Fichte’s Tathandlung as “Performative Action”

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Introduction

Fichte’s notion of a Tathandlung remains one of the more enigmatic concepts within German Idealism. Introduced without much ado in his early Review of the Aenesidemus (1794), it ostensibly reacts against Karl Leonhard Reinhold’s claim of a Tatsache, or fact, of consciousness. Against Reinhold Fichte claims that consciousness should not be taken as “fact of the deed” (Tat-Sache), but as “action of the deed” (Tat-Handlung), as something that exists “in and for itself”, or, as I shall argue, as a “performative action”, in the sense that consciousness may only be said to “exist” in, or during, the active determination (Bestimmung) of experience. Introduced, but far from explained, in the Review, it is the, at the same time complex and simple, structure of the Tathandlung that forms the central term of Fichte’s Foundations of the Entire Wissenschaftslehre (1794/95).

The Foundations is probably one of the most influential texts in German Idealism, yet its abstract and dense line of argumentation continues to baffle its readers. The dominant interpretation remains to this day the one first offered by the young G.W.F. Hegel. Hegel’s opening line of the chapter on Fichte in his The Difference between the Fichtean and the Schellingean Systems of Philosophy (1801) states that “The Foundation (Grundlage) of the Fichtean system is pure intellectual intuition, pure thinking of itself, pure self-consciousness I=I, I am”. On this reading Fichte gives us an account of self-consciousness, of thinking itself.

1 Recension des Aenesidemus oder über die Fundamente der vom Herrn Prof. Reinhold in Jena gelieferten Elementarphilosophie [1794] in Ibid Sämtliche Werke (SW) I, I.H. Fichte (hrg), Berlin, Walter de Gruyter, 1845, (RA) p. 11. Translation in di Giovanni and Harris (eds.) Between Kant and Hegel, p. 143


The problem would then one of how the self posits itself, conceived by some as a problem of self-ascription. Yet Fichte explicitly warns his readers against interpreting the “I” as denoting some self, ego or individual. As he writes, the concept of self (Selbst) signifies “a relationship to something that has already been posited. (...) Hence the word ‘self’ presupposes the concept of the I (Ich)”.

As I will argue in this article, Fichte’s argument is not first and foremost concerned with the consciousness of self, but rather with giving an account of how any relation of a self to another, to a “not-I” can be understood. That is, the problem is of how to account for experience. How is it that, if we restrict ourselves to what is found in experience, that the directed relation of determination can be thought? How is it that determination itself can only take the form of an I, standing in a relation of reciprocal determination with a not-I? Only when this is made clear can we then proceed to speak of a subject, or of relations to the self. The Hegelian suggestion that Fichte’s I is already a subject continues to inspire overly psychological readings of the argument. The premise for such a reading is to conflate Fichte’s “absolute” or “self-positing” I with the I that is in relation to a not-I. But for Fichte the I in relation to a not-I is the thing to be explained, whereas the self-positing I, that is, the spontaneity of determination, functions as part of the explanation.

In this article it will not be possible to dispel the many misconceptions that result from the psychological reading. The focus will be on the concept of Tathandlung. That it is the Tathandlung, and not the “I=I”, that is the true starting point of the Foundations is something

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3 Hegel aside, the interpretation of Fichte’s argument as turning around the problem of self-consciousness has been the central tenent of the work of Dieter Henrich. See e.g., Dieter Henrich, "Fichte's Original Insight", Contemporary German Philosophy 1 (1982, first published in 1966), pp. 19, 21. This reading may also be found in more recent work by Paul W. Franks All or Nothing. Systematicity, Transcendental Arguments, and Skepticism in German Idealism, Cambridge, MA: Harvard University Press, 2005, see e.g. p. 309. Similar is Robert Pippin’s Hegel's Idealism, Cambridge: Cambridge University Press, 1989, p. 49.

that can only be shown through a detailed reading of the first six subsections of the first paragraph of the *Foundations*.\(^5\) This I will not attempt here and I will reserve a future occasion for this. Here our focus will be on the internal structure of the *Tathandlung*, the full potential of which is still under-explored in the literature. It will first be necessary to situate it within its context. As I will argue in the first section, Fichte saw himself responding to a number of problems raised in the recent literature on Kant’s transcendental philosophy. Friedrich Jacobi, Reinhold and Gottlob Ernst Schulze each raised a number of issues. Our interest here will be to look for clues with which to decipher the cryptic comments Fichte makes in his *Review*. Our focus will be strictly limited to how Fichte perceived the problems raised. Then, in section 2, we will turn to the remarks from the *Review*. To flesh out what a *Tathandlung* could be I will bring in an analogy from Austin’s Speech Act Theory, to wit, that of a performative. The notion of a performative, and to see *Tathandlung* as a performative action, is useful, as it is able to combine two distinct aspects. On the one hand, a performance or a performative is not something factual but is rather actual and processual. For Fichte consciousness is the activity of determination. But at the same time a performance may also be seen to result in something; to produce something, namely the performance as such. For Fichte the activity of determination takes the form of a subject set over against an object. What, or so I claim, *Tathandlung* is designed to express, is the duality of an experience that is on the one hand, as activity of determination “for and through itself”, that is, spontaneous, or self-positing, yet on the other hand, that this activity takes the form of a determinate pole (not-I) and a determining pole (I).

And it wants to express both of these sides simultaneously.

