

# Alma and Daniel's Wedding Ceremony

New North London Synagogue, 18 May 2014 – 18 Iyar 5774

We couldn't be more excited to embark on this journey together, and we're thrilled that you are here to share the day with us. The process of learning about the Jewish wedding ceremony in anticipation of today has been the highlight of all our wedding preparation.

Below, we outline some of the areas we've spent time discussing and studying and that we hope to bring into our wedding. Some we feel strongly about, others we are still feeling our way towards an expression that is right for us.

We believe there is opportunity for halakhic innovation within the conventional Jewish wedding ceremony. Our approach is to seek to retain the traditional frame yet at the same time ensure that the ceremony, with its halakhic underpinnings, is reflective of our values.

## Tish and Bedeken

Although we understand this isn't a halakhic requirement, we would like to find a way to make the ritual feel more mutual. Each of us will wear and each of us would like to each have a *tish* with our friends to sing and celebrate before the chuppah. We will also ask our parents to bless us as part of the *tish*.

## Birkat Eirusin – Betrothal blessing

Following our study over the past year, we have amended the traditional text of the traditional betrothal blessing. The reason for this is that the traditional blessing refers to a set of laws called '*arayot*', which are considered forbidden relationships. These include one biblical verse that has been traditionally understood to prohibit intimate unions between two men. While this is not our understanding of this verse, the traditional interpretation has been a source of distress for many Jews, and we therefore have chosen to alter the blessing, while remaining true to its original intent.

The text of the blessing in transliteration and translation is found below.

ברוך אתה יי אלהינו מלך העולם אשר קדשנו במצותיו, וצונו על  
הטוהר בחיי אישות, והתיר לנו את הנשואים והנשואות לנו, על ידי  
חפה וקדושין. ברוך אתה יי, מקדש עמו ישראל על ידי חפה וקדושין.

*You abound in blessing, Adonai our God, Sovereign of the Universe, Who has commanded us concerning purity in the intimate realm, and has sanctioned exclusive intimacy within marriage by the ceremony of the chuppah and kiddushin. You abound in blessing, Adonai, Who blesses the People of Israel through chuppah and kiddushin.*

*Adapted from original by Chani Smith*

## Kiddushin

Traditional *kiddushin* through *kinyan* (acquisition) is inherently one-sided. The *chatan* is the executor and, although the *kallah's* understanding and consent is required, her voice does not need to be heard. She is *mekudeshet* – set apart – yet the man is not.

Some couples, following Dr Rachel Adler in her pioneering book, *Engendering Judaism*, see the *kiddushin* paradigm as irredeemable. They suggest replacing it with a *Brit Ahuvim*, based on the notion of *shutafut*, a term drawn from the legal realm of business partnerships, rather than *kiddushin* through *kinyan*, whose analogy is found in property law and the setting aside of produce for the Temple.

Whilst we like this approach, and much of its rationale, we nonetheless believe there is something beautiful about *kiddushin* – consecration. In addition, we also find it meaningful for our wedding ceremony to closely resemble that of previous generations.

Following a review of some of the relevant sources, the *Talmud* (*Kiddushin*, *Gittin*, *Eduyot*), the Rambam's Code (*Hilkhot Ishut*), *Shulchan Aruch* and its commentaries, as well as modern *teshuvot*, we have come to the conclusion that the simplest and most meaningful solution would be to have a mutual *kiddushin* at our wedding.

In opting for this solution, we recognise there are those who feel uneasy about the validity of mutual *kiddushin*, believing that the two acts of *kinyan* could have the power to cancel each other out. While we understand why they might see it that way, we believe this isn't the only way to read the sources.

The idea that mutual *kiddushin* is problematic, according to our admittedly limited researches, likely originates from an interpretation of the below *sugya* in Bavli *Kiddushin* 5b:

*If a groom gives the bride money or its equivalent and declares "Behold you are sanctified to me", she is mekudeshet. But if she gives to him, and says "Behold I am sanctified to you," she is not mekudeshet. Rav Papa says: Thus it is only when he both gives and speaks [that kiddushin is valid].*

One way of reading this is to say that it has to be the man, not the woman, who has to halakhically effect the marriage. However, an equally valid interpretation is that it is the active language that is required – by either partner.

The halakhic decisions that flow from this text, in *Even Ha'ezer* 27ff and subsequently in the *Aruch Hashulchan*, suggest that the issue at hand is not about which gender says the relevant phrase, but rather that the wording has to be phrased in the active language rather than in the passive voice (*ani mekadash/mekadesh* vs. *ani mekudash/mekudeshet*). The passive voice is not legally binding.

