

**IT IS BETTER NOT TO VOW:
A TEXT IMMERSION IN TRACTATE NEDARIM**

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ABSTRACT

It has long been traditional not to study Tractate Nedarim.¹ It is written in an unusual dialect that marks it as geographically and/or chronologically different from most tractates of the Babylonian Talmud,² and it is largely hostile toward its own content, deriding vows as products of anger and wickedness.³ Yet it is filled with intriguing insights into rabbinic thinking about the meaning of language, agency, and obligation that could usefully inform Reform Jewish discourse. This paper endeavors to uncover some of those insights and to explore their contemporary relevance.

The paper focuses on four thematically related chapters from Tractate Nedarim: Chapters 3, 5, 9, and 11. The paper itself comprises an introduction, two essays, and a conclusion. The introduction acquaints the reader with essential information about vows and lays out the trajectory of the paper in greater depth. The first essay examines the tension between the rabbis' disdain for vows and their willingness to cast themselves in the roles of vowers in their own narratives. The second essay considers the rabbinic attitudes toward intention and agency that are evident in Tractate Nedarim and attempts to draw conclusions regarding the rationale for the rabbis' opposition to vowing. The conclusion addresses the ways in which concepts from Tractate Nedarim might enrich contemporary Reform Jewish thought and practice.

¹ David Weiss Halivni, *The Formation of the Babylonian Talmud*, trans. Jeffrey L. Rubenstein (New York, NY: Oxford University Press, 2013), 194.

² *Ibid.*, 194–195.

³ b. Ned. 22a–b.

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INTRODUCTION

Most Jews have probably heard of *nedarim*, or “vows,” from one of two rather unflattering sources. The first is Kol Nidrei, the namesake liturgical unit of the Yom Kippur evening service, in which supplicants ask God to release them from any vows they may have broken in the last year or may break in the year to come, depending upon the community’s custom. The second is the expression *bli neder*, or “without a vow,” a phrase Orthodox Jews frequently append to promises so as not to incur any halahic penalty if they cannot fulfill them. In both cases, the implication is clear: vows are difficult to keep, and dangerous to break. Yet, for the rabbis of the Talmud, they were also an inescapable halahic reality, occasioned by the explicit instructions for vowing given in Numbers 30. Indeed, the rabbis understood a person who vows to be subject to two separate *de’oraita* mitzvot: the obligation not to delay in keeping one’s word, and the obligation not to profane one’s word.⁴ There are also numerous examples in the Tanakh of characters who make and keep their vows,⁵ suggesting that vows may have some redeeming features. The tension between the Tanakh’s apparent endorsement of vows and the human tendency to break them frames the discussion of vows in Tractate Nedarim of the Babylonian Talmud. While the rabbis cannot simply disallow vowing, since the Torah explicitly permits it, the overall thrust of the tractate is that one should take pains to avoid vowing whenever possible. The rabbis’ discomfort about vows is evident in the many methods they devise for nullifying them, and in the many tales they tell of vows gone wrong.

⁴ Deut. 23:22 and Num. 30:3, respectively; see also b. Ned. 3a; Rambam Sefer Avodah, Hilkhhot Ma’aseh Ha-qorbanot 14:13; Rambam Sefer Hafla’a, Hilkhhot Nedarim 1:5; Joshua Schreier, Adin Steinsaltz, and Tzvi Hersh Weinreb, eds., *Koren Talmud Bavli, the Noé Edition*, vol. 18: Tractate Nedarim (Jerusalem, IL: Shefa Foundation, 2015), 1.

⁵ See Gen. 28:20, 31:13; Num. 21:2; Judg. 11:30–39; 1 Sam 1:11, 20–28; 2 Sam 15:7–8; Isa. 19:21; Ps. 22:26, 132:2.

Before going further, it is important to note that although “vow” is a perfectly reasonable translation for *neder*, a *neder* is a more specific type of vow than the English word alone implies. A *neder* is always a vow to fore swear benefit from something—a thing, a person, or any combination thereof—or to forbid another person from benefiting from something. Vowers may forbid anything to themselves, but they may only forbid others to benefit from things that they, the vowers, own. In either case, vowers declare the thing(s) they wish to fore swear to be like something consecrated to the Temple, and therefore inaccessible to whomever is the subject of the vow.⁶ A halahic vow is thus not just any promise, but a voluntarily-assumed stricture, made perhaps as an expression of personal piety, or perhaps for less noble reasons.

It is the latter possibility that particularly vexes the rabbis of the Talmud, and drives them to devise extensive options for escaping from ill-considered vows. There are essentially three ways for a person to get out of a vow: the vow can be found to be invalid a priori; a halahic authority can use an acceptable opening to release a person from a vow; and, in some narrow circumstances, a woman’s father and/or husband may overturn her vow. In the first category, there are four types of vows that are considered invalid a priori:

- Exhortative vows (*nidrei zeiruzin*)—vows whose real purpose is to goad someone else into doing something, e.g., “may this item be forbidden to me if I sell it for less than ten dollars” (b. Ned. 20b–21a).
- Hyperbolic vows (*nidrei havai*)—vows that depend upon an exaggerated condition that the vower believes could never obtain, and therefore really serve to express the

⁶ Adin Steinsaltz, *The Talmud, the Steinsaltz Edition: A Reference Guide* (New York, NY: Random House, 1989), 227; Steinsaltz, *Nedarim*, 1.

vower's incredulity about that possibility, e.g., "may this item be forbidden to me if I don't see a snake as large as an olive press" (b. Ned. 24b).

- Mistaken vows (*nidrei shegagot*)—vows made on the basis of incorrect assumptions or beliefs, e.g. a vow not to provide benefit to someone whom one suspects of wrongdoing, but who turns out to have done nothing wrong (b. Ned. 25b).
- Obstructed vows (*nidrei onasin*)—vows that the vower is unavoidably prevented from fulfilling, e.g. when a person who has vowed to have a meal at a friend's house falls ill and cannot go out (b. Ned. 27a).

