**With Righteousness and With Justice, With Goodness and With Mercy**

**Options for Egalitarian Marriage Within Halakhah**

**Study Guide**

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***Web address for the teshuvah****:*

<https://www.rabbinicalassembly.org/sites/default/files/2020-05/LabovitzEgalitarianMarriage.pdf>

***The sheilah*** (question asked to/by the rabbi to research and craft an answer) – abbreviated from the teshuvah:

* Is there a possibility of egalitarian marriage and divorce for differing-sex couples within a halakhic framework? That is, is there a possibility to make *kiddushin* – and the process of divorce and *get* by which it is terminated – (more) mutual? Alternately, might there a way for a male-female Jewish couple, or indeed any two Jewish persons, regardless of the gender identification, to create a halakhically binding relationship by a means other than *kiddushin*?
* If a male-female Jewish couple marries in a Jewishly-oriented ceremony other than *kiddushin* – what is the halakhic status of their relationship? Most particularly, if the couple were to decide (individually or mutually) to sever the relationship, should the husband be required, at least out of doubt, to give the wife a *get*?
* Moreover, as a consequence, if no *get* were given or received, could either member of the couple be remarried by a Conservative rabbi (via *kiddushin* or another ceremony) without violating the 1975 Standard of Rabbinic Practice that states: “A rabbi may not officiate at the marriage of a divorced man or woman if a *get* or *hafka’at kiddushin* was not obtained”?[[1]](#footnote-1) *move this to a text sheet?* If no *get* is required, must the rabbi or other officiant to the remarriage nonetheless insure that some form of appropriate ritual severance of the original ceremony was performed?

***Essential questions***:

1. How has halakhah traditionally enacted and defined a marriage? Why might that procedure be seen as problematic from a gender perspective? Could *kiddsuhin* be (more) mutualized?
2. How does the form of Jewish divorce (*get*) relate to the form of Jewish marriage (*kidduhsin*), and what problematic consequences might flow from that? Would mutualizing *kiddushin* resolve any of these problematic outcomes regarding *get* as well?
3. Could there be binding and legally acceptable alternatives to *kiddushin* within halakhah? If so, what might they be, and how would they work?

***Structure of the teshuvah****:*

This teshuvah falls, broadly, into three parts:

1. “Theoretical” sections meant to lay out the background and scope of the issue this teshuvah intends to address;
2. The “heart” of the teshuvah in which I review and endorse two halakhic mechanisms to create a form a Jewish marriage in which two differing-sex Jews (and indeed two Jews of any gender identity) can marry and if necessary divorce as legal equals, addressing the textual bases and the means to establish the binding force of each;
3. Discussion of series of additional ritual and other halakhic concerns that attend a marriage by means other than *kiddushin*, such as a blessing for the central act of the ceremony, documentation that should accompany the marriage, and mechanisms for divorce/severance of the marriage.

(note: the teshuvah also includes appendices delineating the steps of a ceremony using one of the methods endorsed in the teshuvah and providing sample documents for the marriage and a divorce)

This study guide will focus on the first two aspects of the teshuvah. There are two options for teaching it, in a single session or two (or more) sessions:

* If teaching one session, focus on Part I and Part IV – Part I is designed to explain the issue this teshuvah is meant to address, and Part IV presents the alternatives to *kiddushin* that this teshuvah endorses.
* If teaching additional sessions, add the material from Part II and Part III, which

a) explains the tendency of halakhah to dichotomize relationships into kiddushin and z’nut (licentiousness) and therefore subsume long-term exclusive relationships (such as civil marriages) into the rubric of kiddushin so as to legitimate them (Part II), and

b) demonstrates that there are possible halakhic alternatives to forcing long-term exclusive relationship into either the category of kiddushin, or of z’nut (and therefore prohibition) (Part III).

In what follows, suggested questions to be posed by the leader of the study session will be presented in “normal” font; possible answers will appear in *italics*. Relevant page numbers in the teshuvah are also noted.

