

Vows

2. And Moses spoke to the heads of the tribes of the children of Israel, saying: This is the thing the Lord has commanded.
3. If a man makes a vow to the Lord or makes an oath to prohibit himself, he shall not violate his word; according to whatever came out of his mouth, he shall do. (Numbers 30:2-3)

Background

- Vows subject of two tractates of Talmud: Nedarim (vows) and Nazir
- Vow can prohibit what is permitted, but not permit what is prohibited. (Sifrei Mattot 7)
- Two kinds of vows:
 - (1) Pledge: Giving something for a purpose (e.g., school)
 - Nedabah -- gift (don't have to replace if lost -- e.g., give building; building destroyed)
 - Neder -- promise (must replace it if lost)
 - (2) Nidre issar -- Ascetic vow. Promise to abstain from enjoying something that is permitted.
- Vow valid only if voluntary; made with full understanding of implications, by a man 13 and over or a woman 12 or over (Maimonides, Yad, Nedarim 11:1)
 - Father may annul vows of daughter; husband may annul vows of wife, but only on the day he is informed of them (Numbers 30:2-17; Nedarim 10:8; Maimonides, l.c. 12:1 ff)
 - If person regrets vow, it can be annulled [hatarat nedarim] by ordained rabbi, or three unordained teachers (Maimonides, Yad, Shebu'ot, 6; Shulchan 'Aruch, Yoreh De'ah 228)
- Deuteronomy pulled back a little: Vowing not required
 - But if you refrain from vowing, it is no sin in you. (Deut. 23:23)
- Tendency to take vows strongly ingrained in human nature. Implied quid pro quo, even if unstated ("God, if you do this, I will do that"). Vow to be more observant, nicer to people, give twice as much to charity, is laudable; but some people add "I will stop eating my favorite cheese"? (Why?)

-Covenant spells out our part: 613 mitzvot. More is not needed for divine favor.

Vows are discouraged by Talmud

-Do not form a habit of making vows (Nedarim 20a).

-Samuel said: "He who makes a vow, even though he fulfill it, commits a sin" (Nedarim 22a).

-Hasn't the Torah forbidden enough already that you want to forbid other things to yourself?! (Jerusalem Talmud, Nedarim 9:1)

-Enjoy life to the fullest, OR ELSE:

Rav said: In the World to Come we will have to account before the judgment seat of God for every pleasure we denied ourselves in this world, if it was permitted and affordable. (Jerusalem Talmud, Kiddushin 4:12)

-Vows tolerated only to get rid of bad habits, or acquire good ones -- but one must try to do so without vows (Yoreh De'ah 203, 207; generally Maimonides, Yad, Nedarim; Yoreh De'ah, 203-235).

Some rabbis tried hard to get people out of vows

1. Story in Talmud:

Man: I vow never to have sex with this [ugly] woman.

Rabbi Yishmael took her in, had her fixed up so she looked beautiful, asked the man in and said: 'Is she the subject of your vow?'

Man said 'No.'

Rabbi Yishmael said: Then I release you from your vow and she is permitted to you.

"In that hour, Rabbi Yishmael wept and said, 'The daughters of Israel are beautiful, but poverty disfigures them!' When Rabbi Yishmael died, the daughters of Israel raised a lament, saying, 'O daughters of Israel, weep for Rabbi Yishmael!'" (Nedarim 66a)

2. Story in Talmud:

Man to wife, 'I vow that I will not have sex with you until you show something beautiful about you.' Man went to see Rabbi Yishmael son of Rabbi Jose to get out of vow. The rabbi said:

-Perhaps her head is beautiful?

-It is round.

-Perhaps her hair is beautiful?

-It is like stalks of flax.

-Perhaps her eyes are beautiful?

-They are bleary.

-Perhaps her nose is beautiful?

