

Hiatus Irrationalis: Lask's Fateful Misreading of Fichte

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Abstract

'Facticity' is a concept that classical phenomenologists like Heidegger use to denote the radically contingent or underivably brute conditions of intelligibility. Yet Fichte coins the term, to which he gives the opposing use of denoting unacceptably brute conditions of intelligibility. For him, radical contingency is a problem to be solved by deriving such conditions from reason. Heidegger rejects Fichte's recoil from facticity with his hermeneutics of facticity, supplanting Fichte's metaphor of our always being in reason's hand with the metaphor of our always having been thrown. How does Heidegger inherit and diametrically repurpose Fichte's neologism? Whence the reversed meaning of 'facticity' in post-Kantian thought? The answer is Lask's doctoral thesis, which exerts an acknowledged impact on Heidegger's habilitation thesis. Lask interprets 'facticity' as Fichte's term for the individuality problem, that is, the resistance of the material particularity of individuals to explanation by the categories genetically deduced from reason. On his interpretation, 'facticity' denotes radical contingency in the guise of haecceity, that is, the brute uniqueness of individuals. Lask credits Fichte with registering the problem of individuality, which highlights the world's irreducibly pre-categorical character. But how is 'facticity' transmitted from Lask to Heidegger, given their opposing interpretations of how Fichte understands its meaning? I argue that (1) Lask misreads Fichte as a proponent of facticity, that is, one whose accommodation of radical contingency deflates the

Wissenschaftslehre's systematic ambitions, and (2) Lask's misreading, without deceiving Heidegger regarding the sincerity of Fichte's ambitions, encourages Heidegger's own hermeneutics of facticity.

1 | INTRODUCTION

Neo-Kantianism is a late-19th and early-20th century philosophical movement that calls for a return to Kant in response to the German idealist project of systematically deducing the conditions of intelligibility from reason alone and amid psychology's emerging threat to philosophy's authority regarding the normative character of intelligibility.¹ J.G. Fichte occupies a complicated position in neo-Kantianism's conception of the history of post-Kantian thought.² Despite his role in defining German idealism's systematic ambitions, Fichte apparently comes to restrict these ambitions by discovering the insuperable bounds of reason, as the southwest neo-Kantian Emil Lask argues in his 1902 doctoral thesis *Fichte's Idealism and History*. According to Lask, as early as 1797/98, Fichte recognizes a *hiatus irrationalis* or irrational gap between the necessary conditions of intelligibility and the contingent facts of existence, a gap whose removal presents an endless task. Notwithstanding Fichte's initial commitment to what Lask calls rationalism—that is, to the deduction of the conditions of intelligibility from reason and to the explanatory priority of the logical generality of such conditions over the material particularity of existing individuals—Fichte's recognition of the irrational gap signals his turn toward what Lask calls critical anti-rationalism. Crucially, Lask's reading of Fichte relies on a problematic interpretation of the meaning of Fichte's neologism 'facticity', which, as we will see, directly figures in the term's transmission to the phenomenological tradition that directly succeeds neo-Kantianism.³ Lask's role in the term's transmission, combined with his problematic interpretation of its meaning, raises important questions about how to understand his reading of Fichte.

Fichte coins 'facticity' at the start of his Berlin period.⁴ It refers to an architectonically unacceptable contingency, namely, allegedly brute conditions of intelligibility, whose bruteness would undermine the necessity that is required for a systematic account of the conditions of intelligibility. Such conditions would be externally imposed on reason or the I, thereby undermining the latter's role as the first principle of idealism and entailing its determination by a substance or the not-I, that is, entailing Spinozism. The prehistory of 'facticity' within Fichte's *Wissenschaftslehre* or doctrine of science lies in his rejection, throughout his Jena period, of any deduction of the conditions of intelligibility that rests on radically contingent grounds, that is, any deduction that is rhapsodic and consequently an impediment to a true science of such conditions. 'Facticity' accordingly denotes false conditions of intelligibility whose deduction is rhapsodic, whether perceptually, causally, historically, or intuitively so. In general, factual and therefore false conditions of intelligibility lack the necessity of being either genetically deduced from a first principle or intellectually intuited as such a principle. Fichte diagnoses facticity in 1799's *Reminiscences, Answers, Questions* (Fichte SW V:360), 1801's *Presentation of the Wissenschaftslehre* (Fichte SW II:47, 54-5, 161-2), 1805's *Principles of the Doctrine of God, Ethics, and Jurisprudence* (Fichte GA II/7:354), the 1805 Erlangen lectures (Fichte GA II/9:54), 1806's *The Way Towards the Blessed Life or the Doctrine of Religion* (Fichte SW V:510, 568), and especially the 1804 spring Berlin lectures, which later are the textual focus of Lask's doctoral thesis and hence of my discussion below. As Fichte says in these lectures, facticity must be "master[ed]" and "expunge[d]" by showing that allegedly brute conditions of intelligibility are in fact deducible from the absolute freedom of reason or the I (Fichte GA II/8:180-1, 206-7).⁵

'Facticity' is familiar to most, not via Fichte, but via the major figures of classical phenomenology, namely, Martin Heidegger, Jean-Paul Sartre, Simone de Beauvoir, and Maurice Merleau-Ponty. Heidegger uses the term in 1927's *Being and Time* to denote the underivably brute conditions of Dasein's being in the world, conditions that are neither logically necessary, since their denial is thinkable, nor empirically contingent, since they characterize Dasein's

very being, a mode of existence to which Dasein is simply given. As he says in section 29: “[Dasein] is thrown in such a way that it is the ‘there’ as being-in-the-world. The expression ‘thrownness’ is meant to suggest the *facticity of its being delivered over*” (Heidegger, 1996:127).⁶

Heidegger immediately distinguishes two approaches to the facticity of Dasein's being. On the one hand, “mood”, for example, anxiety or boredom, can “disclose” facticity by attuning Dasein to the “burdensome character” of the mode of existence that is “always already brought before” it, namely, that it is *a priori* in a world, with others, taking care, and dying. On the other hand, reason demands the “rationalism” of “minimizing the ‘evidence’ of attunement by measuring it against the apodictic certainty of the theoretical cognition of something merely objectively present”, that is, by subjecting Dasein's mode of existence to explanation by deducible conditions of intelligibility, without which conditions Dasein's facticity “stares at it with the inexorability of an enigma” (Heidegger, 1996:128).⁷ Like Lask, Heidegger understands rationalism as affirming the explanatory priority of deducible conditions of intelligibility over individual existence, in this case, Dasein's factual existence. However, Heidegger argues that “rational enlightenment” only evades facticity when it asserts that it “knows” the “whence” of Dasein's mode of existence. Such an assertion assumes that “knowledge” has explanatory “priority” over and can therefore “master” mood in its attempt to demonstrate that the mode of existence that mood discloses is merely an instance of rationally perspicuous objective presence. This assumption is false, according to Heidegger, because mood is “a primordial kind of being of Dasein in which it is disclosed to itself *before* all cognition” insofar as mood attunes Dasein to the mode of worldly, social, concerned, and mortal existence on which the very possibility of knowledge depends (Heidegger, 1996:128).⁸ Heidegger accordingly regards mood as setting a limit on the explanatory power of reason.

Heidegger's distinction between mood and reason prefigures his disagreement with Fichte, to whom he opposes himself regarding the nature of facticity in his 1936 Freiburg lectures on F.W.J. Schelling's 1809 *Philosophical Investigations into the Essence of Human Freedom*: “According to Fichte, it is the I that throws the world. But according to *Being and Time*, the I does not first throw the world; it is rather Dasein, essentially presencing before all humanity, that is thrown” (Heidegger, 1985:188).⁹ Fichte's systematic ambition is to demonstrate that apparently factual conditions of intelligibility, that is, conditions into which we are allegedly thrown, transform into absolutely necessary conditions when they are deduced from reason or the I. This ambition contradicts Heidegger's hermeneutics of facticity, according to which, as he says in *Being and Time*, Dasein can interpret the facticity of its being yet “never gets back behind its thrownness” (Heidegger, 1996:262). It is with a rationalist recoil from facticity that Fichte declares in 1799's *Vocation of Man*: “Only reason is [...] All our life is its life. We are in its hand and remain there, and no one can tear us out of it. We are eternal because it is” (Fichte, 1987:111). Whereas Heidegger regards Dasein as thrown brutally into existence, Fichte regards us as held by reason, for which there is no brute fact beyond reach. Fichte's deductive mastery of facticity is driven by revulsion at the idea of bruteness within the conditions of intelligibility. Heidegger's opposition to Fichte's rationalist recoil from facticity echoes Friedrich Schiller's letter to J.W. Goethe, 26 October 1794, which he quotes in the Freiburg lectures: “To [Fichte], the world is only a ball which the I has thrown forth, and which it again catches in the act of reflexion!” (Schiller & Goethe, 1994:19; cited in Heidegger, 1985:187-8). Thus, the emerging post-Kantian dispute regarding the nature of facticity centers on the question of whether reason's explanatory power is absolute or relative, infinite or finite.

