⁴ by which it realizes its innate skills and instincts. The 'determinate sphere' is that closed set of vital activities which circumscribes the purposive movements in which an animal can engage. By ascribing instinct to animal, we provide laws that characterize these "innate skills pertaining to bodily movements"¹⁵⁵ such as when we say that a bee is flying towards a flower in order to collect pollen. This further allows us to render the animal's articulation determinate by recognizing that it is the purpose of a bee's wings to enable it to fly etc.

A human body is fundamentally distinct from that of animal, according to Fichte, in that its parts cannot be determined by such a closed set of ends or innate instincts: "the articulation of the human body would have to be such that it could not be comprehended through any *determinate* concept at all. Its articulation would have to point not to some *determinate sphere* of arbitrary movements, as in the case of animals, but rather to all conceivable movements *ad infinitum*. The articulation would not have any determinacy but only an infinite determinability [...] in short, all animals are complete and finished; the human being is only intimated and projected. The rational observer is completely unable to unite the parts of the human body except in the concept of *his equal*, in the concept of freedom given to him by his own self-consciousness"¹⁵⁶. The MTA therefore first argues that the appearance of the human body can only be understood as a real, purposive whole, but that neither a concept of determinate organization nor a concept of determinate articulation can fully explain its structure. Secondly, it asserts that an agent faced with this appearance posits this body as infinitely determinable and must (by means of reflective judgment) unify it under the concept of freedom that characterizes the consciousness of the observer.

¹⁵⁴ FNR, 74

¹⁵⁵ FNR, 76

¹⁵⁶ FNR, 74

2.2.3. Problems of subtle matter and the mereological arguments

There are three main problems with MTA. First, the summons is meant to be a determinate effect given in sensible intuition, as stated in the exposition of the concept. Here, however, Fichte claims that the only way to recognize rationality is by being confronted with an effect that displays infinite determinability as such. The problem could be mitigated if it was a determinate effect produced by the activity of the human body, some determinate act transmitted through the medium of subtle matter, which elicits the recognition of its freedom and rationality. Something akin to this is suggested in the WLnm: The "rational being is body because it is efficacious, its body is determinable through freedom [...] as matter can only be modified through divisibility and movement, his infinite modificability [*Modificabilität ins unendliche*] must consist in this; it must consist in that what must be viewed as part and as what must be viewed as whole depends on freedom"¹⁵⁷. Here Fichte portrays the human body as exhibiting its peculiar mereology through efficacious movement that shows its articulation to be self-determined. Unfortunately, this route of argument is closed as it is precisely the body as a shape at rest that is to be grasped.

Second, and more importantly, the argument presupposes that the agent who is confronted with a human body already possesses the concept of a free being, and that this concept is given to her by her own self-consciousness. This directly contradicts the very purpose of the summons, which is to explain how this concept is originally given to the agent from the outside. If it can instead be supplied by my own subjectivity, the intersubjective relation of the summons would be superfluous. As stated in the exposition, the agent acquires, through the summons, "the concept of its own freedom and self-activity [...] as a concept given to it from the outside"¹⁵⁸.

Finally, not every concept introduced by reflective judgment in the unification of a sensible manifold is constitutive of its object, as Fichte indicates in the following passage: "Every effect, once it exists, can very well be comprehended, and the manifold within it fits itself into a conceptual unity more gracefully and felicitously the more intelligence the observer itself has. Now this is a unity that the observer himself has brought into the manifold by means of what Kant calls reflective judgment"¹⁵⁹. Further, Fichte states that this unification always occurs "if there is to be an effect for the observer at all"¹⁶⁰. Of course, Kant took the introduction of a purposive concept by the observer via reflective judgment to be merely regulative. The possibility of the merely regulative employment of teleological

¹⁵⁷ WLnm, 235

¹⁵⁸ FNR, 32

¹⁵⁹ FNR, 35

¹⁶⁰ FNR, 35

concepts will be shown to pose problems in the examination of the application of the concept of rationality.

The notion of subtle matter in general proves problematic. On the one hand, the positing of a sphere of efficacy in which the activity constitutive of the summons is realized is a systematic requirement of Fichte's method. As he puts it in *The Scholar's Vocation*, "all of the concepts found within the I should have an expression or counterpart in the not-I. This is the specific character of man's drive" as a finite being¹⁶¹. On the other hand, his account of subtle matter is beset with textual and systematic problems, as well as suffering in plausibility due to further extra-systematic troubles.

Fichte distinguishes the respective relation of the two types of subtle matter to our will by saying that matter A can be immediately modified through the higher organ whereas our influence on matter B is mediated by movements of our body. If the modifications of subtle matter A and B play (transcendentally) the role that waves in sound and light factually play, then the distinction between matter A and B break down. While I can be seen without moving, I cannot make myself heard without any movement of my body. Moreover, Fichte has identified the reciprocal influence via matter A as speech, albeit in passing, and the production and apprehension of speech certainly requires movement. Unless the higher organ is to be a particular set of the human body parts (such as tongue, lips, larynx, and ears) rather than a particular manner of depicting the activity of the body, the two types of subtle matter do not map onto the two organs via their relation to the will.

The notion of subtle matter is also weakened by some extra-systematic considerations. The first of these concerns the kind of theory that Fichte is advancing and its general philosophical commitments. In positing the necessity of subtle matter, Fichte joins a long tradition of accounting for the influence of the human soul within the material world by means of postulating a specifically spiritual substrate, a concept known in the German world as *Feinstofflichkeit*. Despite "the total absence the term 'soul' in the *Naturrecht*", Zoeller points out that it is not at all the case that "the subject matter of the soul is simply missing" in that text¹⁶². Instead, "the concept of the *soul as inner sense*"¹⁶³ is addressed and depicted in the form subtle matter and the higher organ. Fichte himself explicitly identifies the higher organ with inner sense and the lower with outer sense in a 1798 letter to Johann Schmidt¹⁶⁴, and claims in the *WLn* that "the inner organ is soul, the outer articulation [*Leib*]"¹⁶⁵. Scribner points out that the kind of *Feinstofflichkeit* which inspired Fichte's subtle matter

¹⁶¹ EPW, 155

¹⁶² Zöller 2006, 102

¹⁶³ Ibid, 102

¹⁶⁴ FNR 66 fn3.

¹⁶⁵ AA IV,2 (170)).

derives from a 19th century pseudoscience called 'magnetic psychology', 'animal magnetism', or 'mesmerism', on which Fichte kept a notebook. According to Scribner, "magnetic psychology was a material account of spirit that theorized that the whole world was imbued with a quasi-material invisible fluid"¹⁶⁶ which serves as the medium for an "affective rapport" between spirits. In the light of the MPA, the ascription of a 'double organ' to the human body thus looks less like two aspects under which we can understand the activity of that body, and more like two radically different types of stuff coexisting in the world which only come to interact in a special organ possessed by human beings. The higher organ, considered as a mediator between resistant and subtle matter, resembles the function Descartes famously assigned to the pineal gland. If we take this resemblance seriously, the MPA poses further systematic problems as the higher organ comes to represent a special substrate for the I's free activity, something which Fichte strongly denounces¹⁶⁷.

The second kind of problem concerns the empirical commitments of Fichte's account. Breazeale states that it is "one thing to derive the necessity of positing some medium of communication between one free individual in the sensible world and another (as a condition necessary for the possibility of the *Aufforderung* and a relation of right) and something else entirely to claim to have provided an *a priori* deduction of the necessity of precisely *three* specific media: crude matter¹⁶⁸, air, and light"¹⁶⁹. This is an implausible move even if we leave aside the general question of how *a posteriori* and *a priori* are related within the *Wissenschaftslehre*. The identification of subtle matter with light and air is empirically untenable from our modern perspective acquainted with a more sophisticated science than Fichte was, as neither of these phenomena, nor the organs by which the human being interacts with them, are composed of radically different matter than the rest of the material world. Sound and vision do not have an immediacy lacked by tactile perception, and even Fichte attributes their apparent immediacy to the swiftness of habit and action associated with perceiving auditory and visual phenomena when he is not in the business of arguing for subtle matter¹⁷⁰. Furthermore, given that magnetic psychology is now considered as just one of many odd pseudo-sciences of the early modern period, the argument may seem wrong from the outset, but the wrongness of its path can be illustrated by supposing that Fichte had drawn on the concepts of a now respected science: for example, had Fichte lived in an age engrossed with the emerging theories of electromagnetism rather than magnetic psychology, the postulation of the medium of subtle matter would be akin to the empirical claims that there

¹⁶⁶ Scribner, 33

¹⁶⁷ FNR, 3fn

¹⁶⁸ Resistant matter

¹⁶⁹ Breazeale 2006, 130

¹⁷⁰ FNR, 66

must be superconductive materials besides the conductive materials exhibiting electrical resistance, that air and light are superconductive, and that our body must be partly composed of conductive (with respect to the organ of tactile perception) and superconductive materials (with respect to sight and hearing). Fichte advances a similar criticism of *Feinstofflichkeit* theories in his genealogy of the concept of the I which will be presented in the chapter on the *Sprachfähigkeit*.

2.3. Application of the summons and the empirical criterion of rationality

In the corollaries to §6, Fichte turns to the “vexing question for philosophy, which [...] it has not yet anywhere resolved [...]: how do we come to transfer the concept of rationality on to some objects in the sensible world but not on to others; what is the characteristic difference between these two classes of objects?”¹⁷¹. He claims that we must solve this question by providing an empirical criterion for rationality to establish the “applicability or reality”¹⁷² of the concept of right. The section can be seen as a sketch of an application of the concept of individuality, finishing the applicability of the concept of right before Fichte turns to the systematic application of this latter concept. Although it is not so much an argument as it is a suggestive assertion, I will call Fichte’s answer to the vexing question the ‘anthropological argument from differential dispositions’ (AADD), since Fichte acknowledges that assertions of this kind merely present the main moment of a larger ‘genetic proof’ that, if it were to be developed in full, would belong to the science of anthropology¹⁷³. Furthermore, as Nuzzo points out, the argument relies entirely on “anthropological and psychological observation”¹⁷⁴.

