

# A Canopy of Bridegrooms חופת התנים

## Talmudic Sources for a Jewish Gay Wedding

Amichai Lau-Lavie, April 2012

### I. Introduction

**“Weddings are not only powerful events for couples and their families. They are central metaphoric reenactments for the whole community. Every wedding makes the promise of a rebuilt Jerusalem, of a perfected world more real, more attainable because it speaks not only of the lives present, but of the generations to come that will be born of out this very moment.”** *(Steven Greenberg, Contemplating a Jewish Ritual of Same Sex Union, Authorizing Marriage? Canon, Tradition, and Critique in the Blessing of Same-sex Unions, Princeton University Press, 2006)*

In recent years a rich debate regarding the creation of legitimate same-sex wedding rituals is held in progressive Jewish circles. While some argue for a full-fledged traditional wedding with some minor changes, it seems to many other thinkers that this new reality offers an opportunity for a more creative ritual, one that more accurately addresses egalitarian and non hetero normative needs and concerns. Innovative thinking in this regard may have implications for a revised wedding ritual of relevance for straight and gay couples alike.

In preparing this short summary of ritual options for a gay wedding that is grounded in Talmudic precedent, I relied on the scholarship of teachers and colleagues, including Rabbi Steven Greenberg, whose research in this area is extensive. This is a preparatory document towards a more concise printed program that will accompany several same sex Jewish weddings That I hope to be officiating in the next year.

In a recent article, Greenberg, who is the author of a recent “Gay-Orthodox Wedding Ceremony” that both celebrates traditional wedding tropes but breaks away from tradition on several significant points, discusses his discomfort with the use of the term ‘kiddushin’ in such cases:

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“In practice, there are good reasons to reject the framework of *kiddushin* for same-sex couples. Formally speaking, the legal language, metaphors, and assumptions of *kiddushin* are at best a poor fit for gay couples and at worst problematic even for contemporary straight couples. “

What follows is an attempt to sketch out a wedding ceremony for two Jewish Gay men, reared in traditional settings, and eager to celebrate their upcoming marriage in a dignified, Jewish, fully egalitarian and queer-positive mode. This ceremony will list highlights of the entire ritual, as grounded in Talmudic, but not, for the sake of this exercise, cite latter Halachic literature.

## II. Ceremonial Order

### 1. Guest List

The wedding will be witnessed by the family members and friends of the couple. As per tradition, at least a minyan of ten adults will be present. Jewish tradition required at least this number in order to properly publicize and celebrate this private act - as a communal moment.

The Talmudic source for the required quorum at a wedding is BT Ketubot 7A

(The actual discussion is in regard to the Birkat Chatanim - the Blessing of the Bridegrooms, understood by most opinions in the Talmud as well as later commentaries to be the seven blessings. ) Per egalitarian developments this approach accepts both men and women as valid for a minyan)

אמר רב נחמן: אמר לי הונא בר נתן, תנא: מניין לברכת התנים בעשרה? שנאמר "ויקח עשרה אנשים מזקני העיר ויאמר שבו פה" (רות, ד', ב'). ורבי אבהו אמר מהכא: "במקהלות ברכו א'-והים ה' ממקור ישראל" (תהילים, ס"ה, כ"ז). 14

### 2. Officiant

While there is no halachic requirement for an ordained rabbi or cantor to be leading a wedding ceremony, this has become the norm in most Jewish communities since the 12th century. This is

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esp. the case when new forms of rituals are considered, assuring that the appropriate consideration is given to nuanced changes and halachic details.

The Talmudic source for this obligation can be found in BT Kiddushin 6.

"אמר רב יהודה אמר שמואל: כל שאינו יודע בטיב  
גיטין וקידושין לא יהא לו עסק עמהם".

### **3. Chupah/Wedding Canopy**

Most wedding ceremonies will be taking place under a Chuppah, a wedding canopy, as has been the Jewish community's custom for thousands of years. This custom is already found in the Bible, but only fully codified as such around the 11th-12th century CE. The Chuppah represents the marital home, and is open to the four directions as a symbol of hospitality and inclusiveness. As such, this important visual symbol is often preferred in alternative weddings, including same-sex ones.

The Talmudic sources of the use of a wedding canopy can be found in several places, including Mishna Avot 5:21

**בן שמונה עשרה לחופה;**

### **4. Procession**

In traditional weddings, a procession precedes the actual ceremony, allowing for various customs in which the newly weds and their closest family and friends enter the ritual space.

This tradition is based on the historical reality in which a bride was actually escorted to her groom's home on the wedding day, in order to finalize the nuptial rites. The celebratory procession supports the couple at this important moment of transition. This tradition, most often regarded as 'hachnast kalah' - the 'gathering of the bride', is also often regarded as a celebratory dance that precedes the ritual, although such dancing and entertaining also takes place during the festive feast that follows the ritual. The Talmudic sources cite several anecdotal allusions to this custom that can be easily adapted to same-sex wedding rituals.

