

## THE BRIDE'S VOICE: RELIGIOUS WOMEN CHALLENGE THE WEDDING RITUAL<sup>1</sup>

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Halakhic marriage fixes the status of a woman as property. This status is, of course, not mutual and certainly not acceptable to me. . . . In general, I don't think it is healthy for a couple to live in consciousness of such power relations. . . . So it is completely unnecessary for a normal, healthy woman to submit herself to such nonsense. It is not respectful; it is not respectful of the institution, of the couple, of their relationship. (Tehila)

Tehila thus expressed her discomfort with her sense that the traditional Orthodox Jewish wedding ceremony amounts to a ritual of acquisition—a conviction she shares with a broader group of women. For my doctoral dissertation I chose to interview twenty-five women, each of whom sought to challenge, resist, and adapt her performance of the ritual by producing alternative interpretations and practices aimed at creating change in the religious system. This article begins by describing the different strategies of interpretation the women employed and then moves to the strategies of action they used to address their wedding rituals. It centers on the brides, but in order to place their actions in context, I shall also remark upon the responses of the rabbis with whom they negotiated regarding the actions they took.<sup>2</sup>

The women I studied comprise a fairly homogeneous group. All were in their mid-twenties to mid-thirties at the time of their marriage, and all of the marriages took place within the past decade; all are well educated and consciously identify as both religious and feminist; and all lived in Jerusalem while single, specifically in the neighborhoods of Rehavia, Katamon, and Baka.<sup>3</sup> Since they identify as religious, they feel constrained (to varying degrees) to abide by Jewish law (halakhah). Thus, they evinced a desire to have Orthodox weddings—either because they personally felt committed to religious Orthodoxy, or because their fiancés, parents, or communities were committed to Orthodoxy.

They did not feel that they could take the path of some non-Orthodox women who opt for egalitarian ceremonies that are not acknowledged by the Orthodox rabbinate, the only body authorized to register Jewish marriages in Israel. Such marriages can be registered only by means of a civil ceremony performed outside the country—a route followed by many secular Israelis in order to avoid the religious ceremony altogether.<sup>4</sup>

Moreover, all but one of the marriages I studied received rabbinic certification. That is, the weddings were performed by rabbis certified by the Chief Rabbinate of Israel, which requires that they abide by its rules in performing wedding ceremonies—rules framed not only by halakhah but also by the policies and politics of the Rabbinate, as some of the rabbis pointed out. The rabbis allowed the women varying degrees of flexibility in modifying the ritual; indeed, they also varied in the degree to which they themselves identified with the Rabbinate. Notwithstanding these variations, they all located themselves on the liberal side of the religious spectrum. Some of them belong to a religious Zionist organization of rabbis called “Tzohar,” which is known for its liberal attitude toward Orthodox marriage. Although the women I interviewed are still a local vanguard, I believe this phenomenon is expanding and increasing its influence on the wider Orthodox community and its discourse in Israel.

I collected the data for this study through in-depth narrative interviews, which took place in the women’s homes and lasted two to three hours each. Jerome Bruner<sup>5</sup> has written of the narrative interview as a window into the inner world of the interviewee, as well as an effective way to explore the individual’s notions of existing power constructs, norms, and social assumptions—all of which were important objectives in my research. I used two main theoretical approaches in analyzing the data: narrative analysis and discourse analysis. One of the ways to do narrative analysis is via a voice-centered approach that seeks to unpack and distill the many threads that make up the story as it is articulated during the interview.<sup>6</sup> Discourse analysis emphasizes the performative qualities of language and its role in constructing society and culture.<sup>7</sup>

The transformative aims of the women’s practices can be understood only in the context of the traditional wedding ritual as it is today performed in Israel (and throughout the Orthodox Jewish world). That ritual comprises the following steps: Before the wedding ceremony itself, the groom signs the *ketubah*, a contract delineating his financial obligations toward his wife. Then he is led to the bride, who has been sitting in a chair awaiting him. Upon reaching

her, he covers her face with a veil. He turns and walks to the *hupah* (marriage canopy), accompanied by the wedding guests, and awaits the bride there. The bride, similarly, proceeds to the *hupah*, and upon reaching it, in the Ashkenazi (European Jewish) custom, she circles the groom seven times, accompanied by her mother and mother-in-law to be. Only now does the formal two-part ritual begin. The first part is the *kiddushin* (acquisition) ceremony, in which, following recitation of the betrothal blessing and the blessing over wine, the man fulfills the active role of acquiring the woman by addressing to her the Hebrew words *harei at mekudeshet li* (“you are hereby consecrated unto me”) while giving her a ring. After this, the *ketubah* is read aloud, separating the two parts of the ritual. Now the second part begins—the *nisu'in* (marriage), in which the *sheva berakhot*, the traditional seven wedding blessings, are read by a man or several men. At the end of the ritual the groom shatters a glass by stamping on it.

Numerous feminist critiques have been leveled against the traditional wedding ritual, specifically targeting the *kiddushin* as an act of acquisition and therefore one of oppression.<sup>8</sup> Critiques have also been made of other ritual acts or elements associated with the wedding: The covering of the bride with the veil has been interpreted as symbolically rendering her invisible; the circling of the groom strikes many as indicating that he is at the center, while the bride is at the margins; and the seven blessings, recited by men only, do not give women a voice in this part of the ceremony.

The Jewish legal scholar Judith Wegner points out that the framers of the Mishnah view marriage first and foremost as the transfer of ownership of a woman's sexuality. In the mishnaic catalogue of various types of chattel and the legal procedures for acquiring them, wives head the list. Wegner suggests that the Mishnah's framers listed the different types of property along with the wife so as to indicate both a formal and a substantive analogy between the acquisition of the woman's sexuality and the acquisition of chattel. Thus, the traditional text's view of the woman's sexuality (but not necessarily the woman herself) as chattel is further expressed in the unilateral ceremony of espousal, whereby the man recites a formula to the woman, who is forbidden to make any reply. Even if she were to speak, her words would have no effect.<sup>9</sup> In other words, it is specifically forbidden by halakhah for the woman to “acquire” her husband in a mutual act of acquisition.

