

*May a Woman Recite the Birkat Erusin?*¹

By: ARYEH A. FRIMER

1. *Birkat Erusin*

A traditional Jewish wedding ceremony is made up of two steps. The first is called alternatively *Erusin* (loosely meaning betrothal) or *Kiddushin* (sanctification or dedication). It is in this stage that the groom gives the bride a ring, and by accepting it she becomes prohibited to all other men. In addition, a *get* (religious divorce) is required to dissolve their bond. The second stage is referred to either as *Nisu'in* (signifying wedding) or *Huppah* (wedding canopy). It is at this point that the couple becomes permitted to live together as husband and wife. Each stage is introduced by specific *berakhot* (benedictions/blessings) recited over a cup of wine: the *Erusin* by *Borei peri ha-gafen* and the *Birkat Erusin*; and the *Nisu'in* by the *Sheva Berakhot* (*Borei peri ha-gafen* and six more blessings). The individual officiating at the wedding ceremony is referred to as the “*mesadder kiddushin*,” loosely translated as “the officiating Rabbi.” It is the universal custom nowadays, that the officiating Rabbi is honored with reciting the *Birkat Erusin*.

We now turn our focus to this *berakhab* which reads as follows²:

Blessed are You, Lord our God, sovereign of the world, Who has sanctified us by His commandments and commanded us concern-

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² *Ketubbot* 7b.

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ing forbidden intimate relationships and prohibited to us those women who are betrothed with *Erusin*, but permitted to us those women who are married to us by *Huppah* and *Kiddushin*. Blessed are You Lord, that sanctifies the people Israel by *Huppah* and *Kiddushin*.

There are two schools of thought regarding the nature of this *berakhab*. The first school maintains that *Birkat Erusin* is a *birkat ha-mitzvah*—a benediction recited when doing a *mitzvah* action. This school maintains that getting married is itself a positive commandment incumbent on males (independent of *peru u-revu*,³ procreation), and *Birkat Erusin* is the associated *birkat ha-mitzvah*. In such a case, only the groom [or his male representatives] would be empowered to recite it (see more in sec. 2 below). By contrast, scholars in the second school argue that marriage itself is not a *mitzvah*; rather, wedlock is merely a preparatory step permitting subsequent marital relations—leading up to the actual *mitzvah* which is “*peru u-revu*.”⁴ These latter scholars maintain that *Birkat Erusin* is a *birkat ha-shevaḥ* (a benediction of praise) recited for all those present at the betrothal (see more in sec. 3 below).

Over the past decades, there have been various attempts to expand the role women play at the wedding ceremony. One proposal which has received some serious halakhic attention has been to have a woman recite the *Birkat Erusin*.⁵ This innovation is unprecedented. It should be noted at the outset that such a change can be introduced only if there is an element of certitude in the ruling justifying this practice. This is because it is forbidden to invoke God’s name in vain when reciting benedictions in situations of major halakhic doubt (*safek berakhot le-hakel*).⁶

³ Genesis 1:28.

⁴ R. Asher ben Yehiel, *Piskei ha-Rosh*, *Ketubbot* 1:12.

⁵ (a) R. Moshe Ehrenreich and R. Yosef Carmel with members of *Eretz Hemdah* Institute, “*Birkat Erusin al Yedei Ishah*,” *Resp. be-Mareh ha-Bazak*, VI, sec. 14 (5766; 2006), 56–57; (b) R. Dov Linzer, “May a Woman Recite *Birkat Erusin*” (2017). Available online at <<https://library.yctora.org/lindenbaum/may-a-woman-recite-birkat-erusin/>>. Reprinted in “שקמתי אם בישראל,” *You Arose, a Mother in Israel*,” Devorah Zlochower, ed., (JOFA, 2016). (c) Laurie Novick (R. Ezra Bick, Shayna Goldberg, and Ilana Elzufon, eds.), “Marriage II: Mitzva and Beracha of Kiddushin,” at <https://www.deracheha.org/mitzva-and-beracha-of-kiddushin/#_d1e2127>.

⁶ For a general discussion of *safek berakhot le-hakel*, see *Berakhot* 21a; M.T., *Hilkhot Berakhot*, 4:2 and 8:12; *Shulḥan Arukh*, O.H., sec. 167, no. 9 and sec. 209, no. 3; “*Berakhot*,” *be-Safek*, *Encyclopedia Talmudit*, IV, 291–315, at 303ff; R. Yitzḥak Yosef, *Mafte’ah Meforat* to *Resp. Yehaveh Da’at*, *Kelalei Safek Berakhot*; R. Yitzḥak Yosef, *Ein Yitzḥak*, II, 353–608. The *poskim* do not permit reciting *bir-*

Nevertheless, most authorities permit saying *berakhot* despite elements of dispute and doubt, if there is a clear custom to recite them despite these issues, or if the majority of codifiers (*rov poskim*) permit their recitation.⁷ All concur that the saying such *berakhot* would be highly problematic if only a minority of authorities permit them.

We turn now to a deeper discussion of the nature of *Birkat Erusin*, its formulation, the identity of the one who recites it, and its timing in the wedding ceremony. In light of this analysis, we will then evaluate the halakhic feasibility of the above innovative proposal.

2. The *Birkat ha-Mitzvah* School

The older of the two schools on *Birkat Erusin* is the ***Birkat ha-Mitzvah* School**, whose oft cited proponent is R. Moses ben Maimon (Rambam or Maimonides).⁸ Based on this analysis, Rambam maintains firstly that the *Birkat Erusin* should be recited **prior** to the giving of the ring by the groom—which is the act that accomplishes the betrothal. This is because *birkot ha-mitzvah*, as a rule, are recited “*over la-asiyyatan*,” prior to the performance of the *mitzvah*.⁹ Secondly, Maimonides argues that, as is the normative practice for *mitzvot*, the benediction ought to be recited by the groom—who is the individual performing the *mitzvah* action of betrothing.¹⁰ Other *rishonim* who cite positions identical to that of Maimonides

kat ha-shevah in the cases of doubt either; see sources cited in *Resp. Yabbia Omer*, III, O.H., sec. 16, no.7 and the discussion in note 194 of “Women, *Keri’at ha-Torah* and *Aliyyot*,” Aryeh A. Frimer and Dov I. Frimer, *Tradition*, 46:4 (2013), 67–238. This article is available online at http://www.rcarabbis.org/pdf/frimer_article.pdf, or at <https://traditiononline.org/special-supplement-women-keriat-ha-torah-and-aliyyot/>.

⁷ The authority of “*rov poskim*” is discussed by Aryeh A. Frimer and Dov I. Frimer, at length in Section IV of “Partnership Minyanim Revisited: A Response to R. Ysoscher Katz,” *Torah Musings Journal*, January 18, 2017. Available online at: <http://www.torahmusings.com/2017/01/partnership-minyanim-revisited/>.

⁸ While Maimonides maintains that marriage itself is a positive commandment (*Sefer ha-Mitzvot*, *Mitzvat Aseh* 213; Introduction to *M.T.*, *Hilkehot Isbut*; *M.T.* *Hilkehot Isbut* 1:2, 3:23), *Sefer ha-Hinukh* (*Mitzvah* 552) argues that performing any one of the three modes of betrothal (*kesef*, *shtar*, or *bi’ab*—money, contract, or sexual intercourse; *Mishnah Kiddushin* 1:1) is the positive commandment. Many other *rishonim* in the *Birkat ha-Mitzvah* school fall into one of these two camps.