Talmudic sources for this procession and its various customs include BT Ketubot 17.

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כי אתא רב דימי אמר הכי משרו קמי כלתא במערבא לא כחל ולא שרק ולא פירכוס ויעלת חן כי סמכו רבנן לרבי זירא שרו ליה הכי לא כחל ולא שרק ולא פירכוס ויעלת חן כי סמכו רבנן לרבי אמי ולרבי אסי שרו להו הכי כל מן דין וכל מן דין סמוכו לנא לא תסמכו לנא לא מן סרמיסין ולא מן סרמיטין ואמרי לה לא מן חמיסין ולא מן טורמיסין ר' אבהו כי הוה אתי ממתיתא לבי קיסר נפקן אמהתא דבי קיסר לאפיה ומשרין ליה הכי רבא דעמיה ומדברנא דאומתיה בוצינא דנהורא בריך מתייך לשלם אמרו עליו על רבי יהודה בר אילעאי שהיה נוטל בד של הדס ומרקד לפני הכלה ואומר כלה נאה וחסודה רב שמואל בר רב יצחק מרקד אתלת

### 5. Opening Blessings

The traditional Jewish wedding in its current form includes two ceremonies that were once held at separate times: Erusin - or Betrothal, and Nisuim - or Nuptials.

The Erusin blessing is the second official liturgical element of the ceremony. The first blessing is recited over wine, as is customary in many Jewish rituals. This blessing, not mentioned in Talmudic sources but later integrated as a vital part of the ritual, can be replicated as is and easily at same sex ceremonies.

In its traditional format, cited in the Talmud, the Erusin blessing is intended to render the bride as the exclusive sexual partner of the groom.

In modern same-sex contexts, several creative solutions are offered, substituting the language and formulation of the Erusin blessing with either a similar, but differently worded blessing, or an altogether different blessing that is appropriate to the opening of the ceremony.

Variations include:

#### A. Replacing the Erusin Blessing with a S'hechaynau Blessing

ברוך אתה יי אלהינו מלך העולם  
שהחיינו וקיימנו והגיענו לזמן הזה

#### B. An alternative to the Erusin Blessing suggested by Rabbis Dorf, Nevins, and Reisner in Appendix II (not yet published) to the 2006 Teshuva on Homosexuality, Human Dignity and Halakah:

אלהינו ואלהי אבותינו ואמותינו השקיפה ממעון קדשך מן השמים וברך את הרעים האהובים הכורתים בינים ברית אהובים, וזכם שישבו לפניך באהבה ובאחזה בשלום וברעות. בא"ה הטוב והמיטיב

#### C. An alternative version of the Erusin blessing created by Rabbi Jill Jacobs and Guy Austrian. A Same- sex version can be adapted further.

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ברוך אתה ה' אלוהינו מלך העולם אשר קדשנו במצותיו והבדילנו מן העריות והתיר זה לזו וזו לזה על ידי חופה וקידושין. ברוך אתה ה' מקדש ישראל.

Blessed are you, Adonai our God, sovereign of the universe, who has sanctified us with your commandments and has separated us from unethical sexual behavior and has permitted each of these partners to the other by means of chuppah and kiddushin. Blessed are you, God, who sanctifies Israel.

D. An alternative version created by the Liberal Judaism community in the UK, printed in 'Covenant of Love' - Service of Commitment for Same-Sex Couples:

בא"ה אמ"ה זוכר הברית ומשנה הבריות. הנה נצבים לפניך היום הרעים האהובים הללו, מוכנים ומזמנים להכנס בברית קדושה של אהבה. בא"ה  
מקדש את חיינו באהבה

The Talmudic source for Birket Erusin is BT Ketubot 7. Two versions are cited for the ending of the blessing.

ברוך אתה ה' אלוהינו מלך העולם אשר קידשנו במצוותיו וציוונו על העריות, ואסר לנו את הארוסות והתיר לנו את הנשואות (לנו) על ידי חופה וקידושין ברוך אתה ה' מקדש (עמו) (ישראל) על ידי חופה וקידושין(").

## 6. Kiddushin/Kinyan

Kiddushin through Kinyan is the central act of the wedding ceremony. It is also the part of the ceremony most problematic for same-sex and egalitarian couples, as it involves one partner acquiring the second for the price of the ring or an object of some fiscal worth. An exchange of rings is problematic as it is commonly perceived as undoing any transfer of value and thus voiding the acquisition.

Thus, kinyan, nowadays recognized as a unilateral act of 'ownership', is challenged by feminist thinkers and LGBT advocates alike. Rachel Adler writes: **"The problem with marital *kinyan* is not simply that it is unilateral, but that it commodifies human beings... *kinyan* of persons violates values conscientious people have come to regard as moral goods."** (Engendering Judaism (Harper, 1998), p. 191.)

