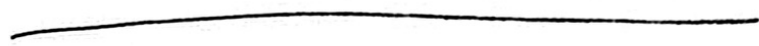
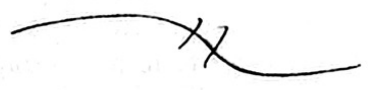


ה'תש"ל ח' סיון
ב"ר יצחק



"Rambam
in the
Garden of Eden"

"ה'תש"ל - ח' סיון"



Rabbi Jeffrey Katz

ה'תש"ל ח' סיון
ב"ר יצחק



ness, in so far as these are accompanied by heat and cold. For by the motion of the spheres the elements intermix, and by light and darkness their constitution changes. The first change consists in the formation of two kinds of mist; these are the first causes of meteorological phenomena, such as rain; they also caused the formation of minerals, of plants, of animals, and at last of man. It is likewise known that darkness is the natural property of all things on earth; in them light is accidental, coming from an external cause, and therefore everything remains in a state of rest in the absence of light. The Scriptural account of the Creation follows in every respect exactly the same order, without any deviation.

Note also the saying of our Sages: "When the Universe was created, all things were created with size, intellect, and beauty fully developed, i.e., everything was created perfect in magnitude and form, and endowed with the most suitable properties; the word *zibyonam* (their beauty) used here has the same meaning as *zebi*, 'glory'" (Ezek. xx. 6). Note this likewise, for it includes a principle fully established.

The following point now claims our attention. [The account of the six days of creation contains, in reference to the creation of man, the statement: "Male and female created he them" (i. 27), and concludes with the words; "Thus the heavens and the earth were finished, and all the host of them" (ii. 1), and yet the portion which follows describes the creation of Eve from Adam, the tree of life, and the tree of knowledge, the history of the serpent and the events connected therewith, and all this as having taken place after Adam had been placed in the Garden of Eden. All our Sages agree that this took place on the sixth day, and that nothing new was created after the close of the six days. None of the things mentioned above is therefore impossible, because the laws of Nature were then not yet permanently fixed. There are, however, some utterances of our Sages on this subject [which apparently imply a different view]. I will gather them from their different sources and place them before you, and I will refer also to certain things by mere hints, just as has been done by the Sages.] You must know that their words, which I am about to quote, are most perfect, most accurate, and clear to those for whom they were said. I will therefore not add long explanations, lest I make their statements plain, and I might thus become "a revealer of secrets," but I will give them in a certain order, accompanied with a few remarks, which will suffice for readers like you.

One of these utterances is this: "Adam and Eve were at first created as one being, having their backs united; they were then separated, and one half was removed and brought before Adam as Eve." [The term *mi-zalotav* (lit. "of his ribs") signifies "of his sides." The meaning of the word is proved by referring to *zel'a*, "the side" of the tabernacle (Exod. xxvi. 20), which Onkelos renders *setar* ("side"), and so also *mi-zalotav* is rendered by him "*mi-sitrohi*" (of his sides).] Note also how clearly it has been stated that Adam and Eve were two in some respects, and yet they remained one, according to the words, "Bone of my bones, and flesh of my flesh" (Gen. ii. 23). The unity of the two is proved by the fact that both have the same name, for she is called *ishshah* (woman), because she was taken out of *ish* (man), also by the words, "And shall cleave unto his wife, and they shall be one flesh" (ii. 24). How great is the ignorance of those who do not see that all this necessarily includes some [other] idea [besides the literal meaning of the words]. This is now clear.

JIN
II:30

"...ה'ק"ל
"פ"ח"ל"כ"ו"א"

"...ה'ק"ל
"פ"ח"ל"כ"ו"א"

(i.e.,
did not
take
place
on the
6th
day,
presumably)

!!

The element [governing] sensation is the source of the five senses: sight, sound, taste, smell and touch. [The latter sense is] found throughout the body and does not have specific organs [that control it], as do [the other] four senses.

The element of imagination: this power [relates to the faculty of memory and makes it possible to] recall the impression of various incidents after they are no longer perceptible by the senses. [This faculty can also] combine and separate different [recollections]. Thus, this power has the potential to develop [a notion] that was never thought of previously and that cannot be understood, based on one's previous perception. For example, one might imagine an iron ship flying through the air, or a man with his head in the heavens and his feet on the earth, a beast with one thousand eyes and the like. Many impossible things of this nature can be conceived by the power of imagination.