\(^5\) One of the earlier commentators that correctly saw this was T.P. Hohler in his ‘Intellectual Intuition and the Beginning of Fichte’s Philosophy: A New Interpretation’, *Tijdschrift voor Filosofie* 37/1975, pp. 52-75 (p.70). However, Hohler’s account of what *Tathandlung* is, remains rather minimal. Furthermore, his reading of the *Foundations of the Entire Wissenschaftslehre* is rather too literal, see esp. pp. 67-8. There Hohler claims an original I, that exists without predicates that then starts to accrue predicates, but how this is supposed to develop remains a complete mystery.
The understanding of Tathandlung will allow us, in Section 3, to see how it is truly the key term of the Wissenschaftslehre, focussing especially on §1 the Foundations. Although Fichte presents the three Grundlagen in a particular order, with the second and third as conditioned by the first, the form of the argument demands that the second and third principles are taken up from the outset. As with a performance or a Tathandlung there is not first some action and then the result, but both are the same yet different. Tathandlung is most certainly not something to be abstracted from experience, as something pertaining to pure self-consciousness; if anything, it is experience. The self-positing, or absolute, I can only exist under the form of a limited I standing in a relation of reciprocal determination with a limited not-I. This means that self-positing includes opposition and reciprocal determination.

To claim that the first principle already includes the second and third is to depart from some of Fichte’s own expressed intentions. Yet, as Ficht himself wrote: “When one is unable to make satisfactory progress in one’s interpretation by appealing to the letter, then one certainly has to interpret in accordance with the spirit.” The appeal to the letter of the text, has, to a large extent, facilitated the psychological reading. The various I’s all refer to a subject or to the possibility of subjectivity. But time and again Fichte stressed that philosophy needs to explain how, limiting to what may be found “within consciousness”, that is, within experience, we may show that actual things exist. That is, how can we show, without making any prior assumptions, that I am always already open to the world?
1. Three challenges to transcendental philosophy: Jacobi, Reinhold and Schulze

Jacobi published his *David Hume on Faith; Or Idealism and Realism* in 1787, the same year that Kant published the second and revised edition of the *Critique of Pure Reason*. In the appendix ‘On Transcendental Idealism’ Jacobi aimed to demonstrate the self-contradictory notion of a thing in itself. It is probable that Jacobi had already completed his manuscript and was thus unable to benefit from Kant's second edition, since his argument concerning the status of the thing in itself was precisely what Kant responded to in the revised section ‘On the Distinction Between the Phenomenal and the Noumenal’. Yet the fact that even with the extra effort on Kant's part Jacobi's critique retained a significant influence indicates the difficulty of the matter at hand.

As we know Kant referred to a thing in itself. Although it was said to interact with the senses, Kant vehemently denied any possible knowledge of such a thing as it exists in or for itself. For Jacobi, as Wayne Martin explains, this contradicted with three of Kant’s major claims. First of all, it conflicts with Kant’s “quasi-phenomenalistic idealism”. If things produce appearances in us, and these are “merely subjective beings, with no existence outside of us”, then they cannot at the same time be the mind-independent entities that Kant needed to appease the realists. If they are not mind-independent then how to vouchsafe the objectivity of knowledge? Secondly, the category of causality cannot be legitimately applied to the relation between the thing in itself and our senses as this is a category of the understanding that cannot be attributed to reality as such. Therefore, we cannot claim that it is the thing in

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itself that causes our sensations. Finally, Kant claimed, indeed had to claim the unknowability of things in themselves. But if this is so, how are we then to claim any knowledge of them? Since Kant speaks of things in themselves, he obviously must have had such knowledge. Now, if Kant claimed that all we have are Erscheinungen, appearances or manifestations, but cannot claim that these are the appearances of something, then does this not leave us lost in mere illusion? Kantianism, concluded Jacobi, is thus incoherent. A thing in itself that we cannot know but which constitutes the ground of our knowledge is an absurdity that needs to be rooted out. He thus called for a “speculative egoism” that removes all reference to a thing in itself.⁹

In the revised version of the distinction between the phenomenal and the noumenal Kant responded to these concerns by stressing that a thing in itself had to be understood as a thought-concept, or a noumenon, only.¹⁰ Although all we have access to are things as they stand in relation to us, we could then, ex hypothesi speak of objects outside of any relation to us, and this would be a thing in itself. Hence such things are not affirmed but only used to clarify our discursive form of understanding. Yet Jacobi effectively sounded a deeper concern that went to the heart of the transcendental project: If Kant had set out to demonstrate the legitimate domain of knowledge, and if this legitimate domain could only be knowledge that correctly combines intuitions and concepts, then how could Kant claim to know that the forms of thought themselves are able to think objects in general? How could Kant speak of things in themselves, clearly a necessity in order for us to have intuitions, and yet not claim that this is a

knowledge-claim? If we cannot claim knowledge of the existence of things outside of us, then how different was Kant's theory from previous forms of idealism?

The question of the thing in itself has, as Martin rightly points out, “often proved to be a misleading point of reference from which to construct an interpretation of [Fichte's] positive philosophical doctrine.”\footnote{\textsc{Martin}, ‘From Kant’, p. 5.} Indeed historically Fichte has often been understood to precisely take up Jacobi's cry for a speculative egoism that roots out the thing in itself. But in fact Fichte takes up Kant's claim, not very well understood by Jacobi, that inner experience is only possible under the condition of outer experience. In the \textit{Foundations} Fichte will attempt to demonstrate that subject and object, I and not-I, always appear in what he called “reciprocal determination”.