2.3.1. The anthropological argument from differential dispositions

The observation, or perhaps rather the assumption, on which Fichte bases his answer is that human beings universally manifest different tendencies when confronted with human and nonhuman animals, and that these tendencies indicate an implicit understanding of rational beings, which Fichte frequently explains through an innate drive to expect rationality outside of ourselves. Fichte claims that human beings implicitly classify non-rational animals as either predator or prey, depending on whether they are disposed to hunt or flee when encountering an animal, but that they do not manifest either of these tendencies when encountering another human being, but instead expect to enter into communication and cooperation with such beings. The conative tendencies of agents thereby manifest latent

¹⁷¹ FNR, 75

¹⁷² FNR, 75

¹⁷³ FNR, 72

¹⁷⁴ Nuzzo, 77

cognitive capacities. In this way, agents implicitly know themselves and others to be rational, just as they on some level know themselves to be food when fleeing from a predator, and know external beings to be food when hunting them as prey. Hence, after posing the vexing question, Fichte states that "nature decided this question long ago" before contrasting the reaction of a human being to the presence of another with the reaction towards the presence of animals. The expectation towards "reciprocal communication" is said to be immediate, grounded in "nature and reason", and not mediately acquired "through habituation and learning"¹⁷⁵. Both dispositions express the absolute tendency to self-determination of the finite agent that is manifested in the drive to find rationality outside of it: first in a drive to subordination, if the not-I is a non-rational being, and a drive to coordination, if the not-I is a rational being. This means that the agent relates to nonrational nature as an object to be brought in accordance with her ends, whereas she relates to rational beings as something that is already in accordance with rationality, and whose ends she wants to be in harmony with. The instances of the drive to subordination pertaining to the AADD, flight or fight, belong to what Fichte elsewhere also calls the 'formative drive', the tendency towards self-preservation which we share with all other living beings¹⁷⁶. The drive to coordination with other rational beings is part of what Fichte calls the social drive in the *Scholar's Vocation*, which is a higher manifestation of our absolute tendency than the formative drive as it aims at the establishment of specifically rational relations to other beings. The fact that human beings tend to anthropomorphize both animate and inanimate nature is presented as evidence of this drive by Fichte at various points: in FNR he claims that "primitive peoples [...] regarded almost all objects in the sensible world as living things and made them into free, first causes, such as they themselves were"¹⁷⁷, and that this illusion is a necessary step of the progression of reason. In the *Sprachfähigkeit*, it is stated that the drive to find rationality outside of oneself "reveals itself clearly enough in the fact that man is even inclined to ascribe life and reason to inanimate things" as can be seen "in the mythologies and religious beliefs of all peoples"¹⁷⁸. Both the AADD and the appeal to anthropomorphism do little to satisfactorily answer the vexing question: Regarding the former, the appeal to a decision by 'nature' is highly odd for the Wissenschaftslehre as a system seeking to ground everything in the actions of the I as opposed to nature. Nuzzo points out that "even though [the AADD] might be indeed nature's answer, it is evidently not the final philosophical solution to the problem"¹⁷⁹. The evidence to anthropomorphism does further harm to the argument, as it

¹⁷⁵ FNR, 75

¹⁷⁶ See the discussion of SoE in §4.

¹⁷⁷ FNR, 26

¹⁷⁸ Fichte 1996, 123

¹⁷⁹ Nuzzo, 77

shows that human beings are frequently mistaken in applying the concept of rationality to outside beings, and that their differential dispositions are thus operative even when a secure criterion for rationality is lacking.

2.3.2. The ascription of sense

A further criterion is named in §6 as the ascription of 'sense' to the other: "The criterion of the reciprocal interaction between rational beings as such"¹⁸⁰ is that they "influence each other necessarily under the condition *that the object of their influence possesses sense*; one does not influence the other as if it were a mere thing to be modified by physical force for one's own purposes"¹⁸¹. Angelika Nuzzo remarks on this passage that "at this level, I do not only attribute to the other person a 'sense' analogous to mine [but] also recognize that we all share 'the same type of intuition'"¹⁸². Yet, the ascription of sensibility to the other cannot be a sufficient criterion for rationality in the way the summons reveals I and the other to be free individuals. The kind of cognition and efficacy I possess in virtue of being a sensible creature confronts me with resistant matter that exercises influence on me *qua* resistant matter. Fichte points out that the "free being's superior power over this external matter arises solely from its freedom to act in accordance with concepts"¹⁸³. Understanding the other as capable of intuiting spatiotemporal objects does not by itself allow for ascription of conceptual capacities, and Fichte precisely introduces this criterion in order to posit an influence distinct from resistant matter.

Fichte claims that the ascription of sense is accompanied by a self-limitation that prohibits altering the other through force. Nuzzo thus identifies the ascription of sense to the other with the recognition that the other "is a sensible and also *vulnerable* being" that "will feel my action upon it and possibly get hurt by it"¹⁸⁴. As the next section will show, this latter aspect of the ascription is important for the claims Fichte makes in support of an instantaneous account of the summons.

3. Tensions between instantaneous and developmental accounts in the *Naturrecht*

Tensions are visible at two points in the deduction of the summons. The first occurs when Fichte identifies the summons with the upbringing of children in the corollaries to FNR§3. Gabriel Gottlieb uses this passage to argue for a developmental view of selfconsciousness¹⁸⁵.

¹⁸⁰ FNR, 65

¹⁸¹ FNR, 65

¹⁸² Nuzzo, 82

¹⁸³ FNR, 64

¹⁸⁴ Nuzzo, 82

¹⁸⁵ Gottlieb, 2016

Although he is more specifically concerned with the process by which human beings become political individuals, his discussion is of great value for my purposes, and I will heavily reference and quote it here. The second point are the corollaries to FNR§6 when Fichte further contrasts the adaptability and formability of the human being, who must be guided by other human beings, with the instinct-guided nature of the non-human animal. Despite his repeated insistence in this section that commitment to a developmental view betrays a conflation of the transcendental and ordinary perspective, Fichte makes a number of remarks that are at odds with an instantaneous view.

3.1. The developmental view in the corollaries to FNR§3:

Fichte claims that the concept of the human being – understood as a species rather than the individual agent¹⁸⁶ - entails that "the human being [...] becomes a human being only among human beings"¹⁸⁷. The reason for this is that "the summons to self-activity is what we call upbringing [*Erziehung*]. All individuals must be brought up to be human beings, otherwise they would not be human beings"¹⁸⁸. Of course, upbringing is a process that takes a long time. Gottlieb argues that "the model of self-consciousness Fichte presents in *Natural Right* entails a developmental thesis"¹⁸⁹ and that those claims which appear to suggest (what I have called) an instantaneous model merely refer to the pure I reflected on by the transcendental philosopher (what I have above classified under IIa). According to Gottlieb, "upbringing is the first stage in a human subject's striving for harmony"¹⁹⁰ and "the nature of upbringing or education (*Erziehung*) is that of a summons between two subjects which over time initiates individual self-consciousness, where individual consciousness includes consciousness of oneself as a reason responsive human being"¹⁹¹. Consequently, it makes no sense to think of the summons as some kind of event by which individual self-consciousness is instantaneously constituted: "understanding *Erziehung* as an achievement that is the result of a *process* that unfolds over time supports the suggestion that the summons occurs not in only one discrete moment, but over a period of time and on a number of occasions throughout the child's rearing"¹⁹².

Fichte goes on to link the summons to communication by stating that "only free, reciprocal interaction by means of concepts and in accordance with concepts, only the giving

¹⁸⁶ FNR, 38

¹⁸⁷ FNR, 37

¹⁸⁸ FNR, 37

¹⁸⁹ Gottlieb, 128

¹⁹⁰ Ibid, 122

¹⁹¹ Ibid, 128

¹⁹² Ibid, 130

and receiving of knowledge, is the distinctive character of humanity, by virtue of which alone each person undeniably confirms himself as a human being"¹⁹³. Not only this specific passage, but the entire section on upbringing mirrors Fichte's discussion of language in the lectures on Ernst Platner's aphorisms. Both texts initially state the intrinsically social nature of human beings, infer that we cannot conceive of human individuals in isolation, and follow a possible regress (as for every individual, there must have been at least one further individual who provided the upbringing) which terminates in the postulation of a first human couple reared by a spirit¹⁹⁴. Although both texts refer to the necessity of reciprocal conceptual interaction, only the lecture notes explicitly identify this interaction with specifically linguistic communication (that is, by means of arbitrary signs).

All of this accords perfectly with the kind of temporal, genealogical account of how human beings come to develop which Fichte provides in the texts of the 94/95 winter semester and the Platner lectures. It is, however, in conflict with Fichte's further comments on this matter in the corollaries following the deduction of subtle matter and the body as a sign of freedom.

3.2. Instantaneous and developmental claims in the corollaries to FNR§6

The corollaries to §FNR6 contain three assertions of the instantaneous model of the summons, as well as several claims that at least appear to contradict these assertions. The first assertion of an instantaneous model occurs at the end of the AADD, where it is stated that the agent immediately expects reciprocal communication upon "first seeing another human being" and that this expectation is not grounded in "habituation and learning"¹⁹⁵. The second assertion is harsh and dismissive of the developmental alternative. After his extensive deduction of the criteria of rationality of freedom, Fichte states that "one should not think - and only a few need to be reminded of this – that the human being must first go through the long and difficult reasoning process we have just carried out, in order to understand that a certain body outside him belongs to a being that is his equal. Such recognition either does not occur at all, or it is achieved instantaneously, without one being aware of the reasons for it. Only the philosopher is required to give an account of such reasons"¹⁹⁶. This passage is instantly followed by a number of claims concerning the 'incompleteness' of human beings and their necessary process of cultivation, which clash with this assertion of instantaneous recognition. It is important for the MTA that the human being is incomplete and thus utterly distinct from the animals. A little gazelle may run like a racehorse mere days after being

¹⁹³ FNR, 38

¹⁹⁴ Fichte 1996² 156-158, FNR 38

¹⁹⁵ FNR, 75

¹⁹⁶ FNR, 75- 76

born, but a human baby requires years of nearly constant parental assistance in order to become an individual competent in those abilities that we recognize to be characteristically human.

“Because of this utter helplessness, humanity is made to depend on itself. That means first and foremost that the species is made to depend on the species. Just as the tree maintains itself by shedding its fruit, so too does the human being maintain itself, as a species, by caring for and raising its helpless offspring. In this way, reason produces itself, and only in this way is reason's progress towards perfection possible. In this way, the generations are linked to one another, and every future generation preserves the spiritual achievements of all preceding ones”¹⁹⁷.

