

# THE MARRIAGE CEREMONY THROUGHOUT TIME, AN EXPLORATION

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Submitted in Partial Fulfillment of Requirements for Ordination

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Date: 29 January 2019  
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## Introduction

Today's Jewish marriage ceremony has a distinct format in most circles. Following an outline, the officiant, often a Rabbi, begins the ceremony by welcoming everyone to the *chuppah* with the words *b'ruchim ha-baim b'shem Adonai*, "May those who enter be blessed in the name of Adonai." He or she might offer a few words of welcome to those present as well as the couple themselves. *Seder Erusin*, the betrothal section, comes next. It is sometimes called *kiddushin*, sanctification; these words are used interchangeably, as they both represent some sort of sanctification of a betrothal. Here, the officiant takes a full cup of wine and offers the blessing over wine, followed by *birkat erusin*, the blessing for betrothal. As explained in the section on *erusin*, this blessing was traditionally recited at the time of betrothal, months or sometimes years before *nissuin*, the marriage ceremony. The second part of *erusin*, the ring exchange, occurs next; traditionally the groom places an object of value, in this case a ring, on the bride's finger and recites a traditional formula, "Behold be consecrated to me, with this ring, in accordance with the law of Moses and Israel." Traditionally, the woman does not give a ring to the groom; this will be discussed in the section on "The Marriage Formula."<sup>1</sup>

Once *kiddushin* is completed, the *ketubah*, the marriage contract, is read aloud. Signed before the ceremony, this document outlines the conditions by which the couple

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<sup>1</sup> For more on the wedding ceremony, be it the order or other aspects, refer to Anita Diamant's *The Jewish Wedding Now* (New York: Scribner, 2017), or Maurice Lamm, *The Jewish Way in Love and Marriage* (San Francisco: Harper & Row Publishers, 1980).

marries and (traditionally) how much the woman would receive were the marriage to be dissolved.<sup>2</sup>

After reading the *ketubah*, the officiant moves into *seder nissuin*, the marriage section. This section contains *sheva brachot*, seven blessings recited over a different glass of wine, which are sometimes called *birkat hatanim*, the groom's blessing. Either the officiant or various friends are given the honor of reciting these blessings. After the recitation of these blessings, the couple drinks the wine. At this point, some officiants invite the couple's parents to offer a blessing and most offer their own charge to the couple (either here or before *birkat hatanim*); some offer the Priestly Blessing from Numbers 6:24-26 and some do not. Lastly, a glass is placed on the ground and broken, to represent many things, one of which is the fact that even as we bring people together in marriage, we remember our world is not complete, and our job is to add a little more completeness in the world.

Traditionally written for heterosexual couples, the wedding ceremony is designed to guide a man and woman through their transitional moment. This project recognizes that the classical texts speak only of marriage between a man and a woman. However, I imagine creating same sex marriage ceremonies based on the tradition on which I based my research. Other researchers before me have offered valuable examples of how to

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<sup>2</sup> Although important for a wedding, this aspect of the ceremony is beyond the scope of this project. Again, see Diamant's *The Jewish Wedding Now* for more on the *ketubah*. Many couples today use alternative texts for their *ketubot*.

understand the marriage ceremony, in particular *birkat erusin*, in a more egalitarian and mutually just way.<sup>3</sup>

The following project was created with Reform Rabbis in mind, to help them better determine which aspects of the marriage ceremony to retain and which to change. The changes that have appeared in the Reform Rabbis Manual's over time have come from various places within the Jewish tradition, but none of the manuals detailed the sources for their choices. This project documents both the trajectory of changes throughout Jewish history as well as analysis of those decisions and their origins. Ultimately, it is meant to be an aid, in addition to the most current Rabbi's Manual, *L'chol Zman V'eit*, to making the most informed decisions.

In addition, this project might be useful for the committee responsible for making the next Rabbi's Manual, so that they can include the basis for their decisions. In the back of the last two Rabbi's Manuals for the Reform Movement,<sup>4</sup> a short explanation of the different parts of the ceremonies is included, but it does not detail the trajectory throughout time, or the halakhic underpinnings of the specific aspects of the ceremonies. Although this project focuses exclusively on the marriage ceremony, a more in-depth

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<sup>3</sup> See Chapter 5 of: Rachel Adler, *Engendering Judaism* (Boston: Beacon Press, 1999), 170-207. See also the 2012 appendix to Dorff, Nevins, and Reisner's 2006 Responsum on "Homosexuality, Human Dignity and Halakhah." The Rabbinical Assembly (EH 24.2006b). This appendix offers two options for same-sex couples, which the writers suggest can also be used for heterosexual couples. Elliot N. Dorff, Daniel S. Nevins, and Avram I. Reisner, "Rituals and Documents of Marriage and Divorce for Same-Sex Couples." The Rabbinical Assembly (EH 24.2012a). [https://www.rabbinicalassembly.org/sites/default/files/assets/public/halakhah/teshuvot/20052010/dorff\\_nevins\\_reisner\\_dignity.pdf](https://www.rabbinicalassembly.org/sites/default/files/assets/public/halakhah/teshuvot/20052010/dorff_nevins_reisner_dignity.pdf) and <https://www.rabbinicalassembly.org/sites/default/files/assets/public/halakhah/teshuvot/2011-2020/same-sex-marriage-and-divorce-appendix.pdf>

In addition, Rabbi Gail Labowitz submitted a responsum to the CJLS for review which she later rescinded for a variety of reasons on the topic of a more egalitarian marriage ceremony: Gail Labowitz, *With Righteousness and With Justice, With Goodness and With Mercy Considering Options for (More) Egalitarian Marriage Within Halakhah*, Unpublished Responsum.

<sup>4</sup> Ed. Don Goor, *L'chol Z'man V'eit For Sacred Moments: The CCAR Life-Cycle Guide* (New York: CCAR Press, 2015); Ed. Polish, *Ma'aglei Tzedek: Rabbi's Manual*, (New York: CCAR, 1988).

exploration of the various life cycle events could offer Reform Rabbis a more informed understanding of the occasions at which they officiate. Also, based on conversations with the editors of *L'chol Z'man V'eit*, Rabbi Hara Person and Rabbi Don Goor, I learned that many of the decisions of what to include and what not to came from what Rabbis in the field already do.<sup>5</sup> Therefore, this explanation could offer precedent for what rabbis already do and a better of understanding so that rabbis can make more informed, halakhic decisions. In order to write this project, I consulted various texts. Below is a chronological list of the texts used, including their dates, locations and when possible the authors.

*She'ailot of Rabbi Ahai Gaon*, 8<sup>th</sup> century. Although compiled later, this book contains Rabbi Ahai Gaon's answers to various halakhic questions.

Otzar HaGeonim: (Jerusalem: Mossad HaRav Kook, 1939), collection of writings from the Geonic period (589-1038 CE).

Rashi lived from 1054-1105 in France; author of the most utilized commentary on the Talmud.

Mahzor Vitry, 11<sup>th</sup> century, Simcha ben Shmuel of Vitry (France), student of Rashi.

Took ideas from Rashi and other commentators and compiled them into a single text.

Sefer HaManhig early 13<sup>th</sup> century text from Provence, France by Abraham ben Nathan.

Mishneh Torah: Moses Maimonides, 12<sup>th</sup> century. Code of Jewish law.

Arba'ah Turim (the Tur), Rabbi Jacob Ben Asher (1270-1340).

Shulchan Arukh: Rabbi Joseph Caro, Safed, 1563.

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<sup>5</sup> Rabbi Don Goor, phone conversation, October 23, 2018; Rabbi Hara Person, phone conversation, November 26, 2018.

Rema (the Mapah): Moses Isserles, Ashkenazic commentator to the Shulchan Arukh.

Poland, 16th century.

Beit Shmuel: A commentator on the Tur, from Poland in the 17th century.

#### Abbreviations used in this book:

m. Mishna

b. Babylonian Talmud

y. Palestinian Talmud (Yerushalmi)

SA: Shulchan Arukh

EH: Even HaEzer (one of the four sections of the Tur and the Shulchan Arukh, includes laws of marriage).

#### Wine for Marriage

In addition to the groom's pronouncement of the traditional marriage formula Jewish marriage must be sanctified, first through a blessing over a cup of wine, and then with the blessing to sanctify the betrothal. These blessings are necessary, because the formula "Behold you are consecrated..." is a declaration of intent, rather than a blessing.

The first mention of wine as an element in the betrothal ceremony comes in y. Sotah 8: 5, where the rabbis are discussing the status of sour wine. The rabbis determine that sour wine must have some alcohol in it, even though they are unsure whether it should actually be called sour wine, or really called sweet vinegar. They conclude that sour wine is considered wine for the purposes of betrothal.

However, a more likely explanation is that the wine was needed in order to say the blessing over the sanctification of the event, but one did not necessarily need to imbibe. This understanding comes from b. Brachot 41b. The Talmud text discusses whether or not the blessing for wine is superseded by the blessing for bread. The Tosafot<sup>6</sup> respond by talking about situations where you say a blessing over wine, even though you don't have to drink it, like during Kiddush for Shabbat and holidays, as well as with *birkat erusin*. Therefore, at least in these situations, one does not necessarily need to drink the wine, because the blessing over the wine is said as the introduction to the sanctification of the occasion, not really for the sake of the wine. But in the end, we do have to drink the wine, because in Judaism, we cannot say a blessing without acting upon that blessing, lest we render our blessing a *bracha l'vateilah*.

Maimonides, in Mishneh Torah, Hilchot Ishut, 3:24,<sup>7</sup> discusses *birkat erusin*, suggesting that it is people's custom to say the betrothal blessing over wine or beer. If there is wine, one should say the blessing over the wine, then over the betrothal, and then drink the wine. However, if no wine or beer is available, the betrothal blessing may be recited alone. This demonstrates that the rabbis wanted a liquid to sanctify the betrothal, but in Rambam's time it did not need to be wine. It seems that wine was preferable, but beer could stand in. In the cases where neither were available, the betrothal blessing was said alone. Therefore, it seems that although it was preferable to have wine to sanctify the betrothal, beer worked, as did simply reciting *birkat erusin*.

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<sup>6</sup> See *dibur ha-matchil ei hachi*.

<sup>7</sup> See also SA EH 34:2, for the same idea, probably taking from Rambam's idea and incorporating it.

The question of the wine is discussed in the Machzor Vitry,<sup>8</sup> but here the discussion is expanded back to the understanding of why we do Kiddush. Here, the one doing a blessing for *birkat erusin* or *birkat milah* (the blessing said at the circumcision ceremony for a Jewish baby boy) have to recite the blessing over wine, בּוֹרֵא פְּרִי הָאֲדָמָה, translated as: who creates the fruit of the earth. Once the blessing is said (first over the wine, then *birkat erusin*), the one enacting the ceremony drinks from the wine, gives the groom a taste, and then the groom gives a taste to his bride. From there, the rest of the wine is spilled out and another cup is poured. This demonstrates the importance of not performing two mitzvot, the second in this case being *birkat nissuin* using the same cup of wine. The second cup of wine, used for *birkat nissuin*, needs to be in a glass cup, according to Mahzor Vitry.<sup>9</sup> This cup is the same one used for the breaking of the glass at the end of the entire wedding ceremony (although we now break the glass under someone's shoe, Mahzor Vitry suggests that one should throw the glass against the wall).

Although speaking about *birkat erusin*, of interest here is the *Turi Zahav* on Shulhan Arukh EH 24:1-2. He comments that it was customary for the groom not to say the blessings in order to not cause him embarrassment in case he did not know them. In this way, the continued divide between the rabbis and their knowledge and the people is apparent. It seems that the desire to not embarrass someone, and to ensure that the ritual was enacted properly, is one rationale for passing the responsibility for reciting the blessing for wine and *birkat erusin* from the groom to the officiant. Although not the first time this comment

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<sup>8</sup> Horowitz, Shimon, ed., *Simcha of Vitri's Mahzor Vitry* (Brooklyn: Klotet Yofi Publishing, 1959), 592.

<sup>9</sup> Horowitz, *Mahzor Vitry*, 593.

shows up, the fact that the Turi Zahav writes about the desire not to embarrass the groom demonstrates that the groom might have begun reciting the blessings at that time.

The Siddur HaTefillot,<sup>10</sup> of Spanish and Portuguese Jews continues the tradition of someone other than the groom saying both blessings, the blessing for the wine and *birkat erusin*. This siddur, from 1901, represents a continued concern for embarrassment or wanting to ensure that the ritual was enacted correctly. Another possibility is that by the 20th century, the groom no longer said the blessings at all, as is apparent from a variety of prayer books at the time. However, a later Sephardic prayer book, Siddur Kol Ya'akov,<sup>11</sup> possibly seeing the increased knowledge of those getting married, offered grooms the opportunity to say the blessings themselves.

Today, it is uncommon for the officiant to drink the wine, even though s/he is reciting the blessings. In this way, the bride and groom are reconnected to the blessing and given the opportunity to demonstrate their own continued sanctification of the betrothal. Another, more logical explanation is that hygiene became a concern, and so only the couple drank from the same cup. However, there is no concern over whether or not the groom will be embarrassed by not knowing the blessings. In the Sephardic world, it seems to be that the groom is given the opportunity to say the blessings, which clearly reflects a difference between the two traditions.

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<sup>10</sup> Ed. Moses Gaster, *The Book of Prayer and Order of Service According to the Custom of the Spanish and Portuguese Jews* (London: Oxford University, 1901), 182-183.

<sup>11</sup> Ed. Rabbi Shimon Alouf, *Siddur Kol Yaakov* (New York: Sephardic Heritage Foundation Inc., 1995), 785.

### Birkat Erusin...The Betrothal Blessing

Following the blessing over the wine, *birkat erusin*, the blessing of betrothal is recited. We will first consider the blessing as found in the Talmud, and then discuss the variations that occur throughout history. Lastly, we will investigate different Rabbis Manuals from the 20th and 21st century, to see what decisions individual movements made with regard to the format and translation of *birkat erusin*.

The text of the blessing appears for the first time in b. Ketubot 7b.<sup>12</sup>

תנו רבנן: מברכין ברכת חתנים בבית חתנים. ר' יהודה אומר אף בבית האירוסין מברכין אותה. אמר אביי וביהודה שנו מפני שמתייחד עמה. תניא אידך מברכין ברכת חתנים בבית חתנים וברכת אירוסין בבית האירוסין. ברכת האירוסין מאי מברך? רבין בר רב אדא ורבה בר רב אדא תרוייהו משמיה דרב יהודה אמרי בא"אמ"ה אשר קדשנו במצותיו וצונו על העריות ואסר לנו את הארוסות והתיר לנו את הנשואות על ידי חופה וקדושין רב אחא בריה דרבא מסיים בה משמיה דרב יהודה בא"י מקדש ישראל על ידי חופה וקדושין. מאן דלא חתים מידי דהוה אברכת פירות ואברכת מצות ומאן דחתים מידי דהוה אקידושא:

The rabbis taught in a *baraita*, One recites the blessing of the groom in the groom's house. Rav Yehudah said: even in the house of betrothal one may offer the blessing. Abaye said: in Judah it is different, for there they are intimate/secluded together (prior to the marriage ceremony). It is taught in another *baraita*: One recites the blessing of the groom in the groom's house, and the betrothal blessing in the house of the betrothal. With regard to the betrothal blessing, what does one recite? Ravin son of Rav Adda and Rabba son of Rav Adda both said in the name of Rav Yehuda: Blessed are You, Adonai our God, Ruler of the universe, who sanctifies us with mitzvot, and commanded us concerning the forbidden relationships, and prohibited to us betrothed women, and permitted to us women married by way of the wedding canopy and betrothal. Rav Aḥa, son of Rava, concluded the blessing in the name of Rav Yehuda: Blessed are You, Adonai, Who sanctifies Israel through the wedding canopy and betrothal. One who does not conclude the betrothal blessing in keeping with the opinion of Rav Aḥa, but instead recites it as one recites the blessing over fruits and the blessing over mitzvot (without a conclusion). One who does conclude (like Rav Aha) does so in accordance with how the formula for *Kiddush* stands.<sup>13</sup>

The blessing is mentioned in the beginning of a discussion about where one should

recite *birkat hatanim*, the groom's blessing, also known as *sheva brachot*, and segues into a

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<sup>12</sup> B. Ketubot 7b, taken from sefaria.org.