- It is swollen.
- Perhaps her lips are beautiful?
- They are thick.
- Perhaps her neck is beautiful?
- It is squat.
- Perhaps her waist is beautiful?
- It protrudes.
- Perhaps her feet are beautiful?
- They are as broad as those of a duck.
- Perhaps her name is beautiful?
- Her name is 'Muck'.
- The rabbi said: Then I pronounce your vow fulfilled. Her name suits her beautifully. (Nedarim 66b)

Kol Nidrei

-Release from vows on Yom Kippur Eve:

"All vows, obligations, oaths, and anathemas, whether called konamei or konasei or any other name, which we may vow, or swear, or pledge, or whereby we may be bound, from this Yom Kippur to the next, we do repent. May they be deemed absolved, forgiven, annulled, and void, and made of no effect; they shall not bind us nor have power over us. The vows shall not be reckoned vows; the obligations shall not be obligatory; nor the oaths be oaths."

-Then the leader and the congregation say together:

"And it shall be forgiven all the congregation of the people of Israel, and the stranger who sojourns among them; seeing all the people were in ignorance." (Num. 15:26)

-Repeated 3 times, then sheheheyanu.

-Applies to vows affecting the self ONLY, not those that affect others

-Still, antisemites use it to say 'Can't trust Jews'

-Kol Nidrei meant to forestall divine punishment

-Sephardim apply it to past year, Ashkenazim to future year

-Karaites criticized Jews for allowing a way out of vows, forcing geonim to tighten dispensations

-Rabbi Yehuda Gaon of Sura (760 CE) even forbade the study of Tractate Nedarim!

-Rabbis generally rejected Kol Nidrei, people insisted on keeping it, and over centuries it won its way in the siddur by the will of the people.

-Amran Gaon: It is a foolish custom (minhag shetut).

-Marranos loved it.

Nazir

- Takes vow of abstinence:
 - No grapes
 - No cutting hair of his head
 - No touching the dead
- Duration varies (30 days to life).
- Famous Nazirites
 - Samson. His mother promised to dedicate him to God during his whole life, saying, "There shall no razor come upon his head" (ISamuel 1:11)
 - Queen Helena, for 14 or 21 years (Nazir 3:6)
 - Princess Berenice, took vow before 70 CE war (Josephus)
- Reasons
 - Difficulty in abstaining from wine due to desire for pleasure
 - Being distressed
 - Payment for a wish fulfilled (e.g., birth of a child) (Nazir 1:7,9-10)
 - For the opportunity to make a sin-offering (Nedarim 10b)
 - "Let me be a Nazirite on the day when the son of David [the Messiah] shall come." Allowed to drink wine only when Messiah will not come, i.e. on Shabbat and holidays (Eruvin 43a)
 - Many abstained from wine and meat even without taking the vow (Baba Batra 60b; Shabbat 139a)
- Prominent rabbis opposed asceticism, regarded as sinners and evil-doers those who fasted or became Nazarites or took any vow whatsoever, even if the vow was fulfilled (Nedarim 9a, b, 20a, 77b; Nazir 4a; Ta'anit 11a)
- Practice fell into disuse
 - No Nazarites known since Middle Ages

Mourning

Rabbis had to fight tendency towards asceticism in mourning:

Talmud, Baba Bathra 60b

Our Rabbis taught: When the Temple was destroyed for the second time [in 70 CE], large numbers in Israel became ascetics, binding themselves neither to eat meat nor to drink wine.

-R. Joshua got into conversation with them and said to them: My sons, why do you not eat meat nor drink wine?

-They replied: Shall we eat flesh which used to be brought as an offering on the altar, now that this altar is in abeyance? Shall we drink wine which used to be poured as a libation on the altar, but now no longer?

-He said to them: If that is so, we should not eat bread either, because the meal offerings have ceased.

-They said: [That is so, and] we can manage with fruit.

-We should not eat fruit either, [he said,] because there is no longer an offering of firstfruits.

-Then we can manage with other fruits [they said].

-But, [he said,] we should not drink water, because there is no longer any ceremony of the pouring of water [ancient ceremony on Sukkot].

-To this they could find no answer, so he said to them: My sons, come and listen to me. Not to mourn at all is impossible, because the blow has fallen. To mourn too much is also impossible, because we do not impose on the community a hardship which the majority cannot endure...

-The Sages therefore have ordained thus.

-A man may stucco his house, but he should leave a little bare.
(How much should this be? R. Joseph says, A cubit square; to which R. Hisda adds that it must be by the door.)

