



## Why Does the Torah Allow a Man to Annul a Woman's Vow?

### Can a Woman Take a Vow to Become a Nazir?

In the spiritual community of Bat Ayin, we have several *Nezirim* – people who take upon themselves to abstain from any products of the grapevine and from cutting their hair. They also may not come into contact with the dead (See *Bamidbar* 6:1-8). Among the long-haired *Nezirim* of Bat Ayin, who make kiddush on beer, there is a woman as well. She is more hidden, never having occasion to make kiddush for the guests, with her long hair modestly covered. She told me, secretly, that her husband had encouraged her to join him in becoming a Nazir, in order to attain extra holiness. Almost 2000 years ago, Princess Berenice of Judea took a Nazirite vow. In the Torah, a person generally only made a vow due to a desperate situation, feeling the need for Heavenly assistance. This was the case with the barren Chana, who took a vow in order to conceive a son (I *Shemuel* 1:11). Interestingly, part of her vow was for her son to become a Nazir from the moment of conception. This implied that she took upon herself to be a Nazir throughout her pregnancy. The Torah explicitly permits a woman to make a vow to become a Nazir:

#### ספר במדבר פרק ו פסוק ב

דִּבֶּר אֶל בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אִישׁ אוֹ אִשָּׁה כִּי יִפְּלֵא לְנָדָר נָדָר לְהִזְיֹר לְהָשֵׁם:

“Speak to the children of Israel, and you shall say to them: A man or woman who sets himself apart by making a nazirite vow to abstain for the sake of Hashem” (*Bamidbar* 6:2).

We learn from this Torah verse that a woman is empowered to take a vow.

### Do the Laws of Vows Disempower Women from Carrying out Their Own Decisions?

*Parashat Matot* opens with the laws of taking vows. It includes the specifics regarding the vows taken by women. These rules can be summarized as follows: 1) Any woman may make a vow at any time and place; 2) A woman's vow has the same validity as that of a man; 3) Even when a woman is subject to a man's authority, she doesn't need to receive his permission to make a vow, nor inform him of her will; 4) Under certain circumstances a father may annul his daughter's vow and a husband, his wife's vow. From the fact that the Torah does not prevent women from making vows, or require them to obtain advance permission, or give advance notification, we may conclude that the Torah wished to enable women to stand before G-d in any place whatsoever, just as men, and make their vows without intermediaries and without witnesses. These clear rules concerning women's vows are presented in this *Parashat Matot*:

#### ספר במדבר פרק ו פסוק ד וְאִשָּׁה כִּי תִדָּר נָדָר לְהָשֵׁם וְאָסְרָה אֶסֶר בְּבֵית אָבִיהָ בְּנוּעָרֶיהָ: (ה) וְשָׁמַע אָבִיהָ אֶת

נְדָרָהּ וְאָסְרָה אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ וְהִחְרִישׁ לָהּ אָבִיהָ וְקָמוּ כָּל נְדָרֶיהָ וְכָל אֶסֶר אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ יָקוּם: (ו) וְאִם הֵנִיא אָבִיהָ אֶתָּה בְּיוֹם שָׁמְעוּ כָּל נְדָרֶיהָ וְאָסְרָה אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ לֹא יָקוּם וְהָשֵׁם יִסְלַח לָהּ כִּי הֵנִיא אָבִיהָ אֶתָּה: (ז) וְאִם הָיוּ תְהִיָּה לְאִישׁ וְנְדָרֶיהָ עָלֶיהָ אוֹ מִבְּטָא שְׁפָתֶיהָ אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ: (ח) וְשָׁמַע אִישָׁהּ בְּיוֹם שָׁמְעוּ וְהִחְרִישׁ לָהּ וְקָמוּ נְדָרֶיהָ וְאָסְרָה אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ יָקָמוּ: (ט) וְאִם בְּיוֹם שָׁמַע אִישָׁהּ יֵנִיא אוֹתָהּ וְהִפֵּר אֶת נְדָרָהּ אֶשְׁרָה עָלֶיהָ וְאֵת מִבְּטָא שְׁפָתֶיהָ אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ יִסְלַח לָהּ: (י) וְנָדָר אֶלְמָנָה וְגִרוּשָׁה כָּל אֶשְׁרָה אֶסְרָה עַל נַפְשָׁהּ יָקוּם עָלֶיהָ: (יא) וְאִם בֵּית אִישָׁהּ נְדָרָהּ אוֹ אֶסְרָה אֶסְרָה עַל נַפְשָׁהּ בְּשִׁבְעָהּ:

“If a woman makes a vow to Hashem, or imposes a prohibition [upon herself] while in her father's house, in her youth, if her father heard her vow or her prohibition which she has prohibited upon herself, yet her father remains silent, all her vows shall stand, and any prohibition that she has

imposed upon herself shall stand. But if her father hinders her on the day, he hears it, all her vows and her prohibitions that she has imposed upon herself shall not stand. Hashem will forgive her because her father hindered her. But if she is married to a man, and she takes vows upon herself or imposes [a stringency] upon herself, by an utterance of her lips, and her husband hears it, but remains silent on the day he hears it, her vows shall stand, and her prohibition which she has imposed upon herself shall stand. But if her husband hinders her on the day, he heard it, he has revoked the vow she had taken upon herself and the utterance, which she had imposed upon herself, and Hashem will forgive her. As for the vow of a widow or a divorced woman, whatever she prohibited upon herself will remain upon her" (*Bamidbar* 30:4-11).

Women may find it disturbing that fathers and husbands can, under certain circumstances annul the vows of their daughters and wives. On the surface, this seems to undermine a woman's ability to take responsibility for her own life, granting the father or husband authority and control over her religious life. Acknowledging the Divine source of all Torah laws, how can we, mature, liberated women, accept laws which seem to disempower our ability to carry out our own decisions?

### For the Sake of Protecting the Woman

Whenever Torah law contradicts what is socially acceptable in the 'free' Western world, the eternal value of the Torah takes precedence over the ephemeral values of the Western world. However, there is a reason why Hashem causes certain perspectives to become more popular at certain times. Each wave of consciousness draws out another aspect contained within the depths of the wellsprings of Torah. Our need to affirm the importance of women in Judaism becomes an impetus for perceiving the Torah laws that seem to belittle women's role in a deeper way. Keep in mind that although nullifying the vow of a daughter or wife removes the punishment, should she be unable to fulfill it; this does not prevent her from carrying out what she has sworn. Let's say a woman takes upon herself to become a vegetarian. The ability to annul her vow does not give her husband the power to force her to eat meat. It only prevents her from being punished, should she accidentally come to eat meat. Moreover, not every vow can be nullified by her husband. Rabbi S.R. Hirsch explains that the right of the husband to annul her vow is limited to the vows through which the woman causes herself hardship and pain, or vows that pertain to their relationship. Due to the self-sacrificing nature of a woman, she could easily come to take upon herself more than she can handle. Her husband's ability to annul her vow serves to prevent her altruistic nature from going overboard. Thus, the ability to annul her vow is a protection for the woman. (Chana Bracha Siegelbaum, [Women at the Crossroads: A Woman's Perspective on the Weekly Torah Portion](#) pp 153-154). Don't we all want a protective shoulder to lean on?

### The Precautions for Taking Vows

Today, most people – be it men or women – avoid taking upon themselves any vow altogether. "It is taught by Rav Dimi, brother of Rav Safra: Anyone who makes a vow, even if he carries it out, is called a sinner. Rav Zevid said: What passage proves this? "If you refrain from vowing, you incur no guilt" (*Devarim* 23:23). It may be inferred that if you did not refrain [from taking vows], then there is a sin" (*Babylonian Talmud, Nedarim* 77b). Since obligations to Heaven are absolute and we never know if we will be able to carry out our vow, it is preferable to refrain from making vows altogether. Hence among Torah Jews, we often use the popular expression, בְּלִי נֶדֶר / *B'li Neder* – 'without taking a vow' to ensure that should we inadvertently be unable to keep a promise, we are not responsible for breaking a vow. Thus, it seems that the laws of annulling a daughter's or wife's vow is rarely applicable in our time.