There are some harsh implications of this legal arrangement, which is still valid in the rabbinical courts in Israel as well as in the rest of the Orthodox

Jewish world. Most importantly, a Jewish woman wed by the laws of the Torah can be divorced only by her husband's act of giving her a traditional bill of divorce (*get*). Should her husband stubbornly refuse or otherwise be unable to release her in this way, she will remain a *mesurevet get* or an *agunah*, unable to remarry.<sup>10</sup> In this matter, Jewish law discriminates openly and explicitly between men and women. A *mesurevet get* or *agunah* who chooses to live with another man pays a heavy price. Her children by that man are considered *mamzerim* (bastards), and under religious law neither they nor their offspring for the next ten generations are allowed to marry Jews. Because all marriages between Jews in Israel are governed by Orthodox religious law, such children and their descendants are unable to marry in the State of Israel. In contrast, a married man can have children by another (unmarried) woman without legal sanction.<sup>11</sup>

## 1. STRATEGIES OF INTERPRETATION

The women in my study did not hew to a strict feminist interpretation of the Orthodox wedding ritual as an oppressive act. Rather, they chose to make their own interpretations of various of the ritual acts associated with the traditional wedding—such as the act of *kiddushin*, the lifting of the veil, the circling of the groom, the seven blessings—which they did not always classify as oppressive.<sup>12</sup> I found three main strategies of interpretation:

- (a) viewing the ritual act as merely symbolic;
- (b) imposing a personal and invented meaning upon the ritual act; and
- (c) viewing the ritual act as oppressive.

I shall illustrate how these strategies were implemented with respect to the core ritual act of the wedding—*kiddushin*.<sup>13</sup>

### *(a) Viewing the Ritual Act As Merely Symbolic*

The women who chose the first strategy emphasized the symbolic component of *kiddushin* and chose, to some extent, to ignore its legal ramifications as an act of acquisition. This approach is demonstrated in Rivki's view:

It did not bother us at all, the issue of the acquisition, because it was clear to us that we have a relationship of equals. . . . It was clear that he wasn't acquiring me; it was also clear from the halakhah that this was not an act of acquisition. It is a symbolic act.

Rivki's understanding of *kiddushin* is linked to how she views her relationship with her husband, with whom she sees herself as being on an equal footing. This enables her to view the act as merely symbolic, softening the tension between her feminist consciousness and the act's traditional meaning.

*(b) Imposing a Personal, Invented Meaning upon a Ritual Act*

The women who chose the second strategy imposed various individual and invented meanings upon the act. Yael explained her interpretation thus:

This concept [of acquisition] bothered me, but . . . I related more to the idea of the *kiddushin* in its meaning as distinction (*havdalah*), in that Udi differentiates me from the rest of the world and I differentiate Udi from the rest of the men. So it didn't depress me.

The women who chose this second strategy tried to interpret the act of *kiddushin* in a new way and to give the traditional halakhah a unique, personal meaning. They navigated between the public and the personal aspects of the act, conscious of the tension that exists between the traditional and generally accepted meaning and the personal meaning they chose to give it. Their personal interpretation is not expressed publicly but remains part of a dialogue they conduct internally, within themselves. The need of these women to reinvent the meaning of the ritual act recalls the writing of the feminist scholar Adrienne Rich, who formulated the notion of Re-vision and women's need to reinterpret canonical texts: "Re-vision—the act of looking back, of seeing with fresh eyes, of entering an old text from a new critical direction—is for women more than a chapter in cultural history: it is an act of survival."<sup>14</sup>

(c) *Viewing a Ritual Act as Oppressive*

In contrast to the women who chose the above strategies, by which they sought to minimize and re-interpret the act of *kiddushin*, most of the women I interviewed saw *kiddushin* as an act of acquisition and referred explicitly to its legal implications. They not only emphasized what they found problematic about the act itself but also pointed out the problematic social construct they felt it reflects and creates. Oshrat is one woman who expressed this feeling:

I find *kiddushin* to be offensive. . . . It represents everything that I fight against with all my being. What was so difficult for me—I can still even cry about it when I think about it—was that here I was, at that moment that was going to be so important to me, and I was going to be standing publicly in front of everyone that I loved and cared about, and I was going to let halakhah treat me in a way that I never thought women should be treated. And I didn't know how I was going to do that. On the other hand, I thought, I wanted to be married according to halakhah, and this is a separate thing.

The women who chose the third strategy challenge and undermine this traditional act in the most direct and frontal way. To some extent, they chose to demystify, delegitimize and deconstruct the act of *kiddushin* and the hegemonic discourse. Unlike the other women, they chose not to separate the political from the personal, the symbol from the essence. They chose to acknowledge the power of tradition, patriarchy, visual performance, and the social construction that this act can be said to contain.

## 2. STRATEGIES OF ACTION

The women in my study confronted the wedding ritual not only via interpretation but also by trying to make various changes to the traditional wedding ritual. It would appear that the way one interprets a ritual act influences the strategy of action employed in performing that act. The women's interpretations were not necessarily consistent: A woman could choose to view the act of *kiddushin* as symbolic while viewing the covering of her face with a veil as oppressive—and act accordingly. I discerned four distinct strategies of action among the women I interviewed:

- (a) creating a parallel ritual act;
- (b) introducing variations on the ritual act;
- (c) avoiding a particular ritual act; and
- (d) employing legal resistance.

*(a) Creating a Parallel Act*

The women who adopted the parallel strategy initiated ritual acts that attempted to mirror traditional male rites. By setting a female act opposite the male one, they endeavored to create a performance of equality without running afoul of halakhic prohibitions. Although this does not alter the legal status of *kiddushin* as an act of acquisition, it nevertheless carries important social significance. I shall present three examples of such parallel acts: a double *tisch*, a double *bedeken*, and a double *kiddushin*.