In this matter, the sect of *medabrim*³ erred grossly and established a false foundation with regard to the distinctions concerning what must exist, what may exist and what cannot exist. For they thought - or imagined - that anything that could be imagined [by a person] could actually exist. They did not realize that this power has the potential of making a combination of various matters that cannot possibly exist, as explained above.

The element [that governs] stimulation is the power that attracts or repels a person from an entity. The actions this power will inspire are seeking, fleeing, the appreciation of a particular entity or the rejection of it, anger, desire, fear, courage, cruelty, mercy, love, hate and many other emotional states.

The vessels that express these [various] actions are the limbs and organs. For example, the action of the hands is motion, the action of the feet is walking, the action of the eyes is sight, and the action of the heart is either courage or fear. Similarly, the other organs and limbs of the body and their actions are vessels that express this power of stimulation.

The element [that governs] conceptualization is the power granted to man⁴ that enables him to think and to contemplate. With this power, he acquires knowledge and distinguishes positive activities from undesirable ones. The term "activities" refers to both the applied and the abstract realms.

The applied realm involves both actual and intellectual activities. The abstract realm, by contrast, involves the study of entities that are unchanging; this study is referred to as wisdom.

By actual activities, we refer to the power with which we learn vocations - e.g., carpentry, agriculture, medicine and seafaring. The intellectual activities involve the consideration of whether or not it is possible to perform a particular task that he desires when he desires; and if it is possible, whether or not it is proper to perform it. The above

suffices for a description of the soul that is appropriate for this text.

NOTE.—Mark, O reader, that if you know the nature of the soul and its properties, and if you have a correct notion of everything which concerns the soul, you will observe that most animals possess imagination. As to the higher class of animals, that is, those which have a heart, it is obvious that they have imagination. Man's distinction does not consist in the possession of imagination, and the action of imagination is not the same as the action of the intellect, but the reverse of it. For the intellect analyses and divides the component parts of things, it forms abstract ideas of them, represents them in their true form as well as in their causal relations, derives from one object a great many facts, which—for the intellect—totally differ from each other, just as two human individuals appear different to the imagination; it distinguishes that which is the property of the *genus* from that which is peculiar to the individual,—and no proof is correct, unless founded on the former; the intellect further determines whether certain qualities of a thing are essential or non-essential. Imagination has none of these functions. It only perceives the individual, the compound in that aggregate condition in which it presents itself to the senses; or it combines things which exist separately, joins some of them together, and represents them all as one body or as a force of the body. Hence it is that some imagine a man with a horse's head, with wings, etc. This is called a fiction, a phantasm; it is a thing to which nothing in the actual world corresponds. Nor can imagination in any way obtain a purely immaterial image of an object, however abstract the form of the image may be. Imagination yields therefore no test for the reality of a thing.

Hear what profit we derive from the preliminary disciplines, and how excellent the propositions are which we learn through them. Know that there are certain things, which would appear impossible, if tested by man's imagination, being as inconceivable as the co-existence of two opposite properties in one object; yet the existence of those same things, which cannot be represented by imagination, is nevertheless established by proof, and attested by their reality. E.g., Imagine a large globe, of any magnitude you like, even as large as the all-encompassing sphere; further an axis passing through the centre, and two persons standing on the two extremities of the axis in such a manner that their feet are in the same straight line with the axis, which may be either in the plane of the horizon or not; in the first case both persons would fall, in the second case one, namely the one who stands on the lower extremity would fall, the other would remain standing, as far as our imagination can perceive. It has however, already been proved that the earth has the form of a globe, that it is inhabited on both extremities of a certain diameter, that both the inhabitants have their heads towards the heaven, and their legs towards each other, and yet neither can possibly fall, nor can it be imagined; for it is incorrect to say that the one extremity is above, the other below; but the term "above" and "below" apply to both of them as regards their relative position to each other. Similarly it has been proved in the second chapter of the book on Conic Sections, that two lines, which at first are at a certain distance from each other, may approach each other in the same proportion as they are produced further, and yet would never meet, even if they were produced to infinity, although they are observed to be constantly converging. This is a fact

The Challenge of

פסק + הלכה

in פר"ק

is the challenge of

every person

in every generation

→ the tension / conflict
between one's
rationality / intellect
(knows what's right)