The Talmud and its halakhic commentaries, quite naturally, do not address the possibility that the woman might utter the active phrases. The Rambam, in his treatment of this issue in *Hilkhot Ishut*, also doesn't deal with the possibility of a mutual, reciprocal *kinyan*.

Therefore, whilst this is no doubt a simplification, it does seem that the insistence of one-sided *kinyan* constitutes minhag rather than halakha.

The worry, expressed by some halakhic decisors, seems to be that a mutual ring-giving ceremony would create the appearance that the bride returned the ring to the husband, thus rendering the *kinyan* void.

However, this problem would only occur in a ceremony in which the woman was silent. The moment the woman plays an active part, the problem is solved. Her act of speaking, of sanctifying her groom, confirmed by the witnesses present, clearly indicates the purpose of giving of the ring.

Moreover, *kiddushin* is almost universally considered a symbolic act. And as a symbolic act, it is more elastic a concept than a literal act of acquisition. Only the person who believes *kiddushin* constitutes an act of one-sided acquisition would have a problem with a mutual *kiddushin*.

This also reflects our the mutual respect we feel for each other, as Rabbi Gordon Tucker points out (*Kerem 5*, 1997):

*Now our understanding of marriage, a millennium after Rabbeinu Gershom, [Gershom ben Yehuda, Germany, 960-1030] and given the pervasive mutuality in our culture concerning marriage is such that active language on the part of the woman [during kiddushin] is anything but absurd, and thus can be part of a marriage formula in which the groom's parallel (and traditional) declaration is not displaced. Given all this ... one can only conclude that this additional active declaration cannot invalidate the marriage. Anyone who feels otherwise should have the burden of proof.*

One halakhic authority, who has dealt with this issue head on is Rav Moshe Feinstein (1895–1986). Interestingly, whilst he believed the woman's part of a mutual *kinyan* is irrelevant, he did not *posken* that it would invalidate the marriage.

He writes (*Iggerot Moshe, Even Ha'ezer 3:18*):

*In these things where, after the groom betroths with a ring, the bride also gives the groom a ring under the chuppah and says "I am betrothed to you" or "You are betrothed to me" certainly the kiddushin – since it was after she was betrothed according to the law – constitutes a valid kiddushin but these things are void and silly (hevel ve-shtut).*

In his *teshuvah*, Rav Feinstein even goes on to accept the concept of *kiddushin al t'nay*, a conditional stipulation between the two parties:

*...and if they would stipulate a double condition according to the laws of conditions that the kiddushin would be established only if she would also give him a ring afterwards also with a declaration certainly the kiddushin would be valid when the condition was fulfilled.*

Rav Feinstein, although he clearly discourages the practice, is at the same time clear that mutual *kiddushin* or mutual *kinyan* would not render the marriage halakhically invalid. We believe this goes some way to reassure those who are still wary of the halakhic implications of a mutual *kiddushin*.

Most importantly, we believe that a mutual *kiddushin*, with the reciprocal dignity it would afford both of us, is able to subtly change the process from being an act of symbolic acquisition to an act of mutual intimate acceptance.

Building on this theme, we would like to adopt the famous *passuk* (6:3) from *Shir Hashirim* as our motto:

*"Ani le-dodi ve-dodi li - I am my beloved's, and my beloved is mine."*

Superficially, this reads like a statement of mutual affection. However, in the context of mutual *kiddushin*, the line takes on an added meaning; it accurately describes what we aspire to do at a halakhic level: a setting aside of one another in holiness.

## Edut Nashim

An odd situation seems to exist in Jewish law, where women are deemed fit to serve as witnesses in some areas of religious life and not in others. Although there is no specific *de'oraita* basis for the ban on *edut nashim*, the Rabbis treated the exclusion as having a scriptural basis. The Mishnah stipulates that, “*shevuat ha'edut noheget ba'anashim ve-lo be'nashim* – the oath of testimony applies to men and not to women” (*Shevu'ot 30a*), in turn based on an interpretation of the following *passuk*, “*ve-amdu shney ha-anashim asher lahem hariv lifney Adonai* – and the two disputing men shall appear before God” (*Devarim 19:17*).