**A Double Tisch**

In the *tisch* ritual, which occurs before the *hupah*, the groom signs the *ketubah* in the presence of the rabbi and two male witnesses. Some people make a ritual of this signing and, if they are Ashkenazim, call it a *tisch* (lit. “table” in Yiddish). The men gather around a table, drink, sing some Jewish tunes, and listen to the groom’s (or other men’s) *davar Torah* (a brief exposition on a Jewish text).

While the groom’s *tisch* is taking place, the bride customarily sits on a “queenly” chair and receives her guests. Instead, some of the women in the study created a parallel ritual which they called a *tisch* as well, although the women’s *tisches* were endowed with content different from that of the men. Some of the women’s *tisches* were for women only, while others were open to male and female guests. Tehila, interviewed shortly before her wedding, described how she expected her *tisch* to look:

Before the *hupah*, while David is at his *tisch* signing the *ketubah*, I want to have my own *tisch*, and I will invite all the women to it . . . and then I will perform the ritual that my friend Ruth invented. . . . Instead of the conventional *sheva berakhot*, we will create an alternative seven blessings, and this is called “the ritual of the seven flowers.” Seven women will give me seven blessings, and each woman will give me a flower of a different

color. Ruth, my friend, already invented the seven blessings, corresponding to the seven colors of the flowers that she chose, and she also included the name of God in these blessings [indicating that she imparted an official ritual status to them]. But I don't want to impose these blessings on the women. I don't want to do it like that. I simply want a blessing from seven women who are important to me; [I want them] to express a blessing based on their life experience and . . . give me a flower. And I will bind these flowers and take them with me to the *hupah*. That way, I will feel that I am taking the trust that my friends and the women and my aunts have placed in me. This ritual is extremely meaningful to me . . . and it is nice that it is seven opposite seven. This is a kind of reparation for me for the seven male blessings recited under the *hupah*.

Tehila's *tisch*, or the "ritual of the seven flowers," parallels two of the traditional ritual acts: the groom's *tisch* and the all-male recitation of the seven blessings under the *hupah*. The new ritual counteracts the bride's passive role during the initial part of the wedding reception and also contradicts and challenges the halakhic institutional values expressed in the traditional seven blessings. Its liturgical flexibility and importing of personal experience and individual voices echo many other feminist rituals, which often "focus on several major themes such as bonding among women, embodied modes of shared symbolic communication, and personal empowerment."<sup>15</sup> This ritual can be viewed as empowering the women around Tehila, giving them a voice, and allowing Tehila to carry their voices—as symbolized by the seven flowers she binds together—with her to the *hupah*.

### **A Double Bedeken**

Yael created a counterpart to the traditional *bedeken* ("covering" in Yiddish), in which the groom walks up to the bride, who is sitting passively and quietly on her queenly throne, looks up at her face, and pulls her veil over it. The ritual recalls the story of Rebecca, who covered her face upon first seeing her future husband Isaac. Thus, "the *bedeken* ritual dramatically assimilates the body of the bride to a mythic national body."<sup>16</sup> The *bedeken* usually takes place in front of all the guests at the wedding. Yael proposed to mimic the male act by covering the face of her husband-to-be with his *tallit* (prayer shawl). Because she proposed to do this in tandem with the traditional *bedeken*, however, she was compelled by the rabbi to perform the entire ritual off to the side. Only

she and the two immediate families were present. Yael described the act as follows:

My solution to these things was always . . . to double the act. . . . So we decided to do a double *bedeken*, but it did not happen in front of all of the guests. . . . I had a very long veil, which touched the floor. Udi covered me with the veil . . . and I covered Udi with his *tallit*, and Udi then did something sweet, he covered us both with his *tallit*, and that was really the most sentimental moment for me . . . because we were alone.

In this case, the woman's ritual innovation, while adding a new act for the woman to perform, reduced the visibility of the man's act. Yael's parallel act does not acquire the same value and meaning as the original act, which is considered obligatory and traditionally takes place in full public view. Nevertheless, Yael viewed the meaning of her act as far more significant than the traditional one. She emphasized its intimate and romantic meaning for her, in contrast to the subjection she said she would have experienced as a result of having her face covered. Yael expressed this feeling by referring to the veil throughout the interview as a *burka*.

### **A Double Kiddushin**

Halakhah does not permit a woman to create a parallel act of *kiddushin*. The Talmud (BT *Kiddushin* 5b) explicitly emphasizes that even if the groom gives his bride the ring while she proclaims "I am hereby consecrated unto you," or if she gives him the ring while he proclaims the *kiddushin* formula, the *kiddushin* becomes invalid. Therefore, the woman cannot precisely mimic the groom in giving the ring, and she cannot recite a parallel statement to the *kiddushin* formula. Nevertheless, many of the women I interviewed sought to mimic the male act in some way. Michal was one such woman.

Yonatan gave me the ring, and then the rabbi said, "And now Michal." It was right afterwards, although the rabbi said a few words in between, since according to halakhah you need to differentiate the two acts. And then the rabbi let me give Yonatan the ring, but I had to say to the rabbi beforehand that I wanted him to recite word by word the verse I had chosen, because the woman always gives the ring, but no one notices that it has happened. So the rabbi read the verse "Simeni kahotam" ["place me as a seal (upon

your heart),” Song of Songs 8:6] word by word out loud, and I repeated after him, word by word, and then I put the ring on Yonatan.

Michal demanded that the rabbi give her act the same prominence as that of her husband, by requiring him to recite her phrase aloud with her repeating after him. Thus, she subtly coaxed the rabbi not only into permitting and making room for her parallel act, but also into actually becoming an active participant in her act of resistance.

