

**Maimonides on Imagination:
Towards a Theory of Jewish Aesthetics**

by

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1. Paleologic Thinking: Imagination and Transference of Meaning

On the surface, Maimonides' (1135-1204) treatment of imagination is puzzling, for he attributes to imagination contradictory functions and results. Imagination is depicted as the cause of Adam's fall, the perdition of humankind, and the medium by which magicians, soothsayers, and politicians perform their craft. And yet, God communicates with humans via imagination. It is through the development of imagination that humankind reaches ultimate perfection. Indeed, the biblical prophet is superior to the philosopher because of the former's imaginative powers. At the same time, Moses is the greatest of all prophets, precisely because God did not communicate with him via imagination, but only intellectually! A close reading of this material will show that Maimonides was weaving, with wit and sophistication, a revolutionary theory, pointing to a fresh view of imagination and the role it plays in the development of humanity.

Imagination is a key concept in Maimonides' philosophical apparatus. Whereas in traditional philosophy, imagination is at best a tool of reason, Maimonides conceived of imagination as an independent faculty conditioning the perception, mental associations, and

institutions regulating human activities at the religious, social and political levels. In the Maimonidean economy of ideas, imagination is not a "notion" to be analyzed by some "rational" methodology, either scientific or philosophical, but is itself a peculiar thinking process by which humankind and civilization unfold. This mental process represents an inferior mode of thought and a retrogression from Adam's ability to reason—a radically different process than that of imagination. In that pristine stage, human language consisted of names (Gen. 2:20). Language was capable of predication (see Gen. 2:23), but it excluded syntax and therefore transference of meaning. Without transference of meaning, imagination is inoperative. Things could neither be perceived "as" something else, nor be identified with other beings and ideas. Adam's sin consisted in displacing this mental process in favor of imagination. Maimonides called attention to the Hebrew term for snake, *nahash*, which means also "divination."¹ This leads directly into the Vichian concept of "divination/divine."² Abarbanel (1437-1508) incorporated this radical concept in his Commentary on Gen. 3:22. Specifically, he connected imagination with divination and transference of meaning:

"... And the snake was more cunning than all the animals of the field" (Gen. 3:10). It means that Adam's imaginative faculty was more crafty than the imaginative faculty of all the other animals of the field. Because human imagination is capable of making syllogisms and arguments appearing to be true [=transference of meaning]—something which the imagination of other animals cannot do The snake was regarded by them [the Rabbis] as the imaginative faculty, as it is peculiar to diviners (*menahashim*) which leads to corruption.

Divination is not only the most primitive form of religion, but more importantly, it represents transference of meaning, whereby a peculiar phenomenon is associated with a specific augury, and thus it is perceived not *per se*, but "as"

a something else. In modern philosophy, "seeing as" was first discussed by Wittgenstein (1889-1951). The "as" is not a part of the object itself. Rather, it "represents" something which is not being perceived. This type of perception involves a fundamental process of transformation and displacement: through reflexive associations the object *per se* is displaced and perceived "as."³ At the religious level, this type of association is at the basis of all forms of idolatry, whereby a particular object is perceived "as" a divinity. Linguistically, it allows for a syntactical procedure whereby transference of meaning is possible. Indeed, transference of meaning is at the core of the first sin. Eve associated the fact that the "tree was a pleasure to the eyes" with "good for eating," thereby concluding that "it was delightful for understanding" (Gen. 3:6). It is no coincidence that thereon God's presence is grasped through transference of meaning. Before sinning Adam and Eve heard sound *per se*, thereafter—borrowing a term from Wittgenstein—the sound was "heard as." In this fashion, like the Vichian giants who associated the "sound" of the thunder with the "voice" of Jove,⁴ Adam and Eve associated the sound of "the daily wind"—an ordinary phenomenon—with the "voice" of God, hiding themselves in fear (Gen. 3:8, 10).⁵ The same transformation took place at the visual level. Immediately after sinning "their eyes were opened and they *knew* (*vayyede'u*) that they were naked" (Gen. 3:7). Maimonides observed that the Scripture does not say that "their eyes were opened and they *saw* that they were naked." The change was not at the optical or physiological level, but in their mode of perception: while before the sin they saw, thereafter they "saw as."⁶ This form of thinking was adopted by the children of Cain and the other children that Adam begot after the sin—Maimonides' *shedim* ("the wild ones") and *ruh'ot ra'ot* ("wicked spirits") who are humans void of God's image (the equivalent of Vico's *grossi bestioni*).⁷

Reason was recaptured only by Seth, and it is represented by Moses and the Law.

