

A line from a favorite childhood story sticks with me today: "I meant what I said, and I said what I meant. An elephant's faithful, one hundred percent!"

From *Horton Hatches an Egg*, by Dr. Seuss, this declaration is recited by Horton, who has taken on the thankless responsibility of incubating an egg. Whether you are swearing in before a court appearance, or taking a vow of office, there are many opportunities to declare something in a way that says we absolutely mean it.

We have many ways that we certify our words so that the person with whom we are speaking, or the people listening to us, can have an extra level of confidence that we mean what we say, and that what we are saying is true.

In the beginning of the Torah portion Matot, we encounter the concept of a vow. I want to take some time this morning to look at the laws around taking vows, both in the Torah and how they are developed in the Talmud. We will then think about vows, and some of the limits that are placed on vows, to question how we might relate this to our own speech.

The beginning of this section states:

אִישׁ כִּי-יִדָּר לַיהוָה אֶו-הַשְּׁבַע שְׁבַעַה לְאָסֹר אָסֹר עַל-נַפְשׁוֹ לֹא יַחַל
דְּבָרוֹ כְּכָל-הִיצָא מִפִּיו יַעֲשֶׂה:

If a man makes a vow to יהוה 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.

The first thing to notice here is that there are two categories of vows, and I will try to be careful with the terminology:

A neder and a sh'vua.

A sh'vua, which we translate as an oath, is about yourself. I am using this as an example, not taking a real vow, "I swear to give such-and-such an offering to the Temple" or "I swear to buy only organic produce" or "I swear to write Miriam a letter at camp every day." It can also be in the negative. "I vow, or I swear, not to talk during services," or "I vow not to waste time scrolling on my phone."

A neder, on the other hand, is about the object. "Non-organic produce is forbidden from me to eat or cook with for others" or "this TV is forbidden from me to enjoy if I don't finish my chores."

Vows are very tricky business, because words are easy to say, but the consequences are heavy. When a person makes a vow, they are literal and they are binding, and the rabbis believe that the consequences of violating a vow or an oath are quite grave.

In the time of the Temple, you would give an offering as restitution. Today, we don't have the Temple, and there aren't means of restitution, so if you make a vow, it is fully binding, and the only way out is to nullify it.

The rabbis are particularly concerned about women taking vows, what I like to call “vowing while female.” For this reason, the Torah does institute a means of nullifying a woman’s vow, which we encounter in the Torah portion this morning. The Torah states that if a woman makes a vow when she is unmarried, in her father’s home, and he finds out, he has an opportunity to object on the day he finds out, and her vow is not in effect. This is a temporary window, however, and if he doesn’t object upon finding out, then the vow stands. The same is true if a woman enters a marriage with a vow that her father either didn’t know about or didn’t object to. If the husband finds out and objects, it doesn’t stand, but he needs to object right away. The same is true once they are married. If the husband annuls the vow several days after he finds out, then it says that he bears the guilt, meaning it is as if he has broken the vow and not her.

A vow can also be nullified to observe a mitzvah. If you vow “I will not eat in the sukkah if the Bills lose” then you can nullify that since it is an obligation. You also cannot make an oath to violate a mitzvah, like, “I swear to steal my neighbor’s car.”

I have chosen some light examples, but vows are very serious business. We do not carry God’s name in vain, we do not swear falsely, and the Rabbis believe that the consequences are very real. Often, when the rabbis share a story of a vow, it is that a person swears, and something bad happens as a consequence. For this reason, the rabbis try to limit who can take a vow, even when it would allow another halakhic process to take place.

Here is an example of their hesitation, which disrupts the performance of another mitzvah, protecting the orphan and the widow.

In a traditional marriage framework, the ketubah, the marriage contract, has money that is set aside for the woman to collect if she is a widow or her husband divorces her. The baseline amount is 200 zuz, although a larger amount could have been negotiated in the betrothal. The marital contract also provides that a widow is fed, clothed, and maintained from her husband’s estate until she collects the value of the ketubah. If the husband has children, whether they are her children, or those from a previous marriage of his, they are heirs of the father’s estate.