<sup>13</sup> Translation adapted from sefaria.com

discussion about which blessing, *birkat erusin* or *birkat hatanim*, should be recited first. The rabbis determine that *birkat erusin* must be recited when the bride enters the groom's house to demonstrate her acceptance of the betrothal. It is important to note here that there could be a lapse of up to a year between betrothal and marriage.<sup>1415</sup> Abaye counters by saying that what occurred in Judah was different, because it was a customary for the man and woman to be alone together<sup>16</sup> after betrothal but before coming to the *chuppah*. Therefore, the blessing should be recited in the house of betrothal. The gemara continues with another baraita which teaches that we do *birkat hatanim* in the house of the groom and *birkat erusin* in the house of betrothal.

According to Michael Satlow, this baraita was added later. Tannaitic sources mention the recitation of the groom's blessing, *sheva brachot*, at the meal of betrothal, but the blessing contains a lot of sexual language. Satlow suggests that the redactor of the Babylonian Talmud was likely uncomfortable with this and therefore added a baraita explaining where the two blessings were said, so that the groom's blessing became attached to the marriage ceremony itself.<sup>17</sup> Since this was just in the area of Judah, the Palestinian Talmud does not mention the blessing, as the rabbis were not familiar with it.<sup>18</sup>

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<sup>14</sup> See Michael Satlow, *Jewish Marriage in Antiquity* (Princeton: Princeton University Press, 2001), 166: This delay was allowed by the rabbis once the girl reached legal maturity (12 and a half years of age according to m. Kiddushin). It was also assumed that a woman betrothed past the age of legal maturity would marry within 30 days. See m Ketubot 5:2, m. Nedarim 10:5.

<sup>15</sup> Rashi clarifies that the lapse was between the recitation of *birkat erusin* and when the couple come to the *huppah* for *nissuin*, the actual marriage ceremony.

<sup>16</sup> called *yichud* in Hebrew and expressly forbidden, stemming first from Deuteronomy 13:7, but explicated upon in the Talmud in b. Kiddushin 80b and b. Sanhedrin 21b. And codified into law in SA EH 22. In traditional halakha, *yichud* pertains to any non-relatives over the age of 3 for a girl and a bit older for a boy.

<sup>17</sup> Satlow, *Jewish Marriage*, 165; See section on *Sheva Brachot* for more on this blessing.

<sup>18</sup> Satlow, *Jewish Marriage*, 165.

The Talmud continues by providing the beginning of the blessing: Ravin bar Rav Adda and Rabba bar Rav Adda both said in the name of Rav Yehuda מְלֵךְ אֱלֹהֵינוּ ה' בְּרוּךְ אַתָּה ה':<sup>19</sup>

הָעוֹלָם אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הָעֲרִיּוֹת וְאָסַר לָנוּ אֶת הָאֲרוּסוֹת וְהִתִּיר לָנוּ אֶת הַנְּשׁוּאוֹת (לָנוּ). There is a debate over the conclusion of the blessing.

Rav Aḥa, son of Rava, concludes the blessing in the name of Rav Yehuda, with what is now the traditional ending בְּרוּךְ אַתָּה ה' מְקַדֵּשׁ (עַמּוֹ) יִשְׂרָאֵל (עַל יְדֵי חֲפָה וְקִדּוּשִׁין). But, the *stam* adds that there are those who don't conclude in accordance with Rav Aha, and instead, conclude *birkat erusin* like the blessing for fruit or Mitzvot, which end without repeating 'ברוך אתה ה', "*Blessed are You God...*" from the introduction of the blessing. However, those who end *birkat erusin* in the way of Rav Aha end the blessing the way one ends Kiddush, which includes a *chatimah* (the ending of a blessing, literally meaning seal) introduced with the words 'ברוך אתה ה'.

Rashi, commenting on *birkat erusin* itself, in particular on הארוסות ואסר לנו את הארוסות, contends that the rabbis utilized this blessing to decree against a man being alone with a single woman to whom he is not related, even his betrothed.<sup>20</sup> Because of the concern of a man being alone with a woman, Rashi articulates that the man must bring the woman under the *chuppah*, but also ensure the recital of the blessing stated above. Therefore, Rashi

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<sup>19</sup> This is Judah bar Yecheskiel, the founder of the academy of Pumbedita in 3rd century. From Moses Mielziner, "Appendix A: The Marriage Agenda," In *CCAR Yearbook 1890-1891*, edited by CCAR (Cincinnati: Bloch Publishing and Printing Co, 1891), 36

<sup>20</sup> Although in our world today, we might think of two women being together as a situation that might lead to a sexual encounter, or a transgender person, the rabbis and Rashi were not concerned with these particular circumstances.

articulated that even though one enters the *huppah*, another ritual must take place, namely the recitation of *birkat erusin*.

Mahzor Vitry (11th century) returns to Rashi's comment on b. Ketubot 7b. He codifies it as Ashkenazi halakha, articulating that couples cannot be alone before marriage (*yichud*) and that even after a woman is betrothed, she is not permitted to the groom until they appear under the *chuppah* for *nissuin*.<sup>21</sup> In order to cement the point, the author references m. Kallah, which states that a bride for whom one didn't say the blessing is forbidden (for sexual relations) like someone who is *niddah*.<sup>22</sup> The author clearly wants to demonstrate who is forbidden to whom and who is permitted.

Mahzor Vitry relies on Rashi's commentary when talking about why the betrothed woman is forbidden to her groom. Quoting Rashi, he clarifies that this prohibition actually comes from the rabbis, not from the Torah, as the rabbis were the ones ruling whether or not people could be alone when single. I believe this is due to the custom in Judah, written about above, for the grooms to spend time with their betrothed without a chaperone. The fear was that when the couple spent time alone, they might engage in sexual behavior. *Birkat erusin* seems intended to condemn such activities, but clearly did not prevent the behavior. Therefore, Rashi needed to clarify that despite the location of the erusin ceremony, this *yichud* (seclusion) was not permissible.

From this, we learn that the rabbis did not want someone to get married without the recitation of a blessing. The blessing allowed the rabbis to assert through liturgy what was and was not permissible, by saying which people were forbidden to whom (no one was

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<sup>21</sup> Horowitz, *Mahzor Vitry*, 589.

<sup>22</sup> Ritually impure because she is menstruating or just finished menstruating and therefore forbidden to be touched.

allowed to be alone unless they were married to each other, etc.) It was in the rabbis' best interest to have the blessing, because it meant that they had control over betrothal and marriage as a whole. Without a ritual and specific blessing for betrothal, Jews might get married with the *huppah* and skip the step of betrothal altogether. Or, Jews might engage in forbidden sexual relations. The rabbis therefore determined the legal aspects of betrothal, whereas during the Second Temple period, betrothal was a cultural event.<sup>23</sup> We see a paradox: the rabbis wanted people to take *kiddushin* seriously and see it as a legally binding commitment<sup>24</sup>. But if people felt that they were basically married, they might expect to be alone together and engage in intercourse. So, in order to protect against unacceptable *yichud*, the rabbis used a blessing that demonstrated that although betrothed to one another, a couple is not permitted to be alone together until married.

In addition, the rabbis could not get rid of *erusin* because the ring ceremony was included in *erusin*. The ring exchange, where the man gave the ring to the woman, as described below, was the part of the marriage ceremony that actually enacted the betrothal, as one of three ways to acquire a woman.<sup>25</sup> In the Reform movement, we often discuss with the couple whether or not to change both *birkat ersuin* to make it more palatable language, and the ring ceremony so that no one acquires anyone else. However,

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<sup>23</sup> Satlow, *Jewish Marriage*, 163-164. Satlow also comments on the fact that Babylonian and Palestinian Jews likely partook in very different rituals surrounding betrothal, even though the blessing itself does not differ.

<sup>24</sup> For the very short time that *erusin* lasts now that the ceremonies are combined, *erusin* is still like being married. However, as I will write about later, the fear of what happens should the marriage not occur is significantly decreased. There is much less fear of death or divorce needing to occur in a time span of five minutes rather than a year.

<sup>25</sup> The other two ways, laid out in b. Kiddushin 2a, are through *biah*, or sexual intercourse, and through *shtar*, a written document.

that is a question for another project.<sup>26</sup>

*Lanu... To Us...*

Another thing to consider is that the language of the blessing indicates, through the formula *asher kidshanu b'mitzvotav v'tzivanu* that betrothal is a commandment. This is because the rabbis regard it as a commandment from the Torah not to uncover forbidden nakedness. Later in this chapter, I will discuss why the Reform Rabbi's manuals removed the language of commandedness from the blessing.

The next place that *birkat erusin* appears is in Kallah Rabbati, a part of m. Kallah, a minor tractate of the Talmud<sup>27</sup>. Kallah Rabbati 1:1 describes that a bride is forbidden to her husband without the [marriage] blessing. Already known from the b. Ketubot text, this reminds the reader that *kiddushin* and *nissuin* were both important, even when performed at different times. The gemara of m. Kallah Rabbati provides the actual text of the blessing, including the *chatimah*: Says Rav Judah in the name of Rav: בְּרוּךְ (אֵתָהּ ה' אֱלֹהֵינוּ מֶלֶךְ: קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הָעֲרִיּוֹת, וְאָסַר לָנוּ אֶת הָאֲרוּסוֹת וְהַתִּיר לָנוּ אֶת הָעוֹלָם) אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ עַל הָעֲרִיּוֹת, וְאָסַר לָנוּ אֶת הָאֲרוּסוֹת וְהַתִּיר לָנוּ אֶת הָעוֹלָם. הַנִּשְׁוֹאוֹת עַל יְדֵי חֲפָה וְקִדּוּשִׁין, בְּרוּךְ אַתָּה ה' מְקַדֵּשׁ יִשְׂרָאֵל עַל יְדֵי חֲפָה וְקִדּוּשִׁין.<sup>28</sup>

I believe that this completed blessing came later, during the Gaonic period, and was the codification of the gemara from b. Ketubot 7b. This version of *birkat erusin* does leave out the second לנו (*lanu*), on which Rashi offers commentary. With regard to the entire

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<sup>26</sup> For more on this idea, see Adler's, *Engendering Judaism*, Chapter 5: Brit Ahuvim: A Marriage Between Subjects.

<sup>27</sup> English from Rev Dr. A. Cohen, *The Minor Tractates of the Talmud: Massektot Ketannot*, v. II (London: The Soncino Press, 1965), 415.

<sup>28</sup> Ed. Michael Higger, *Masechet Kallah* (Brooklyn: Moinester Publishing, 1936), 170.

phrase beginning *לנו*, Rashi adds: *את נשותינו הנשואות לנו על ידי חופה וקידושין*.<sup>29</sup>

Meaning, Rashi commented on the words, “permitting to us” that this refers to “our wives, those married to us, by way of *chuppah* and *kiddushin*.” We learn from this comment that Rashi needed to clarify the permission granted to a man to be with a woman following the recitation of *birkat erusin* as strictly for a man and the wife that he just married with the blessing. This clarification is more extreme than that found in other versions of *birkat erusin* throughout history, but the other versions do maintain the second *lanu* that Rashi also includes. Rashi does not necessarily believe that the text should reflect the words he wrote, but likely had a version of the Talmudic text that did not include the second *lanu* and so incorporated it into his comment as he clarified the kind of women permitted to a man.

In addition to Rashi feeling that the second *lanu* was important, Mahzor Vitry, an 11th century text, and other more modern texts include the second *lanu* in the blessing.<sup>30</sup> Otzar HaGeonim does not include the second *lanu* in the formal text, but the commentary states that the later sages incorporated it into their version of *birkat erusin*.<sup>31</sup> But, due to the fact that the citation of this blessing in m. Kallah is quoted by Rashi on b. Ketubot 7b, it is an important part of knowing the development of this blessing over time. The issue of the second *lanu* from the gemara text in parenthesis indicates that some manuscripts and/or print editions incorporated the second *lanu* into *birkat erusin* and some did not.

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<sup>29</sup> Rashi on b. Ketubot 7b

<sup>30</sup> Horowitz, *Mahzor Vitry*, 589.

<sup>31</sup> B. M. Lewin, ed., *Otzar ha-Geonim: Thesaurus of the Gaonic Responsa and Commentaries Following the Order of the Talmudic Tractates*, Vol 8 (Jerusalem: Mossad HaRav Kook, 1939), 23.

Otzar Ha-Geonim also provides commentary on how traditional Jews imagine and enact the wedding ceremony.<sup>32</sup> The text of Otzar Ha-Geonim itself demonstrates that it was a common custom in Jewish learning institutions of the Middle Ages (yeshivot) not to say the words of *birkat erusin: et ha-nissuot* (about permitting those married to us, to us). This decision likely stems from the fact that it was apparent that the one permitted to the groom was the bride. However, the comments not only accept the word *nissuot*, but remarks that it was customary for many to say the second *lanu* about which much debate ensued over the centuries. Again, the addition of the second *lanu* clarified that a bride is permitted to her new husband and not that a man is permitted to any married woman.

*Birkat erusin* continues to vacillate in form with regard to the second *lanu*, which is not found in the blessing codified by the Rambam. However, the commentary to Sefer HaManhig,<sup>33</sup> a book initially written in the early 13th century in Provencal, France by Abraham ben Nathan, offers a comment about the inclusion of this second *lanu*. Yitzhak Rafael, the commentator, likely writing about the 13th century, articulates that it was the custom to do this in Spain, according to the explanation offered on masechet Kallah. The comment is interesting, because the text of m. Kallah does not include the second *lanu*, but Rafael suggests it was included. However, the edition of m. Kallah currently available does not mention the second *lanu*.<sup>34</sup>

Commenting on SA EH 34:1, Beit Shmuel (Poland, 17th century) agrees with Sefer HaManhig and argues that the second *lanu* after *לנו הנשואות* should be included in

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<sup>32</sup> Lewin, *Otzar Ha-Geonim*, 23

<sup>33</sup> Ed. Yitzhak Rafael, *Sefer Ha-Manhig of Rabbi Abraham ben Nathan*, Vol. 2 (Jerusalem: Mossad HaRav Kook, 1978), 536.

<sup>34</sup> Ed. Michael Higger, *Masechet Kallah* (Brooklyn: Moinester Publishing, 1936), 170.

order to insist that we are permitted to those married to us and no one else. This clarification is one seen through the many iterations of *birkat erusin*, with the same argument used each time. Now, the fact that the *lanu* is often included in parenthesis demonstrates the fact that the rabbis could not actually decide which version to incorporate.

Again in the 20th century, we encounter commentary that describes a rationale for the why the second *lanu* is incorporated into *birkat erusin*. In the commentary on Otzar ha-Geonim,<sup>35</sup> the author remarks that it was the custom of many to say *lanu* after the statement וְהִתִּיר לָנוּ אֶת הַנְּשׂוּאוֹת in order to clarify that we are permitted to have intercourse only with those who are married to *us*. Otherwise, one might assume that a man is permitted to sleep with any married woman, not just his wife.

Due to the fact that many commentators throughout the centuries vacillated on whether or not to include the second *lanu*, it is clear that the need for it remained throughout time. This meant that men either felt it was permissible to sleep with married women if *birkat erusin* did not include the second *lanu*, or the rabbis needed to clarify the language because they felt it was not clear. I assume the need resulted from a combination of the two reasons, but more of the latter. Throughout time, the rabbis tend towards more stringency than the people in terms of clarifying blessings and what one is permitted.<sup>36</sup>

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<sup>35</sup> Lewin, *Otzar Ha-Geonim*, 23

<sup>36</sup> For more on this, see the difference between laws surrounding what happens when one drops a Torah, verses what happens when one drops tefillin on the ground. Intriguingly, the Torah prohibition, which is more known, stems from the prohibition about Tefillin.

### *Ha-chatimah... The Conclusion*

An interesting change to the blessing appears in the *She'ailtot of Rabbi Ahai Gaon*,<sup>37</sup> (8th century, Babylonia) where the author changes the order of the final two words in the blessing and in the *chatimah*. Instead of ending the blessing with *ברוך אתה ה' על ידי חופה* (Blessed are You, Adonai, by way of *huppah* and sanctification) he ends the prayer, *וקידושין* (Blessed are You, Adonai, by way of sanctification and *huppah*). No explanation is given for why this change occurred. However, one rationale is that the order presented in the initial blessing is the reverse of what Jews actually do in a marriage ceremony. Jews first do *kiddushin*, the betrothal, and then come to the *chuppah*, the marriage canopy, for the marriage ceremony. Even today, when the ceremonies come one immediately following the other, the order changes very little. Therefore, the *She'ailtot* likely changed the order of the ending in order to be in line with common practice of the day. Regardless, the change did not become widespread. Interestingly, the critical edition of the text offers both variations of the text, suggesting that both were in vogue.

