**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**LIFECYCLES – HILKHOT ISHUT**

**Rav David Brofsky**

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**In memory of Alice Stone, Ada Bat Avram, A"H**

**beloved mother, grandmother and great grandmother**

**whose Yarzheit is 2 Tammuz.**

**Dedicated by, Ellen & Stanley Stone,**

**Jake & Chaya, Micah, Adeline, Zack & Yael, Allie,**

**Isaac, Ezra & Talia, Yoni & Cayley, Marc & Eliana, Adina, Gabi & Talia.**

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**Shiur #14: Laws of the Wedding (5)**

**Customs and Laws of the Wedding**

**Introduction**

In recent *shiurim*, we focused on the preparations for the wedding, the customs observed the Shabbat before and the day of the wedding, the signing of the *ketuba*, and the *badeken* (covering the bride’s face).

This week, we will discuss the various customs of the processional, leading up to the *kiddushin*.

**The *Mesader Kiddushin***

The rabbi who officiates at the wedding is often known as the “*mesader kiddushin*.” There are numerous reports from Medieval Jewish communities of communal enactments restricting *siddur kiddushin* to local rabbinic leadership (see *Teshuvot Ha-Rambam* 348; see also, *Rivash* 268 and *Mahari Weil* 151, etc.).

The Talmud (*Kiddushin* 6a) teaches that “anyone who does not know the nature of *gittin* (bills of divorce) and *kiddushin* (betrothals) should have no dealings in them.” Based upon this passage and the explanations of the *Rishonim*, the Shulchan Arukh (EA 49:3) rules that one who is not an expert in these matters “should not rule (*le-horot*) regarding them.”

R. Yaakov Reischer (Bechofen) (1661-1733), in his *Shevut Yaakov* (3:121), rules that only an expert in these laws should officiate at Jewish weddings. In fact, the Rambam (*Teshuvot Ha-Rambam* 348) records an ancient enactment by the rabbis of Egypt requiring that only halakhic experts officiate at weddings. Indeed, the *mesader kiddushin* is responsible for numerous matters, some ritual and some halakhic. For example, the *mesader kiddushin* must ensure that the *chatan* and *kalla* are halakhically permitted to be wed and that the *ketuba* is filled out and executed properly, he must determine that the ring indeed belongs to the groom (*Beit* *Shmuel* 28:49) and that it is worth the value of a *peruta* (*Maharil, Hilkhot Nisu’in*), he must supervise the proper performance of the giving of the *kesef* *kiddushin*, etc. Some *Acharonim* (*Taz*, ibid. 1, and *Beit Shmuel*, ibid. 4) explain that while one who is not an expert should not offer halakhic rulings in these matters, those who are not experts may officiate at weddings.

The *Acharonim* discuss whether the *chatan* or *kalla* has the right to choose the *mesader kiddushin*. Some suggest that since it is now customary for the *mesader kiddushin* to recite the *birkat ha-eirusin* – which, according to some, is the blessing that the *chatan* is meant to say before performing the *kiddushin* –it is the *chatan* who may choose the *mesader kiddushin* (see *Chelkat Yaakov* 2:115). However, if the local custom dictates that the *kalla* chooses the *mesader kiddushin*, then the custom should be followed (*Nissu’in KeHilkhata* 12:6). Needless to say, this issue should not be a point of contention between the *chatan* and *kalla*, or between their families.

**The Wedding Procession**

The Rema (YD 391:3) records that it is customary in Ashkenazic communities for two people to accompany the *chatan* to the *chuppa*. Others records to the *kalla* is also escorted to the *chuppa* (*Kitzur Shulchan Arukh* 147:5). R. Moshe ben Avraham (Meth) of Pryzemyśl, in his *Mateh Moshe* (published 1591, Krakow), describes how these two people, known as the *shoshvinin*, walk the *chatan* to the *chuppa*, one on his right, the other on his left. He relates this custom to a *midrash* that teaches that Michael and Gavriel were the *shoshvinin* of Adam Ha-Rishon. He further cites the *Tashbetz* (465), who explains that since the *chatan* is compared to a “king” (see *Pirkei DeRabbi Eliezer* 16), just as a king is always accompanied by his soldiers, so too the *chatan* is surrounded.

