

belief set out earlier in the chapter, yet, what he represents as the solution offers no more than a restatement of the point at issue.

Despite any objections I have here raised, I would still encourage all interested in Kant's conception of the highest good to read Höwing's collection. Every chapter is worthy of study and every chapter contains original contributions to the debate.

Immanuel Kant: Lezioni sul diritto naturale (*Naturrecht Feyerabend*). A cura di Norbert Hinske e Gianluca Sadun Bordoni. Milano: Bompiani, 2016. 303 Seiten. ISBN 9788845280924.

Besprochen von: **Dr. Stefano Bacin:** Università di Milano, Dipartimento di Filosofia, via Festa del Perdono 7, I-20122 Milano; stefano.bacin@unimi.it

<https://doi.org/10.1515/kant-2018-3006>

What makes this Italian edition of the lecture notes known as *Naturrecht Feyerabend* especially worthwhile is its inclusion of the complete critically revised German text. This edition follows the recent publication, in two instalments of the *Kant-Index* volume devoted to the Feyerabend notes, of a thoroughly revised version of the text that had originally been edited by Lehmann and which appeared in Volume 27 of the Academy edition.¹ Edited by Gianluca Sadun Bordoni and Norbert Hinske, two of the editors of the *Kant-Index* volume, the Italian volume includes the new critical text (with Academy edition pagination), an Italian translation, a lengthy introduction and extensive notes (both in Italian), and a brief subject index. The editors' notes to the text (235–282) mainly contain helpful references to parallel remarks in Feyerabend's notes. The notes to the second part largely consist of references to the appropriate passages in Gottfried Achenwall's *Ius Naturae*, which give helpful indications for understanding ambiguous remarks in Feyerabend's notes. The introduction by Gianluca Sadun Bordoni, in Italian, provides non-specialist readers with the basic information they need to appreciate the significance of a text as problematic yet important as the *Naturrecht Feyerabend*. The Italian volume lacks the features that make the *Kant-Index* distinctive – above all, the useful concordances of relevant philo-

¹ *Stellenindex und Konkordanz zum Naturrecht Feyerabend*, Teilband I: *Einleitung des Naturrechts Feyerabend*. Ed. by Heinrich P. Delfosse, Norbert Hinske, and Gianluca Sadun Bordoni. Stuttgart-Bad Cannstatt 2010; *Stellenindex und Konkordanz zum Naturrecht Feyerabend*, Teilband II: *Abhandlung des Naturrecht Feyerabend: Text und Hauptindex*; Teilband III: *Abhandlung des Naturrecht Feyerabend: Konkordanz und Sonderindices*. Ed. by Heinrich P. Delfosse, Norbert Hinske, and Gianluca Sadun Bordoni. Stuttgart-Bad Cannstatt 2014.

sophical terms. With this said, whereas the *Kant-Index* version of the Feyerabend notes was published in two separate (and expensive) volumes, the Italian edition now happily provides readers with the entire Feyerabend text in one handy and affordable volume.

If I am not mistaken, the *Kant-Index* volumes have yet to be reviewed in this journal; I shall therefore briefly point out some of the most relevant features of the new text, first published in 2010 and 2014 and now included in the present Italian edition. The grounds for the revision of the Academy edition text are clear, and have been for some time. They can be traced to Gerhard Lehmann's editorial work on the text, the shortcomings of which are arguably even more evident here than in those other sections of the Academy edition with which he was entrusted. Lehmann 're-discovered' the Feyerabend notes (which were already known of but had yet to be published) while working on Volume 27, when it was apparently too late to prepare them for publication, according to critical standards. He thus included them in Volume 27 as an appendix, in a tentative edition of sorts that he put together without consulting Achenwall's work, which Kant had used as a textbook for his class. As a result, the text contained various lacunae and misreadings and left out many necessary emendations. The product of this careless process had not been re-examined in its entirety until the *Kant-Index* editors finally undertook the critical work that had been due for decades, for the purposes of securing a firmer basis for their concordance. For these reasons, the *Kant-Index*'s revised text has been received, deservedly, as the new standard for future investigations and translations of the notes. Accordingly, the new volume of the Cambridge Edition of the Works of Immanuel Kant titled *Lectures and Drafts on Political Philosophy* (Cambridge University Press, 2016) includes Fred Rauscher's translation of the Feyerabend notes, which is based on the revised German text published in the *Kant-Index* volumes. Other translations are also currently being prepared on the basis of the *Kant-Index* text.