In the development of post-Kantian philosophy from German idealism to phenomenology, the meaning of ‘facticity’ changes from denoting intolerably contingent conditions that reason must annihilate to denoting radically contingent conditions that make reason possible. For Heidegger, facticity is a topic for hermeneutical interpretation and not, as for Fichte, a surd to be rationally expunged. If, as Heidegger holds, ‘facticity’ signifies Dasein's brute or arational thrownness, it is a delusion to pursue the rational derivation of factual conditions of intelligibility, which would be to transcend the explanatory limits of reason. How, then, does Heidegger inherit and diametrically repurpose Fichte's neologism? Whence the reversed meaning of ‘facticity’ in post-Kantian thought?

The reversal of the term's meaning is the result of Heidegger reading Lask's doctoral thesis, whose impact on Heidegger's 1915 habilitation thesis *Duns Scotus' Theory of the Categories and of Meaning* is noted in the thesis report that is filed by their shared supervisor, Heinrich Rickert.¹⁰ As we will see, Lask interprets ‘facticity’ as Fichte's term

for what Lask calls the individuality problem, that is, the resistance of the material particularity of individuals to explanation by the conditions or categories of intelligibility that are genetically deduced from the absolute freedom of reason or the I. According to this interpretation, the neologism denotes radical contingency in the guise of haecceity, that is, the brute uniqueness of individuals, whose material particularity cannot be rendered fully intelligible by any category. For Lask, it is to Fichte's credit that he registers the problem of individuality, for he is deemed thereby to draw our attention to the world's irreducibly pre-categorical character.

This raises an important interpretive question. How is 'facticity' transmitted from Lask to Heidegger given their opposing interpretations of how Fichte, who coins the term, understands its meaning? According to Lask, Fichte rightly understands 'facticity' to signify the undeducible bruteness of individuals' existence, whereas, according to Heidegger, Fichte wrongly understands it to signify the rationally deducible conditions of Dasein's existence. How, then, do we make sense of this Fichtean juncture between neo-Kantianism and phenomenology? I will argue, first, that Lask misreads Fichte as a proponent of facticity, that is, as a philosopher whose accommodation of radical contingency deflates the systematic ambitions of the *Wissenschaftslehre*, and, second, that Lask's misreading, without deceiving Heidegger regarding the sincerity of Fichte's ambitions, encourages Heidegger's own anti-rationalist hermeneutics of facticity.

In what follows, I will first sketch Lask's claim that Fichte curtails his method of genetic deduction in 1797/98 after detecting the individuality problem, which allegedly prompts Fichte to coin 'facticity' in Berlin as the name for the underivable material particularity of individuals (Section 2). I will then show that Lask mistakes the task that Fichte sets for his deduction of the categories and thereby mistakes the specific problem that his neologism names (Section 3). In coining this term, Fichte is responsive, not to the problem of deducing the material particularity of individuals, that is, the problem of haecceity, but rather to the problem of deducing the formal generality of the conditions of intelligibility, that is, the problem of rhapsody. As I will put the point, Fichte aims to avoid formal facticity, not material facticity, for it is the former alone that threatens philosophical systematicity as he conceives it. Indeed, the distinction between formal and material facticity is indispensable for understanding his express and sustained confidence that reason can annihilate facticity. I will finally show that, despite his interpretive error, Lask's conception of material facticity, that is, of the pre-categorical character of the world, prefigures Heidegger's hermeneutics of Dasein's factual being in the world (Section 4). Lask can thereby be seen as providing a distorted reading of Fichte that nevertheless encourages a phenomenological critique of the rationalist recoil from facticity, a recoil that uniformly defines the Jena and Berlin periods of the *Wissenschaftslehre*.

2 | THE INDIVIDUALITY PROBLEM

Lask's doctoral thesis is divided into three parts, which concern Fichte's relation to Immanuel Kant and G.W.F. Hegel, Fichte's critique of rationalism, and Fichte's philosophy of history. I will focus mainly on the first two parts.

By 'rationalism', Lask means the view that "individual facts" must be subsumed under a "general concept", that is, the view that the logical generality of categories has explanatory priority over the material particularity of individuals (Lask, 1923 I:11).¹¹ A rationalist can demonstrate this priority by deducing the categories as necessary conditions for the cognition of individuals. This deduction takes one of two forms.

On the one hand, a rationalist can conduct a "rhapsodic" deduction of the categories by positing them as radically contingent or "hypothetical" elements of cognition, that is, as brute or "finished facts" about how we cognize individuals. According to this deduction, our use of the categories is unavoidable yet lacks absolute necessity insofar as they are not derived from "a highest principle" (Lask, 1923 I:77, 83, 85). Such a deduction exemplifies rhapsodic rationalism. Lask follows Maimon and Fichte in ascribing rhapsodic rationalism to Kant's metaphysical deduction of the categories in particular and to his account of the forms of cognition in general (Lask, 1923 I:82).¹² This suggests that rhapsodic rationalism employs transcendental logic.

On the other hand, a rationalist can conduct a “systematic” deduction of the categories from a highest principle, in pursuit of the “system of reason” with which German idealism aims to “progress beyond Kant” (Lask, 1923 I:84, 86). According to Lask, a systematic deduction employs one of two logics.

Analytic logic allows a rationalist to avoid a rhapsodic determination of the categories because it governs the articulation of the “dialectical connection” that binds an absolutely necessary succession of categories (Lask, 1923 I:81, 85). A deduction that accords with analytic logic exemplifies analytic rationalism. While analytic rationalism avoids rhapsody, it shares with rhapsodic rationalism the presupposition of the “non-actuality of the concept”, that is, the categories’ lack of “empirical” or “perceptual material” (Lask, 1923 I:32). By abstracting from “the region of the merely empirical” toward a “sphere of pure concepts”, analytic rationalism entails “the content-poverty of the concept” (Lask, 1923 I:62, 84). This, Lask says, makes it “incomprehensible” how we could ever transition from the “logical sphere” of categorial generality to the “specific content” of individual particularity, that is, from apriority to aposteriority (Lask, 1923 I:40). Closing the categories off from individuals in this way commits analytic rationalism to a “logical atomism” according to which categories and individuals are mutually external and mutually impenetrable, raising the threat of an irrational gap between them. Hegel’s polemic against this threat, Lask claims, is directed against Fichte (Lask, 1923 I:85, 85n1).

By contrast, emanationist logic allows a rationalist to avoid both rhapsodic determination and an irrational gap because it governs the articulation of the necessary internal structure of the “dialectical organism of total actuality”, that is, of being as a dialectically self-developing whole (Lask, 1923 I:85). A deduction that accords with emanationist logic exemplifies emanationist rationalism. Rather than presuppose a brute origin of the categories, as rhapsodic rationalism does, and rather than presuppose the non-actuality of the categories and hence their externality to and impenetrability by individuals, as analytic rationalism does, emanationist rationalism treats categories and individuals as jointly forming an “indiscriminate dialectical mass”, that is, a totality to which a dogmatically presupposed “dualism of concept and empirical actuality” does not antecedently apply. Deducing categories in accord with emanationist logic is thus a “dialectical self-movement” of thinking that is “capable of drawing even the individual and smallest” into the results of deduction and that is therefore free of even their presupposition (Lask, 1923 I:84).¹³ Lask ascribes emanationist rationalism to Hegel (Lask, 1923 I:84-5).¹⁴

To summarize Lask’s philosophical taxonomy, then, rhapsodic rationalism deduces the categories from a radically contingent origin, analytic rationalism avoids rhapsody by deducing the categories dialectically yet leaves an irrational gap between their content-poverty and the actuality of the material individuals, and emanationist rationalism avoids both rhapsody and irrationality by deducing categories and individuals alike from a single dialectical mass.

