



HaRav Shaul Israeli zt"l  
Founder and President

# HEMDAT YAMIM

## ח'מ'ת מ'מ'ח

### Parashat HaShavua

Vayeishev, 24 Kislev 5777

#### The Land of His Father's Converts

Harav Yosef Carmel

It is well known that Avraham and Sarah converted many to monotheism, as the *pasuk* says: "the people he made in Charan" (Bereishit 12:5). The *midrash* (Bereishit Rabba 84:4) expands on this phenomenon regarding all the forefathers. It demonstrates that Yaakov was also heavily involved in it. Yaakov instructed those around him ("his household and all who were with him") to remove the idols from their midst (Bereishit 35:2-4). They infer from the first *pasuk* of our *parasha* that Yitzchak was also involved in conversions: "Yaakov lived in *eret megurei aviv*." While as written, this means the land of his father's inhabitation, they read it as the land of "*giyurei aviv*" (of his father's conversions). So we see that conversion was something in which our patriarchs and at least one of our matriarchs invested much time and energy.

One of the "time bombs" that lie within Israeli society is the problem of those who moved to Israel based on the Law of Return and received full Israeli citizenship but are not halachically Jewish. At least the second generation of these people consist of fluent Hebrew speakers, and they study in standard Israeli schools (including religious ones) and serve in the Israel Defense Forces – in other words, they are fully integrated into Israeli "Jewish" society.

They encounter a problem when they want to marry according to Israeli law, as the State does not have a solution for them at this crucial moment in their lives. Marriage is a religious act here, and these people are not included in any religion. Estimates of the number of such Israelis vary from 300,000 to 500,000 (including the third generation).

Those who have difficulty in being recognized as Jews can be categorized into three groups: 1. Jews who cannot prove that they are Jews, usually because the Holocaust and/or the wicked Soviet regime erased their ability to prove their Jewish status, whether by means of documentation or by means of behavior. 2. Those who come from Jewish men, who, under the difficult situations that existed, married non-Jewish women. They require full conversion. 3. Distant relatives of Jews, who were granted *aliya* rights due to the Law of Return.

In the coming weeks, we will look into how to deal most properly with each of these groups. We will start with the first. Determining one's status as a Jew is a broad topic, and there are different ways to try to go about it. The State of Israel should spend the resources necessary (which are significant) to do so properly to allow these brothers to feel as full and accepted parts of their national heritage. This is a great *mitzva*, which does not require any religious procedure.

Of course, it suffices for their matrilineal line to be Jewish. We are involved in halachic and scientific research into a genetic test that can help in giving support for the claim of being born Jewish, to up to 40% of the Jewish population of this group. When we have completed our efforts, we will share it with halachic and scientific leaders throughout the world to promote this avenue of assistance to an important segment in our society.

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# Ask the Rabbi

by Rav Daniel Mann

## Dilemmas of Chazan for Shabbat Kedusha

**Question:** I am a frequent *chazan*. Someone pleasantly set out at length [*condensed here*] his objections to the way I (like others) do *Kedusha* of *Musaf*. He argued that since the *tzibbur* now recites “*K’vodo malei olam...*,” which introduces “*Baruch k’vod...*,” the *chazan* must not sing *Kadosh* in a way that encourages them to repeat it. He should start his tune with *K’vodo*, demonstrating that *Kadosh* and *K’vodo* are separate, and it is better if the *chazan* says *Kadosh* quietly. Is he right?


**Answer:** *Kedusha* consists of three introductory statements, each followed by a *pasuk* (from Yeshaya, Yechezkel, and Tehillim) used by the angels and us to sanctify Hashem’s Name. There is a *machloket* and different practices whether only the *chazan* (Tur, Orach Chayim 125) says the introductory passage(s) or even the *tzibbur* (Taz, OC 125:1). The *minhag* is to say the longer introductory passages of Shabbat/Yom Tov (Mishna Berura 125:1).

The Be’ur Halacha (125:1) deals with the dilemma of how the *chazan* should say the *p’sukim* of *Kedusha*. If he waits for the *tzibbur* to finish, he is reciting them “without a *minyan*.” However, he needs to recite them out loud so that those in the midst of *Shemoneh Esrei* can be *yotzei* with him (Shulchan Aruch, Orach Chayim 104:7). Some say that the *chazan* can accomplish both by starting each *pasuk* before the *tzibbur* finishes reciting it (see Be’ur Halacha, *ibid.*). Some say that the fact that those in *Shemoneh Esrei* (*ibid.*) or the *tzibbur* (Emek Beracha, cited by Teshuvot V’hanhagot I:111) are listening to him makes him considered part of a *minyan*. One could even claim that the *tzibbur*’s present *minhag* to sing along actually creates a *minyan* (even though they just finished reciting it, one may answer *Kedusha* multiple times).

Regarding weekdays, practice is set, for whichever of the reasons provided. Shabbat davening, though, is a test case. Teshuvot V’hanhagot (*ibid.*) argues that since the long introductory passage is not an essential part of *Kedusha*, by the time the *chazan* starts *Kadosh*, he cannot connect himself to the *tzibbur*’s recitation. Therefore, he prefers that the *chazan* say *Kadosh* immediately along with the *tzibbur*, loud enough for those in need to hear him. (Igrot Moshe, OC III:4 does not like the prospect of trying to hear the *chazan* over multiple voices; it is unclear if he is talking about Shabbat.) One can also start *Kadosh* soon after the *tzibbur*, who can get used to being silent for *Kadosh* and singing *K’vodo* along with the *chazan*. While these may be the best ideas from a purist perspective, our average *shul* is not the place for purists to go against standard practice when there are reasonable alternatives.

Some have the practice, which is not new (see Ktzot Hashulchan 83:(22)), that on Shabbat the *chazan* says *Kadosh* along with the *tzibbur* quietly and starts aloud only from *K’vodo*. The K’tzot Hashulchan surmises that this is based on the assumption that on Shabbat, everyone has finished *Shemoneh Esrei* by the time of *Kedusha*. If indeed no one need to be *yotzei*, this works well, but this is not the case in many *shuls*.

There is enough to rely upon for the standard *minhag* for the *chazan* to say *Kadosh*, with or without the *tzibbur* singing, after the *tzibbur* finishes everything. It is true that from a purist perspective, it does not make sense for the *tzibbur* to sing *Kadosh* after introducing the next piece. However, while one may not speak during *Kedusha* (Rama, OC 125:1), considering that all of *Kedusha* is interrelated, it is hard to consider the *tzibbur* repeating *Kadosh* along with the *chazan* a *hefsek*. The idea of the tune not making it look like *Kadosh* is part of the same unit as *K’vodo* is a *nice* one *l’chatchila*. Therefore, there is logic for you, as a talented, learned *chazan* [*ed. note - I know him*], to start your repertoire of songs from *K’vodo*. (There is something nice about “good-old *nusach*” being heard more often). However, we would not deem joint singing of *Kadosh* illegitimate or the reason many people do not understand *Kedusha*’s structure.



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