VERSUS + one's imagination
(which sees all sorts of
other things as desirable)

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It is also necessary to understand and consider the words, "And Adam

ע"ה
= 16
= 13

entirely
the
imagination
not
the
intellect

=> // n
imaginative
faculty

which is the peculiarity of man, viz., the power of distinguishing between good and evil—the noblest of all the faculties of our nature, the essential characteristic of the human race. It thus appears strange that the punishment for rebelliousness should be the means of elevating man to a pinnacle of perfection to which he had not attained previously. This is equivalent to saying that a certain man was rebellious and extremely wicked, wherefore his nature was changed for the better, and he was made to shine as a star in the heavens.” Such was the purport and subject of the question, though not in the exact words of the inquirer. Now mark our reply, which was as follows:—“ You appear to have studied the matter superficially, and nevertheless you imagine that you can understand a book which has been the guide of past and present generations, when you for a moment withdraw from your lusts and appetites, and glance over its contents as if you were reading a historical work or some poetical composition. Collect your thoughts and examine the matter carefully, for it is not to be understood as you at first sight think, but as you will find after due deliberation; namely, the intellect which was granted to man as the highest endowment, was bestowed on him before his disobedience. With reference to this gift the Bible states that “ man was created in the form and likeness of God.” On account of this gift of intellect man was addressed by God, and received His commandments, as it is said: “ And the Lord God commanded Adam ” (Gen. ii. 16)—for no commandments are given to the brute creation or to those who are devoid of understanding. Through the intellect man distinguishes between the true and the false. This faculty Adam possessed perfectly and completely. The right and the wrong are terms employed in the science of apparent truths (morals), not in that of necessary truths, as, e.g., it is not correct to say, in reference to the proposition “ the heavens are spherical,” it is “ good ” or to declare the assertion that “ the earth is flat ” to be “ bad ”; but we say of the one it is true, of the other it is false. Similarly our language expresses the idea of true and false by the terms *emet* and *sheker*, of the morally right and the morally wrong, by *tob* and *ra’*. Thus it is the function of the intellect to discriminate between the true and the false—a distinction which is applicable to all objects of intellectual perception. When Adam was yet in a state of innocence, and was guided solely by reflection and reason—on account of which it is said: “ Thou hast made him (man) little lower than the angels ” (Ps. viii. 6)—he was not at all able to follow or to understand the principles of apparent truths; the most manifest impropriety, viz., to appear in a state of nudity, was nothing unbecoming according to his idea: he could not comprehend why it should be so. After man’s disobedience, however, when he began to give way to desires which had their source in his imagination and to the gratification of his bodily appetites, as it is said, “ And the wife saw that the tree was good for food and delightful to the eyes ” (Gen. iii. 6), he was punished by the loss of part of that intellectual faculty which he had previously possessed. He therefore transgressed a command with which he had been charged on the score of his reason; and having obtained a knowledge of the apparent truths, he was wholly absorbed in the study of what is proper and what improper. Then he fully understood the magnitude of the loss he had sustained, what he had forfeited, and in what situation he was thereby placed. Hence we read, “ And ye shall be like

p3k = intellect

אין

b/c p3k then thought strictly in terms of אלק vs. אדם

elohim, knowing good and evil," and not "knowing" or "discerning the true and the false": while in necessary truths we can only apply the words "true and false," not "good and evil." Further observe the passage, "And the eyes of both were opened, and they knew they were naked" (Gen. iii. 7): it is not said, "And the eyes of both were opened, and they saw"; for what the man had seen previously and what he saw after this circumstance was precisely the same; there had been no blindness which was now removed, but he received a new faculty whereby he found things wrong which previously he had not regarded as wrong. Besides, you must know that the Hebrew word *pakah* used in this passage is exclusively employed in the figurative sense of receiving new sources of knowledge, not in that of regaining the sense of sight. Comp., "God opened her eyes" (Gen. xxi. 19). "Then shall the eyes of the blind be opened" (Isaiah xxxviii. 8). "Open ears, he heareth not" (ibid. xlii. 20), similar in sense to the verse, "Which have eyes to see, and see not" (Ezek. xii. 2). When, however, Scripture says of Adam, "He changed his face (*panav*) and thou sentest him forth" (Job xiv. 20), it must be understood in the following way: On account of the change of his original aim he was sent away. For *panim*, the Hebrew equivalent of face, is derived from the verb *panah*, "he turned," and signifies also "aim," because man generally turns his face towards the thing he desires. In accordance with this interpretation, our text suggests that Adam, as he altered his intention and directed his thoughts to the acquisition of what he was forbidden, he was banished from Paradise: this was his punishment; it was measure for measure. At first he had the privilege of tasting pleasure and happiness, and of enjoying repose and security; but as his appetites grew stronger, and he followed his desires and impulses, (as we have already stated above), and partook of the food he was forbidden to taste, he was deprived of everything, was doomed to subsist on the meanest kind of food, such as he never tasted before, and this even only after exertion and labour, as it is said, "Thorns and thistles shall grow up for thee" (Gen. iii. 18), "By the sweat of thy brow," etc., and in explanation of this the text continues, "And the Lord God drove him from the Garden of Eden, to till the ground whence he was taken." He was now with respect to food and many other requirements brought to the level of the lower animals; comp., "Thou shalt eat the grass of the field" (Gen. iii. 18). Reflecting on his condition, the Psalmist says, "Adam unable to dwell in dignity, was brought to the level of the dumb beast" (Ps. xlix. 13).