For our purposes, Lask’s major claim is that Fichte initially espouses emanationist rationalism in 1794/95’s *Foundations of the Entire Wissenschaftslehre*, but then shifts to analytic rationalism in 1797/98’s *Attempt at a New Presentation of the Wissenschaftslehre* after discovering the individuality problem, that is, the resistance of individuals to total explanation via genetic deduction of the categories. Emanationist rationalism conceives of individuals, not as “isolated, self-contained entit[ies]”, but rather as “limitations” of a “transindividual whole”. Such a whole does not succeed its parts as a “*compositum*” or “product”, but rather precedes them as a “*totum*” or “ultimate ground” (Lask, 1923 I:92). Individuals are furthermore neither external to nor impermeable by the categorial structure of this whole. According to Lask, although in Fichte’s early work we find “the first traces of Hegel’s approach” to emanationist rationalism (Lask, 1923 I:94), Fichte subsequently rejects the latter for analytic rationalism when he recognizes that the “empirical” world is “separated” from the categories by a “gap of irrationality”, that is, that, “despite all deduction”, the uniqueness and richness of empirical individuals transcends the categories as “an undeducible remainder” (Lask, 1923 I:84). *Contra* emanationist rationalism, for analytic rationalism there can be no “equalization of concept and empirical actuality” (Lask, 1923 I:84) because the latter is “undeducible” from “the exhaustively deduced and comprehended forms of the I” and is consequently an “irrational remainder”. Fichte thus comes to regard the material particularity of individuals as “a limit that is insurmountable for any transcendental explanation” (Lask, 1923 I:117).

For Lask, Fichte's rejection of emanationist rationalism amounts to a turn away from "absolute rationalism", but not thereby a turn toward "absolute irrationalism". It instead qualifies as a "critical anti-rationalism" (Lask, 1923 I:103), for, rather than deny the deducibility of any necessary conditions of intelligibility from reason whatsoever, Fichte tempers his deductive ambition by acknowledging individuality as its strict limit. Categories are indeed deducible, but the individuality problem nevertheless admits of "no satisfactory or even rational result" because the material particularity of individuals cannot be deduced from "the 'sphere' of the general", that is, from "merely conceptual content" (Lask, 1923 I:93-4). Hence, rationalism "must be led back to critical modesty" in the face of the "inevitability" of the contingent fact of the existence of individuals, the concept of whose "perfect rationality" is at best "only an idea", that is, the concept of a "limit" whose overcoming by deduction "lies in infinity" (Lask, 1923 I:103). Lask identifies this limit-concept with the I construed as regulative "idea" (Lask, 1923 I:101), evoking Fichte's distinction in the *New Presentation* between "the I as an intellectual intuition, with which the *Wissenschaftslehre* commences, and the I as an idea, with which it concludes", where the former strictly apprehends the reality of the freedom of the I as the first principle and the latter represents the total (and, in particular, the practical) intelligibility of actuality as a whole, an idea that "will never become anything real" and is simply "something to which we ought to draw infinitely nearer" (Fichte SW I:515-6).

Before I address Fichte's alleged discovery of the individuality problem in Section 3, I will first assess Lask's claim that this discovery interrupts Fichte's prior commitment to emanationist rationalism.

Recall that, since emanationist rationalism presupposes neither a brute origin of the categories nor the non-actuality of the categories, it is incompatible with both rhapsodic rationalism and analytic rationalism. On the one hand, rhapsodic rationalism presupposes a factual source for the categories, for example, the forms of judgment. Like Hegel, Lask identifies Fichte's "merit" with treating "forms of cognition" like the categories, not as an "aggregate" to be "read from" such "empirical" matters as traditionally observed canons of judgment, but rather as "an 'organism' structured through the purposes of reason" (Lask, 1923 I:105). Rather than presuppose an external source of the categories, an emanationist rationalist consults reason alone, whose "purposes" contain those conditions that are necessary for its realization in experience. In this way, she deduces the categories without presupposing their source, *contra* her rhapsodic counterpart. On the other hand, analytic rationalism deduces the categories through a dialectical movement of thought that presupposes no external authority regarding their precise kind or number. However, it does presuppose their non-actuality and hence their mutual externality to and impenetrability by actual individuals. An analytic rationalist is thereby able to deduce no more than the formal generality of the categories, whereas an emanationist rationalist aims to show that the material particularity, that is, the haecceity, of individuals is not a factual imposition on dialectical thinking about the categories, but rather emerges from the latter. We see, then, that emanationist rationalism rejects, not only rhapsodic rationalism's presupposition of the categories' origin, but also analytic rationalism's presupposition of the particularity of individuals. In other words, emanationist rationalism is equally opposed to rhapsodic presuppositions and to haecceitic presuppositions.

Contra Lask, it is clear that Fichte is not an emanationist rationalist in 1794/95.¹⁵ In 1802's *Faith and Knowledge*, Hegel claims that Fichte's I "is not absolute" insofar as it presupposes the not-I as a "primitive determinateness" (Hegel GW 4:389-90). Hegel's claim plausibly captures Fichte's view in the *Foundations*. In section 2, Fichte argues that the I is the "ultimate ground" of positing, that is, the "necessary connection" between subject and predicate in the identity proposition " $A=A$ ", for it is in virtue of the I's identity that subject and predicate form a unity (Fichte SW I:94-5). In section 3, he argues that the I is "absolutely the same connection" between subject and predicate in the opposition proposition " $\sim A$ is not equal to A ", for, again, it is in virtue of its identity that subject and predicate form a unity. Indeed, he says, the form of any proposition is "comprehended under the highest of forms, the condition of having form at all", namely, the identity of the I (Fichte SW I:101-2).¹⁶ Fichte then observes that while "the form of $\sim A$ is determined absolutely" by the I *qua* condition of "having form", $\sim A$'s "matter is governed by A; it is not what A is, and its whole essence consists in that fact". What $\sim A$ is "can be known to me only on the assumption that I am acquainted with A". It follows that the I determines the form of what is posited, but not the matter. Such matter brutally opposes the I and, Fichte claims, "that which is opposed to the I=the not-I" (Fichte SW I:104). Indeed, he

later claims that the not-I's opposition to the I "can be deduced from no higher ground" because this opposition "lies at the base of all derivation and grounding" (Fichte SW I:253). Hence, we can say that acquaintance presupposes the haecceity or what we might call the material facticity of what I know, namely, the not-I, which differs from the formal necessity by which I know, namely, the I. The not-I accordingly functions for Fichte in 1794/95 as a haecceitic presupposition.

Moreover, even acknowledging that Fichte publishes the *Foundations* strictly as "a manuscript for the use of [his] students"¹⁷ and that he regards this text as an "imperfect and defective" presentation of his system (Fichte SW I:87), contemporaneous texts show that he views, not only the not-I, but also the I as a fundamental presupposition. Fichte tells Reinhold in a letter, 1 March 1794, that he "cannot accept" the categories' deduction from "presuppose[d]" forms of judgment, since they must be deduced from the I on pain of rhapsody (Fichte, 1988:376). Yet he tells Reinhold the next year in a letter, 2 July 1795, that there is "no reason why the I is I" and that, in positing the I as first principle, one enters the *Wissenschaftslehre* "by means of what is absolutely incomprehensible" (Fichte, 1988:399). Fichte has good reason to deny that positing the I can be made comprehensible by some further fact. As a first principle, it is an unconditioned condition. And as a principle of freedom, it has no external cause. But then positing the I is a fundamental presupposition of his philosophy rather than a derivable condition of intelligibility, that is, a brute fact whose determination is rhapsodic insofar as it depends on the kind of person one is, though whose arbitrariness is perhaps virtuous insofar as it contrasts with the nihilistic consequences of positing the first principle of Spinozism. Fichte's position in 1794/95 therefore lacks an emanationist rationalist's opposition, not only to haecceitic presuppositions, but also to rhapsodic presuppositions.

This does not completely undermine Lask's reading. Despite never espousing emanationist rationalism, it is possible that Fichte instead espouses critical anti-rationalism as early as 1797/98, when he allegedly discovers the problem of individuality. In other words, it may be that Fichte always espouses analytic rationalism and simply curbs its deductive ambition when he reckons with the haecceity of individuals in the *New Presentation*. I will now argue that Lask is wrong to detect such a reckoning in that text.

3 | HAECCEITY OR RHAPSODY?

According to Lask, Fichte's *Foundations* are "exemplary" for "Hegel's dialectic of transferring the logic of the intuitive understanding", that is, the understanding that cognizes actual individuals just by thinking of them, from the "unattainable distance" of a merely regulative ideal "into scientific actuality" (Lask, 1923 I:90). The text is exemplary in this regard because it proves, first, that "nothing escapes the fate of being the content of consciousness", second, that "what is, is for the I", and, third, that "everything is I-like", that is, completely rational and hence non-factual (Lask, 1923 I:89). We saw, however, that, for Fichte, such a proof is strictly formal. Whereas the I is the absolute form of positing, it presupposes the matter of what is posited. Thus, while Lask is technically not wrong to read the *Foundations* as arguing that "empirical actuality" is "contained" in the I (Lask, 1923 I:95), the logic that supports this argument cannot be emanationist. Still, perhaps Lask is right to detect in the *New Presentation* the insight that no logic whatsoever can account for the material particularity of individuals, that is, the insight into the individuality problem. This, I will argue, is to misread that presentation of the *Wissenschaftslehre*.

