



## לא יחל דברו He Shall Not Violate His Word

### ■ Permitting Oaths

The opening passage of Parashat Mattot lists several principles of the laws of oaths and vows, the most prominent of which is this:

... לא יחל דברו, ככל היצא מפיו יעשה.

... *He shall not violate his word;*

*whatever comes out of his mouth, he shall fulfill.* (Bamidbar 30,3)

Moshe Rabbeinu repeats this very specific instruction in the Book of D'varim:

מוצא שפתיה תשמור ועשית כאשר נדרת לה' א-להיך ...

*That which emanates from your lips you shall guard and do,*

*as you vowed to Hashem your G-d...* (D'varim 23,24)

When two people make an agreement between them, or if one person makes a unilateral commitment, it is finalized by the signing of a document. But this is not the case in an agreement with G-d, or when a person takes a commitment upon himself vis-à-vis G-d. In such cases, one's verbal word alone obligates him. His pronunciation of words in a vow or an oath is equivalent to a signature on a contract.

Is there a legal way to nullify or withdraw a legal, written obligation? Certainly there is: By showing that one's signature was obtained by force or other illegal means. If witnesses testify, for instance, that prior to signing the document, he declared that he objects to the agreement being forced upon him, the agreement becomes null and void.

What about an oath or commitment made to Hashem in the form of a vow? Is there a way to cancel it? The answer is the same: If a person can show that he made the vow under coercion, the oath becomes invalid.

“Coercion” in this sense need not be external; even an eruption of emotions that “coerced” him to make a vow can invalidate it, and certainly if the vow was based on anger, frustration, insult, and the like. Whenever there is retroactive regret, unforeseen and undesirable developments, or any consequence that shows that the vow was not made in a totally voluntary, rational, comprehensive and non-superficial manner, as determined by an expert Torah scholar, it can be annulled.

What is the source in the Torah for allowing us to annul vows in this manner?

The Mishna (Chagigah 1,8) relates to this question and says: “The annulment of vows floats in the air and has no basis” – meaning that the Written Torah contains no specific outline of a procedure to annul vows. On the contrary: The verses appear to forbid any type of annulment or violation of a vow!

Despite this Mishna, however, the Gemara (Chagigah 10a) presents several verses in the Written Torah that hint at legal procedures allowing us to annul vows. Among them is the following teaching by Shmuel, who cites this verse with the following interpretation: לא יחל דברו, *he shall not violate his word*, but someone else – namely, the expert or the court – may do so for him.

Is this truly the spirit of the law? How can it be that the Torah emphasizes that one must keep his word – and then the Sages deduce the opposite?!

To understand the depth of the Torah’s intentions, as our Sages explained them, let us delve into some related issues that appear in Parashat Mattot.

### ■ This is the Word

Moshe Rabbeinu stands before the tribal heads and teaches the laws of oaths:

וַיְדַבֵּר מֹשֶׁה אֶל רֹאשֵׁי הַמְּטוֹת לְבְנֵי יִשְׂרָאֵל לֵאמֹר,  
זֶה הַדְּבָר אֲשֶׁר צִוָּה ה' אֵישׁ כִּי יִדָּר נָדָר לֵה'...

*Moshe spoke to the heads of the tribes of the Children of Israel, saying: This is the word that G-d has commanded:*

*A man who makes a vow to G-d... (Bamidbar 30,2-3)*

The verse implies that G-d had earlier commanded these laws to Moshe – but where and when did He do so?

It is true that at the end of this passage, the Torah states אֵלֶּה הַחֻקִּים אֲשֶׁר צִוָּה ה' אֶת מֹשֶׁה, *These are the laws that Hashem commanded Moshe* (verse 17) – but this tells us only that everything Moshe commanded was based on G-d's word. But did G-d issue specific instructions, written in the Torah, from where Moshe could have learned these laws?

In other words, when the Torah introduces these laws by stating that Moshe had been taught them before, it could be that this is referring to the source for the mysterious procedure of annulling vows. Perhaps we can find this source in the form of a rare phrase that appears only here and in one other place, and by studying that second place, we will find the underlying principle for the concept of “annulment of vows.”

