

Matot: Vows in Jewish Tradition

RB by Rabbi Amy Bernstein

במדבר ל':א'-י"ז

וַיֹּאמֶר מֹשֶׁה אֶל־בְּנֵי יִשְׂרָאֵל כָּכָל אֲשֶׁר־צִוָּה יְהוָה אֶת־מֹשֶׁה: (פ) וַיְדַבֵּר מֹשֶׁה אֶל־רֹאשֵׁי הַמִּטּוֹת לְבְנֵי יִשְׂרָאֵל לֵאמֹר זֶה הַדְּבָר אֲשֶׁר צִוָּה יְהוָה: אִישׁ כִּי־יָדַר נָדָר לַיהוָה אוֹהֶשֶׁבֶשֶׁב שְׁבַעַה לְאִסָּר אִסָּר עַל־נַפְשׁוֹ לֹא יַחַל דְּבָרוֹ כְּכֹל־הַיָּצֵא מִפִּי יַעֲשֶׂה: וְאִשָּׁה כִּי־תָדַר נָדָר לַיהוָה וְאִסָּרָה אִסָּר בְּבֵית אָבִיהָ בְּנַעֲרִיהָ: וְשָׁמַע אָבִיהָ אֶת־נְדָרָהּ וְאִסָּרָהּ אֲשֶׁר אִסָּרָה עַל־נַפְשָׁהּ וְהִחֲרִישׁ לָהּ אָבִיהָ וְקָמוּ כָל־נְדָרֶיהָ וְכָל־אִסָּר אֲשֶׁר־אִסָּרָה עַל־נַפְשָׁהּ יָקוּם: וְאִם־הָיָא אָבִיהָ אִתָּהּ בְּיוֹם שָׁמְעוֹ כָּל־נְדָרֶיהָ וְאִסָּרֶיהָ אֲשֶׁר־אִסָּרָה עַל־נַפְשָׁהּ לֹא יָקוּם וַיְהִי יִסְלַח־לָהּ כִּי־הָיָא אָבִיהָ אִתָּהּ: וְאִם־הָיָא תַּהֲיָה לְאִישׁ וְנְדָרֶיהָ עָלֶיהָ אוֹ מִבֶּטָא שְׁפָתֶיהָ אֲשֶׁר אִסָּרָה עַל־נַפְשָׁהּ: וְשָׁמַע אִשָּׁה בְּיוֹם שָׁמְעוֹ וְהִחֲרִישׁ לָהּ וְקָמוּ נְדָרֶיהָ וְאִסָּרֶיהָ אֲשֶׁר־אִסָּרָה עַל־נַפְשָׁהּ יָקָמוּ: וְאִם בְּיוֹם שָׁמַע אִשָּׁה יָנִיא אוֹתָהּ וְהִפָּר אֶת־נְדָרָהּ אֲשֶׁר עָלֶיהָ וְאֵת מִבֶּטָא שְׁפָתֶיהָ אֲשֶׁר אִסָּרָה עַל־נַפְשָׁהּ וַיְהִי יִסְלַח־לָהּ: וְנָדָר אֶלְמָנָה וְגִרוּשָׁה כָּל אֲשֶׁר־אִסָּרָה עַל־נַפְשָׁהּ יָקוּם עָלֶיהָ: וְאִם־בֵּית אִשָּׁה נְדָרָה אוֹ־אִסָּרָה אִסָּר עַל־נַפְשָׁהּ בְּשִׁבְעָה: וְשָׁמַע אִשָּׁה וְהִחֲרִישׁ לָהּ לֹא הָיָא אִתָּהּ וְקָמוּ כָל־נְדָרֶיהָ וְכָל־אִסָּר אֲשֶׁר־אִסָּרָה עַל־נַפְשָׁהּ יָקוּם: וְאִם־הָפִר יָפִר אֹתָם | אִשָּׁה בְּיוֹם שָׁמְעוֹ כָּל־מוֹצָא שְׁפָתֶיהָ לְנְדָרֶיהָ וְלִאִסָּר נַפְשָׁהּ לֹא יָקוּם אִשָּׁה הַפָּרָם וַיְהִי יִסְלַח־לָהּ: כָּל־נָדָר וְכָל־שְׁבַעַת אִסָּר לַעֲנֹת נַפֶּשׁ אִשָּׁה יִקְיָמוּ וְאִשָּׁה יִפְרָנוּ: וְאִם־הִחֲרִישׁ יַחֲרִישׁ לָהּ אִשָּׁה מִיּוֹם אֶל־יוֹם וְהָקִים אֶת־כָּל־נְדָרֶיהָ אוֹ אֶת־כָּל־אִסָּרֶיהָ אֲשֶׁר עָלֶיהָ הָקִים אֹתָם כִּי־הִחֲרִישׁ לָהּ בְּיוֹם שָׁמְעוֹ: וְאִם־הָפִר יָפִר אֹתָם אַחֲרֵי שָׁמְעוֹ וְנָשָׂא אֶת־עֻנָּה: אֵלֶּה הַחֻקִּים אֲשֶׁר צִוָּה יְהוָה אֶת־מֹשֶׁה בֵּין אִישׁ לְאִשְׁתּוֹ בֵּין־אָב לְבָתּוֹ בְּנַעֲרִיהָ בֵּית אָבִיהָ: (פ)