For a brief period Reinhold was heralded by even the great Kant himself as a faithful representative of Kant’s philosophical position. Reinhold’s own philosophy only enjoyed a relatively limited success but the programmatic conditions he formulated \textit{vis à vis} transcendental philosophy turned out to be of tremendous importance for Fichte and post-Fichtean philosophy.\footnote{See also Dieter Henrich, \textit{Between Kant and Hegel: lectures on German Idealism}, Cambridge, MA, Harvard University Press, 2003, p. 140.} Although an enthusiastic supporter of Kant’s philosophy, Reinhold felt it lacked internal cohesion. To demonstrate what was wrong he distinguished between two levels of philosophy. The first level concerns the possibility and structure of the objects of cognition and desire and can be equated with metaphysics. The second concerns the structure of consciousness itself and the possibility of representation. Kant had established the possibility of metaphysics, or of what we may know, through a reflection on the conditions of consciousness and its objects. But, Reinhold claimed, he had done so in \textit{ad hoc} fashion, that is, Kant had not
proceeded systematically in his deduction. He had failed to show the connection between the two levels, and this was a result, Reinhold felt, of his preoccupation with the objects of consciousness (representations or knowledge) rather than with consciousness itself. That is, although Kant had shown what we may know, he had failed to adequately ground the domain of knowledge. What was needed was to find the first principle from which the relations between subject and object could be shown. This highest principle, Reinhold was convinced, Kant must have possessed, but either he never wanted to, or was never able to, make it explicit.  

This then, was what Reinhold set out to demonstrate.

The first principle, he said, had to be that from which subject and object, or theoretical and practical philosophy may be deduced. Such a first principle had to be something which could not be abstracted from the system, without at the same time assuming it as principle. This, Reinhold said, could be nothing but the fact of consciousness. Consciousness must necessarily be presupposed and can never be abstracted from the system without leading to incoherence. This fact of consciousness had to be more specifically understood as the faculty of representations (Vorstellungsvermögen), since it is in representation that subject and object are joined. From the fact of consciousness thus analytically followed the principle of consciousness:

[I]n consciousness representation is distinguished through the subject from both object and subject and is referred to both.  

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Reinhold felt this principle would provide the first, indubitable point from which to derive the practical and theoretical philosophy as outlined by Kant.

Consciousness as fact was understood by Reinhold as a synthetic whole. Out of this synthetic whole the principle was derived in analytic fashion, meaning that this principle only made explicit what was contained within consciousness. We will try to unpack this rather hermetic principle, for it contains important clues for our later explication of the Tathandlung.

Within consciousness there is representation. This representation is distinct from both subject and object. But at the same time representation is referred to subject and object. Hence we get the following schema:

1. a) Representation is distinct from the object:
   - Representation is not the object as it is in itself. It is a representation of an object. The representation is distinct from the thing in itself.
1. b) Representation is distinct from the subject:
   - What I am aware of is not myself but an object outside of me. I can distinguish between subject- or self-consciousness and object-consciousness.
2. a) Representation is referred to the object:
   - The representation concerns an object outside of myself, it is the representation of this object.
2. b) Representation is referred to the subject:
   - It is my representation.

These four relations all take place “in consciousness” and “through the subject”. That is, these relations are deduced in immanent fashion, or by remaining within our limited, discursive
experience. We cannot claim an outside perspective, or some direct vision, from where to
demonstrate the principle of consciousness. The above schema is not found in Reinhold; in fact
he was unable to explain how exactly the subject differed from representation. However, in
its concise form it does provide an important key for understanding the problem that Fichte
would later set out to solve in his *Foundations*.

In the *Foundations* Fichte will replace Reinhold’s central term of representation with
that of the “act of positing”. Representation is only the result of this act and thus not a
fundamental enough term. Hence *Tatsache* is replaced with *Tathandlung*. He then needs to
show how this act of positing contains within itself a determining pole, or a subject, and a
determinate pole, or the object. Hence both sides are now “referred to it”, to speak with
Reinhold. The subject and object, or “limited I” and “limited not-I” necessarily stand in a
relation of determination, thus rooting out Jacobi’s strong charge of idealism, or an
unknowable reality. But the limited-I, as determining pole, must be distinguished from the
pure act of positing, or “absolute I”. And the limited not-I must be distinguished from the
limited I, so as to not lapse into a form of solipsistic idealism. As we can see from these
preliminary sketches, Fichte takes much of Reinhold’s principle on board.

Although one might be inclined to think that Reinhold’s demand for a first principle
constitutes a return to an earlier form of foundationalist philosophy made impossible precisely
by Kant himself, its significance extends far beyond this. True, such a quest for a first