In fact, our Sages noted the following verse that appears both here and in Vayikra, in the chapter dealing with *sh'chutei chutz* - sacrifices wrongfully offered outside the Tent of Meeting (and later the Beit HaMikdash):

זֶה הַדְּבָר אֲשֶׁר צִוָּה ה' ...

*This is the word that G-d commanded...* (Vayikra 17,2)

Chazal, our Sages of blessed memory, taught in the Talmud (Nedarim 78a) that these two topics – vows and “wrong-place” sacrifices – share laws in common. If we can identify the common denominator between the two, perhaps it will help us understand much more about vows – specifically, which ones are acceptable and which are not – as well as the concept of annulling vows.

Let us begin by asking why Moshe taught these laws specifically to the tribal heads, as we saw above, and not to all of Israel? After all, that a person should not violate his word should be taught to the potential oath-takers, namely, the entire Nation of Israel!

Clearly, Moshe was interested in assigning to the leaders a special and key task regarding oaths – namely, to determine which ones must be kept! They were to determine whether a given oath is of the type that must be fulfilled, or rather of the type that they must ensure is *not* kept. For the latter cases, they must also find the way to facilitate this.

Let us now consider: What type of oath is that which the Torah commands us not to violate (Bamidbar 30,3), and what type may, and should, be annulled?

## ■ Preserving the Moment

Our Sages in Pirkei Avot (Ethics of the Fathers 3,13) teach: “Vows are a protective fence for abstinence.” What does this mean?

There are moments of holiness, moments of purity, in which a person reaches high levels of spiritual inspiration, and desires only to come close to G-d. Knowing that he is only human and has limitations, he is only too aware that these moments might be temporary, for his physical desires are poised to regain control at any moment. An oath is made precisely for these special moments of spiritual elevation, to prevent the temptations of daily life from dissolving them, and to maintain and preserve them for as long as possible.

One may feel, for instance, that his desire to eat is too strong and is preventing him from fulfilling his spiritual potential. He should then declare, “From now on, meat is forbidden to me, by oath,” or, “I vow to no longer eat sweets in the afternoon and evening hours” – and he is thereby forbidden, by Biblical Law, to eat the specified items at the specified times.

Sometimes oaths are made for other spiritual reasons. When a person wishes to thank G-d for one of His many gifts, for instance, he dedicates a sacrificial thanks-offering, or declares that he plans to bring one; he is now under obligation to do so, and he may not renege.

These are moments in which one’s heart is opened, and the pure spark of Divinity within him is revealed. This is a glimmer of true sanctity, and it may not be desecrated. (If he later expresses regret at having made the vow and shows that it was made in error, this shows that it was not a true glimmer of sanctity, but rather an immature and undeveloped fervor that temporarily overcame him – and it can be annulled.)

But people sometimes undergo very negative moments. There are times when one is so angry and vengeful at another person that he declares in his fury: “From now on, I will have nothing more to do with you; I forbid myself to have any benefit from you!”

Is this the type of vow that the Torah wishes us to fulfill? Does the Torah wish to preserve and maintain this moment of anger forever, as it does regarding our moments of spiritual high? Must our spiritual slip-ups be retained for perpetuity?

Certainly not, and it is for this type of negative vow that Moshe convenes the tribal leaders. He instructs them that it is within their power to determine

which vows must be kept and which should be annulled, and that the key to annulling the negative oaths is in their hands.

The nullification of a vow must not be a haphazard, informal process, but must rather be carried out in an organized fashion. One way is if he who made the vow expresses sincere regret before a sage or a court. Or, he can be presented with various scenarios, until he reaches the point where he can say, “I never meant for the vow to apply under these circumstances.” Based on this, a sage or court can then annul the vow totally.<sup>1</sup>

In short, Moshe informs the leaders of the tribes that though a person must fulfill his vows, it is up to them to make sure that only desirable and positive vows are kept.