⁹ B.T., *Pesahim* 7b; *Encyclopedia Talmudit*, IV, *Birkat ha-Mitzvot*, 527.

¹⁰ For an in-depth review of the sources, see R. Michael Menaḥem Shiloni, *Shome’a u-Mashmi’a* (Jerusalem, 5766), sec. 39. R. Shiloni indicates that most

are R. Isaac Alfasi (Rif),¹¹ R. Abraham Maimonides,¹² and R. Asher (Rosh, Responsa).¹³ Indeed, it is because these three pillars of *psak*—Rif, Rambam, and Rosh—all concur, that R. Yosef Caro rules according to this view, both in his *Bet Yosef* and *Shulhan Arukh*.¹⁴

The vast majority of codifiers—be they *ge'onim*, *rishonim*, or *aḥaronim*—agree with Maimonides' basic analysis that the *Birkat Erusin* is a *birkat ha-mitzvah* incumbent upon the groom.¹⁵ Nevertheless, they find

poskim maintain that the one who does the *mitzvah* action recites the benediction, while a minority maintains that the one obligated can do so as well. For leading sources, see R. Abraham Abele Gombiner, *Magen Avraham*, O.H., sec. 432, no. 2, subsec. 6 and the comments of R. Joseph Shalom Elyashiv cited by R. Azriel Auerbach, *Kovetz Halakhot mi-Maran ha-Grish Elyashiv*, O.H., no. 287, in *Sefer mi-Nashim ba-Ohel* (Jerusalem, 5773), p. 191; R. Shlomo Zalman Auerbach, *Resp. Minhat Shlomo*, II, sec. 56, no. 1 in *Otzrot Shlomo* 5759 edition and sec. 58, no. 4, subsec. 2 in the Sons' 5760 edition; R. Ovadiah Yosef, *Resp. Yabbia Omer*, VII, E.H., sec. 17 and *miluim*; R. Asher Weiss, "be-Inyan Birkat Erusin," *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Pinhas* 5768, 36 (265), sec. b, reprinted in *Kovetz Darkei Hora'ah*, IX (*Hilkhot Erusin ve-Nisu'in*) (5768), 69–71; R. Asher Weiss, "be-Inyan Shelihut be-Mitzvot," *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Korah* 5768, 33 (262), n. to pp. 4–5; R. Asher Weiss, "be-Inyan Birkat Erusin," *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Hayyei Sarah*, 5769, VII, 5 (277); R. Asher Weiss, "be-Inyan Birkat Erusin," *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Hayyei Sarah*, 5773, XI, 6 (420), sec. b; R. Asher Weiss, *Minhat Asher, Bereshit* (Sivan, 5779), sec. 43, "be-Inyan Birkat Erusin al Yedei Shaliah," no. b; R. Asher Weiss, *Minhat Asher, bi-Tekufat ha-Corona* (Nissan, 5780), sec. 23. These sources concur that the one who does the *mitzvah* action recites the benediction.

¹¹ R. Isaac ben Jacob Alfasi, *Resp. ha-Rif*, sec. 293.

¹² *Hiddushim me-ha-Rambam she-Hiber ha-Rav Avraham Beno*, cited in the Introduction to *Ma'aseh Roke'ah* by R. Masud Hai Roke'ah.

¹³ R. Asher ben Yehiel (Rosh), *Resp. ha-Rosh*, *Klal* 26, sec. 1. Interestingly, the son of the Rosh, R. Yaakov ben Asher, in his *Tur*, E.H. 34, cites this version of Rosh supporting Rambam's *birkot ha-mitzvah* view and not the version that appears in his father's *Piskei ha-Rosh*, *Ketubbot* 1:12 (cited below in section 3 of this paper) which introduces the *birkat ha-shevaḥ* approach.

¹⁴ R. Joseph Caro, *Bet Yosef to Tur*, E.H. 34, s.v. "ve-Katav od mevarekb"; *Shulhan Arukh*, E.H. 34:1.

¹⁵ That the vast majority of codifiers concur that the *Birkat Erusin* is a *birkat ha-mitzvah* is stated explicitly by several outstanding *poskim*: see: R. Ovadiah Yosef, *Resp. Yabbia Omer*, VII, E.H., sec. 17 and *miluim*, *Resp. Yabbia Omer*, VIII, O.H., sec. 8, no. 7 at end; R. Asher Weiss, *Minhat Asher, Bereshit* (5779 ed.), sec. 44, no. 4; R. Yitzhak Yosef, *Sova Semahot*, I, ch. 6, no. 17, n. 17. See also: R. Moses

it necessary to resolve three issues regarding this benediction: (a) Who recites this *berakhah*? (b) When exactly should the benediction be recited? and (c) How are we to explain the blessing's strange formulation?

(a) **Who recites this *berakhah*?** Although Rambam in his code *Mishneh Torah* indicates that the *Birkat Erusin* should be recited by the groom, it is now the (almost)¹⁶ universal custom for the *mesadder kiddushin* to recite the *Birkat Erusin*—even though it is actually incumbent upon the groom.¹⁷ Most intriguing is that even Rambam in a responsum¹⁸ men-

Amnon Faniri, *Beit Hatanim*, sec. 2, no. 4, n. 7; R. David Brofsky, “Is There a Mitzvah to be Married?” available online at: <https://www.etzion.org.il/en/halakha/even-haezer/marriage-and-divorce/there-mitzva-be-married>; R. Yuval Cherlo at <https://www.kipa.co.il/שאל-את-הרב-ברכות-אירוסין-ונישואין/>; and R. Ratzon Arusi at <https://net-sah.org/faq/37639>.

¹⁶ My brother R. Shael Frimer reports that he attended a wedding of a grandson of the noted Yemenite scholar R. Yosef Kapaḥ, where the grandfather was *mesadder kiddushin*. R. Kapaḥ had the *hatan* recite the *Birkat Erusin*, as required by Rambam. See also R. Ratzon Arusi at <https://net-sah.org/faq/37639> and R. Isaac Ratzabi, *Shulḥan Arukh ha-Mekutẓar*, VII, E.H. II, sec. 206, *Einei Yitzḥak*, n. 298. R. Meir Nissim Mazuz confirms that this was the custom in Libya and can be followed today as well; see: <https://www.ykr.org.il/question/6709/>.

¹⁷ Most authorities maintain that this *berakhah* is incumbent on the one who does the *mitzvah* action of betrothal, i.e., the groom (to the exclusion of the bride) — and the *mesadder kiddushin* is *motẓi* him. See: M.T., *Hilkhot Ishut*, 3:23; R. Abraham ben Moses (Maimonides), *Hiddushim mi-Ketav Yad*, cited in the Introduction to *Ma’aseh Roke’ah*; *Sefer ha-Hinukh*, 552; R. Ezekial Segel Landau, *Resp. Noda bi-Yebudah*, E.H., *Mahadurah Tinyana*, end of sec. 1; R. Isaac Zev ha-Levi Soloveitchik (Griz), cited in R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu’in*, sec. 15; R. Yitzḥak Yosef, *Sova Semahot*, I, ch. 6, no. 17, n. 17 and references cited therein; R. Moses Amnon Faniri, *Beit Hatanim*, sec. 2, no. 4, n. 7 in the name of R. Ben-Zion Abba Shaul and R. Joseph Shalom Elyashiv; R. Isaac Ratzabi, *Shulḥan Arukh ha-Mekutẓar*, VII, E.H. II, sec. 206, *Einei Yitzḥak*, n. 298; *Resp. be-Mareh ha-Bazak*, VI, sec. 14 (5766; 2006), 56–57; R. Moses Sternbuch, *Resp. Teshuvot ve-Hanhagot*, II, sec. 637.