16 See also Onnasch ‘De Fundering’, pp. 76-7.
17 The absolute I is the I as merely, or purely (schlechthin) positing. Considered qua positing it cannot be reduced to “the
thing” as Fichte writes in EE p. 426 / p. 11. It is not a skeptical device comparable to Descartes Evil Genius as A.
Philonenko claims in his ‘De la présupposition chez Descartes et Fichte’. In IDÉM Le transcendental et la pensée moderne,
18 See also Henrich, *Between Kant*, p. 140 and Lectures IX and X generally. On Reinhold see also G. di Giovanni, ‘The Facts of
Consciousness’, in: di Giovanni and Harris (eds.), *Between Kant*, pp. 9-19; Martin, ‘From Kant’, §2; Neuhouser *Fichte’s
Theory*, Chapter I.
indubitable point of departure, an Archimedean point of anchorage does not seem anything new, but contained within it Reinhold raised an important point. Although Kant had admirably demonstrated the proper kind of philosophy, he had not, or at least not publicly, reflected on this philosophy.\textsuperscript{19} What exactly is the status of transcendental knowledge? How is this knowledge possible? What are its limitations? These are questions that Reinhold unwittingly raised and that would be picked up by Fichte. This question as to the ground of philosophy makes, for Fichte, that it is philosophy itself that now explicitly becomes an object for philosophical reflection.\textsuperscript{20} Although it falls beyond the scope of this article to demonstrate this, it is precisely this question as to the nature of philosophical knowledge that is raised in the later debate on “intellectual intuition”. Kant wanted to deny such an intuition as this seemed to lead back to the old metaphysics he set out to destroy. But for Fichte intellectual intuition concerns the status and nature of philosophical, that is transcendental, knowledge.\textsuperscript{21} It is a matter of making explicit what was contained within the very method of the Kantian philosophy. As Bernard Bourgeois writes, it is by reinserting a reflection on philosophy into the concept of philosophy itself that the relation between philosophy and her object, between philosophy and life is reinstated.\textsuperscript{22} As Bourgeois quotes Fichte from the \textit{First Introduction}:

\begin{quote}
The kind of philosophy one chooses thus depends upon the kind of person one is. [And we continue the quote] For a philosophical system is not a lifeless household item one
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\begin{itemize}
\item \textsuperscript{19} See also Frank 'Fragmente einer Geschichte', p. 433.
\item \textsuperscript{21} For a thorough discussion of intellectual intuition in Fichte, and also related to Kant and Bergson, see my \textit{Towards a Philosophy of Freedom: Fichte and Bergson}, Ph.D. thesis, University of Warwick, 2009. I am currently preparing an article on intellectual intuition in Kant and Fichte.
\item \textsuperscript{22} Bourgeois, \textit{L'idéalisme}, pp.1-2.
\end{itemize}
can put aside or pick up as one wishes; instead, it is animated by the very soul of the person who adopts it.  

After the unexpected success of his *An Attempt at a Critique of All Revelation* the erstwhile completely unknown Fichte had been asked in 1793 by the prestigious *Allgemeine Literatur-Zeitung* to review an important skeptical attack on Reinholdian and Kantian philosophy that had appeared under the anonymous pen-name of Aenesidemus. The author of this work was Gottlob Ernst Schulze (1761-1833). This was Fichte’s first real opportunity to make a name for himself. In the review we find him trying to strike a careful balance between agreeing with some of Schulze’s criticisms and defending the Kantian / Reinholdian philosophy.

Schulze raises a whole list of objections, the most important of which have to do with the application of the category of causality to the relation between the faculty of representation and the representations themselves, an issue that Jacobi had also already raised. Reinhold had made the faculty of representation the first principle. This faculty, Schulze claimed, was understood by Reinhold as the cause and ground of actual representations. Yet this faculty may only be inferred from actual representations. What this meant, said Schulze, was that Reinhold had made an inference from *thought* existence to *real* existence, and hence had not proven anything at all. Schulze:

The proof really consists in the following argument: Any two things that cannot be *thought* apart from one another can also not *be* apart from one another; the being and

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actuality of representations cannot be thought apart from the being and actuality of a faculty of representation.\textsuperscript{26}

Reinhold’s principle was a case of \textit{petitio principii}.\textsuperscript{27} He had concluded that, for something to be possible, a \textit{Möglichkeit}, there has to be something, a capacity or faculty, that makes this possible, a \textit{Vermögen}. Although Reinhold could be right, it by no means has been shown that he was right. The same may be said of Kant’s highest point, the transcendental synthesis that is the ground of all representation. It may well be that we need to think such an original act of synthesis on the part of consciousness, but this does not mean that Kant had actually proven that this synthesis really does take place.

As we have seen, Jacobi, Reinhold and Schulze each raised a number of important issues that, although perhaps not misunderstood by Kant himself, were widely felt to be in dire need of clarification. What is the nature and function of the thing in itself? How to understand the distinction between \textit{phenomena} and \textit{noumena}? What is transcendental \textit{knowledge}? How do we understand the relation between transcendental and empirical knowledge? How do subject and object hold together? How do we prove the transcendental conditions? How is transcendental philosophy itself grounded? And what is a transcendental ground? These questions are clearly related and it was felt that, although Kant’s demonstration had been correct in so far as it concerned the conditions of knowledge, yet the project as a whole was seen as in need of further explication.

