Dror Ehrlich

A Reassessment of Natural Law in Rabbi Joseph Albo’s ‘Book of Principles’

Abstract: Natural law is often considered to have entered Jewish thought through the work of Albo and to have first been expounded upon in his ‘Book of Principles.’ Nonetheless, natural law is not generally seen as a central concept in Albo’s thought, nor is it thought to account for more than a few basic moral principles. This article revisits the common understanding of the significance of Albo’s natural law to his philosophical system. By employing an interpretive approach that has not yet been applied to his thought, some seeming inconsistencies in Albo’s legal typology are resolved, and a new understanding of the place of natural law in his legal and political thought is firmly grounded.

The status of natural law within both Jewish political thought and Jewish law is fraught with controversy.1 A perusal of the scholarly literature reveals that one of the debates within this broad topic surrounds the question of the place of natural law in Maimonides’ philosophical and halachic teachings.2 Another focus of discussion, though less extensive,

I would like to thank Prof. Dov Schwartz, Prof. Abraham Melamed, and Michael Rony for their helpful comments and suggestions.


is natural law in the thought of R. Joseph Albo. Albo (Christian Spain, ca. 1380–1444), the author of the Book of Principles (Sefer Haikkarim), is considered to be one of the earliest Jewish thinkers, perhaps even the first, to explicitly integrate the notion of natural law into the classification of laws he propounded. His legal typology distinguishes between three types of law: natural law, conventional law, and divine law. There is generally consensus among scholars that natural law was not all that significant in Albo’s thought and that it amounted to no more than a few basic ethical norms necessary for the survival of human society. Here, a new way of reading Albo’s discussion of natural law in Sefer Haikkarim will be proposed that will lead to a conclusion that concurs with the findings of very few scholars to date: the concept of natural law will be found to be significant in Albo’s thought and to incorporate principles, essentially theological in nature, that affect man’s striving for perfection.


3 R. Joseph Albo, Sefer Haikkarim (Book of Principles), ed. and trans. Isaac Husik (Philadelphia: Jewish Publication Society, 1929). Citations of Book of Principles in this article signify the book, chapter, page and line of the citation (note that line numbers relate to the Hebrew text, since they are not indicated in the English translation on the page opposite the Hebrew). All emphases and additions in square brackets appearing within the quotations in the body of this article or within the footnotes are my own. It should be noted that the title of Albo’s book has two different English translations in this academic field. Throughout this article we follow Husik’s translation, that is Book of Principles. Elsewhere I have used Ralph Lerner’s translation, Book of Roots, instead; see nn. 11, 19, 61 below.

4 Albo, Book of Principles, book 1, ch. 5–9.
This article will begin with an overview of the scholarly literature dealing with the topic at hand, and the need for reassessment will be demonstrated. Following this, two stylistic tools that will assist in the effort to establish a new reading of the relevant discussions in Sefer Haikkarim will be introduced, and these will then be employed to reach a novel analysis—at odds with the prevailing scholarly trends—concerning the meaning of natural law in Albo's political thought.

I. The State of Research

In contrast with other aspects of Albo's thought, the discussion regarding natural law in his philosophical oeuvre has merited much scholarly attention. Three principal questions have been addressed with regard to this issue: (i) What is the source of Albo's concept of natural law? (ii) What standing does Albo grant this concept in his classification of the laws? (iii) To what degree did his discussions of natural law in particular, and of types of law in general, influence the history of Jewish political thought? The second question will be the focus of this article; for this reason we will begin by briefly reviewing the scholarly studies concerning the other two questions.

The first question, the source of Albo's natural law, is of interest to scholars, as Albo is often considered to have been the first Jewish thinker to present the concept of natural law and to strive to define it and its roles. The concept Albo uses for natural law is dat tiv’it, which translates as natural religion, but there is no doubt that he uses dat as the

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5 A contrary claim has been made that Moses ben Isaac ibn Wakar preceded Albo, and even directly influenced his use of the natural law concept and in general his categorization of the laws. On this see Colette Sirat, A History of Jewish Philosophy in the Middle Ages (Cambridge: Cambridge University Press, 1985), pp. 380–381; Abraham Melamed, “Did ibn Wakar Precede Albo in Classifying the Laws?” Tura 1 (1989), pp. 270–284. [Hebrew] However, this claim is open to question, for it is unclear when exactly ibn Wakar was intellectually active. On the one hand, some scholars have dated him as early as the middle of the fourteenth century; see Efraim Kupfer, “Sefer Matok Lanefesh (Chapters) by Moses ben R. Isaac ibn Wakar,” Kovetz Al Yad 9 (1980), p. 297 and n. 2 [Hebrew]; Kupfer, “Chapters from Sefer matok lanefesh by Moses ben R. Isaac ibn Wakar,” Kovetz Al Yad 12 (1994), p. 209, n. 2. [Hebrew] On the other hand, some scholars have dated him as late as the first half of the fifteenth century; see Benjamin Richler, “Medical Treatises by Moses b. Isaac ibn Waqar,” Koroth 9 (1989), pp. 700–705; Richler, “Did Moses ibn Wakar Precede Hasdai Crescas and Joseph Albo?” Kiryat Sefer 63 (1990), p. 299. [Hebrew] It seems that Abraham Melamed, who, in his article cited above, predated ibn Wakar to Albo, later retracted this position; see Abraham Melamed, “Aristotle’s Politics in Medieval and Renaissance Jewish Thought,” Péamim 51 (1992), p. 42. [Hebrew] In any event, even when Melamed believed that Albo was not the first Jewish thinker to utilize the term “natural law,” he still viewed him as the first to do so in a political context; see Melamed, “Did ibn Wakar Precede Albo?” p. 280.
term for law rather than religion. Scholars, in search of the origins of Albo's natural law, ruled out the possibility that he was exposed to this concept through his familiarity with Judeo-Islamic political thought. Even scholars who consider earlier thinkers such as Maimonides to have held theories of natural law agree that the concept was never explicitly mentioned in Jewish thought prior to the appearance of Albo's work. Moreover, according to Shlomo Pines, while this concept did appear (rarely) in Islamic thought, it did not possess any political content, as it did in Christian thought and in Albo's thought. Therefore, it is commonly accepted that Albo's acquaintance with Christian sources exposed him to the concept. Specifically, it has been noted that his legal typology—including his method of presenting natural law—may be based either directly or indirectly (by means of a secondary source or a mediating thinker) upon the parallel discussion in the writings of Thomas Aquinas.