**Key terms**

Agunah/M’surevet get

Get

Kiddushin

Kinyan

Shutafut

Z’nut

**Part 1: *Kiddushin* and *Get***

1. Ask participants to think of metaphors that might be used to describe their images of an ideal marriage.

*Some answers might include: a partnership; being best friends; a covenant; a mutual journey; an investment; a task one must work at to make it succeed; a work of art…*

Invite participants to read m. Kiddushin 1:1 and t. Kiddushin 1:1-3 (Texts A.1 and 2). Although these do not appear in the teshuvah, the leader may also want to present several of the following *mishnayot* in m. Kiddushin. 1 (Text A.1a), in order for participants to see the way in which a man marrying a wife is placed in the context of a man acquiring other items such as slaves, livestock, moveable property, and real estate.

1. What word is used to describe the marriage process in m. Kiddushin 1:1?

*Acquisition/נקנית*

(If other mishnayot of m. Kiddushin 1 have been presented; text A.1a) What other items can be “acquired” according to m. Kiddushin 1:2-5?

*Slaves, livestock, real estate, moveable property*

1. Which term does t. Kiddushin 1:1 (and 2-3) use?

*Acquisition, but also betrothal/מאורסת, “be my woman/wife,” Betrothal/sanctification/מקדש/מתקדשת --*

*It quotes mKiddushin 1:1, but the groom uses מקודשת (or מאורסת, which is the biblical term) in his statement to the bride, and her resulting status is labeled as מקודשת.*

How might you understand how “acquisition” and “betrothal” are related to each other in this text?

*Some answers might include: kiddushin/betrothal became the preferred term and/or superseded the idea of marriage as kinyan/acquisition; they are basically two terms that mean the same thing; kiddushin is one way of several (another would be erusin/m’oreset) for expressing kinyan…*

*See also p. 4 of the teshuvah.*

1. For those who know some Hebrew grammar, what do you notice about the verbs in m. Kiddushin 1:1 and t. Kiddushin 1:1-3?

*נקנית and me’orest/ נתקדשת are all feminine, and in passive forms/binyanim (niphal and nitpa’el, which rabbinic Hebrew uses as a passive form of hitpa’el).*

*verbs in the masculine are in an active binyan (give, say, write…)*

Invite participants to read b. Kid. 5b (text A.3). The leader should note that this passage responds to a perceived gap in (a parallel version of) the law of t. Kiddushin 1:1: the first clause rules that he must give the item of value and make the statement, while the latter rules that if she both gave the item and made a statement, nothing has happened legally – but what if one of them gave the money and the other made the statement?

1. What does this text (these passages?), together with t. Kiddushin 1:1, add to our understanding about roles in the act of betrothal/marriage?

*The man is active – he gives the money, he makes the statement – and the woman apparently passive; the statement must reflect that* her *status is changed.*

*See also p. 5 of the teshuvah.*

Invite participants to read m. Gittin 9:3, m. Yevamot 14:1, t. Bava Batra 11:5 (text B.1, 2a-b)

1. What parallels (if any) do you see between the statement a man makes to enact *kiddushin* (t. Kiddushin 1:1) and that which is written in the divorce document (m. Gittin 9:3)?

*They can be seen as two sides of one coin: just as he originally forbade her to all other men through* kiddushin*, now he releases her/permits her to other men through divorce; both are unilateral acts performed by the man.*

*See pp. 5-6 of the teshuvah.*

1. Given the law as described in m. Yevamot 14:1 and t. Bava Batra 11:5, what do you suppose happens when a man is unable (for example, because his whereabouts are unknown or he has become mentally incompetent) or unwilling to give his wife a divorce?

*Traditionally, such a woman is known as an “agunah,” a chained wife, and she cannot remarry under Jewish law. Some people distinguish between an agunah (a woman whose husband has disappeared or is unable to give a divorce) and a m’surevet get (a woman whose husband is withholding a divorce).*

*(students may also note – or be guided to – the ways in which divorce and manumitting a slave are presented in juxtaposition/parallel in these passages)*

*See also p. 6 of the teshuvah.*

1. Think back to your suggested metaphor for marriage. How does the rabbinic model fit with your model? Can the two be compatible? Do they contradict each other?

Invite participants to read excerpt from Klein re: dual ring ceremony (C.1; p. 8 in teshuvah) (The leader might also share the citation of Rabbi Moshe Feinstein from p. 8 in the teshuvah).

1. On what grounds does Rabbi Klein permit a dual-ring ceremony and even a declaration of “*Harei atah*…” by the bride? What do you think the implications would be for divorce procedures (most particularly, would there need to be a *get* from her to him)?

