

DEGENERATION OF THE GENERATIONSI. Introduction.

Reminisce: founding A0JS 40 years ago

Models of Time:

*Modern: Evolution. Progress. Jacques Maritain's neologism -- "chronolatry". Yet, indisputable: enormous progress, exponential increase in knowledge.

*Kabbalah: "loop"--high at Adam, again at Moses, again with Messiah

*But Talmud: degeneration of the generations: ירידת הדורות

II. Relevance of Theme.

TuM. A0JS. Role models past...--esp. Maimonides.

But "Torah Only" rebuttal: what permissible to eminences of past is not necessarily available to us precisely because they so great in both intellect and spirit; they cannot serve as role models our generation because: yeridat ha-dorot, an irreversible degeneration of the generations in qualities of intellect and spirit. We are too inadequate, too weak, too vulnerable, to take risks permitted to the ancients.

The theme is widespread in the popular Musar literature of past few generations. R.Hayyim of Volozhin, without explicitly citing the terms yeridat ha-dorot or nitkatnu ha-dorot, effectively endorses the idea in his conception of the irreversible constriction of halakhic freedom through the ages (see Nefesh ha-Hayyim, Part I, chapter 22).

This argument effectively undercuts any effort by proponents Torah Umadda to justify point of view: either no sources to support their thesis, or if do find precedent, is disqualified because nitkatnu ha-dorot, and therefore such precedents do not apply to us.

This criticism deserves to be treated seriously. Degenerative model of time--really mirror-image of modernist fallacy that all new is better than that which was--has respectable sources Jewish tradition. Is major theme in most rabbinic literature. Is based upon reverence for earlier authorities because of proximity to time of Revelation; hence superiority their traditions. Thus, Halakhah generally not permit Amoraim overrule Tannaim; once Talmud decided issue, impermissible for later authorities diverge from decision. In general, earlier authority prevails over later authority.

III. The Argument for ירידת הדורות/נתקטנו הדורות

The Talmud gave expression to this principle in a number of direct statements. Thus,

ברכות ל"ה:--שלא כדורות הראשונים דורות האחרונים.
דורות הראשונים עשו תורתן קבע ומלאכתן עראי וזו
נתקיימה בידן. דורות האחרונים עשו מלאכתן קבע ותורתן
עראי וזו לא נתקיימה בידן

ערובין נ"ג.--לבן של ראשונים כפתחו של אולם ושל
אחרונים כפתחו של היכל, ואנו כמלוא מחט סידקית

שבת קי"ב.--אם ראשונים כבני מלאכים אנו בני אנשים,
ואם ראשונים בני אנשים אנו כחמורים--ולא כחמורו של
ר' חנינא בן דוסא ור' פנחס בן יעיר אלא כשאר חמורים

יומא ט'.--טובה צפורנן של ראשונים מכריסן של אחרונים

יבמות ל"ט:--בראשונה שהיו מתכווין לשם מצוה, מצות
יבום קודמת למצות חליצה; ועכשיו שאין מתכווין לשם
מצוה, מצות חליצה קודמת למצות יבום. אמר רמי בר חמא
א"ר יצחק חזרו לומר מצות יבום קודמת...א"ל ר' נחמן בר
יצחק, אכשור דרי??

And so on...

IV. However...

HOWEVER: the matter does not end here; not sufficient warrant for the technique of "kicking upstairs" all earlier authority whose differing and more permissive views we seek to circumvent by ascribing to them powers far exceeding our own.

The Talmud does not take leap of faith from assumption of superiority of rishonim over aharonim to dogma of infallibility ראשונים but, on contrary, regards imperfections of ancients as act of divine grace, providing for their descendants a place in the sun of scholarly innovation and a sense of intellectual fulfillment. Thus, it is related:

חולין ו'--:ר' יהושע בן זריז העיד לפני רבי על ר"מ שאכל עלה של ירק (מבלי לעשר) בבית שאן, והתיר רבי את בית שאן כולה על ידו. חברו עליו אחיו ובית אביו אגרו לו מקום שאבותיך ואבות אבותיך נהגו בו איסור אתה תנהוג בו היתר? דרש להן מקרא זה (שלפיה חזקיה מלך יהודה ביער ע"ז ואע"פ שהיו לפניו אסא ויהושפט שלא ביערו) אלא מקום הניחו לו אבותיו להתגדר בו, אף אני מקום הניחו לי אבותי להתגדר בו (רש"י: כשיבואו בנינו אחרינו אם לא ימצאו מה לתקן במה יגדל שמם?...). מכאן לת"ח שאמר דבר הלכה שאין מציחין אותו... (רש"י: ...שאין מציחין/מזניחין ת"ח האומר דבר הלכה של חידוש

This is far cry from current reactionary tendency to stifle all hiddush, to regard all halakhic innovation and creativity with suspicion, by appealing to התורה. And is rebuttal to theory that all questions have been answered and is for us of wretched present only to remember and repeat and apply what forbears bequeathed us.