6 The acknowledged division in Jewish thought was only between two types of law—divine law and human law. See, for instance, Meyer Waxman, “R. Joseph Albo's Approach to the Principles of Religion and Its Relationship to the Thought of His Contemporaries, R. Hasdai Crescas and R. Simeon ben Tzemach Duran,” in In the Paths of Hebrew Literature and Thought (Tel Aviv: Yavne, 1956), pp. 153–156 [Hebrew]; E.I.J. Rosenthal, “Torah and Nomos in Medieval Jewish Philosophy,” in Ralph Loewe, ed., Studies in Rationalism, Judaism, and Universalism in Memory of Leon Roth (London: Humanities Press, 1966), pp. 215–230; Fox, “Maimonides,” p. xi. While it is true that one scholar argued that the concept first appears in R. Sheshet Tzvi's writings, in the quotation cited from his writings the term dat tiv’it (natural law) is not mentioned: only dat hasechel (law of reason) is; see José Faur, Studies in the Mishneh Torah (Book of Knowledge) (Jerusalem: Mosad Harav Kook, 1978), p. 65. [Hebrew]


The third question, the issue of Albo's influence, will not be explored here, except to refer to Abraham Melamed's work that expounds upon the effect of Albo's discussions of natural law in particular, and his legal typology in general, on many Jewish thinkers in Spain and Italy in the fifteenth and sixteenth centuries.¹⁰

We will now turn to the second question and the focus of this article; the place of natural law in Albo's political teachings. The answers that have been proposed in the scholarly literature to this question can be grouped into three approaches represented by the following broad statements:

(i) Natural law is relatively insignificant in Albo's political thought. This approach, accepted by many scholars, was first proposed by Ralph Lerner. Lerner argued that Albo's concept of natural law included only the fundamentals of justice, the minimal conditions necessary for the maintenance of human society, and that even for this modest purpose natural law was apparently inadequate. Furthermore, Albo's contention that man can live outside the framework of society, Lerner argued, casts doubt upon the absolute necessity of natural law. Finally, the attitude that natural law is not particularly significant in Albo's thought is strengthened by the observation that his natural law is completely unconcerned with what is noble and silent about divine worship,¹¹ meaning that it does not address man's higher ends.

(ii) Natural law is moderately significant in Albo's political thought. This answer represents David Novak's alternative to Lerner, where for Novak, Albo's natural law denotes not the real constitution of a historically manifest society, but, rather, the formal condition of the constitution of any truly human society, both that of religious society, which is founded upon revelation or divine law, and that of secular society, which is


founded upon consensus or conventional law.\textsuperscript{12} It seems that Novak puts Albo’s natural law in slightly better standing than Lerner, for Novak believes that on the theoretical plane Albo places natural law above conventional law and even identifies it with fundamental moral justice of the sort that circumscribes the legislator’s freedom of action and protects the natural human rights of individuals. Notwithstanding, even according to Novak’s approach, natural law has no connection to higher ends or self-perfection.\textsuperscript{13}

It should be noted that both Lerner and Novak produced thorough and extensive investigations into Albo’s conception of natural law, each from his own position. Lerner’s approach, which leaves the importance Albo attributed to natural law at a bare minimum, was accepted by most scholars who touched on this issue to date. Abraham Melamed’s studies, which investigate the historical development of the concept of natural law in the history of Jewish thought, determine that Albo perceived natural law to be inferior to other legal systems, as rather than guiding man to his ultimate purpose, natural law serves only to ensure his most basic social and material needs.\textsuperscript{14} This understanding of the relative insignificance of natural law in Albo’s thought finds its expression in other studies, of varying lengths, dealing with the subject.\textsuperscript{15} A central argument, then, advanced in works representing both approaches summarized above, is that natural law, according to Albo, does not aid man in his progress toward achieving human perfection.

(iii) Natural law is central to Albo’s political teaching. This approach, which counters the general trend, is taken by Moshe Halbertal, who argues that the concept of natural law in Albo’s thought goes beyond the this-worldly and material, and touches upon the perfection of the soul.


\textsuperscript{13} See ibid., pp. 324–329. It should be noted that Novak’s main claim is that according to Albo, the Noahide laws are natural law. Albo’s repeated emphasis on their classification as part of divine, not natural, law is driven by anti-Christian polemical considerations. See ibid., pp. 336–343.


Hence, for Halbertal, natural law in Albo’s thought has intrinsic positive value. And yet while Halbertal explains in a footnote that he bases his argument upon a citation from Albo, he does not provide a systematic analysis of this matter, despite the fact that he is going against the most widely accepted scholarly position.\(^\text{16}\) In the forthcoming pages, I will justify the adoption of Halbertal’s position, bolstered by a thorough study and reassessment of Albo’s various discussions, both direct and indirect, of the concept of natural law in \textit{Sefer Haikkarim}.

2. Toward a Reassessment: The Foundations and Their Implications

The overview presented above begs the question: Is there really a need to revisit the issue of natural law in Albo’s thought? After all, only a few issues that Albo considers have received as much attention as his notion of natural law. I do believe that a reassessment is warranted and will explain why.

The comprehensive studies of Lerner, Novak, and Melamed on natural law in Albo’s \textit{Sefer Haikkarim} were conducted in the context of an overarching interpretive approach to this book. This interpretive approach has \textit{Sefer Haikkarim} as an unoriginal philosophical work—a collection and summary of philosophical stances in the religious thought preceding it—and as an apologetic treatise useful in anti-Christian polemic.\(^\text{17}\) An alternative interpretive key has recently been proposed by Dov Schwartz, according to which arriving at a proper, comprehensive understanding of Albo’s thought requires that his style of writing be taken into account.\(^\text{18}\) Following Schwartz’s proposal, my research has shown that there are two facets in particular to be considered: (i) \textit{Sefer Haikkarim} is composed of two chronological layers—the first of the four books (in its earliest version), and the completed work, which includes the first book, only reworked and reedited. (ii) Like the \textit{Guide of the Perplexed}, \textit{Sefer Haikkarim}...


was written in an esoteric style that aims to hide some of the author's positions from the eyes of certain readers, while clearly revealing those same positions to other readers. In brief, we will note that both dimensions are clear from Albo's words themselves. The first facet is anchored in his words at the end of book one, where he writes that originally—that is to say, in the first version of book one—he had intended to discuss only the fundamental principles in general; however, for certain reasons he decided at a later stage to extend the scope of his discussion, adding the three following books. The second facet is anchored in the observation with which he begins the second book; there he writes that he adopts the writing style of Maimonides' Guide of the Perplexed in his treatise and that his discussions include obfuscation techniques, including internal contradictions and intentional omissions.19