The Tur (Yosef Karo, 1488 – 1575), however, does not include women in his enumeration of those who cannot be valid witnesses (*Choshen Mishpat 33:14*). Of relevance is also comment of the Remah (Moshe Isserles, 1520 – 1572):

*This is the law but there are some who hold that there is a takana of the ancients that in places that are not frequented by males such as a women's bath house and the women's section of the synagogue, or regarding certain transient matters that are the concerns of women but not men such as to say that certain garments were worn by a particular woman and they belong to her, a matter about which men would pay no heed, women are believed.*

Although the Remah confirms the ban on women's testimony, he does not ascribe it to Scripture. Nor does he see it as an absolute concept. Rather, he sees it as a conditional concept, which may change depending on social circumstances. Where women are present in society, he suggests, we count their testimony (*Choshen Mishpat 35*).

Aside from the obvious ethical imperative of *kevod habriyot* – of the dignity of every individual – there is therefore sufficient grounds to suggest that in a modern society where women and men are equal, it becomes an urgent imperative to ensure that halakha adapts to accommodate the testimony of women.

It is worth saying that this kind of thinking is not actually that revolutionary: the Talmud abounds in examples where concern for human dignity trumps even a *de'oraita* principle: “*gadol kevod habriyot shedokkeh lo ta'aseh sheba-Torah* – great is the demand of human dignity in that it supersedes a negative principle of Torah” (*Berachot 19b, Shabbat 81b and 94b, Eruvin 41b, Megillah 3b, Menachot 37b*).

We therefore believe that gender should be irrelevant to the appropriateness of religious witnesses. We have chosen two rabbis to be our witnesses, one male and one female, not because of their gender but due to their commitment to a vibrant, enabling Judaism and because each of them have been teachers and role models for us.

## Ketubah

Finally, we come to the *ketubah* itself. An ancient legal document, the *ketubah* has at least two important purposes. It expresses the fact that the couple is now in an exclusive, legal relationship. Moreover, it provides protection for the bride in the event of divorce.

Whilst we have retained certain part of the *ketubah* text most commonly used in orthodox weddings, we have updated it significant ways. As this is a legal document, we feel it is important that we understand each element of it. We have therefore chosen to use Hebrew rather than Aramaic.

First, we have chosen to include the mutual *kiddushin*. As part of the formulation, we have also included ‘friend and partner in covenant – *chaveri/chavrati ve-ish/eshet briti*’. This phrase is found in several of the Syrian and Palestinian *ketubot* from the 10<sup>th</sup> and 11<sup>th</sup> century. Several of these texts contain language that is much fuller in terms of mutuality than the text that later became the one predominantly used today.

Second, we have employed a gender-neutral rendering of the property clauses. We appreciated that the traditional *ketubah* was in touch with reality and concerned with the practical aspects of marriage and divorce. We wanted to retain this practical focus and at the same time ensure that it reflected the reality in which we live.

Third, we felt there was also space within this legal document to express the values that we would like to bring into our marriage. So we have included an additional paragraph containing our shared wish to build a Jewish home filled learning, love and hospitality. The phrases we’ve chosen are from a prayer found in *Talmud Brachot 17a (mu’ar bi-me’or Torah)* and from *Pirkei Avot 1:5 (bayit patuach lirvacha)*.

Please find the text of the *ketubah* below, in English and then in Hebrew.

*On the first day of the week, on the eighteenth day of the month of Iyar, in the year 5774 from the creation of the world according to the traditional way of counting, here in London,*

*We witness that the bride, Alma Miriam bat Chana ve-Amnon Daniel said to the groom Daniel ben Vered ve-Micha Aryeh: “You are consecrated to me with this ring according to the laws of Moses and Israel, and you will be my friend and partner in covenant, and I will cherish, respect and support you in the way of Jewish women, who cherish, respect and support their husbands faithfully.”*

*And the groom, Daniel ben Vered ve-Micha Aryeh said to the bride Alma Miriam bat Chana ve-Amnon Daniel: “You are consecrated to me according to the laws of Moses and Israel, and you will be my friend and partner in covenant, and I will cherish, respect and support you in the way of Jewish men, who cherish, respect and support their wives faithfully.”*

*The groom accepted a ring from the one that his heart has chosen, and the bride accepted a ring from the one that her heart has chosen, in order to sanctify their marriage and to symbolise their love.*

*The bride and groom took upon themselves all the responsibilities of this marriage covenant as prescribed by the Torah and the Sages of blessed memory. They also accepted the conditions of this *ketubah*, that all silver, gold, jewellery, clothing, furniture and all their possessions, shall be in joint ownership.*