The *New Presentation* consists only of a preface, two introductions, and one chapter. Its composition is interrupted by the atheism dispute that is begun by the 1798 publication of controversial essays on religion by Fichte and his colleague F.K. Forberg in *Philosophical Journal of a Society of German Scholars*, which Fichte co-edits with F.I. Niethammer. The ensuing dispute prompts both F.H. Jacobi's 1799 "Open Letter to Fichte" publicly denouncing the *Wissenschaftslehre* as 'nihilism', a term that he coins for that purpose, and Fichte's flight that year from Jena to Berlin.

As we saw, Lask attributes to Fichte in the *New Presentation* the critical anti-rationalist discovery that the "insurmountable" limit of deduction is the material particularity of individuals, that is, material facticity. Lask cites the

following passage from section 6 of the Second Introduction as evidence of Fichte's case for the "mystery of empirical actuality": "the necessity of *some limitation of the I* has been derived from the very possibility of the I. The *specific determinacy* of this limitation is, however, not something that can be derived in this way [...] Consequently, we have arrived at the point at which all deduction comes to an end" (Lask, 1923 I:117, cited from Fichte SW I:489). In this passage, Fichte claims that the form of the I's limitation is deducible, whereas the matter of its limitation is not. That the I is formally limited, that is, that in general it must be limited in "some" way, is deducible from its own nature as a necessary condition of its realization in experience. By contrast, how the I is materially limited, that is, how in some particular instance it happens to be limited in some "specific" way, cannot be deduced from its nature, but rather is contingent on experience. As Fichte says at the end of the passage that Lask cites, it "appears" that the "determinacy" that "I am, of all possible rational beings, a *human being*, and that, of all human beings, I am this *specific person*" is a "merely empirical element" of cognition and thus "something absolutely contingent" (Lask, 1923 I:117-8, cited from Fichte SW I:489). If Fichte recognizes that he cannot deduce the material particularity of how the I is specifically limited, that is, of how, in my person, the I is empirically determined, then, Lask infers, 1797/98 must mark a "turning point" in his thinking toward a "pronounced empiricism" (Lask, 1923 I:140). In other words, in the *New Presentation*, Fichte must make the critical anti-rationalist discovery of the individuality problem, namely, that empirical actuality is "an unsystematizable immediacy" or brute fact (Lask, 1923 I:158). This would amount to an acceptance of material facticity. Crucially, as we will see, Lask will claim that this alleged discovery heralds Fichte's coining of 'facticity' in 1804, which, on Lask's interpretation, denotes a "brutality of actuality" whose "unpredictability" creates an epistemic gap that "no reflection can fill", namely, the "lawlessness of the particular" that "we cannot deduce in its uniqueness" (Lask, 1923 I:172-3).¹⁸

How does Fichte arrive at the conclusion that the "*specific determinacy*" of the limitation of the I is undeducible? Is the "end" of "all deduction" really marked by the "irrational remainder" of material facticity, as Lask suggests?

In section 7 of the First Introduction, Fichte explains that a genetic deduction

shows that what is first set up as a fundamental principle, and directly demonstrated in consciousness, is impossible unless something else occurs along with it, and that this something else is impossible unless a third thing takes place, and so on until the conditions of what was first exhibited are completely exhausted, and this latter is, with respect to its possibility, fully intelligible (Fichte SW I:446).

The dual method of Fichte's system is to intellectually intuit the I as a first principle and to genetically deduce from it the conditions of its intelligibility, which deduction must be "*completely exhausted*" if the I is to be "*fully intelligible*". Genetic deduction provides a simultaneous answer to the questions *quid facti* and *quid juris*, for it proves our right to these conditions just if it derives them from the I's primary and irreducible freedom.¹⁹ Fichte's strategy is meant to rule out formal facticity, that is, the threat that the formal generality of the conditions of intelligibility is radically contingent insofar as their deduction lacks an absolute ground and is therefore rhapsodic, a threat to which he thinks Kant, no less than Aristotle, is vulnerable.²⁰ Hence he asks the Kantian: "how did you become aware that the laws of the intellect are precisely these laws of substantiality and causality?" (Fichte SW I:442). Moreover, in the same section from which Lask cites, Fichte says that the first *Critique* "by no means lacks a foundation. Such a foundation is very plainly present; but nothing has been constructed upon it, and the construction materials—though already well prepared—are jumbled together in a most haphazard manner" (Fichte SW I:479n). We will see that the very passage that Lask cites as evidence that Fichte discovers and accepts material facticity as unavoidable is in fact the culmination of a discussion about how to avoid formal facticity.

The discussion begins in the Second Introduction with Fichte's claim that "the overall gist" of his system is that reason or the I is "absolutely self-sufficient"; that is, "explicable solely on the basis of [...] itself", a claim that he summarizes by stating that "the *Wissenschaftslehre* is transcendental idealism" (Fichte SW I:474). With this statement, he aims to express his agreement with Kant's argument in the transcendental deduction that the unity of apperception is the "supreme principle of the possibility of all intuition in relation to the understanding", which he interprets as

the argument that thinking, intuiting, “and hence *all consciousness*” are subject to the condition of apperception (Fichte SW I:475, cited from Kant B136). Fichte regards the spirit of transcendental idealism as consisting in the demonstration that the apperceptive I is the derivational source of, not only the forms of understanding, but also the forms of sensibility. This differs from its letter, which derives the forms of understanding, that is, the categories, from no higher than the forms of judgment and which does not derive the forms of sensibility at all.²¹ Fichte expresses this difference shortly after by introducing a distinction between consciousness as conditioned by the I and consciousness as determined by the I. If consciousness is merely “conditioned” by the apperceptive I, as it is according to the letter of transcendental idealism, then its contents “have their foundation” outside of the I, which contents therefore limit, even if they do not “*contradict*”, the I. By contrast, if consciousness is “determined” by the I, as it is according to the spirit of transcendental idealism, then its contents must be “*generated*” and so derivable from the I (Fichte SW I:477). These contents include the forms of sensibility, of which Fichte says Kant provides no “*derivation whatsoever*” and at most entertains the “*thought*” of the system to which their derivation would contribute (Fichte SW I:478).

A deduction of space, time, and the categories from the I would solve the rhapsody problem insofar as the I is an absolutely necessary ground. In other words, it would remove the threat of formal facticity. However, such a deduction would not thereby solve the individuality problem, for it is precisely the formal generality of the conditions of intelligibility that abstracts from the material particularity, that is, the haecceity, of individuals. In other words, such a deduction would leave the threat of material facticity unaddressed. Even assuming that Fichte ought to take this threat seriously, he makes it clear that he does not when he gives a five-step deduction of the forms of sensibility in section 6 of the Second Introduction, which I will now reconstruct.

First, Fichte says that the understanding “*adds the object in appearance*” by synthesizing the manifold of intuition “*within a single consciousness*”, that is, in apperception (Fichte SW I:487).²² Second, if the object is a contribution of the understanding, then it is, in this regard, “*a mere thought*”. Third, if the object is a mere thought, then insofar as the object exercises an effect on us, “*it is only thought of as exercising an effect*” on us. Fourth, if “*affection itself is only something we think of*, then everything associated with this affection [including, therefore, our own ability to be affected] is, undoubtedly, also something that is only thought of”. Fichte concludes that to think of objects in general as affecting us is nothing other than to think of ourselves “*as generally affectable*. In other words, it is *by means of this act of your own thinking* that you ascribe receptivity or sensibility to yourself” (Fichte SW I:488).²³ Like “*all consciousness*”, then, sensibility is subject to the condition of apperception, which, for Fichte, is just to say that it is determined by or derived from the I.²⁴ Rather than a brute fact imposed on the I, sensibility is a condition by which the I renders intelligible its own actualization in experience. A corollary of this conclusion is that insofar as sensibility for us has a spatio-temporal form, space and time as forms of sensibility are themselves also deducible from the I. As Fichte notes in the next section of the Second Introduction, this corollary will be demonstrated in a subsequent “*series of deductions*”, according to which:

On the one hand, spatial extension and subsistence will be ascribed to [the I], and in this respect it becomes a determinate body; on the other hand, temporal identity and duration will be ascribed to it, and in this respect it becomes a soul. It is, however, the task of philosophy to demonstrate this and to provide a genetic account of how the I comes to think of itself in these ways. Accordingly, this is not something philosophy has to presuppose, but rather is part of what has to be derived (Fichte SW I:495).

Although the deduction of space and time is not provided in the truncated publication of the *New Presentation*, Fichte makes it clear in the text that the spirit of transcendental idealism cannot accept any rhapsodic determination of the conditions of intelligibility, including the forms of sensibility and the sensible faculty to which they belong, for they must be “*derived*”, not “*presuppose[d]*”. It is in order to satisfy the demand of systematic rigor that a science of intelligibility must eliminate any apparent formal facticity.