The Mishnah (Gittin 34b) states the following:

MISHNA: A widow can collect payment of her marriage contract **from the property of orphans only by** means of **an oath** that she did not receive any part of the payment of the marriage contract during her husband’s lifetime.

The mishna relates: The courts **refrained from administering an oath to her**, leaving the widow unable to collect payment of her marriage contract. **Rabban Gamliel the Elder instituted that she should take, for the benefit of the orphans, any vow that the orphans wished** to administer to her, e.g., that all produce will become prohibited to her if she received any payment of her marriage contract, **and** after stating this vow, she **collects** payment of **her marriage contract**.

The Talmud has a problem on its hands. On the one hand, this widow, assuming she is being honest, deserves this 200 zuz from her husband's, now the children's property.

But, the rabbis have some concerns.

First – there is an option during marriage that a woman can withdraw part of her ketubah early. Essentially, a cash advance, if she wanted to buy something, or if a family member was in need of money. If she had done that, but it wasn't documented, and now she wants to collect the full 200, that would be stealing.

That's why the oath would be helpful. However, there is also a problem that the rabbis are so fearful of oaths because the consequences are so grave for swearing falsely. They give an example that if the woman is still in the husband's home, and she is taking care of adult children, cooking, cleaning, washing, etc. she might justify taking extra from her ketubah because of all of her efforts.

They want to protect her from her own impulse to justify taking a false oath, but they are also obligated to give her a means to collect her ketubah.

This is why Rabban Gamliel lets her take a vow on the terms of the orphans, so that they can feel a sense of control, and so that the widow can collect and move on. And move out.

Even with this mechanism in place, the Rabbis remain uncomfortable with the perceived risk that widows will take a false oath and collect their ketubah, and some of them still refused to allow widows to collect without a vow, and they also refused to allow the widows to take an oath in court.

These women face an impossible scenario. They deserve to be able to collect these funds, AND they don't have a way to do it because the powers that be do not trust them. What would you do if you were in this situation? Have you ever felt like you were in a similar situation, where you knew you deserved something, but a procedural matter, or someone else's resistance, was prohibiting you from doing what you knew you should be able to do? Maybe an insurance payout, or wanting to return an object to a store, or something of that nature? How did it feel for you?

We read in the Talmud how one woman handled it (Gittin 35a):

The Gemara relates: There was an incident involving **a certain widow who came before Rav Huna** and attempted to collect payment of her marriage contract from the orphans. **He said to her: What can I do for you, as Rav does not collect payment of a marriage contract for a widow.** The widow **said to him: Isn't the reason** that I cannot collect payment **only** because of a concern that **perhaps I already took some payment of my marriage contract?** I swear **as the Lord of Hosts lives that I did not derive any benefit from my marriage contract.** **Rav Huna says:** Even though the court does not administer an oath to a widow, **Rav concedes with regard to one who leaps** and takes an oath of her own initiative that her oath is accepted, and she can collect payment of her marriage contract.

This widow believes in herself, and knows her rights, and she takes an oath using God's name that she did not already collect any amount from her ketubah. She doesn't wait for the rabbis to come to terms with what she already knows is true, she just does it.

What can we learn from all of these restrictions around vows, and from this brave woman's approach?

First is to take our words seriously, and to take the consequences of them seriously. The framework in the Torah and the even stricter approach of the rabbis reminds of us the weight of our words. Imagine if we took our speech as seriously as the rabbis did, and what that would mean for all of the times that we promise and don't come through, or we exaggerate, or we swear. We want to live in a world where our words matter, and where we can believe that when someone speaks, and especially when they invoke truth, or God's name, that we can believe that person.

But let's not use this fear as a means of silencing others or ourselves. What this widow does by taking a vow when the rabbis don't want her to is she proclaims a truth into the world that enacts justice for the widow. Our Torah tells us to protect the orphan and the widow, and she rightfully was not going to miss an opportunity for that because of the fear that she would take a false oath.

When we believe something, when we have conviction, we should be bold and confident as we proclaim it to the world. We need truth and righteousness in our world, and we can't be afraid to speak out.

What we seek is a balance between having appropriate caution that our words matter and we had better be correct when we speak, to knowing that to speak truth is a power that we hold and an important opportunity. It is a blessing and a privilege. Shabbat Shalom