Since these four kinds of vows are inherently invalid, one need not go to a halahic authority to nullify them—anyone who makes such a vow is considered as if they had not vowed at all. For all other vows, the Talmud explains that it may be possible to be released from them, but that one must petition a halahic authority to do so. That authority must find an appropriate opening, an inquiry that will elicit a compelling reason from the vower for nullifying the vow. There is much debate in the Talmud as to what constitutes an appropriate opening, but the options are quite broad: a halahic authority may simply ask a vower if they regret their vow, for example, and may nullify the vow on that basis.⁷ Broadly speaking, if a person can truthfully testify that they regret having vowed, and that they never would have

⁷ b. Ned. 22b; however, the Talmud records in 21b that there are Sages who dissent from this position, holding that one may not use regret as an opening for nullifying vows. The ambivalence conveyed by the Talmudic discussion of this matter is consistent with Tractate Nedarim's overall ambivalence about vows, but it is also consistent with the Talmudic tendency to preserve dissenting opinions even on settled questions (see Jeffrey L. Rubenstein, *The Culture of the Babylonian Talmud* [Baltimore, MD: Johns Hopkins University Press, 2003], 39–48; Hermann Leberecht Strack and Günter Stemberger, *Introduction to the Talmud and Midrash* [Minneapolis, MN: Fortress Press, 1992], 133–139, 192).

done so had they understood the likely consequences of their vow, then their vow may be nullified.⁸

In contrast to the many options available to a person wishing to nullify their own vow, the possibilities for overturning another person's vows are much more limited. Only fathers and husbands may overturn their daughters' or wives' vows, respectively, and then only under specific circumstances. A father may only overturn his daughter's vows if she is under the age of 12 ½; if she is older, she is considered to be a *bogeret*, an adult woman, and no longer subject to her father's authority (at least in relation to vowing).⁹ Husbands face no such age restriction, but they are subject to a different type of restriction. They may only overturn two types of vows: vows that involve self-affliction, as specifically mentioned in Numbers 30:14, and vows that directly affect the marital relationship.¹⁰ If a woman is a *na'arah ha-morasah*, a betrothed woman who is not yet an adult, then her father and fiancé both must nullify her vow together.¹¹ Even if all of the preceding requirements are met, husbands and fathers may only overturn their wives' or daughters' vows on the same day that they hear of them; if they wait any longer, the vows are considered to be upheld.¹² As averse

⁸ Steinsaltz, *Nedarim*, 2–3. The qualification “likely” serves to differentiate consequences that could reasonably be predicted from the outset of the vow from consequences that arise from new and unanticipated developments. The latter would be considered a *nolad*, a new situation that could not have been anticipated, and would not constitute an acceptable opening for dissolving a vow (b. Ned. 23a, 64a–b).

⁹ b. Ned. 70a; see also Steinsaltz, *The Talmud*, 166, 184; Steinsaltz, *Nedarim*, 300.

¹⁰ b. Ned. 79a–b; for discussion of which vows qualify as vows of affliction or vows that directly affect the marital relationship, see b. Ned. 79b–81b; see also Steinsaltz, *The Talmud*, 184; Steinsaltz, *Nedarim*, 335.

¹¹ b. Ned. 66b–67a; see also Steinsaltz, *The Talmud*, 184, 230; Steinsaltz, *Nedarim*, 289.

¹² b. Ned. 76b; see also Steinsaltz, *Nedarim*, 289. Since a father or husband must nullify his daughter's or wife's vow on the same day he hears of it, he may do so even on Shabbat (b. Ned. 77a–b).

as the rabbis are to vowing, it seems that in the case of overturning the vows of others, they prefer to preserve the vowers' agency, a choice I will discuss in greater detail later on.

Evidently, since the rabbis could not eliminate vows outright, they felt compelled to establish clear, accessible mechanisms for getting out of them. The question remains: what exactly is it about vows that the rabbis find so distasteful? Is it simply the (not insignificant) risk of sinning by breaking them, or is it something inherent in the vows themselves? These are the guiding questions that this paper endeavors to address.

My analysis focuses on four thematically related chapters from Tractate Nedarim: Chapters 3, 5, 9, and 11. Chapter 3 discusses at length the four kinds of vows that are considered to be invalid a priori: exhortative vows, hyperbolic vows, mistaken vows, and obstructed vows. Chapter 5 responds primarily to two questions: first, what happens when a person foreswears benefit from shared property? Second, if a person wishes to help a needy person whom they are forbidden to help by a vow, are there any acceptable ways of circumventing the vow? Chapter 9 contains Tractate Nedarim's main discussion of the circumstances under which a halahic authority may dissolve a person's vow, and Chapter 11 features a similar discussion regarding the overturning of women's vows by their husbands and fathers. Together, Chapters 3 and 9 deal with vows primarily from an individual vower's perspective, whereas Chapters 5 and 11 address the ways in which one's vows may affect or be affected by others. All four chapters speak to the rabbis' investment in the power and meaning of language and the importance of intention and agency, and all four offer intriguing insights into the reasoning behind the rabbis' aversion to vows.

In the first section of this paper, I will explore the apparent tension between the rabbis' condemnation of vows and their habit of making them, as evidenced by the many

stories they tell of rabbis who attempt to evade vows that they have made. In the following section, I will examine the rabbis' tendency to privilege intention over expression in the realm of vows, and to maximally preserve the agency of individuals affected by vows, and will attempt to draw conclusions from this evidence as to why it is that the rabbis so vociferously oppose vowing. I will conclude with a discussion of what this material might mean to contemporary Reform Jews, and how we might reconsider the role of vowing within a Reform context.

ESSAY ONE: THE RABBIS AS VOWERS

One could reasonably summarize the guiding philosophy of Tractate Nedarim in six words: vows are bad—don't make them! This might seem at first blush to be a surprising position for the Talmud to take, given that the biblical treatment of vows is more favorable. The main halahic instruction in the Tanakh regarding vows appears in Numbers 30:3, in which Moses declares to the Israelites: "A man who vows a vow to Adonai, or swears an oath to impose a prohibition on himself, he shall not desecrate his word; according to all that goes forth from his mouth he shall do." From this verse, it is apparent that vows are weighty matters, commitments that should only be made with full intention to carry them out, but there is no indication that the practice of vowing is altogether unwise. The fourteen verses that follow Numbers 30:3 also deal with vows, but only as they pertain to women under the care of their fathers or husbands, since their fathers and husbands may overturn their vows under the proper circumstances. The rest of the halahic material in the Torah regarding vows comes in the context of vows to become a nazirite—a person who pledges to abstain from grapes, intoxicants, haircuts, and contact with the dead and other sources of ritual impurity for some designated period of time—or vows to make special offerings to God.¹³ Both of these types of vows are intended to be expressions of piety,¹⁴ and therefore may be considered to be laudable undertakings.

Much of the biblical material about vows comes in the form of narrative examples of vows made by particular characters, however, and their outcomes are mixed. The first vow

¹³ See e.g. Lev. 7:16, 22:17–25, 27:1–8; Num. 6:1–21, 15:1–16; Deut. 12:1–27, 23:19.