In response to Rabbi Ahai Gaon, *Otzar ha-Geonim* clarifies that the ending of the blessing should either be *ברוך אתה ה' על ידי חופה וקידושין* or it should end *ברוך אתה ה' מקדש ישראל* and then the last four words. Both are fitting. This reflects the stance of the gemara and the two rabbis who argue about how to end the blessing. It also indicates that there was never any conclusion about how to properly end the blessing. However, based on the fact that Ashkenazi Jews now end *birkat erusin* the longer way, it seems that the custom that was followed. From the commentary on *Otzar ha-Geonim*, the reader also notices that

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<sup>37</sup> Samuel Kelman, *She'ailtot of Rabbi Ahai Gaon*, Genesis Part I (Jerusalem: Mossad HaRav Kook, 1975), 110-111.

it was not customary in the Yeshivah to say the word *hanisuot*, the married ones. In particular, Rabbi Hai Gaon (10th century) not only did not include *hanisuot*, but he changed that part of the formula altogether. Instead of the traditional language, he said: והתירם לנו: על ידי, they are permitted to us....

Mahzor Vitry concluded *birkat erusin* in the way of Rabbi Aha (the long one) and explains why, relying heavily upon Rashi's commentary on b. Ketubot 7b.<sup>38</sup> The author explains the difference between a blessing over a mitzvah (which doesn't need to end the blessing with 'ברוך אתה ה' and Kiddush (which does). Essentially, because *birkat erusin* is a blessing over a mitzvah, not something that we just do for joy, like blessing over fruit, where the whole blessing is about thanksgiving and no request for anything in the blessing,<sup>39</sup> we say the blessing and include the 'ברוך אתה ה' ending. The incorporation of the words אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְצִוָּנוּ is indicative of the fact that even though this is a rabbinic blessing, we still say *v'tzivanu*, that we are commanded to do it, like with the Chanukkah blessings said when lighting the candles. Even though the blessing is rabbinic, and therefore not a mitzvah from the Torah, we still say it in ceremonies today.

A significant variance in the words of *birkat erusin* appear in Rambam's Mishnah Torah as follows: בָּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְהִבְדִּילָנוּ מִן הָעַרְיוֹת וְאָסַר לָנוּ אֶת הָאֲרוּסוֹת וְהִתִּיר לָנוּ אֶת הַנְּשׂוּאוֹת עַל יְדֵי חֲפָה וְקִדְּשָׁנוּ בְּרוּךְ אַתָּה ה' מְקַדֵּשׁ יִשְׂרָאֵל.<sup>40</sup> The major difference between this version of *birkat erusin* and the ones

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<sup>38</sup> Horowitz, *Mahzor Vitry*, 589.

<sup>39</sup> In these kinds of blessings, a person does not need to say a *chatimah* because the whole blessing is one of thanksgiving and clearly about God. When parts of a blessing include requests, then the blessing must conclude with a *chatimah* beginning with 'ברוך אתה ה' .

<sup>40</sup> Hilchot Ishut, 3:24

that came before is that this one changes the last word of the introduction of the prayer from *והבדילנו* (and separated) to *וציונו* (and commanded). This difference also appears as one of the *gersaot*, the options, in m. Kallah.<sup>41</sup> As we will see, the Shulchan Arukh codifies the version that comes before Rambam. I believe that Rambam includes this different form because it actually makes more sense with regard to what the text refers. Yes, Jews are commanded to not engage with those who are forbidden to us. However, logically we should separate from those who are forbidden from us. The logic of why to keep the blessing as it was in the Talmud will be addressed when we discuss the Shulchan Arukh's treatment of *birkat erusin*.

The Shulchan Arukh, EH 34:1 of Joseph Caro (1535) sets into law the text of *birkat erusin* for anyone who either by himself or through an agent betroths a woman. The text is as follows: בא"י אמ"ה אקב"ו על העריות ואסר לנו הארוסות והתיר לנו הנשואות ע"י חופה. However, it also offers the emendation that there is another custom that completes the blessing with בקידושין בא"י מקדש ישראל. Instead of instructing which ending to use, Caro offers both as suggestions. However, interesting to note is that both the Tur, which predated the Shulchan Arukh, and Moses Isserles (called the Mapa, 16th century), who wrote his own commentary on the SA, include the longer ending to the blessing now in vogue today. Both the Tur and Isserles were Ashkenazim, where it was customary to include the longer *chatimah*, even though the Gemara argues that the *chatimah* is unnecessary. This blessing leaves out the change offered by Rambam of replacing *v'tzivanu* (commanded) for *v'havdileinu* (and separated)

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<sup>41</sup> Higger, *Masechet Kallah*, 170.

and also does not include the second *lanu* which Sefer HaManhig and many other commentators re-incorporated.

#### *Who Recites Birkat Erusin? And when is it recited?*

Following the positions of both Mahzor Vitry and Rabbi Yehudah in b. Ketubot 7b, Rambam<sup>42</sup> holds that anyone who sanctifies a woman, either by himself or by way of an agent (*shaliach*), must say a blessing before the betrothal actually occurs. This is due to the fact that we say the blessing first and then do the mitzvah, not the other way around.<sup>43</sup> In addition, the blessing was likely said in very close proximity to *nissuin*, the marriage ceremony itself, because it was customary to combine the two ceremonies from the time of the middle ages. This practice was clearly enacted, as the Mahzor Vitry reflected current customs. For the Rambam, *birkat erusin* cannot be recited after the sanctification of the marriage occurs because the blessing then becomes one said in vain. In addition, the blessing should be said by the groom.<sup>44</sup>

Responding to Rambam's impression that the blessing should be articulated by the groom, Isserles argues that there are some who say that someone else besides the bride and groom should say *birkat erusin*. Most likely, this is a commentary on what was done in contemporary society at the time, which was to have someone else do the ceremony. As people became less learned in Hebrew and Judaica, the desire for the learned member of

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<sup>42</sup> Hilchot Ishut, 3:23. Taken from Rabbi Eliyahu Touger, *Maimonides Mishneh Torah: Hilchot Ishut (The Laws of Marriage)* (New York: Moznaim Publishing, 1994), 40-42.

<sup>43</sup> Although Rambam doesn't actually say what the *kiddushin* is at this point, it likely means the ring exchange that is part of the *kiddushin* ceremony, both in antiquity and today.

<sup>44</sup> See Turi Zahav on the SH, EH 34:1.

the community to facilitate Jewish rituals increased. The best candidate for that role was rabbi. Therefore, the rabbi recited *birkat erusin* so as not to embarrass the groom.<sup>45</sup>

Rabbi Eliyahu Touger, the commentator on this edition of the Mishneh Torah, articulates that both Sephardic and Ashkenazi custom is for the rabbi to recite *birkat erusin*, in case the groom does not know the blessing and becomes embarrassed.<sup>46</sup> Although written in the 20th century, this represents the desire to ensure that people are not embarrassed on their wedding day when trying to recite a long Hebrew prayer.

Quoting Sefer HaManhig, the commentary of Otzar Ha-Geonim articulates that one custom in the Middle Ages was to recite *birkat erusin* at the marriage ceremony itself (*nissuin*) as the groom or the agent of the groom might not have recited it at the time of betrothal.<sup>47</sup> There are some that argue that if there is a good number of time between the two ceremonies, one should recite *birkat erusin* again. And there are some that argue that one should not recite *birkat erusin* again at the *nissuin* ceremony, because it becomes a blessing said in vain (*bracha l'vateilah*).

The Shulchan Arukh<sup>48</sup> also articulates concern over when *birkat erusin* is said. If it is not said at the moment of betrothal, one should not recite it when the couple arrive for *nissuin*. However, the *Mapah* (Isserles) argues that one still recites *birkat erusin* at the *nissuin* ceremony, even if the woman was betrothed long ago. Some say that *birkat erusin* should be recited underneath the chuppah and some say that even when the betrothal was

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<sup>45</sup> Turi Zahav, on SA EH 34:1.

<sup>46</sup> Touger, *Mishneh Torah*, 40-41.

<sup>47</sup> Comment 8 in Lewin, *Otzar Ha-Geonim*, 1.

<sup>48</sup> SA EH 34:3

sanctified with *birkat erusin*, the groom (or the agent) should circle back and recite the blessing without God's name, for the sake of appearances.<sup>49</sup>

It seems that the Shulchan Arukh needs to ensure that both *kiddushin* and *nissuin* remain viable ceremonies performed as part of the marriage process. Isserles' comment that one should return and do *birkat erusin* under the *chuppah* is one textual indication I encountered in favor of our traditional practice today of combining the two ceremonies. Mahzor Vitry suggests the combination of the two ceremonies as well, even though Rambam suggests that is not what is supposed to happen.<sup>50</sup> Due to the fact that Caro and the Rambam agree that *kiddushin* (specified as *birkat erusin*) and *nissuin* should be done separately, while writers such as Isserles and Mahzor Vitry argue for the combination of the ceremonies stems from a difference in Sephardic and Ashkenazic practice, respectively. However, by the 12<sup>th</sup> century, it became customary to link the two ceremonies.<sup>51</sup> Likely, Sephardic Jews did not advocate for the combination of the two blessings into one ceremony and Ashkenazic Jews did. In addition, as the challenges of war became more apparent, one's concern about leaving a betrothed woman without a husband might have arisen.

According to the Shulchan Arukh, ten people need to be present for *birkat erusin* to count as a legitimate blessing. This directive comes from the b. Ketubot 7b, which plainly articulates it. Although not directly stated in the Shulchan Arukh, this quorum must consist

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<sup>49</sup> This is according to the Rivash (Isaac ben Sheshet, 14th century Sepharad). There is also a discussion of whether or not *birkat erusin* must be recited again by the groom if it was initially recited by an agent. Eventually, Isserles, by way of the Rivash, argues that one can recite the blessing again if the betrothal was enacted by an agent.

<sup>50</sup> Horowitz, *Mahzor Vitry*, 586-588.

<sup>51</sup> Raphael Posner, *Encyclopedia Judaica*, 2<sup>nd</sup> ed., "Marriage Ceremony," (Detroit: Thomson Gale, 2007), 566.

of ten men, all of whom are Jewish. Over time, this requirement is not necessarily mentioned, but it is directly accounted for here.

The commentary on Otzar Ha-Geonim, from the 20th century, continues the discussion of whether or not to combine *kiddushin* and *nissuin* by articulating that if *birkat erusin* was initially recited by an agent of the groom, it should definitely be said at the marriage ceremony to ensure that it was recited correctly. The variety of opinions on whether or not it is acceptable to recite *birkat erusin* under the *chuppah* for *nissuin* demonstrates either a lack of cohesive understanding of a practice or a more subtle difference of position based on location. Regardless, from the multiplicity of options offered, it is clear that sanctification of marriage in the “proper” way, whatever that was for a particular group of people, was vitally important, even if there was not one set way that people understood it. It also demonstrates that *erusin* and *nissuin* were enacted as two separate ceremonies at some point, likely during the early Geonic period. Therefore, it seems like part of the precedent for combining the two ceremonies was set by Otzar Ha-Geonim at this point, as all siddurim and rabbis manuals consulted from the 20th century and onward do combine the two ceremonies.

### *Wine or Beer?*

Rambam addresses the fact that the people customarily say *birkat erusin* over either wine or beer. He lays out the order in which one should do the blessings and rituals: first, if there is wine, one recites the blessing over the drink. Then, one recites *birkat erusin* and the couple drinks the wine. After that, the groom sanctifies/consecrates the woman.<sup>52</sup> If there is

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<sup>52</sup> The word used for sanctify is *מקדש*, which seems to be used as a euphemism for actually engaging in sexual relations, but I am again unsure.

no wine, then the betrothal blessing is recited followed by the consecration of the woman. This refers only to *birkat erusin* and not to *nissuin* as well. Due to the fact that the mention of beer only occurs once, not twice like wine, it seems that it was more customary to utilize wine for the ceremony than beer, although beer seemingly worked if nothing else was available.

A place where the Shulchan Arukh is in accordance with the Rambam is with regard to the timing of when the blessing is said. The Shulchan Arukh,<sup>53</sup> codifies that *birkat erusin* is done over wine, where one first blesses the wine and then performs *birkat erusin*. If no wine (or beer) is available, one should just recite *birkat erusin*. The first time a liquid is mentioned, it is just wine. However, the second time the Shulchan Arukh also mentions beer which might indicate that beer was not preferable but was an option if wine were not available.

### *Modern Versions of the Blessing*

Moving into more modern times, the Edict of the Royal Westphalian Consistory from 1810, put out by the early reformers, writes that the first blessing<sup>54</sup> should be recited with dignity.<sup>55</sup> This is worth noting because the Royal Westphalian Consistory was the first reforming body to actually legislate changes in terms of what reform practice should look

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<sup>53</sup> SA EH 34:2

<sup>54</sup> Referring to *birkat erusin*.

<sup>55</sup> Edict of the Royal Westphalian Consistory, 1810 (Published in W. Gunther Plaut, *The Rise of Reform Judaism: A Sourcebook of Its European Origins* (Philadelphia: JPS, 2015).

like. Instead of eliminating *birkat erusin* altogether, or radically shifting the language, the Consistory maintains the blessing in its traditional format.<sup>56</sup>

Not until 1917 did the Reform movement have an official handbook for life cycle officiation. Entitled *The Minister's Handbook*, this book outlined what the marriage ceremony should look like and contained the texts and decorum deemed appropriate for Reform rabbis to recite as *birkat erusin*.<sup>57</sup> The rabbi first needed to recite the blessing for wine (בורא פרי הגפן) and then offer both the bride and groom the wine to drink (in contrast with the custom of giving the groom and then the bride the drink after reciting *birkat erusin*). The text itself was: "Be praised, O Lord our God, Ruler of the Universe Who hast sanctified us by Thy law, and hast instituted the sacred relationship of marriage, so that by the union of husband and wife, the welfare and happiness of mankind are furthered and consecrated. Praised art Thou, O Lord, our God, Who sanctifiest life by the holy covenant of marriage."

The language of the blessing was English, which reflects a desire to assimilate into general society. In addition, discussion of the *chuppah* is excised, as is any discussion of the forbidden relationships. This blessing includes all positive aspects of *erusin* while omitting the restrictions of the traditional blessing. The blessing also mentions the happiness of the couple in their union, which is absent from the traditional blessing. Reform rabbis of the late 19th and early 20th century were much more concerned with the sanctification of the

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<sup>56</sup> The Consistory removed the breaking of the glass, the circling at the beginning of the ceremony, the practice of using one bottle of wine instead of two cups, and an Aramaic Ketubah. Many of the changes were semantic and not ritually imperative aspects.

<sup>57</sup> Ed. CCAR, *Minister's Hand Book* (New York: Bloch Publishing Co., 1917).

relationship and the positive aspects of the ceremony, rather than the halakhic concerns included in the traditional blessing.

In all likelihood, the changes made to *birkat erusin* stem from decisions made during the yearly meetings of the Central Conference of American Rabbis. During the 1890 meeting, the synod articulated that marriage is “an ethical union of the souls”<sup>58</sup> Following this, the Synod resolved to appoint a committee to “find a suitable form of *birkat erusin* i.e. to make a new ritual for marriages in lieu of the present antiquated one.”<sup>59</sup> The CCAR was clearly uncomfortable with the language of the traditional blessing, but wanted to retain the blessing in some way. However, the appointment of a committee to craft a new form of *birkat erusin* demonstrates the commitment the Reform movement has to maintaining the integrity of the Jewish tradition as much as possible within the context of Reform.

In response to finding an appropriate replacement for *birkat erusin*, it is clear that some principles are followed. A paper presented by Moses Mielziner to the CCAR cites the Rambam that

“All ritual benedictions may be recited in any language provided their contents, as established by the sages, is retained. Hence, though one in reciting them changed their form, as long as God’s name and [God’s] dominion are mentioned and the main contents of the benediction is rendered, be it even in a common language, still he [or she] has done his [or her] duty.”<sup>60</sup>

This demonstrates two important factors leading to the changes in *birkat erusin* which occur from this point forward. First, that the blessing may be recited in Hebrew, but

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<sup>58</sup> Marriage Resolution Passed by the Second Synod, from the Year Book of the Central Conference of American Rabbis, 1890-91 (Cincinnati: Bloch Publishing and Printing Co, 1891), 113. Although they speak of whether or not a convert might marry in a traditional Jewish ceremony due to Talmudic law about converts from “heathen origin,” (p. 113) this is a broader statement about their beliefs about what it means to perform a Jewish marriage and I believe still demonstrates their true understanding.

