

The Ethical Context of *Either/Or*

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This is a sequel to an earlier paper ('Kierkegaard's Ethicist' Archiv 2006) in which I argued that J.G. Fichte (rather than Kant or Hegel or some amalgam) was the primary historical model for the ethical standpoint described in Kierkegaard's Either/Or II. Here I offer some new support for that claim. In the first section I present some evidence for Fichte's prominence in the landscape of philosophical ethics in the 1830s and '40s in Germany and Denmark. I argue that Kierkegaard's use of Fichte as a foil was not idiosyncratic, but was rather the obvious choice in the historical context. In the second section I describe some additional substantive and textual reasons for thinking Fichte was the figure looming largest in the background of Kierkegaard's construction of the ethical standpoint in Either/Or.

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In an earlier paper I argued that J.G. Fichte (rather than Kant or Hegel or some amalgam) was the primary historical model for the ethical standpoint described in Kierkegaard's *Either/Or II*.¹ There I offered a list of reasons for thinking that Hegel was less important than some believed and that Kierkegaard addressed Kantianism largely in its Fichtean form. In the interim I have discovered another reason to add to that list: as it happens, there was a quite general consensus among philosophers in the 1830s, '40s and '50s not just that Fichte's ethics was Kantian ethics in its most perfect form, but even that it was the best example available of normative ethics on a philosophical (rather than a religious) foundation. So Kierkegaard's use of Fichte as a foil was the perfectly obvious choice in the context. That is a curious fact, given the complete obscurity of Fichte's ethics today, and one whose interest should not be confined to Kierkegaard scholars.

In the first section of this paper I will present a small part of what turns out to be a large body of evidence for Fichte's prominence in the landscape of

philosophical ethics in the 1830s and '40s in Germany and Denmark. In the second section I will reiterate, very briefly, some of the substantive and textual reasons for thinking Fichte was the figure looming largest in the background of Kierkegaard's construction of the ethical standpoint in *Either/Or*.

1. Ethics as a philosophical project: the view from 1843

I take it we can agree that anyone who seeks to read *Either/Or* in its context needs to know something about what the philosophical project of articulating an ethical life-view that would be independent of any religious convictions might have seemed to require around 1841-42. I will spend most of this section looking at one source: I.H. Fichte's survey article "Der bisherige Zustand der praktischen Philosophie in seinen Umrissen," published in the *Zeitschrift für Philosophie und spekulative Theologie* in 1843. This is an interesting document for two reasons.

First, it is an account by a then-prominent historian of philosophy of the state of the field of philosophical ethics in the German language realm looking back over the preceding 50 years. Second, it is nearly exactly contemporaneous with *Either/Or* (it was published a few months later). Obviously, it was not a source for Kierkegaard. But it is an interesting source for us, on the assumption that Kierkegaard was in some sense taking the pulse of contemporary approaches to ethics in *Either/Or II*. This article gives us an independent, contemporaneous pulse-taking to use as a comparison.

I.H. Fichte was J.G. Fichte's son and the editor of his father's collected works.² But that does not give us reason to think he overplays his father's importance in this article. J.G. Fichte's ethics gets about the same proportional attention here that it gets in surveys of the same literature by Michelet, Chalybäus, Martensen, and others in the period, and the assessment of it is not very different. (I will discuss those other sources at the end of this section.) The younger Fichte did not share many philosophical commitments with the elder, and his treatment of his father's work in his other historical writings is even-handed. He was also very influential in the academic philosophy of the time. (Although no one reads him anymore, Kierkegaard certainly did read him.³)

His discussion in the article focuses on Kant, J.G. Fichte, Hegel, and Schleiermacher. The diagnosis of the situation in philosophical ethics in 1843 is as follows below.⁴

Kant gave us a model of ethics based on the autonomy of the individual and derived from it a doctrine of duty (what actions are required, permitted, forbidden) and an account of virtue (what makes the good character good). But Kant's account of the highest good was problematic. The highest good was the union of virtue and happiness, but these aims were fundamentally heterogeneous, for Kant, and the result was that there was no way to believe this good could be achieved in this world.⁵ (In a nutshell: there could be no political solution to the antinomy of practical reason, given the conflict between virtue and happiness in Kant's moral psychology.) I.H. Fichte reiterates Schleiermacher's complaint (made in the 1803 *Grundlinien einer Kritik der bisherigen Sittenlehre*⁶) that Kant had failed to derive doctrines of virtue, duty and the good from a single principle, and that the antinomy was just an expression of that failure.⁷