*He suggests it is permitted because it is legally insignificant, i.e. has no legal effect: it neither cancels his* kiddushin *over her, nor creates a concomitant* kiddushin *over him.*

*The implication is that the marriage is (still) dissolved by a unilateral* get *from him to her.*

*See also pp. 7-9 of the teshuvah.*

Invite participants to read from DNR pp. 4-5 (C.2a), and Adler (C.2b)

1. Compare and contrast the critiques of *kiddushin* offered by Rabbis Dorff, Nevins, and Reisner, and Dr. Adler.

*Some answers might include: Dorff, Nevins, and Reisner consider whether* kiddushin *can be adapted for same-sex couples, while Adler considers whether it is a redeemable model for any couple.*

*Dorff, Nevins, and Reisner focus on the practical difficulties and outcomes of* kiddushin *(that it is non-egalitarian, creates agunot, is not readily adaptable for same-sex couples), while Adler’s critique focuses on the underlying moral problem of acquisition as a model for marriage, regardless of who acquires whom.*

Dorff, Nevins, and Reisner do not explicitly address mutualizing *kiddushin*, but what might you surmise about their position from what they have written here?

*Note that their teshuvah endorses retaining* kiddushin *for differing sex couples. The leader might ask if participants are surprised by that position.*

(The leader may choose to point out to participants that all three voted on the teshuvah under discussion in this study guide, and did not all take the same position…)

Adler is rather clearer about her position. In your own words, what is the essence of her critique of *kiddushin*, and the question of whether it can or should be mutualized?

Which position do you think is closer to that of the author of this teshuvah?

(*no, I’m not telling you the answer to that one!)*

*If the group is studying both this teshuvah and that of Rabbi Pamela Barmash, the leader may want to note that the “redeemability” of* kiddushin *and the question of whether it can actually be effectively mutualized is a (if not* the*) point of major difference between the two teshuvot.*

***Part II: Are We Limited to* Kiddushin? *(Part I) (*Kiddushin *and* Z’nut*)***

Invite participants to read Sifra Kedoshim 7:1

1. Given that sexual intercourse can be a means of initiating *kiddushin*, does sexual intercourse between a Jewish man and a Jewish woman (who are otherwise eligible and permitted to be married to each other) necessarily create *kiddushin?*

*No.*

If not, what is the status of that sex act according to this text?

*It is forbidden by the law of Leviticus 7:1; it is licentious.*

Invite participants to read Dr. Michael Satlow’s definition of *z’nut* (A.2)

1. How might one distinguish sexual intercourse for the purpose of *kiddushin* from other sex acts?

*The intent of the participants – no intent for marriage.*

*See also pp. 11-12 of the teshuvah.*

Invite participants to read the selection by Rabbi David Novak (A.3)

1. When Rabbi Novak suggests that there are relationships that might not be “explicitly *kidushin*” or “explicitly fornication,” what sorts of relationships might he be considering here?

*Some answers might include: a couple who were married by some means other than* kiddushin*, a couple living together in a long-term exclusive relationship (either before marriage or in lieu of marriage), common-law marriage*.

*See also p. 12 of the teshuvah.*

1. What are some possible implications of deeming such a relationship to be *kiddushin*? To be *z’nut*?

*Some answers might include: If it’s kiddushin the couple get “legitimacy” and a recognition of the validity of the relationship. However,* kiddushin *(even doubtfully) would require a* get *if the couple separate. (The leader may want to discuss the concept of* mamzerut *and the status of children the woman has from a subsequent relationship if there is no* get *when a halakhic authority believes there should have been one.) If it’s* z’nut*, it is technically forbidden under halakhah – the couple might be deemed to be sinning. They can separate without any legal requirements under halakhah.*

Introduce participants to the issue of the status of a Jewish couple married (only) by civil law. The leader may want to note that Rabbi Klein wrote his teshuvah in 1938, but that it remains the guiding opinion on this subject in Conservative halakhah and practice. Invite participants to read the summary of the arguments and conclusions of his teshuvah (B).

1. In what ways might a marriage by a ceremony that is meant to be Jewish but not to be *kiddushin* be like or unlike civil marriage?