Many of the women who sought to mimic the male act of *kiddushin* encountered resistance from their parents, their fiancés, and mainly from the officiating rabbis, because of the halakhic problems such parallel acts aroused. Frequently they were compelled to compromise. Thus, a delicate game of semantics occurred in the negotiations between the rabbi and the woman or the couple. For example, a bride might be permitted to recite a phrase similar to the groom’s *harei at mekudeshet li* but not to give a ring to the groom publicly; or she could recite a unique phrase that did not so explicitly mimic the male phrase and then be permitted to give him a ring publicly; and so on. There is also significance to the stage at which the rabbis allow the parallel act to occur. Some rabbis allowed the bride’s parallel act to take place almost immediately after the groom’s. Others insisted upon a longer interruption between the two acts and moved the female act to the end of the *hupah*. In both cases they emphasized that the bride’s act is not to be considered *kiddushin*. The rabbis thus reasserted their control over the ceremony both by dictating the timing of the parallel female act and by imposing constraints on its content.

While the parallel acts formulated by the women are meant to demonstrate their potency and their active participation in the ritual by expressing mutuality, equal presence, and activity, the actions taken by the rabbis pulled in a different direction. While they were open to many of these expressions of mutuality and willing to make room for them, they nonetheless did not accept the proposed innovations without requiring that they be modified in various ways. By insisting upon differentiation between the male act and the female act, the rabbis emphasize the different status of the innovative act rather than its mutuality. Ironically, then, the act of imitation, which is designed to express a diminution of the hegemonic, halakhic, and social power structure, may emphasize the women’s exclusion and their limited equality.

This rabbinic counter-tension is not uniformly present with respect to all of the parallel acts. The women who perform parallel acts that do not require

rabbinic approval, such as the women's *tisch*, have to invent the content of these acts entirely. It may be that the rabbis do not intervene in them because such acts are perceived not as interfering with the halakhic acts themselves, but rather as echoing them. While they represent a new addition to the Jewish wedding ritual and thus undermine the social order at least to some degree, they may not be seen as undermining the religious order quite as directly as a mimicking of the core traditional rituals, such as *kiddushin* or *bedeken*. It would appear, then, that the rabbis have greater difficulty compromising on acts that are considered halakhic, as opposed to those that are considered *minhag* (custom). Nevertheless, since the distinction between *minhag* and halakhic requirement is not always clearly delineated, the rabbis are generally reluctant to make changes and tend to minimize them as much as possible, even in the case of *minhag*. The women themselves, too, given their commitment to Orthodoxy, may be more inclined to give in to rabbinic pressure not to change the traditional ritual with respect to rites mandated by halakhah, while they are more willing to push the envelope with respect to what they regard as *minhag*.

*(b) Variations on the Ritual Act*

In this second strategy, the change is not an addition to the male act, but rather a variation on a traditional act such as circling the groom, the seven blessings under the *hupah*, the *bedeken*, or reading the *ketubah*. In this section I present two such variations. The first is Tehila's reinterpretation of the *bedeken*:

I agreed with David that after he covered me . . . he would go to the *hupah*, and I would take off the veil. I would then approach the *hupah* without a veil and participate in the wedding ritual without a veil. . . . I learned this from my friend. . . . It was the first wedding in my life where I saw a bride whose face was not covered under the *hupah*. . . . She went to her *hupah* proudly, with joy and strength. I discovered that because she was not covered, she was more involved and was situated just as her husband was. When I saw a bride without a veil, I understood that a bride with a veil is merely a shadow; she doesn't really exist there. She is . . . extinguished—she is somehow transparent. . . . I have a need not to be an object and not to be annulled, so I project it all onto the veil.

Tehila and other women who performed similar variations on the *bedeken* felt that this ritual made them to some degree absent. For them, the *bedeken* symbolized their invisibility as women. Many of them described the veil in similar terms: shadow, transparency, covering, *burka*, object. These terms speak of invisibility in its deepest sense: They describe not only a physical absence, but an absence of the spirit—a reduced being. For these women, transforming their invisibility into an unconcealed presence effected a reparation. They created a discourse that connects physical visibility—revealing the face—with an essential spiritual visibility: as a subject, as a responsible being, equal in value and status, and, above all, present. They acted out an equal and powerful feminist identity.

Another ritual act that inspired variations was the *ketubah*. Notwithstanding the halakhic difficulty of making substantive changes to the required content of the contract, many women found creative ways to alter it. The changes included inserting their mothers' names alongside their fathers'; taking out certain expressions, such as the word "virgin" (describing the status of the bride); adding paragraphs declaring a mutual responsibility on the part of both spouses; reading the text in Hebrew instead of Aramaic; signing it themselves; and, finally, having it read aloud under the *hupah* by a woman. Anat, after a long negotiation with her rabbi and her mother, described her reasoning for this last variation:

When my friend got married a year ago, she asked me to read her *ketubah* aloud . . . and then I read it there, and it was an amazing moment for me, both because I participated in a good friend's ritual, and because I participated in a ritual from which women are usually excluded, with the whole community listening to what I read. She insisted that I read it in Aramaic, so no one could say: "Because she is a woman, they made it easy for her," and it was clear to me . . . that I would also want my friend to read the *ketubah* at my *hupah*, because it was important to me for a woman to participate in the ritual, and also because I wanted to give her the same feeling I had.

Although Anat agreed with her rabbi on this variation, she described how the rabbi unexpectedly did something different under the *hupah*:

The rabbi didn't show any sign that he had a problem with what we had agreed upon. Then, under the *hupah*, when we reached the part of reading

the *ketubah*, he asked me, "Where is your friend?" So my friend came, and then he said to the audience that because some of the people understand Aramaic and some understand Hebrew, we will read the *ketubah* in both languages, Hebrew and Aramaic. He read the *ketubah* in Aramaic . . . and then he said, "OK, now the bride's friend will read the translation." I was shocked. I didn't understand what was going on. It was clear to everyone that he had engaged in double-dealing.