Here Fichte depicts, and links, two types of development which I will call 'ontogenetic' (concerning the cultivation of the individual) and 'phylogenetic' (concerning the cultivation of the species). Upbringing is a necessity of the ontogeny of human individuals because they are born without a closed determinate set of drives as is possessed by animals. To become a rational free being, and thus accord with its vocation, the human being depends on the care and instructions provided by other human beings, who enable it to acquire competency in characteristically human skills. Upbringing is also a necessity of the phylogeny of the human being as it must endlessly strive in accordance with its vocation, to be self-determined and unconstrained by natural limitation, by passing on the accumulated achievements of generations to the next. Both of these necessities highlight that, due to being incomplete in nature, it is the nature of human beings to have a second nature and for this second nature to depend, to a varying but necessary extent, on other human beings. These developments, framed within the contrast of 'cultivated' and 'uncultivated' human beings are discussed by reference to how the functions of the eyes and the mouth are refined in the former. On the latter he remarks that although “nature designed it for the lowest and most selfish of functions – that of nourishment”, it becomes “through the human’s self-cultivation, the expression of all social sentiments, just as it is the organ of communication”¹⁹⁸. Several remarks of this kind are also found within the main text of §6. There, Fichte identifies "uncultivated people" as "those who have not yet been adequately taught" and as "people whose basic human functions have not yet been refined into skills"¹⁹⁹. He also states that "I become a rational being – *actually*, not merely *potentially* – only by being *made* into one"²⁰⁰. From these remarks we can infer that there are various degrees of cultivation, and that a human individual

¹⁹⁷ FNR, 76

¹⁹⁸ FNR, 78

¹⁹⁹ FNR, 66

²⁰⁰ FNR, 69

at the lower end of this scale is only potentially a rational being, requiring upbringing in order to become an actual rational being.

A strong and weak interpretation of what is denied in the first assertion of the instantaneous model are possible. Under the strong interpretation, Fichte asserts that no developmental process whatsoever is required in order to achieve the recognition constituting the summons. Under the weak interpretation, he merely asserts that recognition does not require a reasoning process akin to the deduction of right. If we accept this weak reading, we could reconcile the conflicting passages by interpreting the initial assertion of instantaneous recognition to merely concern the acts of recognition performed by an individual who already has the conceptual competence constitutive of recognizing other humans. Of course, a child does not have to transcendently deduce the concept of right in order to recognize other beings, but this does not mean that it has to undergo no developmental process in order to achieve the self-consciousness associated with it. Thus, we could take Fichte to mean that once the process of upbringing has reached a certain stage, the individual is able to recognize others as her equal in an instant. However, in the third assertion of instantaneity, Fichte appears to again reject this weak reading. This assertion is preceded by a variety of empirical criteria for the recognition of the human body, such as the upright gait and remarkable dexterity of the human hand. "All of these things – not considered in isolation, the way philosophers split them up, but rather in their amazing, instantaneously grasped connection, as given to the senses – these are what compels everyone with a human countenance to recognize and respect the human shape everywhere – regardless of whether that shape is merely intimated and must still be transferred (albeit with necessity) to the body that intimates it, or whether that shape already exists at a certain level of completion"²⁰¹.

Given the context in which Fichte addresses these issues, it should come as no surprise that he insists that the "human shape is necessarily sacred to the human being"²⁰² regardless of whether this being is a baby who can do nothing but squirm and scream, a stranger who does not speak my language, or an adult who can verbally assert her humanity. The summons is a crucial part of Fichte's conception of self-consciousness, but not the central concept to be deduced in the FNR, which is of course the concept of right. The self-limitation to be grasped when confronted by another human being in this context distinctly relates to permissible and impermissible bodily movement – "the other is a free being and not to be treated as a mere thing"²⁰³. If I wish to influence him, I must respect his physical boundaries and not push and shove him around. This is a result to be arrived at prior to any

²⁰¹ FNR, 78

²⁰² FNR, 79

²⁰³ FNR, 80

communication or establishment of a social contract in which the other informs me of these normative limitations, as these limitations are constitutive of the mutual recognition of free beings. Individuals, no matter how uncultivated they are (or whether this uncultivated state is located within their ontogenetic or phylogenetic development) must be related to me by the concept of right or else I do not relate to them as individuals. In this sense, Habermas is right when he takes the notion of intersubjectivity in *FNR* to only establish the institution of (legal) relations of right rather than a cultivation of the I that requires intersubjective mediation in a significant sense.²⁰⁴

Nevertheless, this focus on the relation of right appears to lead Fichte to obscure a shift in perspective between different kinds of individuals, namely between those that are properly cultivated and those that are not. It is the latter that are yet to be summoned and thereby enabled to realize their rational capacities, but it is the former whose perspective Fichte takes when emphasizing that the body of an uncultivated human being must elicit both recognition and the understanding of its potential for cultivation. When it comes to the summons, it takes two to tango, but the role of these partners is asymmetrical insofar as one is actually, and the other merely potentially, a rational individual. It is an interaction between an agent of type I2a and one of type I2b, and its context is upbringing. In the Platner notes, Fichte remarks on the summons that "a free being decided to educate [*erziehen*] a being capable of being free for itself: for in them, there are all the conditions which make such a decision possible"²⁰⁵. Here Fichte again emphasizes that it is in the nature of human beings to recognize uncultivated reason and guiding the development of its natural potentials, but makes explicit that this is a decision by a "free being" as opposed to a "being *capable* of being free for itself"²⁰⁶. In the next section, I will argue that the spiritual cultivation by which an agent is brought up to be a rational individual²⁰⁷ is the refinement of the capacity of the productive imagination, and that this capacity is developed in the process of language acquisition.

3.3. The cultivation of the human being as the refinement of the productive imagination

The spiritual development of human beings is treated in *Concerning the spirit and the letter*, where the specific capacity to be cultivated is named as being the productive imagination: "spirit as such, or productive imagination, may be described as a capacity for raising feelings

²⁰⁴ See Introduction

²⁰⁵ Fichte 1996², 159

²⁰⁶ my italics

²⁰⁷ As it is portrayed in the texts of the first winter semester as well as the Platner notes

to consciousness"²⁰⁸ by converting "feelings into representations"²⁰⁹. This capacity is possessed by all human beings, and corresponds to the capacity to construct a *Nachbild* in response to a felt limitation. "Spirit in the special sense, in which we certainly appear to be justified in denying spirit altogether to many persons, is the ability to raise to consciousness the deeper feelings underlying those [...] which relate to the physical world"²¹⁰. The 'special sense' of spirit enables the grasp of limitations that are not concerned with our material being, and therefore directly relates to what is elsewhere called the summons. Fichte states "these deeper feelings relate to a suprasensible world order, and the ability to raise them to consciousness may be termed the ability to convert ideals and ideas into [representations]"²¹¹. Clearly, Fichte is here conceiving of the productive imagination as distinguishable in a way corresponding to the distinction between I2a and I2b. He goes on to posit the representations of 'deeper feelings' as arising within the context of communications: "These representations of a purely spiritual character are, for the purposes of communication between spiritual beings, clothed in bodies and thereby become expressed"²¹². In order to explain why such contexts must necessarily arise, Fichte goes on to refer to the drive to assume beings like ourselves outside ourselves and links it to the need for communication²¹³. Since "spirits are unable to affect each other immediately [...] they have to determine themselves according to the example of some appearance in the material world"²¹⁴. The representations of a purely spiritual character are therefore to be identified with linguistic signs, which constitute the medium of self-harmonization by means of reciprocal communicative activity: "the closer the ideas that you develop within yourself on this occasion resemble those ideas that I developed in myself while engaged in this activity, the better your frame of mind will harmonize with mine"²²³. The harmony achieved through communication is therefore not primarily that I can get others to do what I want, but instead consists in mutual understanding. It this drive to harmonize with other human beings through communication that is here portrayed by Fichte as the engine of phylogenetic spiritual development: "In the human species, spirit constantly develops by means of this struggle of one spirit with another. Thus the whole species becomes richer in spirit"²¹⁵. Similarly, in the Platner notes, Fichte asserts that the summons marks "the beginning of the production of reason by itself [and of] the

²⁰⁸ EPW, 199

²⁰⁹ EPW, 199

²¹⁰ EPW, 199

²¹¹ EPW, 199

²¹² EPW, 199

²¹³ EPW, 196

²¹⁴ EPW, 196. The path of argument here is mirrored in the Platner notes (Fichte 1996², 156)²²³
EPW, 197

²¹⁵ EPW, 197

intelligible world" and that "this influence can occur in no other way than as described above, through signs"²¹⁶.

The production of reason by itself is thus to be understood as a cultivation of the productive imagination through communication of thought by means of signs. That this refinement of the productive imagination provides the agent with a 'concept of a concept' of the I can be inferred from a passage in the 2nd Introduction to the *Wissenschaftslehre* in which Fichte depicts the dogmatist's sad condition: "it is not that they lack the concept as such of the pure I, of mere rationality [*Vernuenftigkeit*] and spirituality; if this was the case they would also have to refrain from[*unterlassen muessen*] arguing against us, just as a brick must refrain from it. But it is the concept of this concept they are lacking, and which they cannot raise [*erheben koennen*]. They have it within them; they merely do not know that they have it"²¹⁷. As in *Concerning the spirit and the letter*, the ability to act in accordance with a concept is ascribed to all human beings and marks that they, in contrast to a brick, possess spirit as such. Spirit in the special sense, in which it is most definitely denied to the dogmatist, consists in the ability to raise a concept of this concept to consciousness.

The concept of the concept of the I (I3) is the determinable sphere of rational beings, under which the agent determinately grasps herself as a free individual. The claims made in *UGuB* and the Platner notes therefore suggest that the summons is to be understood as essentially involving a development of linguistic capacities. Fichte's claims that the concept of the human being as a species contains its formability, its responsiveness to reason, and its dependence on others further strongly suggest that these are characteristics the agent grasps herself as possessing in engaging in communicative acts. They are entailed by understanding oneself through the concept of I3, and further explain the rational individuals drive to cultivate the spirit of others in upbringing, and to cultivate herself as well as others in the process of coming to mutually understand one another and communicating our knowledge.