¹⁴ This was certainly Philo's understanding—he writes of those who take nazirite vows that they "dedicate and consecrate themselves, showing indescribable piety and superiority of god-loving intention" (in Jutta Leonhardt-Balzer, *Jewish Worship in Philo of Alexandria* [Tübingen: Mohr Siebeck, 2001], 118).

in the Tanakh is the one Jacob makes at Beth El in Genesis 28. At this point, Jacob has just left home and set out on his own for the first time to find a wife, but he is also fleeing from his brother, Esau, whose rightful birthright and blessing he has stolen, and who has sworn to kill him (Gen. 27:41). Fearing reprisals from his brother, Jacob promises that if God will protect him from harm, he will erect a monument in God's honor and offer God a tithe (Gen. 28:20–22). This God does, but it is unclear whether or not Jacob holds up his end of the bargain;¹⁵ in any case, he walks away unscathed. The next narrative vow in the Tanakh belongs to the people Israel as a whole, who vow to destroy¹⁶ the cities of the land of Arad if God will deliver that land to them (Num. 21:2). Again, God does as the people ask, and this time we are told explicitly that Israel fulfills its vow (Num. 21:3). Perhaps the most famous vow in the Tanakh is Hannah's desperate vow to dedicate her son to God's service, if only God will help her to conceive one (1 Sam 1:11). Not only does Hannah uphold this vow, but her accompanying prayer comes to be regarded by the rabbis as a prototype of pious prayer.¹⁷ In all of these cases, vowing comes across as a dependable method of securing God's favor in difficult times.

¹⁵ Although we do see Jacob erecting a monument to God at Beth El in Gen. 35:1–15, we do not receive similar confirmation that he has tithed, nor is it clear what it could have meant for him to tithe to God, given that there was no Temple or Tabernacle available to him. It may be that Jacob, ever the consummate trickster, has managed to secure aid from God by means of a vow without completely fulfilling it (see Tony W. Cartledge, *Vows in the Hebrew Bible and the Ancient Near East* [Sheffield, UK: JSOT Press., 1992], 166–175, esp. 171–172; Paul Vrolijk, *Jacob's Wealth: An Examination into the Nature and Role of Material Possessions in the Jacob-Cycle (Gen 25:19–35:29)* [Leiden: Brill, 2011], 116–117).

¹⁶ The word used here is *haharamti*, which can mean either “I will utterly destroy” (cf. Deut. 2:34) or “I will consecrate” (cf. Lev. 27:28–29). *The Jewish Study Bible* splits the difference, translating the term as “proscribe,” but clarifying that it refers to a kind of destruction whereby any loot that is not destroyed must be consecrated to God (Adele Berlin, Marc Zvi Brettler, and Michael Fishbane, eds., *The Jewish Study Bible* [New York, NY: Oxford University Press, 2004], 325).

¹⁷ See b. Ber. 29a, 31a–32a.

The Tanakh does not unequivocally endorse vowing, however. In Deuteronomy 23:22–24, Moses urges the Israelites to fulfill their vows, noting that “if you refrain from vowing, there will be no sin in you,” presumably because you cannot incur sin for breaking vows you do not make. In a similar vein, we read in Ecclesiastes 5:4 that it is better not to vow than to vow and not repay it. These warnings might have been helpful to Jephthah, the mighty warrior from Judges 11 who petitions God to help him in battle against the Ammonites, and vows in exchange to offer up to God whatever he first sees upon returning home in peace. When he does return home, he is horrified to be greeted by his only daughter. After giving his daughter two months to seclude herself with her companions and lament her fate, the text ominously reports that Jephthah “did to her his vow which he had vowed.” This language is ambiguous enough to open up the possibility that Jephthah did not actually kill his daughter,¹⁸ but in any case, it is clear that he was compelled to dedicate her to God in some fashion, and thereby lose her, as well as any progeny she might have produced. Jephthah’s tragic tale is a compelling testament to the danger of making rash vows.

Unsurprisingly, the rabbis of the Talmud deride Jephthah, opining that he should have gone to a halahic authority and sought release from his vow, rather than fulfill it.¹⁹ Unlike Jephthah, the rabbis do take Moses’ and Qohelet’s warnings to heart, and even expand upon them. In their discussion of what does or does not constitute an acceptable opening for dissolving a vow in b. Ned. 22a, the rabbis note that a halahic authority should not use

¹⁸ See *Jewish Study Bible*, 538; Jonathan Magonet, “Did Jephthah Actually Kill his Daughter?”, *TheTorah.com*, accessed December 12, 2017, <http://thetorah.com/did-jephthah-actually-kill-his-daughter/>.

¹⁹ Tanhuma Behukotai 7.

Shmuel's words to inquire with a petitioner about possible justifications for dissolving their vow:

For Shmuel said: Even though he upholds [his vow], he is called wicked. Rabbi Abahu said: What is the scriptural source [for Shmuel's statement]? "But if you refrain [*tehdal*] from vowing, there will be no sin in you" (Deut. 23:23). And he learns [how to understand] "*hadalah*" [here from] "*hadalah*" [that appears elsewhere]: it is written here, "but if you refrain [*tehdal*] from vowing," [and] it is written there, "there the wicked cease [*hadlu*] from troubling" (Job 3:17). (b. Ned. 22a)

In this passage, Rabbi Abahu uses a *gezeirah shavah*, a verbal analogy, to extrapolate from the use of the verb *hadal* in both Deuteronomy 23:23 and Job 3:17 a connection between vowing and wickedness. Rabbi Abahu's and Shmuel's innovation in this passage is to assert that it is not only bad to break one's vows, but that even someone who upholds their vows is considered wicked for having vowed in the first place. These rabbis' denunciation of vows echoes one that appears earlier in b. Ned. 9a, in which a Mishnah asserts that one who vows "like the vows of the wicked" could be referring to any sort of vow—nazirite vows, vows to make offerings, even oaths—but that one who vows "like the vows of the righteous" has said nothing. The implication is that only the wicked make vows, while the righteous heed Moses' advice and refrain from vowing. This makes vowing particularly dangerous in light of the rabbis' interpretation of Proverbs 20:25, which includes a reference to "inquiring after vows." In b. Ned. 22a, Rabbi Abba cites this verse as proof that when a person vows, their record book is opened and their deeds examined, which must be a frightening prospect for a wicked person.

