

Ani Li'Dodi vi'Dodi Li: Towards a More Balanced Wedding Ceremony

By Rabbi Dov Linzer

From the *chatan's tisch*, to the *chatan's* giving of the ring, to the *sheva bera-chot*, men play a more prominent role in the traditional wedding ceremony than women. This can be troubling for couples who, while wishing to be respectful of tradition and community, are also looking for ways to have a ceremony that reflects their vision of marriage as an equal partnership.

In this article, I would like to discuss some opportunities that exist within *halakha* for creating a more balanced wedding ceremony. As with any area of *halakha*, there is a range of opinions, and these issues need to be discussed with the couple's officiating rabbi. Beyond *halakha*, tradition plays an important role in linking an individual to his or her community and to previous generations. Couples should work to achieve not only an appropriate balance between the sexes, but also the appropriate balance between tradition and innovation as well.

Tisch and T'naim

In addition to the *chatan's tisch*, the *kallah* can hold a *tisch* of her own. This is now becoming more common at Modern Orthodox weddings. The *kallah's tisch* can be as simple as the *kallah* and her friends and family singing and sharing good wishes. It can also be an opportunity for the *kallah* or a friend to deliver a *d'var Torah*. In addition, some of the wedding documents can be signed at the *kallah's tisch*. The marriage license can be filled out there, although it usually cannot be signed until after the ceremony. More significantly, the *kallah* can sign her part of the prenuptial agreement¹ and have it witnessed and notarized by women friends or relatives. To avoid last minute complications, when I officiate at a wedding, I always require that the couple draft a prenuptial agreement and have it signed and notarized at least a week prior to the wedding. In such a case, there can be a reading of

the prenuptial agreement at the *kallah's tisch*.

The *t'naim* document is a vestige of a time when weddings were arranged by the parents of the bride and the groom. After the match was agreed upon, each father obligated himself to incur financial penalties if his child backed out prior to the marriage, and these obligations were written up in the *t'naim* document. Inasmuch as the *t'naim* document relates equally to the bride and groom, its execution can be transferred to the *kallah's tisch*. The ceremony can also be divided between the two *tisches*, with the signing done at one *tisch* and the breaking of the plate at the other. Finally, there is no reason that the mothers of the bride and groom cannot be the obligating parties in addition to the fathers. The mothers can have their names included in the *t'naim* and together with the fathers can perform the *kinyan* (acceptance of obligation).

Unlike *t'naim*, the *ketubah* is the central document of the marriage and it consists of the husband's obligations to his wife. As such, its *kinyan* and witnessing are traditionally done at the *chatan's tisch*. While these formalities cannot be moved to the *kallah's tisch*, the *ketubah* can be executed prior to the *tisch* or even under the *chuppah* in the presence of the *kallah* (see below, *The Giving of the Ring*). In addition, a rider can be added to the *ketubah* that contains the obligations that the bride makes to the groom (see below, *The Ketubah*). If this is done, then the *kinyan* and witnessing (with kosher, male witnesses) of the rider can be done at the *kallah's tisch* as well.

The Bedeken

The *tisch* is followed by the *chatan* walking amidst dancing and singing to the *kallah*, where he performs the act of *bedeken*, or lowering the veil over the *kallah's* face. Couples who would like to make this ceremony more reciprocal, may choose to incor-

porate a parallel act in which the *kallah* places a new *tallit* on the *chatan*.

The Procession

After the *bedeken*, the *chatan* and *kallah* walk with their parents to the *chuppah*. The couple may wish to adopt the practice where the *chatan* leaves the *chuppah*, greets the *kallah* midway down the aisle, and the two of them then walk together to the *chuppah*.

In many Ashkenazic communities, though not all, the common practice today is for the *kallah* to make seven circuits around the *chatan*. This is not practiced at all in Sephardic communities. A couple can choose to forgo these circuits or add circuits of the *chatan* around the *kallah*. Other variations are possible. Recently, I attended a wedding where the *chatan* and *kallah* separately circled the empty space under the *chuppah*, as a way of consecrating it as their space, and then entered the *chuppah* together.