Concerning the bride, we note that *Resp. Noda bi-Yebudah*, *ibid.*, toys with the theoretical possibility that the bride too might be obligated in hearing this benediction, though the thrust of his responsum is that she is not. See R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu’in*, secs. 10 and 15. On the other hand, many scholars raise the possibility that the bride too might be obligated; see: R. Ḥayyim Benveniste, *Kenesset ha-Gedolah*, E.H., sec. 34, *Hagabot ha-Tur*, no. 6; R. Yehudah Samuel Ashkenazi, *Siddur Beit Oved, li-Yemot ha-Hol, Dinei Birkat Erusin*, no. 10, R. Isaac Palagi, *Yafeh la-Lev*, IV, E.H., sec. 34, n. 1; *Resp. Kerem*

tions this as the standard custom without comment. Already beginning with the times of the *ge'onim*, various reasons have been given for this deviation from the norm.¹⁹ Thus, it was suggested that others should

Shlomo, sec. 81 (cited in *Beit Hatanim*, sec. 2, no. 4, n. 7). See also *Otzar ha-Poskim*, E.H., sec. 34, no. 1, nn. 1a and 1c. Regarding the above *Kenesset ha-Gedolah*, R. Ovadiah Yosef, *Resp. Yabbia Omer*, VII, E.H., sec. 17, no. 2 states explicitly that R. Hayyim Benveniste was in doubt about this proposal; the *Be'er Heitev* (E.H. 34:9) quotes him as lacking doubt and has misled others thereby. It is true that *mesaddrei kiddushin* commonly tell the bride and groom that they are reciting the *Birkat Erusin* to be *motzi* them; however, they say so to the bride because of the possibility that she **might** be obligated—following these minority opinions. In addition, it is reported in the name of R. Yitzhak Zev Soloveitchik that the intention is to be *motzi* the *hatan* the *Birkat Erusin*, and the *kallah* and *hatan* the *berakhab* on the wine from which they are about to drink. See: R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu'in*, sec 15; R. Yitzhak Yosef, *Sova Semahot*, I, ch. 6, no. 17, n. 17.

Note that the above discussion assumes that the *Birkat Erusin* is a *birkat hamitzvah*.

- ¹⁸ Rambam, *Resp. Pe'er ha-Dor*, sec 8. See discussion of R. Ovadiah Yosef, *Resp. Yabbia Omer*, VII, E.H., sec. 17, no. 1. He argues that Rambam's prohibition against having others beside the groom recite this *berakhab* is only when those so honored do not intend to be *motzi* the *hatan* his obligation.
- ¹⁹ R. Sar Shalom Gaon, *Otzar ha-Ge'onim*, *Ketubbot* 7b, no. 53 (others recite the benediction because it would seem pretentious for the *hatan* to do so); R. Sherira Gaon, *Resp. R. Sherira Gaon, Sha'arei Tzedek*, III, Gate 1, sec. 45—cited in *Otzar ha-Ge'onim*, *Ketubbot* 7b, no. 54, 16 (others recite the benediction rather than the groom, because it is no different than a *shali'ah tzibbur*); R. Abraham ben R. Nathan ha-Yarhi, *Sefer ha-Manhig, Hilkebot Erusin*, sec. 110 (others recite the benediction because the groom may be distracted); R. Aaron ha-Kohen of Lunil, *Orbot Hayyim*, II, *Hilkebot Kiddushin*, sec. 21 (others recite the benediction so as not to embarrass the untrained); R. Aaron ha-Kohen of Lunil, *Kol Bo*, sec. 75, *Hilkebot Ishut* (so as not to embarrass the untrained); R. Peretz ben Elijah, *Hagahot Semak*, sec. 183, n. 19 (so as not to embarrass the untrained); R. Moses ben Jacob of Coucy, *Sefer Mitzvot Gadol (Semag)*, *Esin* 48; R. Mordechai ben Hillel ha-Kohen, *Mordekhai, Ketubbot*, ch. 1, sec. 131 (because it would seem pretentious); R. Meir HaKohen, *Hagahot Maimoniyot, Hilkebot Ishut*, ch. 3, no. *samekh*; R. Moses Isserles (Rema), *Shulhan Arukh*, E.H., sec. 34., no. 1; R. Solomon Luria, *Be'urei Semag, Esin* 48 (because it would seem pretentious; in addition, so as not to embarrass the untrained, analogous to *keri'at ha-Torah*); R. Solomon Luria (Maharshal), *Yam shel Shlomo*, III, *Ketubbot*, ch. 1, end of sec. 17 (so as not to embarrass the untrained, analogous to *keri'at ha-Torah* and *mikra bikkurim*); R. Joshua Volk, *Derishah Tur* E.H., sec. 34, no. 1 (so as not to embarrass the untrained, analogous to *keri'at ha-Torah*); R. Samuel of Vidislav, E.H., sec. 34, no. 1 (so as not to embarrass the untrained, analogous to *keri'at*

recite the benediction because (1) in light of widespread illiteracy, it would seem pretentious for the *hatan* himself to do so; (2) it is no different than a *hazan* who recites the prayers for the community; (3) the groom is distracted and will not have proper intention; (4) the uneducated or unprepared groom might be embarrassed, analogous to *keri'at ha-Torah*—where the use of a *ba'al korei* was introduced.²⁰ The one who recites the benediction does so for the groom and assists him in fulfilling his obligation. Obviously, having the *mesadder kiddushin* recite the *berakhab* is also a way of honoring the one officiating.

But these answers actually raise a more fundamental question. However, we first require a short introduction to understand the mechanisms by which one Jew can assist others in fulfilling their religious obligations.²¹ With respect to verbal or auditory obligations, one Jew can receive assistance from another. Thus, one can, for example, recite appropriate benedictions, read the *Megillah*, and sound the *shofar* for his fellow to hear. The mechanism by which this assistance is received is known as *shome'a ke-oneh* (listening attentively is like reciting it oneself).²² However, Jewish law asserts that there is an intimate connection between **obligation** and this empowerment to assist others. Thus, the major proviso for *shome'a ke-oneh* is that the one rendering the assistance must be a *bar*

ha-Torah); R. Abraham Hayyim Azadi, *Resp. va-Yikra Avraham*, sec. 8; *Resp. Yab-bia Omer*, VII, E.H., sec. 17, no. 2 and *miluim*; R. Ovadiah Yosef, *Halikhot Olam*, II, *Parashat Shoftim* — *Hilkhot Erusin ve-Nisu'in*, no. 2, n. 2, 203–204; R. Yitzhak Yosef, *Sova Semahot*, I, ch. 6, no. 16, n. 16; R. Isaac Ratzabi, *Shulhan Arukh Mekutzar*, VII, E.H. II, sec. 206, *Einei Yitzhak*, n. 297. We reiterate that the above opinions maintain that *Birkat Erusin* is a *birkat ha-mitzvah*, rather than a *birkat ha-shevah*. For additional reviews see: R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu'in*, secs. 10 and 15; *Encyclopedia Talmudit*, IV, “*Birkat Erusin*,” *Mekorah ve-Dineha*, 420–427, at 421; *Otzar ha-Poskim*, E.H., sec. 34, no. 1, nn. 4.a

²⁰ *Tosafot* maintain that the purpose of the appointment of a *ba'al keri'ah* was to prevent embarrassment to those who did not know how to read from the Torah; see: *Tosafot*, *Megillah* 21b, s.v. “*Tana*,” *Mo'ed Katan* 27b, s.v. “*bi-Khlikba*,” and *Bava Batra*, 15a, s.v. “*Shemonah*.” R. Asher ben Yehiel (Rosh), *Piskei ha-Rosh, Megillah*, ch. 3, sec. 1, suggests that the issue at stake was communal harmony; this was because there were those who, in fact, did not know how to read, but who would create dissension when they were not called up as a result.