The younger Fichte argues that J.G. Fichte *solved* the problem of the division of the rational will against itself – solved Kant's antinomy of practical reason – in his two works on ethics (the *Sittenlehre* of 1798 and 1813, and especially the latter). In so doing he brought to perfection what I.H. Fichte calls 'imperatival' ethics (or, alternatively, ethics in the 'ordinary' sense of the term). By 'imperatival' ethics he means what we today would call normative ethics: ethics directed toward and taking the perspective of the deliberating agent; ethics answering the question 'what to do?' or 'how to live?' (or at least, 'how to deliberate about those things?'). I.H. Fichte argues that J.G. Fichte was the last representative of that approach. (This is a large claim: that J.G. Fichte was the last practitioner of what we would call normative philosophical ethics in Germany, before 1843.) He writes: "we can designate Fichte's *Sittenlehre* ... as an essential component of the contemporary development of ethics, and at the same time as the highest point and most true development of the direction of this science that began with Kant."⁸

How did J.G. Fichte solve the Kantian problem of the division of the rational will against itself? According to I.H. Fichte, he did it by substituting for Kant's a new drive-based moral psychology on which the ethical drive is of the same kind and from the same source as the drive to individual wellbeing, and does not compete with it in practical deliberation so much as replace it in individuals who are reflectively developed. So for J.G. Fichte there was no antinomy of practical reason to solve. Not believing, as Kant had, that the ends of virtue and happiness were fundamentally heterogeneous, he did not believe that any special arrangement (this-worldly or other-worldly) was required for human beings to be reconciled to the moral demands placed upon them. He did not require belief in the postulates of God and immortality. But neither did he require belief in the divinity of the political state and social institutions: his solution to the antinomy was not a political one.⁹

That is why (according to I.H. Fichte) he was not driven to fulfill Schleiermacher's third desideratum: he did not produce a philosophical theory of the good life for human beings.¹⁰ The objective forms of ethical community (family, state, church, and economic, artistic and scholarly vocations) are part of J.G. Fichte's doctrine of duties, in that the particular duties of parents, spouses, citizens, laypeople and ministers, government officials, artists and scholars, etc., are discussed. And J.G. Fichte defends a general duty to take on some form of social concreteness, to submit oneself to some sort of division of social labor (either to find a place in an existing one, or to create one where none exists).¹¹ But these forms are not treated as the unique necessary forms that any ethical community must display.

I.H. Fichte is correct in his description here: the social roles that ground associative duties in J.G. Fichte's ethics do not have any intrinsic ethical necessity. What is necessary is that there be some way of dividing up the moral labor and solving coordination problems, consistent with the requirements of a state of right. But the nuclear family, the free market and the constitutional monarchy are only contingent and historically local ways of doing that, justified by their aptness for those ends, but not unique in their ability to fulfill them. But the

criticism he raises – that this leaves the roles themselves something accidental, as though the ethical subject could exercise its disposition even without these particular ones¹² – must seem unmotivated unless we bring to the topic the Hegelian assumption that the necessity of these forms themselves must be accounted for.¹³ This is of course just what I.H. Fichte does, and he goes on to argue that recent philosophy has provided a systematic account of what the good human life would be from the objective and institutional point of view, in the form of Hegel's *Philosophy of Right*.

Unfortunately, that does not mean that Hegel has met Schleiermacher's third desideratum, according to I.H. Fichte. Hegel's account of the good life cannot be united with the normative accounts, because Hegel has abandoned the 'imperative' form of ethics, the autonomy of the individual, and even the idea of a moral ought.¹⁴ The main point of practical philosophy for Hegel is no longer (as it had been for Kant and Fichte) to give a practical principle to individual subjects and to otherwise aid them in developing their own ethical character. The purpose of practical philosophy for Hegel is to show what world spirit has brought about, the objective formation of the ethical universe. There is nothing an individual could or should do to attain the good life; the only thing acting in the process of *Versittlichung* is the universal power of reason.¹⁵

What contemporary ethics needs, I.H. Fichte argues, is an ethical principle that: 1) grounds an account of duty, virtue, and the good life; and that 2) is normative rather than descriptive (that is, proceeds from the standpoint of the deliberating agent and is action-guiding). A unified account of virtue, duty and the good life is required to show how it is possible that the individual be able to see his ethical disposition reconciled with every form of life available to him because he is able to understand the objective forms of the ethical world as the ones that are the best means for the self-realization of each individual personality.¹⁶ A normative principle is required because the addressee should be the individual in the situation of ethical deliberation.