<sup>59</sup> CCAR, Marriage Resolution, 113

<sup>60</sup> Hilchot Berachot 1.6 (Cited from Mielziner, “Marriage Agenda,” 39.

may also be recited solely in the vernacular. Second, in changing the blessing, one must retain the use of God's name and sovereignty, as well as the general idea. Maimonides does not demonstrate which parts of the blessings are necessary, so that decision is then left up to the individuals making the changes.

Mielziner clarifies that the blessing itself simply needs a few changes in order to align it with the beliefs and values of the Reform movement.<sup>61</sup> In addition, he determines that the Hebrew blessing should be included alongside the English blessing. The English does not need to be a direct translation of the Hebrew, but rather must maintain the general content and ideas. However, the actual marriage agenda provided in the appendix shows the Hebrew exactly as it appears in other traditional rabbi's manuals of the contemporary times. The translation mostly reflects more modern sensibilities:

"Be praised, O Lord our God, Ruler of the Universe, who hast sanctified us through thy law and hast instituted the holy state of matrimony, and by the union of husband and wife has provided for the welfare and happiness of mankind. Be praised, O God, who sanctifies us through the holy covenant of matrimony."<sup>62</sup>

The blessing over wine is not included in this wedding ceremony at all.

The siddurim this researcher perused (many of which aren't cited here) from the 20th century contained the same version of *birkat erusin*, the version from the Talmud, that Rav Judah says in the name of Rav.<sup>63</sup> The only different is that these siddurim incorporated the second *lanu* into the blessing. Siddur Ha-Tefillot, a siddur for Spanish and Portuguese Jews from 1901 has the same blessing structure, but outlines a different custom than the

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<sup>61</sup> Mielziner, "Marriage Agenda," 39.

<sup>62</sup> Mielziner, *CCAR Year book*, 41.

<sup>63</sup> Elijah ben Solomon, *Siddur Ishei Yisrael* (Jerusalem: Y. A. Landa, 1968), 488; Nathan Adler, *The Authorized Daily Prayer Book: United Hebrew Congregations of the British Empire*, trans. Simeon Singer (London: Eyre and Spottiswoode Ltd., 1929), 298; *The Standard Prayer Book*, trans. Simeon Singer (New York: Bloch Publishing Company, 1951), 443.

other modern siddurim.<sup>64</sup> This siddur instructs the rabbi to first recite the blessing for wine, and then to do *birkat erusin*. Since this is relatively early, I wonder if the writer of the prayer book was concerned with the embarrassment of the groom. However, the option for the groom to recite the blessing is provided in Siddur Kol Ya'akov from 1995.<sup>65</sup> One possible rationale is that grooms wanted to recite *birkat erusin* and so the siddur included that possibility as suggested initially by the Talmud and other earlier sources. Another possibility is that the people for whom Siddur Kol Ya'akov was written were more knowledgeable of Jewish text and therefore more comfortable with the prospect of reciting a blessing in public. Still another is that the siddur reflects a desire to resurrect an older custom not in practice at the time.

Siddur Kol Ya'akov also incorporates the blessing from *havdallah* over the spices between the blessing for wine and *birkat erusin*.<sup>66</sup> One possible suggestion is that the bride and groom fasted the day of the wedding and this was meant to uplift the spirits of the couple from their fast. Another rationale is that the inclusion of the blessing over spices is a nod to havdallah and a desire to demonstrate that the couple is marking a separation between their lives up to this point and their future together.

Solomon Freehof, writing in 1944, does not say anything about the language of *birkat erusin*, but writes that *birkat erusin* comes first, after which the betrothal formula is

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<sup>64</sup> Gaster, *The Book of Prayer and Order of Service*, 182-183.

<sup>65</sup> Alouf, *Siddur Kol Yaakov*, 785. This is the only modern siddur I encountered that actually gave the groom the choice to recite *birkat erusin* at his own wedding. Possibly because the Sephardic community was more knowledgeable, or for another reason unknown to me altogether.

<sup>66</sup> Alouf, *Siddur Kol Yaakov*, 785.

recited, which is inline with how other movements envision the ceremony.<sup>67</sup> Earlier in the same book, Freehof explains that the book is not meant to serve as a “modern Shulhan Aruk.”<sup>68</sup> Rather for him, the goal was to “describe present-day Reform Jewish practices and the traditional rabbinic laws from which they are derived.”<sup>69</sup> Therefore, it seems that even though the Minister’s Handbook formulated a marriage ceremony where the blessing was not included, the practice at the time was to include the ceremony.

As Freehof responded to the needs and actions of rabbis in the field, so too did the 1961 Revised CCAR Rabbi’s Manual. The manual provides three options for *birkat erusin*, two of which come after the ring ceremony.<sup>70</sup> The placement of *birkat erusin*, which up to this point had been prior to the ring ceremony with the marriage formula, does not make sense here, nor is it explained. The only explanation I can offer is that the writers saw that people were more concerned with the ring ceremony than they were with *birkat erusin*. Perhaps people also appreciated the parallel between the Jewish ring ceremony and non-Jewish ceremonies, something *birkat erusin* lacked. In addition, these first two options offer only the long conclusion to *birkat erusin*, but have the word *chuppah* in parenthesis. This might reflect the fact that some couples at this point did not use *chuppah* or even that they did not believe that *chuppah* truly sanctified the marriage. The translation also avoids the mention of *chuppah*, instead reading: “Blessed art Thou, O God, who sanctifiest Thy people Israel by the covenant of marriage.” This allows for the possibility for a couple to not get

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<sup>67</sup> Solomon B Freehof, *Reform Jewish Practice and Its Rabbinic Background* (Cincinnati: Hebrew Union College Press, 1944).

<sup>68</sup> Freehof, *Reform Jewish Practice*, 14-15

<sup>69</sup> *Ibid.*, 15.

<sup>70</sup> Ed. CCAR, *Rabbi’s Manual: Revised Edition* (New York: CCAR, 1961), 28, 31.

married under the *chuppah* and still have their marriage included in the pronouncement of the blessing, without the need to change it. However, the fact that the rest of the blessing was not included in these two services demonstrates a lack of desire for the ceremonial aspect of *birkat erusin* in general. The services seem to want to maintain the decorum found in Christian ceremonies, and so limited the Hebrew in order to offer a more regal English presentation of the words.

The third version of the wedding ceremony changes the order of most parts of the ceremony. After the beginning introductory parts, it starts with this: “This ceremony is called in our tradition Kiddushin, which means consecration. Join me therefore, in affirming our faith in life’s holiness by reciting the ancient words: (bridegroom and bride): Blessed art Thou, O Lord our God, Ruler of the Universe, who dost sanctify Thy children by the holy covenant of marriage.”<sup>71</sup> Then, the ceremony continues with the *sheva brachot*, and finally the exchange of rings. Possibly, Reform rabbis maybe found it flowed better to the ceremony in this way. Another rationale for this change is that rabbis wanted to perform all of the parts of a wedding unfamiliar to a secular or less traditional audience before the ring exchange, so that the ceremony ended with a familiar custom. Or they separated the ring exchange from *kiddushin* to emphasize that the ring itself was not traditionally part of *kiddushin*, but instead became used commonly in the middle ages. The change to *birkat erusin* here speaks to a desire to refrain from speaking about the more problematic or troublesome aspects of the blessing, while maintaining the essence of the blessing about the sanctification of marriage.

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<sup>71</sup> CCAR, *Rabbi’s Manual* 1961, 36.

Regardless of the changes offered in the various versions of the Reform rabbi's manuals, it is clear that these Reform rabbis continued to recite *birkat erusin*, because it was incorporated in a mostly full form in the next Reform rabbis manual from 1988.<sup>72</sup> The manual first offers the blessing for wine, and instructs the bride and groom to drink. Then, the rabbi offers the text of *birkat erusin* including everything but וְצִוָּנוּ עַל הָעֲרִיּוֹת, וְאַסֵּר לָנוּ אֶת הָאֲרוּסוֹת. Three things here are important to note. The first is that the manual takes out the word *v'tzivanu*, "and commanded us," because it doesn't make sense if it comes directly before "and permitted us to the people married to us." Secondly, as written about above, the Reform movement is open to performing weddings that more traditional movements aren't, some of which (like gay marriage) would be considered these forbidden sexual relations directly suggested by the word *arayot* from Leviticus 18 and 20. And lastly, the challenge for the Reform movement is that the next part of the blessing that was left out is one-sided, in that the woman is betrothed by the man. Hence, the Reform movement chose to leave that part out and include the woman in the blessing by incorporating the word *nissuim*, so that it reads: בָּרוּךְ אַתָּה ה' אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם אֲשֶׁר קִדְּשָׁנוּ בְּמִצְוֹתָיו וְהִתִּיר לָנוּ אֶת הַנְּשׂוּאוֹת וְהַנְּשׂוּאִים לָנוּ עַל יְדֵי חֲפָה וְקִדּוּשִׁין, בָּרוּךְ אַתָּה ה' מְקַדֵּשׁ יִשְׂרָאֵל עַל יְדֵי חֲפָה וְקִדּוּשִׁין. *We praise You, Adonai our God, Ruler of the universe, who hallows us with mitzvot and consecrates this marriage. We praise You, Adonai our God, who sanctifies our people Israel through kiddushin, the sacred rite of marriage at this chuppah.* This intends to include both the bride and groom in the ceremony as equal partners embarking on an equal marriage. However, the English translation does not exactly reflect the decision made in the

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<sup>72</sup> Ed. Polish, *Ma'aglei Tzedek*, 52-53.

Hebrew. Instead, it offers an interpretation of the Hebrew that acknowledges this marriage is the permitted one, rather than outright articulating it.

The three other suggested versions of *birkat erusin* place it after the ring ceremony. The second ceremony places it after the ring exchange,<sup>73</sup> while the third variation of the ceremony only provides the ending of the blessing and a translation.<sup>74</sup> The fourth version, following the traditional formula for the ring, has the rabbi recite the Hebrew *chatimah* of the blessing and then the full English version of the blessing as written out above.<sup>75</sup> The number of variations offered here speak to the number of different ways that Rabbis in the field dealt with their own discomfort over what *birkat erusin* said and who it left out, as well as the fact that it was incredibly centered on the groom. However, by offering so many variations without explanation, they make it difficult to decide what to do and why.

The 1997 Rabbi's Manual from the Reconstructionist Rabbinical Association (RRA), *Madrich L'Rabbanim*, contains the same traditional text as found in the Conservative Rabbi's Manual.<sup>76</sup> Each movement deals with the translation in a slightly different way. The Rabbinical Assembly of the Conservative Movement simply offers the Hebrew blessing but does not translate it. The RRA, on the other hand, offers a translation much more in keeping with the values of the Reconstructionist Movement: "Blessed are you, ALL-EMBRACING our God, sovereign of all worlds, who has made us holy with your mitzvot, and instructed us to honor the sacredness of sexual intimacy, and has restrained us from being intimate with

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<sup>73</sup> Ed. Polish, *Ma'aglei Tzedek* 1988, 66.

<sup>74</sup> Ibid., 74.

<sup>75</sup> Ibid., 81.

<sup>76</sup> Ed. Rabbi Seth Riemer, *Madrich L'Rabbanim: Rabbi's Manual* (Wyncote: The Reconstructionist Rabbinical Association, 1997), M-8 and Eds. Rabbi Perry Raphael Rank. and Rabbi Gordon M. Freeman, *Moreh Derekh: The Rabbinical Assembly Rabbi's Manual* (The Rabbinical Assembly: New York: 1998), C-46.

those who are committed to others, but has permitted us to wed under the *chuppah* and in holiness. Blessed are you, SHELTERING PRESENCE, who makes the people Israel holy under the *chuppah* and in sacred marriage.”

Instead of couching the language of the first two central parts of the blessing in the negative, the RRA uses positive language to uplift the marriage and describe it as something ascribing towards respect and mutual honor. The language suggests that the couple is joining together in a union where they are jointly committed to each other. Although beautiful, the fact that the Hebrew of *birkat erusin* still remains detracts somewhat from the power of the English translation. That said, the language of the Hebrew clearly is in line with the traditional blessing, which is what this project set out to analyze.

Looking at the most recent Rabbi’s Manual, *L’chol Z’man V’eit*, three options are provided to the officiant, none of which offer the full text of the traditional blessing. The first suggestion comes closest, although offers the shortest rendition, the same one offered in the first wedding ceremony in *Ma’aglei Tzedek*.<sup>77</sup> Rabbi Don Goor, the Editor of the “Editorial Committee” of the rabbis lifecycle guide, offered that the blessing could not forbid the sexual prohibitions described in Leviticus 20, because the Reform Movement as a whole does not believe that the God forbade these marriages.<sup>78</sup>

The second option renders language that sanctifies the marriage in positive language:

ברוך את יי אלהינו, מלך העולם, אשר קדשנו במצותיו וציונו על המצות שבין  
אדם לחברו וזמן שני בני אדם יחדיו להיות דבקים זה בזה באהבה ולהיות

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<sup>77</sup> Ed. Polish, *Rabbi’s Manual*, 53; Ed. Don Goor, *L’Chol Z’man V’eit For Sacred Moments: The CCAR Life-Cycle Guide* (New York: CCAR Press, 2017), M-21.

<sup>78</sup> Rabbi Don Goor, phone conversation, October 23, 2018.

“לבשר אחד” על ידי חפה וקדושין. ברוך אתה, יי, מקדש עמו ישראל על ידי חפה וקדושין.

whose mitzvot add ,Soverign of the Universe ,Adonai our God ,Blessed are You whose will guides our behavior in all aspects of our ,holiness to our lives so that ,and who brings one human being to cleave to another in love ,relationships the wedding ,through the rituals of chuppah (Genesis 2:24) "become one flesh" they Adonai our ,Blessed are You .the sacred rites of marriage ,and kiddushin ,canopy *kiddushin* and *chuppah* Who sanctifies Your people Israel through ,God. Utilizing language from Genesis 2:24, of cleaving to one flesh, the editors retained

the language of commandedness in order to provide the blessing with weight, as well as the three distinct sections of the traditional *birkat erusin*. They however changed the language in the sections. The first still about our relationships, now talks about guiding our behavior, mirroring the part of the traditional blessing about forbidden sexual relationships. This asks us to be guided as we engage in our own relationships. The second part, traditionally about a couple not engaging in intercourse while betrothed, is now described as bringing a couple together in love, recognizing the fact that many couples are indeed intimate before their wedding day. Lastly, the description of the couple as one flesh, from Genesis 2:24 represents the final part of the traditional blessing, which sanctifies that the couple is meant only for each other and not for anyone else in marriage.

The power of this blessing comes in its parallel to the original, as well as how it maintains the original structure of the blessing. The exact meaning of the traditional blessing is not maintained, but the idea is more or less contained within the adapted Hebrew language. This blessing does offer an option for same-sex couples, or different-sex couples, especially those wanting a more egalitarian blessing.

The third option, only in English, replaces with the blessing with the words of Hosea 2:21-22.<sup>79</sup> These words are the same words one recites when laying Tefillin around his or her

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<sup>79</sup> Goor, *L'Chol Z'man V'eit*, M-22.

finger, representing the marriage between God and the people Israel. Therefore, it is fitting to use the same words as the precursor to the marriage ceremony. This version of the blessing does not use the traditional language of *birkat erusin*, instead offering a blessing that provides an option for same-sex couples, which the Reform Movement endorsed by this time. Although the prior blessing also comprised of language applicable for same-sex couples, this blessing provides an exclusively English version based on a different metaphor that elicits the idea of betrothal, not incorporation into one flesh.

These three options comprise three of many options available to Reform Rabbi's when performing Jewish weddings. The Reform Movement recognized the need for a new Rabbi's Manual, but also acknowledged the fact that many rabbis offer a variety of blessings not found in the Manual.<sup>80</sup> Therefore, the "Editorial Committee" of the rabbi's lifecycle guide included a compendium of other options for *birkat erusin* as part of their online resources.