²¹ For in-depth analysis and discussion of this concept, its parameters and application, see “Section II. Assisting Others in Fulfilling their Religious Obligations” in “Women, *Keri'at ha-Torah* and *Aliyyot* (Partnership Minyanim)” Aryeh A. Frimer and Dov I. Frimer, *Tradition*, 46:4 (2013), 67–238 (cited in note 6 above). What follows is based in part on that discussion.

²² B.T. *Sukkah* 38b; J.T. *Megillah* 4:1 (*shome'a ke-korei*).

hiyyuva (obligated), as stated by the Mishnah: “Anyone who is not obligated cannot assist others in fulfilling their obligation.”²³

Based on what we have said until now, one who **was** obligated, but has already fulfilled his or her personal obligation, should be ineligible to utilize *shome’a ke-oneh* to assist a fellow Jew, since he or she no longer has an obligation to fulfill. Nevertheless, Jewish law indicates that in the case of **obligatory** *mitzvot*—be they biblical or rabbinic—one still bears religious responsibility or *arevut*²⁴ for one’s fellow Jews who have yet to fulfill their obligation. Because of this *arevut*, one is still deemed personally obligated to some extent at one’s original level²⁵ and is, hence, empowered—and even required—to assist those with an equal or lesser inherent obligation. This principle is also known in the halakhic literature as “*af al pi she-yatza motzi*”²⁶—even though one has fulfilled his/her obligatory *mitzvah*, *arevut* empowers that individual to help others to fulfill their requirement. The consensus of *poskim* is that the rules of *arevut* are applicable not only to *birkot ha-mitzvah*, but also to **obligatory** *birkot ha-shevaḥ*.²⁷ Examples of the *berakhot* discussed are: *Asher yatzar et ha-adam*,

²³ “*Kol ha-mehuyav [or ha-hayyav] ba-davar, motzi et ha-rabbim yedei hovatam.*” Mishnah, *Rosh Ha-Shanah* 3:8 (29a); see also *Berakhot* 20b.

²⁴ This is an abbreviated form of the oft quoted Rabbinic statement “*Kol Yisrael arevim zeh ba-zeh*” (*Torat Kohanim, be-Hukkotai, Parashah* 2, end of *Perek* 7; *Sanhedrin* 27b; *Shevu’ot* 39a).

²⁵ See, for example, *Tosafot, Berakhot* 48a, s.v. “*Ad she-yokhal*” at end; *Ran on Rif, Rosh Ha-Shanah* 29a, s.v. “*Tanei Abavah*”; R. Gedaliah Nadel, *Hiddushei R. Gedaliah, Berakhot* sec. 2, s.v. “*R”H* 29a;” “*Berakhot*,” *Encyclopedia Talmudit*, IV, 291–316, at 310 and “*Kol Yisrael Arevim Zeh la-Zeh*,” *Encyclopedia Talmudit*, XXVIII, 472–519 at 493.

²⁶ *Rosh Ha-Shanah* 29a. Note that *shome’a ke-oneh* allows the *shome’a* to receive assistance, while *arevut* empowers the *oneh* to give that assistance.

²⁷ The consensus of *poskim* follows *Ritva, R.H.* 29a, s.v. *Tanei Abavah*, “*Miktzat Ge’onim*” cited in *Meiri R.H.* 29a, and *Hagahot Ashri*, end of *R.H.* ch. 3, who invokes “*af al pi she-yatza motzi*” by **obligatory** *birkot ha-shevaḥ*. See: “*Kol Yisrael Arevim Zeh la-Zeh*” in *Encyclopedia Talmudit*, XXVII, columns 509–510; R. Abraham Meyukhas, *Sedeh ba-Aretz*, III, O.H., no. 9; *Mishnah Berurah*, O.H. sec. 59, no. 21; R. Aryeh Zvi Fromer, *Si’ah ha-Sadeh, Sha’ar Birkat ha-Shem*, sec. 3; R. Zvi Pesach Frank, *Resp. Har Tzvi*, Y.D., secs. 1 and 210; R. Gedaliah Nadel, *Hiddushei R. Gedaliah Nadel, I, Berakhot*, sec. 3; R. Elimelech Meller, *Shai la-Melekh, Sukkah, Beitzah ve-Kiddushin*, sec. 11; R. Abraham Isaiah Pfoifer, *Ishei Yisrael*, sec. 40, end of n. 2; R. Elijah Cohen, *Ma’aseh Hemed al Birkat ha-Ilanot, Beirurei Shitot* sec. 2, 170–173; R. Moses Levi, *Birkat Hashem*, IV, *Hilkhot Birkot ha-Shevaḥ ve-ha-Hoda’ah*, ch. 1, end of parag. 15, n. 71, and ch. 3, parag. 36–37; R. Asher Weiss, *Resp. Minbat Asher*, I, sec. 9, no. 5 (“*keivan de-hova bi yesh ba are-*

Asher yatzar etkhem be-din, Borei me'orei ha-esh, Birkat ha-Gomel, Yishtabah and Birkat Erusin.

Two points, however, need to be emphasized. Firstly, *arevut* cannot allow someone with a lesser obligation (e.g., rabbinic vs. biblical) or no obligation to assist another Jew with a greater obligation. *Arevut* is no stronger than *shome'a ke-oneh* itself; it only “reboots” the obligation at its original level. Secondly, the principle of *af al pi she-yatza motzi* applies only to obligatory *mitzvot*. It does not apply to optional *mitzvot* or to pleasure benedictions (*birkot ha-nehenin*), which do not carry with them any intrinsic requirement that they be performed.

In this light, the central question arises: How can the *mesadder kiddushin* recite the *Birkat Erusin* for the *hatan*? After all, at that wedding, the only individual who is obligated to recite the *Birkat Erusin* is the groom!