Anat's wish to create a variation on this ritual act was consummated only partially, and she felt deceived. Like many of the parallel acts employed by the women who chose to go that route, the variations, too, required rabbinic authorization and cooperation, which the brides had to negotiate. These negotiations ranged from halakhic discussions to more sociological ones, in which the rabbis voiced concern about deviations from traditional social norms.

It would appear that the women who choose to make variations on the *ketubah* do so in order to feel more comfortable with the legal contract insofar as it relates to the act of acquisition. By altering the *ketubah* ritual, they transform it from an alienating experience into one that has personal meaning. By using a woman's voice, altering the language, and emphasizing female presence and equality, they appropriate the act, in a way confiscating it from the male sphere. They thus perform not only their own identity but also that of the other women who become participants in the *ketubah* ritual.

### *(c) Avoiding the Ritual Act*

I found only one ritual act with respect to which the strategy of avoidance was employed: the circling of the groom, which some women saw as a blatant manifestation of the patriarchal social order. Rivki described her reasons for not performing this act:

I didn't want to circle him, although I learned about it and realized that one can interpret it in feminist ways. . . . The feeling, the experience of circling him, didn't seem to me appropriate.

Unlike the other ritual acts mentioned above, in which there is room for debate as to whether the ritual is only a custom or has more substantive

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halakhic status, circling the groom is clearly a custom, practiced only at Ashkenazi weddings. The interviewees told me that their negotiations with the rabbis regarding exemption from this act were usually less contentious than those regarding other ritual acts. Nevertheless, their non-performance of this act reflected objection and protest. In this case, not performing the act is the performance itself.

*(d) Legal Resistance*

This fourth strategy differs from the other strategies in that it seeks directly to alter the acquisitional nature of the ritual. It typically does not involve a public performance under the *hupah*; rather, it has to do with drafting and signing documents in the presence of an attorney, with the intention of diminishing the legal status of *kiddushin* as an act of acquisition. The core legal document employed in this strategy is the prenuptial agreement,<sup>17</sup> which purports not to replace the *ketubah* but rather to supplement it by stipulating the exercise of economic pressure, in the form of increased alimony payments, in the case of a man refusing to give his wife her *get* (or of her refusing to receive it).<sup>18</sup> Many modern Orthodox rabbis agree that such an agreement is binding under Jewish law. The prenuptial agreement thus represents an attempt to balance the unequal power relations between the couple and to change the halakhic reality in which only a husband has the legal right to decide whether to grant a *get*. These legal agreements came about because of the difficulties and the harsh confrontations that *agunot* and *mesuravot get* have faced in the rabbinical courts.<sup>19</sup>

All the women I interviewed dealt in one way or another with the issue of prenuptial agreements. Most of them emphasized that they wished to sign such an agreement, though not all of them actually did so. They gave many explanations to account for this gap between their intentions and their ultimate actions. Among them were their awareness that prenuptial agreements do not help in cases in which the husband disappears or becomes legally incompetent; the difficulties of dealing with divorce-related matters before marriage; the fear of hurting the fiancé's feelings; the belief that their future husband would never use the power granted him by halakhah in case of divorce; the ability of the rabbi to interfere and limit the power of the agreement; the superstitious

belief in the “evil eye” which could result from addressing such an issue before marriage; and the general circumstances accompanying the signing. On this matter the women distinguished between the prenuptial agreement in its social context and what it meant to them personally. On the personal level, they felt secure enough with their future husbands that they did not feel the need for an agreement and did not bother to sign one, even though they were aware of the socio-political meaning and the ideological power of such an act.

Shira, an attorney, chose not only to sign a prenuptial agreement, but to do so in public. She had difficulties accepting the halakhic-legal status that the traditional ritual bestows upon the woman after her marriage.

Obviously, the bottom line is, at least in my opinion, that the rituals reflect the whole distortion of women's status. The feeling that you are there but still rejected increased before my wedding. We had to decide how we wished to do the ritual and what we would do if, God forbid, something happens to Shachar after we are married . . . because the ritual is very, very problematic. The status (of the woman) is even more problematic than the ritual itself. . . . I told Shachar at that time: “Even if you want to be the most wonderful person in the world, if God forbid something happens to you and you can't exercise your volition [and grant a *get*], then I am stuck, and why should that be?” It has no apparent justification . . . so we signed a prenuptial agreement. . . . We signed it under the *hupah*, between the *kiddushin* and the *nisu'in*. Later, one of my brothers-in-law told me that he had heard someone saying that it seemed like I would be the one wearing the trousers at home. I said, “It's such a pity we wasted a plate on him.”

Shira's act sought not only to express rebellion against the social order but also, in a way, to help initiate a revolution by changing the essential gender power difference that is expressed in and by the wedding ritual.<sup>20</sup> That this direction was apparent to others in attendance, at least to some degree, is indicated by the negative remark of Shira's male guest. The notion of signing a prenuptial agreement often makes both men and women feel uncomfortable, since it brings into the open gender-based power inequities that usually are veiled beneath a discourse that emphasizes romance, preservation of tradition, or divine sanction.

*Assessing the Four Strategies*

It is difficult to gauge which of the four strategies I have discussed is likely to prove the most significant, influential, or radical. It seems to me that the women are best differentiated from one another not by the strategy each of them chose, but rather by the ideology on which their strategy drew. Most of my interviewees, in the final analysis, hewed to a liberal feminist approach of striving to work within the male-dominated establishment to carve out legal, political, and economic rights and a life experience for women parallel to those available to men.<sup>21</sup> By and large, they sought not to attack the foundations of the system, but rather to make changes from within. Although their innovative practices lack immediate legal impact (except for the prenuptial agreement), they carry subversive meaning. The women I studied view their performance as a political and social act that places them at the center of the ritual, as independent religious actors: actors who are not only covered but also cover; who are not only acquired but also acquire; who are not only consecrated but also consecrate.