Although this project began as a way to understand why the CCAR made the decisions it did in creating the Rabbi's Manuals, I've found that there is not a specific rationale given for many of these decisions. In the modern day, s Manuals are'many Rabbi the committee presumably makes decisions about liturgy and ;created by a committee .but does not include the reasons for its decisions in the manual itself ,ritual

### Harei At Mekudeshet... The Marriage Formula

The traditional words said when the groom gives the bride a ring in in the marriage ceremony are as follows: הרי את מקודשת לי בטבעת זו כדת משה וישראל. *Behold, you are*

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<sup>80</sup> Rabbi Don Goor, phone conversation, October 23, 2018.

*sanctified to me, with this ring, according to the law of Moses and Israel.* As part of the *kiddushin* (betrothal),<sup>81</sup> or betrothal ceremony, this statement, along with the exchange of something of value, often happened months or years before the wedding itself took place.<sup>82</sup> It was a statement of betrothal and commitment, but not yet marriage by which the couple lived together as husband and wife. The rabbis codified this statement, articulating that only certain formula worked, demonstrates the rabbis insistence that they wish to structure, oversee, and control the way people get married. In a way, the rabbis are working to become the leaders of their community, by controlling the elements of life in which everyone partakes at one time or another. The statement itself dates back as early as the Tosefta.

The earliest recorded evidence of the marriage formula is in the Tosefta to Ketubot 4:9<sup>83</sup>. The baraita explores what happens to a woman, already engaged to one man, who is abducted and forcibly married by another man in the marketplace. The Tosefta's concern focuses on the status of her children with the second man, that is, whether or not the children will be *mamzerim* (illegitimate). The language of the Ketubah, the legal document that laid out the woman's relationship to the first man who betrothed her) is the following: כשתיכנס לי לביתי תיהיו לי לאינתו כדת משה וישראל, *when you enter my house, you shall be*

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<sup>81</sup> The rabbis commonly use two different words to talk about betrothal, *erusin* and *kiddushin*. The words have essentially the same meaning and legal weight. The words will be used interchangeably. *Erusin* is the biblical word (find source) and *Kiddushin* is the rabbinic word, which describes the rabbis best understanding of what betrothal enacts. The bible only uses the root .ש.ד.ק to talk about sacrifices.

<sup>82</sup> The Torah provides examples of people living as betrothed individuals for years. Not until the rabbinic period did the expectation that the time between betrothal and marriage lasted a year or less come about. (see Josephus *Ant.* 19.355) m. Ketubot 5:2 gives the bride and groom 12 months to provide for themselves before marriage, 30 days if the bride is a widow (m. Yevamot 4:10 says 3 months for a widow). Also see m. Nedarim 10:5.

<sup>83</sup> According to the Zuckerman edition of the Tosefta.

*to me as a wife, in accordance with the law of Moses and Israel.* The future tense used in the document indicates that the marriage has not yet taken place, but is dependent on the woman actually entering the man's house as his wife. This does not necessarily refer to whenever the woman enters the man's house, but rather comes from the symbolic expression of marriage where the man enacts the ritual and then brings the woman into his house. Therefore, because the woman never entered the house of this first man, she was never betrothed to him, and therefore the relationship with the other man, or the second man, does not make her an adulteress nor her children illegitimate. The language is meant to protect the woman, as a helpless casualty in the situation. Here, the literal understand of protection comes in case something were to happen to either her or her intended husband between the time the document is drawn up and the time the marriage is formalized.

The same baraita appears in y. Yevamot 15:3, and y. Ketubot 4:8. Here the language is almost exactly the same, except instead of the baraita ending with *כדת משה וישראל*, it ends with *כדת משה ויהודאי*, "in accordance with the law of Moses and the Jews."

Although seemingly different from the Tosefta to Ketubot 4:9 text, the meaning is the same: the Yerushalmi simply uses the Aramaic words, while the Tosefta and eventually the Talmud Bavli use the Hebrew words.

The first record from the Tosefta, as well as these from the Yerushalmi, do not recount a situation where the words are spoken aloud, or where something worth at least a *pruta*<sup>84</sup> is exchanged (which will later come to be a ring). However, they indicate the early nature of at least part of this formula. This demonstrates the rabbis' concern for ensuring that the act of betrothal incorporate something of a ritual sanctifying the situation.

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<sup>84</sup> A *pruta* is the smallest amount of Jewish currency. See m. Eduyot 4:7.

The sugya in b. Ketubot 3a<sup>85</sup> discusses such a situation. The rabbis discuss how people become betrothed and insisting that they, the rabbis, must endorse the marriage. If someone did not follow the rules laid down by the rabbis in this *sugya*, the rabbis retroactively invalidate both the wedding ceremony and therefore the marriage are invalidated. The Tosefot, responding to the *stam* voice in Talmud's assertion starting with *ada'ta d'rabanan m'kadesh*, articulate that the way to know that the rabbis approve of the union is with the words *כדת משה וישראל*. Here, the groom demonstrates that he marries the bride acknowledging that this is the way Jews get married. He accepts that the rabbinic way is *the* Jewish way, even though this format was actually a rabbinic creation and not from the Torah. The ending became that declaration, as uniform demonstration of the fact that the people approve the rabbis' choice. This is the way Jews always got married: following the rules of Moses, and of the people of Israel. Hence, the approval.<sup>86</sup> But what of the formula itself, especially with the exchange of goods?

In b. Kiddushin 5b, we are presented with a number of options for what formulae a man might use to betroth a woman. As we have seen up until now, the statement is exclusively for men to write (or say) to their future wives, something which is codified in b. Kiddushin. Laying out what is acceptable, we see that a man can say to his intended wife:

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<sup>85</sup> Also see b. Gittin 33a s.v. כל.

<sup>86</sup> This part has become problematic for people when considering whether or not to do interfaith weddings, because the rabbis of the Talmud most certainly would not have approved these weddings. And when it comes to gay marriage, the same question stands.

הרי את<sup>87</sup> מקודשת לי הרי את מאורסת לי הרי את לי לאינתו<sup>88</sup> as well as these statements without the word לי (although according to the Rosh, this does not count as betrothal), and these are all acceptable. However, if a man says הריני אישך הריני בעליך הריני ארוסיך to his future wife, or the woman says any of the following formulaic options: הריני מקודשת לך הריני מאורסת לך הריני לך לאינתו, these would cause doubt as to whether or not the two are actually betrothed. This is due to the fact that in order for betrothal to occur, as we learn, the man has to state his intention, and give the woman something worth at least a פרוטה.<sup>89</sup> The betrothal must be framed in terms of the woman's status with regard to the man, not the reverse.<sup>90</sup> However, b. Kiddushin 6a does articulate a case where the man does not have to say a formula. In the case where he hands his future wife a ring (or something of value) and doesn't say the formula, but everyone around them (including her) knows what is transpiring (and two valid witnesses are present), they are betrothed (because they were

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<sup>87</sup> The fact that the word מקודשת is used first, and becomes the language for betrothal is surprising. Based on b. Kiddushin 6a, we learn that a woman needs to be acquired, but sanctified does not mean acquired necessarily. When something is made הקדש, it is set aside for the Temple service, but it has to belong to that person (see Arnold Cohen, *An Introduction to Jewish Marital Law* (Jerusalem: Feldheim Publishers, 2009), 115-116). But how can a woman be possessed by another person? In fact, the language of the first mishnah of Kiddushin speaks about a woman as נקנית, acquired. The language of acquisition suggests that the woman is property and can be bought, making it so that she can be acquired in the ceremony and set aside. In that way, the fact that she is sanctified does make sense. According to Cohen, the woman acquiesces and agrees to acquisition for a short time while the ceremony occurs.

<sup>88</sup> Other examples of acceptable formulaic language are: הרי את אשתי הרי את ארוסתי הרי את קנויה לי מקודשת הרי את שלי הרי את ברשותי הרי את זקוקה לי. These are all specified because the Talmud needs to determine what in particular marks acquisition. Here, it is clear that the man has to declare the woman's relationship to him, and not any other way. And in cases where the relationship isn't clear, the betrothal would be questionable and therefore unacceptable to the rabbis.

<sup>89</sup> b. Kiddushin 5a.

<sup>90</sup> See Steinsaltz commentary on b. Kiddushin 5b. This is why the other cases in b. Kiddushin 6b do not work, because they do not specify what the woman's relationship is to the man.

either talking about it before hand, or it was agreed upon prior to this).<sup>91</sup> The woman does have to acknowledge her consent of this betrothal, but can actually do so even while remaining silent.<sup>92</sup>

At this point, b. Kiddushin only provides the first part of what comes to be known as the formula for betrothal. But, combined with the text from t. Ketubot 4:9 and the tosefot to b. Ketubot 3a, the formula comes together. For the first time, the Mahzor Vitry,<sup>93</sup> an 11<sup>th</sup> century text from Vitry, France, combines the full formula into one statement for all. In order to betroth a woman, he writes, the man must bring her before (two) witnesses, and say to her what we know as the common formula. However, instead of *את מקודשת*, Mahzor Vitry has *תהא מקודשת*, in future tense. The full formula is here, including the exchange of a ring. As in the Shulhan Arukh, the author of Mahzor Vitry wanted to ensure that the betrothal happens in front of other people. This ensured that the woman's marital status was witnessed, and those in a town knew if she was married or single. The status of women was deeply concerning, and so witnessing a public declaration of her change of status ensured that no doubt of her status existed. In addition, the need for witnesses to the ceremony limited the likelihood that a couple became betrothed or even married in a secrete ceremony.

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<sup>91</sup> interpretation of the text from b. Kiddushin 6a loosely from Cohen, *Jewish Matrimonial Law*, 191.

<sup>92</sup> Although deeply problematic in today's society, the rabbis are more concerned with whether or not the woman actively disapproves of the union. For example, if a woman is asked for her hand in marriage and actively throws the object worth the equivalent of a *pruta* or money into the sea, or a fire or to a dog, it demonstrates that she does not accept the marriage proposal (because the object/money is lost) (b. Kiddushin 8a).

<sup>93</sup> Horowitz, *Mahzor Vitry*, 586.

The formula appears differently in Sefer HaManhig, written by Abraham ben Nathan in 13<sup>th</sup> century France. In this way, it reflects b. Kiddushin's understanding of the formula. Here it reads: הרי את מקודשת לי כדת משה וישראל בטבעת זו.<sup>94</sup> The language is switched, so that first the formula mentions that the ceremony is with keeping with the religion of Moses and Israel, and then acknowledges the ring as the symbolic enactor of the ceremony. This represents a change in custom that did not remain in vogue past the printing of this book, but was important enough to include. This change may reflect the fact that one does not need to be betrothed with a ring, but that we happen to use a ring. Jewish law accepts a betrothal with anything worth at least a *pruta*). However, the textual variations offered in this edition also state what is now used as the traditional formula order, demonstrating that this version was used, but so was the more traditional order.<sup>95</sup>

Likely as a combination of all of these, Shulhan Arukh, Even HaEzer 27:1 codified into law the understanding of how one became engaged to a woman. The same formulations from b. Kiddushin and Mahzor Vitry were offered, where the betrothal must be done in terms of the relationship of the woman to the man. The text says that one must betroth before two witnesses, with a *pruta* or the equivalent of a *pruta*, and must say: הרי את מקודשת לי בזה. This follows directly from the b. Kiddushin text. However, R' Moshe Isserles in his Mapah, his commentary incorporating the Ashkenazi tradition into the Shulhan Arukh, indicates that there are those who conclude the formula by saying כדת משה וישראל, clearly indicating that they utilized the Tosefot from b. Ketubot 3a. This also demonstrates a difference in tradition between Sefardim, represented by Yosef Caro and Ashkenazim. The

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<sup>94</sup> Rafael, *Sefer HaManhig*, 536.

<sup>95</sup> Ibid., 536.

Mapah adds that this practice was customary from the first time it was written about by Rashi, and for some, the betrothal involved a ring (as opposed to the *pruta* discussed above). Here we finally see a ring as a more common part of the custom.<sup>96</sup>

Looking to early Reform marriage custom, the 1810 Edict of the Royal Westphalian Consistory outlines the marriage ceremony. With regard to the marriage formula, the groom gives the bride a ring and says the formula that is customary.<sup>97</sup> Here, the man still recites the formula and gives something of value, a ring, to the woman.

It becomes clear that brides have a desire to actively participate in the betrothal ceremony in the Year Book of the Central Conference of American Rabbis from 1891. Dr Aub introduces a resolution that indicates brides desires to give a ring to their groom during the wedding ceremony as well.<sup>98</sup> Dr Aub supports this and moves that after the groom gives the bride the ring, the bride turns to the groom and gives him a ring saying: *ani l'dodi v'dodi li*, I am my beloveds and my beloved is mine. This speaks to the desire of brides to have a more mutual ceremony, but does not fully solve the problem. Because the traditional formula is language of acquisition, and halakhically a woman cannot acquire a man (based on the way the rabbis created the halakhic system), the traditional formula cannot be used. Therefore, the change of language reflects a desire for the woman to feel like a participant in the wedding while not actually enacting a legal acquisition.

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<sup>96</sup> The first mention of a ring as the specific item used in the marriage ceremony comes from Rabbeinu Tam in the Tosefot to b. Kiddushin 9a, והלכתא שיראי לא צריכי שומא. He writes that the custom of using silks (which was a custom according to the Bavli in this daf) makes sense, because silks had agreed upon values. The idea of using precious stones did not, because the stones were of differing values. Therefore, the custom of betrothal with a ring with no stone came into vogue (Rabbeinu Tam doesn't state it, but the gold ring). The likeliness that this custom came from the custom at play in secular Northern France is high, as this wasn't done in the majority of Jewish communities until rather recently.

<sup>97</sup> Plaut, *The Rise of Reform Judaism*, 216.

<sup>98</sup> Mielziner, *CCAR Year book*, 105.

The 1988 Reform Rabbi's Manual also addresses the question of whether or not a woman can recite the traditional formula in response to the groom. In the note on the wedding formula,<sup>99</sup> Plaut writes that "many Reform Rabbis insist, therefore, that when the bride places a ring on the finger of the groom, she is to mirror his declaration in order to establish an ambience of total equality." The *Rabbi's Manual* intends to make the ceremony one of equality, where both partners are equal participants. This manual continues to want to make the bride an equal partner, however now it does so by permitting her to recite the legal formula initially ordained only for the groom. This demonstrates the commitment of the Reform movement to equality and also an increased demand for such a practice. In addition, this is the first place where a woman is permitted to recite the blessing, without any caveat or explanation for why this was not done traditionally. The 2017 Rabbi's Manual, *L'chol Z'man V'eit* continues the practice of the double ring ceremony as described in the 1988 Rabbi's Manual.<sup>100</sup>

The custom of placing the ring on the actual ring finger is something that Solomon Freehof advocates for in his book, *Reform Jewish Practice*.<sup>101</sup> He argues that there is no Talmudic precedent for where to put the ring, because the ring wasn't used to enact the betrothal until after the Talmud was written (it was previously something worth a *pruta*). The custom to initially place the ring on the forefinger of the right hand, according to Freehof, comes from Shmuel ben David Halevi in 1901.<sup>102</sup> He offers that the pointer finger of

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<sup>99</sup> From the historical notes by W. Gunther Plaut in: Polish, *Ma'aglei Tzedek*, 238.

<sup>100</sup> Ed. Goor, *L'Chol Z'man V'eit*, 24.

<sup>101</sup> Freehof, *Reform Jewish Practice*, 93-94.

<sup>102</sup> Freehof, *Reform Jewish Practice*, 94

the right hand is used to point, as seen on the Yad (lit: hand) used for pointing at the Torah when reading from it. And when the groom places the ring there, it points not only to holiness like the Torah, but also to the fact that this is indeed marriage. However, Freehof clearly does not accept this rationale and maintains that the ring should be placed directly on the ring finger of the left hand.

### Birkat Hatanim/Sheva Brachot... The Marriage Blessings

The *sheva brachot*, called *birkat hatanim* in the Talmud, are a compilation of six blessings in addition to the blessing over wine that constitute the *nissuin* part of the wedding ceremony. The introductory clause “Blessed are You...Universe” is not mentioned in b. Ketubot 7b-8a, as is the case for many blessings discussed in rabbinic literature. “*Borei P’rei HaGafen*” is not mentioned as one of the blessings, but it is known as part of the *sheva brachot* as early as Kallah Rabbati (from the time of the Geonim and before). Each blessing below is numbered for the ease of reference, but keep in mind that the beginnings of the second through fourth blessings as well as *Borei P’rei Hagafen* were not initially included.