Maimonides maintained that imagination and reason "have opposite functions." Whereas the principal aim of reason is the analysis of an object into its constitutive parts, leading to the distinction between the universal and particular attributes of an object, the function of imagination is associative, linking disparate and incompatible things and ideas. "Reason (*'al-'aql*) analyzes composed [objects], distinguishing their parts, abstracting and conceptualizing them according to their reality and causes." Only through reason can a thing acquire logical meaning and become the object of analysis. Semantic connotations, including the establishment of new categories, and the distinction of separate entities within an object, are the functions of reason. Referring to the semantic function of reason, Maimonides further noted, "It could also perceive much significance (*ma'ani*) from a single object, which appears as clearly to reason as two individuals clearly appear in reality [via sensual perception] to the imagination."⁸ Reason is also at the basis of inductive and deductive thinking. Such elemental categories, as "particular and universal," and "essential and accidental," are the function of reason. "Furthermore, through reason there can be distinguished what is general from what is specific. No proof can be validated but for the general. Through reason there can be known what is an essential attribute and what is accidental." By contrast,

Imagination does not perform any of these functions, since imagination cannot perceive but the individual composition in general, as perceived by the senses. Or it can combine things which in reality are separate, combining them together into a body or a faculty of a body. As when one imagines a person with the head of a horse and wings, and other such similar things. And this is what is called a "false fabrication" since it does not correspond to anything in reality. Even when abstracting a form to the maximum, imagination can never free its

perception from the material. This is why nothing can be examined on the basis of imagination.⁹

Maimonides opposed the Kalam's philosophy and methodology, precisely because it regarded imagination as a valid criterion by which to distinguish between the realm of the possible and the impossible. Referring to the Mutakallimin philosophers, Maimonides remarked, "they deem that whatever may be imagined (*mutkhayyal*) is also rationally possible,"¹⁰ and conversely "that whatever cannot be imagined is impossible."¹¹

For Maimonides the imaginative faculty is incapable of abstraction: the imaged object is always conceptualized as a body or a bodily force.¹² In humans, this type of imaging may lead to a sequence of mental processes blocking intellectual perception, and distorting reality. This is how Satan was able to approach Eve and entice her to sin.¹³ Thus, Adam fell prey to "his imaginary desires" (*shahwatahu al-khayyaliya*),¹⁴ sinning and losing [more precisely: sinning by losing] his intellectual grasp of reality. In this manner, he passed from the realm of the intellectual, exclusively concerned with "truth/falsehood," to the realm of imagination concerned with "good/bad:" a fictional world ruled by the unmeaningful process of conventionalism.¹⁵ This was possible by retrogressing from rational to paleologic thinking,¹⁶ a thinking process dominated by imagination.¹⁷ Accordingly, imagination is symbolized by the fallen woman, in contradistinction to the virtuous woman who represents the realm of the intellectual.¹⁸

2. Two Classes of Imagination

Let us proceed by examining the role of imagination in prophecy. Prophecy, or divine inspiration, is regarded by Maimonides as humankind's highest realization. It may come about when an individual has attained a threefold perfection: ethical, intellectual, and imaginative.¹⁹ Ethical

excellence, as a pre-condition for perfection is well understood in light of the Bible's insistence on moral conduct and individual accountability.²⁰ Also, according to Maimonides, morality is an essential prerequisite for intellectual excellence.²¹ Intellectual perfection, too, conforms with Maimonides' philosophical thinking, whereby reason is humankind's quintessential attribute,²² pertaining to the very "image of God" in which Adam was created.²³ Maimonides connected prophecy with the divine emanation proceeding from God and embracing the whole of creation.²⁴ Concerning the role of imagination in prophecy, he wrote:

You ought to know that the reality of prophecy and its essence consists of an emanation flowing from God, blessed be He, through the active intellect, first on the cognitive faculty, and thereafter on the imaginative faculty (*'al-quwwat 'al-mutkhayyala*). This represents the highest human level and the supreme perfection which may be found in this species. That state is the supreme perfection of the imaginative faculty.²⁵

Accordingly, the biblical prophet received prophecy through an angel,²⁶ which Maimonides associates with imagination.²⁷

The role of imagination as a factor of human perfection and a condition for prophecy, seems highly problematic. Maimonides seems to have held a positivistic view of imagination. To begin with, it is not a distinct human faculty,²⁸ or a voluntary act which a person could directly control.²⁹ Therefore, neither virtue or vice could be properly attributed to it, but only normality or abnormality.³⁰ It is related to biological and genetic factors.³¹ Psychologically, it is connected with sensory perception, kinetics, conditioned reflexes, and other traits that humans share with members of the animal kingdom. *Khayyal* (imagination), mental imaging, and *takhayyul* (imagining), the forming of new images from the old, are common to the operations of the animal and human mind.³²

There are also basic instincts and urges, such as parental bonding, that in both humans and animals are related to the imaginative faculty.³³ Imagination is also connected with memory, the combination of discrete images and ideas, transference of meaning, and the formation of dreams.³⁴

As mentioned earlier, in humans this type of imaging may lead to a sequence of mental processes which block intellectual perception, and therefore such imaging is not a valid criterion to know the real, ontological universe. A basic premise of Maimonides' intellectual apparatus is that while the ontological world can be grasped by reason, it can never match an imaged object. Somehow, physical phenomena do not unfold according to patterns that can be grasped by the imaginal consciousness. "There are things that if man were to examine on the basis of his imagination he could not possibly conceptualize."³⁵ Maimonides substantiated this premise by pointing to some geometrical models, impossible according to imagination, and yet mathematically true.³⁶ Accordingly, imagination is excluded from the ontological world. Therefore, as a consequence of Adam's sin humans are barred from attaining absolute knowledge of the ontological world. Imagination interferes with human reason, preventing humans from fully grasping the ontological world. Maimonides compares a human's apprehension of the ontological world, to one standing in the pitch dark, discerning the objects around him by sporadic lightning flashing through the night: such knowledge is fragmentary and tentative.³⁷

A pivotal factor in Maimonides' theory of imagination is the relation of imagination to reason. In the total equation regulating mental activities there is a radical difference between "sensory perception > imagination > reason," and "sensory perception > reason > imagination." The relation of imagination to the senses and reason directly affects the quality of both sensory and rational perception. Thus, whereas sense > reason results in "perception of an

object *per se*," sense > imagination results in "perception as."³⁸ Imagination is creative and beneficial only when guided by reason. Left uncontrolled, imagination becomes an instrument of perdition and destruction. Eventually, as with Adam's first sin, imagination would attempt to subvert, and then subdue and control, the intellectual faculty, transforming people into a sub-human species.³⁹ These are the *shedim* "wild ones," and *ruhōt ra'at* "wicked spirits"—the paleologic people *void* of the image of God⁴⁰—Vico's future *bestioni*. This is why Maimonides was careful to stipulate that the creative imagination of the prophet is realized *after* the development of the intellectual faculty. The prophet is *intellectually* superior to the philosopher, precisely because he has learned to guide his imagination and subordinate it to reason.⁴¹ An essential trait of the prophet is to know how to project one's imagination beyond the boundaries of ordinary rationality—penetrating a different world, and transcending in this fashion the strict boundaries of pure rationality limiting the philosopher. Once that it is directed by reason, the imaginative faculty becomes a creative force, enhancing the rational faculties of the individual, and giving rise to a new form of cognition. Thus, Maimonides' seminal distinction between ordinary rationality, operating without the aid of imagination, and the rationality emerging from the conjunction reason > imagination. At this level of cognition, the mind bypasses standard epistemological procedures, and it knows by means transcending ordinary rationality. "You ought to know," wrote Maimonides, "that true prophets reach rational perceptions (*adrakat nazariyya*), which no human can arrive at through reason alone, by examining the causes by which such a knowledge could have been induced." Likewise, the prophets' ability to foretell future events is not a matter of conjecture or inference, but of a level of cognition not accessible to ordinary humans. "The same applies to their [the prophets'] announcement of matters which no human could foretell

through ordinary conjecture and discernment alone." It is important to emphasize that for Maimonides this level of cognition falls within the realm of the natural, not the miraculous.⁴² It comes about when the active intellect not only stimulates reason but also overflows onto the imaginative faculty:

The cause [for the prophets' extraordinary abilities] is that the very emanation which flows onto the imaginative faculty causing it to be perfect—enabling it to foretell oncoming events, and to behold them as if they were things detected by the senses—as if having perceived the imaged object (*'al-mutkhayyala*) through the senses—could also activate the intellectual faculty so that it would enable it to know true existing things. Thus, he would come to apprehend that [object of] perception as if he would have grasped it by means of rational propositions.⁴³

A controlled imagination depends on the proper development of the intellectual faculty. Not all individuals who have developed their intellectual faculties do in fact exercise control over their imagination. What distinguished the biblical prophets from philosophers, is that the former had a creative imagination, whereas the latter was confined to the boundaries of ordinary reason.⁴⁴

The preceding bears directly on Maimonides' position on poetry and poets. Maimonides criticized "orators and poets" for "their corrupt imagination."⁴⁵ It is known that he opposed the recitation of certain forms of poetry in the liturgy. He seems to have believed that the *structure* of poetry—meter, rhyme, etc.—rather than the content, is conducive to paleologic thinking, and therefore manipulative and deceptive.⁴⁶ Accordingly, Maimonides consistently opposed the recitation of *piyūṭim* "liturgical poems" in the synagogue services.⁴⁷ At the same time he approved the private recitation of liturgical hymns which are patterned according to biblical psalms and rabbinic liturgy.⁴⁸

3. The Demarcation of Culture

Maimonides' theory of imagination served as the basis for his distinction between the Torah, and all other cultures and religions. Whereas the Torah alone is based on reason and revelation, all other religions and civilizations are the product of imagination. Anticipating Vico's (1688-1744) division of Hebrews, gentes, and philosophers,⁴⁹ Maimonides divided humankind into three groups.

The first group, representing the vulgar, are people ruled solely by imagination, without any recourse to rational thinking. These are people "that have no logic at all, and no science, but pure imagination."⁵⁰ They are excluded from any creative thought. What may appear as something creative, is nothing more than the combination of fragmentary impressions and residual ideas latent in their subconscious memory.⁵¹ Prominent among this group are political leaders, statesmen, legislators, sorcerers, soothsayers,⁵² and some philosophers.⁵³ Maimonides seems to have included poets in this group.⁵⁴

The second group comprises the philosophers and all those ruled by reason. At this level, although imagination may be controlled by political or ethical considerations, it is not yet directed by reason. This affects the quality of the reasoning power. For Maimonides, creative thinking only comes when the imagination is touched by the divine emanation flowing onto the human reason. What characterizes the individuals of this group is that either on account of their rational predispositions, or because of biological and psychological (*'al-jibla*) factors, their imagination remains untouched by reason and therefore unable to receive divine inspiration.⁵⁵ The inability of the members of this group to properly direct their imagination has an effect on their ethical conduct. It also bears on their ability to properly communicate with the masses or members of the first group, thus directly affecting the political system of their society.

The third group consists of the prophets. These are individuals upon whom the divine emotion flows "over both faculties, that is the intellectual and imaginative... and their imagination is perfectly healthy—these belong to the class of prophets."⁵⁶ Hence the conjunction reason > imagination, underlying prophecy and all truly creative activity. An imagination fertilized by reason not only furthers the intellectual capacities, but also enables the individual to communicate effectively with the masses.⁵⁷ This is why Maimonides regarded the prophet as the ideal political leader.⁵⁸ Moses is categorically different from all prophets because he could perceive the divine message through his reason directly without the aid of imagination.⁵⁹ In Maimonides' view the Law of Moses represents the absolute truth, and it is therefore devoid of imagination while the prophets represent the realm of good and evil. The task of the prophet is, as it were, to formulate absolute truth by means of their specific imaginative faculties.⁶⁰ The variability of the prophetic message and the rich imagery in which it is projected reflect the specific mind and semantic apparatus of the prophet.⁶¹ Thus, while the Law is universal, the message of the prophets remains circumscribed to the specific semantic environment of the prophet. Accordingly, Maimonides criticized those who incorporated prophetic descriptions of God into the liturgy.⁶²