Schleiermacher's later work,¹⁷ I.H. Fichte argues, shows us how to make good on the first desideratum, but fails miserably on the second, the demand that

ethics be normative, 'imperative,' from the agent's point of view. Schleiermacher's later ethics is a piece of descriptive philosophy, placed systematically somewhere between philosophy of nature and philosophy of history; the moral law is not an ought, but a description – it is the nature (in the most literal sense) of the rational will. Ethics becomes a part of physics.¹⁸ But for I.H. Fichte this elimination of the deliberative perspective with its presupposition of free choice means Schleiermacher has made no more progress beyond the Kantian project than has Hegel.¹⁹

That, then, is a short synopsis of I.H. Fichte's take on the state of philosophical ethics in mid-19th century Germany. This article is a fairly interesting document all on its own; but, importantly, its main conclusions are by no means idiosyncratic. Many other sources spelling out the state of philosophical ethics in the early 1840s do not diverge on the main points. One example is Michelet's 2-volume *Geschichte der letzten Systeme der Philosophie in Deutschland von Kant bis Hegel*, published in 1837-8. This was owned by Kierkegaard and is focused to a very substantial extent on practical philosophy; its first volume contains a 100-page²⁰ exposition of J.G. Fichte, more than half of which is devoted to his practical philosophy, which is highly accurate and covers every relevant text. Another example is Chalybaüs's *Historische Entwicklung der spekulativen Philosophie von Kant bis Hegel*, published in 1837, which was owned by Kierkegaard both in the German original and in an 1841 Danish translation. (This is an often-cited history that went through several German editions and was translated into English as well as Danish.) Chalybaüs devotes a substantial amount of time to Fichte's two systems of ethics, emphasizes Schleiermacher's proximity to the later (1813) system, and argues that Schleiermacher made no real original contribution. The verdict of these German sources is basically unanimous: Fichte's was the last and most accomplished ethics in a Kantian spirit, and the last true normative ethics on a purely philosophical, non-revealed-religious, foundation. Hegel made no contribution to the project of normative ethics as a philosophical discipline; his philosophy, even in its practical parts, offered no interesting guidance to the deliberating agent.

Schleiermacher's effort seemed promising in its outlines but was disappointing in its details (in part because of its determinism and its commitment to seeing ethics as a descriptive rather than prescriptive discipline; in part simply because it remained too poorly worked out). The tendency in recent decades (since the 1810s) to assimilate ethics to philosophy of history has been somewhere between puzzling and deplorable (depending on the source).

Did things look any different in Denmark? No. Martensen, for example, in both his lectures on the history of philosophy from Kant to Hegel of 1838-9²¹ and his *Grundrids til Moralphilosophiens System* of 1841,²² treats Kant and J.G. Fichte as the last significant proponents of systematic normative ethics. No other effort in that direction (he mentions Schleiermacher, Daub, Michelet and Rosenkranz) even approaches the standard set by Kant and Fichte, and the latter in particular. On Martensen's view, no one who returns to those texts, he claims, can come away unimpressed.²³ In the *Grundrids* he tells us that Hegel gave an account of ethics as a relative, subordinate stage in the theory of the will that culminates in an account of the state (here he has in mind the 'Moralität' section of the *Philosophy of Right*), but Hegel never provided a comprehensive account of ethics as a normative discipline.²⁴ The autonomy of ethics as a discipline (its autonomy vis-à-vis religion) culminated in Kant and Fichte.²⁵ And in both the *Grundrids* and the lectures on the history of modern philosophy (where he gives a quite detailed reconstruction of Fichte's 1798 *Sittenlehre*, including Fichte's distinctive moral psychology of drives), Martensen clearly agrees with Fichte's claim to have surpassed Kant in Kantianism.

That, then, is the historical background of Kierkegaard's effort in *Either/Or II*.