The rabbis also seem to be concerned that many vows are made in the heat of anger, and that allowing them to stay in force can only intensify that anger, with potentially disastrous consequences.²⁰ The Gemara relates an illustrative story of a man who came before Rabbi Elazar to request that his vow be dissolved (b. Ned. 21b). Rabbi Elazar asked him if he had wanted to vow, and he replied that if he had not been angered by some unspecified individuals, he would not have wanted anything. Rabbi Elazar responded with, “let it be as you want,” a slightly cryptic turn of phrase, but as this story comes in the middle of a litany of stories about people who successfully petitioned to have their vows nullified, it suggests that Rabbi Elazar did find the man’s anger to be a sufficient reason to release him from his vow. Tellingly, these stories are followed by the discussion referenced above of openings that one may not use to nullify petitioner’s vows, which, in turn, segues directly into a diatribe about the perils of anger that occupies much of b. Ned. 22a–b. The rabbis do not mince words in their condemnation of anger: they colorfully declare that anyone who becomes angry is ruled over by Gehenna and controlled by his hemorrhoids, does not care even about the Shechinah, and is understood to have more sins than merits. The placement of this discourse reinforces the connection between anger and vowing, and helps to explain why the rabbis so vehemently oppose vows.

There are, of course, dissenting viewpoints among the rabbis regarding the merits of vows. Rabbi Meir and Rabbi Yehudah disagree about this matter:

For it is taught [in a *baraita*]: [Regarding the verse,] “It is better that you not vow, than that you vow and do not repay” (Eccl. 5:4), better than either of those [is one]

²⁰ See Steinsaltz, *Nedarim*, 2.

who does not vow at all. These are the words of Rabbi Meir. Rabbi Yehudah says:
better than either of those [is one] who vows and repays. (b. Ned. 9a)

While Rabbi Meir evidently shares Shmuel and Rabbi Abahu's aversion to vows, Rabbi Yehudah takes a position more akin to Philo's perspective, wherein vows provide an opportunity for the upright to demonstrate their righteousness by taking on special obligations and following through on them. Rabbi Yehudah was undoubtedly not the only Talmudic rabbi who held this opinion.

That said, Rabbi Yehudah is outnumbered by his opponents, and the preponderance of Talmudic material regarding the dangers of vows and the mechanisms for undoing them supports their opposition. Of the eleven chapters in Tractate Nedarim, five are concerned primarily with undoing vows, whether through a priori invalidation, nullification by a halahic authority, or, in the case of some women, overturning of vows by those to whom the women's agency is subordinate. The Talmud's emphasis on exploring ways to undo vows stands in contrast to the halahic material on vows in the Tanakh, which shares a preoccupation with enshrining husbands and fathers' rights to overturn their wives and daughters' vows, but is otherwise largely concerned with the proper fulfillment of vows, not with dissolving them. Indeed, that possibility is not even broached in the Tanakh; the notion that one could be released from a vow seems to be rabbinic innovation.

Tractate Nedarim is also replete with tales of vows gone badly wrong. The aforementioned story of the man who vowed in anger is itself bookended by two more stories of petitioners who regretted their vows and wished to see them nullified. In the first case, the reasons are unspecified, but in the following case, we learn of a woman who vowed to deny all benefit to her daughter, but who wished to undo her vow because her neighbors had taken

it as an indication that her daughter must somehow be unworthy and deserve to be shunned (b. Ned. 21b). Given that the mother was already willing to effectively shun her own daughter, one might presume that she regretted her vow not for her daughter's sake, but because of the damage done to her own reputation. In any case, it is clear that her vow had unpleasant consequences that she perhaps should have anticipated, but clearly did not. Along the same lines, a Mishnah on 65b recounts the tale of a certain man who vowed to deny all benefit to his wife. What the man had failed to consider, however, is that since husbands are obligated to support their wives, his vow would compel him to divorce his wife. Much to his dismay, this also meant that he would have to pay her the 400 dinars she was due per their marriage contract. When he attempted to cry poverty before Rabbi Akiva, asking whether he might be able to pay his wife a smaller amount, Rabbi Akiva replied that he was obliged to pay her the full 400 dinars even if he had to sell the very hair on his head to get it. Unwilling to pay, the man relented, and Rabbi Akiva dissolved the man's vow and allowed his wife to continue to benefit from him. Both this story and the tale of the woman and her daughter critically depict vowers as vindictive, petty, short-sighted people.

Another particularly bizarre story concerns a chance encounter between King Zedekiah of Judah and King Nebuchadnezzar II of Babylon (b. Ned. 65a). Inspired by a verse in II Chronicles referring to Zedekiah rebelling against Nebuchadnezzar (II Chr. 36:13), the rabbis explain that Zedekiah's rebellion consisted of a failure to uphold an oath. According to the rabbis, the story began when Zedekiah happened upon Nebuchadnezzar one day and found him eating a live rabbit. Nebuchadnezzar entreated Zedekiah not to reveal what he had seen, and Zedekiah agreed and swore an oath to keep the matter secret. Some time later, Zedekiah began to suffer physical pain due to maintaining this disturbing secret,

and successfully petitioned the Sanhedrin to dissolve his vow and enable him to unburden himself. When Nebuchadnezzar heard that he was being mocked for his crude behavior, he knew that his secret had been revealed, and he immediately sent for Zedekiah and the Sanhedrin. Nebuchadnezzar interrogated the Sanhedrin, asking them whether they had been aware of Zedekiah's oath and had agreed to dissolve it, both of which they confirmed. He then pointed out that in the case of an oath that impacts another person, the oath must be dissolved in that person's presence, something which the Sanhedrin had failed to do. In response, the members of the Sanhedrin removed their cushions from underneath them as a symbolic gesture of remorse.

Among the many notable elements of this story is the extent to which it reflects poorly on the Sanhedrin. In light of the numerous unfavorable depictions of vowers in Tractate Nedarim, it is not so surprising that Zedekiah and Nebuchadnezzar come across as problematic and monstrous, respectively, but it is perhaps more surprising to see the Sanhedrin make such a glaring mistake. While it may seem like an odd choice for the rabbis to represent their chief judiciary in such a way, it is actually very much in keeping with the other stories of vows gone wrong in Tractate Nedarim, several of which feature rabbis in the role of vowers. One such story begins auspiciously enough, with Rava praising one of his students, Rav Sehorah, in front of Rav Nahman. Rav Nahman responded by inviting Rav Sehorah to meet with him, and since Rav Sehorah happened to have a vow that he wanted to have dissolved, he accepted the invitation. Rav Nahman asked Rav Sehorah numerous questions about the circumstances of his vow, hoping to find an acceptable opening to nullify it, but each time, Rav Sehorah answered in such a way as to frustrate his efforts. Infuriated, Rav Nahman commanded Rav Sehorah to return to his tent. In response,

Rav Sehorah went out and made an opening for himself [using a Mishnah from Tractate Avot]: “Rabbi [Yehudah Ha-nasi] says: What is the right path that a person should choose? Any that is a glory for he who does it and a glory from his fellow men” (M Avot 2:1). And now that Rav Nahman had become angry with him, had he known [that his vow would not bring him glory from his fellow men], he would not have vowed, and he released his vow for himself. (b. Ned. 22b)

As in the tale of Zedekiah, Nebuchadnezzar, and the Sanhedrin, no one emerges from this story seeming particularly virtuous. Rav Sehorah comes across as stubborn in his responses to Rav Nahman, and perhaps even devious and rebellious, since he ultimately releases himself from his own vow in precisely the manner that the rabbis explicitly forbid later on in the tractate.²¹ Rav Nahman himself appears slow-witted and irascible, unable to devise an opening that will allow him to release his colleague from his vow, and falling prey to anger, the very emotion that the rabbis condemned earlier in the tractate. Even Rava invites criticism for his decision to publicly praise a student who proves to be problematic at best, and at worst, willing to defy halahah in order to satisfy his own wishes.