²¹⁶ Fichte 1996², 159

²¹⁷ SWI, 505

4. The deduction of language

In the *Sprachfähigkeit* essay, the deduction of the concept of language (in the narrow sense) consists in the definition of the linguistic capacity and the discussion of basic drives which, in accordance with the highest principle, makes the development of language a necessity for the human being. The deduction has to answer the question of "what in general brought man to the thought of inventing a language"²¹⁸, and more specifically: "how did man arrive at the idea of indicating his thoughts through arbitrary signs"²¹⁹. The second part of the deduction in the wide sense, which demonstrates the possibility of developing a language, asks whether there is "in human nature the means which would necessarily have to be available in order to realize the idea of a language"²²⁰. This demonstration of the applicability of the concept of language takes the form of a kind of genealogy of sign use which shows how basic cognitive capacities of human beings can give rise to the protolinguistic communicative action of the *Ursprache*, and how this kind of communication can be further developed until it becomes properly linguistic communication by means of arbitrary signs. The application of the concept with regards to its more specific realizations in the sensible world concerns the manner in which different kinds of concepts (such as universal concept as well as concepts of the highest generality) come to be signified and a speculative account of the development of grammar. In this thesis, only the first two tasks of the wider deduction will be closely examined insofar as Fichte's account of universal signs and grammar are largely irrelevant to my purpose, although the most important and general aspects of the third appear in his account of the development of signs. The demonstration of the applicability of the concept of language with regards to the basic cognitive capacities of rational beings is largely implicit in Fichte's deduction of language, since his history of its development largely proceeds by considering determinate circumstances in which this concept is realized and falls short of its end. Hence the three subtasks of a deduction do not appear as demarcated in the essay on language as they do in FNR.

4.1. Expository methodological claims and definitions

In the early passages of his investigation, Fichte's employment of the highest principle is implicit but unmistakably omnipresent. It is only when giving a unitary characterization of human drives that an explicit expression is given: "sei immer einig mit dir selbst"²²¹ (SPR, 262), which can be rendered 'be always at one with yourself' or 'be always in harmony with yourself'. In the *Scholar's*

²¹⁸ Fichte 1996, 120

²¹⁹ Ibid, 120

²²⁰ Ibid, 121

²²¹ Fichte 1996, 119

Vocation, Fichte provides two teleological expressions of the principle that resemble the version of the *Sprachfähigkeit* closely: In the first, he states that “Man is always supposed to be at one with himself; he should never contradict himself”²²². In the second, he states this somewhat more extensively as “Man’s ultimate and supreme goal is complete harmony with himself and [...] the harmony of all external things with his own, necessary practical concept of them (i.e. with those concepts which determine how things out to be”²²³. Put in this manner, the self in question is one which is constrained, and thus an empirically situated agent striving towards harmony.

Fichte begins the essay by making three negative demands on an investigation into the origin of language, to which he provides what he takes to be the correct methodological counterparts. These broad methodological demands mainly serve to distinguish Fichte’s basic assumptions on how language is to be examined from prejudices he sees as pervasive in his predecessors by highlighting the superior assumptions of the method of the WL. First, “one must not resort to hypothesis, to an arbitrary list of the particular circumstances under which something like a language could have arisen”²²⁴. His negative emphasis on the multiplicity of ways in which such an investigation could be carried out and the thereby resulting “half-true explanations”²²⁵ indicates that a true explanation must in some sense be unique and exhaustive. Furthermore, it rejects any empirical approach to the question, as the evidence it could provide always remains incomplete and necessarily insufficient. Instead, Fichte claims that “one must deduce the necessity of this invention from the nature of human reason; one must demonstrate that and how language must have been invented”²²⁶.

Second, Fichte warns against presupposing “the very result that one hoped to find”²²⁷. Given that the investigator is a linguistically competent being with a particular form of language, there is always the danger of taking aspects of the concrete realization of language we are familiar with as being essential to language as such. This error might take the form of assuming the innateness of certain rules or capacities that are only available to competent sign-users, or to make the false generalization that signs must always be audible. Instead, we must assume the “viewpoint of human beings who as yet still had no language but were supposed to invent it in the first place, who as yet did not know how language would have to be constructed but would have to create its rules for themselves from the beginning”²²⁸. To better understand what kind of pre-social individual Fichte has in mind, it is instructive to consider the *Scholar’s Vocation* again. Fichte presents a nested

²²² EPW, 149

²²³ EPW, 10

²²⁴ Fichte 1996, 119

²²⁵ Ibid, 119

²²⁶ Ibid, 119

²²⁷ Ibid, 119

²²⁸ Ibid, 119

structure of ‘vocations’ in order to determine the particular vocation of the scholar in light of the highest principle, the first to be subordinated to this principle being the vocation to society. Hence, he must first show why the human being must enter into community with others if it is to progress towards its highest calling, and therefore he must show how a human being prior to entering into such community must be considered. In this context he states that “neither here nor anywhere else does the expression ‘man considered in himself and in isolation’ mean man considered as a pure I [...] instead, this expression means merely man conceived of apart from all relationship to rational beings like himself”²²⁹. The demonstration of necessity of language (§4.2) strongly suggests that Fichte is concerned with the I considered merely as an embodied agent striving to overcome sensible obstacles in accordance with absolute tendencies. This I operates efficaciously in accordance with drives that, while grounded ultimately in I1b, are not thereby self-consciously represented to the I as I1b. By assuming a perspective of this manner and correlating it with an ordinary (albeit generic) consciousness posited as I2a, we are proceeding of course on developmental grounds. I2a is supposed to be an empirical agent not yet capable of the self-consciousness posited by I2b, but with a vocation to achieve it, as well as a basic set of drives and capacities that render this achievement possible. The process of developing sign-use until it constitutes linguistic communication has several necessary stages, to be discussed in the next chapter, of which Fichte sometimes speaks as taking up centuries.

Third, one must not lean “too heavily on arbitrary convention” in the sense of taking the arbitrariness of signs to indicate that their signifying relation was instituted by conventional agreement, like some kind of linguistic equivalent of the social contract familiar from modern political philosophy. As will be discussed below in detail, the arbitrary character of linguistic signs plays a central role in Fichte’s definition and deduction of language, but not in the manner here dismissed by Fichte in which this arbitrariness is taken as the primitive form taken by signification as such rather than a developmental achievement.

Following these general methodological demands, Fichte goes on to provide three definitions concerning conceptual characterizations of the act and the immediate product of language²³⁰:

1. “Language [...] is the expression of our thoughts by means of arbitrary signs [Willkürliche Zeichen]”
2. Arbitrary signs are signs “explicitly determined to designate one concept or another”
3. “The linguistic capacity [Sprachfähigkeit] is the ability to signify thoughts arbitrarily [*willkürlich*]”

²²⁹ EPW, 148

²³⁰ Fichte 1996, 120

The systematic importance of these definitions can be seen by unpacking the contribution made by the term ‘arbitrary’ [willkürlich] and the phrase ‘explicitly determined to designate’: ‘Willkürlich’, which appears in all three definitions, has two meanings, one which is captured by ‘arbitrary’ and one which is typically translated as ‘voluntary’²³¹. The noun form of this verb, *Willkür*, plays an important part in the practical philosophy of Kant, Reinhold, and Fichte, where it (broadly put) designates the will characterized as the capacity of choice rather than as *Wille*, the capacity to set ends or practical reason as such. Fichte states that he follows Reinhold's definition and that "one calls the will *Willkür* when one attends to the feature just indicated: namely, that it necessarily chooses among several, equally possible actions"²⁴⁰. Fichte explicitly links these two senses in the course of pointing out why the “involuntary invention or use of language [such as through involuntary cries of pain] involves an internal contradiction”²³². After repeating the definition of the linguistic capacity as the “ability arbitrarily to signify its thoughts”, he states that “language therefore presupposes a choice [eine Willkür]”²³³. The two senses of *willkürlich* can thus be seen as characterizing respectively the communicative act and the sign thereby employed. The former is essentially voluntary and free, while the latter essentially signifies its object in an arbitrary manner.

The reason why the end of an act of using such a sign must be “explicitly determined to designate one concept or another” also relates importantly to the manner in which such a sign must be understood. Fichte explains that he defines arbitrary signs in this way in order to distinguish them from end-directed behaviour as such: “Our thoughts also manifest themselves through the effects which they have in the sensible world” in the form of action²³⁴. If another rational being observes my actions, they “can infer what I have thought from actions”²³⁵²³⁶ insofar as they recognize the intention of which my behaviour is the result or expression. Fichte therefore emphasizes that the expression of thought by means of actions “is merely incidental”²⁴⁵ unless it is explicitly intended to signify a thought. If another being observes me approaching the fridge and infers that I am hungry, my behaviour does not express a sign since its end is eating, not signification. In order for an action to constitute sign-use, “one must intend absolutely nothing more than the signification of thought; and language has no purpose whatsoever beyond this signification”²³⁷. The second definition strongly suggests that, like the lectures on Platner, the *Sprachfähigkeit* identifies the communication of thought by means of arbitrary signs with the

²³¹ Cf. Surber, 34-35. ²⁴⁰

SoE, 151

²³² Fichte 1996, 121

²³³ Ibid, 120-121

²³⁴ Ibid, 120

²³⁵ Ibid, 120

²³⁶ Ibid, 120

²³⁷ Ibid, 120

Aufforderung. In FNR, Fichte states the following formal condition concerning comprehension of the latter which mirrors his restriction on the understanding of arbitrary sign-use: “it would have to be impossible to think that the action had any other end [...] unless it were intended as one that intended to produce cognition”²³⁸. It therefore tells us something important about the recognition of rational causes operating in the sensible world: while rational beings have an understanding of the actions of others as expressing thoughts, insofar as they take some sensible effect to manifest an intention that is its cause, this understanding is crucially distinct from the recognition that the other’s intention was to signify a thought through its effects in the sensible world. While the former understanding interprets the other’s action as being in accordance with a concept, the latter can only render her actions intelligible by assuming that she has a concept of a concept. A sign is the product of such an action, as the communicative act only succeeds if the sign is understood by me as expressing the concept you intended to communicate with it. Your intention and my recognition of it are reciprocally determined elements of the communicative act.