2. Wilhelm and Fichte on practical reasoning

It would be too generous to say that *Either/Or II* contains an account of practical reasoning; at best it contains a gesture at such an account. Still, some

commitments can be drawn fairly straightforwardly from the text, and others can be assumed as the only way of accounting for some conjunction of textual clues. Here are six basic commitments:

1. The Judge is an ethical rationalist (in one familiar sense of that term): what one, all things considered, ought (has reason) to do is what one ethically ought (has reason) to do. Other sorts of reasons are either subordinate to ethical reasons or in the end only apparently different from ethical reasons. Practical deliberation and ethical deliberation are coextensive. This I take it is the upshot of 1) the claim that aesthetic considerations only really get their due within an ethical context,²⁶ and of 2) the claim that the closing sermon expresses more clearly than the judge himself what he wanted to convey to A.²⁷ There are no aesthetic, prudential or religious concerns that have independent standing and might sometimes trump ethical concerns.

2. The Judge is a reasons/motives internalist (according to one way of categorizing internalisms): we are always motivated (to at least some degree) to act according to the all-things-considered reasons that we are aware of having (and, given (1), according to the *ethical* reasons that we are aware of having). In fact the Judge seems to think that we cannot fail to be moved all the way to action by the all-things-considered reasons we take ourselves to have. Where agents go wrong is not in the transition from concluding practical deliberation to forming an intention, but instead in failing to put sufficient effort into the process of deliberation itself. Willing the right thing is a matter of willing with utmost energy -- not because willing with utmost energy directly guarantees the right choice, but because it guarantees one's apprehension of the correct thing to do, and that guarantees the right choice.²⁸ That is why, for the Judge, there is no radical evil in the Kantian sense.²⁹

3. The Judge is an autonomist about ethical reasons: the self or the will is the source of the authority ethical reasons have. To be a self is essentially to be an agent and agency is itself the source of universally binding ethical norms.³⁰ The individual becomes an ethical individual by becoming 'transparent to himself' and the good that is chosen is the true self that comes into view in this

transparency.³¹ The object of ethical choice is oneself in one's eternal validity; alternatively, the absolute, which is also oneself.³²

4. The Judge takes intentions (rather than actions or their consequences) to be the object of ethical evaluation and the primary locus of moral worth. We can see this for instance in his contrast between 'inner' and 'outer' deed.³³ The outer deed is the physical action and the range of consequences it produces; it determines how the individual will be judged from a historical point of view. But the agent cannot control that outcome, nor even accurately predict it. What is under the agent's control is the inner deed (the decision or intention); and this determines how the individual is judged from the ethical point of view.

5. The Judge believes that sincere individual practical deliberation (whatever has the voice of conscience as its outcome) is in some sense incorrigible. No one can know what an individual's duty is better than that individual himself.³⁴ This ultimate authority of individual conscience is compatible with an ethical demand of openness: one is required to share one's reasons and subject them to others' scrutiny. But there is no place for deference to authority in ethical deliberation. All that anyone can do in the way of assuring herself of the validity of her conclusions is to put all the effort she can muster into reaching them. And there is reason to be optimistic about the outcome of this process: even if the choice turns out to have been mistaken, it will not be so radically mistaken that the mistake remains hidden for long.³⁵

6. The Judge sees a sort of universality as the hallmark of the ethical. But he denies that this is because practical deliberation consists in the application of an abstract universal law or principle to a concrete situation.³⁶ Instead deliberation involves taking stock of one's concrete situation and coming to a judgment about what that situation demands. The product of practical deliberation is a highly specific imperative. That imperative claims universal validity, but all that means is that it claims to be the only conclusion anyone relevantly similarly situated could be expected to arrive at. It is universally valid because correct, not correct because universally valid. We see this commitment in the Judge's repeated emphasis that transforming oneself into an ethical

individual, expressing the universal in one's life, involves the transformation but not the elimination of one's concrete particularity.³⁷

Now, if we ask with whom, in the historical context, these six commitments are shared, the answer will be: (1-4) are shared with Kant; (1-2) and perhaps (6) are shared with Schleiermacher; only (1) is shared with Hegel. And (1-6) are all shared with J.G. Fichte. Let me explain.