A series of similar stories follows this one, including a particularly amusing one in which Rabbi Yishmael son of Rabbi Yosei came before the Sages to request dissolution of a vow (b. Ned. 23a). As above, despite their extensive efforts, the Sages could not find an acceptable opening for dissolution, and they grew troubled. A passing launderer saw their distress and, realizing that Rabbi Yishmael must be the cause, hit him over the head with a laundering tool. In response, Rabbi Yishmael announced that he would never have vowed

²¹ See b. Ned. 81b, in which the Gemara asserts that from the biblical verse, “he shall not profane his word” (Num. 30:3), we may derive that a Sage cannot dissolve his own vows.

had he known that a launderer would hit him, and he dissolved his own vow.²² Once again, we see a Rabbi causing his colleagues to suffer, and defying the ruling that a Sage cannot release himself from a vow.

The story that follows is arguably even more embarrassing for the rabbis. It recounts a dispute between Abaye and his wife regarding whom their daughter should marry: Abaye wanted to see his daughter married to one of his own relatives, while his wife wished for her to marry one of her relatives. Abaye attempted to conclude the dispute by vowing that his wife should be forbidden to benefit from him if his daughter were to marry one of her relatives, but his wife went ahead and married her off to a relative of hers anyway. Rather than divorce his wife, as his vow would now obligate him to do, Abaye came before Rav Yosef, who dissolved the vow on the grounds that Abaye would not have vowed if he had known that his wife would defy him. What is most remarkable about this story is that it shows Abaye making an exhortative vow, a vow which is not seriously intended as a vow, but rather as a way of urging someone else to behave in a particular way. Such vows are always invalid *a priori*, a fact which Abaye would have known, yet he succumbed to his anger and to the temptation to use the language of vows for emphatic purposes. In light of

²² One might think that being hit over the head by a launderer would qualify as a *nolad*, a new circumstance that could not have been predicted beforehand, and would therefore not qualify as an acceptable opening for dissolving a vow. The Gemara raises this possibility, but dismisses it by saying that it is not a *nolad* because “it is common [to find] heretics who trouble the Sages” (b. Ned. 23a). In order for this conclusion to resolve the difficulty, we must assume that the rabbis are implying that the launderer is a heretic, perhaps based upon the lack of respect he evinces for Sages in whacking one of them on the head. Interestingly, however, it is Rabbi Yishmael who is described in the story as troubling the Sages in language that is directly parallel to the Gemara’s description of heretics. This ambiguity suggests that the Gemara may intend to express both interpretations: certainly that the launderer is a heretic, and therefore his action cannot qualify as a *nolad*, but also that there is something heretical about Rabbi Yishmael’s behavior insofar as he upset his fellow Sages.

the anti-anger doctrine of this tractate and the dim view it takes of unserious vows, Abaye reveals himself to be a deeply flawed figure indeed.

Given that the rabbis inveigh so forcefully against both anger and vowing, it is striking how frequently they cast themselves in the role of angry vowers in their own cautionary tales. One possible explanation for this phenomenon is that they are simply preoccupied with themselves, and thus prone to writing themselves into their own stories, even in unflattering roles. Jeffrey Rubenstein has noted that there is a pronounced elitist streak in the Babylonian Talmud that is absent from most other rabbinic works, but which reflects the rabbis' impulses to seclude themselves within their academies.²³ Their desire for seclusion was borne partly of their belief that Torah study is an intimate, even erotic activity that should be undertaken in private,²⁴ and also partly out of their disdain for the *amei ha-aretz*. Literally "the people of the land," the *am ha-aretz* is a frequent rabbinic bogeyman, an uneducated Jew who is less than fully punctilious in observing mitzvot and whom the rabbis regard as impious and boorish.²⁵ Rubenstein argues that the rabbis' hostility toward the *amei ha-aretz* "should be understood as an expression of the internal discourse of the Sages within the academy, intended for an audience of other Sages. The invective functions mostly as a means of self-definition and self-justification, drawing a sharp contrast between the academic life of the rabbis and the outside world."²⁶ As invested as they were in being regarded as religious leaders (as will be discussed below), the rabbis were also often critical of the people whom they wished to lead and often preferred to speak about and to one another.

²³ Rubenstein, *The Culture of the Babylonian Talmud*, 123, 137.

²⁴ Ibid., 118–120.

²⁵ Ibid., 123–142; see also Steinsaltz, *The Talmud*, 241.

²⁶ Rubenstein, 123–124.

Although the bulk of the rabbinic denunciation of the *amei ha-aretz* appears in other tractates, notably in b. Pes. 49a–b, the *amei ha-aretz* do feature in Tractate Nedarim. In b. Ned. 20a, the Mishnah states that in cases where one vows using imprecise language—for example, using a term that could refer to either of two very different cognates, such as *atzmi* meaning either “myself” or “my bone”; or using a term with an unclear referent, as in the case of a divorced and remarried man who vows regarding his wife, but could conceivably be referring to either his first or second wife—one need not seek release from one’s vow,²⁷ since its ambiguity renders it invalid a priori. If one were to go ahead and petition a halahic authority to nullify such a vow anyway, however, Rabbi Meir holds that the authority should refuse to nullify it, while the Sages hold that he should find a different opening to undo the vow, but should also endeavor teach the vower not to continue taking vows lightly. Understandably, the Gemara finds Rabbi Meir’s position to be problematic, as he seems to be saying on the one hand that ambiguously worded vows do not take effect in the first place, but on the other hand that if one were to petition to be released from them, then they would be considered to have taken effect and should not be nullified. The Gemara offers this solution to its problem:

Rav Yehudah said, this is what [the Mishnah really] teaches: “All these [ambiguously worded vows] do not require a request [for dissolution, because they are already

²⁷ The Mishnah’s exact language is *ein nishalin lahem*, which the Gemara takes to mean that one need not ask for such ambiguous vows to be overturned because they are already invalid. However, the phrase could also be interpreted to mean that one should not ask to be released from such vows, presumably because the ambiguity of the language does not constitute a sufficient opening. This interpretation would better explain Rabbi Meir’s position that if one were to ask an authority to be released from an ambiguously worded vow, that authority should maintain a strict and punitive position and should refuse to nullify the vow. Instead, since the Gemara reads *ein nishalin lahem* as asserting that one need not ask for nullification, it is compelled to explain Rabbi Meir’s position in the convoluted manner below.

regarded as invalid]”—regarding what are these words said? Regarding a Torah scholar, but regarding an *am ha-aretz* who comes to request [dissolution of a vow], we punish him and treat him strictly. (b. Ned. 20a)

In other words, Rav Yehudah posits that the Sages’ more lenient position applies only to Torah scholars, people who can generally be trusted to understand and follow halahah, and whose mistakes can perhaps be excused as aberrations from their usual piety. *Amei ha-aretz*, however, are more likely to vow inappropriately because they genuinely do not know better—or, worse, do not care to know better—and must therefore be treated more harshly so as to discourage their bad behavior.

