

Oaths and Vows — The Power of Words

A D'var Torah on *Parashat Matot* (Num. 30:2 – 32:42)

By Alan I. Friedman

“Vay’dabeir Moshe el-rashei ha-matot liv’nei Yisrael...”
“Moses spoke to the heads of the Israelite tribes...”

The discussion of oaths and vows in *Parashat Matot* focuses almost exclusively on the rights of a father or husband to annul or uphold a woman’s vows. As Reform Jews in the 21st century, we find it difficult to understand male-dominated societal standards that placed strict limits on a woman’s exercise of free will and self-determination. We forget that only in the last 120-or-so years, and only in progressive countries of the Western world, have women begun to emerge from millennia of inferior social and legal status. Certainly in the biblical Near East, at the time when the concepts of *Parashat Matot* were being codified, men had rights that women did not, and male dominance of human affairs was pervasive.

But we will not dwell on these aspects of *Matot*. Rather, we will examine the characteristics of oaths and vows, the distinctions between these two types of pledges, the rationale for speech adding potency to an oath or vow, and the mechanism for annulment.

The two Hebrew words that we will focus on are *neder* (plural *nedarim*) and *sh’vuah*¹ (plural *sh’vuot*). Although there is no English equivalent for *neder*, it is commonly translated as “vow,” meaning a pledge to do something; but “vow” doesn’t convey the full meaning. There are two types of *nedarim*: the first type empowers a person to prohibit to himself or herself something that the Torah permits (for example, “I will not eat meat for the next 30 days”); the second type of *neder* obligates a person to perform an optional commandment (such as donating to a particular charity of visiting a sick friend daily). With the exception of a *neder* to perform a commandment, *nedarim* cannot be used to obligate oneself to perform an act. *Parashat Matot* concerns itself only with the first type of *neder*, a voluntarily adopted prohibition.²

The second Hebrew word that is key to this passage is *sh’vuah*, meaning an “oath.” By invoking a *sh’vuah*, a person may either prohibit himself from performing an act, or require himself to perform an act.

“Conceptually there is a great difference between a *neder* and [a *sh’vuah*]. A *neder* changes the status of an object: for example, if I have made an apple

¹ Do not confuse: שבעה (*sh’vuah*) = oath; שבוע (*shavua*) = week

² *The Chumash: The Stone Edition*; Edited by Rabbis Nosson Scherman and Meir Zlotowitz; Mesorah Publications, Ltd.; 1993; p. 900.

forbidden to myself, the apple has the status of a forbidden food to me, and therefore I may not enjoy the apple. In contrast, [a *sh'vuah*] places an obligation only on the person: for example, if I have sworn to eat an apple, there is a new obligation on me, but the halachic status of the apple itself is unchanged.”³

Whenever a person makes a *neder* or a *sh'vuah*, the Torah obligates that person to fulfill the pledge⁴. Jewish law further dictates that even if a person simply expresses a willingness to perform a mitzvah, he or she is similarly obligated to do so.⁵

What are the mechanics by which a vow takes effect? “Life and death are in the power of the tongue,” advises Proverbs 18:21. Speech is the gateway between the thoughts of the mind and the physical actions of the body. Through speech one begins the trek of turning intentions into the reality of action. It is for this reason that making a *neder* is so effective in binding a person into doing the right thing.⁶

Why should a *neder* help a person perform a mitzvah that he or she is already obligated to perform? Why can't a person simply decide to do the mitzvah and carry it out without expressing the intent verbally? Even pledging to perform a mitzvah to which one is already obligated strengthens one's commitment by moving the intention toward reality. All that remains is the purely physical act.⁷

Why does a person become any more obligated by expressing a desire through the medium of speech than by thinking that same desire? A person who invokes a *neder* or a *sh'vuah* places upon himself, upon others, or upon objects a status equal to a commandment from the Torah. The *neder* or *sh'vuah* creates a binding situation that otherwise would not have existed.⁸ The expression of a “word” imposes an obligating force upon the person making the pledge; and as soon as the word is uttered, the promise is considered binding.⁹ “Giving one's word,” then, is not so much a point of honor as it is a sacred and binding obligation.¹⁰ And, because a pledge is sacred, it must not be broken. Failure to comply with the pledge makes the

³ *Ibid.*, p. 900.