\textsuperscript{26} \textit{Ibid}, p. 108.  
\textsuperscript{27} \textit{Ibid}, p. 113. See also George di Giovanni, ‘The Facts’, p. 22.
2. *Tathandlung* as “performative action”: Fichte’s *Aenesidemus* Review

Schulze had accused Reinhold of question-begging, of having posited a capacity to explain the phenomena, without proving this capacity itself. It is here that Fichte, in coming to the aid of Reinhold and Kant, both ridicules Schulze and hits upon an insight that, although implicit in Kant, will come to surpass Kant. How is it, writes Fichte in his *Review of Aenesidemus*, that

> the moments the words "faculty of representation" hit his [Schulze's] ear, [he] cannot think by them anything but a "thing" (Is it round, is it square?) that exists as thing in itself, independent of his representing it, and indeed as a thing that represents?\(^{28}\)

The faculty of representation is not a thing, rather, Fichte continues:

> The faculty of representation exists for the faculty of representation and through the faculty of representation. This is the necessary circle in which any finite understanding (...) is locked.\(^{29}\)

What does Fichte mean when he says that the faculty of representation is not a thing? What does it mean to say that it exists only “for and through itself”? What is this circle in which finite understanding is locked? In his review Fichte only give us the barest of hints as to how all this is supposed to be understood. It will not be until the subsequent *Foundations* that Fichte will elaborate on what he has so casually introduced here.

The lead-up to Fichte’s bold claim starts with a discussion of Reinhold’s principle of representation. Reinhold had thought this principle to be simply an explication of what is the fact of consciousness. That is, he thought it to be an analytical principle. The relations of

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\(^{28}\) *Review* p. 11 / p. 143.

\(^{29}\) *Ibid.*
distinguishing and referring between the subject, the object and the representation he thought followed out of the analysis of the fact of consciousness. Schulze denied this claim and felt it to be merely synthetic. Fichte agrees with Schulze but for a “deeper ground” not seen by either Reinhold or Schulze. He writes:

\[\text{[O]bviously the performance of representing, the act of consciousness, is itself a synthesis (...)}, \text{for it differentiates and refers; indeed, it is the highest synthesis, and the ground of all possible ones.}\]

At the ground of consciousness we find an act, the performance (*Handlung*) of representing, that differentiates and relates the subject, the object and the representation, and this is a synthetic act. Yet this act is not first made possible by an already constituted subject and object; rather, a subject and an object first follow out of this act. Prior to a subject and an object we must assume transcendental apperception. It is this that first allows for a differentiation of subject and object. This gives us some clues as to how consciousness can exist “for and through itself”. Such unified consciousness is the first and primary synthetic act. Synthesis is thus to be presupposed prior to the thesis and antithesis of subject and object. If this is so, then, asks Fichte, “how is synthesis to be thought without the presupposition of thesis and antithesis?” Yet, at this point Fichte is only able to raise this question; he does not have a ready answer.

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30 Reinhold *The Foundation*, p. 70.  
31 RA pp. 6-7 / p. 140.  
32 *Ibid.*.  
33 Henrich considers this to be one of the key discoveries of German Idealism, see Henrich *Between Kant*, p. 166  
34 RA pp. 6-7 / p. 140.
Continuing his discussion of the Aenesidemus, Fichte notes that according to Schulze, Reinhold’s principle is an abstract proposition and not, as Reinhold himself held, based on some alleged fact. If it is not a real and indubitable fact then it cannot ground a real philosophy.35 Again, Fichte’s response is nuanced. He writes that the principle of consciousness cannot be empirical alone; indeed, we necessarily abstract from the empirical conditions in order to arrive at a “representation of representing in general”36 Hence the highest principle cannot be based on mere fact, as Reinhold wrongly assumed.

If I may venture a claim which can be neither explained nor proven here – such a principle does not have to express a fact just as content [eine Tatsache, actual fact]; it can also express a fact as performance [eine Tathandlung, actual deed].37

A Tathandlung? Indeed, Fichte offers neither proof nor explanation. The word play of Tat-Sache and Tat-Handlung would not at all have been self-apparent.

Tatsache is the German word for fact.38 It is composed of the two common terms Tat and Sache. Tat, coming from the verb Thun (to do) means “deed”. Sache originally had the meaning of the object of a dispute and latterly took on the meaning of “case”, “affair” and also “thing”. The combination Tatsache was coined fairly recently as a translation for the new scientific word “fact”, in the sense of “that what has undisputedly taken place”. Undoubtedly its scientific air greatly aided its rapid expansion. Contrary to what is generally assumed, the word Tathandlung did already exist as a juridical term and although as a student Fichte

35 Fichte: "we must have a real principle, and not a merely formal one” RA p. 8 / p. 141.
36 Ibid.
37 Ibid.
followed courses in Law it is unclear whether he knew the term.\footnote{See the lemma 'Tathandlung'in Ritter \textit{et al.} \textit{Historisches Wörterbuch}.} In any case it was Fichte who first coined it as a philosophical concept. \textit{Handlung} has a meaning similar to \textit{Tat} or deed; it connotes an activity, or rather, a series of activities. Originally \textit{Handlung} was used to refer to the acts in a play, but generally it refers to a series of related activities being executed. As Lessing writes: “a series of movements (bewegungen) that aim for a final purpose (endzweck) is called a \textit{handlung}.”\footnote{As quoted in Grimm and Grimm \textit{Deutsches Wörterbuch}, in the lemma ‘Handlung’.} The English “to handle something” is quite close, as equally the of Latin root “manipulation”, both retaining the connotation of the operations of the hand, although both share a strong sense of something external that is being handled that is not quite appropriate here. Where \textit{Tat} refers more strictly to its result, \textit{Handlung} has a more open-ended relation to its purpose.\footnote{Di Giovanni translates the compound as “fact as performance”, Heath and Lachs in their translation of the \textit{Grundlage} opted for “Act”; Breazeale follows Heath and Lachs, see J.G. Fichte \textit{Introductions}, editors footnote p. 48n.} Between \textit{Tatsache} and \textit{Tathandlung} the difference translates more explicitly into one between the object or product of an action and the action as being-executed.