The conclusion to the present argument is that the faculty of sensibility, that is, our “ability to be affected”, is derivable from the I. We can see that Fichte expresses this conclusion when he says one page later, within the passage that Lask cites, that we can deduce only the “*limitation of the I*” and not the “*specific determinacy of this limitation*”. The I’s deducible limitation is, according to the present argument, its spatio-temporal form, as distinguished from that form’s sensory matter. In what sense, then, does the derivation of this formal limitation of the I bring deduction to an end? Does this involve the admission, as Lask suggests, of an irrational remainder at the level of matter?

In section 6, Fichte grants that one might posit the existence of bare matter, that is, matter that is absolutely independent of spatio-temporal form, in order to provide an “explanation” of sensibility, that is, in order to explain the source of my “*feeling*” of the “*determinate character of my limitation*”. But he argues that this is no more than to posit “the wretched ‘thing in itself’”. Such an explanation, he says, exhibits the “dogmatism” of “the Kantians” who restrict transcendental idealism to its letter, with its inclusion of the concept of a thing in itself (Fichte SW I:489–90).²⁵ But this concept is “a complete perversion of reason” and “utterly unreasonable” (Fichte SW I:472),²⁶ for it precludes reason’s absolute self-sufficiency and thereby undermines the spirit of transcendental idealism, which is to say that it undermines the “overall gist” of the *Wissenschaftslehre*. Consequently, Fichte must derive the concept of the thing in itself, which he also calls the “concept of being”, from “the form of sensibility”, from which derivation it will follow that “all being is necessarily *sensible* being” (Fichte SW I:472). It will furthermore follow from this derivation that all being is necessarily sensible being specifically for the apperceptive I, from which, as we saw, the form of sensibility is itself derivable. Fichte’s derivation is as follows:

It is undoubtedly an immediate fact of consciousness that I feel *myself* to be determined in a particular way. If certain widely celebrated philosophers now wish to *explain* this feeling, then how can they fail to see that they thereby wish to ascribe to feeling something not immediately included within the fact in question? And how can they do this except by means of thinking, and indeed, by thinking in accordance with a category, which, in the case we are considering, is the principle of a ‘real ground’? Assuming they do not possess, as it were, an immediate intuition of the thing in itself and its relationships, then what more do they know about this principle than this: that *they* are required to think in accordance with it? It follows that they are asserting no more than this: that they are required to supply the thought of a thing as a ground or foundation [of the immediately felt determinations of their consciousness]. We are quite prepared to concede this claim and even to join them in affirming it, insofar as it pertains to the standpoint they occupy. Their thing is a product of their own thinking (Fichte SW I:491).

Insofar as positing the thing in itself is a “means of thinking” of my feeling of being sensibly affected, it is nothing other than a categorial “principle” that is “required” in order to explain my capacity for sensible affection. But then, no less than the object whose effect on me is contributed by my understanding and no less than the form of sensibility that I ascribe to myself by means of my thinking it, the thing in itself is “a product of [my] own thinking”. This is the sole ground on which Fichte concedes the invocation of the thing in itself by “certain widely celebrated philosophers”, including and in particular those who endorse transcendental idealism strictly according to its letter. Positing the thing itself specifically on these grounds remains faithful to the spirit of transcendental idealism insofar as it is committed to an explanation of all consciousness, including the matter of consciousness, on the basis of the I alone.

Fichte’s anti-dogmatic strategy allows us to see in what sense deduction comes to an end regarding sensibility, for there can be no deeper explanation of sensibility than its deduction from the I as the latter’s own formal limitation. As he says: “Since this limitation of mine conditions my positing of myself, it constitutes an original limitation” (Fichte SW I:489). Insofar as sensibility is a formal limitation that is genetically deducible from the I, it is “original” to, rather than imposed on, the I. It therefore cannot originate in anything external to the I, on pain of a dogmatism that explains sensibility by positing a thing in itself that brutally limits the absolute freedom of reason in explaining the

intelligibility of its own experience and whose concept is, in this specific sense, “a complete perversion of reason”.²⁷ In other words, sensibility *qua* formal limitation of the I is not factual because its determination is not rhapsodic, but rather genetic. Thus, insofar as Fichte's claim about the end of deduction concerns rhapsody rather than haecceity, the proper context for understanding this claim is not, *contra* Lask, the individuality problem of the undeducibility of the material particularity of individuals, but is rather the question of whether or not transcendental idealism assigns any condition of intelligibility to “something distinct from the I”, namely, “a thing in itself” (Fichte SW I:480-1). Admittedly, Fichte does cite “On Transcendental Idealism”, a supplement to Jacobi's 1787 *David Hume on Faith or Idealism and Realism: A Dialogue*, as “the most thorough and complete proof” that, since transcendental idealism proscribes the categories' application beyond appearances, it must rule out the existence of a thing in itself (Fichte SW I:481-2; see Jacobi, 1994:331-8). Nevertheless, Fichte's primary reason for denying that idealism admits of factual conditions of intelligibility, such as a thing in itself, is that a condition of the intelligibility of experience depends for its lawful necessity on its being “produced only by our own thinking” (Fichte SW I:483). Indeed, he acknowledges no problematic haecceity whatsoever when he later adds that what “constitutes” transcendental idealism is its investigation of “the laws in accordance with which [the] process of [empirical] explanation proceeds” (Fichte SW I:490).

Still, even if Fichte disregards haecceity in Jena, perhaps he finally confronts it when he coins ‘facticity’ in Berlin. According to Lask, Fichte's neologism denotes the “lawlessness” and “bruteness of the actual”, that is, a “uniqueness and singularity” that cannot be “derived”, but rather “can only be awaited and accepted” and “must always be ‘new’ and surprising” (Lask, 1923 I:173). In other words, on this interpretation of the neologism, facticity is material, not formal, and therefore pertains to haecceitic rather than rhapsodic presuppositions. In order to support his interpretation, Lask cites a passage from the Fifteenth Lecture of the 1804 Berlin lectures that announces an “irrational gap” between “an object whose origin is inexplicable” and our “projection” of that object (Lask, 1923 I:173; cited from Fichte GA II/8:236-7). This passage might be taken to suggest Fichte's acknowledgment of an inescapable haecceitic presupposition, that is, of an individual whose unique and singular actuality is undeducibly brute.

However, Fichte is clear in the Sixteenth Lecture, not only that the irrational gap “is in essence nothing at all” (Fichte GA II/8:246-7), but also that the gap, despite being “so far [...] presented only factually”, must be removed by a “genetic principle” (Fichte GA II/8:248-9). Such a gap is no problem that cannot be solved by the deductive capacity of reason. Moreover, the context of the announcement of the irrational gap is Fichte's description, in the Fifteenth Lecture, of two maxims that “are at bottom *factual*” (Fichte GA II/8:234-5), maxims whose factual terms must be made “genetic” (Fichte GA II/8:76-7). These are the realist maxim of an object that is absolutely given in intuition, namely, the I's existence, and the idealist maxim of that object's projection in thought, namely, the I's essence. Since each maxim “one-sidedly” regards itself as absolutely valid, each “annul[s] the other” while offering only an arbitrary or factual starting point. This yields a “disjunction” between “two terms absolutely demanding unification” (Fichte GA II/8:178-81; cf. 170-3). The removal of the gap between these maxims must be a genetic insight into their unification, that is, an insight into the oneness of the I's existence and essence. In the Eighteenth Lecture, Fichte claims that the I's essence and existence are “grounded” in its own “nature” (Fichte GA II/8:280-1). This is because the I's nature alone can explain the unity of the thought of its essence and the intuition of its existence. Hence Fichte removes the factual appearance of these maxims, this as a response to the threat of formal facticity.

Contra Lask's interpretation, Fichte's Berlin lectures do not discover a haecceitic presupposition that “can only be awaited and accepted”, but rather reveals an insight into the I's oneness that removes the apparently irrational gap between its existence and essence. Indeed, on the same page as the one from which Lask cites the above passage, Fichte describes the “immediate consciousness” whose “effect” is an irrational gap and states that the “higher maxim” is that such consciousness must be “discarded” and “always removed from the truth”. Moreover, underscoring the continuity of the anti-rhapsodic methods of his Jena and Berlin periods, he adds on the following page that this maxim “has ruled in every possible presentation of the *Wissenschaftslehre* from the very first hint which I gave in a ‘Review of *Aenesidemus*’ in the *Allgemeinen Literatur Zeitung* [in 1794] because this maxim is identical with the principle of absolute genesis” (Fichte GA II/8:238-9). Genesis is absolute insofar as facticity is not absolute, and

the principle of genesis can lie nowhere but in the I's own nature, which is solely responsible for the conditions of its intelligibility.