Hence, even while agreeing with doctrine of moral, spiritual superiority rishonim & subsequent ירידת הדורות, and reverence owed by aharonim to rishonim, this by no means precludes the gift & necessity for creativity by hapless later generations, & certainly offers no solace or support for assertion that the right (and even obligation) to engage in Madda was restricted to likes of Maimonides, other such mental &

spiritual giants but is forbidden to us of benighted present.

Indirect evidence that the ירידה hypothesis was not accepted categorically comes from yet other talmudic sources. Thus, (JT) R. Eliezer was asked if later generations are better than the earlier ones, and replied with verses indicating that sinners who caused destruction of the First Temple were less heinous than their equivalents in Second Temple. The comparison of these two generations is given as an example of the ירידה, but it is an historical fact, not an inexorable law of the nature of moral retrogression; else the question was out of place.

Moreover, we find instances where Talmud compares later generations favorably with earlier ones when it comes to being learned in Torah:

גיטין ה':--בדורות הראשונים אין בקיאים לשמה אבל
בדורות האחרונים בקיאים לשמה

It is clear that the ירידה theme in Talmud refers to sociological facts and historical data of specific kinds, not some general metaphysical truth or absolute moral norm. חז"ל observed a deterioration in piety, morality, and devotion to study, and they drew therefrom certain legal consequences. When their observations proved otherwise--as in the case of writing a bill of גט לשמה--they drew opposite conclusions. They did not extrapolate from sociology to theology. Hence, tendency of our own "later generations" to create an ideology out of nitkatnu ha-dorot (a term not mentioned in the talmudic literature), so that examples from the past of intellectual breadth and openness are inapplicable to us, is misplaced.

V. הלכה כבתראי

Second is a halakhic point: not always may we assume the uncontested superiority in wisdom of the earlier over the

later generations. Indeed, a well known passage in the Mishnah itself teaches אין ב"ד מבטל ב"ד חבירו אא"כ גדול ממנו --thus implying that a later court may in fact exceed an earlier one in wisdom. This contradicts the assumption of the necessary degeneration of the generations.

Indeed, the impermissibility for an Amora to disagree with a Tanna's decision should not by any means be taken as unconditional:

Nahmanides (חדושי לסוף ב"ק) lists number cases where Amoraim successfully overruled Tannaim and הלכה כמותם.

R. Joseph Karo maintains that Amoraim do have the right to challenge Tannaim but by general agreement decided that, since חתימת המשנה, they would refrain from such challenges and generally accept the authority of the Tannaim; similarly, the authority of the Amoraim as accepted by later generations, after the publication of the Gemara.

Hence the right in principle for an Amora to challenge a Tanna, or for a post-Amoraic authority to challenge an Amora, clearly contradicts idea that ירידה implies a diminution of inherent value. The consensus, in practice, not to exercise this right to overrule earlier authority undoubtedly indicates a desire to establish an official corpus or canon of law to avoid juridical chaos as, indeed, precedent is given weight in any functioning legal system; it says nothing of innate worth or worthlessness.

Moreover, in a conflict between ראשונים ואחרונים (other than the two examples mentioned above, especially the authority of the Talmud), the Halakhah decides with the later authorities: הלכה כביתראי. This is given as one reason for higher rank universally granted to ירושלמי over בבלי: former talmudists came later & obviously knew latter and found them wanting.

Justice Menahem Alon, in his monumental work on Jewish law, makes trenchant point that הלכה כבתראי, a rule formulated in the Geonic period, seems to run counter to general tendency to defer to superiority of earlier sages. His critics take exception to Alon's broad use of the principle and prefer to see it in rather narrower terms: one legal rule amongst many. But even they agree that the Ashkenazi authorities, beginning with the 15th century R. Joseph Kolon (MaHaRIK), and including such distinguished halakhists as R. Israel Isserlin, R. Jacob Pollak, R. Shalom Shachna, and R. Moses Isserles (RaMA), applied the maxim עד סוף כל הדורות. The Sephardi world did not go along with this extension of the Geonic innovation and its extrapolation to post-talmudic times.