4.2. Demonstration of the necessity of language

Fichte begins to answer the question of how human beings must have arrived at the idea of a language by recapitulating the AADD, and it is in this context that he first states the highest principle: "Man proceeds to modify raw or bestial nature according to his own purposes. This drive must be subordinated to the highest principle in man, which is: Be always at one with yourself" (Surb 122). He goes on to state that in the primitive manifestations of the highest principle, human beings are not self-consciously aware of acting in accordance with this principle:

"According to this principle, he constantly produces the most universal expressions of his power, without, however, being conscious of it [I.e., the principle]. Man seeks this – not directly from a clearly conceived determining principle, but from one interwoven through his entire being and without any contribution from his free will – to subjugate irrational nature so that everything will harmonize with his reason, since only under this condition can he come into harmony with himself"²³⁹.

The human being can act efficaciously in accordance with the highest principle despite lacking free will and awareness. In this sense, the depiction of human drives in the *Sprachfähigkeit* and other texts of the winter semester is closer to the *System of Ethics* than it is to FNR. In SOE, Fichte speaks of an "original, determinate system of drives and feelings [that is] fixed and determined independently of freedom"²⁴⁰, and which accounts for our drive

²³⁸ FNR, 37

²³⁹ Fichte 1996, 122

²⁴⁰ SOE, 105

for self-preservation shared with nonrational life. Nevertheless, he claims that "my drive as a natural being and my tendency as a pure spirit" are not to be understood as separate, but constitute (from a transcendental perspective) two sides of "one and the same original drive [Urtrieb]"²⁴¹. What distinguishes this natural drive from the manner in which it occurs in other natural beings is that it does not compel the human being to act with necessity. I cannot help feeling hungry, and it is not up to me that this hunger can only be quenched in certain determinate ways (I.e. by attaining and consuming food), but by virtue of the capacity for free reflection it is up to me whether I act on it. Further, Fichte claims in SOE that "this consciousness of my freedom is a condition of I-hood"²⁴² and that it is "not an *original* but an *acquired state*"²⁴³. Formal freedom "consists merely in the fact that a new formal principle, a new force, comes upon the scene, without making the slightest change in the material contained in the series of effects. In this case it is no longer nature that acts, but a free being, even though the latter brings about exactly the same thing that nature itself would have brought about if it could have continued to act"²⁴⁴. The natural drive presents me with the feeling of hunger and a structure of means and ends that allows me to satisfy this need. In consciously choosing to acquire and eat food, I do what the drive would compel me to do if I was a merely natural being, but I do so freely and therefore perform a formally distinct act than the animal. *That* the act occurs depends on freedom, but the way in which it occurs depends on nature. Material freedom "consists in this: not only does a new force come upon the scene, but there is also a completely new series of actions, with respect to the content of the same. Not only does the intellect engage from now on in efficacious action, but it also accomplishes something completely different from what nature would ever have accomplished"²⁴⁵. Again, the characterization of an agency that is formally free but unaware of its free efficacy corresponds to the real efficacy striving to subordinate the not-I of I2a. The next section will show how this distinction between formal and material freedom are also at work in Fichte's account of the development of signs.

Fichte further follows the AADD by rejecting the idea that the original disposition of human beings towards each other consists in a drive to subordination: "in the primordial nature of man a principle must be discernible which makes him behave differently towards others of his kind than he behaves towards nature [...] it is the drive toward self-

²⁴¹ SOE, 125

²⁴² SOE, 132

²⁴³ SOE, 131

²⁴⁴ SOE, 132-3

²⁴⁵ SOE, 133

harmonization which leads man to seek rationality outside of himself"²⁴⁶. Instead, humans originally manifest a different drive in response to others of their kind: "If [the agent] should now encounter an object which already manifested the rationality which he seeks [...] he has found something that harmonizes with him; would it not be absurd to want to make an object conform to his drive, which, without his own doing, already conformed to it"²⁴⁷. Hence an encounter with a rational object is in harmony with one's drive and constitute an experience of satisfaction, which awakens the communicative drive: "As soon as he actually encountered a being of his own kind in a reciprocal relation, it is precisely this drive that would have to produce in him the wish to indicate his thoughts to the other [...] and, on the other hand, to be able to obtain from the other a clear communication of the other's thoughts"²⁴⁸. Communication with the other is necessary for self-harmony, as we might otherwise come to misunderstand each other's intention: "In such a case, man would come into open contradiction with his own purposes and consequently would be in direct conflict with the harmonization with himself"²⁴⁹. The desire for intersubjective harmony of communicative intentions becomes a necessary part of the drive for self-harmony: "Thus I wish that the other might know my intention [and] to know the intentions of the other", and "thus arises the task of inventing fixed signs by which we can communicate our thoughts to the other"²⁵⁰. Fichte thereby takes himself to have demonstrated the necessity of language *a priori*, as an idea to be realized: "Accordingly, in the drive grounded in the nature of man to discover rationality outside of himself there lies the particular drive to realize a language, and the necessity to satisfy it enters when rational beings enter into reciprocity with one another"²⁵¹. In the Platner notes, Fichte states that the drive to expect rational beings other than ourselves is accompanied by a drive "to modify their reason by [my] own [...] to cultivate"²⁵². Hence, I do not intend to modify them as I modify mere matter: "Man wants to rule [...] but he wants to rule through reason"²⁵³. A rational influence is possible by means of signs, which allow us to express and understand thoughts. These drives are further commented on in the *Scholar's Vocation*, where it is stated that "within the social drive, or the drive to interact with other free, rational beings [...] are the following two drives: the drive to communicate [...] and the drive to receive"²⁵⁴. Presumably, these subdivisions of the

²⁴⁶ Fichte 1996, 122-3

²⁴⁷ *ibid*, 122

²⁴⁸ *Ibid*, 123

²⁴⁹ *Ibid*, 123

²⁵⁰ *Ibid*, 124

²⁵¹ Fichte 1996a, 124

²⁵² Fichte 1996b, 160 - 1

²⁵³ *Ibid*, 161

²⁵⁴ EPW, 163-4

social drive are also what Fichte refers to in FNR when he states that what characterizes the reciprocal interaction by means of signs is “only the giving and receiving of knowledge”²⁵⁵. In this context²⁵⁶, Fichte provides a developmental characterization of how a drive comes to guide the activity of an agent, and of how the agent comes to consciously manifest this tendency: “Every drive has to be awakened by experience before we can become conscious of it [...] in order for a drive to become an inclination and in order for its satisfaction to become a need, the drive in question has to be developed through frequently, repeated experiences of the same type”²⁵⁷. This is the way in which the human being becomes aware of its determinate finitude and in turn strives to develop its communicative capacities, as will be discussed in §4.3.2.

4.3. Demonstration of the possibility of language

Fichte provides a kind of genealogy of how language must have developed by beginning with a human being equipped with the basic rational capacities and depicting stages of its striving to realize its drive to communicate. In accordance with the above cited comments from the *System of Ethics, Concerning the spirit and the letter* and the *Scholar's Vocation*, these basic capacities are cultivated by experiences which frustrate manifestation of this drive, and occur necessarily as a result of the inadequacies of the kind of sign that is employed. Hence, the question to be answered in the demonstration of the applicability of the concept of a language is put forward as follows: “Is there in human nature the means which would necessarily have to be available in order to realize the idea of a language? Can one trace out these means, and how would they have to be used in order for the goal to be achieved? If such means could be found, a history of language could indeed be outlined *a priori*. And such is in fact the case”²⁵⁸.

I will show that each step in this development presents a set of components important to the procedure of a pragmatic history as outlined and practiced by Fichte: it gives the formal and material conditions of an act, relates it to the highest principle in the form of a drive, and shows why this act-type is an insufficient manifestation of this drive by depicting determinate instances of application in which the agent finds her attempts to act in this manner systematically frustrated. This latter element of frustration thus brings the act-type into contradiction with the drive it manifests and leads to further steps of development of the communicative act and the thereby instantiated signs, until a formally and materially free

²⁵⁵ FNR, 38

²⁵⁶ *The Scholar's Vocation*

²⁵⁷ EPW, 162

²⁵⁸ Fichte 1996, 121

kind of communication – by means of arbitrary signs – is possible. I will present the development of language as consisting of three main steps corresponding to different kinds of signs.

First, a system of visual signs that is grounded in the capacities of the productive imagination basic to human perception and agency (in the sense of I2a). This kind of sign will be shown to be inadequate both formally and materially. Second, a system of audible signs that, although superior to the first, is still ultimately grounded in the basic capacities of imagination (such as association). This kind of sign will be shown to be materially inadequate. Third, a system of audible signs of arbitrary character that is grounded in the developed capacity of the productive imagination, depends on the understanding of rational causes, and is formally and materially free. Before turning to the development of language, we must turn to Fichte's treatment of the preliminary question of the application of the concept of rationality

4.3.1. The recognition of rationality

As in FNR, Fichte turns to the criterion of rationality, asking "on what basis is [the agent] supposed to know the rationality of the object encountered?"²⁵⁹. Also as in FNR, the initial task in answering this question lies in distinguishing rational action from other types of purposive action in nature. An irrational living thing is either one which "grows, bears fruit, and so forth according to definite rules, or one which acts from a definite instinct for nourishment, sleeps, awakes, and so forth, and which he therefore judges to be behaving purposively"²⁶⁰. Similarly to the MTA, Fichte takes there to be fundamental differences between plants (as organized products of nature), animals (as articulated products of nature), and humans, although these differences are here not stated in the context of mereological properties, but rather in the kind of laws governing the behaviour of living things. Similarly to the AADD, the behaviour in question invokes tendencies revealed in the interaction of human agents²⁶¹ and non-rational lifeforms. What both the purposive behaviour of plants and that of animals have in common in this context is that a nonrational lifeform does not alter its purpose in accordance with my action, but "goes on its way without a change in its purposes"²⁶². The criterion that marks out specifically rational life is what Fichte calls "action according to varied purposiveness, namely that of an action which is varied according to our

²⁵⁹ Ibid, 123

²⁶⁰ Ibid, 123

²⁶¹ Fichte here speaks of an interaction between a nonrational lifeform and 'natural man', which I take to mean prereflective agents of the I2a type.

²⁶² Ibid, 123

own purposiveness"²⁶³. This kind of action exhibits a reciprocity which Fichte describes as follows:

"Only a being which, after I have expressed my purpose to it, alters its own purpose in relation to my expression, which, for example, uses force if I use force against it, which acts kindly to me if I act kindly to it: only such a being can I know to be rational. Then I can conclude from the reciprocity which has arisen between it and me that it has comprehended a representation of my manner of behaviour, has adapted it to its own purposes, and now as a result of this comparison freely gives its own actions another direction. Here an interchange between freedom and purposiveness is clearly revealed, and in this interchange we recognize reason"²⁶⁴.