"May the Almighty be praised, whose design and wisdom cannot be fathomed."

CHAPTER III

It might be thought that the Hebrew words *temunah* and *tabnit* have one and the same meaning, but this is not the case. *Tabnit*, derived from the verb *banah* (he built), signifies the build and construction of a thing—that is to say, its figure, whether square, round, triangular, or of any other shape. Comp. "the pattern (*tabnit*) of the Tabernacle and the pattern (*tabnit*) of all its vessels" (Exod. xxv. 9); "according to the pattern (*tabnit*) which thou wast shown upon the mount" (Exod. xxv. 40); "the form of any bird" (Deut. iv. 17); "the form (*tabnit*) of a hand" (Ezek. viii. 3); "the pattern

note that all his actions are attributed to PRK as well, since they are really one

SIN
I:2

i.e., the true pleasure of knowing Truths, such as ~~reason~~ are enjoyed in 2:18

this necessarily includes some [other] idea [besides the literal of the words]. This is now clear.

Another noteworthy Midrashic remark of our Sages is the following: "The serpent had a rider, the rider was as big as a camel, and it was the rider who enticed Eve; this rider was Samaël." Samaël is the name generally used by our Sages to Satan. Thus they say in several places that Satan desired to entice Abraham to sin, and to abstain from binding Isaac, and he desired also to persuade Isaac not to obey his father. At the same time they also say, in reference to the same subject, viz., the *Akedab* ("the binding of Isaac"), that *Samaël* came to Abraham and said to him, "What! hast thou, being an old man, lost thy senses?" etc. This shows that *Samaël* and Satan are identical. There is a meaning in this name [*Samaël*], as there is also in the name *nahash* ("serpent"). In describing how the serpent came to entice Eve, our Sages say: "Samaël was riding on it, and God was laughing at both the camel and its rider." It is especially of importance to notice that the serpent did not approach or address Adam, but all his attempts were directed against Eve, and it was through her that the serpent caused injury and death to Adam. The greatest hatred exists between the serpent and Eve, and between his seed and her seed; her seed being undoubtedly also the seed of man. More remarkable still is the way in which the serpent is joined to Eve, or rather his seed to her seed; the head of the one touches the heel of the other. Eve defeats the serpent by crushing its head, whilst the serpent defeats her by wounding her heel. This is likewise clear.

[The following is also a remarkable passage, most absurd in its literal sense; but as an allegory it contains wonderful wisdom, and fully agrees with real facts, as will be found by those who understand all the chapters of this treatise.] When the serpent came to Eve he infected her with poison; the Israelites, who stood at Mount Sinai, removed that poison; idolaters, who did not stand at Mount Sinai, have not got rid of it. Note this likewise. Again they said: "The tree of life extends over an area of five hundred years' journey, and it is from beneath it that all the waters of the creation sprang forth"; and they added the explanation that this measure referred to the thickness of its body, and not to the extent of its branches, for they continue thus: "Not the extent of the branches thereof, but the stem thereof [*korato*, lit., 'its beam,' signifying here 'its stem'] has a thickness of five hundred years' journey." This is now sufficiently clear.] Again: "God has never shown the tree of knowledge [of good and evil] to man, nor will He ever show it." This is correct, for it must be so according to the nature of the Universe. Another noteworthy saying is this: "And the Lord God took the man, i.e., raised him, and placed him in the Garden of Eden," i.e., He gave him rest. The words "He took him," "He gave him," have no reference to position in space, but they indicate his position in rank among transient beings, and the prominent character of his existence. Remarkable and noteworthy is the great wisdom contained in the names of Adam, Cain, and Abel, and in the fact that it was Cain who slew Abel in the field, that both of them perished, although the murderer had some respite, and that the existence of mankind is due to Seth alone. Comp. "For God has appointed me another seed" (iv. 25). This has proved true.