Tzvia and Anat articulated this approach as follows:

*Tzvia:* I didn't wish to create a halakhic revolution. . . . There are many things that bother me in Judaism more than the acquisition . . . and the way I live with it is that I accept it as a whole and distance myself from the things that bother me a bit, or that I have difficulties with. And the things that I can't distance myself from, I deal with by interpreting differently or seeing them as something that is culturally dependent and will change at some point. . . . I don't think that the solution is to erase these things, because it doesn't work that way. . . . When you have a small change that is accepted, it is easier for it to become widespread, but if I do something . . . very dramatic, then it creates a very distant threshold that is difficult to reach.

*Anat:* My approach is an Orthodox one, and I wish to be connected with halakhah. If I can change something within the boundaries of halakhah, then, yes, I will do it, and if not then I wouldn't want to give up the traditional meaning. I wouldn't want to do something that would transform the ritual into a non-halakhic one, but I would want the whole institution of marriage to be more equal.

A smaller subgroup among my interviewees articulated an approach marked by elements of radical feminism, seeking, via the ritual, to create a new social order. According to Rosemarie Tong, radical feminism strives to undermine and challenge the most basic assumptions of existence and to examine in depth the social, psychological, and emotional constructs that characterize women and men.<sup>22</sup> Although the women in my study did ultimately take part in a hegemonic and patriarchal ritual, they expressed their protest by trying to create an alternative discourse that distinguishes itself from hegemonic power and halakhah and makes an essential break with the traditional language and content. The women who took the more radical path tended to be dissatisfied with the mere performance of equality, instead seeking out alternatives such as legal resistance. Tehila and Shira provide two examples:

*Tehila:* I really belong to the second and third waves of feminism, which try to change the language and the rules of the game, so I just create other rituals, and that is my way to deal with it. . . . I am so hurt by the halakhah that I don't have the space in my heart to maneuver within it. Maybe this also explains why I go to such an extreme with feminist theology—it is that I don't have enough emotional strength to maneuver with the conventional image of God.

*Shira:* The more subversive the changes people make to this ritual, the more the chances are that it might change. . . . The idea is to try as much as you can to give the ritual an appearance of equality, in the hope that at some point the appearance will acquire the real legal meaning. . . . There is a saying . . . that the heart follows the actions, . . . so at some point they [the rabbis] will need to accept the changes, even if they're not halakhic and not acceptable.

As we have seen, invented acts (such as the women's *tisch*) that cannot be confused with the traditional parameters of the wedding ritual by and large are not perceived by the public and the rabbinic establishment as undermining the existing framework or boundaries of halakhah, in terms of how halakhah fixes gender roles. In contrast, the women who seek to undermine and invert ritualized gender roles, within the halakhic system and within the context of the traditional ritual (e.g., by giving a ring to the groom, allowing women to participate in the seven blessings under the canopy, removing the veil, and

covering the groom), are seen as more threatening to society and the establishment. These women seek to relocate the delicate border lines of halakhah and maneuver between the permissible and the prohibited, thereby forcing the rabbis into complex negotiations, both in terms of halakhah and in terms of social politics.

### *Action as Performance*

All of the women in my study sought to perform ritual acts in unique ways and create a new discourse about the wedding ritual. The term “performance” is used here not only in its literal sense, but in a deeper sense as well—as a way to undermine and subvert the hegemonic gender order. Writing about the power of discourse and performativity, feminist scholar Judith Butler claims that a speech act like uttering the words “I pronounce you . . . ’ puts into effect the relation that it names.”<sup>23</sup> Thus, “[i]f the power of discourse to produce that which it names is linked with the question of performativity, then the performative is one domain in which power acts *as* discourse.”<sup>24</sup> Moreover, the performance that one undertakes “destabilizes the very distinction between the natural and artificial, depth and surface, inner and outer through which discourse about gender almost always operates.”<sup>25</sup> In this sense, “[t]here is no gender identity behind the expression of gender; that identity is performatively constituted by the very ‘expressions’ that are said to be its results.”<sup>26</sup> Taking this view, I would argue that the women’s performances have the power to construct the women themselves as subjects, personally and publicly, and thus establish a new religious and social reality.

Performance can demonstrate that the construction of language does not mean fixation. The performative character of our identity does not mean that we are condemned to take part in a show that does not depend on us. Since language depends on constant repetition, there is always the possibility of inaccurate repetition. One example is parody, which can become a political tool in the struggle for identity and undermine the existing linguistic order; another is the creation of parallel rituals. Both are performative acts. Miri Rosmarin unpacks Butler’s examination of the drag queen as an example of a parody of gender identity. The man plays the role of a woman and thus demonstrates the extent to which femininity is a cultural code that can be copied. The parody

exposes the mimicry characteristic of any identity and the lack of an original underlying the copy.<sup>27</sup>

Similarly, many of the women in my study chose to mimic some of the male acts performed in the Jewish wedding ritual. The mimicry was inaccurate, because the women doing the mimicking were constrained by halakhah and the religious establishment. Thus, the performances they created exposed the cultural code that they were copying and the arbitrariness they perceived in the traditional assignment of these ritual acts exclusively to men. In that sense, the women's performance both reflects and formulates their identity. At the same time, it seeks to undermine the hegemonic social order and the traditional halakhic notions that prevent women, precisely because of their gender, from acting as equals in the ritual. This is their accomplishment.

## CONCLUSION

What is it that drives these modern women to express both their religious and their feminist identities publicly via ritual? Theodore Roszak argues, "we live in a time when the very private experience of having a personal identity to discover, a personal destiny to fulfill, has become a subversive political force of major proportions."<sup>28</sup> In exploring the idea that "the personal is political," new social movements pioneered "life politics"—a politics of lifestyle emphasizing political issues that flow from processes of self-actualization and self-identity in post-traditional contexts. Life politics thus becomes the reflexive project of the self.<sup>29</sup> Feminism soon came to see that for the emancipated woman, questions of identity were of pre-eminent importance. Women now have to create new self-identities in the previously unexplored public domain—identities separate from those offered by male stereotypes.<sup>30</sup>

I believe that the women in my study—whether or not they are aware of it—are driven in part by life politics. By acting on their interpretation of and their resistance to the traditional ritual, they create a performance in which they are able to unite their identities as religious women and as feminists. In so doing, they appropriate the wedding ritual and transform it from a formal one, repeated from one ceremony to the next, into a formulation and expression of their own values and ideals, thereby redefining themselves in the public sphere. Thus, they became part of the "reflexive project of the self."<sup>31</sup> Rivki said,

To sum up, there isn't religiousness on the one hand and my life on the other hand. . . . My religiousness empowers the personal moment, and my personal moment expresses my religiousness. . . . Otherwise, it's just a mask.