Whatever, this much is certain: first, that Ashkenazi authorities over last 500 years did broaden applicability of the Geonic legal maxim deciding even for post-Talmudic eras with the later over the earlier authorities (provided the former were aware of the latter); this does, indeed, represent a counter-current, in halakhic tradition itself, to conventional assumption of progressive degeneration of generations. And 2nd, beyond question of exact interpretation of significance of הלכה כבתראי, there certainly existed a profound commitment, if not always articulated, to authenticity of halakhic creativity and innovation. There is no more convincing proof than the most eminent of all Sephradi greats--Maimonides himself.

VI. Printing.

Third, stands to reason that ascription of superiority to the ancients derives primarily from their proximity to sources of the tradition, i.e., Revelation, and therefore their reports are more reliable because they were less likely to have been distorted by passage of time and transmission through so many more generations. This would account for the preference for

Mishnah over Talmud, because the תושבע"פ was indeed transmitted orally. Once it was committed to writing, however, and especially with the advent of printing, this explanation no longer serves to assume automatically the inferiority of the present to the past. (כך הלח"מ פ"י הל' ת"ת). שלא שייך היום דין מורה הלכה בפני רבו שאנו לומדים מספרים והם (הרביים שלנו). The text now stands as the authority, not the chronological position of the person. In this manner, creativity is salvaged, for otherwise all later generations are reduced to exegesis and, eventually, repetition alone.

VII. Giants and Dwarfs

Fourth, while as individuals we consider the ancients our superiors, collectively we may assume the reverse, for we have the advantage of having learned from them. This theme has been expressed in aphoristic fashion by Isaac Newton in 1676: "If I have seen farther, it is by standing on the shoulders of giants." (Actually, this goes back to the early 12th century French savant, Bernard of Chartres, and has been repeated in writing some 18 times until the beginning of the twentieth century.) The first mention of the aphorism by talmudic authorities, and hence a counter-argument to the degeneration theme, is by 12th century R. Isaiah de Trani, and has been repeated often since. Thus, we may indeed be dwarfs compared to our predecessors, but we are the fortunate beneficiaries of the cumulative wisdom of the ages--bequeathed to us by them--and therefore have the capacity to see farther than they did.

VIII. Moral/Technological Greatness

Fifth, one must distinguish between different kinds of knowledge. Granted that earlier generations were superior to us in moral and spiritual realms, that does not exhaust the areas of human endeavor. The progress in science and technology is massive and demonstrable, and needs no

elaboration here. Such progress, especially as it relates to the successful extension of longevity and the increase in health, quality, and dignity of life, is not to be derogated even from a spiritual point of view. On the contrary, it is a historic achievement that must be applauded and fostered.

IX. Intellectual Honesty

Finally, there is simple but critical element of intellectual integrity. Authority, whether of past or any other kind, is unquestionably a major element in tradition and in law, especially in Judaism generally and in Halakhah specifically, and must be respected. But truth has a prior and stronger claim upon us as a matter of religious principle.

One of the great ראשונים, the twelfth century R. Isaiah de Trani (the Elder), is quite forthright in refusing to yield to prior authority simply because of differences in chronology and thus stifle his own halakhic creativity and his perception of the truth. Thus,

What I can prove from the text is what I write... I recognize full well that "the fingernail of the early masters is better than the waist of the later ones," but this I hold true, that if because of the way I read a text I do not agree with a certain view [of an earlier authority], "even if Joshua the son of Nun were to tell it to me, I would not obey him," and I would not refrain from writing what I think is right. For this is the way of the Talmud: the last of the Amoraim did not refrain from criticizing the earlier [Amoraim] or even the Tannaim, and they fully contradicted Mishnayot, and often decided against the majority [of earlier authorities] and sided with the minority...

In a similar vein, the 12th century R. Abraham Ibn Ezra writes:

The spirit of God made us all and from matter were the early ones formed as were we... We know that Daniel was a prophet and that he was greater than

all the wise men and magicians of Babylon, yet the Sages said that Daniel erred in his reckoning; and what is simpler than arithmetic? (In his Commentary to Ecclesiastes 5:1.)

R. Simeon b. Zemach Duran (1361-1444) is even more direct:

The aharonim--despite their acknowledgement that their hearts were so much narrower than those of the rishonim--were not ashamed to admit that they [occasionally] contradicted the words of the latter. For it is appropriate for every sage and scholar not to favor one who is greater than himself if he finds obvious errors in the words of the other.

