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Something Old, Something New

By Beverly Gribetz and Ed Greenstein

Within the traditional halakhic framework it is only the chatan who fulfills the active role of effectuating kiddushin, only men who serve as witnesses and, by custom, only men who speak aloud. For our wedding thirteen years ago in New York, at which an Orthodox rabbi was our mesader kiddushin, we sought ways to give the kalla and women more active roles in the ceremony. For reasons of halakha these functions were to be of a more rhetorical nature, but their effect was to be significant.

After a lengthy process of studying the sources and consulting scholars and rabbis, we discovered that some of what we found and which was approved by our mesader kiddushin - such as a kalla's tish and a pre-nuptial agreement we were able to incorporate into the ceremony.

For the kiddushin, we wanted to enable the kalla to respond in a meaningful way to the act of kinyan, literally acquisition, by which the chatan consecrates the kalla as his bride. Had we opted to make use of the traditional formula, whereby the chatan says to the kalla that she is consecrated - mekudeshet - to him by virtue of the ring that he gives her, there would have been no way for the kalla to echo the chatan's language. We did not want to modify in any way the kiddushin that is the chatan's prerogative and responsibility to enact.

We therefore chose to dust off an ancient rabbinic formula that would enable us to have the chatan, and then the kalla, say it - but with a critical reversal of the phrases. In the Talmud Bavli, Masechet Kiddushin, page 5b as well as in the major codes: Rambam's Mishneh Torah, Nashim, Hilkhot Ishut 3:6 and the Shulkhan Arukh, Even Ha'ezer 27:2, one finds the Aramaic formula, harei at li le'intu, You are hereby my wife. Accordingly we had the chatan say (in Hebrew), harei at li le'isha kedat Moshe v'Yisrael. At this point the chatan presented the kalla with the ring that had belonged to him and effectuated the process of kinyan by which the kiddushin was made. For the sake of rhetorical reciprocity, we had the chatan add, v'ani ishekh, and I am your husband, which reinforced the formula the chatan had said.

Following the chatan's act of kiddushin, the kalla responded, ani ishtekha kedat Moshe v'Yisrael ve'atta li leish, I am your wife, by the laws of Moses and Israel, and you are my husband. The phrases are reversed so that the kalla's utterance cannot be interpreted as her acceptance of the kiddushin on condition - al tenai - i.e., that she would regard herself as mekudeshet only if the chatan were to agree to her proposal. By responding in the way that we arranged, the kalla only affirms the kiddushin that had taken place. But from a rhetorical perspective, she makes her voice heard on a par with that of the chatan.

The ring that the chatan gives the kalla represents the valuable by which the chatan effectuates kiddushin. But outside the chuppa ceremony itself, the ring symbolizes the commitment of a wife to her husband. The commitment is surely mutual and we chose to have the kalla, now a married woman, present the chatan with the gift of a ring, a representation of love and not an instrument of kiddushin. This occurred following the reading of the ketuba - by a woman - which marks the boundary between kiddushin and the marriage, nissuin.

In presenting the ring, the kalla recited the famous verse from Hosea 2:21, which may be translated: ?I betrothe you forever; I betrothe you in righteousness and justice, in devotion and love; I betrothe you in good faith. The fact that the Hebrew verse is framed as a male addressing a female makes it clear that the kalla is not performing an actual betrothal but is reciting the verse for rhetorical effect. We had the chatan respond by reciting the nearby verse, Hosea 2:18: On that day, says Hashem, you will call out My man and you will not call out My husband. We read this verse midrashically as an assertion that marriage is an equal partnership between a man and a woman and not a relationship in which one party is dominant.

We knew we were doing something different, but we were also confident and reassured that everything we were doing was within halakha. Halakha is much broader than traditional practice which tends to preserve things as they are. Our process of study and application only confirmed our sense that halakha provides for developing traditions in directions that speak ever more meaningfully to the heart and mind of the Jew.

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