-A man can prepare a full-course banquet, but he should leave out an item or two. (What should this be? R. Papa says: The hors d'oeuvre of salted fish.)

-A woman can put on all her ornaments, but leave off one or two.
(What should this be? Rab said: [Not to remove] the hair on the temple. [Which was usually removed as a mark of elegance])

Fasting

-Yom Kippur, only one mentioned in Torah (Leviticus 23:26-32).

-Four for destruction of Temples:

- Tisha B'Av (9 Av)
- Fast of Gedalia (Tzom Gedalia)
- Tenth of Tevet (Asara B'Tevet)
- Seventeenth of Tamuz (Tzom Tamuz)

-Ta'anit Esther (Fast of Esther), on day before Purim

-Ta'anit Bechorot (Fast of the Firstborn), for firstborn males on day before Pessah. (Most firstborn opt to attend a siyyum instead (festive meal celebrating the completion of a Tractate of the Talmud).

-Tractate Ta'anit (Fasts) lists 21 more, rarely observed:

1. 1 Nisan: Sons of Aaron destroyed in Tabernacle.
2. 10 Nisan: Miriam the prophetess died; the well that followed the Israelites in the wilderness disappeared.
3. 26 Nisan: Joshua, son of Nun, died.
4. 10 Iyyar: Eli the high priest and his two sons died, and the Ark was captured by the Philistines.

5. 29 (28) Iyyar: Samuel the prophet died.
6. 23 Sivan: the Israelites ceased bringing the firstlings to Jerusalem in the days of Jeroboam.
7. 25 Sivan: R. Simeon son of Gamaliel, R. Ishmael son of Elisha, and R. Hanina the superior ("segan") of the priests were executed.
8. 27 Sivan: R. Hanina son of Teradion was burned while holding a scroll of the Torah.
9. 17 Tammuz: the tablets were broken; the regular daily sacrifice ceased; Apostemus burned the Law, and introduced an idol into the holy place; the breaking into the city by the Romans (Ta'anit 28b).
10. 1 Av: Aaron the high priest died.
11. 9 Av: it was decreed that Jews who went out of Egypt should not enter the Land; first and second Temples destroyed; Betar was conquered, and Jerusalem plowed over with a plowshare (Ta'anit 29a).
12. 18 Av: the western light was extinguished in the time of Ahaz.
13. 7 (17) Elul: the spies died in a pestilence.
14. 3 Tishri: Gedaliah and his associates were assassinated in Mizpah (II Kings 25:25).
15. 5 Tishri: 20 Israelites died, Akiba imprisoned and later executed.
16. 7 Tishri: it was decreed that the Israelites should die by sword and by famine on account of the affair of the golden calf (see Meg. Ta'an. ad loc., ed. princeps, Mantua, 1514).
17. 6 (7) Marḥeshvan: Nebuchadnezzar blinded King Zedekiah after he had slaughtered the latter's children in his presence.
18. 7 (28) Kislev: Jehoiakim burned the scroll that Baruch wrote at the dictation of Jeremiah.
19. 8 Ṭevet: the Torah was translated into Greek in the time of Ptolemy; there was darkness in the world for three days.
20. 9 Ṭevet: incident not explained (death of Ezra, as mentioned in Kol Bo).
21. 10 Ṭevet: the siege of Jerusalem by Nebuchadnezzar began (II Kings 25:1; Jer. 3:4).
22. 8 (5) Shevaṭ: the righteous (elders) that were in the time of Joshua died.
23. 23 Shevaṭ: the Israelites gathered to war with the tribe of Benjamin (Judges 20.).
24. 7 Adar: Moses died.
25. 9 Adar: the controversy between houses of Shammai and Hillel.

-Some rabbis decreed days of fast when danger loomed

-Some fasted because eating takes time away from Torah!

-Shim'on bar Yochai begrudged time required to care for body, which detracts from Torah study; envied generation of the desert, who fed on manna, and were absolved from working for their food.

So why do people take vows?

- Makes it more likely you will do something you want to do?
 - What you say is important, even if you backtrack later, and it's not always easy to backtrack
- Belief it gives you of more leverage with God, more control of your life?
- To appear more meritorious or pious to your neighbors?
- Unfounded belief that you will “earn more points”?