The Giving of the Ring

The act of *kiddushin* consists of the groom giving a ring to the bride in front of witnesses and saying ...הרי את מקודשת לי... Traditionally, the bride's role is limited to silently accepting the ring. The bride who wishes to play more of an active role may do so in a number of ways:

- The *chatan* may address the *kallah* using her name: רבקה, הרי את מקודשת לי... "Rivka, behold you are betrothed to me..." This can have a profound personalizing effect.
- The *chatan* may ask for the bride's permission to perform the *kiddushin*, indicating her participatory role in the *kiddushin*: רבקה, ברשותך וברצונך, הרי את מקודשת לי... "Rivka, with your permission and desire, behold you are betrothed to me..."
- Provided the groom first makes his requisite statement, the bride can respond by verbally accepting the ring,

with language such as, הריני מקבלת, טבעת זו ומקודשת לך כדת משה וישראל, "Behold I accept this ring and am betrothed unto you, according to the law of Moses and Israel."²

Beyond these relatively minor adjustments to the *kiddushin*, a growing number of couples would like to have an actual exchange of rings. In response to such a query in 1970, Rabbi Moshe Feinstein zt"l ruled that a bride's giving of a ring to the groom would not invalidate the groom's properly executed *kiddushin*, even if done immediately afterwards (*Iggrot Moshe, Even Ha'Ezer*, 3:18). Nevertheless, he held that it was still impermissible to perform such a ceremony. Rabbi Feinstein's primary concern was that to do so would be misrepresentative and mislead people as to what constitutes *halakhic kiddushin*.

As a result of this ruling, rabbis who agree to perform two ring ceremonies insist that the bride give her ring to the groom in a way that makes it clear that it is not part of the *kiddushin*. Thus, the bride will not be allowed to say any *kiddushin*-like language, such as וארשתיך לי לעולם, "I have betrothed you to me forever," and in most cases rabbis will insist that the ring be given after *sheva berachot*, well after the *kiddushin* has been completed. Some rabbis will allow the ring to be given immediately after the *kiddushin*, but will make a clear declaration beforehand, along the lines of "Now that the *kiddushin* has been completed, Rivkah will give Yitzchak a ring as a symbol of her love and affection."³

I share R. Moshe Feinstein's concerns, and insist on similar parameters. However, this continues to marginalize the bride's giving of the ring. One solution is for the bride and groom to exchange rings after the *sheva berachot* and make mutual statements of love and commitment, in addition to the ring that the groom gives the bride as the act of *kiddushin*.

A more elegant solution is possible. The practice in Sephardic communities and in Jerusalem is for the groom to assume his *ketubah* obligations under the *chuppah*, immediately following the *kiddushin*. This obligation is assumed through an act of *kinyan*, classically performed by the groom taking an object (often a handkerchief or a pen)

from the officiating rabbi in the presence of witnesses. However, since the groom is obligating himself to the bride, it is actually more appropriate that the bride, and not the rabbi, give him the object.⁴ This object can be a ring.

This is how such a ceremony would look: Immediately after the *kiddushin*, the witnesses are called, and it is explained that they are to witness the bride giving a ring to the *chatan*, upon receipt of which the *chatan* will undertake his *ketubah* obligations to the bride. The bride then gives a ring to the groom, stating תקבל טבעת זו ותתחייב לי בכל חיובי כתובה כדת משה וישראל, "Accept this ring and obligate yourself to me with all the *ketubah* obligations, according to the law of Moses and Israel." The groom accepts the ring, and the witnesses sign the *ketubah*.

Such a ceremony makes it explicit

that the bride is not doing an act of *kiddushin*, but rather initiating the groom's acceptance of the *ketubah* obligations. It allows for the bride's giving of the ring to take place immediately after the *kiddushin*, to be done with significant ceremony (witnesses and the signing of the *ketubah*) and to play a central *halakhic* role. Inasmuch as the institution of the *ketubah* helped make the wife more of a subject within the marriage (see below, *The Ketubah*), using the *ketubah* to create a two ring ceremony is particularly apt and in keeping with the spirit of the *halakha*.

The Ketubah

The *ketubah* is traditionally read between the giving of the ring and the *sheva berachot*. The purpose of this reading is to separate the two halves of the ceremony: the *kiddushin* (formal betrothal) and the *nissuin* (the *chuppah*,



Ketubah, Rome 1836.

Courtesy of the Library of the Jewish Theological Seminary.

Sefer Minhagin,
Amsterdam 1662.
Marriage Scene.