Following the proposed interpretive key to Albo's entire treatise, the two facets should also be utilized, as they have not in the past, to provide analytical tools for the investigation of his discussion of natural law. Furthermore, this investigative procedure, as will be demonstrated, will facilitate the resolution of several anomalies arising from Albo's discussion. Some of these anomalies were raised in earlier studies; however, in those works they did not always receive adequate resolution. It is crucial to emphasize that the analysis presented here regarding Albo's discussion of natural law does not minimize the importance of those earlier discourses on the topic, for they offered enriching points of view on its various aspects. Additionally, in light of the paradigm shift in the scholarly approach to Albo's philosophical-religious teachings, it seems proper to investigate this issue from the new perspective as well.20

19 For the substantiation of these theories, see Dror Ehrlich, "Philosophy and the Art of Writing in R. Joseph Albo's Book of Roots" (Ph.D. diss., Bar-Ilan University, 2004. [Hebrew]

20 It is appropriate to note that both Lerner and Novak occupy themselves with the stylistic aspects in Albo's natural law discussion; however, they do not define it as expressly esoteric. Lerner notes the obscurity and ambivalence characterizing the discussion and even borrows from Leo Strauss' discussion of the Guide of the Perplexed certain interpretive tools for analyzing writing style, including the identification of chapters lacking biblical quotations, chapters lacking the divine names, and lexicographical chapters. See Lerner, “Natural Law,” pp. 132–138. And compare with Leo Strauss, “How to Begin to Study the Guide of the Perplexed,” in Moses Maimonides, The Guide of the Perplexed, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), pp. xi–lvi. While it is true that according to Lerner, “Natural Law,” p. 138, Albo trained the reader “in the art of patient and careful reading,” Lerner does not identify the obscurity enveloping Albo's main discussion of natural law as a means of concealment. And it seems that the majority of difficulties he raises in the course of his discussion remain unresolved. Novak bases a significant part of his analysis on the supposition that Albo chose the terminology he utilizes with great care. See Novak, The Image of the Non-Jew
Thus, in order to reappraise Albo's discussion of natural law in *Sefer Haikkarim*, we need to begin by examining the literary-stylistic dimension of this work. Two arguments will be at the center of our discussion:

(i) The Structural Argument—Albo's main discussion of natural law in book one, chapters five to nine, contains readily apparent structural anomalies. These anomalies can be resolved by adopting the supposition that there were two stages in *Sefer Haikkarim*’s composition.

(ii) The Substantive Argument—There are significant discrepancies between different ways in which the concept of natural law is defined in Albo’s work, both within the central discussion of the issue itself and between that discussion and later texts far removed from it. These discrepancies can be understood in the light of a supposition that *Sefer Haikkarim* is characterized by an esoteric writing style.

These two arguments, as mentioned earlier, constitute a completely new reading of Albo’s discussion of natural law—one that, as noted, assigns to Albo a more positivist conception of natural law than most scholars have suggested. In the following we will review these arguments sequentially.

3. A Reappraisal of the Structure of the Central Discussion of Natural Law

Albo’s legal typology and its foundations, presented in *Sefer Haikkarim* book one, chapters five to nine, can be summarized as follows: chapter five highlights the political nature of the human race, which needs society to exist. Existing within a society requires the acceptance of general and specific behavioral norms, that is to say, natural law and conventional law. Chapter six adduces the existence of divine law from the belief in a special divine providence proffered by the divine to man. In chapter seven, the concept of *dat* (law) is defined, and the definitions of the three types of law and their goals are presented. In chapter eight, a list of the advantages of divine law over conventional law is presented. In chapter nine, the fundamental principles of conventional law, which are free will and purposefulness, are discussed. It is worth pointing out, even now, that natural law itself, *dat tiv’it*, is mentioned only in chapters five and seven. The importance of this will be examined later.

*in Judaism*, pp. 320, 325, 331, 337, 342. He even notes on p. 340 that Albo’s eschewal of providing explicit answers suits the general aim of his book, and he recalls the goal of concealment found in Maimonides’ writings. However, ultimately, in Novak’s opinion, the essence of Albo’s discussion is not the systematic concealment at all, but rather, as most scholars believe, its polemical and apologetic tendencies; see p. 343.
My claim is that a careful reading of the chapters comprising the main discussion of Albo's legal typology leads to the impression that it is not one cohesive, unified unit. This is true for the following reasons:

(i) The Problematic Textual Context. The four chapters with which book one of Sefer Haikkarim (chapters one to four) commences function as a general introduction to Albo's theory of the fundamental principles, the central subject of the book. Chapter four includes a preliminary presentation of the three basic principles of divine law according to Albo—the existence of God, divine revelation of the Torah, and reward and punishment. However, the direct continuation of this discussion takes place only in chapter ten, which deals with the logical essentiality of these principles. That is to say, the discussion of the legal typology is situated in the midst of the discussion of the fundamental principles, actually disrupting its narrative flow.

(ii) A Partial Declaration of Intentions. At the conclusion of chapter four, on the border between the discussion of the fundamental principles and the laws, Albo declares his intention to deviate to some degree from discussing fundamental principles: “We must now resume our discussion of the fundamental principles, which in our opinion consist of three chief dogmas. We must, however, first explain the principles of conventional laws, and then we will treat of the principles of divine law, with the help of God.” Note that in this citation Albo refers to conventional and divine law but not to natural law, even though he launches his discussion of legal typology in the following chapter with this concept and it is dealt with extensively over the course of the discussion.

(iii) Surprising Internal Organization. The discussion of the legal typology is itself structurally marred by what appear to be unnecessary duplications and a complete lack of order. First of all, the discussion includes two different definitions of each type of law: natural law (in chapters five and seven), conventional law (in chapters five and seven), and divine law (in chapters six and seven). Furthermore, chapter seven begins with the general definition of the term dat and continues with general definitions of the three types of law and their goals. For this reason, it seems that chapter seven should have been placed at the beginning of the discussion, not in its third, middle chapter, after the three types of law had already been extensively discussed in the first two chapters.

These three structural anomalies require an explanation. To date, the scholars who have addressed these as difficulties have provided only partial explanations. Aron Tänzer, one of the first scholars to study Albo

21 Albo, Book of Principles, 1, 4, 70:9–12.
in the modern era, noticed the disruption of the fundamental principle discussion with the legal typology deliberation and argued that Albo should have placed this deliberation at the beginning of the book.\(^{22}\) Ralph Lerner takes note of the “surprise” motif created by the appearance of the natural law discussion in chapter five following its complete omission from the sentence concluding chapter four, which functions as the introduction to the legal typology discussion.\(^{23}\) Neither of these scholars made any attempt to resolve the difficulties raised. No clear explanations were offered for the multiple definitions of conventional and divine law either.