Most of the women chose to deal with the inequalities of their wedding rituals by creating different ritual acts. They exploited performative opportunities to create balance in the ceremony, adding elements that they or other women could perform that would parallel the traditional men's performances. Most of them would not consider themselves "radicals"; they are not seeking outlets for free-floating creativity, nor do they wish to reject halakhah wholesale. They are essentially liberal feminists looking for some measure of equality and defining that equality, for the most part, in terms of women getting to do what men get to do—at least in terms of performative rituals.

Each of the different strategies the women chose has its own significance and force. Each deals in its own unique way with the different issues raised by the traditional ritual. The strategies ultimately influenced how the women see themselves—but they had a broader effect as well. Some of the women indicated that they themselves had been influenced by the actions of their female counterparts in public ceremonies they had attended. Many of them consciously and intentionally exploited the public event of the wedding to try and create a social declaration via their performances and thus to create social change in the religious system. These new performances thus become a form of "educating" the public toward a more feminist wedding ritual that emphasizes the alliance between two equal subjects. Based on my research, I argue that the combination of all these strategies can generate change on the public level and move these strategies and performances from the margins towards the center, where they can exert—and appear already to exert—significant influence.

Bernard Susser and Charles Liebman, who have studied the continuity of Jewish identity in Israel and in the United States, write:

We perceive only one broad-based program . . . that substantially tempers our despondent mood: the feminist movement in Jewish life. . . . There are many Jewish feminists, whose loyalties and commitments to Jewish continuity are unassailable. And their efforts fit precisely into the category of innovations that derive from an intense engagement with the tradition.<sup>32</sup>

The women I studied are occupied with the kind of new creation that Susser and Liebman see as essential for Jewish survival. They aim to bring innovation to bear on tradition while maintaining the validity of a tradition to which they are deeply connected. Susser and Liebman claim that this is exactly the criterion for Jewish survival:

It is not, therefore, the radicalism of the innovation that constitutes the standard of judgment so much as its dynamic derivation from deep Jewish needs and its coming to be through active confrontation with Jewish sources.<sup>33</sup>

“Despite many popular preconceptions and a number of anthropological models of ritual, ritual is not primarily a matter of unchanging tradition,” writes Catherine Bell.<sup>34</sup> The women I studied demonstrate how the relationship between ritual and context can generate a variety of changes in the structures, symbols, and interpretations of ritual activities. The performances and alternative discourse they pioneered exemplify the way in which ritual can be “a particularly effective means of mediating tradition and change, that is, as a medium for appropriating some changes while maintaining a sense of cultural continuity.”<sup>35</sup> Yet,

If ritual plays such a role, it does not do it as some type of external mechanism that acts on a culture from the outside. Ritual can play such a role only from within the system, that is, as a component of the system that is defined and deployed in ways that interlock with how tradition and change are viewed.<sup>36</sup>

This may explain why it is precisely religious women who are able to initiate challenges and changes to the traditional Jewish wedding ritual—because they act from within the system, accepting the limits of halakhah and respecting the power of tradition.

Most of the women ultimately chose not to confront the core problem of the ritual as an act of acquisition. Their acts confront the traditional ritual without displacing the male hegemony and social order that sustain it. As feminism gains currency and more widespread acceptance in the culture, a more frontal confrontation with the essentially problematic nature of the woman's acquisition by her husband may be required, if the traditional ceremony is to retain its social relevance. The ritual that might result—lacking the component of

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acquisition but nevertheless based on traditional components and in dialogue with those elements— would have to draw on the interpretive and performative strategies of radical feminism. My interviews have revealed the budding of this approach; its future remains to be seen.

*Notes*

1. This article is based on my ongoing dissertation research. I could not have written it without the dedicated help and advice of both my advisors, Prof. Susan Sered and Dr. Elisheva Baumgarten. I wish to thank them both. I also wish to thank Bar Ilan University and the Hadassah-Brandeis Institute for helping me fund this research. The article is based on a lecture I delivered at a conference hosted by Prof. Tova Cohen of the Gender Studies Department at Bar Ilan University. Entitled “Harei at mehudeshet li” (“you are hereby renewed unto me”—a play on the traditional wedding formula *Harei at mekudeshet li*), the conference dealt with various interventions in the traditional wedding ritual. An earlier version of some of the ideas discussed herein appeared in my article, “Harei at mehudeshet li,” *Eretz Acheret*, 22 (2004), pp. 69–73.

2. My dissertation addresses in detail the negotiations that took place with the grooms, the mothers, and the fathers. I will not enter here into a systematic discussion of the effect of those negotiations upon the actions of the brides.

3. These neighborhoods are the venue of several liberal Jewish study centers and of various types of social, religious, and spiritual activities. Their populations include a sufficient concentration of immigrants from English-speaking countries to constitute a reference group for the women I studied. Many of the religious Jews in these neighborhoods could fairly be characterized as liberal Orthodox, in that they seek to challenge some aspects of Orthodoxy while remaining within the halakhic framework. In this article, “halakhah” refers to Jewish law as interpreted by Orthodox rabbis, which is the halakhah that the women I studied had to challenge, resist, and adapt in order to formulate the type of wedding rituals they desired. All the rabbis I interviewed were Orthodox. The Conservative Movement has construed halakhah in ways that have allowed it to introduce significant changes in the traditional ritual.