1. ברוך אתה ה' אלהינו מלך העולם, בורא פרי הגפן
2. ברוך אתה ה' אלהינו מלך העולם, שהכל ברא לכבודו
3. ברוך אתה ה' אלהינו מלך העולם, יוצר האדם
4. ברוך אתה ה' אלהינו מלך העולם, אשר יצר את האדם בצלמו, בצלם דמותו. תבניתו, והתקין לו ממנו בניין עדי עד. ברוך אתה ה', יוצר האדם שוש תשיש ותגל (ה)עקרה, בקיבוץ בניה לתוכה בשמחה. ברוך אתה ה', משמח ציון בבניה
5. שמח תשמח רעים האהובים, כשמחך יצירך בגן עדן מקדם. ברוך אתה ה', משמח חתן וכלה
- 6.

ברוך אתה ה' אלהינו מלך העולם, אשר ברא ששון ושמחה, חתן וכלה, 7.  
 גילה רינה, דיצה וחדווה, אהבה ואחוה, ושלוה ורעות, מהרה ה' אלהינו  
 ישמע בערי יהודה ובחוצות ירושלים, קול ששון וקול שמחה, קול חתן וקול  
 כלה, קול מצהלות חתנים מחופתם, ונערים ממשתה נגינתם. ברוך אתה ה',  
 משמח חתן עם הכלה

1. Blessed are You, Adonai our God, Ruling Spirit of the universe, who create the fruit of the vine.
2. ...That all was created for Your glory.
3. ...Who creates humans.
4. ...Who created humans in Your image, in the image of your likeness you formed them, and prepared them from You an everlasting building. Blessed are you, the creator of humans.
5. May the barren Zion greatly rejoice in the ingathering of her children to her in joy. Blessed are You, God, who gladdens Zion through her children.
6. You shall bring great joy to these loving companions, as You created happiness in the Garden of Eden of old. Blessed are You, God, who brings happiness to the bride and groom.
7. ...who created joy and gladness, bride and groom, happiness, gaiety, rejoicing and delight, love and harmony, peace and companionship. Speedily, God our God, it shall be heard from the cities of Judah and the streets of Jerusalem, the voice of joy and the voice of happiness, the voice of the groom and the voice of the bride, the joyful voice of all those joined together under the *chuppah*, [the voices] of young people feasting and singing. Blessed are You, God, who gladdens the groom with the bride.

The earliest source for *birkat hatanim* is b. Ketubot 7b-8a, following the discussion of *birkat erusin*. The Talmud determines that while *birkat erusin* is recited at the place of betrothal, *birkat hatanim* is recited in the groom's<sup>103</sup> home by ten men.<sup>104</sup> Following the text of b. Ketubot 7b-8a, the reader sees blessings 2-7 as listed above written out. Tosafot to b. Ketubot 7b write that each of the first four blessings must begin with the words *Baruch*

<sup>103</sup> Intriguingly, the groom's home is wherever the groom is/intends to be for the purposes of the wedding, according to SA EH 62.10. There is describes that *birkat hatanim* can occur anywhere where the groom is and intends to celebrate the wedding.

<sup>104</sup> The text of b. Ketubot 7b articulates that ten men must be present in order to recite *birkat hatanim*, not only for the wedding itself, but also for the next seven days following the wedding. See SA EH 62.7-13 on the laws of recitation over the seven days. Also important to note is that although all of the rabbinic texts articulate that ten men must recite the blessings, Reform Jews have adopted fully egalitarian practice and therefore must recognize that women may also be present and participate in the recitation of *birkat hatanim* during both *nissuin* and the following seven days during following *birkat hamazon*.

*Atah Adonai* (בא"י) because without them, one might think that the first four blessings were all one blessing. The fifth blessing listed here does not need to begin with בא"י because it comes after a long blessing with a *chatimah*.

Although it is important to know about the meaning of these blessings and the purpose for saying them, my focus here is the question of why these blessings (instead of *birkat erusin*, for example)? The blessings include many references to the first human(s) in the Garden of Eden and praise God in various ways.<sup>105</sup> In addition, the blessings allude to the marriage of Adam and Eve and other biblical stories through biblical allusions.<sup>106</sup> The sexual nature of the blessings likely explains why they, and not *birkat erusin*, were recited under the wedding canopy, when the expectation was that the couple intended to consummate the marriage soon after.<sup>107</sup>

Various manuscript editions of b. Ketubot 8a texts contain slight differences in the formulation of the blessings. The Munich 95 edition omits the fourth of the seven blessings, does not include the ה in the word עקרה, *akara*, of the fifth blessing, and also does not include the word גילה, *gilah*, in the seventh blessing. The Peso Print from 1510 includes the beginning of the fourth blessing, but not the rest of it and also omits the ה in the word עקרה in the fifth blessing. The Vatican 130 edition seems to be missing aspects of the text, but still contains all six blessings in some form, although it is missing some portions of the

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<sup>105</sup> Satlow, *Jewish Marriage in*, 64.

<sup>106</sup> Satlow, *Jewish Marriage in Antiquity*, 64. See Gen 1:1, 2:22, Song of Songs etc.

<sup>107</sup> In fact, Satlow explains that the nature of the blessing made the Babylonian Talmud redactors uncomfortable enough that they included what is most likely a pseudoepigraphical *Baraita* explaining that *birkat hatanim* happened at the place of the wedding (described in b. Ketubot 7b as the groom's house). See: Satlow, *Jewish Marriage in Antiquity*, 164 for more.

4th-7th blessings and does not have the ה in the word עקרה in the fifth blessing. Lastly, the Vatican 112 edition is the most complete. Ultimately, these variations mostly demonstrate that the Hebrew word עקרה clearly appears both ways, with and without the letter ה, and does not represent a substantial change. The Vilna edition, from which this analysis stems, contains the fullest rendition of the Hebrew text from among all of the manuscripts available to me.

*Birkat hatanim* next appears in the minor tractate of the Talmud, Kallah Rabbati,<sup>108</sup> commenting on masechet Kallah. Cited in the name of Rabbi Levi, not Rabbi Yehudah as in b. Ketubot 7b-8a, this version of *birkat hatanim* does begin with the blessing over wine.

בורא פרי הגפן ושהכל ברא לכבודו ברוך אתה ה' יוצר האדם. ברוך אשר יצר  
את האדם בצלמו בצלם דמות תבניתו והתקין לו ממנו בנין עדי עד ברוך יוצר  
האדם. שוש תשיש ותגיל עקרה בקבוץ בניה לתוכה בשמחה. ברוך משמח  
ציון בבניה. שמח תשמח רעים אהובים כשמחך יצריך בגן עדן מקדם. ברוך  
משמח חתן וכלה. ברוך אשר ברא ששון ושמחה חתן וכלה גילה דיצה רנה  
אהבה ואחוה שלום וריעות מהרה ה' אלהינו ישמע בערי יהודה ובחוצות  
ירושלם קול ששון וקול שמחה קול חתן וקול כלה קול מצהלות חפות חתנים  
ממשתה ונערים מנגינתם ברוך משמח חתן וכלה

Note that here too, the first two blessings do not commence with the introductory blessing formula: בִּא"י, instead containing only the elements that make them unique. As the blessing for wine always begins with those words, we know to add them in here. Unlike those found in the Talmud, the third blessing does begin with בִּא"י, reminding the reader that this blessing is distinct from the one that comes before it. The reader likely knew *Borei P'rei HaGafen*, and so this separation distinguishes the second from the third blessing. The fourth blessing, like in b. Ketubot 8a, contains a *chatimah* (seal to the blessing), which

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<sup>108</sup> Ed. Higger, *Masechet Kallah*, 170-171.

distinguishes it from other blessings, and Kallah Rabbati also includes the word *baruch* at the beginning to separate it. However, the *chatimot* (plural of *chatimah*) do not contain all three words that begin the conclusion, rather they are marked by the placeholder word *baruch* to indicate that as the place to begin the *chatimah*. The final blessing switches the order of the phrases of gladness. Instead of reading: גילה רינה דיצה חדוה, the text switches דיצה and רינה, removing the word חדוה all together. Instead of מחופתם in the final blessing, Kallah Rabbati reads: חפות חתנים ממשטה. In addition, it adds the word *m'mishteh* preceding the final phrase before the *chatimah*. Lastly, the major difference stems from the fact that the sixth and seventh blessings end the same way, משמח חתן וכלה, which is not the way the Talmud text concludes these blessings. Unfortunately, due to the fact that the various manuscript editions do not include the same emendations, I have few explanations for this variant option for *birkat hatanim*. One option is that this version comes from a different *gersa*, or version, available at the time, upon which the compiler of Kallah Rabbati based their text. Another possibility is that the compiler of Kallah Rabbati recognized the similarities between the 6<sup>th</sup> and 7<sup>th</sup> blessings, and therefore wrote the *chatimah* the same to demonstrate that. Although later commentators clearly write about the difference, it is not apparent at first glance.

Rashi, commenting on b. Ketubot 8a, offers the most poignant explanation of the difference between the endings of the sixth and seventh blessing. This also might explain why all the variations of *sheva brachot* that come after Rashi offer different endings for the sixth and seventh blessings, unlike Kallah Rabbati. Rashi writes that the sixth blessing concludes with: משמח חתן וכלה and not with משמח חתן עם הכלה because the [sixth]

blessing desires for the bride and groom to experience success, happiness, and goodness for all of their life together. The [seventh] blessing specifically celebrates the joy of the wedding, discussed as the joy between a man and a woman, and it asks that the couple be both blessed with the joy from their wedding and provided for forever. Although I personally might change the order of these endings, wherein the blessings begin locally, addressing the bride and groom under the *chuppah* on their wedding day, and then expanding to discuss the rest of their life, the Talmud text does not. A possible rationale for beginning with blessings for the couple in their life and continuing to blessings specifically for the couple's wedding day understands that while containing sexual undertones and various biblical references to copulation, *birkat hatanim* does begin globally and then proceeds to narrow its focus to the couple and then the wedding at hand in the final two blessings respectively.

Looking back to the second blessing, Rashi<sup>109</sup> offers the explanation that this blessing, that *everything is created in God's glory*, is actually directed towards the people gathered for the wedding, not the bride and groom. The gathering of people for the wedding is reminiscent of God accompanying *Adam ha-rishon*, the first human.<sup>110</sup> According to Rashi, when guests gather to accompany the groom to the *chuppah*, they also show respect for God's work during creation. Therefore, it is logical to begin the compilation of *birkat hatanim*, after the initial recitation of the blessing over wine, by acknowledging that the people offering the blessing are both accompanying the bride and groom and showing respect for God. By focusing first outward, on the people offering the blessing, and then

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<sup>109</sup> See Rashi's comment to the sixth blessing in b. Ketubot 8a.

<sup>110</sup> Based on a Midrash from Genesis Rabbah 9:13, that the two ministering angels Michael and Gavriel are groomsmen and that God blesses the union.

moving from global to local in terms of foci of the individual blessings, we see the trajectory that Rashi described.

The Geonic compilation, *Otzar Ha-Geonim*, spanning from 589-1038 CE, offers a slightly different version of the blessings. The compiler explains that first one offers the blessing over the wine and then offers a blessing over *b'samim*, spices.<sup>111</sup> *Otzar Ha-Geonim* cites the Sheiltot of Rabbi Ahai Gaon from the 8<sup>th</sup> century in Israel, as the source text for first reciting the blessing over wine, then the blessing over the spices, and finally the next six.<sup>112</sup> The notes of *Otzar Ha-Geonim* articulate that this is a total of seven blessings, including the *Borei P'rei HaGafen*, but that the Geonim used to recite *birkat hatanim* over the myrtle (hence the blessing over spices), so that there were seven blessings total.<sup>113</sup> However, that equals eight total blessings so is not completely logical. One explanation is that the Talmud in b. Ketubot 7b-8a outlines six blessings, and does not say that the blessings must be done over a glass of wine, so the myrtle was added in. Another explanation, in a similar vein, may be that the blessing for wine is used to sanctify the occasion, not as one of the blessings, so the blessing over spices allowed the total number of blessings recited as part of *birkat hatanim* to equal seven.

The Geonic rabbis were also deeply concerned with ensuring that *birkat hatanim* was recited over wine. To that end, Rabbi Nissim wrote that if one couldn't find wine, one should take grapes, put them in water and then squeeze them out and recite the blessing for wine over the squeezed out grape juice.<sup>114</sup> And if one could not find grapes, a person

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<sup>111</sup> Lewin, *Otzar Ha-Geonim*, 25.

<sup>112</sup> Samuel Kelman, *She'ailtot of Rabbi Ahai Gaon*, 110-111.

<sup>113</sup> See the notes on the bottom of the page in Lewin, *Otzar Ha-Geonim*, 25.

<sup>114</sup> Lewin, *Otzar Ha-Geonim*, 25.

should recite the blessing for wine over beer (but with the blessing *שהכל*, “that made everything according to plan”). For *birkat erusin*, he explains, a person can recite the blessing without a cup of wine or beer, but not for *nissuin*, because consists of seven blessings. The rabbis go on to explain that when one only has enough wine for one glass, one may recite both *brachot* over one glass, because it was better to have one glass than nothing.<sup>115</sup> Although, the rabbis disagree with Rabbi Nissim, where Nissim believes that *nissuin* was more important, both agree that wine is important for the ceremony. The fact that *birkat hatanim* is a compilation of blessings is important for why we say the blessing over wine. However, due to the flexibility of what one may use to sanctify the occasion (usually done with the blessing over wine) prior to offering *birkat hatanim*, it seems that the importance stems from the recitation of the blessing as an introduction/sanctification of the act of reciting *birkat hatanim*, and not about the drink itself.

Mahzor Vitry, an 11<sup>th</sup> century French compilation, provides Rashi’s commentary as explanations of the text of *birkat hatanim*, although does not offer the full text of the blessings themselves.<sup>116</sup> The next place that *birkat hatanim* appears is in Rambam’s Mishnah Torah from the 12<sup>th</sup> century. The Mishnah Torah contains two slightly different versions, one in Hilchot Ishut 10:3 and one in Hilchot Brachot 2:11.<sup>117</sup> Both Hilchot Ishut 10:3 and Brachot 2:11 contain all six blessings, not including the blessing over wine but including the introductory *בא”י*, but Hilchot Brachot 2:11 offers them in a slightly different order. Based

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<sup>115</sup> Lewin, *Otzar Ha-Geonim*, 26.

<sup>116</sup> Mahzor Vitry compiles commentary from different writers across time, citing them as proof texts for why different practices are done. He was one of Rashi’s students, so often quoted him. See: Horowitz, *Mahzor Vitry*, 590.

<sup>117</sup> Ed. Touger, *Mishneh Torah: Hilchot Ishut*, 120-121; Ed. Touger, *Maimonides Mishneh Torah: Hilchot Brachot, Hilchot Milah*, 46-49.

on the numbering at the beginning of this section, Rambam switches the order of blessings two and three. One possible explanation is that the blessings then increase in length. Another is that the third blessing listed above is about the first person, *HaAdam*, so potentially Rambam appreciated that in order to accompany a person to the *chuppah* for the first wedding, the first person needed to exist. However, Rambam does not offer an explanation nor does the compiler of this particular edition, Rabbi Eliyahu Touger. Rabbi Touger, writing in the 20<sup>th</sup> century, does comment on the location of the blessings. He argues that *birkat hatanim* was recited in the groom's house because the officiant wanted to ensure that *birkat hatanim* was offered before the full sanctification of the marriage occurred with *yichud*.<sup>118</sup> Here, the blessings themselves are not changed, only the order. However, Touger does offer an explanation about the sixth blessing, that some manuscripts and earlier printers of the Mishnah Torah have a different conclusion to the sixth blessing: "Blessed are You, God, who brings joy to [God's] people, Israel, and rebuilds Jerusalem."<sup>119</sup> This different ending elaborates on the clear imagery of Jerusalem, making the blessing almost exclusively about Israel and not at all about the wedding couple. The fact that this emendation is not found in later versions of the blessing, and also was not published as the Hebrew text for this edition demonstrates a desire to maintain *birkat hatanim* as a set of blessings that ultimately centered around the wedding ceremony.