Scholars have, however, amply addressed the fact that natural law has multiple definitions in Albo’s text, and went beyond identifying the problem to trying to resolve it. Julius Guttmann attributes the multiple definitions to Albo’s use of multiple philosophical sources. Guttmann claims that in chapters five and six, where Albo explains the basic human need for a legal system, his source is Ibn Sina (Avicenna), possibly via Shem Tov ibn Falaquera, while in chapters seven and eight, where he focuses upon the human need for a divine legal system—that is to say, divine law—his source is Thomas Aquinas.\(^{24}\) Explaining the duplication, Abraham Melamed proposes that the source for both definitions is Maimonides’ *Guide of the Perplexed*, part two, chapter forty. While the definition in chapter five of Albo’s work derives from the *Guide’s* discussion of man’s political nature in a section of chapter forty,\(^{25}\) the definition appearing in Albo’s chapter seven derives from Maimonides’ conception of the inferior role played by human law.\(^{26}\) Ralph Lerner and David Novak also take note of the differing definitions of natural law in


\(^{23}\) See Lerner, “Natural Law,” p. 135.


\(^{26}\) See Melamed, “Natural, Human, Divine,” pp. 66–67. There Melamed identifies a certain contradiction between the two definitions. In chapter five, Albo accepts Maimonides’ stance that in general the state is crucial to the existence of the human race, while in chapter seven he accepts Aristotle’s stance, rejected by Maimonides, wherein the state’s *telos* is to preserve the lives of individual human beings. It should be noted that elsewhere Melamed minimizes the importance of this contradiction; see Melamed, “Natural Law,” p. 50, n. 5.
chapters five and seven; however, these scholars offer no explanations whatsoever to explain them.27

Adopting the thesis that Sefer Haikkarim was written in two stages allows for one common resolution to the three difficulties raised above. As noted, the concept of natural law is not mentioned, or even alluded to, in chapters six, eight, and nine of the legal typology discussion. Furthermore, the concept is not mentioned at all in any of the book's other chapters. Aside from chapters five and seven in book one, it is mentioned only in technical sections, namely in the table of contents at the beginning of the work and in the expansive heading to book one.28 I would like to suggest that Albo's discussion of natural law in chapters five and seven is a later addition, integrated into book one during the editing process. In other words, when Albo initially composed book one, only conventional and divine law were mentioned, and only chapters six, eight, and nine were present.29 Albo's original legal typology and its discussion, based upon the traditional approaches found in Jewish political thought preceding him, completely excluded natural law.

The reason the concept of natural law, absent from the original discussion of the types of law, is suddenly introduced at a later stage may stem from a momentous historical event in which Albo played an active role during the period between the book's two writing stages. During the years 1413–1414, Albo, in concert with other leaders of the Jewish communities in Christian Spain, participated in the Tortosa Disputation. In the course of the debate, the Jews were called upon to defend Judaism from the learned and cunning attacks of Jerome de Sancta Fide, the apostate Joshua Halorki—a man with an agenda.30 This historical background suggests two explanations for the matter at hand:


28 See, respectively, Albo, Book of Principles, foreword, 4:17, 23, and also 1, opening remark, 43:1–3. Cf. Ehrlich, “Philosophy and the Art of Writing,” pp. 65–66. Based upon their technical nature, these texts probably belong to the second stage of the writing process.

29 Sefer Haikkarim was first published in 1425, although the first version was probably written before the year 1413. For a discussion concerning this version's presumed date of composition, see Ehrlich, “Philosophy and the Art of Writing,” pp. 55–57.

(i) Albo may have learned of the concept of natural law only during the course of the Tortosa Disputation, not before. Daniel Lasker has already demonstrated that the Jewish polemicists gained most of their knowledge of Christian doctrine, as well as of philosophical arguments stemming from Christian theology, as a result of their direct contact with their counterparts, the Christian polemicists.  

While it is likely that Albo was also exposed to certain Christian concepts in his youth as the student of R. Hasdai Crescas, as far as is known, Crescas himself did not mention the idea of natural law in his writings.

(ii) Albo was aware of the concept of natural law before the Tortosa Disputation; however, following the debate he realized the need to integrate it into his political thought and grapple with the theological challenge it presented. Support for this explanation may be drawn from the fact that in the later sessions of the public debate, which were devoted to presenting the Talmud as an anti-Christian text, the church's representative, Joshua Halorki, accused the Talmud of causing injury to natural law. It is not unlikely that Albo's integration of natural law into the later version of his legal philosophy was a reaction to these accusations.

Hence, the three structural difficulties presented above—(1) the problematic textual context; (2) the partial declaration of intentions; (3) the surprising internal organization of legal typology—are resolved. The root of these structural flaws lies in an insufficiently meticulous integration of

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33 See, for instance, Baer, Jews in Christian Spain, p. 205. It should be noted that this charge was leveled by Halorki at the Talmud even before the disputation began, in one of his polemical treatises attacking Judaism. See M. Orfali, “The Portuguese Edition (1565) of Hieronymus de Sancta Fide's Contra Iudaeos,” in Ora Limor and Guy G. Stroumsa, eds., Contra Iudaeos: Ancient and Medieval Polemics Between Christians and Jews (Tubingen: Mohr Siebeck, 1996), pp. 245–246.
two distinct sets of chapters—chapters six, eight, and nine from the original version, and chapters five and seven, added during the course of the later redaction. Thus, the declaration of intent at the end of chapter four stems from the original version, where indeed only conventional and divine law were discussed; perhaps Albo failed to note the need to change it following the addition of natural law to the discussion. Chapters six, eight, and nine seem very consistent, and do not incorporate extraneous duplications. Finally, the circumscribed deviation from the discussion of the fundamental principles in the original version of book one, in order to define the concept of divine law and differentiate it from conventional, human law, is far less disruptive than the expansive and highly developed deviation to discuss types of law in general.

4. A Reassessment of the Substance of the Central Discussion of Natural Law

As noted, Albo’s central discussion of law types in the first book of Sefer Haikkarim contains two different definitions of natural law, in chapters five and seven, respectively. It has also been noted that I believe the scholarly consensus regarding the inferior status of natural law in Albo’s political teachings to be only partially correct. In this section, I will argue that two different natural law models are embedded in Albo’s main discussion of this issue; one of them, indeed, supports the general scholarly consensus, and the other grants the concept a more positive role. Furthermore, while it was noted above that the concept of natural law does not appear in Sefer Haikkarim’s other chapters, one can find, outside the framework of the central discussion, that a few of Albo’s other articulations do deal with the notion of natural law, though they do not explicitly use that term. In the next section, I will argue that these articulations also reflect a more positive conception of natural law than most scholars attribute to Albo.