It is also necessary to understand and consider the words, "And Adam

and benefit, and that they are his tools! This is the result of an examination of the corporeal beings: how much more so will this be the result of an examination into the nature of the Intelligences!

The following question may be asked against the opinion of philosophers on this subject: There is no doubt that from a philosophical point of view it would be a mistake to assume that the spheres exist for the purpose of regulating the fate of one individual person or community; but it is not absurd to think that they serve to regulate the affairs of mankind, since these mighty individual beings would serve to give existence to the individual members of the species, the number of which, according to the philosophers, will never come to an end. We can best illustrate this by the following simile: An artisan makes iron tools of a hundred-weight for the purpose of making a small needle of the weight of a grain. If only one needle had to be produced, we admit that it would certainly be bad management, though it would not be entirely a failure; but if with those enormous tools needle after needle is produced, even many hundred-weights of needles, the preparation of those tools would be a wise act and excellent management. In a similar manner the object of the spheres may be the continuance of successive genesis and destruction; and the succession of genesis and destruction serves, as has already been said, to give existence to mankind. This idea is supported by Biblical texts and sayings [of our Sages]. The philosopher replies thus: If the difference between the heavenly bodies and the transient individual members of the species consisted in their different sizes, this opinion could be maintained; but as the difference consists in their essence, it remains improbable that the superior beings should be the means of giving existence to the lower ones. In short, this question supports our belief in the Creation; and this is the principal object of this chapter. [It serves] besides [a second purpose]. I frequently hear from those who know something about astronomy, that our Sages exaggerated the distances [of the heavenly bodies] when they said that the thickness of each sphere is five hundred years' journey; the distance of the seven spheres from each other five hundred years' journey, so that the distance of the outer surface of the seventh sphere from the centre of the earth is seven thousand years' journey.

Those who hear such statements consider them [at first thought] as exaggeration, and believe that the distance is not so great. But you may ascertain from the data proved in scientific treatises on the distances, that the centre of the earth is distant from the inner surface of the seventh sphere, that of Saturn, nearly seven thousand and twenty-four years' journey. The number eight thousand and seven hundred given by us, refers to the distance of the centre of the spheres from each other, mentioned by astronomers, is identical with the thickness of the substance that intervenes between one sphere and the other, and does not imply that there is a vacuum. You must, however, not expect that everything our Sages say respecting astronomical matters should agree with observation, for mathematics were not fully developed in those days; and their statements were not based on the authority of the Prophets, but on the knowledge which they either themselves possessed or derived from contemporary men of science. But I will not on that account denounce what they say correctly in accordance with real fact, as untrue or

500
+500
1,000
x7
7,000

J"IN
III:14

So
Tree
of
Life
represents
the
entire
Earthly realm

fascinating
incidental
note!

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really drives
point home here

... opinion of Aristotle is that the Universe, being permanent and indestructible, is also eternal and without beginning. We have already seen that this theory is based on the hypothesis that the Universe is the result of causal relation, and that this hypothesis includes a certain element of blasphemy. Having come thus far we will make in the next chapter a few remarks on passages in the first chapters of Genesis. For the primary object in this treatise has been to expound as much as possible of the Scriptural account of the Creation (*ma'aseh bereshit*), and the description of the heavenly chariot (*ma'aseh mercabah*). But let us premise two general observations.