*Some answers might include: in both cases, the couple present themselves as married (and presumably function as a married couple) once the ceremony has taken place; alternately, a religious ceremony is not automatically recognized by the state while civil marriage is, so the couple might not be fully recognized as truly married legally; civil marriage is religiously neutral and can “co-exist” with* kiddushin, *while a Jewish ceremony that is not* kiddushin *may be more clearly understood as a conscious refusal to use* kiddushin.

*See also pp. 18-20 in the teshuvah.*

What would the implications of your answer to that question be for determining if the couple need a *get* were they to divorce, despite not enacting *kiddushin* at the time of the wedding?

*If it’s similar to civil marriage, and/or if we presume any time a couple present themselves as married that what they “really” want is to be “legitimately” married (and if we presume* kiddushin *is the only legitimate way to be in such an intimate relationship within halakhah), then the relationship might be considered* kiddushin *either out of doubt or after the fact, necessitating a* get *were they to divorce.*

***Part III: Are We Limited to* Kiddushin? *(Part 2) (Breaking the Kiddushin/Z’nut Binary)***

The leader should introduce the two core questions in this section. Abridged from the teshuvah (p. 20), these are:

a) Must we always be concerned for doubtful *kiddushin* any time two differing-sex Jews live together in a long-term sexual and romantic relationship? Does a presumption of a desire for “appropriate” Jewish marriage *always* override any other statements of intent made by the couple, such that their marriage much be evaluated as at least doubtful *kiddushin*? More particularly, what of ceremonies that deliberately and openly seek to side-step *kiddushin* while also incorporating distinctly Jewish elements ritually and legally?

b) If we accept that these ceremonies (or particular examples of these ceremonies, as below) do not effect *kiddushin*, are we nonetheless left with no option but to dismiss the resulting relationships as forms of impermissible *z’nut*?

1. How does your answer to the last question of the previous section, regarding civil marriage, potentially impact on how we would/could answer question “a” just above?

Introduce participants to the concept of “publicly known” (“*Yedu’ah b’Tzibbor*”) couples under Israeli law; see n. 61 on p. 20 for a definition and explanation. Invite participants to read the selections of Rabbi Pesach Schindler’s teshuvah on this topic (A)

1. One of the reasons for an Israeli couple to choose a publicly known, non-marital relationship is highlighted here – what is it? (note: the leader might remind participants that there is no state recognized option for marriage in Israel other than through the Rabbinate [or civil marriage in another country])

*“An act of opposition to the religious ceremony imposed…”*

Put another way, how might the motives of an Israeli couple choosing a relationship under the rubric of “*Yedu’ah b’Tzibbur*” compare or contrast to those of a Jewish couple in the Diaspora who choose a civil and/or secular ceremony of marriage?

*A possible answer might be: A couple in the Diaspora might act out of ignorance (following Klein) or passivity, but an Israeli couple are far more likely to be actively choosing against* kiddushin *and a religious ceremony.*

*See also p. 21 in the teshuvah.*

1. What do you think is the import of the last line included in the selections on your source sheet?

*Some answers might include: when* kiddushin *is actively, rather than passively, denied and refused by the couple, the resulting relationship cannot be defined retroactively as* kiddushin*; we take the couple at their word as to their intentions; a couple’s acts (living together without marriage in Israel, marrying by a Jewish ceremony other than* kiddushin*)* *may convincingly demonstrate their intentions (or lack of intent for* kiddushin*)…*

How might this help us answer question “a” above?

*The answer in the teshuvah is*: “It assists in providing halakhic backing for taking people at their word (especially when it is coherent with their actions) that they do not intend to effect *kiddushin* by their ceremonies, and that in fact to the contrary they deliberately mean to *avoid* creating *kiddushin*.” (p. 22; see also the top of p. 25)

1. Given that Rabbi Schindler concludes (and the Israeli Va’ad Halakhah concurred) that a “common law” relationship of this sort is *not* a permissible option for a halakhically observant Masorti Jew in Israel, how does he understand the status of sexual acts outside of the rubric of *kiddushin*?

*“Jewish law prohibits all forms of EMR…” – this follows the dichotomy that all sexual activity falls on one side or the other of dichotomy between licit* kiddushin *and forbidden* z’nut.