The answer is that, as the consensus of *poskim* indicate, *arevut* can also be used by those who would have been fully obligated were some external condition fulfilled. Such persons are considered “inherently obligated,” even if a prerequisite condition for the actual obligation has not yet been fulfilled. (In “Yeshivish” this is called “being in the *parashah*.”) They, therefore, can recite the appropriate benediction for their fellow

vat... ve-ein zeh talui be-ofi ha-berakhab ve-inyanah, ela im hiyyuv hu o reshut.”) — appears also in R. Asher Weiss, “*Birkat ha-Zeman be-Ner Hanukkah*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Hayyei Sarah*, 5773, XI, 10 (424), no. b; and R. Asher Weiss, *Minhat Asher, Devarim*, sec. 52, no. 3; R. David Henshke, personal communication (Nov. 2012) regarding note 39 below. Examples of the *berakhot* discussed are: *Asher yatzar et ha-adam, Asher yatzar etkhem be-din, Borei me'orei ha-esh, Birkat ha-Gomel, Yishtabah* and *Birkat Erusin*. Some *poskim* distinguish between *Birkat ha-Gomel*, which only the individual saved can recite, and other obligatory *birkot ha-shevah*. R. Shneur Zalman of Liozna-Liadi, *Shulhan Arukh ha-Rav*, O.H., sec. 59, no. 4, maintains that “*af al pi she-yatza motzi*” can be used for fulfilling a *birkat ha-shevah* only when a minyan is present. See also R. Moses Benjamin Perlstein, “*be-Din Hazarat ha-Shatz be-Arvit*,” *Kovetz He'arot u-Be'urim, Oholei Torah*, number 1016 (11 Nissan 5771) available online at: <<http://www.haoros.com/Archive/index.asp?kovetz=1016&cat=8&haoro=3>>.

In this regard, we mention R. Joseph Barukh Kazis, cited in R. Isaac Lampronti, *Paḥad Yitzhak* (Mosad ha-Rav Kook, Jerusalem: 5737), IV, *Birkat ha-Shevah*, 121–126, who has argued that benedictions recited before or after *mitzvah* actions are by definition *birkot ha-mitzvah*, irrespective of the wording or formulation of the benediction. Examples of classic *birkot ha-mitzvah* worded as *birkot ha-shevah* are *Havdalah* and *Kiddush* for the holidays. In a conversation with R. Dov I. Frimer (April 28 and May 5, 2012), R. Nachum Rabinovitch has concurred with this analysis. He further argues that this is generally what the *poskim* are referring to when they speak of “obligatory *birkot ha-shevah*.”

Jews requiring assistance.²⁸ For example, if one partakes of bread and eats his fill (*kedei sevi'ah*), he would be biblically obligated in *Birkat ha-Mazon*. However, because of *arevut*, one who ate only a *ke-zayit* of bread, and is, therefore, only rabbinically obligated,²⁹ can join a *zimmun* and recite *Birkat ha-Mazon* for one who ate his fill.³⁰ This is because the one who ate only a *ke-zayit* of bread **could** eat his fill and become biblically obligated.

The halakhic literature is replete with further examples of the application of the *arevut* of “inherent obligation.”³¹ One such case is *Keri'at ha-Torah*, which from the time of the *ge'onim* involves the use of a *Ba'al Keri'ah* to read for all.³² Since the *ba'al keri'ah* is the one who is actually **doing** the *mitzvah* act (*ma'aseh ha-mitzvah*) of reading aloud from the parchment—then **he** should be the one making the *berakhot*! By what mechanism does the action of the *ba'al keri'ah* get transferred to the *oleh*? By what means can the *oleh* make *berakhot* on the reading of the *ba'al keri'ah*, as if that reading aloud were the *oleh*'s own? The answer is rooted in the principle of “inherent obligation.” All males bear “inherent obligation” for *keri'at ha-Torah*, for were they to be called up as *olim*, they too would be fully obligated to read. Accordingly, *arevut* is in fact operational. It is *arevut*, therefore, which jump-starts an **active** obligation within the *ba'al keri'ah*, thereby **authorizing** and enabling him to assist the *oleh* in the fulfillment of his personal obligation of reading the Torah aloud.

Returning now to the case of *Birkat Erusin*, the *mesadder kiddushin* can use *arevut* to assist the *hatan* in fulfilling his obligation of reciting the *Birkat Erusin*. This is because of the *mesadder kiddushin*'s “inherent obligation,” for if the latter himself were to marry, he would be obligated to recite this *Birkat Erusin*.

²⁸ *Shulhan Arukh ha-Rav*, O.H., sec. 197, no. 6; R. Zussman Sofer comments to R. Jacob Alfandri, *Resp. Mutzal me-Eish ha-Shalem*, sec. 12.

²⁹ The requirement to eat at least a *ke-zayit* seems to be rabbinic in origin; see *Encyclopedia Talmudit*, IV, “*Birkat ha-Mazon*,” *le-Hotzi et Havero*, 475–511, at 507.

³⁰ *Shulhan Arukh*, O.H., sec. 197, no. 4, and later codifiers *ad loc.*: R. Mordechai Jaffe, *Levush* (no. 4); R. David ha-Levi Segal, *Turei Zahav* (*Taz*) (n. 3); *Magen Avraham* (n. 11); Rabbi Shneur Zalman of Liadi, *Shulhan Arukh ha-Rav* (no. 6); R. Israel Meir Kagan, *Mishnah Berurah* (n. 24); R. Yehiel Michel Epstein, *Arukh ha-Shulhan* (no. 8); R. Yaakov Hayyim Sofer, *Kaf ha-Hayyim* (n. 27).

³¹ For more examples of the application of inherent obligation, see the discussion in footnote 21.

³² For sources and applications, see: “Women, *Keri'at ha-Torah* and *Aliyyot* (Partnership Minyanim)” Aryeh A. Frimer and Dov I. Frimer, *Tradition*, 46:4 (2013), 67–238, section II.

(b) **When exactly should the benediction be recited?** The second issue discussed is the timing of the *Birkat Erusin*. It is the universal custom nowadays that this *berakhah* is recited, like nearly all *birkot ha-mitzvah*, *over la-asuyyan*, i.e., prior to the giving of the ring, as recorded in Rambam and *Shulhan Arukh*.³³ Nevertheless, many of the earlier *poskim* record that it was the custom in their communities to recite the *berakhah* following the ring transfer.³⁴ How can this jibe with *Birkat Erusin* being a *birkat ha-mitzvah*? Several answers were put forward:

(1) The obligation to recite a *berakhah* prior to a *mitzvah* performance only applies when the blessing mentions the fulfillment of a specific *mitzvah*—which immediately follows the benediction. For example, before putting up a *mezuzah* one says “...*asher kiddeshanu be-mitzvotav ve-tzivanu likvo’a mezuzah*...,” *Who sanctified us with his commandments and commanded us to affix a mezuzah*.” The *mezuzah* is then immediately fixed into place. But in the *Birkat Erusin* no specific *mitzvah* is specified. For example, it does not say anything analogous to *ve-tzivanu le-kadesh isbah*—..., *and commanded us to betroth a woman*.” Hence, the fulfillment of the betrothal (giving the ring) can be performed prior to the blessing.

(2) A second explanation for allowing the delayed recital is that as a general rule, once a *birkat ha-mitzvah* is recited, the *mitzvah* can be completed immediately thereafter. In the case of *Erusin*, however, the marriage process is complete only when *Nisu’in* is performed.

(3) Finally, the case of *Birkat Erusin* is unique in that the *birkat ha-mitzvah* recited by the groom is only valid when the bride accepts the ring from the groom. If she should recant at the last second, the groom’s benediction will become a *berakhah le-vatalah*, a benediction for naught, leading to taking God’s name in vain. To prevent this possibility, the Rabbis instituted that the *Birkat Erusin* should be recited **only after** she has accepted the wedding ring.