## Chesed must Override Gevurah and the Judgments of Vows

Let us take a look at the mystical *Zohar* to glean a deeper understanding of the Torah's eternal laws. As is known in Kabbalah, the four-lettered name of Hashem, yud-heh-vav-heh, consist of two masculine letters: yud and vav and two feminine letters: the upper and the lower heh. The letter yud corresponds to the archetype of 'Father' and sephirah of 'Chachma.' He is the 'husband' of the upper heh, which corresponds to the archetype of 'Mother' and the sephirah of Binah. Likewise, the letter vav corresponds to the archetype of 'Son' and the six middle sephirot (from Chesed to Yesod). He is the 'husband' of the lower heh, which corresponds to the archetype of 'Daughter' and the sephirah of Malchut.

זוהר חלק ג דף רלב/א ועוד רזא אחרא, בתר דאתגזר גזרה בתרין אתון דאינון ה' ה', תרין בתי דינין, מאן יכיל לבטלא גזרה דתרווייהו, י' ו', דאת ה"א אימא עלאה, י' אב, ומה כתיב, (במדבר ל יד) כל נדר וכל שבועת אסר לענות נפש, דאיהי ה', אישה יקימנו, ואישה יפרנו,

There is yet another secret. For after the decree is enacted in the two letters heh heh, which are the two courts OF BINAH AND OF MALCHUT, who is able to rescind the decree of both of them, if not the YUD VAV OF yud keh vav keh? For the letter heh is the Upper Mother, BINAH, and yud is father, CHOCHMAH. And what is written? "Every vow and every binding oath to afflict the soul (which is heh THAT IS CALLED 'SOUL,' HEB. NEFESH), her husband may let it stand or her husband may make it void" (*Bamidbar* 30:14); (*Zohar* 3:232a).

The feminine sephirot, are on the left side of the Tree of Life – the side of judgment, whereas the masculine sephirot represent the right – the aspect of kindness. Thus, the two hehs of judgment correspond to the upper and lower courts. Whereas judgment has the merit of teaching us to take responsibility for our actions – which have consequences – we and the world cannot endure too much judgment. This is due to our imperfect nature. If judgment were perpetually metered out for our transgressions, we and the world would not have enough merit to continue to exist. Therefore, Hashem ingrained within the fabric of creation the ability of the masculine kindness to rescind the decrees of the feminine judgements, when necessary. This principle is at its zenith on Rosh Hashana during the blowing of the shofar – called 'the voice of the vav' in order to annul the judgments of the two hehs (*Zohar* *ibid.*). Throughout the High-Holidays men and women alike annul vows taken unbeknownst to ourselves throughout the year. We must all annul any possible unfulfilled vows, that may stand in the way of being granted life for the coming year. Therefore, the opening prayer of Yom Kippur, the *קַל נִדְרֵי* / *Kol Nidrei* – 'annulment of vows' is the highpoint of the Yom Kippur prayer service.

## Annuling Vows – The Safety Net for Women and Men Alike

When we hear the *Kol Nidrei* prayer on Yom Kippur, we can receive forgiveness for any unfulfilled vows we may unintentionally have made. Not only women, but men too, need this safety-net of having our vows annulled. It is actually a Divine Chesed granted to all of us. Had Yiftach been a wife, he could have gotten his vow – to sacrifice his daughter – immediately dissolved. As a woman, I appreciate the privilege that I won't have to go to the Beit Din to annul any unattainable stringency I may have inadvertently taken upon myself. I'm grateful for my supportive husband, who only has my best interest in mind. Even if he were to nullify my yearly juice-fast resolve, it wouldn't prevent me from carrying out my yearly inner cleansing.