In conclusion, for Maimonides imagination comprises the basic psychological structure of the mind. In humans, this is a dynamic faculty, outlining the key structures and associations fundamental to all forms of religious, political, social, and artistic activity. This theory is one of the cornerstones of Maimonides' philosophical system. His rejection of anthropomorphisms and positive attributes of God, is a necessary corollary of the premise that imagination is incapable of grasping the real, ontological world. Conversely, Maimonides' insistence on the rationality of the

Torah is predicated on the principle that God does not reveal himself in terms of imagination. The same applies to the Maimonidean thesis concerning the view "that prophetic revelation can only be experienced by a wise [person] who is eminent in wisdom."⁶³ Only through reason can the prophet's imagination capture the divine message. Accordingly, one must interpret the prophetic visions as metaphors involving an essentially rational message. Indeed, it is on the basis of the distinction between two classes of imagination that Judaism can be distinguished from all other religious systems and civilizations: only in Judaism does imagination follow reason, while in all other religions reason follows imagination.

This view leads to what may be properly described as a demarcation of cultures, dominated by distinct modes of thinking: one rational and the other imaginative. Hebrew thought is a third type, which includes, but is not reduced to, the other two types. Although these cultures are characteristic of certain civilizations, for Maimonides they represent social, rather than strictly anthropological groups: the vulgar and the philosopher on either extreme of society, with the prophet realizing a vision which includes, but is not reducible to, either the purely rational or the imaginative.

Maimonides' theory of imagination was an important factor in the development of Jewish and non-Jewish thought in modern times. Solomon ibn Verga (d. ca. 1520) used Maimonides' theory of imagination and cultural demarcation to argue in favor of cultural pluralism and religious tolerance.⁶⁴ The same basic idea was taken up later on by the great Italian thinker Vico, who used it to develop a new vision of humanity and cultural variability.

¹The connection between "snake/divination/imagination" was noted by the standard commentators of the *Guide*. All references and paginations of the *Guide for the Perplexed* [henceforth: *Guide*] refer to the Arabic original, *Dalat al-Ha'irin*, ed. Issachar Joel (Jerusalem: J. Junovitch 5691 (1930/31)). The translations are mine. References are to section, chapter, page and line numbers of the Arabic original.

²See *The New Science of Giambattista Vico*, ed. and trans. Thomas Goddard Bergin and Max Harold Fisch (Ithaca, NY: Cornell University Press, 1968), 398, cf. 365, 381, 948.

³See Ludwig Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe (New York: Macmillan, 1968), II, xi, 193e-229e. There is a fine discussion of Wittgenstein's views on this matter in Mary Warnock, *Imagination* (Berkeley: University of California Press, 1976), 183-195; cf. *ibid.*, 158-161. For a psychological analysis of this type of association see Silvano Arieti, *The Intrapsychic Self* (New York: Basic Books, 1976), 184-188.

⁴See *The New Science*, 398.

⁵It is important to note that the paleologic world is particularly sensitive to auditory phenomena; see *The Intrapsychic World*, 121-122.

⁶See *Guide*, I, 2.

⁷Cf. Abarbanel's Commentary to Gen. 5:1, 3, and below n. 40.

⁸On the precise connotation of *ma'na*, *ma'ani* see my *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition* (Bloomington: Indiana University Press, 1986), 79-81.

⁹*Guide*, I, 73, p. 146 (ll. 15-26); cf. *ibid.*, p. 146 (l. 39)-147 (l. 17).

¹⁰*Ibid.*, p. 144 (l. 4).