Competing with the rabbis’ disdain for the *amei ha-aretz* was their desire to be accepted by them, and by Jews generally, as religious and moral authorities. The rabbis position themselves in the Talmud as the arbiters of Jewish thought and practice, but scholars like Rubenstein and Seth Schwartz argue that their self-description was more aspirational than descriptive. Schwartz calls the Talmud and other rabbinic texts “the writings of a collectivity of *would-be leaders*, scholars who aspired to but never in antiquity attained widespread authority over the Jews.”²⁸ In fact, the rabbis most likely did not enjoy widespread acceptance as religious authorities until the Middle Ages.²⁹ During the Talmudic period, however, Schwartz understands the rabbis as endeavoring to hold together the fragments of a fractured Judaism:

²⁸ Seth Schwartz, *Imperialism and Jewish Society: 200 B.C.E. to 640 C.E.* (Princeton, NJ: Princeton University Press, 2001), 8 (emphasis mine); See also Rubenstein, 123: “The rabbis actively campaigned to become religious authorities such that the masses would treat them as spiritual leaders, appeal to rabbinic courts, and abide by rabbinic law.”

²⁹ Schwartz, *Imperialism and Jewish Society*, 13.

...Under the combined impact of the Destruction and the failure of the two revolts, the deconstitution of the Jewish “nation,” and the annexation of Palestine by an empire at the height of its power and prosperity, Judaism shattered. Its shards were preserved in altered but recognizable form by the rabbis, who certainly had some residual prestige and thus small numbers of close adherents and probably larger numbers of occasional supporters. But for most Jews, Judaism may have been little more than a vestigial identity, bits and pieces of which they were happy to incorporate into a religious and cultural system that was essentially Greco-Roman and pagan. (Schwartz, 15)

Schwartz paints a picture of Jewish life in late antiquity that is radically different from the one described by the rabbis. Even if early rabbinic Judaism was somewhat more established than Schwartz suggests, it would still be understandable under such circumstances for the rabbis to feel compelled to advocate for themselves. While it is more obvious why they would choose to cast themselves in the roles of halahic authorities in their stories, it may also have served their interests to depict themselves as vowers seeking absolution. By telling stories in which even rabbis must go through the proper channels to seek release from their vows, they model respect for the integrity and authority of their desired halahic system.

On the other hand, by telling stories in which they give in to anger, make hasty vows, and even attempt to circumvent their own rules, the rabbis may also be more directly attempting to caution one another. There is a strong voice in the Talmud that is leery of rabbinic hubris and strives to preempt it. Consider the story of the Oven of Akhnai, in which a dispute about kashrut boils over into a referendum on the status of Revelation, rabbinic interpretation, and majority rule (b. Bava Metzia 59b). Many Jews are familiar with the

climax of the story, in which Rabbi Joshua, one of the main disputants and the representative of the majority opinion, triumphantly quotes Deuteronomy 30:12, declaring that the Torah “is not in heaven.” In other words, Revelation from God is long since closed, and it is now the right and duty of the rabbis to interpret the Torah as they see fit. What may be less familiar to many Jews is the second half of the story, in which Rabbi Joshua and his compatriots excommunicate the rabbi who opposed them, Rabbi Eliezer, and publicly humiliate him by destroying all of the objects that he had declared to be ritually pure. Rabbi Eliezer becomes so angry and heartbroken over his fate that he somehow causes crops to wither worldwide, develops the power to set fire to anything he looks upon, and even causes the death of one of the rabbis who had participated in his excommunication without so much as laying a hand on him. This grim ending to an otherwise entertaining and inspiring tale serves as a potent warning to over-confident rabbis: being in the majority, and even being in the right, cannot excuse hurtful behavior.

The story of Rabbi Elazar bar Rabbi Shimon in b. Ta’anit 20a–b is equally sobering. Rabbi Elazar happens upon a very ugly man who offers him a friendly greeting, but Rabbi Elazar replies by exclaiming: “Good-for-nothing—how ugly this man is! Are all the people of your town as ugly as you?” In response, the man bitinglly invites Rabbi Elazar to “tell the craftsman who made me [i.e. God], ‘how ugly is this vessel that you made.’” To his credit, Rabbi Elazar immediately repents of his cruel remark and begs the man’s forgiveness, and the rest of the story is concerned with his efforts to secure that forgiveness. Nevertheless, it is rather shocking to read of a rabbi behaving in such a callous manner, all the more so since it is the rabbis themselves who choose to tell this story.

These and other similar narratives betray a commendable degree of self-awareness and humility on the part of the rabbis. They cannot erase the elitism and self-promotion that so often characterize rabbinic texts, but they do militate against them, presenting a more balanced picture of rabbinic character. They also make for a surprisingly progressive model of leadership. However much the rabbis may want us to strive for moral perfection, they also recognize that we will inevitably fall short. By sharing stories of their own foolhardy actions, they effectively communicate that errors in judgment are an unavoidable part of the human condition, but that it is possible to do teshuvah and recover from them. Rather than render themselves unimpeachable and unapproachable, they encourage us to feel comfortable admitting our faults and seeking help to address them.

The rabbis' willingness to humanize themselves in this way is a welcome antidote to much of contemporary discourse about the role of the rabbi. As Jack Bloom writes in his book, *The Rabbi as Symbolic Exemplar*, many Jews today regard their rabbis not as flawed human beings, but as symbolic figures whose ethics and religious observance should be above reproach:

The pulpit rabbi is a symbolic leader who is set apart to function within the community as a symbol of that community and as an exemplar of their desire for moral perfection... Perhaps the major expectation of the rabbi is that in some crucial way, she is expected to be a different kind of human being. She is the embodiment of what people ought to do, but have no intention of doing.³⁰

³⁰ Bloom, *The Rabbi as Symbolic Exemplar: By the Power Vested in Me: For rabbis, Other Clergy, and the Laity Who Care About Them and Their Sacred Work* (New York, NY: Haworth Press, 2002), 140.