(c) **How are we to explain this *berakhah*’s strange formulation?** Most *birkot ha-mitzvah* contain the words: “...Who has sanctified us by

³³ M.T., *Hilkhot Ishut*, 3:23; *Shulhan Arukh*, E.H. 34:1.

³⁴ *Inter alia*, R. Isaac ben Abba Mari, *Sefer ha-Ittur*, *Sha’ar Bet*, *Birkat Hatanim*, p. 62, column 4 (the *mitzvah* is not complete until *Nisu’in*, and is dependent on the bride’s consent); R. Abraham ben David, to M.T. *Hilkhot Ishut* 3:23 (lest the bride recant); R. Isaac of Corbeil, *Sefer Mitzvot Katan*, *Mitzvah* 183 (lest the bride recant); R. Isaac ben Moses of Vienna, *Sefer Or Zarua*, *Hilkhot Keri’at Shema*, sec. 25 (no *mitzvah* action is cited in this *berakhah*, as in other *birkot ha-mitzvah*); R. Asher ben Yehiel, *Piskei ha-Rosh*, *Ketubbot* 1:12 (no *mitzvah* action is cited, and bride might recant); R. Jacob ben Asher, *Tur*, E.H. 34 (lest the bride recant).

His commandments and commanded us concerning [a particular **positive** commandment].” In *Birkat Erusin*, however, although the words “...Who has sanctified us by His commandments and commanded us concerning...” do indeed appear, no specific positive commandment is cited! Instead, the *berakhah* refers to Israel’s sanctification by abstaining from prohibited sexual relations—i.e., by not violating **negative** commandments!

One common answer has been mentioned above. Generally, once a *birkat ha-mitzvah* is recited, the *mitzvah* is performed and completed immediately thereafter. In this case, *erusin* is only the first stage of the marriage process which is completed by *Nisu’in* (*Huppah*). Hence the Rabbis of the Talmud chose a text that begins as a *birkat ha-mitzvah* but focuses on sanctification which is an end-product of the entire two-stage process of “*Huppah* and *Kiddushin*.”³⁵ *Kiddush* on Shabbat is another classic *birkat ha-mitzvah* dealing with sanctification which make no mention of a specific *mitzvah*.³⁶

In this regard, we mention R. Joseph Barukh Kazis³⁷ who has argued that benedictions recited before or after a *mitzvah* actions are, by definition, *birkot ha-mitzvah*, irrespective of the wording or formulation of the benediction. R. Nachum Rabinovitch³⁸ has concurred with this analysis. Actually, there are several classic *birkot ha-mitzvah* which totally lack the wording “...Who has sanctified us by His commandments and commanded us concerning [a particular *mitzvah*].” These include: *Havdalah*, *Kiddush* for the holidays, *Ahavah Rabbah* and *Ahavat Olam* before *Keri’at Shema*, *Birkat ha-Mazon*, and the *Birkot ha-Torah: Asher Bahar Banu* and *Asher Natan Lanu*. Indeed, R. David Henshke³⁹ has argued at length that the formulation of *birkot ha-mitzvah*, with which we are so acquaint-

³⁵ R. Moses ben Nahman, *Hiddushei ha-Ramban*, *Ketubbot* 7b. See also R. Nissim on *Rif*, *Ketubbot* 2a as elucidated by R. Moshe Eliezer Rabinowitz; *Birkat Erusin*, *Yotzrot* 2, 5770, available at <https://asif.co.il/wp-content/uploads/2021/04/1-3-13.pdf>.

³⁶ Many of the rules of one Jew assisting another in their *mitzvah* obligation (such as *af al pi she-yatza motzi*) is learned from *Kiddush*. See, for example: *Tosafot*, *Pesachim* 99b, s.v. “*Lo yifhatu*” and 100b s.v. “*Yedei Kiddush yatzu*”; *Rosh*, *Pesachim*, Chapter 10, sec. 5.”

³⁷ R. Joseph Barukh Kazis, cited in R. Isaac Lampronti, *Pahad Yitzhak* (Jerusalem: Mosad ha-Rav Kook, 5737), IV, *Birkat ha-Shevah*, 121–126.

³⁸ In a conversation with R. Dov I. Frimer, April 28 and May 5, 2012.

³⁹ For an in-depth discussion of the development and formulation of *birkot ha-mitzvah*, see R. David Henshke, “*Mitzvah* Benedictions: Halakhah and its History” [Hebrew], *Sidra* 27–28 (5772–5773), 27–110.

ed, was introduced first in the *Tosefta*—only subsequent to the compilation of the *Mishnah* (ca. 200 C.E.). Thus, *birkot ha-mitzvah* which predate the *Tosefta* have no fixed formulation.

One further answer is cited by R. Asher Weiss in the name of R. Yitzhak Zev Soloveitchik.⁴⁰ Nahmanides argues that it is the commandment of *Kiddushin* which distinguished us from non-Jews and created the prohibition of forbidden intimate relations;⁴¹ hence the *berakhab* focuses on forbidden intimate relationships and betrothal with *erusin*.

3. The *Birkat ha-Shevah* School

The discussion of the previous section and the many scholars cited, all assumed that marriage is a *mitzvah* and that the *Birkat Erusin* is a *birkat ha-mitzvah*. However, other *rishonim*,⁴² most prominently R. Asher ben Yaakov (in *Piskei ha-Rosh*),⁴³ argue that marriage itself is not a *mitzvah*. Rather, it is merely a preparatory step permitting intimate relations—leading to the actual *mitzvah* which is procreation—“*peru u-revu*.” These scholars maintain that this benediction is a *birkat ha-shevah* (a benediction of praise) recited for all those present at the betrothal. Based on this, the problematic issues raised above regarding this benediction can be easily resolved. According to this school, the *Birkat Erusin* is not the specific obligation of the groom (or the bride), but rather of those gathered at the happy event. Hence, the formulation of the *berakhab* deviates from

⁴⁰ R. Asher Weiss, “*be-Inyan Birkat Erusin*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu’i, Parashat Pinhas* 5768, VI, 36 (265), sec. a on p. 11.

⁴¹ R. Moshe ben Nahman, *Yevamot* 98a.

⁴² R. Isaac ben Abba Mari, *Sefer ha-Ittur, Birkat Hatanim*, p. 62d; R. Isaac ben Moses, *Or Zarua, Hilkhot Keri’at Shema*, no. 25; R. Aharon ben Joseph ha-Levi, *Ketubbot* 7b, *s.v. birkat*; R. Asher ben Yaakov, *Piskei ha-Rosh, Ketubbot* 1:12; R. Yom Tov ben Abraham Ashbili, *Ketubbot* 7b, *s.v. vi-nahagu*; R. Nissim (of Gerona) on Rif, *Ketubbot* 7b, *s.v. ve-Assar*; R. Crescas Vidal, *Ketubbot* 7b, *s.v. birkat*. Rabbi Linzer in his responsum (cited in note 5b), attempts to include several other *rishonim* into this school simply because they maintain that *Birkat Erusin* can be recited after the act of *Kiddushin* or by someone other than the groom. However, as shown in sec. 2 above, such a position is unjustified. Many other explanations have been put forward by members of the *Birkat ha-Mitzvah* school.