¹¹*Ibid.*, p. 145 (ll. 6-7); cf. I, 49, p. 73 (ll. 13-17); *Pirush ha-Mishnayot*, ed. R. Joseph Qafih (Jerusalem: Mossad Harav Kook, 1964), vol. 4, p. 375. There are linguistic reasons to associate the "possible" with imagination. In Arabic *munkin* "possible," "thinkable," comes from the root *k'n/kwn* "to be," "to happen," from which derives the noun *makan* "place." Cf. the brilliant remarks of the Hebrew grammarian R. Jonah ibn Jannah, *Sefer ha-Riqma*, ed. M. Wilensky (Jerusalem: ha-'Aqademya lil-Shon ha-'Ibrit, 5724/1964), 22. Thus, whatever may be spatially associated is "possible," and "thinkable." Obviously, this is connected with spatial and simultaneous synthesis; cf. below, n. 17.

¹²*Guide*, II, 12, p. 195 (ll. 8-9).

¹³*Ibid.*, II, 30, p. 250 (ll. 10-19); see the commentaries of Efodi, Shem Tob, and Crescas *ad loc.* Maimonides pointed out that in Hebrew *satan*

(lit., "deceiver") stems from the verb *saʿa* ("to deviate," "to stray" from the right path), implying a distorted image of reality, produced by the imaginative faculty. This is why the Rabbis associate Satan with the *yeṣer ha-ra'* ("evil instinct"), moving humankind to sin (*ḥet*), that is, "to deviate" from the right path, see *Guide* III, 20.

¹⁴*Ibid.*, I, 2, p. 16 (l. 26), cf. *ibid.*, p. 17 (l. 16).

¹⁵I am using "conventional" in the Maimonidean sense, implying not only social conventionalism, but also association of ideas and transference of meaning.

¹⁶See *Guide*, I, 2, p. 16 (l. 26), cf. *ibid.*, p. 17 (l. 16). *Ibid.*, On paleologic thinking in general, see *The Intrapsychic Self*, pp. 108-112, 121-126; on paleologic disorders in modern man, see *ibid.*, pp. 274-277.

¹⁷See Silvano Arieti, *Creativity: The Magic Synthesis* (New York: Basic Books, 1976), pp. 75-76. Obviously, imaginative thinking is connected with spatial thinking and simultaneous synthesis; cf. my *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition*, pp. xxiv, 30-35.

¹⁸Cf. *Guide* III, 8, p. 312 (l. 3 ff.).

¹⁹*Ibid.*, II, 32, p. 254 (l. 15); 36, pp. 260 (l. 22)-263 (l. 6).

²⁰Cf. *ibid.*, II, 40, p. 272 (ll. 1-15).

²¹*Ibid.*, I, 34, p. 52 (ll. 6-9); cf. II, 36, p. 262, ll. 1-7.

²²*Ibid.*, III, 8, p. 311 (l. 15); cf. the following note.

²³*Ibid.*, I, p. 14 (ll. 20-23); 2, p. 16 (ll. 13-15).

²⁴Cf. *ibid.*, II, 11, p. 191 (ll. 24-29).

²⁵*Ibid.*, II, 36, p. 260 (ll. 20-23).

²⁶*Ibid.*, II, 34; cf. I, 15; III, 45, p. 423 (ll. 3-6).

²⁷See *ibid.*, I, 49; II, 42; cf. II, 6, especially p. 184 (ll. 15-18).

²⁸*Ibid.*, I, 73, p. 146 (l. 14).

²⁹See *Pinush ha-Mishnayot*, "Introduction to *Pirque Abot*," vol. 4, pp. 376-377.

³⁰See *ibid.*, pp. 377-378.

³¹See *Guide* II, 36, pp. 260 (l. 26)-261 (l. 2), 263 (l. 8); cf. 32, p. 253 (l. 25); III, 49, p. 448 (ll. 18-19).

³²*Ibid.*, I, 73, p. 146 (ll. 12-14); II, Introduction, p. 168 (l. 15).

³³*Ibid.*, III, 48, p. 440 (ll. 15-17); cf. 49, p. 448 (ll. 20-28).

³⁴*Ibid.*, II, 36, p. 261 (ll. 6-8); cf. *Pinush ha-Mishnayot*, vol. 4, p. 375.

³⁵*Guide* I, 73, p. 146 (ll. 28-29).

³⁶*Ibid.*, pp. 146 (l. 39)-147 (l. 17).

³⁷Introduction to the *Guide*, pp. 3-4; see *Golden Doves*, pp. 36-37; and my "Francisco Sanchez's Theory of Cognition," *New Vico Studies* 5 (1987), 140-142.