*Accordingly they both entered into this covenant of love and companionship, a covenant of peace and friendship. They aim to achieve a shared fulfilment of their emotional, intellectual, physical and spiritual needs, and to create a Jewish home filled with integrity, lit by the light of learning and open wide to all.*

*This has taken place in our presence and all is valid and binding.*

באחד בשבת בשמונה עשר יום לחדש אייר שנת חמשת אלפים ושבע מאות ושבעים וארבע לבריאת העולם למנין שאנו מונים כאן בלונדון

אנו עדים איך הכלה עלמה מרים בת חנה ואמנון דניאל אמרה לחתן דניאל בן ורד ומיכה אריה הרי אתה מקודש לי בטבעת זו כדת משה וישראל ותהיה לי חברי ואיש בריתי ואני אוקיר ואכבד ואזון אותך כדרך בנות ישראל המוקירות ומכבדות וזנות את אנשיהן באמונה,

ואיך החתן דניאל בן ורד ומיכה אריה אמר לכלה עלמה מרים בת חנה ואמנון דניאל הרי את מקודשת לי בטבעת זו כדת משה וישראל ותהיי חברתי ואשת בריתי ואני אוקיר ואכבד ואזון אותך כדרך בני ישראל המוקירים ומכבדים וזנים את נשיהן באמונה.

החתן דניאל בן ורד ומיכה אריה קיבל טבעת מבחירת לבו והכלה - עלמה מרים בת חנה ואמנון דניאל קיבלה טבעת מבחיר לבה לשם קדושין ולסמל אהבתם.

החתן והכלה קבלו על עצמם כל תנאי קדושין ונשואין המוטלים עליהם מן התורה ומכח חכמינו זכרונם לברכה. גם הסכימו לתנאי כתובה זו שכל כסף וזהב ותכשיטין ולבושין ורהיטים וכל נכסים שברשותם יהיו בבעלות שניהם.

על כן כרתו שניהם ברית אהבה ואחוה ברית שלום ורעות. ישאפו הם להגיע בחייהם להגשמה משותפת של צורכי הרגש, השכל, הגוף והנפש, ולבנות בית נאמן בישראל מואר במאור תורה ופתוח לרוחה.

כן נעשה בפנינו והכל שריר וקיים

## Eighth Bracha

We would like to have the traditional Sheva Brachot recited at our chuppah. However, it is important to us that we are blessed by both men and women. We would also cherish the opportunity to sound an inclusive note at this point in the ceremony, by adding an eighth blessing.

While the number seven symbolises perfection in this world, the number eight, symbolises a different kind of perfection, which goes beyond the present moment and the cyclical order. The rabbis taught (*Talmud Arakhin 13b*) that King David's lyre had seven strings. However, in a future world where peace and harmony will reign, it will acquire an additional one and have eight strings.

For us, the additional blessing adds this kind of completion to the traditional seven, going beyond the present moment, celebrating the multiple forms of love in our world, and requesting that God opens our hearts to all true lovers.

ברוך אתה יי אלהינו מקור החיים, המדבקנו זה לזו וזו לזה בקדושה  
יתרה, בחיבה ובאמונה. זכנו לאהבת נפש כאהבת יהונתן ודוד ולאהבת  
חסד כרות ונעמי, ותעמוד לנו זכות אבות ואמהות שבנו את עולמך  
באהבה. פתח לבבנו וייפתחו שערינו לכל האוהבים באמת ונרווה כולנו  
מלוא הכוס שמחה וחדווה. ברוך אתה יי, המרבה אהבה בעולם.

*You abound in blessing, Adonai our God, Source of Life, who makes us cleave to one another in great sanctity, in love and in trust. May we be devoted to each other like Jonathan and David. May we experience mutual loving-kindness like Ruth and Naomi. May we receive the merits of our ancestors, who built Your world with love. May our hearts and our gates be open to all true lovers, and may we all drink from the cup of joy and gladness. Blessed are You Adonai, who increases love in the world.*

*Adapted from traditional liturgy*

## Kevod habriyot and Kevod hatzibbur - personal and communal integrity

A wedding ceremony is at the same time an intimate as well as a public moment. We feel this requires us to endeavour to stay true both to ourselves and the community we seek to be part of.

When these two come into a degree of joyful tension, we see it as our responsibility to respond to that in as full a sense as we can, out of a commitment to the dual values of *kevod habriyot* and *kevod hatzibbur*.

We believe that both these elements are best fulfilled through a chuppah that takes the best of our tradition and reveals the deep religious sensibility hidden within it.

*Alma & Dan, London, 2014*