⁴³ *Piskei ha-Rosh*, as cited in note 13 above. We have already pointed out in note 13 that the Rosh’s son, R. Yaakov ben Asher, in his *Tur E.H.* 34, cites his father’s *Resp. ha-Rosh, Klal* 26, sec. 1, where he rules like Rambam’s *Birkat ha-Mitzvah* view.

the normal *birkat ha-mitzvah* format and focuses on sanctification.⁴⁴ Similarly, because, per these scholars, *Birkat Erusin* is a *birkat ha-shevah*, the timing of its recitation can also be more flexible than a *birkat ha-mitzvah*, and it can also be recited after the performance of the *Kiddushin*. Several *aharonim*⁴⁵ concur with the *birkat ha-shevah* approach.

4. How do we rule? *Birkat ha-mitzvah* or *birkat ha-shevah*?

Section 3 documents that there are indeed several important *rishonim* and *aharonim* in this *Birkat ha-Shevah* school. Nevertheless, we have cited in Section 2, a long list of *ge'onim*, *rishonim*, and *aharonim* who are in the *Birkat ha-Mitzvah* school. Importantly, two of the acknowledged encyclopedic minds of our generation, R. Ovadiah Yosef and R. Asher Weiss,⁴⁶ both write explicitly that the majority of decisors and codifiers adopt the *Birkat ha-Mitzvah* analysis.

We also point out that the attribution of the *birkat ha-shevah* view to the Rosh (in *Piskei ha-Rosh*)⁴⁷ as his own view in practice, is itself quite problematic. It is contradicted by what Rosh himself writes in a respon-

⁴⁴ This is a somewhat surprising claim, since as noted above (discussion following note 37), there are many classic *birkot ha-mitzvah* which totally lack the typical *birkot ha-mitzvah* wording including *Kiddush* for the holidays, *Havdalah*, *Ahavah Rabbah* and *Ahavat Olam* before *Keri'at Shema*, *Birkat ha-Mazal*, and the *Birkot ha-Torah*.

⁴⁵ See for example: *Turei Zahav* (Taz), Y.D. 1:7, no. 17; *Taz E.H.* 34:1 no. 2; *Resp. Be'er Sheva*, no. 49; R. Yehiel Michel Epstein, *Aruch ha-Shulhan* E.H. 34:3 and 8. R. Zvi Pesach Frank, *Resp. Har Tzvi*, O.H., I, sec. 44, and II, *Milei de-Brakhot*, secs. 20–23; R. Zvi Pesach Frank, *Resp. Har Tzvi*, Y.D., sec. 1; R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu'in*, secs. 10 and 15. Many sources cite the *Teshuvah* of R. Alexander Sender Shor, *Tevu'ot Shor* 1:59; interestingly, however, the latter concludes by rejecting Taz's position. Also cited is R. Akiva Eiger Y.D. 1:7; but R. Eiger only brings Taz's position to explain it—not to accept it. Indeed, R. Asher Weiss (“*be-Inyan Birkat Erusin*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu'i, Parashat Pinhas* 5768, VI, 36 (265), sec. a on p. 12) notes that R. Eiger says nothing regarding the Taz in his comments on *Shulhan Aruch*, E.H. 34, where such a comment naturally belongs. On the contrary, R. Eiger cites *Resp. Noda bi-Yehudah* (E. H. sec. 1) that the *Birkat Erusin* is the groom's obligation, presumably agreeing with him. As to R. Shlomo Kluger, *Tuv Ta'am va-Da'at*, third edition, sec. 98—his discussion, as he says repeatedly, is aimed at defending *Tevu'ot Shor* against the challenges of the latter's correspondent. But R. Kluger's personal view regarding *Birkat Erusin* is not clear.

⁴⁶ See note 15 above.

⁴⁷ See note 43 above.

sum,⁴⁸ which follows Rambam completely. That this is the Rosh's authoritative view is evident from the fact that his son, R. Yaakov ben Asher, in his *Tur*,⁴⁹ codifies this *birkat ha-mitzvah* version of Rosh, as does R. Yosef Caro, both in his *Bet Yosef* and *Shulhan Arukh*.⁵⁰ R. Moshe Feinstein emphasizes this very point.⁵¹

Hence it would seem clear that practical halakhah views *Birkat Erusin* as a *birkat ha-mitzvah*. As a result, the obligation of reciting the *Birkat Erusin* falls on the groom, who has the obligation of betrothing his bride and of reciting the associated *berakhab*.⁵² Because of "inherent obligation," other males (but not females) can assist the *hatan* in fulfilling this duty (see Section 2a above). It is the male officiating Rabbi who is normally honored with the recitation of the *Birkat Erusin*.

5. Were the *Birkat Erusin* a *birkat ha-shevah*, could a woman recite it?

With the above analysis in mind, I want to turn to a *teshuvah* from R. Dov Linzer.⁵³ Even though it was published in 2017, it has contemporary currency because it is a clear attempt to justify having women recite the *Birkat Erusin*. The gist of R. Linzer's affirmative answer reads as follows: "This *berakhab* may be recited by women, as our practice together with the rulings of *Shulhan Arukh* and the *poskim* demonstrate that this *berakhab* [is not a *birkat ha-mitzvah*, limited to males. Rather, it] is considered a *birkat ha-shevah*, a blessing of praise, whose obligation rests on all who are present at the wedding, men and women alike ... The large majority of the *ge'onim* and *rishonim* adopt the *birkat ha-shevah* approach."

⁴⁸ See note 13 above.

⁴⁹ See note 13 above.

⁵⁰ See note 14 above.

⁵¹ See: *Tiferet Shemuel*, cited by R. Moshe Feinstein, *Resp. Iggerot Moshe*, E.H., I:87; *Resp. Mareh ha-Bazak*, VI:14.

⁵² See note 17 above.

⁵³ See note 5b above. The question asked of R. Linzer reveals that this issue touches on the topic of Orthodox women clergy, and reads as follows: "I am a woman serving as a member of the clergy in an Orthodox synagogue. I have been asked to officiate at a wedding. I would like to say *Birkat Erusin*, the blessing before the giving of the ring. Although I could be the *mesadderet* and not say this *berakhab*, neither I nor the couple like the message that would be implied, were I to step aside for someone else to recite the *berakhab*. It signals that I am not truly the one officiating at the wedding. Is it permissible for me as a woman to recite the *Birkat Erusin*?"

Unpacking R. Linzer's ruling, we see that his argument is composed of three crucial steps. He first argues that *rov poskim* maintain that *Birkat Erusin* is a *birkat ha-shevah*—not a *birkat ha-mitzvah*. If he is correct in this determination, this first premise would go a long way to place his ruling on a firm basis—despite the major dispute on this very issue. Secondly, he posits that as a *birkat ha-shevah*, the obligation to recite *Birkat Erusin* falls not only on the groom [or his male representatives], but on the community present at the wedding. Finally, and this is the lynchpin of his *psak*, he suggests that this communal obligation rests on men and women alike.