⁴ “If a man makes a vow to Adonai 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.” – Num. 30:3

⁵ Shulchan Aruch Yoreh De'ah 203.

⁶ “Speech Impediments,” by Ranon Cortell; Torah from Dixie; undated.

⁷ *Ibid.*

⁸ “How to Vow Your Audience,” Perceptions on the Parasha, by Rabbi Pinchas Winston; Project Genesis; 2003.

⁹ “Holy Words,” by Rabbi Jordan D. Cohen; Associate Director of KOLEL – The Adult Centre for Liberal Jewish Learning; undated.

¹⁰ Commentary by Rabbi Gerson D. Cohen, Chancellor Emeritus and Professor of Jewish History, Jewish Theological Seminary of America; 1999.

person culpable for punishment, just as if he or she had violated an act or restriction that had been commanded by the Torah. Such is the power of speech.¹¹

Nedarim and *sh'vuot* are serious because they are pledges to God. The Torah does not even consider that one would make a pledge to God and then default on it. In fact, there are no provisions for absolving a person of the consequences for defaulting on a pledge.¹² Perhaps that is why we read in Ecclesiastes 5:4 that “it is better not to vow at all than to vow and not fulfill.”

In the Holiness Code, which we recite every Shabbat morning, we read, “You shall not swear falsely by My Name, thereby desecrating the name of your God.”¹³ The Hebrew verb for “desecrate” is *chillul*. The adjectival form, *chullin*, is usually translated as “profane,” but actually has the sense of “ordinary.” Since the Torah uses *chillul* regarding the breaking of one’s vow, and since desecration has relevance only to the defilement of something that is sacred, we may conclude that one’s speech is sacred.¹⁴ We see, then, that breaking a pledge – that is, desecrating one’s word – is not just a personal failure; it is a *chillul ha-Shem*, a profanation of God’s holy Name.¹⁵

Recognizing that *nedarim* and *sh'vuot* were often made on impulse or in anger, and without due regard for the consequences,¹⁶ some rabbis performed elaborate legal gymnastics – called *hattarat nedarim*, – to identify legal loopholes and provide for the dissolution of vows.¹⁷

These legal processes in front of a *Beit Din* ultimately coalesced into the *Kol Nidrei*, which we chant on Erev Yom Kippur. Since any violation of a *neder* or *sh'vuah* can interfere with the atonement process, and since an individual who has violated a pledge may not realize that he has done so, Kol Nidrei provides an opportunity for absolution. “Kol Nidrei declares that in case an individual made a vow or an oath during the past year and somehow forgot and violated it inadvertently, he now realizes that he made a terrible mistake and strongly regrets his hasty pronouncement. In effect he tells the ‘court’ ... that had he realized the gravity and severity of violating an oath, he never would have uttered it in the first place. He thus begs for forgiveness and understanding.”¹⁸

¹¹ Rabbi Pinchas Winston; *op. cit.*

¹² Rabbi Jordan D. Cohen, *op. cit.*

¹³ Parashat *K'doshim*, Lev. 19:12.

¹⁴ Commentary by Rabbi Yoseph Kalatsky, Dean of The Yad Avraham Institute.

¹⁵ “Sanctifying and Profaning the Name,” *The Torah – A Modern Commentary*; Edited by W. Gunther Plaut; Union of American Hebrew Congregations; 1981; p. 892.

¹⁶ “Speak Out!” by Rabbi Sue Ann Wasserman; Department of Worship, Music, and Religious Living; Union of American Hebrew Congregations (now Union for Reform Judaism); July 10, 1999.

¹⁷ Rabbi Jordan D. Cohen, *op. cit.*

¹⁸ “The Origin and Purpose of Kol Nidrei,” by Rabbi Doniel Neustadt, Congregation Young Israel, Cleveland, and Principal of Yavne Teachers College; 2000.

Other rabbinic authorities maintain that Kol Nidrei, instead of annulling existing *nedarim* and *sh'vuot*, declares as invalid (“null and void, without power and without standing”) all future *nedarim* and *sh'vuot* that might be uttered without sufficient forethought.¹⁹

What is the message of Parashat *Matot* for us today? We must be on guard against making promises, commitments, and pledges that we do not intend to keep or that we may not be able to keep. Words have power, and giving one's word creates a sacred and binding obligation. Let us use our words for *kiddush ha-Shem*, sanctification of God's holy Name.

¹⁹ *Ibid.*