What Fichte wanted to bring out with this new term may be illuminated through an analogy with a term loosely borrowed from J.L. Austin’s speech-act theory. In his \textit{How To Do Things With Words}, Austin defines a category of utterances as “performatives”.\footnote{J.L. Austin, \textit{How to do Things with Words: The William James Lectures delivered at Harvard University in 1955}, Oxford, Clarendon Press, 1975, p. 6.} These utterances look like sentences but actually they allow you to do something. For example, if a couple wants to wed, then certain actions will need to be performed. These include certain multi-conditional questions posed by a worldly or ecclesiastical representative, two affirmative responses by the couple being wed, and then the following statement by the representative: “I now declare you man and wife”. The truth-value of this last statement lies not in a factual correspondence of sentence $p$ with some state of the world $x$ (and clearly not that John and
Mary are male and female respectively, but that they are now joined in wedlock), that is: “p = x” is true if and only if “x” is true. Rather, the “truth” of the sentence is precisely dependent on the execution of the sentence; it cannot correspond with “x” as the situation x first only comes into being with the utterance of p. The realization of the sentence, i.e., its actual performance, is what makes the sentence true. Its “truth-condition” is thus self-referential without being analytical. Hence it is a performative utterance. A performative utterance, or a factual activity thus combines two qualities or aspects: As activity it can only take place in concreto, in the here and now; as performance it is something, namely this performance, this sequence of acts. It is a doing that has results, the performance, we could say, produces itself but always within the material conditions necessary for its execution.

Fichte looked for a word that would place the result of an activity within that activity itself. Clearly his use of the term Tathandlung exceeds a mere linguistic application but what a comparison with Austin’s term does bring out is that a performative statement is a type of speech-act that at least in part contains its own truth-conditions and that the truth of the sentence thus has an inherent relation to the performance, or actuality, of the sentence. One thing that this means, and this will be important later on, is that the “truth-value” of the sentence can never be evaluated or judged in abstracto. Whether or not the performative utterance p is true can only be judged by evaluating its actual state. There has to be a specific, that is, determinate, utterance, delivered within a specific set of conditions, for us to be able to evaluate its truth-claim.43

43 The sentence “grass is green” is true if and only if there is a perception of something that both refers to “grass” and to “green”. The truth of this sentence can be evaluated without any reference to this sentence itself. The sentence “I now declare you man and wife”, however, can never be evaluated without reference to the actual uttering of this sentence (plus other supporting conditions).
Fichte looked for such a term for a number of reasons. Firstly, Reinhold thought his first principle was analytic; Fichte thought one should start from synthesis as highest principle. Secondly, Reinhold felt that for philosophy to be real and not merely hypothetical (contra Kant) we should start with some indubitable fact of consciousness. Fichte agreed with the need for a “real philosophy” but felt a merely empirical point of anchorage to be inadequate to the loftier aims of transcendental philosophy. Thirdly, Fichte had become convinced that we must assume an immediate act of consciousness that exists for and through itself if we wanted to really understand consciousness. Tathandlung aims to meet all three demands.

The transcendental act of synthesis understood as Handlung (operation / manipulation) refers to a sequence of acts (of referring and distinguishing) to be executed. With the actual performance of these acts there first results a subject and an object of experience. Because they occur with the Tathandlung and because they equally make the Tathandlung first possible (as without them the Tathandlung would not take place) neither side can be merely analytically deduced from the other. Secondly, a Tathandlung is never abstract because it cannot be evaluated outside of its actual performance and its actual conditions. The truth of the performance is inherently related to a determinate set of conditions. Hence it is always “real” or, we could say, “site-specific”. These activities make it this performance. Thirdly, the relation between the performance of the Tathandlung and its results (subject- and object-consciousness) is thus in and through itself, and not mediated. Let me just repeat that even for Fichte himself this had not yet become fully apparent. It will be in the Foundations that Fichte will aim to make explicit all that is contained in the Tathandlung.
3. The project of the foundation of transcendental knowledge

As we have seen there were three problems in the immediate reception of Kant’s philosophy. They concerned the status of the thing in itself, the necessity of a proof for transcendental philosophy and a demand for a deduction from first principles. These three problems are all intimately related and in the Aenesidemus Fichte felt he had found an answer in the “for and through itself” nature of consciousness, a nature that should be understood as activity-like, rather than thing-like. In this section I will reformulate the ambitions of, and restraints on, Fichte’s project in light of these three problems. This “project-outline” should then aid us in our reading of the Foundations, to which we will turn in the penultimate section.

Schulze charged transcendental philosophy with question-begging. What kind of advance is it to posit some mysterious unifying capacity (Vermögen) to explain the possibility (Möglichkeit) of unified experience? What do we gain thereby? How can we show that the transcendental conditions really are the conditions for experience? The question, we may say, is, how do we show that what is conditioned (das Bedingte / empirical experience) is only possible under that which conditions (die Bedingung / transcendental conditions)? If B conditions A this does not exclude that C conditions A. Therefore, if we want a proof that A is only possible under B and that B is the necessary condition for A (and not merely one among several possible conditions), then we need to show that B is the only possible condition for A. This is achieved if we can show that not only B entails A, but also that A entails B. If we can show that B is the condition for A and that A is the condition for B then a necessary, hence truly a priori, relation between A and B has been established.
Jacobi’s charge is related to Schulze’s. He asked, what is this thing that both interacts with our senses and yet cannot be known by us? There is something out there that has an effect on us, but we can never know what this thing is. What good is our knowledge if it we can never know that it is about this world? Kant had shown what the conditions for our limited, human, form of experience were, but how are we to know that these are not merely contingent conditions? Even if we grant that they are necessary conditions for our form of experience, this does not exclude the possibility that all our knowledge might be inadequate. We see then that although the motivation is different the effect of Jacobi’s charge amounts to the same as Schulze’s: we need to demonstrate more clearly how and why the transcendental and the empirical hold together.