Courtesy of the
Library of the Jewish
Theological Seminary.



symbolizing the couple's shared life together). A woman can be honored with the reading of the *ketubah*,⁵ and this has already been done at a number of Orthodox weddings.

In regards to the *ketubah* text there are more issues. In Ashkenazic communities, the *ketubah* is more of a ritual object than an actual contract, and its text is considered relatively fixed. In Sephardic communities, the *ketubah* is a living document whose text has evolved over the years and is more fluid. While it is important not to overly alter the *ketubah* text, some minor adjustments can be made without difficulty.

- Use of mother's names following father's name (e.g., יעקב בן יצחק (ורבקה)). This is a more precise identification, and is no different than the use of family names.

- דהנעלת לה מבי אבוב, "property that she brings in from her father's house" can be replaced with דהנעלת לה מבי אבוב ואמה (that she brings in from her father's and mother's house), דהנעלת לה מדנפשה (that she brings in of her own), or with דהנעלת לה (that she brings in), as appropriate. This is already the practice in Sephardic *ketubot*.

- בתולתא, "virgin". It is currently the practice to use this description for the woman's first wedding, regardless of her personal status. This description

is not essential and may be either be totally eliminated, or replaced with a generic phrase such as כללה היקרה (to the dear bride)^{6,7}.

Beyond these minor adjustments, there is the possibility of adding additional stipulations prior to the phrase וכך אמר יעקב בן יצחק חתן דני, as is the practice in Sephardic communities. The groom can insert a statement that he will not take a second wife or divorce his wife against her will, in accordance with the ban of Rabbeinu Gershom, with language such as: עוד התחייב לה שלא ישא ולא יקדש שום אשה אחרת עליה בחייה כחרם רגמיה.⁸ This space can also be used to insert phrases of mutual love, support, and commitment. Of course, any new language needs to be carefully reviewed by a competent *halakhic* authority.

For couples who are disturbed by the unequal nature of the financial obligations in the *ketubah*, additional modifications are possible. For its time, the *ketubah* was quite progressive, ensuring that the wife was treated as a person and was provided for during and after the marriage. The Rabbis, through the *ketubah*, obligated the husband to pay specific sums if he divorced (or predeceased) her, thus ensuring that a husband did not treat his wife as property, to be disposed of at will.⁹ The *ketubah* also protected the

wife's interests by requiring the husband to provide her with lodging, clothes and food, in exchange for which he is entitled to her earnings. However, these ongoing obligations may be modified, and a marriage contract that speaks of shared earnings and shared financial responsibilities is indeed possible within *halakha*.

The *halakha* states that since the husband's obligations were instituted for the benefit of the woman, the woman is entitled to waive them.¹⁰ If they are waived, the wife would be entitled to her own earnings, and be financially responsible only to herself, and the same would obtain for the husband. They could both then obligate themselves to share their earnings and to share the financial obligations of the household. These stipulations are currently being implemented in Israel, in the context of an external rider to the *ketubah*, with the approval of recognized *poskim* (religious authorities).¹¹ For the sake of preserving the standard *ketubah* text, especially in regards to its basic financial obligations, these stipulations are not being inserted into the *ketubah* text itself. Couples wishing to use such a rider need to review the issue closely with a competent halakhist.

Sheva Berachot

The issue of women reciting *sheva berachot* under the *chuppah* and at the meal has already been discussed in the literature.¹² Whether the language of the *Shulkhan Arukh* (*Even Ha'Ezer* 62:4-5) allows women to make *sheva berachot* is debated. The primary conceptual question is whether these blessings are the obligation of the groom or of the community. If they are the groom's obligation, it is problematic for a woman, who is never obligated in these blessings, to make them on behalf of the groom.¹³ If it is the community's obligation, a woman may be able to make the blessings. It seems clear that *sheva berachot* during the meal are the community's obligation, and there is a good basis to claim that they can be made by women. Rabbi Yehuda Herzl Henkin rules this way in principle,¹⁴ and a number of Orthodox rabbis have begun to allow women to recite

sheva berachot at the meal.