In the framework of his central discussion of law types, then, Albo presents two different definitions of natural law, one in chapter five and the other in chapter seven. A careful analysis of the two definitions demonstrates that, on the one hand, there are many similarities between the particulars of the definitions, while on the other, what at first seems like unnecessary duplication—an almost exact replication in chapter seven of the content of chapter five—is actually an essential difference between the two. The two definitions, in order of appearance, and in (a translation of) Albo’s own words, are:

(a) “It is clear therefore that the whole group residing in a city, a district, or a region, or all the human beings in the world should have some
order which they follow in their conduct, maintaining justice in general and suppressing wrong, so as to keep men from quarreling in their transactions and business relations with one another. Such order would include protection against murder, theft, robbery, and the like, and in general all those measures which are calculated to maintain the political group and enable the people to live in welfare.”

(b) “Natural law is the same among all peoples, at all times, and in all places…. The purpose of natural law is to repress wrong, to promote right, in order that men may keep away from theft, robbery, and murder, that society may be able to exist among men and everyone be safe from the wrongdoer and oppressor... conventional law also controls human conduct and arranges [human] affairs with a view to the improvement of human society, even as natural law.”

As stated, there are many similarities between the two definitions, including the law’s universal status; its goal to safeguard integrity and ward off injustice; the prohibition of murder, theft, and robbery, as examples of this; and its ambition to improve society.

However, I would now like to turn our attention to the definitions’ endings. Although the language and formulation used in the endings are also very similar, it is possible to discern a slight parting of the ways that may be crucial. The definition in chapter five concludes with the claim that natural law enables the improvement of political-societal organization, an improvement that leads to pleasant lives for those individuals who make up the society. Thus, according to this definition, the ultimate purpose of natural law is the improvement of the individual’s existence (“enable the people to live in welfare”), and the improvement of the political framework is only a means to this end. In contrast, the definition in chapter seven reverses the order of the individual and society. There, the closing argument states that natural law enables the arrangement of individuals’ lives, which in turn leads to the improvement of the political organization under which they live. According to the second definition, then, the ultimate purpose of natural law is the improvement of society.

35 Ibid., 1, 7, 78:8–79:11. Note well that while the final citation (“controls... natural law”) appears in the book as part of conventional law’s definition, as the text itself makes clear, the citation deals with an element common to conventional and natural law. Therefore, I feel that it can be cited as part of Albo’s definition of natural law. For the history of the term “improvement of society” (tikun medini), see Menachem Lorberbaum, “Politics as an Autonomous Field: An Investigation of Rabbeinu Nissim Gerondi’s Thought,” in Amihai Berholz, ed., Ethics, Religion, and State: Essays on Judaism, Government, and Democratic Values (Jerusalem: Ministry of Education, 2001), pp. 282–283. [Hebrew]
(“with a view to the improvement of human society”), and the individual’s welfare is only a means to achieving this end.

Each definition seems to suggest a different approach taken by Albo to the question of the ultimate goal of natural law and indeed of law. The tension between chapters five and seven, each of which contains a different ordering and prioritizing of the good of the individual and the good of society, has implications beyond the discussion of natural law and can be found in the discussions of other institutions in these chapters:

(i) In the discussion of the role of conventional law. The strong societal orientation characterizing natural law in chapter seven, where the goal of the law is societal improvement, means that there is no need for it to be completed on a societal level by conventional law, and, therefore, the role of conventional law in this chapter is essentially ethical: “The purpose of conventional or positive law is to suppress what is unbecoming and to promote what is becoming, that men may keep away from the indecent according to human opinion. Herein lies its advantage over natural law.”36 In contrast, in chapter five, where a weakened societal orientation characterizes natural law, and societal improvement is a means and not an end, the contribution of conventional law on the societal level itself is urgently needed “to order the needs of men and to control their social life.”37

(ii) In the discussion of the legislator. In chapter five, Albo explicitly notes that natural law “emanates from a wise man or a prophet,”38 that is to say, natural law is legislated either by a human being or even by the divine.39 In contrast, in chapter seven no mention whatsoever is made of a legislator of natural law. The absence of the legislator in chapter seven is emphasized by the appearance of a legislator in the discussion there of the two other law types. Conventional law is ordered “by a wise man

38 Ibid., 1, 5, 72:17–18.
39 This contention, according to which natural law has a legislator, is, in fact, quite awkward. The common understanding of natural law is that it is embedded in nature; hence needless of any kind of formal legislation. One possible explanation of the expression “emanates from a wise man or a prophet,” is offered by David Novak. He suggests that by this remark Albo expresses the idea that natural law does not promulgate itself but is promulgated through convention (“wise man”) or revelation (“prophet”). Novak further argues that by this Albo presents natural law as an a priori type of law that denotes the formal condition of the constitution of any given human society, secular or religious. See Novak, The Image of the Non-Jew in Judaism, p. 323. A similar, yet simpler, explanation is that all Albo means by this phrase is to indicate the pedagogic, not legislative, function of those individuals. See Bleich, “Judaism and Natural Law,” p. 37.
or men,” and divine law is ordered by God “through a prophet,” such as Adam, Noah, and Abraham, or “through a messenger,” like Moses. The separation between natural law and the divine in chapter seven is also reflected by another factor: at the beginning of the chapter Albo cites a biblical verse applicable to divine and conventional laws but not to natural law.

Against the background of the disparity between the two chapters, I would like to argue that the two definitions reflect distinct models of natural law. In chapter seven, the model used is the one most often attributed to Albo in the scholarly literature. According to this model, natural law’s purpose is exclusively political, lacking any relation to the perfection of man. In chapter five a different model is presented, according to which natural law focuses upon improving the existence of individual human beings, not on the societal framework they happen to be a part of. Additionally, the model advanced in chapter five is attributed to a human or even divine legislator (thus privileging natural law over conventional law), while the model in chapter seven is clearly divorced from any theological association. It seems to me that the model arising from the rereading of chapter five places in some doubt the resolute statement of those scholars asserting natural law’s lowly status in Albo’s thought and absolutely detachment this notion from any striving toward human perfection.

It is crucial to note that Albo does not explicitly proclaim the existence of two distinct models in his book. As we saw above, those scholars who noted the existence of two distinct definitions attributed this duplication to Albo’s carelessness in collecting from various philosophical works. This interpretive approach, stated above, stemmed from Julius Guttmann’s presumption regarding the anthological nature of Sefer Haikkarim. The alternative interpretation proffered in this article attributes the multiple definitions, and in fact the duplicate models of natural law, to the esoteric writing style adopted by Albo in his book.

