Gottfried Achenwall, *Natural Law. A Translation of the Textbook for Kant’s Lectures on Legal and Political Philosophy*, ed. by Pauline Kleingeld, transl. by Corinna Vermeulen, with an Introduction by Paul Guyer

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The relevance of the German philosopher, jurist, historian, economist, and statistician Gottfried Achenwall (1719–1772) for the development of Kant’s juridical and political thought is uncontroversial, but access to Achenwall’s work is often impeded by the fact that it is written in Latin. The present English translation of the fifth edition of Achenwall’s *Jus naturae* (1763) by Corinna Vermeulen, edited by Pauline Kleingeld, and introduced by Paul Guyer, provides a great opportunity for a broader readership to explore how Kant bases his lectures on Achenwall’ own account of natural law. The eition makes it available without the requirement of specific acquaintance with the peculiarities of the legal Latin of 18th Century German academic practice. This valuable achievement is accompanied by detailed Latin-English and English-Latin subject indices, an index of names, and a sketch of topical and chronological concordances between Achenwall’s text, Kant’s lectures, and the related references in Kant’s *Reflections* (the latter originally published in 2016 in *Immanuel Kant, Lectures and Drafts on Political Philosophy*, ed. Frederick Rauscher, trans. Frederick Rauscher and Kenneth R. Westphal). The focus of the edition on Kant is intentional due to the broader scope of the series (*Kant’s Sources in Translation*). In accordance with the goals of this series, the edition underlines the significance of Achenwall for Kant, focusing on the continuities and discontinuities between Kant and the natural law tradition, where Achenwall’s account is taken as representative of the latter (p. xxii). But the question if, and to what extent exactly, Achenwall’s own account differs substantially from the natural law tradition and, if it does, why Kant chose to ground his lectures on it, is prudently left open. For, after all, the task of the publication is to make Kant’s sources available for research as well as to make explicit Achenwall’s relevance for Kant, not to provide the research itself.

The first preface, by the series’ editors, introduces the impressive project of the series as aiming not only “to offer the tools necessary for reconstructing the context of Kant’s thought” (p. viii) but also “to give Anglophone scholars a more comprehensive picture of the intellectual world that made possible the German Enlightenment” (p. ix). The second preface, by Pauline Kleingeld, contends for the relevance of Achenwall’s text given its importance for Kant’s lectures on natural law and formative influence on both Kant’s legal and political philosophy and Kant’s moral philosophy, as well as regarding Achenwall’s own contributions within the history of legal and political philosophy in general. The preface also gives an explanation for the late interest of Kant scholarship in a translation of Achenwall as due partly “to the relative obscurity, until very recently, of Kant’s Feyerabend lectures.”

The introduction by Guyer makes the case for how thorough acquaintance with Achenwall’s text can provide a better understanding of Kant’s legal and political theory, especially that elaborated in the *Doctrine of Right*. After a short biographical sketch of Achenwall and a description of the specifics of the six editions of *Jus naturae*, Guyer analyzes the continuities and discontinuities between Achenwall and Kant. First, he compares the structure of Achenwall’s *Natural Law* and Kant’s *Doctrine* *of* *Right*, outlining Kant’s reformulations (in the difference between innate and conditional natural right), additions (of cosmopolitan right), and departures (with the distinction between provisional and conclusive natural rights) of Achenwall’s text. Second, Guyer tries to provide an answer to the general question “What is natural law or natural right, as Achenwall and following him Kant understand it?” (p. xix) In order to explain the meaning of (natural) *law* and (natural) *right*, he focuses on Achewall’s division between *perfect* and *imperfect obligation*, where the former implies coercion and the latter does not. His conclusion is that “[n]atural law concerns the coercively enforced part of moral law” (p. xx) (without addressing the important question of the distinction between natural *law* and natural *right*) and that on this point Kant follows the natural law tradition, since this distinction is already in Thomasius, or even in Grotius. To the question of what makes natural law “natural” for Achenwall, Guyer gives a more distinctive answer, which seems to lean on the modern development of the tradition of *recta ratio*, which claims a difference between *human reason* and *divine reason*. Although following Jan Schröder’s understanding of natural right as an attempt to develop a complete system from reason alone, Guyer claims that natural right has a divine foundation. He refers to *Institutes of Divine Jurisprudence* where Thomasius follows the origin of human reason and human nature in the divine or natural reason. But Schröder’s reference to natural right, not natural law, points to how modern philosophy claims *natural right* (and, in this respect, moral theory) as a secular theory without a need for external validation of its normativity even if, considered as a *natural law*, it is bound to a divine origin. Without considering this, Guyer concludes that Kant’s achievement is to understand reason without need of external validation, even if Guyer admits that Kant’s position is, to a certain extent, “a radicalization of the tendency of the modern natural law tradition” (p. xxiii).

In the rest of the introduction, Guyer goes into detail and provides, due to his excellent expertise in Kant, a solid and clear evaluation of the way in which Kant refines Achenwall’s theory. He gives three examples: first, Kant’s reduction of natural and innate rights to the right to preserve one’s own freedom; second, his demand of justification for the necessity of coercion; and third, his understanding of marriage (which aims to overcome social hierarchies) and of the relation between church and state (which includes mutual independence from each other in order not only to secure the liberty of every individual but also to secure the freedom of thought and speech, and in this way to enable a society to undergo cultural and intellectual development). In all three regards, Guyer shows very convincingly how productive Kant’s work with Achenwall’s text was for his own theory.

The following part of the edition is the impressive translation of Achenwall’s text by Corinna Vermeulen. It is accompanied by helpful remarks explaining the necessity of some improvements to typography or bibliographical entries given by Achenwall as well as how Achenwall’s not always very consistent use of technical terms have been dealt with. The translation includes the corresponding pages in the original editions of part I and part II and the edition of part II published in volume 19 (1934) of the *Akademie-Ausgabe* of Kant’s works, and is in this way very useful to scholars working on Achenwall’s text.

The following topical and chronological concordance and the indexes of names and subjects – Latin-English and English-Latin – complete the edition in a sensible way. The only problem with the concordance is the lack of adaptation of the different English translations of the topics in Achenwall’s text and Kant’s lectures on *Naturrecht Feyerabend*. While in both of them the original topics are in Latin, it would be useful to translate the same terms in Latin with the same terms in English. For example in the last topic of part I, the Latin term in both Achenwall and Kant is *lites finiendi*, but the English translation differs: “The ways to end a dispute” (Achenwall) and “Of the ways of determining lawsuits” (Kant). Nevertheless, this is a very helpful index, especially in regard to the provided concordance with the references to Kant’s reflections on the topics.

All six parts of this edition contribute to this really valuable outcome. As someone interested not only in Kant but also in the history of legal and political philosophy, I would like to be instructed more regarding the specifics of Achenwall’s version of natural law compared to other versions. As Stephan Pütter notes in his history of the University of Göttingen (1765 p. 297), at the same time as Achenwall, Georg Christian Gebauer (1690-1773) held lectures on natural law following Nicolaus Hieronymus Gundling’s (1671-1729) account of natural law and Gustav Bernhard Beckmann (1720-1783) held lectures on natural law following Christian Wolff’s account. Indeed, this would only serve to underline Achenwall’s originality by comparsion, in spite of his early reliance on Grotius and Pufendorf. It is in any case to be hoped that the present edition will provide a needed stimulus, and not only for Kant scholars, for more research into the development of natural law theory before Kant.

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