Wilhelm shares the first four of these commitments, in their most basic form, with both Kant and Fichte. All four have Kantian and Fichtean variations, and in the case of the first three the judge takes the Fichtean variant where these diverge. So both Kant and Fichte agree (1) that moral reasons trump reasons of other sorts. In fact, as we have seen, Fichte – like the Judge – does not accept the basic tension between the motives of happiness and morality that motivates Kant's antinomy.³⁸ Both Kant and Fichte agree (2) that moral reasons are intrinsically motivating. Fichte – like the Judge – goes farther and asserts that they are always sufficiently motivating. Even imperfectly rational agents like ourselves cannot be moved to do what they clearly see to be unjustified.³⁹ We go wrong mainly in being insufficiently reflective, and so failing to achieve the feeling of certainty that would be the voice of conscience. So the right advice to someone worried about his own virtue is: apply more energy to the process of practical deliberation. And knowing one has tried one's hardest is a fair assurance of success. Fichte – like the Judge – denies the existence of radical evil in the Kantian sense.⁴⁰ Kant and Fichte also agree (3) that the will is the source of the norms authoritative for it. Fichte – like the Judge – does not embrace Kant's term 'autonomy' as his own, but he does argue that his account of ethics is 'autonomous' in Kant's sense.⁴¹ And, finally, Fichte agrees with Kant (4) that the fundamental locus of moral worth is the agent's will.⁴²

Kant and Fichte diverge on (5), and once again Fichte and the Judge are on one side, Kant on the other. Fichte claimed that conscience cannot be said to err because it cannot be verified against any other sort of consciousness; it knows no judge higher than itself.⁴³ In particular, it cannot be replaced by the judgment of an authority: a necessary condition of attaining the feeling of

certainty that is a necessary condition of morally correct action is that the subject have actually come to a judgment himself.⁴⁴ But this ultimate authority of individual conscience is consistent with a demand for ethical transparency⁴⁵ and openness to ethical persuasion by others.⁴⁶ And since moral ends are in important respects collective and require coordination, consensus on what achieving them requires is often necessary, and can only be reached through a process of ethical dialogue.⁴⁷ But despite the expectation of consensus and the obligation to reach it, the authority of individual conscience is absolute; it is always wrong to try to cause someone to follow your conscience rather than his,⁴⁸ and it is always wrong to bow to any external moral authority.⁴⁹ Kant had a different view. Though he agreed that we cannot speak of an 'erring conscience,' that is because conscience is what monitors whether the individual has subjected his maxims to the categorical imperative test, and no one can be wrong about that. But people can be wrong about whether something passes the test or not, for all sorts of reasons that are publicly discernible.

For Kant ethical deliberation is about the application of the categorical imperative test to maxims, and to the extent that maxims can be inferred from behavior, so can their failure to pass the test. But Fichte does not think of narrowly moral reasoning as the application of a procedural constraint to the results of technically-practical prudential reasoning. He thinks that all practical reasoning is technical-practical.⁵⁰ It is always reasoning about what would bring about, or what would constitute the achievement of, a given end. There is one final end, to which all other ends are subordinate, and that is: self-determination. But that end is not something anyone reasons about whether to adopt, because it is itself partially constitutive of agency. Coupled with beliefs about the deliberator's particular circumstances and background beliefs about natural laws and empirical regularities, the process of deliberation results in each case in a unique imperative: 'do x,' where x is the action that best fulfills the demands of the ethical drive.⁵¹ The result, accompanied by a feeling of certainty and backed motivationally and justificatorily by the drive to self-determination, is the voice of conscience, the 'immediate consciousness of our determinate duty.'⁵²

Given that account of practical deliberation, it is no surprise that Fichte was also careful to distinguish his view from Kant's on point (6). Here again the Judge sides with Fichte. Fichte described the result of the process of practical deliberation as an imperative (an ought) whose character is universal in that it (implicitly) claims to be the one any rational agent in exactly this situation with exactly this set of background beliefs would, on sufficient reflection, come to. The moral law demands that we act as if we were 'everyman'; Fichte claims that this is the real meaning of Kant's formula of universal law.⁵³ The result of practical reasoning is universally valid because correct, not correct because universally valid.⁵⁴ So the correct statement of the categorical imperative, according to Fichte, is: 'always act according to your best conviction of your duty; or: act according to your conscience.'⁵⁵

The distance between Wilhelm and Hegel on these six points is greater: they agree only (1) that practical reason has no higher court of appeal than the ethical. (More precisely, they agree if here we mean the *sittliche*-qua-social-morality rather than the *Moral* abstracted from its socio-historical location and the norms that are peculiar to it. Without that assumption they agree on none of the six points.) Hegel denies (3) and (4) explicitly. He denies (5) stridently, taking issue in both the *Phenomenology of Spirit* and the *Philosophy of Right* with this Fichtean idea as it had played itself out in Romanticism and the ethical subjectivism of the likes of Fries.⁵⁶ He objected that in elevating the deliverances of individual conscience over the universal ethical life of the community, the ethics of subjective conviction leads to hypocrisy and evil. Hegel does not explicitly deny (2), but its negation seems to be entailed by some of his other commitments. He thought it necessary that a person be brought up in a certain way, be habituated to have the moral sensibility that allows him to pick up on and be moved by the duties that there are where he is. That is externalist talk: ethical reasons move us only insofar as we are disposed to take them as reasons, but that disposition is not itself inevitable. Finally, (6) does not describe anything about the deliberating standpoint for a Hegelian agent (though it is an apt description of what ethical life brings about for an individual: that his particularity,

which need be all he consciously concerns himself with, is nevertheless suffused with the universal).