Leo Strauss, who is considered to be the founder of the scholarly approach utilizing literary style to analyze the history of Jewish thought, presents a list of concealment techniques adopted by authors who wrote

41 See ibid., 1, 7, 78:5–6.
42 It should be noted that Leo Strauss finds chapter seven, not chapter five, to be an instance of Albo’s “low” estimation of natural law. See Leo Strauss, *Persecution and the Art of Writing* (Westport, Conn.: Greenwood Press, 1977), p. 132, n. 119.
43 Consult the text near nn. 24–27 above.
in the esoteric style. One device involves the embedding of a key sentence, which alters the entire meaning, in what initially appears to be the unnecessary repetition of an earlier discussion.\textsuperscript{44} It seems to me that in the case before us, Albo’s repetition in chapter seven of the definition of natural law, where a definition of natural law was presented only two chapters earlier—with a minimal, yet significant, change in formulation—can be identified as a worthy example of this method of concealment. That is to say, the disparity between the ways that the two definitions are formulated is not accidental; rather, this disparity is part of a methodology deliberately chosen by the author to introduce his readers to two different natural law models, without having to declare so openly. It could also be argued that the aim of obfuscating the content of the discussion, that is, concealing the existence of two models, is also aided by the structural obfuscation witnessed in the last section. At the end of this article, the question of why Albo restrained himself from explicitly contrasting the two models will be addressed.

5. \textit{Between Societal and Political Existence}

Before examining additional texts relevant to our discussion elsewhere in \textit{Sefer Haikkarim}, I would like to focus my attention on a fine terminological distinction arising from another careful analysis in book one, chapter five. It seems to me that this distinction sheds light upon Albo’s political thought in general, and strengthens our claim regarding his apprehension of natural law in particular.

As stated, chapter five begins with a discussion of natural law and follows this with a discussion of conventional law. In the course of the discussion on natural law, in the first part of the chapter, Albo emphasizes the necessity of communal existence for human beings: “They [are animals that] cannot live except in companies and groups. Association is essential [\textit{hechrehi}] for their continuance, like the human species.”\textsuperscript{45} This human need is emphasized explicitly in different linguistic constructs, such as “cannot… except” and “is essential.”\textsuperscript{46} When Albo presents

\textsuperscript{44} See Strauss, \textit{Persecution and the Art of Writing}, p. 36.

\textsuperscript{45} Albo, \textit{Book of Principles}, 1, 5, 70:19–71:2.

\textsuperscript{46} It is appropriate to note that Albo integrates climatology into his discussion of humankind’s social nature. A similar step is taken by Yohanan Alimano. See Abraham Melamed, “The Land of Israel and Climatology in Jewish Thought,” in Moshe Halamish and Aviezter Ravitzky, eds., \textit{The Land of Israel in Medieval Jewish Thought} (Jerusalem: Yad Yitzhak ben Tzvi, 1991), p. 53 [Hebrew]. For a deliberation on Albo’s climatic theory and its literary connections, see ibid., pp. 66–68.
conventional law in the second part of the chapter, however, the terms expressing necessity are seemingly replaced. This change sheds light upon conventional law’s limitations. For in explaining the Aristotelian concept, common in medieval thought, that “man is political by nature,” Albo states: “They mean by this that it is almost necessary [kim'at shehu hechrehi] for man by his nature to live in a city [state] with a large group of men.” Note that political existence, in contrast to communal or social existence, mentioned in the prior citation, is classified as “almost necessary” for the human race, not as “necessary.” A similar delimitation occurs when Albo derives a further political conclusion from the aforementioned Aristotelian concept: “It follows therefore that the establishment of a king or a ruler or a judge is almost imperative [ke'ilu hu hechrehi] for the continuance of the human species, seeing that man is political by nature.” Again, the political framework is presented not as necessary for the existence of the human race but only as “almost imperative.”

It is possible to come away from examining chapter five of Albo’s work with the impression that embedded in this chapter are two complementary political concepts. The first part of the chapter views man as necessarily a social animal, and the second views man as almost necessarily a political animal. This means that societal organization is vital for the human race’s existence, while the state in general, and the monarchical state in particular, are not the only forms of organization that can fulfill their roles, and therefore they are not in and of themselves necessary for the existence of the human race. In a certain manner,

47 Albo, Book of Principles, 1, 5, 72:3–5.
48 Ibid., 1, 5, 73:10–12.
49 It should be noted that David Novak dealt with this terminological distinction and proffered a different explanation. He argued that the terms expressing necessity refer to elemental, material needs absolutely required for human life, while the opposite terms refer to man’s need to live in a political community. From this he deduced that the individual is only almost necessarily a political creature, as he can live without society, while the human race as a whole must be political. See Novak, The Image of the Non-Jew in Judaism, pp. 320–321. While this interpretation is admittedly interesting, the text does not support it, as Albo uses terms circumscribing necessity in the context of both the individual and the human race as a whole.
50 Albo’s position on conventional law’s actual contribution to the goal of improving political society is ambiguous. In book one, chapter ten, he argues that divine law is unnecessary for the purpose of political improvement, as conventional law fulfills this role adequately: “If it is in order to maintain a proper order in human affairs and relations so as to have a perfect political society, the conventional law is sufficient for this purpose” (Albo, Book of Principles, 1, 10, 97:8–10). In contrast, at another point in his book, Albo explicitly states the opposite, that conventional law is not sufficient to establish an ordered society from an ethical perspective, and, therefore, for this purpose
these ideas can be seen as foreshadowing Isaac Abravanel’s political teachings, which view society as part of the natural order of the entire human race, and at the same time vociferously oppose the institutions of the state and the monarchy, viewing them as creations diametrically opposed both to the basic nature of humankind and to the will of God.

It is important to reiterate that as with the existence of the two natural law models noted above, in our case as well, this political conception is not stated explicitly in Albo’s words. In order to reveal it, we had to take note of a distinction in terminology in chapter five between those expressions denoting necessity and those expressions delimiting it, a distinction difficult to identify at first glance. The concealment of the conception that lessens the status of the state and the monarchy may be related to our discussion of natural law. The chapter describes natural law as a necessary element in man’s life, as it fills the role of preserving the various aspects of social order, “the whole group residing in a city, a district, or a region, or all the human beings in the world,” and man requires it “by his nature.”

In contrast, living in a state and crowning a monarch, conventional law issues, are not required by human nature. Conventional law develops only within polities, “like the laws of the Roman emperors, and the customs of countries, and the statutes enacted by the people of a district or

divine law is required; see ibid., 3, 24, 209:14–211:4. One has the impression that the latter view is likewise expressed upon reading the list of conventional law’s deficiencies when it is contrasted with divine law in book one, chapter eight.

51 On Abravanel’s thought, see, for instance, Yitzhak Baer, “Don Isaac Abravanel and His Relationship to Problems of History and Politics,” Tarbiz 8 (1937), pp. 248–256 [Hebrew]; Guttmann, Philosophies of Judaism, pp. 289–291; Aviezer Ravitzky, “Peace Paradigms in Jewish Thought,” in Al Da’at Hamakom: Studies in the History of Jewish Philosophy (Jerusalem: Maxwell-Macmillan-Keter, 1991), pp. 28–29. [Hebrew] One must note that in contradistinction to the allusion hidden, according to our argument, in book one, chapter five, Albo explicitly relates to the monarchical concept with much enthusiasm in several places in his treatise. However, a discussion of this issue is beyond the scope of our natural law discussion. Albo’s perceptions of the state and the monarchy are worthy of their own studies.