Fichte's aim in 1804, as in 1797/98, is to expunge rhapsody, not haecceity, from the science of intelligibility, that is, to overcome formal facticity, not material facticity.²⁸ This aim is guided by the “overall gist” of the *Wissenschaftslehre*, namely, that reason is absolutely free in deducing the conditions of its intelligibility. In a letter to Reinhold, 8 January 1800, written between his alleged discovery of the individuality problem and his coining of ‘facticity’, Fichte writes: “My system is from beginning to end nothing but an analysis of the concept of freedom, and freedom cannot be contradicted within this system, since no other ingredient is added” (Breazeale, 1994:vii-n1).²⁹ Deduction is the means by which reason makes its conditions of intelligibility explicit to itself, free from either purportedly factual sources of or purported authorities on such conditions. Lask misreads the role of deduction in this system by misconstruing the problem that ‘facticity’ names and thereby misconstruing Fichte's deductive solution to that problem. Nevertheless, this misreading is historically, if not also philosophically, fortuitous, for, by thematizing material facticity, Lask prefigures a hermeneutics of facticity, which Heidegger will deploy against Fichte's systematic ambition of getting behind our thrownness.

4 | ALOGICAL MATTER

Lask's two major works following his doctoral thesis are 1911's *The Logic of Philosophy and the Doctrine of Categories* and 1912's *The Doctrine of Judgment*, whose debt to Edmund Husserl he acknowledges in their correspondence.³⁰ A survey of these texts reveals the development of an original account of material facticity, one that anticipates aspects of Heidegger's hermeneutics of facticity, even as its ultimate conclusion transgresses the critical bounds of such a hermeneutics. We will see, in the *Logic*, that Lask's conception of alogical matter inherits the role of facticity, that is, the role of the undeducible, irrational remainder that he assigns to individuality in his doctoral thesis.³¹ We will then see, in the *Doctrine*, that Lask attributes to alogical matter a categorial structure that is absolutely independent of the subject's act of judging. I will suggest that this independence raises a doubt about how subjects could ever affirm such a structure. Denying the absolute independence of categorial structure will be Heidegger's way of retaining a philosophical role for facticity within critical bounds.

In section 2 of the Introduction to the *Logic*, Lask says that Hermann Lotze's “liberating and clarifying achievement” consists, first, in rejecting the “two-world theory” according to which everything thinkable is a being, whether sensible or non-sensible, and, second, in conceiving “the totality of what is at all thinkable in terms of an ultimate duality; in terms, namely, of a gulf between that which is and that which holds, the realm of beings and the realm of validities [...] that which is and occurs and that which is valid without having to be” (Lask, 1923 II:6; translated by Crowell, 1996:73). In Book III of 1874's *System of Philosophy, First Part: Logic*, Lotze draws a crucial distinction between the “being” of things that occur and the “validity” of true assertions, a distinction whose components are “ultimate and underivable” because, on the one hand, no modification of beings can generate the validity of a true assertion and, on the other hand, the validity of a true assertion cannot generate the existence of any being, sensible or non-sensible (Lotze 1884:section 316). In the First Part of the *Logic*, *The Logic of the Categories of Being*, Lask argues that since a two-world theory is exclusively concerned with something that is, namely, being, it necessarily excludes logic as the “science of validity”, which is “concerned with something that is not” insofar as validity does not exist, but rather holds of that which exists. This is devastating for a two-world theory because the “guiding concepts” of validity include no less than “the concepts of meaning, of sense, and above all of value”. If logic is the “home” of such concepts, then we must “wrench logic out of its isolation”, namely, by rejecting the two-world theory and widening our philosophical view to include the non-being of validity (Lask, 2015:401).

Lask describes Kant's Copernican turn as the discovery that validity is the “very essence of being”, that is, that objectivity is only ever “disclosed” to us “with a corresponding claim to validity” in accordance with the laws of transcendental logic, namely, the categories. The “Copernican achievement” is the proof that logic neither mirrors nor

shadows nor harmonizes with nor corresponds to objectivity, but rather “coincide[s]” with objectivity as the necessary condition of its possibility and, hence, is the proof that “every duality of objectivity and logical validity is destroyed” (Lask, 2015:403-4, 410). However, Lask charges Kant with failing to decisively locate logical validity in a “third realm” in which it has neither sensible nor non-sensible being, thereby leaving the science of validity “homeless” within “his two-world metaphysics” of phenomena and noumena (Lask, 1923 II:260; cf. Lask, 2015:425). The task for neo-Kantians, then, is that the “two-world theory is to be reformed into a two-element theory” in which being, which exists, and validity, which holds of that which exists, are the basic elements composing a “single ‘realm’” (Lask, 2015:410-1).

Lask conceives of these elements in hylomorphic terms, such that validity consists of the “logical form” that is supplied by the categories and being consists of the “alogical matter” that is supplied by sensibility, and he conceives of the single realm that they compose, that is, “the homogeneous type of structure that is constituted of form and matter”, as the realm of “sense” (Lask, 2015:405, 409-10). He also gives hylomorphic expression to Lotze’s conception of the “absolute opposition” (Lask, 2015:413) between validity and being by arguing for the ultimacy or irreducibility of the distinction between form and matter. First, Lask argues that validity is always “validity with regard to” and is, in this regard, always dependent on “something foreign”, for validity cannot “constitute a ‘world’ for itself” and is therefore “a mere empty form awaiting fulfilment from ‘matter’” (Lask, 2015:404-5). In other words, while form can become enmattered, it cannot enmatter itself. Second, he argues that matter “is able to indeed stand in the logical, but without thereby transforming into something logical”, for matter by itself “can neither be valid nor ‘mean’ anything” (Lask, 2015:406). In other words, while matter can become formed, it cannot become formal. Hence, alogical matter’s distinctness from logical form is irreducible. Alogical matter is thus factually given to logical form, not unlike, as we saw in Lask’s doctoral thesis, the material particularity of individuals that is factually given to the categories. This explains why he now says that, although it contributes to the one world of sense, matter as such is defined by its “non-rationalizability” (Lask, 1923 II:65).³²

We can see that the critical anti-rationalism that Lask attributes to Fichte, albeit in the course of a misreading of the latter, characterizes to a certain extent his own defense of material facticity. In arguing that logical form depends on alogical matter on pain of emptiness, he rejects the “*panlogism*” of what he calls pre-Kantian “rationalism” (Lask, 2015:399, 406). However, his anti-rationalism is critical, for he affirms the “Copernican thesis” that the proper object of philosophical cognition is “*categorical form*”, which *a priori* governs and so cannot be “reduced” to “intuitive material”, and he thereby affirms the “*panarchy of the logos*” for the world of sense (Lask, 2015:399).³³ And yet, as we saw above, Lask’s critical anti-rationalism cannot be Fichtean, given his case for the facticity of matter.

Lask expands his case for material facticity by imposing a brute limit on the deductive capacity of transcendental logic, the science responsible for determining the categories. In section 4 of the First Part, he claims that the categories are “not thoroughly logical” in that “they do not derive from the logical, but from the alogical material”, by which he means that the “principle of differentiation” whereby we determine the categories is “a purely ‘empirical’ one” because their functional role as logical forms is discernible only by abstracting from the alogical matter that they inform in experience. If the categories are “determined by the material that is foreign to *logos*, and their place can only be determined by taking a detour across this material” (Lask, 1923 II:62-3), then they cannot be said to derive solely from the I, in which case matter constitutes a brute limit on logic’s capacity to deduce the categories. Lask observes that his claim is “irreconcilable with the Hegelian dialectical principle”, for, according to this claim, the categories “do not point dialectically to each other”, but rather “point to the [alogical] material [...] even if the dialectical philosopher thinks he can spin speculative connecting threads around them retrospectively” (Lask, 1923 II:63).

Lask’s expanded case for material facticity naturally rules out Hegel’s emanationist rationalism, given the latter’s opposition to haecceitic presuppositions, including that of alogical material. But it also rules out Fichte’s analytic rationalism, given the latter’s opposition to rhapsodic presuppositions. This is because the expanded case appeals, not only to the haecceity of alogical material, but also to the rhapsodic determination of logical form on the basis of that very material. Indeed, Lask’s demand for a factual “detour” would provoke a version of Fichte’s complaint in the *New Presentation* that Kant’s metaphysical deduction makes a “detour” through factual forms of judgment

(Fichte SW I:442-3), just as Lask's commitment to an "empirical" principle for determining the categories would provoke a version of Hegel's explicitly Fichtean complaint in the *Encyclopedia Logic*, Part I of 1830's *Encyclopedia of the Philosophical Sciences*, that the metaphysical deduction proceeds "empirically" (Hegel GW 19:section 42). But what exactly does it mean for matter to restrict the deductive capacity of transcendental logic? In what does matter's brute limit on deduction consist?