3. A concluding observation

Many readers of *Either/Or* will have wondered, at least on occasion, what they would need to *do* in order to inhabit the ethical standpoint as Kierkegaard portrays it. Imagine I do not currently live that sort of life, but I want to: how do I go about it? Well, first I am to take seriously my freedom: what becomes of me is up to me. An ethical life is one of self-conscious self-determination. Of course, everyone's decisions make them who they are, but only some people are fully aware of that, and make their decisions in that awareness. They steer; others drift.

Fair enough: but steer in which direction? In the beginning of the second letter the Judge insists that matters either not at all or only secondarily. The act of steering will itself ensure that the agent is pointed in roughly the right direction, so long as she engages in it with sufficient energy. Later in the letter he seems to be enjoining a particular direction, that of a socially productive life: I should work in a calling, get married, cultivate friendship, and shoulder the burdens that come with all of those.⁵⁷ But, first of all, that is as specific as it gets: I cannot expect any guidance about what sort of vocation, for instance; for that I need to consult my specific situation, with an eye to expressing the universal in my life. And, second, this is just an example, or maybe a schema; the Judge has described his own life, but he admits other possibilities.⁵⁸

What does the universal human being do in my situation? What is the difference between succeeding at expressing and failing to express the universal in my life? The Judge's reply seems to be that if I have applied myself sufficiently to the task of reflection on who I am as an individual, I can expect to conclude with a fair amount of confidence what I am to do. What is required of me is that I make the greatest mental effort that circumstances allow to get it right, and not to act before I have achieved a feeling of certainty that I have got it right. Once I have reached a conclusion, though, no further effort is required to do what I have

concluded is the right thing to do. And once I have reached a conclusion, there is nowhere to turn for validation of my conclusion. And that is all that success can amount to.

For someone who comes to *Either/Or* with, say, Kant or Mill in mind, that seems not nearly enough to say. One way to understand what is going on in this text is to see the Judge's view as not a real option, never a real option from Kierkegaard's point of view, and its emptiness of content just a reflection of that. But a different reason – the one I have suggested – is that for someone with views something like Fichte's, that is just what there is to say to someone like A. Perhaps Kierkegaard thought those two were extensionally equivalent.⁵⁹

¹ M. Kosch 2006.

² He was presumably working on the 8-volume edition of J.G. Fichte's published writings (which began to appear in 1845) at the time he wrote this article.

³ Kierkegaard owned a number of I.H. Fichte's monographs and subscribed to the journal Fichte edited with Christian Weiße. The monographs included *Die Idee der Persönlichkeit und der individuellen Fortdauer* (1834) and the second edition of *Beiträge zur Charakteristik der neueren Philosophie* (1841). Martensen had recommended the first edition of the *Beiträge*, alongside I.H. Fichte's *Ueber Gegensatz, Wendepunkt und Ziel heutiger Philosophie* (1832), as reference works for students taking his course on the history of modern philosophy (cf. S. Kierkegaard 1909-78, II C 25, vol. XII p. 281). Kierkegaard owned every number of I.H. Fichte and Chr. Weiße's journal, *Zeitschrift für Philosophie und spekulative Theologie*, from its inception in 1837 until 1848 (and, after a break, from 1853 to 1855).

⁴ The following eight paragraphs give a synopsis of Fichte's text; all translations are mine.