### ■ Sacrifices Outside the Temple

What is the nature of the similarity between negative vows and wrong-place sacrifices, as shown by the presence of the phrase *This is the word that G-d has commanded* in both? The Talmud equates them outright:

**Rabbi Natan says: One who makes a vow is as if he built a forbidden altar – and if he keeps the vow, it is as if he sacrificed an offering upon it.** (Nedarim 22a)

It is obvious that Rabbi Natan is referring to vows of the detrimental type. Given that the Divine Presence dwells in the Temple, sacrifices brought outside the Holy Temple are not only a forfeit of the chance to bring a sacrifice to Hashem, but are even an expression of idol worship – as they deny G-d’s decision to reveal Himself in the place that He ordained. One who brings such offerings has cut off the branch from its roots.

And the connection with vows? – When a person makes a vow out of anger, or because he wishes to threaten or take revenge, he thus detaches himself from his true self, from his Divine internal spark, and from his own personal Holy of Holies in which his soul resides.

Not for naught did Chazal state that anger is an expression of idol worship (Shabbat 105b). For instead of the vow being an expression of his soul’s longing for G-d and sanctity, he allows the oath to stem from his “foreign” inclinations – those which are not truly him. A desirable oath is one that

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1. Either an expert judge or a court of three “regular” men, whose considered judgment is equivalent to that of one expert, is permitted to annul vows.

comes from the “image of G-d” within him – whereas an anger-based oath stems from a place that is estranged from G-d, and as such, is directed towards a foreign entity.

The parallel expressed by the verses between “anger-motivated vows” and *sh'chutei chutz*, “wrongfully directed sacrifices” that are brought outside the Temple, is a beautiful one. The Torah dedicates an entire chapter to these sacrifices, chapter 17 in Vayikra, which begins as follows:

וַיִּדְבֶר ה' אֶל מֹשֶׁה לֵאמֹר... זֶה הַדְּבָר אֲשֶׁר צִוָּה ה'...

*Hashem spoke to Moshe...*

***This is the word that G-d has commanded...***

אִישׁ... אֲשֶׁר יִשְׁחַט... מִחוּץ לַמִּחֲנֶה. וְאֵל פֶּתַח אֹהֶל מוֹעֵד  
לֹא הֵבִיאוּ לְהַקְרִיב קָרְבָן לֵה'... דָּם יִחֹשֵׁב לְאִישׁ הַהוּא...

*One who slaughters and did not bring it to the Tent  
of Meeting for a sacrifice unto G-d... he has shed blood...*

וְלֹא יִזְבְּחוּ עוֹד אֶת זְבָחֵיהֶם לְשִׁעִירִם...

*Let them no longer offer their sacrifices*

***to the demons...*** (Vayikra 17,1-7)

Let us carefully examine this passage: *Sacrifices to demons* and spirits, as stated in the last verse, is a form of lowly, revolting idol-worship – and is cited here as an example of sacrifices brought in the wrong place. On the other hand, those that are brought in the right place, in the Tent of Meeting, are *a sacrifice unto G-d*.

And in the opening verse, we see the phrase that this passage “shares” with the laws of oaths: ***This is the word that G-d has commanded***. This is the *g'zerah shavah* – the verse that appears in both passages and that teaches the commonality between them – and Moshe Rabbeinu learned from it the correct attitude towards undesirable, negative vows. This is why it was said ***This is the word that G-d has commanded*** – because he had been commanded them elsewhere, regarding “foreign sacrifices.”

He thereupon gathered the leaders of the tribes and instructed them that it was up to them, as leaders, to differentiate between the two types of vows, and to make sure to annul the wrong ones.

## ■ The Shining Glass

We can now go further and understand yet another teaching of our Sages:

Moshe prophesied with the words, “*Thus spoke the Lord*,” as did the other Prophets – but Moshe went one step further than them, saying, “*This is the word that G-d has commanded.*” (Sifri, Parashat Mattot 193)

The Medrash explains Moshe’s superiority in a different way:

All the Prophets saw their Divine visions through a glass that was not polished, as is written (Hosea 12,11), *I appeared to the Prophets in many likenesses*. But Moshe saw through a clear, polished glass, as is written (Bamidbar 12,8), *I speak to him in a vision without allegory*. (Vayikra Rabba 1,14)

Moshe’s ability to understand G-d’s will was so precise that he was able to pinpoint and say with exactness, *This is the word* that G-d commanded. The other prophets, however, were able only to vaguely approximate: *Thus spoke the Lord* - like this, but not this exactly. Moshe was able to derive one thing from another and say with certainty what G-d wanted in a specific situation. He was granted 49 gates of wisdom (Rosh HaShanah 21b),<sup>2</sup> and this is what rendered him several cuts above all the other Prophets:

וְלֹא קָם נְבִיא עוֹד בְּיִשְׂרָאֵל כְּמֹשֶׁה אֲשֶׁר יָדְעוּ ה' פְּנִים אֶל פְּנִים.