The expectations that Jack Bloom describes are not only hypocritical and unattainable, but actually damaging, both for rabbis and for the communities they serve. For congregants, demanding perfection from their leadership must inevitably produce disappointment. It also lets them religiously and ethically off the hook—rather than go to the effort of leading integrated Jewish lives, they can simply live them vicariously through their rabbis. For rabbis, being subject to such inflated expectations can lead to arrogance and abuse of power on the one hand, and self-loathing and burnout on the other. Rabbis and congregants would be much better served by recognizing that they are all equally flawed human beings, that they all depend upon each other for support, and that they are all capable of repentance and growth.

ESSAY TWO: INTENTION, AGENCY, AND VOWS

Tractate Nedarim reveals the rabbinic attitude toward vows to have been suspicious at best, and at worst, utterly condemnatory. What is less clear is precisely what it is about vows that so distressed the rabbis. While there is evidence to suggest that there was something inherent in the practice of vowing that the rabbis disapproved of—for example, Shmuel's aforementioned statement that only the wicked vow, or Rabbi Meir's contention that it is better not to vow at all than to vow and fulfill one's vows—there is more evidence for the proposition that what the rabbis chiefly objected to was not vowing per se, but vowing rashly or frivolously. There are two sizeable bodies of evidence that support this position: the Talmudic material in which the rabbis emphasize the primacy of intention over precision, and the material in which they strive to preserve individual agency. Together, these texts point toward greater rabbinic anxiety about the integrity of vows and vowers than about vowing itself.

Throughout Tractate Nedarim the rabbis exhibit a strong preference for privileging intention over precision in vowing. Two of the four categories of vows that are considered to be invalid a priori, exhortative vows and hyperbolic vows, are invalid precisely because the vower never truly intended them as vows. The paradigmatic example of an exhortative vow is one in which a seller vows not to sell an item for less than a *sela* (a coin worth about four dinars) and a buyer vows not to pay more than a shekel (worth half a *sela*, i.e. about two dinars)³¹ (b. Ned. 21a). In the words of the Mishnah, these do not qualify as vows, because in reality, “both of them want three dinars”—in other words, vowing in this case is simply a negotiation tactic. The Gemara rightly understands this language to be a common figure of

³¹ Steinsaltz, *Nedarim*, 85.

speech (Ibid.). Likewise, if one were to vow to foreswear some item unless a particular friend agreed to come over for dinner, then one's real intention would be to convince that person to come over, not to vow, and therefore the vow would be considered exhortative and invalid. The examples the Mishnah gives of hyperbolic vows are vows to foreswear something if the vower did not see on a road as many people as went up from Egypt, or if they did not see a snake as large as the beam of an olive press (a very large beam) (b. Ned. 24b). What the vower really intends in these instances is to communicate amazement at having seen something extraordinary, and thus these vows are also ruled invalid. However much the rabbis may disapprove of using vow language to cajole or impress, they understand that people routinely do precisely that, and consequently they judge all such statements to be halahically nonbinding. They offer the same leniency to those who vow in an attempt to protect their property from criminals or unscrupulous tax collectors. If a person vows falsely before a thief that their valuables had been consecrated to the Temple or signed over to the king, they are not actually obligated to turn over their property, because they simply said what they had to say in order to protect themselves in a moment of extreme duress.³²

In the case of valid vows, a vower's intention is often critical in determining the meaning of their vow. A person who foreswears benefit from those who see the sun, for instance, is understood to be forbidden to benefit even from the blind, because "those who see the sun" is really an expression that refers to all those whom the sun sees (b. Ned. 30b). Similarly, one who foreswears benefit from the descendants of Noah is still permitted to benefit from Jews, because "descendants of Noah" is understood to be a euphemism for

³² See b. Ned. 27b–28a. Of course, this scenario rather implausibly presumes a Jewish thief who is pious enough not to want to steal anything consecrated to the Temple, but impious enough to steal in the first place.

Gentiles, whereas Jews are called descendants of Abraham in honor of God's sanctification of Abraham (b. Ned. 31a).

Although intention is often used as a reason to interpret vows leniently, it can also be used as a rationale for stringency. The Mishnah relates that there was once a man whose father had vowed not to benefit from him (b. Ned. 48a). When the man went to marry off his own son, he was distressed to realize that his father's vow would preclude him from coming to the wedding meal. He attempted to circumvent his father's vow by gifting the entire wedding celebration to a friend on the condition that his friend invite his father to the meal. When the friend immediately turned around and consecrated the meal to the Temple, thereby making it forbidden to everyone, the man was outraged, and protested that this was not what he had intended when he made the gift. His friend replied that since the man had gifted him the meal only so that his father could attend, he had not actually evaded his father's vow, but rather transferred the sin of transgressing it onto his friend.

The Gemara finds this story difficult, as it follows immediately on the heels of the Mishnah explicitly stating that one *may* circumvent vows in precisely this manner, by giving a gift to a third party so that it can be re-gifted to someone in need whom one is forbidden to benefit (Ibid.). The Gemara concludes that the problem in the story is that the man's protest after the fact proved beyond any shadow of a doubt that his intention had been solely to benefit his father; before he protested, there was still room for the possibility that he intended for his friend to exercise some judgment as to what to do with the gift. Once again, intention proves to be the critical factor in understanding the meaning of vows, despite the fact that the discussion of this story illustrates how difficult intention can be to definitively ascertain.

The rabbis' focus on intention goes hand in hand with an apparent investment in preserving individual agency. In the story above, the man whose father vowed not to benefit from him attempted to subvert both his father's agency by disregarding his vow, and his friend's agency by giving him a highly conditional gift. In the end, he failed on both counts and was chastised by his friend. On the other hand, the majority of the narratives in this tractate tell of vowers exercising their agency by seeking to be released from their own vows, with most of them being successful. By choosing to feature these narratives, the redactors of the Talmud indicate a preference for upholding individual agency that also accords with many of the rabbis' halahic rulings. One obvious example is the rabbis' insistence that one can only vow to deny another person the benefit of something one owns, whereas one can vow to forbid anything one pleases to oneself. This is hardly a surprising position for the rabbis to take, but it does demonstrate respect for the agency of one who is made the subject of a vow, and for the vower, since the vower has the right to deny benefit from their personal property to anyone they wish.