The passages in which the text's meaning has been affected by changes in the revised edition may not be numerous; however, many other passages have now been made clearer as a result. At AA 27: 1340, for instance, Kant is reported to have been referring to a juridical definition of lying (*mendacium*), which in the Academy edition read "*falsiloquium in praepositione alterius*", and which now more plausibly reads "*falsiloquium in praejudizium* [sic!] *alterius*" (114 of the present edition). At AA 27: 1354 (here 144), "*debita*" replaces the unsuitable "*delicta*" in the sentence "*Ethice giebt's keine debita*". A remark on public voting at AA 27: 1378 (here 196), where in Lehmann's version "*per majora*" had been oddly opposed to "*per mandata*" (which is altogether antithetical to voting), has now been corrected to the effect that a decision can be determined either "*per majora*" or "*per unanimia*". A few marginal notes in the manuscript that Lehmann had left

out have also been reinstated (cf. e. g., AA 27: 1357; cf. 150), and a couple of sentences that Lehmann had overlooked in his transcription have been restored. The Academy edition of the Feyerabend notes did not contain the remarkable statement “Aber die Handlungen die moralisch sind, sind mehr werth als die Folgen” (AA 27: 1330; 90), and this comment has now been included, along with another overlooked sentence (cf. AA 27: 1387; 212). With this said, many other passages in the new edition confirm Lehmann’s reading, as the editors duly recognise (53, fn. 3).

A further notable emendation (both to Lehmann’s version and to the manuscript) occurs at AA 27: 1326 (p. 82), where Kant’s own definition of obligation as “dependence of a will that is not good in itself from the principle of autonomy” now contains the important “not”, without which the striking parallel to the *Groundwork* is obscured (AA 04: 439.30 f.). In fact, one of the most important features of the *Naturrecht Feyerabend*, and the introduction in particular, is its very close relationship to the *Groundwork*. The lectures recorded in the Feyerabend notes were held over the very months during which the *Groundwork* was composed, as entire pages of the introduction clearly show. The sentence from AA 27: 1326 mentioned above, for instance, contains the first occurrence of the concept of autonomy in Kant’s corpus that can be dated with any precision.² Another crucial part of the view presented in the *Groundwork*, namely the theory of imperatives, closely corresponds to a passage in the *Feyerabend* at AA 27: 1323–1326 (here 76 ff.). Despite the limitations affecting students’ transcripts, the Feyerabend notes are therefore a valuable supplement to the published work, along with the so-called *Moral Mrongovius II* (another victim of Lehmann’s editorial work that will soon also be re-edited).³ The introduction to the present edition stresses its relation to the *Groundwork*, and many of the editors’ notes recall parallel passages from that work. A table summarising the parallels, however, which is a helpful feature of the *Kant-Index* volume, is necessarily absent from this Italian edition.

That the present volume brings the introduction and the main text of the Feyerabend notes together is a great advantage over the *Kant-Index* publication, not only because the text is now easier to peruse but also because it encourages

² On this see Willaschek, Marcus: “How Can Freedom Be a Law to Itself? The Concept of Autonomy in the Introduction to *Naturrecht Feyerabend*”, in *The Emergence of Autonomy in Kant’s Moral Philosophy*. Eds. S. Bacin and O. Sensen. Cambridge 2018, 141–157. On the significance of the Feyerabend notes for the *Groundwork*’s view of autonomy, see, in the same volume, Kleingeld, Pauline: “Moral Autonomy as Political Analogy: Self-Legislation in Kant’s *Groundwork* and the *Feyerabend Lectures on Natural Law* (1784)”, 158–175.

³ Cf. Timmermann, Jens: “*Mrongovius II*: A Supplement to the *Groundwork of the Metaphysics of Morals*”, in *Kant’s Lectures on Ethics: A Critical Guide*. Eds. L. Denis and O. Sensen. Cambridge 2015, 68–83.

appreciation of the internal connections between the two parts. To mention only the most important of these, a crucial theme of the *Groundwork* is discussed both in the introduction and at the beginning of the main part of the lecture on natural right. Obligation and imperatives are first presented as belonging to the foundations of practical philosophy as a whole (AA 27: 1323–1326) and then again discussed with regard to Achenwall (AA 27: 1329–1332). The reoccurrence of themes from the introduction in the main text, as this crucial example shows, indicates that the introduction and the main text must be considered together. At the same time, this example points to the need to rectify a remark by the editors, who argue (251, n. 91) that, according to the Feyerabend notes, Kant's introduction to the course referred to Achenwall's *Prolegomena*, while the main part of the exposition followed the *Ius naturae* (251, n. 91). The text is devoid, however, of the kind of correspondence between Kant's introductory remarks and parts of Achenwall's text that we would expect to see in a commentary. In fact, like all of Kant's lecture notes, the *Naturrecht Feyerabend* follows a basic pattern: without discussing a textbook, Kant begins his courses with a preliminary presentation of relevant basic notions, with the likely aim of laying the groundwork for future lectures. The reoccurrence of certain topics is a consequence of the fact that they appeared in Kant's own introduction (due to their importance) and were later touched on when the corresponding sections of the textbook were being considered.