Some recent alternatives include:

### A. Nedarim instead of Kiddushin

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A relatively new approach to this issue examines both the egalitarian challenges of the wedding ceremony as well as the problematics of divorce. Instead of Kiddushin, this approach favors Shutfot - a rabbinic model of partnership that is based on business deals but can be reformulated to include a modern couple's bilateral approach to a shared life. Taking on a neder does not have the same status as Kiddushin - but is also an easier bond to dissolve - via the ceremony of Hatarat Nedarim. (Sources about this approach will be cited in the section about the Ketubah)

In some cases, two rings are exchanged with vows/nedarim instead of the traditional formula of Kiddushin. This is one such example:

<i>Behold I vow that from the moment I receive from you a ring, I will sanctify myself, body and soul, to our joint partnership and life together</i>	<b>הרי</b> אני נודר שמרגע שאקבל ממך טבעת אקדיש את עצמי, רוחי וגופי לשיתופינו זיווגינו וחיינו ביחד
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The other will respond with the following phrase and offer a ring.

<i>Behold, with this ring, you are consecrated to me by virtue of the oath you have just made.</i>	<b>הרי</b> אתה מוקדש לי בקבלת טבעת זו בתוקף הנדר אשר נדרת
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### **B. Mutual exchange of ring/object of value with different verbal statements**

Rabbi Elliot Kukla offers one of several alternative same-sex options for couples wishing to exchange rings and replace the traditional liturgy with more appropriate languages:

Partners exchange an item of value and each says to the other:

To a groom: Harai atah kudash li!

To a bride: Harai at kudeshet li!

To an individual who does not wish to identify as either a bride or a groom: Harai at kudash li!

Translation: Behold, you are holy to me!

Some couples may choose to add the traditional words: K'dat Moshe v'Yisrael (according to the religion of Moses and Israel)

Sources of Kinyan in the Talmud: BT Kiddushin 2a+b, 5b,

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האשה נקנית מאי שנא הכא דתני האשה נקנית ומ"ש התם דתני האיך מקדש משום דקא בעי למיתני כסף

ת"ר כיצד בכסף נתן לה כסף או שוה כסף ואמר לה הרי את מקודשת לי הרי את מאורסת לי הרי את לי לאינתו  
הרי זו מקודשת אבל היא שנתנה ואמרה היא הריני מקודשת לך הריני מאורסת לך הריני לך לאינתו אינה  
מקודשת

Sources for using a plain ring:

Tosafot quoting Rabbenu Tam, BT Kiddushin 9A

### 7. The Ketuba

**‘Nowadays, in the Diaspora, where secular governments have jurisdiction over all matters pertaining to marriage, and woman’s interests are safeguarded by the civil law, the only function of the ketubah is perpetuating an ancient tradition’.** (Rabbi Isaac Klein, Guide to Jewish Religious Practice, JTS, 1979)

While some egalitarian heterosexual couples and GLBT couples choose to use a standard Ketubah with some modified language, there are those who are opting up for another model, more appropriate to non-heterom normative settings. Based on business dealings, *Shtar Shutafut*, is a Partnership Contract, which becomes the equivalent of a *ketubah*. This document, signed by witnesses, is a document that describes the legal process that the couple undertakes during the ceremony and outlines the terms of the agreement and obligations that the couple takes upon itself.

In accordance with the Talmudic prescription for formalizing a partnership, both parties raise an object acquired together, thus symbolizing the shared commitment. (recent examples include, for example, a jointly bought Mezuzah)

### Talmudic Sources for Ketuba:

Mishna Ketubot chapter 1-12, BT Yevamot 65B, 89B

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א, ב בתולה, כתובתה מאתיים; ואלמנה, מנה. בתולה אלמנה, גרושה, וחלוצה--מן האירוסין--כתובתן מאתיים, ויש להן טענת בתולים. הגיורת, והשבוייה, והשפחה--שנפדו, ושנתגיירו, ושנשתחררו פחותות מבנות שלוש שנים ויום אחד--כתובתן מאתיים, ויש להם טענת בתולים.

עובדא הוה קמיה דרבי יוחנן בכנישתא דקיסרי ואמר יוציא ויתן כתובה ואי ס"ד לא מפקדה כתובה מאי עבידתה דלמא בבאה מחמת טענה כי ההיא דאתאי לקמיה דר' אמי אמרה ליה הב לי כתובה אמר לה זיל לא מיפקדת אמרה ליה מסיבו דילה מאי תיהוי עלה דהך אתתא אמר כי הא ודאי כפינן ההיא דאתאי לקמיה דרב נחמן אמר לה לא מיפקדת אמרה ליה לא בעיא הך אתתא חוטרא לידה ומרה לקבורה אמר כי הא ודאי כפינן

מאי טעמא תקינו לה רבנן כתובה כדי שלא תהא קלה בעיניו להוציאה הא תהא קלה בעיניו להוציאה

### 8. Seven Blessings/Nisuin

The Sheva Brachot, or Seven Blessings, also known as “Birkat Chatanim” complete the wedding ceremony as these blessings celebrate the grander narrative that frames the couple’s union.