Clearly, this kind of reciprocity is insufficient for the recognition of rationality as it is manifestly false that we can only enter into this reciprocity with beings capable of rationality. If I act kindly towards my cat by petting its head, it reacts kindly by brushing itself against my hand or licking it, and it would bite me if I were to hit it. It may seem unfair to use a cat as an example, as many domestic animals have undergone evolutionary change through selective breeding by humans who have thereby altered these life forms in order to exhibit social sentiments similar to ours. Nevertheless, Fichte sets himself up for this challenge in the corollaries to FNR§6 when he states that demonstration of the applicability of the concepts of rationality and right includes showing "whether it might not even befit the loyal house-pet"²⁶⁵. If we take his list of examples to be disjunctive, then the criterion seems even more inadequate. There may not be many animals that repay human expressions of kindness with kindness, but many that repay force with force. In none of these cases do we have to ascribe rationality to the creature we interact with. Consequently, Fichte's explicit criterion of rationality in the *Sprachfähigkeit* is deeply problematic. At best, varied purposiveness can be postulated as a necessary but not sufficient criterion of rationality. In this manner, it resembles the ascription of sense as the understanding of the vulnerability of the other being, and the ascription of a sensory apparatus similar to mine. It is a criterion for recognizing an agent of type I2a rather than I2b. I will show that something like this is at work in Fichte's depiction of communicative interaction by means of non-arbitrary signs.

²⁶³ Ibid, 123

²⁶⁴ Ibid, 123

²⁶⁵ FNR, 75

4.3.2. The development of language from the *Ursprache* to arbitrary signs

4.3.2.1. From iconic visual signs to accidental audible signs

Proper sign use begins with what Fichte calls the 'hieroglyphic language' or *Ursprache* (primordial language). These first signs signify their object by means of resemblance. Grasp of them those requires the exercise of those perceptual capacities by which we recognize these object. Use of them requires an understanding of the other as possessing these perceptual capacities too. Fichte states a basic principle of the *Ursprache*: "Just as nature signified something to human beings, exactly thus did they have to signify it to one another through freedom"²⁶⁶. Similarly, in his Platner notes, Fichte claims that „the whole of our early system of signs is oriented towards the presence of the object which is supposed to be known and conceived"²⁶⁷. This 'orientation towards the presence of the object' can again be interpreted along the formal and material conditions of an action. That we can direct the other's attention is made manifest by the most primitive communicative act, of pointing at an object²⁶⁸. In this case the object is present both to the user of the sign, the addresser, and the addressee whose attention is directed to it by the pointing. This act, although not yet employing iconic signs, reveals a formal condition of such signs – that the attention of the audience can be influenced by gestures. The material aspect of iconic sign, that is the manner of signifying an object to another by imitating a feature of it, concerns a different orientation towards a present object, namely the manner in which we come to know it ourselves in intuition. In recognizing an object, I attend to it and exercise my productive imagination by internally imitating its shape. Hence, in order to signify it to an other, I outwardly imitate this shape through gesture. Of course, Fichte takes it that a similar mechanism concerns iconic audible signs such as when I imitate the bleating of a sheep. "The first signs of things, according to these principles, were derived from the workings of nature: they were nothing more than an imitation of it"²⁶⁹. The relevant effects to be imitated relate to vision and hearing, as Fichte takes the impressions of the other sensory modalities to be too indeterminate. I signify an object by using my body to imitate some visible or audible properties of it, intending the other to recognize a resemblance between the sign I produce and the object I wish to signify. Someone who employs such signs "does externally and perceptibly for the other what he himself must do internally in order to grasp the object. – One conceives in front of another, as it were"²⁷⁰. Fichte initially depicts the way in which we

²⁶⁶ Fichte 1795, 267

²⁶⁷ Fichte 1996b, 161

²⁶⁸ Ibid, 156

²⁶⁹ Fichte 1996a, 125

²⁷⁰ Fichte 1996b, 161

immediately know an object intuited in visual perception in terms familiar from previous sections: “To notice something with the eye, its shape must be internally copied, its outline grasped; this act is actually that of immediate knowing, something characteristically human. Nature is a shape in repose. The character of freedom arises through motion”²⁷¹. The human body figures significantly in this depiction of this gestural language, but contrary to the body as it figures in the deduction of the summons in FNR, it is not at rest but reveals its freedom in movement, performing a determinate act. The motion which Fichte links to freedom is not only that of the articulated body, but (as the description of vision indicates) but of the shapes drawn in the productive imagination, which the agent imitates through bodily movement in employing a gestural sign. An object is grasped by me in sensible intuition through the construction of a *Nachbild* in the productive imagination. As discussed above, representations of objects implicitly refer to my activity as limited and are therefore intrinsically related to schemas of possible actions. *Vorbild* and *Nachbild* are directly related in hieroglyphic sign use as I employ my body as a sign in imitating the object, for example by tracing its shape with gestures. What is supposed to result from my action is that the other, in internally imitating this shape in intuition, produces the same kind of *Nachbild* that serves as *Vorbild* for my action.

Similarly to the account of FNR, communication by means of the hieroglyphic language thus presupposes an ascription of sense to the other. In employing a sign of this kind, I grasp the other as possessing sensory capacities akin to my own. Also, the other is recognized as performing the same kind of bodily movements that I am capable of when she is communicating to me. The addressee of my communicative act is necessarily posited as my equal in our shared kinds of intuition and efficacy. It is perhaps in this sense that a notion of 'varied purposiveness' can serve as a criterion for this limited type of rationality corresponding to I2a. In then going on to highlight that this mechanism is also operative in cases where the object is absent, Fichte is of course referring to the imagination in its reproductive function. This ability is fundamental to the earliest communication by signs, in that these signs are employed in order to make the audience recognize a concept by recalling an absent object. “If the other responds to this, the concept must necessarily arise, and if he already knows the object as actual and remembers it, so too must the recollection of its already perceived reality [...] in this way, man discovers the manner of communication; the shape would be drawn, sketched in space; - to the degree that the sign is adequate and the other attends to it, he understands it”²⁷². The freedom which Fichte claims to be involved lies

²⁷¹ Ibid, 161

²⁷² Ibid, 161

in grounding the occurrence of the act in the decision of the addresser to produce the sign in order to signify something to the addressee. It is formal freedom in the sense described by the SoE quotes above, the possibility to initiate a natural effect through a spontaneous cause. Hence, Fichte states that “the voluntary communication of thoughts was itself a voluntary [*willkürliche*] matter [...] but the manner of communication was not”²⁷³. It is materially constrained first and foremost in that it can only signify by imitating natural effects.

The limitations posed by this mode of communication can be elucidated by reference to the distinction between formal and material conditions of an act, as well as that between formal and material freedom of an act. The formal conditions of a communicative act by means of gestural iconic signs are (i) that I decide to signify this concept to the other, and (ii) that the other attends to my act of signification. Gestural language is inadequate with respect to form in that “it does not arouse the attention of the other, but already presupposes it”²⁷⁴. Unless the other is looking at me when I want to signify my thoughts, the communicative act does not occur at all. Hence, the act is not entirely formally free. The conditions with respect to content consist in the nature of the sign and its relation of resemblance to the thereby signified object, communicated through acts of imitation on both the side of the addresser and the addressee. The particular manner in which the communicative act must proceed is that the addressee attends to the sign in such a manner as to internally imitate its outline and recognize its resemblance to the relevant object. The act of signification must structure the attention of the audience in a way associated by the latter with the shapes perceived to be characteristic of an object. This manner of communication is thus bound with respect to its content, that is, what must follow from the occurrence of such a communicative act in order for it to be successful. The recognition of a concept in the apprehension of a visual sign depends on how one attends to the shape of an object, which is possible in many different ways and open to personal idiosyncrasies. The iconic sign must resemble the object insofar that in attending to the kind of object signified by the sign, both parties must recognize the same of the many aspects of its shape as characteristic of this object. It thus requires that the addresser’s exercises of the productive imagination in recognizing this object are fixated in the same manner, producing the same *Nachbild*, as those of the addressee.

Since being frustrated in one’s attempt to communicate by means of gestural signs brings this kind of action into conflict with the drive for coordination, it is experienced as a limitation to be overcome in the striving for self-harmony: “The stronger his desire to communicate, the more intensely must he also feel his inability to make his thoughts

²⁷³ Fichte 1996a, 125

²⁷⁴ Fichte 1996b, 162

observable [...] by visual signs”²⁷⁵. To act in accordance with these desires, a different manner of communication must be found which does not exhibit these limitations. Being familiar with the contrasting effect that producing sound has on the attention of others, people begin to exploit this formal aspect of audible communication for gestural significations, by making sounds in order to attract the addressee’s visual attention²⁸⁵. Vocalizing and gesturing are posited as equal insofar as both can be used to imitate a natural effect. They are different insofar as only the former can be used to compel the attention of one’s audience, whereas the latter presupposes it. Audible signs carry an advantage as “hearing involuntarily draws the eyes with it”²⁸⁶. The vocalizations by means of which attention is first attracted in order to enable (gestural) communication therefore must not necessarily have been vocal signs. They could simply have been acts that are revealed to have certain unintended effects for which they are henceforth intentionally used. Having become aware of both the deficiencies of gestural signs and the superiority of vocal signs in the relevant aspect, their drive to communicate necessarily leads humans to “the task to transform it into a purely audible language”²⁷⁶.

4.3.2.2. From audible accidental signs to audible arbitrary signs

An obvious problem for the task of developing a purely audible language is that not all things naturally produce sounds. In signifying things of this kind audibly, one therefore has to move beyond signification based on resemblance. Fichte names several ways by which a sound could come to signify an object by association rather than resemblance. For example, the hoarfrost and the forest do not produce characteristic sounds by themselves, but do so if one walks over the hoarfrost or “passes through the bushes” of the forest²⁷⁷. “In this way, things came to be designated according to certain sounds accidentally associated with them or related to them”²⁷⁸. This marks a step away from the initial constraint of an iconic language, but it does not yet fully constitute communication by means of arbitrary signs. While unconstrained by matters of resemblance, the signification of the object by the sound still depends on their factual connection in experience. In this way they are less dependent on idiosyncrasies in the operations of the productive, but the reproductive imagination as well as the contingencies of experience. This development nevertheless initiates the process of turning to arbitrary significations and therefore properly linguistic communication.