³⁸See above, n. 3.

³⁹Cf. the very valuable remarks in *Creativity*, pp. 75-76.

⁴⁰See *Guide* I, 7; see commentaries of Abarbanel, Efodi, and Shem Ṭob, *ad loc.* Cf. III, 51, p. 455 (ll. 6-12), and above n. 7.

⁴¹Hence the intense preparation in the schooling of the prophet, see *Guide* II, 32; cf. 36, pp. 262 (l. 1)-263 (l. 1).

⁴²See *ibid.*, II, 32.

⁴³*Ibid.*, II, 38, pp. 266 (l. 25)-267 (l. 4).

⁴⁴See *ibid.*, II, 37, p. 264 (ll. 9-15).

⁴⁵*Ibid.*, I, 59, p. 96 (ll. 20-22). Cf. Maimonides' *Sefer ha-Miṣvot*, ed. R. Joseph Qafih (Jerusalem: Mossad Harav Kook, 1971), p. 5.

⁴⁶See *Guide* I, 74, p. 150 (ll. 10-20).

⁴⁷See *Teshubot ha-Rambam*, ed. J. Blau (Jerusalem: Mekize Nirdamim, 1960), vol. 2, nos. CLXXX, p. 328; CCVII, pp. 365-366; CVIII, p. 369; CCLIV, pp. 467-468.

⁴⁸See *ibid.*, CCLXI, pp. 490-491.

⁴⁹See *New Science*, 313.

⁵⁰*Guide* II, 38, p. 267 (l. 13).

⁵¹See *ibid.*, (ll. 14-21); cf. *ibid.*, 37, p. 264 (ll. 20-25).

⁵²*Ibid.*, 37, p. 264 (ll. 15-20). This applies even to good and honest politicians and legislators, see *ibid.*, 40, p. 271 (ll. 17-24).

⁵³See above, nn. 9-11.

⁵⁴See above, nn. 45-48.

⁵⁵*Guide* II, 37, p. 264 (ll. 9-13).

⁵⁶*Ibid.*, p. 264 (ll. 13-15).

⁵⁷On the relationship "imagination/metaphor/prophecy" see *ibid.*, II, 47; cf. I, 49. Metaphor is essential to communicate with the masses, see *ibid.*, III, 27, p. 371 (ll. 22-20).

⁵⁸See *ibid.*, 39, pp. 269 (l. 27)-270 (l. 2).

⁵⁹*Ibid.*, 36, p. 263 (ll. 14-17). This is why Moses did not prophesy through an angel; see 34, p. 258 (ll. 23-25).

⁶⁰See *ibid.*, II, 39.

⁶¹See *ibid.*, chaps. 42-47.

⁶²See *ibid.*, I, 59, p. 96 (l. 6)-97 (l. 12).

⁶³*Mishneh Torah, Yesode ha-Torah* 7:1.

⁶⁴See my *In the Shadow of History: Jews and Conversos at the Dawn of Modernity* (New York: SUNY, 1992), pp. 184-189.

6

A Case Study of Jewish Case Law

by

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Consider the following case, reported by Irving Agus in his book on Meir of Rothenburg.¹ Rabbi Kohen Zedek had a nephew. This Rabbi Kohen Zedek allowed a daughter of this nephew to become married in front of witnesses whom he, Rabbi Kohen Zedek, knew to be biblically disqualified from serving as witnesses. He knew, of course, that such a wedding would be null and void. Later, when the bride became displeased with the match, Rabbi Kohen Zedek declared the wedding null and void, and when the husband's family protested, he wrote to Meir for confirmation. Meir ruled that the original wedding indeed never took effect and that the woman was free to marry whomever she wanted without a divorce. When, however, the woman was about to be married to another man, doubts were raised about her precise status. Several prominent rabbis in the Rhineland ruled that despite the dubiousness of the first marriage, it should be terminated by a formal divorce. Contacted again, Meir reaffirmed his original decision that the marriage need not be terminated by divorce. In fact, Meir argued, for the woman to be divorced would cause additional problems since she would then be unable to marry a man of priestly lineage. A violent attack on Meir proceeded, but he stuck to his guns. I do not know for sure how matters were ultimately resolved, but it is