The particularly thorny cases are the ones in which vowers deny the use of shared property either to themselves or to those with whom they share it. In such cases, the rabbis generally attempt to split the difference, honoring the rights and agency of both parties to the greatest degree possible. For example, if a person were prohibited by a vow from benefiting from a shared courtyard, the Mishnah first states that they would be forbidden to enter the courtyard, but then reports Rabbi Eliezer ben Ya'akov's opinion that they may use just their own portion of the courtyard, and the Gemara declares that the halahah is according to Rabbi Eliezer ben Ya'akov (b. Ned. 54b–46b). The Mishnah also states that the one who is subject to the vow in this case should be compelled to sell their portion of the courtyard. The

Gemara notes that this makes sense for someone who forbade themselves to benefit from the courtyard, but in the case of one who was forbidden by another's vow to use a shared courtyard, "why would they compel him to sell it? Surely he is being forced against his will!" (b. Ned. 46a). While the matter is not definitively resolved in the Gemara, it is clear that the rabbis are deeply troubled by the possibility that a person who is subject to another's vow could be forced to relinquish their property in this way.

Even in the case of women whose vows may be overturned by their husbands or fathers, the rabbis choose to interpret that latitude quite narrowly. Numbers 30:14 states that for married women, "any vow and any binding oath to afflict herself, her husband may let it stand, and her husband may break it." This verse could easily be read as a blanket permission for husbands to overturn any of their wives' vows, yet the rabbis understand the phrase "to afflict herself" as applying to vows as well as binding oaths, so that husbands may overturn only those vows that involve affliction.³³ From Numbers 30:17, which refers to statutes that are "between a man and his wife," the rabbis learn that husbands may also overturn those of their wives' vows that directly affect the marital relationship, but they insist that these are the only two types of vows that husbands may overturn.³⁴ It may be that the rabbis choose to read these passages narrowly so as to derive the maximal amount of significance from every word of scripture, but it also seems likely that they wish to give married women some measure of freedom to impose vows upon themselves.

This conclusion is supported by the discussion in the Mishnah in b. Ned. 79b regarding a woman who vows to foreswear certain types of produce. Rabbi Yosei argues that if she were to foreswear all produce, her husband could overturn her vow (since that would

³³ b. Ned. 79a; see also Steinsaltz, *The Talmud*, 184; Steinsaltz, *Nedarim*, 335.

³⁴ b. Ned. 79b.

certainly cause her to suffer), but that if she were to foreswear only the produce of a certain country or shopkeeper, he would not be permitted to overturn her vow and would have to bring her produce from elsewhere.³⁵ This ruling would undoubtedly impose considerable inconvenience upon her husband, yet the rabbis evidently believe that it is more important to preserve the woman's agency than to save her husband from going to the trouble of meeting her requirements.

The rabbis' efforts to preserve agency in these and other cases, together with their conviction that intention is of paramount importance in evaluating vows, suggests that their problem with vowing is not necessarily with the vows per se, but with the fact that people tend to make them without any real intention to uphold them. If people could be counted upon to vow only in earnest, as an expression of personal piety, the rabbis might well look on vows much more favorably. In practice, however, people tend to vow because they are agitated and want to make a point or accomplish an ulterior goal. What the rabbis really desire is for us to use our words mindfully, to express only what we really mean, and to promise only what we really intend to do. Under such circumstances, vows could conceivably become something to celebrate rather than to deride.

³⁵ In cases where the husband can only obtain produce from the particular vendor whom his wife has foresworn, the husband is permitted to overturn her vow, but only because it amounts to a vow not to consume produce at all and is therefore a vow of affliction.

CONCLUSION

In light of the analysis I have presented in this paper, it seems necessary to revise the highly abbreviated summary of Tractate Nedarim that I offered at the start of Chapter One. It is not quite right to say that the rabbis believe that all vows are bad; rather, vows are essentially neutral, and it is vowers who are problematic. The disingenuous abuse of vow language was and still is an integral part of how people routinely express themselves. Until that changes, the rabbis would undoubtedly argue that it would be best to regard vowing as altogether inadvisable.

There may be another crucial factor causing the rabbis to take a dim view of vowing, however. The Judaism that the rabbis practiced and for which they advocated was a Judaism filled with obligation. They believed that Torah and halahah should be integrated into every part of a person's life, even in the most private and intimate moments, and that the many mitzvot they canonized should be fastidiously observed. In such a context, vowing would mean unnecessarily adding yet more restrictions to an already heavily restricted way of life.

For contemporary Reform Jews, however, the situation is very different. Reform Judaism views most aspects of Jewish practice as matters of personal choice, and places the onus on the individual and their community to learn about the breadth, depth, and meaning of Jewish observance and to make informed decisions about how to live Jewishly. Of course, the reality is that very few Reform Jews have the time, the background, or the inclination to engage that deeply with Jewish tradition. I do not believe it to be controversial to say that Reform Jews typically observe whatever Judaism they happen to have been exposed to in their childhood or at the synagogue where they send their children to religious school, and to regard Judaism more as a system of values and cultural norms than as a source of obligation.

In other words, it may be fair to call the rabbis of the Talmud over-obligated, but it may also be fair to say that today's Reform Jews are under-obligated.

For this reason, I would suggest that Reform Jews could benefit from reexamining vows as a model of religious obligation. In fact, vowing already plays a more central role in Reform Jewish life than most practitioners of Reform Judaism realize. This is because the age for becoming b'nei mitzvah, the life cycle ritual in which it could be argued that Reform Jews most enthusiastically participate, is based in part upon the age at which the rabbis believed that a person was old enough to be bound by their word.³⁶ To be bar or bat mitzvah means to be old enough to make and keep vows, yet obligation is hardly ever discussed during contemporary Reform b'nei mitzvah preparation, let alone vowing. Given how central the concept of obligation is to traditional Jewish practice, and how useful a tool it can be to bind communities together, I would argue that we should make it the focus of our work with b'nei mitzvah-to-be and their parents. B'nei mitzvah students should understand that the "adulthood" that comes with attaining bar or bat mitzvah consists of the power to make commitments and to be held accountable for them. B'nei mitzvah should be encouraged to learn about the opportunities for service in their Jewish and broader communities, and to take on responsibilities that they and their families find meaningful. Adult Reform Jews should also be invited to do the same.

One of the great challenges for Reform Judaism is that it imposes very few restrictions or obligations upon its members, but this can also be a great strength. It opens up the possibility of choosing to restrict or obligate oneself only in ways that are personally meaningful and rewarding, in no small part because they are chosen rather than required. If

³⁶ See m. Nid. 5:6

obligation, and its expression through vowing, played a more prominent role in Reform Jewish consciousness, it could serve to enrich the daily lives of individual Reform Jews, strengthen Reform communities, and magnify Reform Judaism's influence in the larger world.

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