*See also p. 21 and 25 of the teshuvah.*

Invite participants to read the biblical examples of concubinage (B.1)

1. Do the biblical texts give a clear idea of what distinguishes a concubine from a wife?

*Some answers might include: there is very little information here. The two Genesis texts (especially if one knows the fuller stories) in particular might suggest the concubine’s status is lower than that of the wife. Other than with the possible exception of Judges 19, the men described as having concubines are patriarchs, community leaders, and or kings, i.e., men of prominence and/or wealth.*

Invite participants to read b. Sanhedrin 21a (B.2)

1. How do the rabbis distinguish between wives and concubines here? Does this text prohibit a man from taking a concubine? On the other hand, what might you make of the fact that this is the only passage in the entire Talmud to address this question as a legal matter?

*See also pp. 25-26 in the teshuvah.*

In what way(s) do they superimpose their own ideas about marriage? What would this text imply about whether a *get* is needed if a man and his concubine end their relationship?

*If it is not* kiddushin *then no* get *should be required.*

Invite participants to read Maimonides and Nachmanides (B.3 and 4)

1. Is concubinage permitted according to either, both, or neither of these medieval halakhic authorities? Why or why not?

Even if permitted, are there concerns that might mitigate against making it a common practice?

*Some answers might include: insuring that paternity of children is properly known; the woman must have no other sexual partner during the duration of the relationship; the woman lacks the protections given a wife by Jewish law (such as the* ketubbah*); the woman might not go to the mikvah after menstruation; it would promote a general atmosphere of licentiousness…*

*See pp. 26-27 in the teshuvah*

Invite participants to read the passage by Rachel Adler (B.5)

1. Adler clearly does not see concubinage as it has been understood in halakhic sources as a viable option for a modern, egalitarian relationship – why not? And yet, she nonetheless suggests it has some value for the purpose of creating such an option in halakhah and Jewish practice – how so?

*See also pp. 28-29 in the teshuvah.*

Invite participants to read the selection from Rabbi Dorff’s pastoral letter (C).

1. How do you define what should and should not be considered “promiscuous” in our time and our society? Is this still a relevant category? If a couple chooses to marry by means other than *kiddushin* (whether civil marriage or a Jewish ceremony that is not *kiddushin*), how would their sexual relationship fit into the rubric being developed here by Rabbi Dorff?

*See pp. 29-30 in the teshuvah.*

**Part IV: Options for Jewish Marriage Without *Kiddushin***

1. If you could create a wedding ceremony that reflected your metaphorical model of an ideal marriage (as discussed in Part I), what might it look like? What might the partners say to each other? What commitments would they make to each other? What would make it binding? Are there any verses, stories, images from the Bible or other Jewish sources that you would include or incorporate?

Invite participants to read Rabbi David Greenstein’s explanation for why his ceremony incorporates a reinterpreted (and re-ritualized) form of kiddushin (A.1). At this point, participants may also be asked to review Adler’s critique of mutualized kiddushin in Part I (C.2b).

1. Contra Adler, Greenstein argues for retaining something of the essence of *kiddushin* – reinterpreted and mutualized – as a statement about “*a profound sense of exclusive ownership* that stems from the feelings of love and relationship that are sanctified by a marriage... both the claim of ownership over another as well the sense of being owned by another…” Which position (if either) do you find closer to your image of an ideal marriage/relationship?

Can “ownership” ever be a valid concept in an intimate relationship? What if we define that ownership particularly in terms of an expectation of emotional and sexual exclusivity for and from our partner? What if that “ownership” is given from one partner to the other rather than claimed by one partner from the other?

*See also p. 31 of the teshuvah.*

Invite participants to read the selections from Maimonides, Laws of Marriage 3:2 and 6 (A.2). Compare this also to the items already introduced in Part I: t. Kiddushin 1:1 (part b) and b. Kiddushin 5b (A.2 and A.3).

Invite participants to read Greenstein’s proposed martial formula (A.4)

1. For those who know some Hebrew grammar – both הרי את מקודשת לי (*harei at m’kudeshet li*) and הרי אני מתקדש/ת לך (*harei ani mitkadesh/et l’kha/lakh*) use variants of the same verbal root, ק.ד.ש.How does the difference between the two forms change the meaning?

*It changes the verb from an active form, with an object (something someone does to someone/something else) to a reflexive form (something one does, as it were, to oneself)*.

What does this imply for what is happening in the ceremony advocated by Greenstein?