Along the same lines, we hear the following from the 15th century R. Isaac de Leon of Toledo, author of Megillat Esther, a defence of Maimonides against the critique of Nahmanides:

It is possible for the aharonim to know more than the rishonim for two reasons: First, one of the aharonim may have taken it upon himself to specialize in one particular area, working on it in depth and so assiduously applying his intellectual efforts that he understands it better than the rishonim. Second, we of the later generations, despite our lack of adequate industriousness in our studies, attain more in a short time than did [our predecessors] in a much longer time. That is so because in their times [the various branches of] wisdom were unknown or incomplete, and they had to deduce them by dint of great intellectual effort, whereas we find all prepared all for us [by them] like a table that is all set.

Even in modern times, with a more conservative tendency prevailing as it has since the Enlightenment and its excesses encouraged such a reaction, we find scholars who display remarkable intellectual courage despite their acceptance of the degeneration thesis and their unlimited reverence for the founders and transmitters of the halakhic tradition. Thus, R. Abraham Isaiah Karelitz ("the Hazon Ish") writes:

I have taken it upon myself to search in the Talmud as best I can, even though [my conclusions] may go

against the rishonim. I must rest content with the awareness that the words of our Rabbis are most important, and we are but the orphans of orphans. Nevertheless, one must never desist from clarifying and refining [his views] as best as is possible given his limitations, even to the point of deciding the Halakhah [according to his own interpretation], provided there is no explicit contradictory ruling of the Rishonim. Were it not so, I would be lacking in the involvement in Torah study.

Perhaps the most outspoken advocacy of intellectual integrity in the face of the necessary reverence for past authority comes to us from the son of Maimonides himself. R. Abraham excoriates those who seek to have the opinions of an authority prevail whether or not they are true:

You must know that it is injurious to strive to cause a certain view to prevail because one reveres the one who propounded it and therefore wishes to accept it without pondering and understanding it, regardless of whether it is true or not. This is forbidden both from the point of view of Torah and the point of view of reason. Reason cannot accept it because it implies a lack and deficiency in understanding that which we are required to believe in. And from the vantage of Torah--because it diverges from the way of truth and and departs from the path of integrity. The Almighty said: "... you shall not respect the person of the poor, nor favor the person of the mighty; but in righteousness shall you judge your neighbor" (Lev. 19:15). There is no difference whether we accept an opinion without [adequate] proof or whether we [accept it because we] believe the one who uttered it and respect him and assert that he must undoubtedly be right because he is a great man... Not only is this not [adequate] proof, but it is forbidden.

Our author concludes this simple but powerful argument for honesty and truth by referring to the dispute between Jewish and non-Jewish sages which R. Judah the Prince, compiler of the Mishna, decided in favor of the Gentile sages (פס' צ"ד). R. Judah was called רבנו הקדוש specifically because of this: "for a man who casts away falsehood and establishes the truth and decides truthfully, and is willing to change his mind if he is proven wrong--such a person is undoubtedly holy."

This fearless respect for truth and intellectual audacity are not confined to rationalists (and their family!). Thus, the Gaon of Vilna advises against any submission to higher authority when one must render an objective decision. His student, R. Hayyim of Volozhin, decries exclusive reliance upon the Shulhan Arukh, the accepted standard code of Halakhah, without investigating the original talmudic sources. He follows his own thinking, and if he finds some other author opposed to his views he neither abandons his own position nor does he necessarily dispute the other authority. He relies, instead, upon his readers to judge for themselves. כי בתורה שנקראה תורת אמת בלתי אל האמת עינינו He is grateful

to the Creator for the fact that men's opinions differ, and he seeks only the truth in every problem that confronts him. "It is forbidden for a student to accept his teacher's words if he finds them deficient, for at times the truth is with the student." When we disagree with a teacher, or some earlier authority, we are engaged in a "holy war," a milhemet mitzvah. Of course, this passionate search for truth, even in defiance of established authority, must be conducted with humility and respect. הוי מתאבק בעפר רגליהם של ת"ח. There should be no conflict between reverence for predecessors and the pursuit of truth. This is a view that characterizes the greatest of halakhic minds, and it is meant to be normative for all of us--even intellectual and spiritual dwarfs...

For all these reasons, the nitkatnu ha-dorot or degeneration of the generations argument cannot be employed uncritically. Thus, Maimonides was indeed a giant amongst men, probably the most illustrious Jew and luminous thinker since the close of the Talmud. But the succeeding generations have built upon his historic contributions, and they have developed expertise in numerous areas that gives them insights that were not available to him, even as he had information that was not available to his predecessors. It is no tribute to him that we refuse to act on his advice (in this case, relating to the value of מדע/חכמה--philosophic and scientific studies) because we are dwarfs and he was a giant.

He would, it seems, simply invite us to climb on his shoulders and proceed from there.