*No other prophet has arisen in Israel like Moshe,  
whom G-d knew face to face.* (D'varim 34,10)

In this case, Moshe was able to pinpoint G-d’s precise meaning by extrapolating from the laws of “foreign sacrifices” to the laws of vows and concluding, *This is the word that G-d has commanded*.

The phrase *This is the word* contains yet another hint that our explanation is correct. When one makes a pure and holy vow, he knows that he can say, “*This is the word* – this is that which I truly want, this is what stems from my pure, inner, true self, with clear thought and desire to grow spiritually. It is not a momentary outburst of frustration or anger, but rather my genuine desire.” Other vows do not fulfill this condition, and can therefore be annulled.

## ■ The Lesson of Vagueness

One important question still remains, however: If the Torah wants us to annul negative vows, why did it not say so clearly? Why must this concept

2. These were 49 gates of hearing, but the 50th gate, that of seeing, he did not receive: “*You will not be able to see My face*” (Sh’mot 34,20).

“float in the air,” as the Gemara said, and be concealed amongst indirect hints and allusions?

The answer is that the Torah wishes to teach us the importance of fulfilling our commitments. We must be careful with what we say, and even more so when we promise something before Hashem. If the Torah would have written outright that vows may be annulled, a cheapening of our words would certainly have resulted. We would have felt no obligation to be careful with what we promise, safe in the knowledge that any promise can easily be revoked.

This “camouflage” for the concept of annulling vows is the background for the following Mishna and its accompanying explanation by the Gemara. The Mishna states:

**R. Eliezer ben Yaakov says: Even one who wants his friend to eat with him and makes a vow to this effect, should say in advance: “Every vow that I make does not apply” – but [this will work] only if he remembers that he said this while making the vow.** (Nedarim 23a)

The Mishna is referring to one who so much wants to be with his friend that he vows that if his friend refuses, his friend may never have benefit from him in the future. Clearly, such a man does not truly want the results of his vow to apply. He is simply trying to exert pressure upon his friend. He should therefore say in advance that all his future vows are voided in advance.

But why does the Mishna say that he must remember this qualification when he makes the vow? Isn't it obvious that he would remember what he just said moments before?

The Gemara explains that the Mishna is actually teaching us two laws, one of which is concealed. The concealed law is this: If someone wants his vows not to take effect throughout the year, he should get up on Rosh HaShanah and say: “Every vow that I take in the future, may it be null and void” – but he must remember this caveat whenever he makes a vow.

The Gemara then tells us that Rav Huna ben Hinena wanted to publicize this idea to the entire public, but Rava told him: “The Mishna purposely left this suggestion unclear, in order that people not take their vows lightly – and you want to publicize it?!”

### ■ Keep the Sacred – Holy

Let us conclude by noting that this entire lesson can actually be summed up by one word in the Torah: לא יחל דברו, *he shall not violate his word* – the theme of the entire concept of vows and oaths. The root of this word comes from the word for “secular, profane,” and the verse tells us not to profane something that is sacred. The Torah tells us that a positive, welcome vow is an expression of sanctified will, one that aims to bring one to higher spiritual levels. This type of vow must never be nullified, for this would be turning sacred into profane.

But a vow that expresses anger, vengeance and frustration is not holy and does not raise a person higher on the rungs of sanctity; it is profane at its root. This is why the Torah tells us not to violate our vows – that is, not to take holy vows and render them profane.

It is the job of the leaders and sages to differentiate between holy and profane. By speaking with and questioning the person who took the oath, they can determine whether the vow was rooted in spirituality, or in something more negative and profane. This is what makes these leaders truly the *heads of the Tribes of Bnei Yisrael*.