Reinhold, finally, felt that Kant’s philosophy lacked coherence. What is the relation between practical and theoretical philosophy? Should we not look for a unified point from which the two branches may be seen to originate? If transcendental philosophy is not grounded, then how could we ever be sure of it? This ground, Reinhold felt, had to lie the principle of representation. It is in representation that the subject and the object are related and distinguished. But how exactly distinguishing and relating hold together Reinhold was unable to show.

The three problems Fichte thought he could address through an analysis of the “for and through itself” nature of consciousness. Furthermore, consciousness had to be understood, not as thing-like, but as activity-like. Finally, this self-positing activity is synthetic, but synthetic in such a way as to precede thesis and antithesis. This self-positing synthetic activity was given the name Tathandlung.
What Fichte had to show was how a transcendental *synthetic* act entails *by itself* a *separation* of subject and object and yet that both can only appear at the same time or in “reciprocal determination”. If this could be shown then a causally effective yet unknown thing in itself would have become an impossibility for as soon as we posit a thing we immediately posit consciousness. Since both object and subject appear, or are (co-)engendered, at the same time, the one being what the other is not (the limited not-I and limited I of the *Foundations*) they necessarily stand in relation to each other. Hence our knowledge is not an appearance of something wholly unconnected to it but a determination of what is both radically different from ourself and related to ourselves. This alterity is no longer conceptualised by Fichte as a static barrier but as an ever shifting limit, or we could say, as a “horizon” between ourself and the world. We strive to determine the not-I and to the extent that we determine it, the not-I becomes an I, that is, it becomes part of our world. But since it denotes a limit and not a thing (an Ideal), the not-I is not the same as the I; i.e., in its undetermined state, it remains what is not the I. This is what the *Foundations* set out to demonstrate. If we could show that the subject always appears *with* the object then the problem of the thing in itself will have been removed.

In the first section of the *Foundations* Fichte sets out to find the first, absolutely unconditioned principle, something he says that must be discovered, rather than constructed.  

It cannot be constructed, as was Reinhold’s principle but it must have a certain self-evident nature, hence *discovered*. This principle, he writes, must be an Act, a *Tathandlung*. Through an analysis of what is assumed in even the most basic of propositions, “A = A”, Fichte leads us to

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the Kantian insight that identity as relation between two parts, or combination, already assumes an act of synthesis.\textsuperscript{45} This synthetic act is the \textit{Tathandlung}, and in §1.6 this act is finally presented. Fichte writes:

\textit{The I posits itself, and by virtue of this mere self-assertion it exists; and conversely, the I exists and posits its own existence by virtue of merely existing. It is at once the agent and the product of the action; the active, and what the activity brings about; action [Handlung] and deed [Tat] are one and the same, and hence the “I am” expresses an Act [Tathandlung].}\textsuperscript{46}

This point is not derived from “A = A”, via “I = I” and then on to “I am”; rather, these were preparations to lead us to the proper starting-point that is the \textit{Tathandlung}. As we see it is something both simple and complex. It is simple in the sense of positing itself, existing in virtue of itself, that is, the for and in itself nature as claimed in the \textit{Aenesidemus}. It is thus “simple”, yet “at once” it is also both agent and product of an action, active and what this brings about, hence it is equally (and not derivatively) complex.

This notion contains all that the \textit{Wissenschaftslehre} tries to make explicit. It \textit{already} contains the Second Principle of Counterpositing and the Third Principle of Reciprocal Determination. It contains the principle of counterpositing since for it to be self-positing it immediately refers to a distinction between the active or determinate side and what this brings about, or the determined side. And these two stand in relation of reciprocal determination since the active side can only be seen as active in light of the passivity of the other side, and vice versa. Hence the \textit{Tathandlung} already contains the “absolute I” (positing \textit{qua} positing), and the limited I and limited not-I (activity - passivity). These principles are not derived in any

\textsuperscript{45} Compare with with KrV B 130, 134.
\textsuperscript{46} GWL p. 96 / p. 98.
linear fashion but imply each other “at once”. If anything, the are simultaneous, or to remain within our spatial metaphor, “circular”. For Fichte this circularity was not a short-coming but simply a given for however agrees on the need for philosophy to provide an answer to its own possibility. As I formulated above, only when we see how both sides entail each other will we have demonstrated the necessity of their relation. It is only when one reads this circularity in literal fashion that one might understand Fichte to assert some solipsistic or world-creative ego or God-consciousness. To counteract this conclusion we must keep in mind what Fichte aimed to demonstrate.

