

Committee on Jewish Law and Standards, The Rabbinical Assembly

A Second Wedding Ceremony: A Second Opinion

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This paper was submitted, in July 2021, as a dissent to "A Second Wedding Ceremony" by Rabbi Elliot N. Dorff. Dissenting and concurring papers are not official positions of the CJLS

I do not wish to challenge Rabbi Elliot Dorff's particular, carefully drawn determinations as to what might be permitted under a close but reasonable construction of legal precedents, but rather to question the objective that he undertook. In my view it was the incorrect aim, thus he reaches a result which is not optimal.

As I read his teshuvah it was pursuing how best to tailor a full second wedding ceremony within halakhic parameters. Rabbi Dorff presents this as responsive to the questioners who were seeking to do just that. But questions can be formulated to lead toward a certain decision. It is the task of the CJLS to determine the proper goal as well as the proper halakhic means.

A more appropriate question for CJLS would be what should constitute such a second wedding? Whether a second wedding ceremony ought to recapitulate the first, or whether it should be considered in a different light. I believe it is clear that the wedding ceremony is in fact divided into a formal wedding (First cup, Birkot Erusin, Harei At, Rings, Ketubah) and a public celebration of the wedding (Second cup, Sheva B'rakhot), and that recapitulating a wedding that has already taken binding force is not the aim nor result we wish to achieve. Rabbi Dorff himself vacillates a bit and justifies repeating the gestures of marriage in that they need not be seen as constitutive of marriage this second time around. Thus his lengthy discussion of the meaning of Harei At and the exchange of rings. He himself says that he recommends the bride not recite the words "b'taba'at zo" since her ring does not constitute the legal marriage, then shrinks from making the same judgment here, that when the marriage is not being constituted, it is not correct to say "b'taba'at zo." But I would ask why recapitulate the exchange of rings at all? (In a brief comment toward the end of the teshuvah he opines that one could repeat the badekken and tennaim as well. I ask, why?)

Rabbi Dorff also feels it necessary to ask about the possibility that the second marriage might cast aspersions on the halakhic propriety of the first, and rejects that possibility.

Our response, the one I recommend, should be to suggest that a second ceremony consist of the rabbi's comments, under the huppah by all means (always symbolic and not constitutive), followed by the reading of the ketubah and a cup of wine and sheva b'rakhot, allowing those who were not present at the original ceremony to join the public celebration. While it is true that the basic halakhah limits sheva b'rakhot to the week after the marriage, Rabbi Dorff notes the unusual circumstance and brings ample precedent for doing the sheva b'rakhot later if it is called for.

This is what is best responsive to the situation and most directly addresses our objective.