Numbers 30:1-17

So Moses spoke to the Israelites just as YHVH had commanded Moses. Moses spoke to the heads of the Israelite tribes, saying: This is what YHVH has commanded: If a man makes a vow to YHVH or takes an oath imposing an obligation on himself, he shall not break his pledge; he must carry out all that has crossed his lips. If a woman makes a vow to YHVH or assumes an obligation while still in her father's household by reason of her youth, and her father learns of her vow or her self-imposed obligation and offers no objection, all her vows shall stand and every self-imposed obligation shall stand. But if her father restrains her on the day he finds out, none of her vows or self-imposed obligations shall stand; and YHVH will forgive her, since her father restrained her. If she should marry while her vow or the commitment to which she bound herself is still in force, and her husband learns

of it and offers no objection on the day he finds out, her vows shall stand and her self-imposed obligations shall stand. But if her husband restrains her on the day that he learns of it, he thereby annuls her vow which was in force or the commitment to which she bound herself; and YHVH will forgive her.— The vow of a widow or of a divorced woman, however, whatever she has imposed on herself, shall be binding upon her.— So, too, if, while in her husband's household, she makes a vow or imposes an obligation on herself by oath, and her husband learns of it, yet offers no objection—thus failing to restrain her—all her vows shall stand and all her self-imposed obligations shall stand. But if her husband does annul them on the day he finds out, then nothing that has crossed her lips shall stand, whether vows or self-imposed obligations. Her husband has annulled them, and YHVH will forgive her. Every vow and every sworn obligation of self-denial may be upheld by her husband or annulled by her husband. If her husband offers no objection from that day to the next, he has upheld all the vows or obligations she has assumed: he has upheld them by offering no objection on the day he found out. But if he annuls them after [the day] he finds out, he shall bear her guilt. Those are the laws that YHVH enjoined upon Moses between a man and his wife, and as between a father and his daughter while in her father's household by reason of her youth.

The enormous importance of the vow and its serious consequences are reflected in the fact that a whole tractate of the Talmud, consisting of 11 chapters in the Mishnah and 91 folios in the *Gemara*, is devoted to it (see **Nedarim*), excluding the *Nazirite vow, to which a separate tractate is devoted. The biblical laws of vowing are to be found in Numbers 30: 1–16. No explicit provision is made there for absolution from vows (*hattarat nedarim*), the Bible permitting only the voiding of a vow (*hafarat nedarim*) in the case of an unmarried woman by her father, and a married woman by her husband, providing he did so "in the day that he heareth." Nevertheless, the rabbis evolved an elaborate machinery for the absolution of vows, although they frankly admitted that "the rules about the absolution of vows hover in the air and have nothing to support them" (Hag. 1:8)

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נדרים כ"ג ב:א'-ג'

והרוצה שלא יתקיימו נדריו כל השנה יעמוד בראש השנה ויאמר כל נדר שאני עתיד לידור יהא בטל ובלבד שיהא זכור בשעת הנדר אי זכור עקריה לתנאיה וקיים ליה לנדריה אמר אביי תני ובלבד שלא יהא זכור בשעת הנדר רבא אמר לעולם כדאמרין מעיקרא הכא במאי עסקין כגון שהתנה בראש השנה ולא ידע במה התנה והשתא קא נדר אי זכור בשעת הנדר ואמר על דעת הראשונה אני נודר נדריה לית ביה ממשא לא אמר על דעת הראשונה אני נודר עקריה לתנאיה וקיים לנדריה.

Nedarim 23b:1-3

One who desires that his/her vows made during the year should be considered invalid must stand at the beginning of the year and say "Every vow which I may make in the future let it be annulled."

[This person's vows are then considered annulled]- only if this person remembers that at the time of the vow. But if this person does remember, hasn't this person uprooted it [the declaration] and re-affirmed the conditions of his/her [new] vow? Abaye answered: "It is taught: as long as this person does not remember at the time of his/her [new] vow." Raba said "It is just as we said at the beginning: the circumstances are that one makes this stipulation at the beginning of the year, but does not know [yet] in reference to what. Now [during the year] this person vows. If this person remembers [the stipulation] at the time of his/her [new] vow and says "I make this vow in accordance with my original intention" then this vow bares no reality. But if this person does not make such a declaration, he/she has canceled his stipulation and confirmed his [new] vow.