²⁷⁵ Fichte 1996a, 126

²⁸⁵ Fichte 1996a, 126

²⁸⁶ Ibid 125.

²⁷⁶ Ibid 126

²⁷⁷ Ibid 128

²⁷⁸ Ibid 128

Several possible ways in which agents are presented with determinate effects which reveal the arbitrariness of signification are named by Fichte. The first concerns the gradual alteration of initially iconic audible signs through the idiosyncratic speaking habits of spiritual leaders and other authority figures. This change is made possible by differences of pronunciation between the individuals of a community. Fichte claims that within human communities, the speech of people regarded as authority figures will be listened to by the rest of the community with a particular attentiveness and regard. Idiosyncrasies of pronunciation by such leaders will shape the linguistic behaviour of others and over time come to be imitated by the community. Fichte tells us about the speech of such a leader that "it so happens that although he signifies things only casually, it is not taken as inappropriate if he skips over this or that sound in speaking. One will soon become accustomed to this deviation and will easily learn to understand this casual sort of signification. He will gradually get further and further away from the exact imitation of the natural sounds [...] Finally – perhaps already after a period of a hundred years – hardly any resemblance can be discovered between his signification of an object and the natural sound by which it audibly presents itself"²⁷⁹.

The tendency of human beings to be guided in language acquisition and performance by authority figures is also portrayed by Fichte in ontogenetic examples which concern the acquisition of arbitrary signs for particular objects and general concepts in the context of a child's upbringing. First, he states that upon coming to realise that signs do not necessarily signify by resemblance and association, "it is very conceivable how one was finally led also to establish sounds for signifying an object for which there was not even an accidental sound associated. To clarify the meaning of such a sound, the inventor would have to explain it through other already known sounds, through whose conjunction he could even construct new words [...] to enrich his language with significations"²⁸⁰. The task of expanding language with arbitrary expressions and establishing their signification to others would "by its very nature [...] have to be the business of the mother and father of a family"²⁸¹. Through their instructions of other household members in "their domestic affairs"²⁸², repeated usage of arbitrary expressions is fixed by the intention of the parents. Fichte gives the example of a father who asks his son to bring him a rose, is given "the flower which [he] intended by this expression"²⁸³, and acknowledges this to the child. Having understood his father's intention, the son comes to understand that this is the object signified by the sound. Being asked on another occasion to bring a rose, the child, who had associated the expression with

²⁷⁹ Ibid 128

²⁸⁰ Ibid 128

²⁸¹ Ibid 129

²⁸² Ibid 129

²⁸³ Ibid 129

the particular flower, is now unable to find this flower, and decides to instead pick one of the same shape. When his father again "acknowledges the flower as a rose" the child understands that "the sound 'rose' means not only that particular object [...] but generally all flowers of the same shape, the same color, and the same smell"²⁸⁴. Here we see the mutual understanding of intentions at work in the fixing of the child's imagination. The signifying function of the sound is no longer grounded in a shared capacity of productive imagination at work in representation, but in the ability to set ends that fundamentally characterizes us as willing, freely efficacious beings. Agents may of course operate implicitly with arbitrary signs without reflecting on this arbitrariness. Signs that have been slowly altered due to imitation of the idiosyncracies of authoritative speakers may simply be assumed to signify entirely through resemblance, just like the English 'Bah' and the German 'Mäh' are both onomatopoeia of the vocalizations of sheep, but nevertheless differ in arbitrary manners. Fichte's further examples tell us how such differences allow for the reflective positing of the arbitrary character signs.

The second way concerns the confrontation with differently altered initially iconic audible signs through the interaction with other human communities with different speaking habits "the same imitated natural sounds may have developed differently in various tribes and peoples. From this, several sounds for the same object arose [...] In each tribe, the natural sound was altered in a different way; thus it was understood, and communicated to the peoples who entered into association with them and who then regarded the sounds as something arbitrary"²⁸⁵. We can reconstruct the act of reflection in which this is grasped as follows. Reflection, as we have seen, is a capacity for partial consideration. To posit something determinately, I must perform a limitation in accordance with reflective opposition, and the capacity to use both iconic and truly arbitrary signs allows for such a reflection on one's linguistic capacity. The agent, presented with different signs *s1* and *s2* that signify the same object *O* reflects on their differences and commonalities. Suppose that *s1* is an iconic sign that the agent understands to signify *O* due to resemblance, and that *s2* does not resemble *O*. What *s1* and *s2* have in common is that they are employed by other agents to signify *O*. The ground of their signifying function are thus not any naturally determined sensible properties common to *s1*, *s2*, and *O*, but the intention of human agents to signify *O* to others by means of these signs.

²⁸⁴ Ibid 130

²⁸⁵ Fichte 1996b, 163-164

4.3.2.3. The linguistic genealogy of spiritual concepts

In what can be considered the application of the concept of a language, Fichte tells us about how a variety of linguistic features (such as different types of concept and different grammatical functions) must have been developed. While most these will not be discussed here, his account of the development of spiritual and mental concepts, in particular that of the 'I', strongly appears to contain a criticism of Fichte's own procedure in FNR regarding subtle matter, and will therefore be quoted at length.

Fichte beings by depicting an individual who is guided entirely by the natural drive, and states that it is only after a process of refinement of his sensibility that such an individual can go on to strive in accordance with higher needs: "so long as man, driven by necessity, is concerned only with the satisfaction of physical needs, he will have no time for reflection and, in particular, for the development of mental concepts. But as soon as his sensibility has developed up to a certain level and he has become skillfull in easily satisfying his needs, he will be led to inquire into mental ideas by the soul's innate drive to progress"²⁸⁶. As these ideas begin to develop, "the drive to acquaint others with what he had discovered would begin to stir in [the human being], for never is the drive to communicate livelier than in the case of new and sublime thoughts"²⁸⁷. The task to understand mental concepts, to raise those deeper feeling pertaining to the supersensible (that Fichte speaks about in *Concerning the spirit and letter*) to consciousness, increases the human being's drive to communicate, presumably due to the necessity of communication for the achievement of this task. The initial signification of such concepts depends on our imaginative capacities, and a modification of expressions of the *Ursprache*:

"The signs for supersensible ideas arise very easily from a fundamental feature of the human soul. Namely, there occurs in us a unification of sensible and spiritual representations through the schemata produced by the imagination [*Einbildungskraft*]. Significations for spiritual concepts are borrowed from these schemata. That is, the sign, which already signified in the language the sensible object from which the schema was derived, was transferred to the supersensible concept itself"²⁸⁸

I suggest that this unification of sensible and spiritual representations in the imagination refers to the intrinsic link between a *Vorbild*, which represents a volitional phenomenon, and a *Nachbild*, which represents a sensible object. In the attempt to isolate these volitional phenomena and to thereby represent the I, some sign that originally represents sensible objects must be repurposed to become a representation of the

²⁸⁶ Fichte 1996a, 132

²⁸⁷ Ibid, 132

²⁸⁸ Ibid 133

supersensible. Fichte first briefly alludes to how this works in the successful case: "clearly an illusion lay at the basis of this sign, but through this illusion the sign was also understood, because for the other to whom the spiritual concept was communicated the same thought depends on the same schema"²⁸⁹. As long as there is a harmony of communicative intentions with regard to what the expression signifies, the inadequacy of representing the supersensible by analogy to some sensible material is outweighed by the benefit of being able to introduce and employ mental concepts into the language. He then goes on to depict the inadequacies of such a signification, and how they encapsulate a larger problem in the progression of reason: "the 'I' must be conceived as immaterial insofar as it is opposed to the material world"²⁹⁰, but in order "to be represented, it must be posited outside of us in accordance with the laws governing how external objects are represented"²⁹¹, in the form of sensible spatial schemata. "Here is a manifest conflict of the 'I' with itself: reason wants the I to be represented as immaterial, and the imagination wants it to appear only as occupying space, as material. The human mind seeks to resolve this contradiction by assuming something as substrate of the 'I' which it opposes to everything that it knows as crudely material"²⁹². In this passage, Fichte describes both the problem he is facing in the first part of the MPA as well as the conclusion he gives by postulating the existence of a subtle matter in opposition to ordinary resistant matter. Here, however, the tendency that opposes the drive of reason to represent the immaterial is blamed on the imagination's original dependency on acts of spatial schematism: "thus, the human being, if he is still accustomed to borrowing materials for his representation primarily from the sense of sight, will choose for his representation of the 'I' such matter as is not visible but which he nevertheless perceives [or feels, *spürt*] for example air, and will call the soul spiritus"²⁹³. The basic capacity of the productive imagination is first and foremost at work in raising felt limitations to consciousness by producing visual, spatial schemata of objects (Nachbilder) to which these limitations are causally attributed. As air is felt, but not accompanied by such schemata, it bears a closer resemblance to our volitional states than other sensible phenomena, and the sign that refers to it can be transferred to supersensible concepts by analogy. Fichte further states that "this manner of signification becomes more refined in accordance with the degree of refinement of the concepts"²⁹⁴, and sketches a phylogenetic development of mental concepts which advances alongside culture

²⁸⁹ Ibid 133

²⁹⁰ Ibid 133

²⁹¹ Ibid 133

²⁹² Ibid 133

²⁹³ Ibid 133

²⁹⁴ Ibid 133

and philosophy: "As these concepts are further refined, the soul will be expressed by air, anima, spiritus; and in an even higher culture, if one has heard of aether, he will signify the soul by aether"²⁹⁵. The reference to aether as the substrate of the soul again recalls Fichte's procedure in *FNR*, as both subtle matter and aether are (now discredited) 19th century concepts of an invisible, space-filling medium accounting for (different types of) action at a distance. The employment of the terminology of such a spiritual substrate carries intrinsic dangers as "it becomes easy to confuse the spiritual concept expressed in this way with the sensible object from which the sign was borrowed"²⁹⁶. Not unlike a transcendental antinomy, this is a kind of error arising necessarily from the progress of reason, and frequently results in bad metaphysics:

"This confusion, however, was unavoidable; those concepts could not have been signified in any other way. Thus anyone who had not yet exercised his power of thought enough to be able to follow the more advanced spirit of the original developer of those spiritual ideas in their more rigorous abstractions would find it virtually impossible to grasp the sense in which the originator understood the figurative expressions [...] those who could not rise to the level of what was being signified remained at the level of the first primitive sign"²⁹⁷.