⁵ The problem for the moral agent, according to I.H. Fichte, is Kant's rigorism (I.H. Fichte 1843, p. 171), by which he means the conjunction of two claims: 1) the demands of morality and inclination can diverge, and 2) the moral claim is absolute, the claim of inclination only relative (I.H. Fichte 1843, p. 171). Restated: moral reasons are all things considered reasons, even when they do not converge with inclination, and they can fail to converge with inclination. I.H. Fichte tells us that Kant's rigorism problem came (at least in part) from the fact that he lacked a fully worked out theory of the will (I.H. Fichte 1843, p. 172-3). I take this to mean that his account of the relation between the will of the rational individual *qua* individual and his will *qua* rational agent is not entirely clear. Many sources, beginning with the first reviews of the 1798 *System der Sittenlehre*, concur with I.H. Fichte's judgment that J.G. Fichte's account of the will constituted an advance over Kant's. Cf. E. Fuchs and W.G. Jacobs 1995, pp. 204-280.

⁶ This early (mainly negative and critical) work on ethics does not appear in the auction catalogue of Kierkegaard's library. Nor do any editions of Schleiermacher's later (more constructive) works on ethics appear there. Cf. H.P. Rohde 1967.

⁷ I.H. Fichte 1843, p. 165.

⁸ I.H. Fichte 1843, p. 173.

⁹ I.H. Fichte 1843, p. 176.

¹⁰ I.H. Fichte 1843, p. 176.

¹¹ J.G. Fichte 1971, IV: 271.

¹² I.H. Fichte 1843, pp. 176-7.

¹³ Notice that what seems most dated about Hegel's *Philosophy of Right* is precisely his account of the forms of ethical life (his insistence, for instance, that the state must take the form of a constitutional monarchy (G.W.F. Hegel 1986 vol. 7 §§ 257-320, pp. 398-490) or the family the traditional nuclear form with the wife subordinate and her activity confined to the home (G.W.F. Hegel 1986 vol. 7 §§158-181, pp. 292-339), in order for these institutions to be genuine expressions of objective spirit. We might be inclined to agree with J.G. Fichte that these forms are justified by their ability to solve moral problems but that many such forms can do that, and which forms are best is a historically and culturally local matter. If we thought that there isn't *the* good life for human beings, that human beings make their own good lives in uncountably various ways, then we would reject I.H. Fichte's criticism.

¹⁴ I.H. Fichte 1843, pp. 179-81.

¹⁵ I.H. Fichte 1843, p. 179. This is all a very close paraphrase of I.H. Fichte. He is, I believe, quite correct about Hegel's orientation, and this criticism parallels remarkably the criticisms to the same effect in Kierkegaard's *Either/Or* (cf. e.g. S. Kierkegaard 1901-06, II: 155ff; S. Kierkegaard 1997-, 3: 167ff) and *Concluding Unscientific Postscript* (cf. e.g. S. Kierkegaard 1901-06, VII: 130ff.; S. Kierkegaard 1997-, 7: 147ff.)

¹⁶ I.H. Fichte 1843, p. 168.

¹⁷ I.H. Fichte is referring to Schleiermacher's posthumously published notes and lectures, one edition by Alexander Schweizer and published under the title *Entwurf eines Systems der Sittenlehre* in 1835, and a further edition by August Twisten published under the title *Grundriss der Philosophischen Ethik* in 1841. Neither of these volumes appears in Rohde's auction catalogue (Cf. H.P. Rohde 1967); nor is there any other indication that Kierkegaard knew these works.

¹⁸ I.H. Fichte 1843, p. 197.

¹⁹ I.H. Fichte 1843, p. 199.

²⁰ K.L. Michelet 1837-8 vol. 1 pp. 431-537.

²¹ Kierkegaard was enrolled in these lectures and notes on them – not Kierkegaard's own – can be found at S. Kierkegaard 1909-78, II C 25 vol. XII pp. 281-331.

²² Kierkegaard owned this work (cf. H.P. Rohde 1967) and surely knew it well enough.

²³ H.L. Martensen 1841 p. x.

²⁴ H.L. Martensen 1841 pp. vi-viii. Martensen claims this is something Hegel could have provided, and hints at in works like his aesthetics lectures, and Martensen himself seems to be trying to fill that gap in his *Grundriss*. The result is a bizarre amalgam of Kantian/Fichtean commitments about the freedom of the will with a Hegelian repudiation of autonomy as a subjectively action-guiding moral principle that does not convince on any level.

²⁵ H.L. Martensen 1841 p. xiii.

²⁶ I take this to be one of the main points the Judge tries to establish in the first letter on the aesthetic validity of marriage.

²⁷ I take this to be what the Judge means when he claims that the Ultimatum expresses what he would have liked to convey to A (S. Kierkegaard 1901-06, II: 304; S. Kierkegaard 1997-, 3: 318).