As Steven Crowell has shown, for Lask, logical form does not relate to logical matter externally, as if they were distinct beings, which the two-world theory assumes at its own peril. Instead form relates to matter within the hylomorphic unity in which they play their functional roles, as stipulated by the two-element theory. Just as we might say that the soul is nothing but the way in which the body composes a system of abilities for performing vital functions, so, in its functional role as logical form, a category is "nothing but a way the material is in itself deployed or involved", that is, nothing but the exhibition of matter's "structures and relations" (Crowell, 1992:228). As Lask puts the point in section 4, to know "the logical at its source" is to grasp it "in its original application" and hence to "immerse" oneself in the "sensible material" in which alone logical form can play its part (Lask, 1923 II:69). He articulates this thought in the Second Part of the *Logic*, The Logic of the Philosophical Categories, Chapter 3, by saying that the "strangeness between life and speculation" consists in the fact that, on the one hand, "the non-sensible", that is, the category, finds its "first and original" home in life while, on the other hand, speculation raises us out of our "ethical, aesthetic, and religious" immersion in life by "elevating" us "into consciousness" of the non-sensible in itself. In other words, whereas we have "immediate experience" of the categories in their concrete, everyday application, it is only in "reflection" that we consider them in abstraction from that application (Lask, 1923 II:190-1). Thus, as Lask explains in Chapter 1, pre-reflectively we are directed toward "categorially engaged material" such that the "validity character" of a category "remains unrecognized" (Lask, 1923 II:122). When we are absorbed in life, sensible matter is simply transparent to us, that is, "logically naked" (Lask, 1923 II:74).³⁴ It is only when matter's transparency is disturbed through reflection that we thematize the category that renders matter intelligible, thereby logically clothing it.³⁵

This, then, is why the categories are "not thoroughly logical" and "derive" from "alogical material" and, consequently, why they cannot be deduced from the I. The matter in whose experience we are normally immersed and on which the categories depend for their functional roles restricts the content of a deduction. Moreover, since this matter is factual or non-rationalizable, it cannot itself be deduced. For Lask, a deduction of the categories amounts simply to a reflection on the categories' functional role, that is, to a higher iteration of the hylomorphic unity of form and matter in which the categories that inform sensible matter themselves become the material for deductive reflection.³⁶ Following Lask on this point in his habilitation thesis, Heidegger asserts: "That there are different domains of actuality cannot be proved *a priori* by deductive means. Factivities can only be pointed out" (Heidegger, 1972:155; translated by Kisiel, 1995:209).

The early Heidegger finds in Lask a kindred spirit who is attuned to our factual situation and to the limits of deduction. However, in the Introduction to the *Doctrine*, Lask stratifies transcendental logic in a way that, as we will see, transgresses the critical bounds within which Heidegger will develop his mature philosophical view.

Lask posits a "hierarchy" according to which what is "original" and "primary" is the categorial form of an object insofar as it is "completely untouched by subjectivity", whereas what is "artificial" and thus "secondary and supplementary" is the subject's judgment of categorial form (Lask, 1923 II:287-8, 291).³⁷ In Chapter 3, Subjectivity as the Ground of the Emergence of Opposition, Lask explains that this hierarchy involves a "peculiar intertwining" of "gnoseology" and "aletheiology" in that it concerns, respectively, how subjects cognize objects and what objects are in truth, but crucially prioritizes the latter concern over the former concern (Lask, 1923 II:424). The prioritization of objective truth over subjective cognition is meant to capture the sense in which subjectivity submits the ontologically prior or "transcendent" structure of objects to its "atomization", that is, its "fragmentation" into the hylomorphic elements of logical form and alogical matter (Lask, 1923 II:417-8). The object's transcendent structure is "archetypal" and, insofar as it precedes "all contact with subjectivity", is the "highest goal of recognition". This structure becomes a "lost paradise" due to subjectivity's role as "disintegrator", which Lask calls the "original sin of cognition" (Lask, 1923 II:424-6).³⁸

Lask's hierarchy apparently respects the Copernican achievement of destroying the duality of objectivity and validity. However, its prioritization of objective truth over subjective cognition, that is, of aletheiology over gnoseology, arguably sacrifices the critical purpose of a Copernican turn, which is to mark the transformation of objectivity that emerges from our reorientation from objects toward our subjective constitution.³⁹ As Kant says in the B-edition of the Preface to the *Critique of Pure Reason*, just as Copernicus' success in astronomy requires registering a shift in the motion of celestial bodies given our revolving position, so success in metaphysics requires registering a shift in the character of empirical objects given "the constitution of our faculty of intuition" and its *a priori* forms, namely, space and time (Kant Bxvi-i). Subjectivity's contribution of form to objectivity is primary rather than secondary precisely because it is essential to objectivity. Evading or even subordinating a critical investigation of this form only leaves us mired in whichever dogmatic "prejudice" about objectivity happens to prevail (Kant Bxxx). Already in the habilitation thesis, Heidegger recognizes that the subject is essential to any view about objectivity: "consciousness may be oriented toward 'truth', but only through the judgment does it become aware of it as true, valid meaning [...O]bjethood has meaning only for a judging subject, a subject without consideration of which it will never be possible to elucidate that which one designates as 'validity'" (Heidegger, 1972:227, 347; translated by Crowell, 1992: 230). Heidegger's refusal to adopt Lask's hierarchy is driven by a commitment to conducting philosophical investigation within critical bounds, a commitment that informs his hermeneutics of facticity.

To clarify Heidegger's divergence from Lask, consider that, for Lask, the categorial structure of objects transcends subjectivity, which disintegrates that structure into the formal components of judgment. This leaves us with the question of whether our possible grasp of transcendent categorial structure is ever actual. Even worse, it leaves us with the further question of how we could ever affirm the transcendent categorial structure of matter from our distorting standpoint as judging subjects, that is, how we could ever affirm the existence of such a permanently lost paradise.⁴⁰ Here, absolute transcendence raises a difficult problem about correspondence.

By contrast, Heidegger's hermeneutical approach to facticity denies absolute transcendence from the start. As he argues in his 1923 summer lectures in Freiburg:

The relationship here between hermeneutics and facticity is not a relationship between the grasping of an object and the object grasped, in relation to which the former would simply have to measure itself. Rather, interpreting is itself a possible and distinctive how of the character of being of facticity. Interpreting is a being that belongs to the being of factual life itself. If one were to describe facticity—improperly—as the 'object' of hermeneutics (as plants are described as the objects of botany), then one would find this (hermeneutics) in its own object itself (as if analogously plants, what and how they are, came along with botany and from it). This relationship with its 'object' which, as we have just indicated, hermeneutics enjoys on the level of being makes the inception, execution, and appropriation of hermeneutics prior ontologically and factico-temporally to all accomplishments in the sciences [...] The theme of this hermeneutical investigation is the Dasein which is in each case our own and indeed as hermeneutically interrogated with respect to and on the basis of the character of its being and with a view to developing in it a radical wakefulness for itself (Heidegger, 1999:12).

Our interpretation of the factual being of Dasein cannot but exhibit that very being, since we ourselves are Dasein. In this sense, our interpretation "belongs to the being" of that which we interpret. Unlike empirical science, which presupposes the difference between its inquiry and "the object grasped", a hermeneutics of facticity is a first-personal inquiry, one that "interrogate[s]" itself. Such an inquiry is "prior" to empirical science insofar as it supplies an answer to the question of how empirical science is possible. The hermeneutical answer involves an inquiry into our factual being, for example, our being in a world, our being with others, our being ahead of ourselves, our being toward death, and so forth, without which no meaningful world could possibly be open to us, *a fortiori* to empirical science. Indeed, reflecting the Kantian character of the question of the possibility of empirical science, Heidegger ascribes "radical wakefulness" to hermeneutics, implying the latter's emergence from or interruption of a dogmatic

slumber of sorts. Moreover, a hermeneutics of facticity shares with a critique of reason the crucial feature of a genitive that is simultaneously subjective and objective. Unlike a tribunal of experience, in which interrogator and interrogated differ and for which the genitive is therefore objective and at best accidentally subjective, a critique of reason is, as Kant says in the A-edition of the Preface, “a court of justice” in which reason occupies both the bench and the stand, interrogating itself for its right to its own claims (Kant Axi-xii). Just as a critique of reason both belongs to and thematizes reason, so a hermeneutics of facticity both belongs to and thematizes facticity.