The process of coming to understand signs expressing supersensible ideas thus recapitulates the general development of signs: as in the hieroglyphic language, there is an initial necessity to borrow from one's sensible, visual capacities, and the process of refinement towards arbitrary signs leads to an understanding of our supersensible, spiritual capacities. Although Fichte here links the undeveloped concept of spirit with an uncultivated imagination whose primary sense is sight, this does not mean that someone who "stays at the level of the first primitive sign" is communicating spiritual concepts by gesture rather than vocalizations. Instead, in an ontogenetic context we must conceive of the primitive state of his linguistic competence as consisting in the kind of schema by means of which he interprets the other's expressions. Rather than realizing that the 'I' is only activity, and hence to be referred to volitional states, he refers this concept to spatial schemata and thereby comes to imagine that the spiritual realm designates a special kind of substrate. Whether he does so purposefully, or unconsciously, Fichte therefore diagnoses his own theory of subtle matter (as a special spiritual substrate) as a (necessary) confusion based on insufficiently refined linguistic, and imaginative, competence²⁹⁸. Like the people who lack spirit in the special sense, an unrefined

²⁹⁵ Ibid 133

²⁹⁶ Ibid 133

²⁹⁷ Ibid 134

²⁹⁸ Or, alternatively, he criticizes those who understand subtle matter to constitute such a substrate, rather than understanding his terminology to be (at least to some extent) metaphorical.

speaker of this kind cannot clearly raise to consciousness those 'deeper feelings' relating to the supersensible, as he is still drawing too heavily on the capacity to represent the feelings relating him as a sensible being to sensible objects.

5. Conclusion

In this thesis, I have examined passages from a variety of texts of Fichte's Jena Wissenschaftslehre in order to argue that his account of language contains a developmental history of the human being which allows to better understand the obscure intersubjective dynamic of *Aufforderung* and the thereby achieved *Anerkennung* as the process and result of upbringing through the cultivation of the essential capacities of reason. I have further argued that this developmental conception of the summons provides an alternative, and superior, criterion for rationality than the account given in *FNR* through the employment of arbitrary signs.

To do so, I have first outlined the system of the Wissenschaftslehre in order to distinguish between the different conceptions of the I and its activities operative within the Jena texts (§1.1 & §1.2). A characterization of the procedure of the texts of the winter semester 94-95 (§1.3.1) revealed that the therein employed rendition of the highest principle is in imperative form (I1b), and its characterization of the I as an embodied conscious agent who develops from the uncultivated natural state I2a to the cultivated state I2b by acting in accordance with social drives manifesting I1b. As such, they concern the same explanatory context as the deduction of the summons in *FNR*. §1.3.2 further elucidated different manners of conceiving of the relation between the transcendental history of this development and the empirical acts instantiating it, which were titled the instantaneous and developmental account of self-constitution as I2b. Through an examination of the first part of *FNR* (§2), the reciprocal influence through which the I posits itself as I2b was identified as the *summons* (§2.1), and the criterion for the rationality of the free being producing this *summons* was shown to be given in a set of related arguments concerning to the concepts of subtle matter and the human body (§2.2 & 2.3). The third chapter highlighted that this account of the summons contains both claims supporting an instantaneous and claims committing Fichte to a developmental view (§3). A more determinate look at the developmental view operative in the texts of the winter semester was given by the depiction of self-cultivation as a refinement of the productive imagination in *Concerning the spirit and the letter* (§3.4). Passages from this text, as well as from the Platner notes, were shown to depict linguistic communication through signs as the necessary manifestation of a reciprocal spiritual influence, and the engine of spiritual development. The examination of the *Sprachfähigkeit* (§4) provided a close reading of the steps which Fichte takes to be necessary in the development of language,

as well as an account of how an individual, by engaging in communicative action by means of arbitrary signs comes to act in a formally and materially free manner through which it posits itself as I2b. Finally, Fichte's linguistic genealogy of spiritual concepts was shown to contain a criticism of the notion of subtle matter from within the developmental perspective of the *Sprachfähigkeit* (§4.3.2.3).

In the account of mutual recognition in the *Sprachfähigkeit*, the pitfalls of the MTA are avoided as the relevant recognition of the other's body in sight is not that of a shape at rest, but of determinate movements by which the other employs signs of the *Urprache* and structures my attention. Furthermore, this activity presupposes an ascription of sense, which must be understood in the limited meaning of mutual recognition as intuiting beings. Although there is no mention of subtle matter, the two types of empirical medium into which Fichte distinguished this kind of matter are presupposed in the *a priori* history of language, as the media of visual and auditory perception and thus of visual and audible signs. Furthermore, a hierarchy between them is established in the necessary move towards a purely audible language. A bodily movement modifying air immediately compels the other's attention, contrary to a modification of light, the medium of vision. It is therefore the moveable subtle matter, which in FNR took second fiddle to the subtle matter identified as light, which is the objective correlate that must be posited in this development of communicative action. Air and light are not distinguished in the *Sprachfähigkeit* by reference to whether they exhibit mereological properties allowing an immediate modification by the will, but by whether they immediately modify the attention (the *Sprachfähigkeit*'s analogue of the productive imagination) of the other in communicative acts. Contrary to the MPA, this manner of conceiving of an influence of a distinctively spiritual or intellectual kind is not dependent on radically different types of matter serving as its medium, but the lack of constraint which distinguishes this influence from a merely material one is a developmental achievement through which the I comes to be capable of modifying initially resistant matter in a new manner. The human being develops new kinds of signs in response to reflecting on how the current sign-system constraints the successful manifestation of communicative drive. In striving after self-harmony, humans thus refine the capacities operative in the employment and understanding of signs. By learning to comprehend and produce arbitrary signs, the I comes to engage in an activity that is formally and materially free as it represents and initiates a series of action the means of which are not determined by the properties of matter and their natural effects on human sensibility as *Nachbilder*. Instead, signs possess their effects entirely in virtue of the individual's intention to communicate thought, and thereby represent her distinctively rational capacities as intelligence and will in a determinate way despite being manifested in sensible form. Influence by means of such signs therefore

satisfies the condition Fichte ascribes to both the summons and properly linguistic action: the other's action is only intelligible if its end is understood as the intention to produce cognition in me. In the case of the summons, the content of this communication is a demand (or invitation) to freely engage in action and this free efficacy is both manifested in my acceptance or refusal. Since it is grasped as an imperative to self-determination, it is therefore posited alongside my determinable sphere of possible actions. In an uncultivated individual communicating by means of the *Ursprache*, the capacity of *Willkür*, the freedom to choose between equally possible alternatives, must therefore also be operative in the understanding of such imperative communications. However, the sphere of possible actions is constrained insofar as each action schema (*Vorbild*) that can be selected by real activity must be an imitation of a spatial schema (*Nachbild*) by which productive imagination relates us to a sensible not-I. The act is *willkürlich* insofar as it occurs in accordance with a freely chosen end, but bound insofar as its determinate manifestation depends for its efficacy on a mutual understanding of how the I2a is limited in the intuition of sensible objects, and the ability to imitate the sensible properties of such objects with bodily movements. Fichte claims that both the intelligible and the sensible world "arise from the laws of ideal activity [;] the intelligible from the laws of thought, the empirical from the laws of intuitions [...] the ground of both is absolutely and originally the determination of the pure will"²⁹⁹. The ideal activity involved in intuition is only represented indirectly through the determinate products of real activity. This is the uncultivated perspective possessed by the individual consciousness I2a, reflecting on empirical objects as given, and only finds itself as willing in the exercise of real efficacy.

Communication with arbitrary signs is *willkürlich* also in its material aspect, as the determinate manifestation of my act in a physical sign is unconstrained by spatial schemata borrowed from the real efficacy that relates us to sensible objects. By reflecting on this kind of communicative activity, the I comes to be aware of itself as determinable not just as a system of sensibility, but a being possessing *Willkür*. The ideal activity involved in language represents its possible actions as schemata determined by their efficacy in the communication of thought. They can only be understood if they were explicitly determined, through the real activity of another consciousness, to communicate thought. The determining ground of the sign as an intelligible effect is the concept that the other has of my concept, and that both of us have to think in order for the communicative act to succeed. The schemata by which real activity limits ideal activity in acts of the linguistic capacity are therefore purely determined by the I's capacity to set and grasp (communicative) ends. Since the I (as I3) can freely

²⁹⁹ WLnm, 144

determine the effect of a sign by instituting rules of its correct use, the material of *Willkür* is ultimately determinable through *Wille*, and the linguistically competent individual therefore acts in the realm of intelligible causes. In general the introduction of signs is attributed to authority figures, both parental and communal, who are actively involved in the ontogenetic (guiding the language acquisition of individuals) and phylogenetic cultivation of the human being (passing on the system of signs and the knowledge from generation to generation, as well as developing it). The linguistic medium, as the determinable sphere of arbitrary signs, is thus in principle infinitely determinable by the I (understood as the sphere of rational beings), as all of its schemata are fixed by the productive imagination in raising those feelings related to our volitional nature to consciousness. In practice it appears to the individual as a determinate limitation of its theoretical activity (in the act of understanding a sign as expressing a thought) and its practical activity (in the act of producing a sign to communicate a thought to the other). We must make ourselves intelligible to each other by reference to mutually understood determinations of the system of arbitrary signs, but are as such limited only by rules set by other rational beings independently from any closed set of natural effects. We modify one another's consciousness, but we do so through reason, not through the structuring of the other's attention by imitations of nature. Communication by means of arbitrary signs therefore relates us as a rational individual *R1* to another *R2*, and our determinate acts in practical and theoretical activity are efficacious expressions of ourselves as *I2b*. Ascription of a cultivated linguistic capacity to oneself and another therefore comprehends the communicating individuals as limitations of *I3*, freely efficacious rational individuals.

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Abbreviations:

- AA:** *Gesamtausgabe der Bayerischen Akademie der Wissenschaften*, ed. R. Lauth, H. Jacob, and H. Gliwitsky. Stuttgart–Bad Cannstatt: Friedrich Frommann, 1964
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