²⁸ S. Kierkegaard 1901-06, II: 152, 239, 242; S. Kierkegaard 1997-, 3: 167-68, 266, 270. For an explicit repudiation of externalism (in remarkably modern language) see S. Kierkegaard 1901-06, II: 228-30; S. Kierkegaard 1997-, 3: 242-44.

²⁹ S. Kierkegaard 1901-06, II: 157, 159; S. Kierkegaard 1997-, 3: 174, 175.

³⁰ S. Kierkegaard 1901-06, II: 234; S. Kierkegaard 1997-, 3: 261.

³¹ S. Kierkegaard 1901-06, II: 231; S. Kierkegaard 1997-, 3: 258.

³² S. Kierkegaard 1901-06, II: 191; S. Kierkegaard 1997-, 3: 213.

³³ S. Kierkegaard 1901-06, II: 158-9; S. Kierkegaard 1997-, 3: 170-71.

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- ³⁴ S. Kierkegaard 1901-06, II: 237; S. Kierkegaard 1997-, 3: 264.
- ³⁵ S. Kierkegaard 1901-06, II: 152; S. Kierkegaard 1997-, 3: 167-68.
- ³⁶ S. Kierkegaard 1901-06, II: 236; S. Kierkegaard 1997-, 3: 263.
- ³⁷ S. Kierkegaard 1901-06, II: 227, 229, 230, 234-5, 294-5; S. Kierkegaard 1997-, 3: 253, 256, 261-62, 328-29.
- ³⁸ J.G. Fichte 1971, IV: 147-53.
- ³⁹ J.G. Fichte 1971, IV: 191.
- ⁴⁰ J.G. Fichte 1971, IV: 198-9.
- ⁴¹ J.G. Fichte 1971, IV: 56-7.
- ⁴² J.G. Fichte 1971, IV: 157-75.
- ⁴³ J.G. Fichte 1971, IV: 173-4.
- ⁴⁴ J.G. Fichte 1971, IV: 175.
- ⁴⁵ J.G. Fichte 1971, IV: 246-7.
- ⁴⁶ J.G. Fichte 1971, IV: 245.
- ⁴⁷ J.G. Fichte 1971, IV: 230-33.
- ⁴⁸ J.G. Fichte 1971, IV: 233.
- ⁴⁹ J.G. Fichte 1971, IV: 233.
- ⁵⁰ J.G. Fichte 1971, IV: 165-68.
- ⁵¹ J.G. Fichte 1971, IV: 165-66.
- ⁵² J.G. Fichte 1971, IV: 173 (original emphasis removed).
- ⁵³ J.G. Fichte 1971, IV: 233.
- ⁵⁴ J.G. Fichte 1971, IV: 234
- ⁵⁵ J.G. Fichte 1971, IV: 156 (original emphasis removed). One is of course reminded of the Judge here: 'This is the secret that lies in the conscience, ... the secret the individual life has within itself -- that simultaneously it is an individual life and also the universal.' (S. Kierkegaard 1901-06, II: 229; S. Kierkegaard 1997-, 3: 255)
- ⁵⁶ See especially G.W.F. Hegel 1986 vol. 3 ¶¶632-671 (p. 464-494) and G.W.F. Hegel 1986 vol. 7 §§129-140 (pp. 265-286).
- ⁵⁷ S. Kierkegaard 1901-06, II: 196, 235ff; S. Kierkegaard 1997-, 3: 210, 249ff.
- ⁵⁸ For those who have assumed that the Judge is echoing Hegel in the second half of the second letter, the answer to the 'which direction' question has been: that dictated by social roles and community norms. Is that what the judge is saying to A? For Hegel, roles come with norms attached and everyone always already finds herself in some roles or other, so we always already have a set of rules and ideals and role-models and it is from these that duties and moral ends derive. But it is important to notice that the Judge's target is someone who is *not* already in some set of roles. If A has a social situation – if he is anyone's son or brother, if he does anything for a living, if he is a member of any church – the reader knows nothing about it. The Judge's project is to say that A should *take on* some of those roles, so that his life may take on some shape. But it is Fichte, not Hegel, who sees the taking-on of some place in the social order both as an object of free choice on the part of an adult (as opposed to something one is born into) and as a moral obligation (J.G. Fichte 1971, IV: 273).
- ⁵⁹ Thanks to conference audiences at the University of Oslo and the University of Oregon for comments on earlier versions of this paper.

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