As some of the blessings are worded in strong hetero-normative language, there are numerous creative variations that offer alternatives for for egalitarian and same-sex couples.

One such alternative, composed by Rabbi Joel Alter, is cited here:

#### The Sheva Berakhot -- שבע ברכות

1. You abound in blessings, God, and from You all blessings flow, as juice flows from the fruit of the vine.
2. The intricate, dignified, glorious world in which we live,  
And all Your creations in it –  
We honor You just by living as You created us.
3. God of vision and artistry, You fashioned all of us and each of us



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Unique

An individual work of Your art.

4. Every one of us is the living image of You.  
Imprinted with Your likeness, we perpetuate life.  
In all that we create  
We echo Your design.  
God beyond us, You lovingly create all humanity.
5. God of impossible possibilities,  
May the barren woman – now a mother – sing with rolling laughter, drawing her children about her in joy.  
May our people, and the City of Jerusalem, celebrate distant children coming home.  
With Your blessings, God, Zion rejoices in her children.
6. Matchmaker God! You make the faces of this bride and this groom glow. You fill their hearts with the happiness of Adam and Eve,  
discovering each other in the gardens of Eden, long ago.  
God of love, You bring joy to all loving companions.
7. Infinite God, who rules the universe, who created joy and gladness, bride and groom, pleasure, song, delight, laughter, love, and harmony, peace and companionship – may there always be heard in the cities of Judah and the streets of Jerusalem voices of joy and gladness and happiness, voices of bride and groom, the jubilant voices of those joined in marriage under the *chuppah*, the voices of young people at feast and in song. Praised are You, God, who causes the groom and the bride to rejoice together.

Talmudic Sources:

BT Ketubot 7:

מאי מברך אמר רב יהודה בא"י אמ"ה

שהכל ברא לכבודו ויוצר האדם ואשר יצר את האדם בצלמו בצלם דמות תבניתו והתקין לו ממנו בנין עדי עד ברוך אתה ה' יוצר האדם שוש תשיש ותגל העקרה בקבוץ בניה לתוכה בשמחה ברוך אתה ה' משמח ציון בבניה שמח תשמח ריעים האהובים כשמחך יצירך בגן עדן מקדם ברוך אתה ה' משמח חתן וכלה ברוך אתה ה' אמ"ה אשר ברא ששון ושמחה חתן וכלה גילה רינה דיצה חדוה אהבה ואחזה ושלום וריעות מהרה ה' אלהינו ישמע בערי יהודה ובחוצות ירושלים קול ששון וקול שמחה קול חתן וקול כלה קול מצהלות חתנים מחופתם ונערים ממשתה נגינתם בא"י משמח חתן עם הכלה

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### **9. Breaking the Glass**

The breaking of the glass at the end of the Jewish wedding ceremony expresses the sadness that the world is currently far from the perfection of the Messianic era. Even at times of great joy, we are aware that there is extreme injustice, tragedy and unhappiness in the world. In many traditions this moment is linked to the memory of Jerusalem's historical destruction and is accompanied by the singing of 'If I forget You, Jerusalem'. In some modern contexts, including same-sex rituals, this moment is used to recall the difficulties still faced by many people who are seeking the dignity and recognition of their life choices.

The Talmudic source BT Brachot 30B-31A

**במקום גילה שם תהא רעדה**

**מר בריה דרבינא עבד הלולא לבריה חזנהו לרבנן דהו קבדחי טובא**

**אייתי כסא דמוקרא בת ארבע מאה זוזי ותבר קמייהו ואעציבו רב אשי עבד הלולא לבריה חזנהו לרבנן דהו קא  
בדחי טובא אייתי כסא דזוגיתא חירתא ותבר קמייהו ואעציבו**

### **10. Celebrating with the Newly Weds**

The festive feast the marks the the wedding is an opportunity for dancing with the couple, entertaining them, and celebrating with them.

The Talmudic origin of these customs, similar to the ones mentioned in context of the procession, can be found, among others in BT Brachot 6:

**וא"ר חלבו אמר רב הונא כל הנהנה מסעודת חתן ואינו משמחו עובר בחמשה קולות שנאמר (ירמיהו לג) קול  
ששון וקול שמחה קול חתן וקול כלה קול אומרים הודו את ה' צבאות ואם משמחו מה שכרו אמר רבי יהושע בן  
לוי זוכה לתורה שנתנה בחמשה קולות**