However, R. Linzer's three-step analysis is seriously lacking. Firstly, we saw in Section 2 that the majority of decisors and codifiers actually adopt the *Birkat ha-Mitzvah* analysis. Yet, R. Linzer writes: “our practice together with the rulings of *Shulhan Arukh* and the *poskim* demonstrate that this *berakhab* is considered a *birkat ha-shevah*.” R. Linzer relies heavily on the anomalies of *Birkat Erusin* (who recites it; when is it recited; and its formulation). Yes, as Rosh suggests they can be resolved by assuming that the *Birkat Erusin* is a *birkat ha-shevah*. But they have also been dealt with at length by the scholars of *Birkat ha-Mitzvah* school, as discussed in Sections 2a-c above. Thus “our practice” proves nothing. As to the *Shulhan Arukh*, R. Yosef Caro, both in his *Bet Yosef* and *Shulhan Arukh*,⁵⁴ follows Rambam's *Birkat ha-Mitzvah* school.

The second assumption is that as a *birkat ha-shevah* the obligation for its recitation falls on all those present at the betrothal. For this, R. Linzer cites *Tev'ot Shor*, *Be'er Sheva* and *Har Tzvi*.⁵⁵ (As we will shortly see, this view is far from unanimous.)

We now turn to the third critical step in R. Linzer's ruling. In his own words: “Once we have established that *Birkat Erusin* is a *birkat ha-shevah*, there is no reason in principle that this *berakhab* should not be recited by a woman; she is just as obligated as a man to give praise to God for the institution of *Kiddushin*.” R. Linzer argues that this last step is self-evident, but it is not at all. Indeed, R. Asher Weiss cogently argues that even if *Birkat Erusin* is a *birkat ha-shevah*—which he himself holds it is not—*Hazal* presumably still only obligated **the groom** in its **recitation**. This is because the *hatan* is the one who is required to do the act of

⁵⁴ See note 14 above.

⁵⁵ See note 45. *Har Tzvi* refers to *Resp. Har Tzvi*, O.H., I, sec. 44.

betrothing.⁵⁶ We noted above that the consensus of *poskim* is that the rules of *arevut* is applicable not only to *birkot ha-mitzvah*, but also to obligatory *birkot ha-shevah*—of which *Birkat Erusin* is an example.⁵⁷ Hence, as discussed above, only males, who are obligated to recite *Birkat Erusin* were they to betroth a woman, can assist the groom in fulfilling his duty—not women. In addition, the *mitzvah* of procreation (*peru u-revu*), which, according to the Rosh, is the real *mitzvah* in betrothal, and which this *berakhab* celebrates, is incumbent on the groom—males exclusively.⁵⁸ The position of R. Weiss is also held by R. Moshe Feinstein,⁵⁹ R. Samuel Rozovsky,⁶⁰ and many others.⁶¹

In an attempt to garner support for his suggestion, R. Linzer cites several *poskim* who raise the possibility—not as a certitude—that the bride too might be obligated in *Birkat Erusin*.⁶² These suggestions do not create anything more than a doubt, particularly since the majority of *poskim* disagree.⁶³ It is true that the *mesadder kiddushin* commonly tells the bride and groom that he is reciting the *berakhot* to be *motzi* them. Nevertheless, he says so to the bride because of the possibility that she **might** be obligated, following these minority opinions. In addition, it is reported in the name of R. Yitzhak Zev Soloveitchik that the intention is to be *motzi* the *kallah* and *hatan* the *borei peri ha-gafen*, and the *hatan* the *Birkat Erusin*.⁶⁴

Thus, even if a case could be built, based upon minority opinions, which would include women in the obligation of reciting the *Birkat*

⁵⁶ See: R. Asher Weiss, “*be-Inyan Birkat Erusin*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu’i, Parashat Pinhas* 5768, VI, 36 (265), sec. a; R. Asher Weiss, “*be-Inyan Birkat Erusin*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu’i, Parashat Hayyei Sarah*, 5769, VII, 5 (277); R. Asher Weiss, “*be-Inyan Birkat Erusin*,” *Shiur Moreinu ha-Rav Shlita, Kuntres Shevu’i, Parashat Hayyei Sarah*, 5773, XI, 6 (420).

⁵⁷ See note 27 above.

⁵⁸ *Mishnah, Yevamot* 6:6.

⁵⁹ *Resp. Iggerot Moshe, E.H.*, I:87. It is astounding that R. Linzer would cite this very *teshuvah* in support of women reciting *Birkat Erusin*, when R. Feinstein explicitly says to the contrary.

⁶⁰ R. Samuel Rozovsky, “Regarding *Birkat Erusin*, Whether It Is a *Birkat ha-Mitzvah* or a *Birkat ha-Shevah*” [Hebrew], *Mori’ah*, 31:1–3 (361–363), Shevat 5761, 111–117.

⁶¹ See the sources cited in *Marei ba-Bazak* and other sources referenced in note 17.

⁶² See end of note 17 above.

⁶³ See note 17 above.

⁶⁴ See at length: R. Zvi Pesach Frank, *Hadrat Kodesh, Inyanei Nisu’in*, sec 15; R. Yitzhak Yosef, *Sova Semahot*, I, ch. 6, no. 17, n. 17.

Erusin, that would be insufficient to eliminate the substantial halakhic doubt surrounding this issue. Accordingly, it would still be prohibited for a woman to recite the *Erusin* benedictions pursuant to the halakhic principle of *safelek berakhot le-hakel*; such a practice might well involve invoking God's name in vain. This latter point is also argued at length in a responsum of the scholars of the *Eretz Hemdah* Institute and approved by Rabbis Zalman Nechemiah Golberg, Naḥum Eliezer Rabinovitch, and Yaakov Ariel.⁶⁵

What is more, *berakhot* as a rule are gender neutral,⁶⁶ yet the *Birkat Erusin* is clearly written from a **male** perspective, as it says: "...and prohibited to us those women who are betrothed with *erusin*, but permitted to us those women who are married to us...." This clear male focus results from the fact that the *Birkat Erusin* was meant to be said by the groom or a male *mesadder kiddushin*. It is true that R. Hayyim Benveniste in his *Kenesset ha-Gedolah*⁶⁷ argues that this **male** perspective is inconsequential. However, he does so without proof and gives no reason why the gender bias is not indicative, as most *poskim* actually maintain.⁶⁸

All this evidence indicates that the lynchpin assumption of R. Linzer—that as a *birkat ha-shevaḥ*, *Birkat Erusin* can be recited by women—is seriously disputed and lacks any certitude.

In conclusion, R. Linzer's proposal fails fundamentally because *rov poskim* maintain that *Birkat Erusin* is a *birkat ha-mitzvah* obligatory on males only. But even were the *Birkat Erusin* a *birkat ha-shevaḥ*, the proposal that it could be said by a woman succumbs to the rule: *Safelek berakhot le-hakel*. Allowing women to recite the betrothal benediction will likely result in a *berakhab le-vatalah* and violate the prohibition of taking God's name in vain. ❧

⁶⁵ *Resp. be-Mareh ha-Bazak*, VI, sec. 14 (5766; 2006), 56–57.

⁶⁶ R. Linzer mentions in passing that the morning benedictions *she-lo asani goy* and *she-lo asani eved* are male-gendered; yet, Ashkenazi women recite these *berakhot* as is. He errs, since both *goy* and *eved* refer to both the general category (appropriate to women) and to the individual male of the species. Similarly, *ben* can mean both child and son; *arba'ah banim* in the Passover Haggadah should be translated as the "four children" and not the "four sons." See, for example, R. Ovadiah Yosef, *Resp. Haẓon Ovadiah*, sec. 21 and copious references cited therein.

⁶⁷ Referenced in note 17.

⁶⁸ Referenced in note 17.