First, the account given in Scripture of the Creation is not, as is generally believed, intended to be in all its parts literal. For if this were the case, wise men would not have kept its explanation secret, and our Sages would not have employed figurative speech [in treating of the Creation] in order to hide its true meaning, nor would they have objected to discuss it in the presence of the common people. The literal meaning of the words might lead us to conceive corrupt ideas and to form false opinions about God, or even entirely to abandon and reject the principles of our Faith. It is therefore right to abstain and refrain from examining this subject superficially and unscientifically. We must blame the practice of some ignorant preachers and expounders of the Bible, who think that wisdom consists in knowing the explanation of words, and that greater perfection is attained by employing more words and longer speech. It is, however, right that we should examine the Scriptural texts by the intellect, after having acquired a knowledge of demonstrative science, and of the true hidden meaning of prophecies. But if one has obtained some knowledge in this matter he must not preach on it, as I stated in my Commentary on the Mishnah (*Hagigah*, ii. 7), and our Sages said distinctly: From the beginning of the book to this place—after the account of the sixth day of the Creation—it is “the glory of God to conceal a thing” (*Prov. xxv. 2*).

We have thus clearly stated our opinion. It is, however, part of the Divine plan that every one who has obtained some perfection transmit it to some other persons, as will be shown in the chapter on Prophecy. It is, therefore, impossible for a scholar to possess knowledge of these problems, whether it be through his own researches or through his master's teaching, without communicating part of that knowledge to others; it cannot be done in clear words; it must be done sparingly by way of hints. We find in the words of some of our Sages numerous hints and notes of this kind, but mixed up with the words of others and with other subjects. In treating of these mysteries, as a rule, I quote as much as contains the principal idea, and leave the rest for those who are worthy of it.

Secondly, the prophets employ homonymous terms and use words which are not meant to be understood in their ordinary signification, but are only used because of some other meaning which they admit, e.g., “a rod of an almond-tree (*shaked*),” because of the words which follow, “for I will hasten (*shaked*)” (*Jer. i. 11, 12*), as will be shown in the chapter on Prophecy. According to the same principle Ezekiel in the account of the Divine Chariot employs, as we have stated the term *hashmal* (*Ezek. i. 4*); also *regel egel* (*v. 7*), *nehoshet kalal* (*v. 7*), and similar terms; Zechariah (*vi. 1*) likewise

[God changing essential nature of snakes or the basic character of man]

The philosophers have already explained how the bodily forces of man in his youth prevent the development of moral principles. In a greater measure this is the case as regards the purity of thought which man attains through the perfection of those ideas that lead him to an intense love of God. Man can by no means attain this so long as his bodily humours are hot. The more the forces of his body are weakened, and the fire of passion quenched, in the same measure does man's intellect increase in strength and light; his knowledge becomes purer, and he is happy with his knowledge. When this perfect man is stricken in age and is near death, his knowledge mightily increases, his joy in that knowledge grows greater, and his love for the object of his knowledge more intense, and it is in this great delight that the soul separates from the body. To this state our Sages referred, when in reference to the death of Moses, Aaron, and Miriam, they said that death was in these three cases nothing but a kiss. They say thus: We learn from the words, "And Moses the servant of the Lord died there in the land of Moab by the mouth of the Lord" (Deut. xxxiv. 5), that his death was a kiss. The same expression is used of Aaron: "And Aaron the priest went up into Mount Hor . . . by the mouth of the Lord, and died there" (Num. xxxiii. 38). Our Sages said that the same was the case with Miriam; but the phrase "by the mouth of the Lord" is not employed, because it was not considered appropriate to use these words in the description of her death as she was a female. The meaning of this saying is that these three died in the midst of

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the pleasure derived from the knowledge of God and their great love for Him. When our Sages figuratively call the knowledge of God united with intense love for Him a kiss, they follow the well-known poetical diction, "Let him kiss me with the kisses of his mouth" (Song i. 2). This kind of death, which in truth is deliverance from death, has been ascribed by our Sages to none but to Moses, Aaron, and Miriam. The other prophets and pious men are beneath that degree; but their knowledge of God is strengthened when death approaches. Of them Scripture says, "Thy righteousness shall go before thee; the glory of the Lord shall be thy reward" (Isa. lviii. 8). The intellect of these men remains then constantly in the same condition, since the obstacle is removed that at times has intervened between the intellect and the object of its action; it continues for ever in that great delight, which is not like bodily pleasure. We have explained this in our work, and others have explained it before us.

Try to understand this chapter, endeavour with all your might to spend more and more time in communion with God, or in the attempt to approach Him; and to reduce the hours which you spend in other occupations, and during which you are not striving to come nearer unto Him. This instruction suffices for the object of this treatise.