Hilchot Ishut 10:4 offers a halakha about wine, describing that if wine is available, the officiant should bring wine and bless the wine first and then offer *birkat hatanim*.<sup>120</sup> It

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<sup>118</sup> Touger, *Mishneh Torah*, Hilchot Ishut 10:3, 120-121.

<sup>119</sup> Touger, *Mishnah Torah*, Hilchot Brachot 2:11, 48.

<sup>120</sup> Touger, *Mishnah Torah*, 122-123.

also brings the same description of first offering the blessing over wine, then a blessing over myrtle (spices) and finally offering *birkat hatanim*. Interestingly, Rambam begins Hilchot Brachot 2:11 by writing that *birkat hatanim* consists of seven blessings, but only spells out six of them. The blessing over wine mentioned in Hilchot Ishut 10:4 is likely how Rambam reached the conclusion that there were seven total blessings. I believe that Rambam could not include the blessing over wine in the initial *brachot* of *birkat hatanim* because it is not mentioned in b. Ketubot 7b-8a as part of the blessings. Based on this understanding and the way the text of *birkat hatanim* is described, it seems that Rambam first wrote Hilchot Ishut and then wrote Hilchot Brachot with *birkat hatanim* consisting of seven, not six blessings. That is one possibility, although there are likely others.

In the Shulchan Arukh, Even HaEzer 62:1, Joseph Caro included much of the same halakhic material as Rambam. He explains that *birkat hatanim* must occur in the groom's house prior to the consummation of the marriage. Caro defines that *birkat hatanim* is made up of six blessings and that the blessing over wine is recited prior to the six blessings if wine is available. If no wine is available, a blessing should be recited over beer. Shulchan Arukh Even HaEzer 62:4, following Rashi's explanation to b. Ketubot 7b, describes that ten men need to be present to recite *birkat hatanim*, whether done at the wedding ceremony or following *birkat hamazon*, and the groom counts in that quorum.

The full text of *birkat hatanim* is not offered in the Shulchan Arukh, although Caro does allude to it in Even HaEzer 62:7 where he suggests that the final blessing of *birkat hatanim* is offered in the groom's house only during the wedding. Isserles, in the Mapah, adds that there are some who say that you only add this final blessing when there are new

people in the room (meaning during the week following the wedding).<sup>121</sup> Even though the text of the gemara in b. Ketubot 8a includes this final blessing, the Shulchan Arukh recognizes something special in it, as does Rashi. The final blessing specifically offers suggestions for what those watching the ceremony might bless the couple with, so it is logical that one should only recite it when people who have not already offered these blessings to the couple are present. That said, the practice to recite it during the week following the wedding, even without ten men<sup>122</sup> when *birkat hamazon* is not recited demonstrates that the desire to bless the couple overrules the desire to offer all seven blessings. This also provides a rationale for utilizing this blessing in a marriage ceremony when other blessings might be less palatable.

Continuing into modernity, the 1810 Edict of the Royal Westphalian Consistory determined that only the groom may recite *sheva brachot* at the wedding ceremony.<sup>123</sup> Although this is the first time the designation for the groom to pronounce *birkat hatanim* appears, this likely comes from a desire limit the responsibility of the officiant (called the *mesader kiddushin*, literally “organizer of kiddushin”) and simplify the wedding..

At the 1890 CCAR conference, Dr. Moses Mielziner presented a paper entitled “The Marriage Agenda,”<sup>124</sup> which addressed the plans for adapting the ritual and rites of marriage for the Reform Movement in America. The end of the paper offers an outline of the Agenda,

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<sup>121</sup> See the text of SA EH 62.7-13 and Isserles here for more about the *sheva brachot* offered during the week following the wedding.

<sup>122</sup> See SA EH 62:4.

<sup>123</sup> Edict of the Royal Westphalian Consistory, 1810, Published in Plaut, *The Rise of Reform Judaism*, 216.

<sup>124</sup> Mielziner, “Marriage Agenda,” 34-42.

detailing what should occur in the marriage ceremony (the precursor to the first Reform American Rabbi's Manual from 1917). In this outline, Mielziner provides a truncated text of *birkat hatanim* without the blessing over wine, with both Hebrew and an English reading meant not to translate but to "retain[] its general character and content."<sup>125</sup>

The Hebrew or English text of *birkat hatanim*, referred to by Mielziner as *birkat nissuin*, included blessings 2, 4, the beginning of 7 (until the word *u'reyut*) placed into the same blessing with all of 6 (from above).<sup>126</sup> *Birkat hatanim* was to be recited by either the groom or any friends present for the ceremony. Here, we see a change from the Royal Westphalian Consistory. The lack of the blessing over wine stems from a desire to see disconnected customs excised from the ceremony, meant to be solemn.<sup>127</sup> I assume that the wine symbolizes joy beyond that of the wedding itself, and therefore considered excessive because it does not specifically refer to the wedding joy. Mielzner states that the blessings do "refer to the divine origin of marriage, and invoke God's blessing upon the young couple,"<sup>128</sup> and also cites that they originate in b. Ketubot 8a, meaning that he understood the function and foundation of the blessings, even though he left out the aspects praising God's asking for Israel's redemption. However, the fact that mention of Israel is excised from the blessings is logical, as the Reform movement did not consider itself Zionist, seeing as the

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<sup>125</sup> Ibid., 39.

<sup>126</sup> Ibid., 41-42.

<sup>127</sup> Ibid., 39-40.

<sup>128</sup> Mielziner, "Marriage Agenda," 36.

Pittsburg Platform of 1885 had just declared that Israel was a religious community, not a nation and that Reform Judaism did not expect to return to Palestine.<sup>129</sup>

In addition, the omission of the third blessing possibly stems from the fact that it seems redundant with the inclusion of the fourth blessing, so Mielziner felt it acceptable to take it out as aspect that he deemed inconsequential and redundant. The fourth blessing, longer and containing the same message, combined the two. The fifth blessing is about the ingathering of Exiles to Zion, something that the Reform movement did not support, as stated above. The combination of the seventh blessing with the sixth likely stems from a realization that the seventh blessing without the ending does not constitute a blessing (Mielziner cites Rambam on this), therefore by combining the two blessings, Mielziner provides the officiant with one blessing with which to offer specific benedictions to the bride and groom. Hence, he actually includes the ending of the seventh blessing, not the sixth, as the conclusion to the combined two blessings, to ensure that the blessing is directed toward the bride and groom and their wedding, not their life and the redemptive qualities it might offer.

Although meant to follow the recommendations of the CCAR, the Minister's Handbook from 1917 does not contain *birkat hatanim*.<sup>130</sup> One possible explanation is that the blessings take a while to offer during the ceremony, whether in Hebrew or English, and are laborious, but they specifically are what constitutes *nissuin*. Therefore, although the CCAR and those using the manual likely did not think so, the ceremonies performed with this handbook might not have actually married a couple Jewishly, but just betrothed them.

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<sup>129</sup> Principle 5 of *The Pittsburg Platform*, 1885, accessed at: <https://www.ccarnet.org/rabbinic-voice/platforms/article-declaration-principles>.

<sup>130</sup> Ed. CCAR, *Minister's Hand Book*, 37-39.

However, the lack of *birkat hatanim* might suggest that the editors of the Manual believed that marriage was solemnized by the state, through the marriage license, and that the Jewish marriage ceremony did not confer any legal status changes. Regardless, it is interesting that the Committee that wrote the Handbook did not fully utilize Mielziner's agenda.

The next manual, entitled *Rabbi's Manual: Revised Edition*, published in 1961, does include more of *birkat hatanim* in the three versions of the marriage ceremony it offers, but still not the entirety as found in b. Ketubot 8a or including the blessing over wine at the beginning.<sup>131</sup> Intriguingly, although the Columbus Platform of 1937 does acknowledge Palestine as a physical place sacred to Jews,<sup>132</sup> this Rabbi's Manual still does not include the fifth or sixth blessings. Yet, the language of the Platform suggests a desire for all people to work together for a Messianic era, not necessarily for a physical Zion, which might explain the lack of inclusion of the fifth blessing. A possible explanation for the absence of the sixth blessing stems from a desire to reduce redundancy, especially because the sixth and seventh blessings both offer blessings to the bride and groom. Seeing as Mielznier combined the sixth and seventh blessings, the writers of the 1961 manual might have decided that only one was necessary. Another possibility is that the sixth blessing suggests that these marriage ceremonies were like the original one in the Garden of Eden, and Reform weddings in the late 50's and early 60's did not necessarily reflect that – they created blended families as the product of divorce which was not considered as part of the initial blessings.

Alternatively, the Reform Movement recognized that we did not want weddings like the one

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<sup>131</sup> Ed. CCAR, *Rabbi's Manual*, 25-26, 32-33, 36-37.

<sup>132</sup> Access the Columbus Platform here: <https://www.ccarnet.org/rabbinic-voice/platforms/article-guiding-principles-reform-judaism>.

from the Garden of Eden, but instead wanted to uphold more egalitarian rights. In addition, the location of *birkat hatanim* in the ceremony is moved, placed right after the introductory blessings and American-style vows in the first ceremony. There, the blessing over wine is recited after *birkat hatanim* and before the ring exchange, which is followed by *birkat erusin*.

The second ceremony places *nissuin* after *erusin*, separating the two by a mention of the blessing over wine as symbolic of life (something Mielznier disliked) and then offers blessings 2, 3, 4, and 7 of *birkat hatanim* followed by the blessing over wine. At least here, *nissuin* is in the right place as per the rabbis. The third ceremony offers a very short introduction of *birkat erusin*, followed by the same blessings in the first two ceremonies, and then contains a recitation of the blessing over wine followed by the ring ceremony. Again, this ceremony places part of *nissuin* after *erusin*, but has the ring ceremony following instead of before *nissuin*. Here, the change also is illogical, unless the writers of this manual wanted to offer options for how to do the marriage ceremony that incorporated different aspects but in various orders. This provided Reform Rabbis a definitive way to recognize that they did not need to follow the halakhic ordinances of works like the Shulchan Arukh, but could rather decide for themselves what was most important. However, the final page of the marriage section does contain the full *birkat hatanim*, should an officiant wish to recite these blessings.<sup>133</sup>

Published in 1988, the updated Reform *Rabbi's Manual* offers four different options for the marriage ceremony.<sup>134</sup> All four ceremonies offer versions of *birkat hatanim* and replace the world עקרה, barren, with ציון, Israel. The meaning of the specific words is

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<sup>133</sup> Ed. CCAR, *Rabbi's Manual*, 41.

<sup>134</sup> Ed. Polish, *Ma'aglei Tzedek*.

different, but the general meaning, speaking about Israel, remains consistent. Of the ceremonial options, both version 1<sup>135</sup> and version 2<sup>136</sup> of *birkat hatanim* maintain the order of the Talmud, adding in the blessing over wine at the beginning of *sheva brachot*, the only change the word צִיּוֹן. The first ceremony moves the Ketubah reading to after *birkat hatanim*, and then the bride and groom drink after that. The second ceremony moves *birkat hatanim* to before *kiddushin*, meaning the couple is technically married before they become engaged. The only logic I can offer for this change to the second version asks for Reform Rabbis to understand the comfort the Reform Movement had with adjusting the ceremony to fit the needs of the people. In addition, in b. Ketubot 8a, the gemara writes that *birkat hatanim* must occur in the groom's house and *birkat erusin* in the house of betrothal. As Michael Satlow wrote, the Babylonian rabbis were uncomfortable with the sexual nature of *birkat hatanim* and so moved them to the actual *chuppah*,<sup>137</sup> therefore the need to have the two blessings in the particular order we traditionally find them fades away.

The third marriage ceremony's version of *birkat hatanim*<sup>138</sup> does not contain the blessing over wine and changes the order of the blessings, but also does not label these blessings as *sheva brachot* as the first two ceremonies do. The order of *birkat hatanim* in this ceremony is as follows: blessings 2, 3, 4, 7 (ending at *u'reyut* and then concluding with the ending of 7), 6 (without the ending, likely because it is so similar to what is written in the seventh blessing) and then combines the fifth blessing, the rest of 7, and the end of the fifth

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<sup>135</sup> Ibid., 55-57.

<sup>136</sup> Ibid., 62-64.

<sup>137</sup> Satlow, *Jewish Marriage in Antiquity*, 64.

<sup>138</sup> Ed. Polish, *Ma'aglei Tzedek*, 70-72.

שוש תשיש ותגל העקרה בקבוץ בניה לתוכה בשמח מהרה ה' אלהינו: blessing together: ישמע בערי יהודה ובחוצות ירושלים קול ששון וקול שמחה קול חתן וקול כלה קול מצהלות חתנים מחופתם ונערים ממשחה נגינתם ברוך אתה ה' משמח ציון בבניה.

I have no explanation for the combination of the fifth, sixth, and seventh blessings as the last blessing, besides that maybe this prayer is the collective hope of redemption that Jews have the opportunity to return to Israel, but that possibly the rabbis manual/ritual committee did not to perpetuate redundancy. However, they do include three and four which have the same ending. Another option recognizes that Reform rabbis in the field might have changed the blessings to reflect their own needs or congregational ideas, and the committee responsible for updating the rabbis manual wanted to honor that. Regardless, these changes are abandoned in the most recent edition of the Rabbi's Manual.<sup>139</sup>

The change from *akarah* to *Tzion* might reflect that people felt abused by the language, because it contains such stark and painful imagery. Therefore, rabbis were possibly already replacing it with *Tzion*. Even from the gemara in b. Ketubot 8a it is clear that the blessing speaks of ingathering exiles in gladness. That ingathering is meant to happen in Israel, so instead of speaking about the barrenness or sterility of Jerusalem, the Reform Manual used another word for Jerusalem. I wonder if this also comes from a recognition that in 1988, people had already returned to Israel and so the editors were no longer concerned that Israel would be barren.

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<sup>139</sup> Ed. Goor, *L'chol Z'man V'eit*, IV:27-30.

The fourth ceremony offers a truncated *birkat erusin* and then suggests that the officiant say that they will recite or sing *sheva brachot*.<sup>140</sup> Intriguingly, all seven blessings are not included in this version of the ceremony, unlike the third marriage ceremony. The blessings begin with the entirety of 2, 3, and 4 from above. Then, the final blessing before the blessing over wine begins with blessing 7 from b. Ketubot 8a until the word *u'reyut*. It continues with the first four words of the sixth blessing and then continues into a different blessing for them and their hearts/home.<sup>141</sup> The blessing resonates with the ideas in the sixth and seventh blessings from b. Ketubot 8a, but uses language about the couple, not singling out the bride and groom individually. This ceremony avoids the challenge of the metaphor of barren Israel by not including it at all, the only ceremony of the four that chooses to do so.

The fact that this 1988 Rabbi's Manual includes so many options demonstrates that rabbis wanted to be able to choose from viable options. The 1961 manual also contained options, but those did not offer all of the blessings in one ceremony, unlike this Manual edition. This might suggest a desire by rabbis in the field for more traditional options.

The most recent Reform Rabbi's Manual (2015) offers three options for *birkat hatanim*, all three containing the full set of seven blessings.<sup>142</sup> The difference between the three appears in the sixth and seventh blessings. The first option contains the traditional blessings, including the blessing over wine at the beginning. The second and third offer blessings written for same-sex couples, changing the language to reflect that (also

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<sup>140</sup> Ed. Polish, *Ma'aglei Tzedek*, 81-82.

<sup>141</sup> *Ibid.*, 82.

<sup>142</sup> Goor, *L'Chol Z'man V'eit*, 2.27-30.

demonstrating the Reform Movement's commitment to performing same sex marriages). Yet, all three ceremony options include עקרה. This reflects what the rabbis as part of the committee for the Rabbi's Manual decided to do, as rabbis were already including the word in their blessing – people wanted the full blessing, with no words changed where possible.<sup>143</sup> Rabbi Oren Hayon, responsible for the Hebrew decisions for the 2017 Rabbi's Manual, described the allegory of the barren mother as a meaty metaphor that we as Reform Jews must consider, both the metaphor and that barren woman.<sup>144</sup> We cannot throw it out because it is distasteful (for example, we don't read Leviticus on YK because it is distasteful - it feels like Reform Jews threw out too many liturgical babies with the bathwater of contemporary social norms). Rabbi Hayon wanted to tell people: yes, this is distasteful and we cannot excise the pain, but must learn from it.