4. There is no civil marriage in Israel, so that matrimony, for all sectors of the population, is governed by religious law (Orthodox Jewish, Moslem, or Christian). However, the state recognizes civil marriages performed outside its borders.

5. Jerome Bruner, *Actual Minds, Possible Words* (Cambridge, MA: Harvard University Press, 1986).

6. Carol Gilligan, *In a Different Voice: Psychological Theory and Women’s Development* (Cambridge, MA: Harvard University Press, 1982).

7. Jaber Gybrium and James Holstein, "Analyzing Interpretive Practice," in Norman Denzin and Yvonna Lincoln (eds.), *Handbook of Qualitative Research* (second edition; Thousand Oaks: Sage Publications, 2000), pp. 487–508; Brenda Farnell and Laura R. Graham, "Discourse-Centered Methods," in Russell Bernard (ed.), *Handbook of Methods in Cultural Anthropology* (Walnut Creek: AltaMira Press, 1998), pp. 411–457.
8. For feminist perspectives on the traditional wedding ritual, and specifically on the legal and cultural implications of *kiddushin* as an act of acquisition, see: Judith Wegner, *Chattel or Person? The Status of Women in the Mishnah* (New York: Oxford University Press, 1988); Orit Kamir, *Feminism, Rights, and Law* (Tel Aviv: Ministry of Defense Press, 2002), Chapter 9 (Hebrew); Susan Aranoff, "Two Views of Marriage—Two Views of Women: Reconsidering *Tav Lemetav Tan du Milemetav Armelu*," *Nashim: A Journal of Jewish Women's Studies and Gender Issues*, 3 (2000), pp. 199–227; Susan Okin, "Marriage, Divorce, and the Politics of Family Life," in Tova Cohen (ed.), *Marriage, Liberty and Equality: Shall the Three Walk Together?* (Ramat Gan: Bar-Ilan University, the Jewish Women's Research Center, 2000), pp. 7–26; Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Philadelphia: Jewish Publication Society, 1998), Chapter 5; Susan Sered, Romi Kaplan, and Samuel Cooper, "Talking About Miqveh Parties, or: Discourses of Gender, Hierarchy and Social Control," in Rahel Wasserfall (ed.), *Women and Water: Menstruation in Jewish Life and Law* (Hanover, NH: University Press of New England, 1999), pp. 139–165.
9. Wegner, *Chattel or Person* (above, note 8), pp. 66–72. In Wegner's view, what is acquired is the woman's sexuality, not the woman herself. Even if the bride were to speak, her words would have no effect, since she is not legally capable of acquiring her groom's sexuality in the way that he is capable of acquiring hers.
10. An *agunah* is a woman whose husband has disappeared or is otherwise unable to give his wife a *get*. A *mesurevet get* is a woman whose husband abuses the power given to him by the halakhah and refuses to grant her a *get*. For more information on *agunot* and *mesuravot get*, see [www.agunot.org](http://www.agunot.org).
11. Kamir, *Feminism, Rights and Law* (above, note 8), pp. 142–146.
12. What follows is a brief survey; I intend to elaborate further on the women's strategies of interpretation in my dissertation.
13. I treat *kiddushin* as the central act of the wedding ritual because halakhah regards it as the indispensable ritual element without which no marriage can be effectuated.
14. Adrienne Rich, "When We Dead Awaken: Writing as Re-Vision," in idem, *On Lies, Secrets and Silences: Selected Prose 1966–1978* (New York: W.W. Norton, 1979), p. 35.
15. Catherine Bell, *Ritual: Perspectives and Dimensions* (New York: Oxford University Press, 1997), p. 238.

16. Susan Sered, *What Makes Women Sick? Maternity, Modesty, and Militarism in Israeli Society* (Hanover, NH: Brandeis University Press, 2000), p. 117.
17. The Hebrew text of the prenuptial agreement worked out by Kolech: Religious Women's Forum for use in Israel can be found at: <http://www.kolech.com/subcat1.php?main=1&&cat=48>.
18. According to halakhah, for a Jewish couple to get divorced, the man must give the woman a *get* (writ of divorce) of his own free will, and she must accept it.
19. According to the Israel Women's Network and the women's organization "Mavoi Satum," there are as many as several thousand *mesuravot get* in Israel, in addition to some twenty *agunot*.
20. For the distinction between rites of rebellion and acts of revolution, see Max Gluckman, *Custom and Conflict in Africa* (Oxford: Basil Blackwell, 1970), pp. 122–123.
21. Rosemarie Tong, *Feminist Thought: A More Comprehensive Introduction* (second edition; Boulder CO: Westview Press, 1998), pp. 10–44.
22. *Ibid.*, pp. 45–93.
23. Judith Butler, *Bodies that Matter: On the Discursive Limits of Sex* (New York: Routledge, 1993), p. 224.
24. *Ibid.*, p. 225 (emphasis in the original).
25. Eadem, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990), p. viii.
26. *Ibid.*, p. 25
27. Miri Rosmarin, "Introduction—Between Repetition and Rewriting: Judith Butler and the Performativity of Identity," in Judith Butler, *Critically Queer* (Hebrew transl. by Dafna Raz; Tel Aviv: Resling, 2001), pp. 16–18 (Hebrew).
28. Theodore Roszak, *Person/Planet: The Creative Destruction of Industrial Society* (London: Gollancz, 1979), p. xxviii.
29. Anthony Giddens, *Modernity and Self Identity: Self and Society in the Late Modern Age* (Stanford: Stanford University Press, 1991), pp. 212–215.
30. *Ibid.*, pp. 216–217.
31. *Ibid.*, p. 214
32. Bernard Susser and Charles S. Liebman, *Choosing Survival: Strategies for a Jewish Future* (New York: Oxford University Press, 1999), p. 137.
33. *Ibid.*, p. 136.
34. Bell, *Ritual: Perspectives and Dimensions* (above, note 15), p. 251.
35. *Ibid.*
36. *Ibid.*