52 Albo, Book of Principles, 1, 5, 72:7–17. Albo claims here that natural law is denoted as “natural” because it stems from man’s nature as a creature requiring human society. In contrast, Aquinas in this context enumerates several of mankind’s natural tendencies: preservation of life, giving birth to children and educating them, and knowledge of the truth regarding God and regarding living in society; see Summa Theologica 2:1, q. 94, a. 2. It should be noted that at this time, a debate was raging among natural law theoreticians on the question of whether it is proper or possible to base natural law or the knowledge regarding human, moral goodness (ethics) on the prior knowledge of the essence of human nature (metaphysics). This debate is related to the larger question of whether norms can be adduced from facts. For a discussion of this issue, see, for instance, Robert P. George, “Natural Law and Human Reason,” in Robert P. George, ed., Natural Law Theory: Contemporary Essays (Oxford: Oxford University Press, 1992), pp. 32–33.
kingdom.” These, as noted, are not required by human nature; rather, they are “almost necessary.” From this perspective, Albo clearly utilizes the terminological distinction under discussion to hint at the advantage of natural over conventional law. If this is the case, we have revealed another possible instance, embedded in chapter five, of an aspect supporting the positive standing of the natural law model.

6. Discussions of Natural Law Outside the Framework of the Central Discussion

To this point, my principal claim has been that in book one, chapter five, Albo covertly presents a positive perception of natural law and to some degree relates it to man’s self-perfection, in contradistinction to the perception presented in book one, chapter seven, where natural law is devalued. However, a thorough investigation of natural law in Sefer Haikkarim cannot rest solely upon an analysis of the central discussion of the issue. Albo himself, in his introductory comments on book two, explicitly writes that proper comprehension of his position on any given issue can be attained only by a reader familiar with the entirety of his deliberations on the topic throughout his work, including those statements peripheral to his central and direct discussion of the issue: The reader should “not be too hasty to criticize the words of the author, until he… has read all that is said on the topic in question in other parts of the book.”

In order to comprehend Albo’s stance on the relationship between natural law and man’s journey toward self-perfection, then, one must continue to explore the other sources in his book where he grapples with man’s ability to reach, solely via his own intellect and without divine aid, knowledge of the rules of behavior leading him to perfection. And indeed, in book three, chapter six, Albo claims that man could not

53 Ibid., 1, 5, 73:3–4.

54 On the relationship between the need for natural law and the status of the king as legislator, see Ze’ev Falk, Legal Values and Judaism: Toward a Philosophy of Halacha (Jerusalem: Magnes Press, 1980), pp. 58–59. [Hebrew]

55 For terms denoting qualification as devices used for concealed change of meaning in the context of the esoteric writing style, see Strauss, Persecution and the Art of Writing, p. 78.

56 Albo, Book of Principles, 2, observation, 2:11–14. For this instruction and its relationship to Sefer Haikkarim’s esoteric writing style, see Ehrlich, “Philosophy and the Art of Writing,” pp. 49–50, 266. It should be noted that Ralph Lerner also utilized this methodological starting point to guide the direction of his discussion of natural law in Albo’s thought; see Lerner, “Natural Law,” pp. 139–142.
possibly have been created in such a way that he could not attain, via his own intellect, knowledge of the proper actions leading to perfection of the soul:

To know and to define the acts which bring man to the human end, namely the perfection of the soul, is very difficult…. It becomes a difficult problem, therefore, to determine, by human investigation, what acts are beneficial to the soul, enabling it to attain its perfection. There is no doubt that the test must be found in the essential nature of man… [and] there is no doubt that since the first man was created alone, there must be something in man's essential nature by which he can distinguish between good acts conducive to the perfection of his soul and those which are not good.57

Hence, notwithstanding the immense difficulties encountered in the quest to attain perfection of his soul, stemming from the limits of human reason,58 Albo believed that man must have been given the ability to identify the actions conducive to accomplishing this objective and achieving his ultimate end as a human being.

Furthermore, in book three, Albo repeatedly argues that the human intellect is essentially attracted to divine worship, and that love and fear of God is imprinted upon man. In chapter thirty-two, in the context of a discussion regarding the fear of God, the fear of God's exaltedness is described as a fear that “the intellect by nature desires,” since “the mind desires to fulfill the will of God, because it is natural for it to do so.”59 According to Albo, this tendency is based upon the fundamental principle that “[reason] decrees that the inferior should be subordinate to the superior.”60 Several chapters later, in chapter thirty-five, which introduces the discussion of love of God, old age is described as the period when out of all the human soul’s powers, the force of the intellect is the dominant one. Therefore, during old age, man finally understands that his existence depends upon his attraction to “the service of God and those things which it is characteristic of reason to follow… and [he will] pursue those things which his intellectual soul dictates, such as the love and fear of God.”61

57 Ibid., 3, 6, 53:15–54:19.
60 Ibid., 3, 32, 301:13–14.
It is worthwhile to devote a more extensive deliberation to Albo’s words in book three, chapter seven, upon which Moshe Halbertal bases his assertion that Albo’s natural law is related to perfection of the soul, and to delve further into the source at hand. In this chapter, Albo distinguishes between two types of actions worthy of existing naturally in the human intellect:

(i) The first type is defined using natural law terminology and is a reflection of what was already explained in book one, chapters five and seven: “suppression of wrongdoing and continuous pursuit of right among men, so that the human race may be perpetuated.” According to Albo, actions of this sort do not lead man toward any sort of perfection of the soul, for their significance exists only within a political context: “for if a man were to live alone in a desert without participating in social and political life, he would not need this kind of perfection.”

(ii) Examples of the second type of actions are “submission to God, and doing those things in general which human reason declares are acceptable to God.” Albo further argues that being aware of God’s constant involvement in nature, showing gratitude for God’s being the source of existence, and recognizing God’s absolute superiority are “things which the nature of human reason dictates without any study or teaching.” Albo expressly subsumes these actions under the definition of actions “[which] give perfection to his soul.”