(a) The **RAN** in the name of **RABEINU TAM** writes that this indeed is the source for the recitation of "Kol Nidrei." Accordingly, "Kol Nidrei" should be recited in the future tense and not in the past tense, since it is a declaration of annulment of the coming year's Nedarim and not the past year's Nedarim.

(b) The **ROSH** (3:5) writes that the purpose of "Kol Nidrei" is to annul Nedarim made during the *previous* year. He proves this from the fact that it is recited three times, just as a Chacham declares "Mutar Lach" three times when he annuls one's Neder. He cites further proof from the fact that it is followed by the recitation of the verse, "v'Nislach l'Chol Adas Bnei Yisrael..." -- "May it be forgiven for the entire congregation of the people of Israel..." which implies a pardon of the transgressions of the *past*.

The Rosh questions, however, how Nedarim may be annulled in such a manner. The annulment of Nedarim requires a Beis Din of three men. Moreover, it requires a Pesach (grounds for regret for having made the Neder)! The Rosh answers that since everyone recites "Kol Nidrei" quietly with the Chazan, they all serve as a Beis Din of three men (Hedyotos) to annul each other's Nedarim. It is not necessary to find a Pesach because it is assumed that everyone regrets (Charatah) the Nedarim which he made.

Some explain that this procedure of Hataras Nedarim was chosen to commence the services of the holiest day of the year in order to arouse a spirit of repentance. Teshuvah is unique in that it retroactively uproots the sins of one's past. The only other act done in the past which can be uprooted retroactively is a Neder, which can be uprooted through Hataras Nedarim. Therefore, it is appropriate to begin the day of repentance with such a declaration.

Insights Into the Daf (Nedarim 23b); Kollel Iyun Hadaf of Yerushalayim, Rabbi Mordechai Kornfeld

The weight of opinion, however, especially in the Talmud, is in favor of completely refraining from vows. Samuel goes so far as to say, "Even when one fulfills his vow he is called wicked" (Ned. 22a), while R. Dimi calls him a sinner (Ned. 77b). It is even said that as a punishment for taking vows one's children die young (Shab. 32b).

It was as a result of this view that the elaborate procedure for the absolution of vows, which annulled them *ab initio*, was developed. The annulment depended on finding a "door of regret," the establishment of circumstances which the person taking the vow had not taken into consideration or known about at the time when he took the vow – had he done so he would not have taken the vow. The annulment had to take place before a properly constituted *bet din* of three, and the formula of absolution is: "It is absolved to thee, it is absolved to thee" (Sanh. 68a).

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Given the seriousness of oaths and vows, and the fact that Jews during some periods of history were compelled to make declarations of fealty to other religions, the rabbis developed formulas for the dissolution of vows. The best-known of these are performed in advance of the High Holidays.

Prior to Rosh Hashanah, some Jews have the custom of performing a ritual known as hatarat nedarim (literally "the nullification of vows."). The ritual, intended to release people from any statements that might be perceived as promises, is performed in the presence of three people who act as a kind of religious tribunal. It is part of the larger process of introspection and repentance leading up to the Jewish New Year and Yom Kippur, the day of atonement.

On the night of Yom Kippur, another nullification of vows is recited in form of the Kol Nidre, the opening prayer of the holiday and often considered one of its emotional high points. Kol Nidre literally means "all vows" and is a legalistic formula that is believed to have developed in medieval times when Jews were forced to convert to other faiths on pain of death. As with all infractions for which forgiveness is sought on Yom Kippur, Kol Nidre absolves individuals only of vows made to God — not to those made to one another. For sins against other people, forgiveness must be sought from those affected.

Vows and Vowing; My Jewish Learning

On the one hand, we live in a time when, as women, we are blessedly free from the kind of controls that Numbers prescribes. On the other hand, we find ourselves within a web of relationships where we

often give up what we had promised to ourselves, or we redirect our abilities. The stereotype of the Jewish mother may represent, in some ways, a woman's efforts to take power through the very vehicles that entrap her-by making a nice home, cooking gourmet meals, and having successful children.

Some may see these concessions as choices; others may see them as abandonment of self. We want to fulfill our responsibilities and live up to our expectations as spouses, mothers, and daughters; but we also want to be heard, to play an active role in our communities, to see ourselves and to be seen as powerful. We are aware that our culture could not survive if we sometimes did not voluntarily place our own needs as secondary. Yet, we are not always aware of the price some of us pay for that choice.

The Torah; A Women's Commentary, Jaqueline Koch Ellenson