

I am grateful to the Editors of CHAVRUSA for giving me this opportunity to bring the discussions on the Late Friday Service to a ~~close~~ conclusion by responding briefly to the comments of Rabbis Weiss, Shoham and Wolf published in the last issue.

I am indebted to Rabbi Weiss for his thoughtful ~~page~~-article in which supports my contentions in part, and particularly for bringing to my attention the <sup>Halachic</sup> dimension of the Kabbalat Shabbat psalms and hymns.

Insofar as the Halachic criticism of my thesis is concerned, Rabbis Weiss and Shoham agree in disputing my equation of the Talmudic case of a convenient Saturday night Maariv and our current problem of the Late Friday Service. They argue, essentially, that an early Saturday Maariv necessarily precludes Tossafet Shabbat, which is not the case with the Friday late service. There is no question that they are right - provided we ~~remember that~~ ~~is so only if we~~ speak of an occasional delay in the Friday Maariv, so that Tossafet Shabbat is observed as usual. We, however, are discussing a case of, as I put it originally, "normalizing" the Friday Maariv at a late hour. There is no secret as to why we do so - it is because not only Tossafet Shabbat but even Shabbat itself will not be observed until that hour. It is an accommodation provided for those who do not observe the Shabbat. And I maintain that a regular and set Late Service necessarily precludes Tossafet Shabbat, by its very nature and cause and purpose, and gives rise to the legitimate fear of its inspiring actual desecration of the Sabbath proper. When we accept these realities in their practical context, we may justifiably entertain this equivalence between the early Saturday Maariv and the Late Friday Service.

I fail to understand why Rabbi Shoham seems amused by my attempts to find authority ~~in~~ in Talmud and Rishonim for a peculiarly modern problem. If we indeed believe that the Halacha is always relevant and not just fossil material for dissection by legal antiquarians, then we must of necessity apply old principles to new situations. Do we not do the same with electricity and airplanes and a host of other modern problems?

As to Rabbi Wolf's critique of the form of my dissertation, allow me to answer as follows



Dear Rabbi Weiss:

Allow me to answer Rabbi Wolf's criticisms as follows:

- 1) Rabbi Wolf questions the propriety of including a "research paper" under the heading of "Mador Ha'halachah." I am ignorant of any prescribed limitations on literary style in elucidating or elaborating the Halacha. A typical responsum of the "acharonim" differs as much, stylistically, from a Mishna, as does a "research paper" from a "teshuvas Rashi." *departure from trad. lit. form* *we must similarly stigmatize*  
If ~~innovation in style~~ is wrong, then I ~~feel honored to be included in the company of~~ other such ~~sinful~~ stylistic innovators as Rabbi Yehudah Ha'Nasi, Rav Ashi, Rav Achai and, above all, Maimonides.
- 2) Rabbi Wolf's emphasis on "Lashon Kodesh" presents a more serious problem. From the point of view of historical fact, I do not believe his argument has much merit. The first formal responsa we know of date from the Gaonic period. And these were usually not written in pure Hebrew - most of them were in Aramaic, a combined Aramaic-Hebrew or completely in Arabic, the vernacular of that time. Saadia Gaon wrote all his "halachic works in Arabic. A good number of Maimonides' responsa, as well as some of his major ~~Halachic~~ Halachic works, were originally written in Arabic. Will Rabbi Wolf refer to them as "merely research papers" and deny them place in CHAVRUSA's "Mador Ha'halachah?"

At the same time, ~~historical fact notwithstanding~~, there is ~~some~~ something to be said for Rabbi Wolf's objection to any language other than Hebrew as the vehicle for Halachic discourse. Prof. Assaf ("Tekufot Ha'Geonim Ve'safrutah", p.188) believes that it is precisely because they were not written in Hebrew that most of Saadia's works were lost to us. One can only guess that a similar fate might have befallen Maimonides' works had they not been translated into Hebrew.

Conceding this point, allow me to present the following reasons for my choice of English:

- a. The essay was originally read as a paper at the Convention, where English is the medium
- b. I was not writing for posterity.



c. There is no doubt that the writing of Halacha and other "Torah" in Hebrew throughout the ages contributed considerably to keeping the language alive despite the fact that it was not a spoken language. Now, however, when the Holy Tongue has become the official national language of Israel and there is no danger of its lapsing into obscurity, the "survival value" for Hebrew is no longer an issue in choosing the literary medium for a Halachic dissertation.

With this element eliminated, we must consider another important issue: intelligibility. As long as the broad masses of American Jews understand no Hebrew, is it not better perhaps to publish at least some Halachic work in English, if only to acquaint them with its relevancy and meaningfulness? If it is our function to teach Torah to all Israel, and to refute the notion that Halacha is the private domain of an esoteric coterie of clerical professionals, then one of the main tasks of our generation of American Orthodox Rabbis should be the popularization of Halacha in English, even while teaching our people the importance of "Lashon Kodesh". I can therefore not accept Rabbi Wolf's contention that deciding between Maimonides and Tosafos is more risky in English than in Hebrew. The prevailing ignorance of Torah will not be <sup>overcome</sup> conquered by dogmatic pronouncements in the name of Halacha. If our laity is to come to a higher conception of Torah than that offered them in the cut-and-dried "Customs and Ceremonies" courses, we shall be forced to speak and write and explain Halacha in the vernacular. It may not be the most pleasant or most convenient or even the easiest task, but, to my mind, Halacha in English is still holier than "epikorsut" in Hebrew.