I would like to propose that Albo is hinting that the second type of actions, such as submission to God, also belongs to the category of natural law, in the sense that these are lawlike, stemming from man’s natural

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62 See n. 16 above.
66 Ibid., 3, 7, 63:6–7. See also 3, 1, 10:1–9, and cf. 2, 16, 100:1–4, where the rebellion of a son against his father and a servant against his master is defined as “an unusual thing for a man to say.” It is proper to note that Albo also describes the first principles as innate to the human intellect and requiring no learning process; see 1, 16, 139:7–12. Perhaps Albo is again following the footsteps of Aquinas, who formulated the parallel between the relationship of natural law and practical intellect to the relationship between the first principles and the theoretical intellect, as both were self-evident; see Summa Theologica 2:1, q. 91, a. 3. This Thomistic conception belongs to one of the more difficult discussions in Aquinas’ thought, that surrounding the concept of synthesis. For a definition of the concept as it applies to our discussion, see Timothy C. Potts, “Conscience,” in Norman Kretzmann et al., eds., The Cambridge History of Later Medieval Philosophy (Cambridge: Cambridge University Press, 1982), p. 700.
intellect. Support for this position can be drawn from Albo’s interpretation of Jeremiah’s rebuke of the children of Israel for not being aware of God’s ways and laws. As Albo explains, in his rebuke the prophet finds fault with the people not for violating divine laws, but for violating those laws emblazoned on the human intellect: “These observations do not refer to the ways and ordinances of the Torah, for these are not known to man by nature.” If the consciousness of God’s superiority and the obligations deriving from this are not subsumed under the category of divine law, the only other logical way to classify them is as natural law. Thus, we have before us what is clearly a metaphysical dimension of natural law, one that largely corresponds to the model identified in Albo’s central discussion of legal typology in book one, chapter five.

A further clue to identifying the second type of actions with this model of natural law is hidden in Albo’s reservation embedded in his words toward the end of chapter seven. During the course of the chapter, the author emphasizes the absolute need for revelation and divine teachings in order for a person to attain human perfection. This claim is based upon the supposition that revelation opens man’s eyes to the actions he must take in order to attain perfection, actions pleasing to God, which man could not conceive of with his limited intellect, “in order that by means of this method man may be able to attain the human end and perfection.” Toward the end of the chapter, Albo repeats his claim regarding the importance of divine revelation for achieving human perfection; however, this time he nullifies the necessity he had stressed above: “there must be a divine inspiration… which is almost indispensable for man for the attainment of human perfection.” Note well the use of “almost indispensable” and not “indispensable.” One can hardly fail to notice the repetitive pattern of Albo’s unexpected use of expressions of reservation, expressions fundamentally altering the nature of his claims. This may be Albo’s method of covertly expressing a position wherein human perfection is not exclusively the province of divine law—that is to say, of divine revelation to mankind—but where natural law also has a part to play.

69 Ibid., 60:10–11.
70 Ibid., 64:4–9.
71 Consult the text near nn. 45–49 above, and the reference in n. 55 above.
7. EXPLAINING THE CONCEALMENT

The portrait sketched in the previous three sections depicts Albo’s treatise as comprising two distinct models of natural law. One model, considered by most scholars to be Albo’s stance on natural law, diminishes the standing of natural law by claiming it to be no more than a collection of the most basic, ethical norms, such as the prohibition of murder, theft, and robbery. The second model, completely undetected by most scholars and mentioned only tangentially by one, perceives natural law to have essential aspects that are sublime, theological, ethical principles whose acquisition is directly related to the attainment of human perfection.

The exposure of these multiple models, especially the identification of the latter, was made possible by reading between the lines of Albo’s core discussion on the topic, a method particularly effective in the reading of esoteric texts. Furthermore, by employing Albo’s advice to his readers that the reader must be familiar with all the deliberations on a particular topic throughout the treatise, as a necessary precondition for apprehending it, we were able to investigate the sublime composition of the improved natural law model proposed in book one, chapter five. It seems that this model reflects the relative proximity of Albo’s approach to the highly positive conception of natural law adopted by Aquinas, who attributes natural law to the sublime plane of human existence.\(^\text{72}\)

The one remaining unanswered question is that of motive. Why did Albo restrain himself from explicitly contrasting the two models? Following are two possible answers to this question:

(i) Indecision. As mentioned at the beginning of this article, Albo’s familiarity with Christian political thought probably exposed him to the idea of natural law. Perhaps he attempted to introduce this foreign notion into the Jewish conceptual world without fully reaching his own verdict on the issue. Thus, the multiple models may express Albo’s own genuine indecision over whether to adopt a relatively moderate, natural law version or whether to adopt a more daring one. If this is the case, we have

before us a concrete example of the “absorption pains” undergone by an “immigrant” in its transfer from one tradition to another.

(ii) Concealment. Albo may have considered the second version of natural law, where it is viewed as necessary for man’s progress toward the ultimate end of humanity, as more true, but he may also have recognized his standpoint on this matter to be radical, and hence to be revealed to only a select readership while hidden from other readers. Albo’s use of concealment can be identified by the relative clarity with which the dominant scholarly model has been presented in the text, in contrast to the difficulty involved in even identifying the improved model. This approach also finds expression in Albo’s placement of the discussion of the model’s particulars well away from the core discussion of the law types in other sections of the book, consequently making it more difficult to identify the model. Albo may have employed this approach possibly because he was afraid of the consequences of expressly adopting this conception. His fear would have stemmed from the fact that his stance predicates attaining human perfection upon a factor other than the divine, a somewhat antinomian concept, one that lessens the status of divine law’s commandments. An unambiguous claim that natural law is also vital for the love of God and divine worship—that is to say, for attaining man’s ultimate purpose—might, therefore, have raised the ire of traditionalist zealots against him and might also have hastened the spiritual decline of the Jewish populace in his time and place. A clear expression, albeit a slightly later one, of the claim against upgrading the status of natural law can be found in Isaac Arama’s late-fifteenth-century sermons. Arama harshly criticizes the intellectuals of his generation who allow for the proximity between Torah commandments and natural law. He argues that eventually they assist in the privileging of natural law over Torah.

In closing, a new reading of Albo’s discussion of the concept of natural law in Sefer Haikkarim has been presented in this article, based upon the premise that the literary-stylistic dimension of the work is crucial to

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74 For a detailed overview of the state of Jewish society in Christian Spain at the beginning of the fifteenth century, see Baer, A History of the Jews, pp. 95–243.

75 See ibid., pp. 254–255.
its understanding. Assuming that the disparity between the two parts of Sefer Haikkarim stems from when they were written aided us in the resolution of a variety of structural difficulties found in the core discussion of natural law. The premise that the Book of Principles is characterized by an esoteric writing style seems to have aided in revealing a concealed level of discourse in which Albo deals with the issue of natural law both within the context of his central discussion and elsewhere in the treatise and investigates its possible meanings. The reassessment presented here has opened up the possibility that Albo adopted a stronger idea of natural law than is usually presumed. Alternatively, as offered above, the ambiguous characteristics of Albo’s discussion on natural law, both structural and substantial, may allude to his indecisiveness with regard to the true meaning of this notion.

Bar-Ilan University