*Birkat Hatanim* now looks similar to how it appeared in the gemara, in b. Ketubot 8a. The only major difference seen in the newest Rabbi's Manual is the inclusion of *Kiddush* and options for same sex couples. However, throughout time, both inside and out of the Reform movement, the language has changed dramatically, reflecting the views of the time on Israel and also various other ideas.

### Options for Birkat Erusin

As demonstrated in previous chapters, the marriage ceremony as a whole has changed slightly over time, but still retains the same general character. That said, in the past few decades, liberal rabbis have sought to adapt aspects of the ceremony to be more

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<sup>143</sup> Rabbi Don Goor, personal conversation, October 23, 2018.

<sup>144</sup> From personal correspondence with Oren Hayon, November 16, 2018.

egalitarian and accepting of same-sex couples. *Birkat erusin* proved most challenging to rabbis and therefore has seen the most change, although as we saw in the section on *birkat hatanim*, the Reform Movement has made changes to the *sheva brachot* as well. This section will address five such variations on *birkat erusin*, and their textual precedents.

As I demonstrated in the chapter on *birkat erusin*, the Reform Movement offers many variations to the blessing in the latest Rabbi's Manual, *L'chol Z'man V'eit*. However, the Manual does not offer an explanation for why the blessing is written as such, or why certain parts were left out. I have provided explanations where I can, in order to help Reform Rabbis make the most informed decisions, with the wedding couple, as to which version of *birkat erusin* they wish to utilize.

The first blessing comes from a responsum written by Rabbi Gail Labovitz and initially presented to the Rabbinical Assembly's (RA) Committee on Jewish Laws and Standards (CJLS).<sup>145</sup> Although the responsum was withdrawn for various reasons, the blessing Labovitz wrote provides a beautiful way to bless the betrothal of a couple. She wrote the blessing to be a distinct alternative to *kiddushin*, but one that would "articulate those concepts and commitments around sexuality and marital partnership that are being maintained and mutualized," recognizing that aspects of *birkat erusin* reflect the values she wished to espouse in creating an egalitarian, halakhic marriage ceremony. She offers the following blessing:

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<sup>145</sup> Rabbi Gail Labovitz, *With Righteousness and With Justice, With Goodness and With Mercy Considering Options for (More) Egalitarian Marriage Within Halakhah* responsum submitted to CJLS for Review. Included with permission of the author.

Labovitz also cites a 2012 appendix to their 2006 Teshuvah on "Homosexuality, Human Dignity and Halakhah." This appendix offers two options for same-sex couples, which the writers suggest can also be used for heterosexual couples. Elliot N. Dorff, Daniel S. Nevins, and Avram I. Reisner, "Rituals and Documents of Marriage and Divorce for Same-Sex Couples." For the link to access these teshuvot, see the third footnote of the Introduction.

ברוך אתה ה' אלהינו מלך העולם אשר קדשנו במצותיו והבדילנו על העריות וצונו והתקדשם והייתם קדשים והתיר לנו זה לזו וזו לזה להיות לבשר אחד על ידי חופה [וברית] [והתקדשות] בקדושה וטהרה ונאמנות. בא"ה מקדש ישראל. Blessed are You, Lord, Ruler of the universe, Who has sanctified us with His commandments and separated us from the forbidden relations and commanded us "sanctify yourselves and be holy," and permitted us this one to that and that one to this by means of huppah and [covenant] [sanctifying oneself], in sanctity, purity, and faithfulness. Blesses are You, Lord, Who sanctifies Israel.<sup>146</sup>

Due to a halakhic need to preserve certain facets of the blessing,<sup>147</sup> Rabbi Labovitz kept the first phrase of *birkat erusin* after the introductory words, but used the word *v'havdileinu*, *separated us*, following Maimonides in *Hilchot Ishut* 3:24. She explains that she chose to use *v'havdileinu* in order to use the word *v'tzivanu* in the next phrase.<sup>148</sup> That next phrase uses words from Leviticus 20:7, introducing the list of incestuous and/or adulterous relationships that are forbidden by the Torah. This change retains the same idea of not engaging in forbidden sexual relationships, but does so in a positive way. In addition, the language sanctifies the marriage "as an act of holiness and thereby links the body of the blessing to the [c]hatimah, which specifically speaks about sanctification.<sup>149</sup> The third phrase modifies the androcentric nature of the initial blessing by including language that celebrates the fact that each partner is specifically committing to the other, standing under the *chuppah* together. The phrase, *l'hiyot l'basar echad*, to be of one flesh, comes from Gen

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<sup>146</sup> Rabbi Labovitz's translation, including the words in brackets, from her responsum: *With Righteousness and With Justice, With Goodness and With Mercy Considering Options for (More) Egalitarian Marriage Within Halakhah*. Included with permission of the author

<sup>147</sup> In order to understand the Conservative Movement's position on halakhically permissible changes to blessing, see the responsum by Joel Rembaum "Regarding the Inclusion of the Name of the Matriarchs in the First Blessing of the עמידה" (adopted by the CJLS of the RA in 1990). [https://www.rabbinicalassembly.org/sites/default/files/assets/public/halakhah/teshuvot/19861990/rembaum\\_matriarchs.pdf](https://www.rabbinicalassembly.org/sites/default/files/assets/public/halakhah/teshuvot/19861990/rembaum_matriarchs.pdf)

<sup>148</sup> Labovitz, *With Righteousness and With Justice*, 39. Included with permission of the author.

<sup>149</sup> See note 147 in Labovitz, *With Righteousness and With Justice*, 39.

2:24. Finally, the *chatimah* is the short one offered as the other ending to the blessing proposed by the gemara.

This version of the blessing offers an egalitarian, mutually respectful option, but due to the strictures of the Conservative Movement, is not called *kiddushin*. Labovitz and others struggled with the model of *kiddushin* and so worked to create another model for marriage that still looked like partnership, but did not create a Jewish marriage that required a woman to receive a get, a Jewish bill of divorce from her husband. I appreciate the fact that it provides language acknowledging the partnership the couple establishes, as well as the biblical references that demonstrate a strong basing in Jewish tradition. However, because I wish to provide something which can constitute *kiddushin*, and therefore *birkat erusin*, this is not the blessing I would choose.

Dr. Rachel Adler, in her book, *Engendering Judaism*, writes about altering *kiddushin*. She writes that when a couple alters the wedding ceremony, introducing a double ring ceremony or other such innovations, but leaves *birkat erusin* intact, the “structure with its implicit definitions of the marital relationship legally supersedes any personal statements the bride and groom make to one another.”<sup>150</sup> Therefore, the *brit ahuvim*,<sup>151</sup> literally *covenant of love*, section replaces *birkat erusin*, the declaration of acquisition, the giving of the ring, and the reading of the *ketubah*.<sup>152</sup> The *brit ahuvim* remakes “the wedding ceremony so that its legal language describes the just and caring

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<sup>150</sup> Adler, *Engendering Judaism*, 191.

<sup>151</sup> See Chapter 5 of Adler’s *Engendering Judaism* (169-207) for a fuller explanation of the *brit ahuvim*.

<sup>152</sup> Adler, *Engendering Judaism*, 197.

relationship covenant partners intend.”<sup>153</sup> In her ceremony, the blessing of the wine is recited, but the officiant explains that the blessing is used to mark the holy occasion of the marriage. In another way to distinguish between this ceremony and *erusin*, the wine cup might be passed to all gathered at the ceremony.<sup>154</sup>

As this ceremony completely excises *birkat erusin*, it cannot provide an option for which language to include. However, I feel it is important to include because it does offer a way to perform a wedding ceremony that is fully egalitarian. This ceremony is egalitarian and open, and incredibly useful for both same-sex couples and those who wish the language they speak throughout the ceremony to be mutually kind.

Rabbi Dvora Weisberg wrote her own blessing to use when officiating the wedding of two of her students. Like Labovitz, Weisberg wished to offer a version of *birkat erusin* which aligned with both her and the couples’ egalitarian values. She offered the following blessing:

ברוך אתה ה' אלהינו מלך העולם אשר קדשנו במצותיו וצונו לדבוק זה בזו וזו בזו  
ולהיות לבשר אחד ואסר עלינו אחרים והתיר לנו את הנשואות לנו על ידי חופה  
וקדושין. ברוך אתה ה' מקדש עמו ישראל על ידי חופה וקדושין.

Blessed are You, Adonai Our God, Ruler of the Universe, who makes us holy in Your mitzvot and commanded us to cleave to each other, to be one flesh; and prohibited all others to us, permitting us only those married to us through *chuppah* and *kiddushin*. Blessed are You, who sanctifies the people Israel by way of *chuppah* and *kiddushin*.<sup>155</sup>

The first phrase of the main part of the blessing begins with *v'tzivanu*, “commanded us,” and then continues with language taken from Genesis 2:24, about a couple cleaving to each other in marriage as one flesh. Labovitz also utilized the language of one flesh; both

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<sup>153</sup> Ibid., 170.

<sup>154</sup> Ibid., 197.

<sup>155</sup> Included with permission of the author. Based on the article: Jaimee Shalhevet and Helayne Shalhevet, “Two Women Marrying in the Tradition of Moses and Israel,” *The Reform Jewish Quarterly* (Fall 2012): 164-174.

Rabbis recognized the important of situating the language of their blessing in the textual tradition, in order to give them the gravitas the blessing deserves, as well as provide a precedent for changing the language of the traditionally offered blessing. Weisberg also included the language “to each other,” to remind the couple and others that they are indeed only marrying each other, something that the rabbis throughout time struggled with in their own blessing, as evidenced by their edition of the second *lanu* (which Weisberg also includes). The next phrase of the blessing does not state that we are forbidden from the *arusot*, those betrothed to us, but instead states that the couple is forbidden to all others. The changed language indicates that the couple is entering into an exclusive relationship. The blessing includes nothing about sexual relations between people who are betrothed, due to the fact that so many couples live together before their weddings. Weisberg maintains the final clause as written in the traditional blessing, because it re-articulates the previous clause in positive language.

The version of the blessing offered by Weisberg provides beautiful language that maintains the general structure of *birkat erusin* and changes the words to make the blessing more tenable to a liberal, Reform audience. Clearly situated in the Biblical tradition, the language is sensitive to the mutual nature of a liberal wedding and the 21<sup>st</sup> century, as well as the needs for each partner to be made a part of the legal transaction at hand. This actually seems like a way to still maintain the formula of *birkat erusin*, while adapting the language to be more mutually beneficial, like Adler espoused.

Rabbi David Greenstein proposed another version of *birkat erusin* as follows:

ברוך אתא ה'... אשר קידשנו במצותיו וצונו על העריות ואסר לנו את החימוד  
והתיר לנו את שאהבה נפשינו על ידי חופה וקידושין. ברוך אתא ה' מקדש עמו ישראל  
על ידי חופה וקידושין

Blessed are You...Who sanctified us with His commandments and commanded us  
regarding the forbidden relations, Who has forbidden covetousness to us while  
permitting to us our soul-love by means of huppah and kiddushin. Blessed are You,  
Lord, Who sanctifies His People Israel by means of huppah and kiddushin.<sup>156</sup>

This blessing follows Greenstein's understanding of what should be preserved from the traditional blessing as well as what needs to be adapted for a ceremony more in line with liberal values. By retaining the first phrase, *v'tzivenu al ha-arayot*, Greenstein asserts that the word *arayot*, forbidden sexual relations, is gender neutral and therefore actually sanctifies the importance of the couple not engaging in these sexual relations and being seen with dignity.<sup>157</sup> The next phrase, traditionally referring to the forbidden nature of betrothed women although not included by the Reform Movement, could be adapted to include betrothed men as well, *v'asar lanu et ha-arusot v'et ha-arusim*, and who forbade to us betrothed women and men.<sup>158</sup> However, Greenstein, like Weisberg, notes that this change is not necessarily valid in a world where we know that betrothed couples engage in sexual relations before marriage, and would necessitate removing the following phrase as well, permitting us to our partners.<sup>159</sup> Yet the final phrase of the middle of the blessing is the part that is still meaningful, incorporated across denominations as a way to signify the joint consent and partnership between the couple, and therefore should be maintained in some way, Greenstein continues.

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<sup>156</sup> David Greenstein, "Equality and Sanctity: Rethinking Jewish Marriage in Theory and in Ceremony," *G'vanim* 5, No. 1 (2009): 25.

<sup>157</sup> Greenstein, *Equality and Sanctity*, 24.

<sup>158</sup> *Ibid.*, 25.

<sup>159</sup> *Ibid.*, 25.

However, Greenstein desired to find an alternative to *kiddushin* that sanctifies the marriage between the couple, but does so in a mutually beneficial and appreciative way. Therefore, he does not use the traditional language, rather desiring to “express the ideal of finding completeness and satisfaction in this exclusive loving relationship.”<sup>160</sup> The blessing that Greenstein writes is valuable as it offers another alternative, but it too attempts to not be *kiddushin*.

The final blessing I will offer is the one I created based on my learning from this project and my own theology:

ברוך אתה יי אלוהינו מלך העולם אשר קדשנו במצותיו והבדילנו על העריות ואיסור  
לנו את הארוסות והתיר לנו את הנשואות לנו על ידי חפה וקדושין. ברוך אתה  
יי מקדש עמו ישראל על ידי חפה וקדושין.

Blessed are You, Adonai our God, Ruling spirit of the universe, who makes us holy in Your mitzvot and separates us from the forbidden sexual relationships, who forbids us from our betrothed, and who permits us to those married to us by way of *chuppah* and *kiddushin*. Blessed are you, God, who sanctifies Your people Israel through *chuppah* and *kiddushin*.

I chose to include the language that Maimonides uses, not using the word *v'tzivanu*, but *v'havdilenu*, because it feels more appropriate for my Reform ideology, that we are separated from prohibited sexual relations, rather than forbidden. I choose to not engage in those, and that in my choosing they become forbidden, not that they are all outright forbidden. In the moment where I choose to be committed to one person for the rest of my life, I agree not to engage in any of these forbidden sexual relations, and therefore do separate myself from them.

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<sup>160</sup> Ibid., 25. Footnote 74 explains the places from where the Biblical texts come: one is from the Ten Commandments specific prohibition to not covet, and the other is from Song of Songs 3:2.

The second part of the blessing, *v'asar lanu et ha-arusot*, challenges me the most. In the few minutes between *erusin* and *nissuin*, the couple indeed refrains from intimacy with each other. However, the modern age sees many couples cohabitating prior to their marriage, or at least in seriously committed long term relationships. The assumption that the couple does not engage in sexual intimacy is not valid. Therefore, the challenge became how to appropriately maintain the second part of the blessing, meant to protect against inappropriate sexual intimacy before marriage, while still acknowledge the modern couple's life. This becomes even more important in modern times when we recite *birkat erusin* under the *chuppah* followed very closely by *birkat hatanim*, without an opportunity for the couple to abstain from sexual activity.

Therefore, my solution is two-fold. One, to change the tense of the Hebrew verb *asar*. Instead of leaving it in past tense, that the couple refrained from sexual intimacy with one another, I place the verb in future tense, *וַיִּאָסֵר*, forbids. In that way, from the moment the blessing is said until the couple receives their *ketubah* and then hears *sheva brachot* intoned, they indeed do not engage in sexual intimacy. However, in order to separate out the ceremonies and demonstrate that the couple acknowledges the differentiation between their engaged life up until the recitation of *birkat erusin*, and between *erusin* and *nissuin*, the actual marriage, the couple will leave the *chuppah* separately, walking out on either side. Then, when they come back in from the front, without touching, the officiant will hand them their *ketubah*, giving them the Jewish legal document acknowledging that they are indeed binding their lives together. And since they left the *chuppah* and re-entered of their own volition, they demonstrate before everyone gathered that in that short time, they did

not engage in sexual intimacy. This maintains the integrity of the blessing, while still acknowledging the modern nature of relationships.

The third part of the blessing remains the same, just with the addition of the second *lanu*. By acknowledging that the couple commits their married lives to each other, but to no one else, this part of the blessing sanctions the future of the relationship. The addition of the second *lanu* allows for a clarification not present in the initial blessing from b. Ketubot 7b, that we are only permitted to those to whom *we* are married.

All five of these blessings offer opportunities to differentiate between the traditional blessing and one that is more liberal and mutual. They provide different ways to conceptualize marriage, but all keep within the framework of the sanctification of marriage. As we each choose the version that best suits us, I realize that often the best way to decide which blessing to use is to offer the couple the various options and help them choose, or to eliminate confusion, listen carefully to what they want and offer the blessing most suited for them.

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