In contrast, the *sheva berachot* under the *chuppah* have greater *halakhic* significance than those at the meal¹⁵ and there is also more reason to believe that these may be the obligation of the groom. These blessings, then, should be made by men. Women can still participate by calling men and women in pairs for each blessing, with the man reciting the Hebrew text and the woman reciting an English translation.^{16,17}

Conclusion

It is my hope that these suggestions will assist couples in creating a wedding ceremony that reflects their view of marriage as an equal partnership. Nevertheless, it is not the intent of this article to suggest that these variations be adopted automatically or that they all be implemented in any one wedding. Each couple should consider any such changes carefully, working with their *misader kiddushin* to address not only the *halakhic* issues, but to determine the proper balance between innovation and tradition as well. ■

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- 1 The prenuptial agreement currently used consists of two parts, the Groom's Obligation and the Binding Arbitration. The Groom's Obligation has to be signed by the groom, and can take place at the *chatan's tisch* or prior to the wedding. The Binding Arbitration has to be signed by both parties. The groom can sign his part prior to the wedding or at the *chatan's tisch*, and the bride can sign her part at her *tisch*. Both documents need to be witnessed and signed, and should be notarized as well.
- 2 See *Kiddushin* 12b, *Shulkhan Arukh, Even Ha'Ezer*, 27:8 and *Otzar Haposkim*, ad. loc. See also *הגושואין כהלכתם* 7:39, pp. 223-4, where the author indicates that verbal acceptance is preferable to implicit silent acceptance.
- 3 See Joel Wolowelsky, *Women, Jewish Law, and Modernity*, Ktav (New Jersey), 1997, p.68.
- 4 See *Shulkhan Arukh, Hoshen Mishpat*, 195:1,3.
- 5 See Rabbi Yehudah Herzl Henkin, *B'nei Banim*, III:27.
- 6 See the Kolech website, www.kolech.org, for an example of a *ketubah* with the phrase *בתולתא* removed. The Kolech *ketubah* was

prepared under the direction of Rabbi Eliyahu Knoll.

- 7 It should be noted that the absence of the phrase *בתולתא* may raise questions in the future as to whether this was a first wedding for the bride. This would be a concern if she becomes widowed from this marriage and then wishes to marry a *kohen*. Based on similar considerations, if the woman has been divorced or is a convert, there needs to be some textual indication in the *ketubah* as to her personal status.
- 8 This is already the practice in Sephardic communities and has been integrated into the Kolech *ketubah*.
- 9 See *Ketubot* 11a, and *P'nei Yehoshua to Ketubot* 39b. For a full treatment, see Judith Hauptman, *Rereading the Rabbis: A Woman's Voice*, Westview Press (Colorado), 1998, pp. 62-68.
- 10 See *Ketubot* 58b, and *Shulkhan Arukh, Even Ha'Ezer*, 69:4.
- 11 An example of such a rider can be found on the Kolech website, www.kolech.org, where additional clauses are inserted so that it serves also as a prenuptial agreement.
- 12 See Wolowelsky, pp. 66-69 and *B'nei Banim*, III:27.
- 13 It is easier, if not unproblematic, to understand how another man might make a blessing for the groom, since he is at least someone who might become or has already been obligated in its recital (the *halakhic* principles of *mechuyav bedavar* and *misheyatza motzi*). A full discussion of these issues is



Ketubah, New York 1863.

Scribe and artist Zenah Davidsohn.

Courtesy of the Library of the Jewish Theological Seminary.

beyond the scope of this article.

14 *B'nei Banim* III:27.

15 Based on the principle *כלה בלא ברכותיה כדה* אסורה לבעלה כנדה. See, for example, Rashi, *Ketubot* 7b, s.v. *shemityachel imah*, quoting *Masechet Kallah*, 1:1. See also *Beit Shmuel*, 62:4; Resp. *Noda BiYehuda, Kamma, Even Ha'Ezer* 56; and Resp. *Heichal Yitzchak, Even Ha'Ezer*, 2:28.

16 The English translation would not be considered a *beracha* לבטלה, see *Iggrot Moshe, Orah Hayyim*, II:49.

17 In fact, if a woman recites the Hebrew text and a man the English translation (provided that it is an accurate one), the obligation would still be fulfilled through the man's recitation, as we rule that a blessing made in translation is valid (See *Shulkhan Arukh, Orah Hayyim*, 101:4, 185:1. and 206:3). In this case there still would be a concern that the woman's blessing, if invalid, would be for naught, a *ברכה לבטלה*. This, in turn, would hinge on how one understands that *Shulkhan Arukh's* ruling regarding women's qualification to say *sheva berachot*, but there would be fewer issues at stakes.