As the editors rightly underscore, the Feyerabend notes hail from an especially fruitful year for Kant, during which he not only worked on the *Groundwork* but also wrote, among other things, his first pieces for the *Berlinische Monatsschrift*, namely the *Idea for a Universal History* and *What is Enlightenment?* This is an important clue, which could have been stressed even more. The *Idea*, for instance, is mentioned only a couple of times in the notes to the text, but the final pages of *Feyerabend* reveal noteworthy points of correspondence with it. Alongside Kant's hinting at a *foedus amphyctionum* in both texts (cf. AA 27: 1389 and IaG, AA 08: 24; see note 392 on p. 279 of the Italian edition), there is at least one further passage that the *Idea* helps to clarify. At AA 27: 1392 (224), the Feyerabend notes read: “Es bedarf jeder einen Herren, der ihn zwingt”. The Italian translation (“C'è bisogno di qualche signore, che la costringa”) obscures the parallel between this bold statement and a further passage that is not considered by the editors: both here and in the *Idea* (IaG, AA 08: 23), Kant maintains that every human being (“jeder”) has need of a master.

Since the present review is not addressed to Italian readers alone, I shall not consider the translation in detail. It suffices to say that it has been undertaken carefully and competently, and is a reliable version. Of course, every scholar will welcome the opportunity to work directly with the original. One of the few passages where the translation is not convincing is Kant's mention of Achenwall's

definition of obligation, located at the beginning of the main part of the lecture. The translation of “Nöthigung des größten Guths” as “costrizione da parte del sommo bene” (AA 27: 1329; 91) strikes me as confusing, if only because the less expert reader, who will be the primary addressee of a translation, might detect in this phrase a link to Kant’s concept of the highest good, which is usually translated the same way, whereas, as the context clarifies, Achenwall is here referring to a comparatively greater good.

In the introduction, Sadun Bordoni argues that the publication of a reliable version of the Feyerabend notes will contribute to the “new attention” currently being given to Kant’s philosophy of law and its development (9–10). I believe that he might be overstating the text’s significance in this regard. Its value when it comes to better understanding the development of Kant’s practical philosophy as a whole is indisputable. However, Kant’s philosophy of law has never really been neglected (and in particular not to the extent that the *Doctrine of Virtue* has been neglected over the past two centuries). Moreover, the *Naturrecht Feyerabend* itself was often taken into account in the works of careful scholars prior to 2010, for all the shortcomings of the Academy edition. In fact, it is because of the enduring interest in Kant’s philosophy of law and the *Naturrecht Feyerabend* that scholars who recognize the significance of the lecture notes will appreciate finally having a reliable edition at their disposal. Minor quibbles aside, the Italian publication of the *Naturrecht Feyerabend* deserves praise as a helpful supplement to the revised edition published in the *Kant-Index* volumes. For Italian scholars, it provides a key reference for those wishing to study an important text in Kant’s practical philosophy. Non-Italian scholars, on the other hand, have good reason to turn to this volume as an affordable edition of the critically revised Feyerabend lecture notes.

Philipp-Alexander Hirsch: Freiheit und Staatlichkeit bei Kant. Die autonomie-theoretische Begründung von Recht und Staat und das Widerstandsproblem. Berlin/Boston: Walter de Gruyter, 2017. 477 Seiten. ISBN978-3-11-052932-6

Besprochen von: **Prof. Dr. Georg Geismann:** Elßholzstraße 15, Berlin D-10781; georggeismann@georggeismann.de; www.georggeismann.de

<https://doi.org/10.1515/kant-2018-3011>

Diese Göttinger Dissertation setzt sich zum Ziel, vor dem Hintergrund einer „grundsätzlichen Verhältnisbestimmung von Freiheit und Staatlichkeit“ „Kants komplizierte Sicht auf das Widerstandsverbot und die Rechtspflicht zur Erhaltung der eigenen Persönlichkeit zu verteidigen sowie als systematisch konsistent auszuweisen“ (16).