In most communities, immediately following the *badeken*, the *chatan* and *kalla* are led to the *chuppa*, with song and praise. (In some communities, the *badeken* is performed during the processional, before the bride ascends to the *chuppa.*) There are different customs regarding the manner in which the *chatan* and *kalla* are accompanied to the *chuppa*.

In some communities, the fathers of the bride and groom escort the *chatan* and their mothers accompany the *kalla*. In other communities, the *chatan* and *kalla* are walked to the *chuppa* by their parents. Others may also serve as the *shoshvinin*. In some circles, especially when the *chatan* and *kalla* are older, they walk together to the *chuppa*.

The *Acharonim* record that the *shoshvinin* often hold candles on their way to the *chuppa*. The *Maharil* (*Hilkhot Nisuin*; see also *Teshuvot Maharam Mintz* 109) writes that the torches represent *orah ve-simcha*, “light and happiness.” Similarly, the *Tashbetz* (467) relates this custom to *Matan Torah*, where the Torah was given with “*kolot u-verakim*” (sounds and light). In addition, the *Mateh Moshe* writes that the numerical equivalent (*gematria*) of (two) *nerot* (torches) is equal to “*peru u-revu*” (the commandment to be “fruitful and multiply”) and to the sum total of the limbs of both the *chatan* and *kalla* (500; see *Bekhorot* 45a). Finally, some note that the Hebrew words for man (*ish*) and woman (*isha*) are almost identical, except for the letters *yod* and *heh*, which spell a name of God. Without the presence of God in their relationship, their relationship will be disharmonious and contentious, like “*esh*” – fire.

**Circling the *Chatan***

Among many Ashkenazim, it is customary for the *kalla* to circle the *chatan* before the ceremony begins.

Some mention a custom of circling three times, corresponding to the three times the Torah says “*ki yikach isha*” (*Devarim* 22:13, 24:1, 24:5; see *Tashbetz* 467, *Mateh Moshe*, *Hakhnasat Kalla* 4). Others suggest that the three circles correspond to the three legal obligations of the husband – “food, clothing and marital relations” – and others relate this custom to the three times God accepted upon himself the obligations of the marital relationship: “I will betroth me to you to me forever, I will betroth you to me with fairness, justice, love and compassion, I will betroth you to Me with faith, and you shall know God” (*Hoshea* 2:21-22).

The more accepted custom is to walk seven times around the *chatan*. The commentators offer different interpretations for the number seven, as well as for the custom itself. Some view this practice as reflecting a mystical tradition, according to which circling the husband demonstrates that the marriage is performed for the sake of heaven, and the seven circles correspond to the seven layers of heaven (*reki’in*).

Early sources (see, for example, the commentary of R. Dosa Ha-Yevani, 15th century) trace this practice to the verse “God has created a new thing on earth; a women will go around a man” (*Yirmiyahu* 31:21). Some interpret this act as an expression of commitment, subservience, or even in order to build a wall around the *chatan*, protecting him from inappropriate thoughts and actions (based upon *Yevamot* 62b). Others offer more “positive” interpretations, viewing the circles as the *kalla’s* courting of the *chatan*, or that similar to the seven times Yericho was circled until its walls were breached, the *kalla* breaks down her soon to be husband’s personal “walls” in order that they may build a house together.

 While the *kalla* is circling the *chatan*, some have the custom of singing a *piyut* based upon the *midrash* (*Shir Ha-Shirim Rabba* 2): “*Mi bon siach shoshan chokhim, ahavat kalla, mesos dodim, hu yivarekh et he-chatan ve-et ha-kalla*” (He who understands the babble of the rose among thorns, the love of a bride, the joy of her beloved ones, may He bless the groom and bride). In other communities, no song or *piyut* is said while the *kalla* walks around the *chatan*.

**The Position of the *Chatan* and *Kalla* under the *Chuppa***

 During the wedding ceremony, the *kalla* stands to the right of the *chatan*. The *Maharil* (*Hilkhot Nisu’in*) relates this to the verse, “a queen shall stand at your right side” (*Tehillim* 45:10). The last letter of each word, “*nitzavaH shegaL liminCha*” spell the word “*kalla*.”

**The *Chatan’s* *Kittel***

 In some communities, the *chatan* wears a *kittel*, the tradition white robe used as a burial shroud for Jewish men, which is also often worn on Yom Kippur, for the Pesach *seder*, and other occasions (*Kitzur Shulchan Arukh* 147:4). Different reasons are given for this custom, which seem to reflect different views of the nature of the wedding day.