What then was it that Fichte wanted to demonstrate? What was this groundwork for? The problem is a proper transcendental one: In order to understand that there are objects for me, as both distinct from me, yet as given to me in experience I have to assume a spontaneous act of synthesis. Such an act results in objects, that is, objects for me. For various reasons that lie beyond the scope of this paper Kant had become convinced of the fact that such an perception cannot be adequately accounted for from within a mechanicistic-empiricistic model of perception. Knowledge does not result from the mechanical imprint of objects on the senses. As Kant states it most concisely: Combination is the only representation that cannot be given by objects alone. Hence an appeal was made to the spontaneity of consciousness. Furthermore, the qualitative nature of an object of knowledge qua object leads us to posit a synthetic act. For Fichte this was the new ground on which philosophy was to stand. But as we have seen, what needed to be clarified was how such a self-caused and qualitative act was itself conditioned by the experience available to us, which is one of a subject standing over

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49 KrV B 134.

against an object. If synthesis precedes thesis and antithesis, how can we demonstrate that synthesis is only possible under the assumption of thesis and antithesis?

One line of argumentation I have tried to develop in this article is to stress Fichte’s insistence on the difference between activity and thing through the notion of “performative activity”. In fact, this difference is equally one of perspectives and interests. On the one hand there is our everyday experience of objects given to us. Not only do they seem to be given, and not created by us, indeed, this is the very point to explain. As Fichte says:

[T]he assumption that objects exist outside of and quite independent of us, is contained within idealism itself [...] Indeed, it is the sole aim of all philosophy to provide a derivation of objective truth.\(^{50}\)

But if we remain within this practical perspective we inevitably end-up in the paradoxes of radical empiricism. Hence the need for an inquiry into the conditions of experience. Here the perspective changes and the task becomes the following:

[T]he philosopher must first show how the I exists and comes into being for itself. Secondly, he must show that this being of the I for itself would not be possible unless a being outside of the I arose for that I at the same time.\(^{51}\)

How is it that there is an I that exists and “comes into being for itself”? and how does a not-I arise at the same time as the I? Again the temptation to read this passage in literal fashion, as though there were some Münchhausian I that subsequently splits in two. But this “I in itself” must be understood as consciousness considered as activity \textit{schlechthin}. Considered \textit{qua}

\(^{50}\) ZE p. 455n p. 38n
\(^{51}\) ZE p. 458 / p. 41.

activity it cannot be reduced to objects. We may also state it this way: The transcendental concern (conditions of knowledge) should not be confused with the empirical or practical one of objects encountered in everyday experience (knowledge *sensu stricto*). It is the question that differs: We are not concerned here with some everyday activity. Self-positing isn’t something that can be taught in school, it isn’t something we can actually do (there is no transcendental plain to access); rather, it is a philosophical assumption necessary in order for us to understand the possibility of everyday experience. But this activity, *qua* synthesis, can only exist *in concreto*, that is, under the assumption of a world within which I find myself. For it to be actual, or concrete, empirical intuition must exist; as Kant said, some *Stoff* must be given to it. On a meta-level, a philosophical explanation of experience must ultimately be conditioned by everyday experience.

The synthesis that makes knowledge or experience possible is, as Fichte stresses, a determination, a *Bestimmung*. For Fichte *Bestimmung* is a relation or a *direction*: To the extent that I determine something, this something is a not-I. To the extent that the world determines me, I am the not-I. These two are then conceptualised as activity versus passivity. This allows us to see how a “pure” or “absolute” I, that is, considered purely or *schlechthin* as activity, can at the same time be “the active” and “what this brings about”. The key passage again is already to be found in §1 of the *Foundations*:

The I presents itself to itself, to that extent it imposes on itself the form of a presentation, and is now for the first time a something, namely an object; in this form consciousness acquires a substrate, which exists.53

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52 See *KrV B* 423n
53 GWL p. 97 / p. 98.
Das Ich stellt sich selbst vor, we could also say it posits itself, or it determines itself and this takes the form of a presentation, something Vor-gestellt. But with this determination of experience “it” acquires a substrate. Again we must take care to read this to the spirit and not the letter. The “I” that presents itself, is not some ex-temporal consciousness, but the (philosophical) assumption of transcendental synthesis. In “acting out”, or in being actual, and no longer merely abstracted from experience, it is a determination of something. But, and this we may consider a crucial insight that Fichte very fruitfully developed, at the same time that object-consciousness, or object-determination takes place, a “substrate” appears. This substrate “exists”, writes Fichte, we could say, it is something real, and not an abstraction. The point here is that in determining the world (not-I), I just as much determine myself. Self-consciousness is necessarily co-genetic with object-consciousness.

4. Conclusion

As we have seen Fichte’s notion of a Tathandlung is a attempt to ground transcendental knowledge. It attempts to demonstrate how the transcendental conditions of experience are only ever possible under assumption of the form that empirical knowledge takes, to wit, that of a subject engaged in the determination of an object. In demonstrating how subject and object are co-genetic the role and function of a thing in itself is elucidated. Knowledge may now claim to be about the world de jure. Yet the I and not-I must also be seen, not as ready made things, but as opposite poles of a relation of determination, thus retaining their qualitative difference. At the same time that the nature of object-consciousness and subject-consciousness is clarified, the meta-concerns about the status of philosophical knowledge are enlightened.
Philosophy reflects on everyday experience and uses abstraction to clarify how such experience may be understood. What she needs to guard herself against is a surreptitious reification of the objects attained through such abstraction. Such reification leads to the idea of a consciousness of which Fichte teasingly asked: “is it round, is it square?”