*The central declaration becomes a self-dedication to the other.*

1. How does Greenstein’s formula relate to the source from Maimonides?

*Some answers might include: It changes the language a bit, but it also deliberately chooses a formula Maimonides would rule does* not *create* kiddushin *(the man does not make a statement that he acquires her; both parties make statements about their own status).*

*See also pp. 31-32 of the teshuvah.*

1. There are two elements needed to meet the goals of this teshuvah: a) a ceremony should not create *kiddushin*, even out of doubt; b) it should create an alternate basis for a legally binding commitment between the couple. Which (or both) of these is answered by the source from Maimonides and Greenstein’s adaptation of it?

*It means the statements the couple make should not be understood as* kiddushin – *i.e., it answers the first requirement. It is less clear if Greenstein’s formula fulfills the second requirement.*

*See also p. 32 of the teshuvah.*

Invite participants to read the selection from the Dorff, Nevins, and Reisner teshuvah (A.4).

1. How do Rabbis Dorff, Nevins, and Reisner respond to the question of what could make a marriage between same-sex partners binding?

*They rely on both rabbinic authority to declare it so, and on a legally binding document.*

*Note that the teshuvah under consideration here proposes using the same mechanism for those who wish to marry using Rabbi Greenstein’s formula and method.*

*See also pp. 32-33 of the teshuvah.*

Invite participants to read the first selection from Dr. Adler’s proposed ceremony/legal basis for marriage (B.1).

1. What metaphor does Adler invoke here?

*Covenant*.

What reason(s) does she give for choosing this model?

*Some answers might include: Covenant does not involve acquisition or “incorporation” of one party by the other; it is a mutual agreement. It is not like a contract that may be invalidated if its terms are breached by one or both parties, and therefore can survive such circumstances if both parties so desire.*

*See also p. 34 of the teshuvah.*

Invite participants to read the selection from Maimonides, Laws of Agents and Partners, 4:1 and 3) and the second passage from Adler (B.2 and 3).

1. Adler invokes a second metaphor here – what is it?

*Partnership in business/financial ventures (*shutafut*).*

What reason(s) does she give for choosing this model?

*Some answers might include: Partnerships come from mutual agreement and may be dissolved by either party. Ownership, to the extent it is a factor here, is of a stake in the partnership rather than over (or even given to) each other. This model creates a legally binding relationship that can be adapted for marriage. This model provides a means for formulating a ceremonial act that creates the marriage (each contributing an object of value/meaning and together lifting those objects in a bag).*

*See also pp. 35-36 of the teshuvah.*

1. Review question 5 above in this section. In what ways does Adler’s proposal address either or both of the goals described there?

*It does not resemble* kiddushin *in any way, and therefore should not be mistaken for* kiddushin*. It uses the legal force of partnership law to create a legal bond (*shutafut*) between the couple. (It may also be noted that Adler requires documentation of the* Brit Ahuvim*) to complete the bond, similar to what the teshuvah proposes regarding* hitkadshut*).*

*See also pp. 35-36 of the teshuvah.*

Invite participants to read the final selection from Dr. Adler, and Rabbis Dorff, Nevins, and Reisner’s proposed divorce document (3.a and b)

1. It has been suggested that one proof that a legal procedure or act is binding and effective is that another legal procedure or act is needed to undo it, or a legal arbiter (such as a court) is needed to confirm and oversee its dissolution. What does Adler say about divorce procedures for a marriage done in the way she suggests? (note: although not cited here, Greenstein sends his readers to Adler on this point)

*Some answers might include: Adler calls for a bet din – a Jewish court – to oversee the dissolution of b’rit ahuvim. Either partner can initiate the process. The dissolution should be documented by the court.*

How does the document that Dorff, Nevins, and Reisner created for same-sex couples who divorce address this question?

*Some answers might include: Their language somewhat parallels how a* get *works – one party releases the other so that “You are hereby permitted to establish any other such covenant that you desire”; the document itself may effect the divorce…*

*See also pp. 36-37 in the teshuvah.*

In closing…

1. Think back to your suggested metaphor for marriage (Part 1) and the ceremony you imagined creating (above in this section). Which of these proposals, if any, fit your model or your ideal marriage ceremony? Why or why not, how so or how not?

1. *CJLS Summary Index*: Marriage and Divorce, “Standards of Rabbinic Practice” (item 1), 9:13. [↑](#footnote-ref-1)