Thus, while Lask's impact on Heidegger is crucial to the early development of phenomenology, is acknowledged by Heidegger himself, and is documented by Rickert, it is also fairly circumscribed. First, Lask's misreading of the *Wissenschaftslehre* is at odds with, and clearly does not obscure Heidegger's awareness of, Fichte's rationalist recoil from facticity. Heidegger is thereby able, in his existential analysis of Dasein, to attribute new, anti-Fichtean meaning and purpose to ‘facticity’. Second, Lask's stratification of transcendental logic and prioritization of aletheiology over gnoseology does not encourage Heidegger to indulge the idea of a transcendent categorial structure of objects. Heidegger is thereby able to remain within the critical bounds of a hermeneutics of facticity and therefore remain closer to the transcendental idealist spirit that Fichte defends, the latter's systematic ambitions notwithstanding.⁴¹

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ENDNOTES

- ¹ See Beiser, 2014, Anderson, 2005.
- ² See Beiser, 2018.
- ³ On Fichte's neologism, see Bruno, 2021.
- ⁴ See Denker, 2000 and Kisiel, 2000.
- ⁵ For these lectures, I cite the English translation of GA II/8 using the page ranges that are denoted by double numbers in square brackets that correspond to facing pages drawn from the SW and *Copia* versions of the lectures.
- ⁶ Heidegger uses the term as early as notes for his 1918/19 Freiburg lectures (not held) on *The Philosophical Foundations of Medieval Mysticism*.
- ⁷ Heidegger observes that “[i]rrationalism”, which “banishes” Dasein's factual mode of existence “to the sanctuary of the irrational”, is “no better” than rationalism, for it “talks about the things to which rationalism is blind, but only with a squint” (128).
- ⁸ Heidegger adds: “Moreover, we never master a mood by being free of a mood, but always through a counter mood” (128).
- ⁹ Contrast Fichte: “[the I] is the circle within which every finite understanding, that is, every understanding that we can conceive, is necessarily confined. Anyone who wants to escape from this circle does not understand himself and does not know what he wants [...Critical] philosophy points out to us that circle from which we cannot escape. Within this circle, on the other hand, it furnishes us with the greatest coherence in all of our knowledge” (SW I:11, 15).
- ¹⁰ See Sheehan, 1998 and Kisiel, 1995.
- ¹¹ Unless otherwise noted, translations of this text are my own.
- ¹² In a footnote, Lask cites Fichte's letter to Reinhold, 2 July 1795, which charges that Kant “does not answer even this subordinate question [of how to combine objects in a unity of consciousness] on the basis of a single principle; he picks up the forms of thought in a heuristic way, [and] only guesses at the forms of intuition, and conducts his proof inductively” (82n3; cited from Fichte, 1988:399).
- ¹³ On the connection between mathematical construction and emanationist logic, see Redaelli, 2016:53.
- ¹⁴ Cf. Siep, 1991.
- ¹⁵ This is also *contra* Russell, 2004's assertion that, for Fichte, “everything is only an emanation of the ego” (8).
- ¹⁶ Not only would the terms in a proposition not form a unity without the I's identity, but also if the I that posits an identity proposition and an opposition proposition were not an identity, “the latter [proposition] would not be a counterpositing”, which it is only “in relation” to the former proposition, namely, within the identity of the I (103).

- ¹⁷ See Breazeale, 1994:xi.
- ¹⁸ Contrast Lask's reading of Fichte on this point with Talbot, 1907:494-5.
- ¹⁹ On Fichte's simultaneous answers to these questions, see Bruno, 2018.
- ²⁰ See Kant A81/B107.
- ²¹ See Kant B145-6.
- ²² Fichte's argument relies on citations of the first *Critique* made by Jacobi, 1994:335-6.
- ²³ Cf.: "The thing is nothing whatsoever but *the sum of all of these relations as combined by the power of imagination*, and all of these relations, taken together, constitute the thing. The object is indeed the original synthesis of all of these concepts. Form and content are not two separate elements. Form in its entirety is the content, and it is only by means of analysis that we first obtain individual forms" (SW I:443).
- ²⁴ This argument does not follow the dialectical movement of thought that normally guides Fichte's genetic deductions, which determine a condition of intelligibility through the inner opposition of a prior condition. As we find in the deductions that are provided in the *Foundations*, 1796/99's *Wissenschaftslehre Nova Methodo*, and 1796's *Foundations of Natural Right*, this movement is guided by the principle of determinability, on which, see Breazeale, 2013:42-69.
- ²⁵ Cf. Fichte's letter to Jacobi, 30 August 1795: "Kant clings to the view that the manifold of experience is something given—God knows how and why. But I straightforwardly maintain that even this manifold is produced by us through our creative faculty" (1988:411).
- ²⁶ Cf. the description of this concept in Fichte's *Aenesidemus* review as "a piece of whimsy, a pipe dream, a non-thought" (SW I:17).
- ²⁷ While no thing in itself explains the form of the I's limitation, further determinations of this form are still to be deduced, as Fichte's dialectical reflections show. In *Natural Right*, he argues that if the I is to be capable of self-determination, then the form of its limitation must be social rather than merely sensible, which is to say that the causal character of this limitation must be purposive rather than merely efficient (SW III:33-6; cf. SW I:476).
- ²⁸ This is no less true for a Fichtean account of history; see Radrizzani, 2016.
- ²⁹ Cf. Fichte's draft of a letter to J.I. Baggessen, April/May 1795: "Mine is the first system of freedom. Just as France has freed man from external shackles, so my system frees him from the fetters of things in themselves, which is to say, from those external influences with which all previous systems—including the Kantian—have more or less fettered man. Indeed, the first principle of my system presents man as an independent being" (vii-n1).
- ³⁰ See Schuhmann & Smith, 1993. On the limits of this debt, see Crowell, 2001.
- ³¹ On the continuity of Lask's early and late work, see Redaelli, 2016:69-70.
- ³² It is important to situate Lask's conception of the non-rationalizability of matter, that is, the facticity of individuals, within the southwestern neo-Kantian context. In 1870's *Doctrines of Chance*, Wilhelm Windelband provides an account of the factual limits of science (1870:28-9) and facticity's relation to necessity (1870:4, 26-7) and asserts in 1894's "Rectorial Address" that "in all the data of historical and individual experience a residuum of incomprehensible, brute fact remains, an inexpressible and indefinable phenomenon" (Windelband, 1980:184). In 1902's *The Boundaries of Natural-Scientific Concept Formation*, Rickert affirms the fundamental irrationality of empirical reality (1913:36) and explains how the facticity of individuals and how history as the science of individuality limit the ability of natural science to form concepts, make predictions, and render reality comprehensible (1913:186, 194-200, 207, 209, 257, 352, 363, 377).
- ³³ Cf. Lask's claim in the *Doctrine* that it is "completely nonsensical to admit [...] the existence of an entity shorn of everything logical, but to deny that it is in itself capable of being affected by categories. One can snare such a misology like all skepticism in the well-known trap of the performative contradiction. When it has been asserted that an entity is impervious to being affected by the categories, such an entity already stands in the grip of categories as soon as one reflects upon it, even in those reflections that deny this to be the case [...] *Not panlogicism but rather the panarchy of the logos must be restored to its glory*" (424, 426).
- ³⁴ Hence Lask says on the same page: "The analogy of Kant's saying would therefore be: form without content is empty, content without form is naked".
- ³⁵ See Crowell, 1992:229.
- ³⁶ According to Emundts, 2008, Lask's position in the *Doctrine* radically reconceives the priority of transcendental logic over general logic. As Ainbinder, 2015 observes, Lask's conception of reflection circumvents the questions *quid facti* and *quid juris* and thereby any need for Kant's metaphysical and transcendental deductions.
- ³⁷ In 1908's "Is There A 'Primacy of Practical Reason' in Logic?", Lask's address to the Third International Congress for Philosophy in Heidelberg, he answers the title of his address in the negative by distinguishing between objective validity,

which provides a “transsubjective” criterion of truth that enables us to distinguish successful theoretical “cognition” from mere “artistic looking”, and subjective value, which is represented by a “valuable action” whose practical worth depends on “the personal sphere” and is therefore “never objectively valid”. Confusing objective validity with subjective value, he says, yields a “disturbing ethicizing” of truth (Lask, 1923 I:349-56).

³⁸ Cf. Lask, 2015: “The scope of the categorical form investigated by logic extends as far as legitimate cognition. But this proposition cannot be reversed: cognition need not extend as far as the categorical form itself. Behind this requirement of logical research to secure in its complete breath and comprehensiveness the categorical form that extends into the whole of cognition, lies the axiom of the universal dominion of the logical. This axiom is to be distinguished from, and is independent of, the question of the capacity of the logical to be actually encountered in cognition. The dominion of the logical in itself is boundless, although the domain of the logical that is accessible to cognition is perhaps bounded” (424).

³⁹ See Beiser, 2008.

⁴⁰ See Beiser, 2011:462-7 and Crowell, 2001.

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