 Some (see *Mateh Moshe*, *Hakhnasat Kalla*) relates this custom to a broader theme of the wedding day – atonement. The wedding day is viewed as a day upon which one’s sins are forgiven, and white symbolizes spiritual purity – “If your sins are like the scarlet, they shall be as white as snow” (*Yishayahu* 1:18). Others claim that the *kittel* is meant to remind the *chatan* of the shrouds worn after his death. This may be intended to ensure that the *chatan* tempers his rejoicing (see *Berakhot* 31a), in accordance with the verse, “Serve God in awe, rejoice with trembling” (*Tehillim* 2:11). This may also indicate that marriage is meant, ideally, to last until the day of one’s death (see *Teshuvot Maharm Shick*, EH 88). Finally, some suggest that white is a color of royalty, and on his wedding day, a *chatan* is compared to a “king.”

**Ashes on the Head of the *Chatan***

The Talmud (*Bava Batra* 60b) teaches that we mourn for the *Beit Ha-Mikdash* even at our most joyous moments:

The source for these [mourning] practices is a verse, as it is stated: “If I forget you, Jerusalem, let my right hand forget its cunning. Let my tongue cleave to the roof of my mouth, if I remember you not; if I set not Jerusalem above my highest joy” (*Tehillim* 137:5–6).

What is the meaning of, “Above my highest [*rosh*] joy”? R. Yitzchak says: This is referring to the burnt ashes that are customarily placed on the head [*rosh*] of bridegrooms at the time of their wedding celebrations, to remember the destruction of the Temple. R. Pappa said to Abaye: Where are they placed? Abaye replied: On the place where *tefillin* are placed, as it is stated: “To appoint to them that mourn in Zion, to give to them a garland in place of ashes” (*Yeshayahu* 61:3).

Rashbam explains that since *tefillin* are referred to as a garland (see *Yechezkel* 24:17), it may be inferred from this verse that the ashes were placed in the same place as the *tefillin*.

While the *Shulchan Arukh* (EH 65:3 and OH 560:2), and other authorities cites this custom, some (see *Chayei Adam* 137:2; *Bi’ur Halakha* 560; see also *Kaf HaChaim*, OC 560:21) note that this was not customary in all communities. Nowadays, it is the general custom to put ashes on the head of the *chatan*, while saying the verse, “If I forget you, Jerusalem...”

***Minyan* for the Wedding Ceremony**

The Talmud (see *Ketubot* 7b) teaches that the *sheva berakhot* must be said in the presence of a *minyan* (ten men). The *gemara* cites two sources:

R. Nachman said: Huna bar Natan said to me that it was taught: From where is it derived that the benediction of the grooms is recited in a quorum of ten men? It is as it is stated: “And he took ten men of the Elders of the city and said, ‘Sit you here,’ and they sat” (*Rut* 4:2). And R. Abbahu said that the source is from here: “In assemblies [*mak’helot*], bless God, the Lord, from the source of Israel” (*Tehillim* 68:27).

The Talmud (*Megilla* 23b) lists these blessings, the *birkat chatanim*, among those rituals that must be performed in the presence of a *minyan*.

 The Tur (EH 34) cites a debate regarding the first part of the wedding ceremony, the *kiddushin*. According to R. Shmuel Ha-Nagid, the *birkat ha-eirusin* may be performed without a *minyan*. However, R. Hai Gaon and the Rosh disagree and maintain that just as the *sheva berakhot* must be recited in the presence of a *minyan*, so too must the *birkat ha-eirusin*. The Shulchan Arukh (EH 34:4) rules that it is preferable (*lechatkhila*) that the *birkat ha-eirusin* be said with a *minyan*. Some (see, for example, Rosh 35:4) write that the wedding is meant to be performed publically.

If the *kiddushin* is performed without a *minyan*, the *sheva berakhot* are not recited. The *Acharonim* discuss whether they may be recited in the presence of a *minyan* during the first seven days after the wedding (Ritva, *Ketubot* 7b), or even later (*Arukh Ha-Shulchan* 62:12).

Next time, we will continue our study of the wedding ceremony, focusing the different halakhic aspects of the *kiddushin*.