

Parashah One Hundred and Twenty-One
Numbers 30:1[2]–31:54; Jeremiah 4:1–4; Matthew 5:33–37

notes by Tim Hegg

Vows & the War Against Midian

Our parashah on this Shabbat deals with what appears to be two distinct issues: the matter of vows, oaths, and obligations and the war Israel waged against Midian. The placing of the laws about vows, oaths, and obligations at this place is probably due to the manner in which the pericope of chapters 28–29 ends. After listing all of the sacrifices for the *Mo'edim*, the conclusion (29:29) reads: “You shall present these to the LORD at your appointed times, besides your votive offerings (מנדריכם) and your freewill offerings, for your burnt offerings and for your grain offerings and for your drink offerings and for your peace offerings.” The mention of “votive offerings,” those sacrifices given in connection with making a vow, naturally leads to the laws regulating vows. Furthermore, in the giving of the laws regarding vows, oaths, and obligations, it is clear that the women come under the protection of father and husband, for in the event that a misguided vow is made by a woman, her father or husband could annul the vow forthwith, and spare the woman from having to fulfill a vow which would bring her needless harm or trouble. This theme of protection for Israelite women naturally connects to the war against Midian, because it was the Midianite women who, through Balaam’s counsel, caused Israel to fall into idolatry, and brought upon them God’s wrath. Instead of protecting their women, the Midianites misused them as objects of cultic fornication.

The Laws Pertaining to Vows

The primary lesson we learn in chapter 30 is that God considers vows to be binding, and He expects that those who take vows to do so with a sincere intention to fulfill them. Vows are not something one can simply ignore or disregard when completing the vow requires more than one had initially considered. This perspective of vows is given initially in 30:1 [Hebrew, 30:2]: “If a man makes a vow to the LORD, or takes an oath to bind himself with a binding obligation, he shall not violate his word; he shall do according to all that proceeds out of his mouth.” The first question that confronts us is that of definitions: what is a vow (נדר, *neder*), and oath (שבועה, *shvu'ah*), and an obligation (אסר, *'issar*), and are they distinct from each other or is Moses using synonyms of essentially the same activity? The Sages make a clear distinction between these terms (though there are areas in which they overlap each other), and it appears that their perspective is warranted from an investigation of these terms as used in the written Torah.

A “vow” (*neder*) is generally understood as a dedication of something or someone to the Sanctuary. This is demonstrated by the vow of Jacob (Gen 28:20–22, who promises to make a “sanctuary” for God), Israel (Num 21:2, where victory over the Canaanites would require dedicating the spoils of war as *cherem* to Adonai), Jephthah (Jud 11:30–31, where a daughter is dedicated to Adonai), Hannah (1Sam 1:11, where her son is dedicated to the service of Adonai), and Absalom (2Sam 15:8, who offers sacrifices at the Hebron sanctuary). In these examples, a vow has a conditionality attached to it: “if You, Adonai, will grant X, then I will dedicate Y to the Sanctuary.” Thus, as in our text, the vow is specifically made “to Adonai” (לַיהוה), meaning that the vow involves giving something to Adonai. The *Nazir* (Nazirite) is likewise a vow, because it is a “consecration

to Adonai” that forms the primary aspect of the Nazirite vow.

An “oath” (*shvu‘ah*) also evokes (either specifically or in essence) the Name of Adonai, and is generally of two sorts: assertory and promissory. An assertory oath is taken to clear oneself of a charge, for example, of having misappropriated property (Ex 22:7; Lev 5:20–25). A promissory oath, which is the more common of the two, imposes an obligation upon the oath taker (as in David’s oath that Solomon would reign after him, 1Ki 1:13, 17, 30). A promissory oath differs from a vow in that there is no hint of conditionality. As noted above, vows and oaths may overlap in their application, as in the case of David (Ps 132:2f):

How he swore to Adonai and vowed to the Mighty One of Jacob, surely I will not enter my house, nor lie on my bed; I will not give sleep to my eyes or slumber to my eyelids, until I find a place for Adonai, a dwelling place for the Mighty One of Jacob.

Here, David denies himself rest (an oath) until such time as he would provide a resting place for the Ark (a vow).

“Obligations” or “dedications” (*‘issar*) are likewise a separation of something for use in the Sanctuary, but they differ from vows and oaths in that they are neither future nor conditional, but become effective the moment they are uttered. This is demonstrated in the dedication of the spoils of war in the Jericho conquest (Josh 6:17–19). Since the city was declared to be “under the ban,” it belonged entirely to Adonai, even before the spoils of war were taken. Thus, when Achan took items from the city to his own tent, he was stealing from Adonai, for all of the city had already been “dedicated” or put “under the ban” (חֶרֶם, *cherem*). Likewise, first ripe and processed fruits (Num 18:12–13), tithes (Lev 27:30–33), and most sacred offerings (Lev 6:18; 7:1–2) fall under the category of “obligations” or “dedications.” Thus, the Sages ruled that “oral dedication is equivalent to transfer [to the sanctuary],” meaning that once the first fruits or tithes were separated and the oral obligation had been uttered, the remainder of the crop could be rightfully used (cf. m.*Kiddushin* 1:6; t.*Kiddushin* 1:9).

Our Shabbat text makes it clear that what one speaks in terms of a vow, oath, or obligation, he is required to fulfill: לֹא יַחֲלֵ דְבָרוֹ כְּכֹל־הֵיטָא מִפִּי יִעָשֶׂה, “he shall not profane his word; according to all that has come forth from his mouth, he shall do.” The use of the verb חָלַל, *chalal* (not found in the *qal*) suggests that “breaking one’s word” is a type of profanation, since in these cases the vow, oath, or obligation has specifically been taken with reference to God as witness. Of course, as our Lord Yeshua teaches us (Matt 5:33f), all of our words are to be considered as having been made in the presence of the Almighty, and so we must carefully do what we have said we would do. But the specific emphasis of our current *parashah* is that of legal obligation before a *beit din* (a panel of judges). A vow, oath, or obligation is a binding contract, and carries clear legal ramifications.

The Sages were aware of the difficulties that vows, oaths, and obligations presented in the normal course of daily life, and they developed an elaborate system for annulling vows. Yet they were well aware of the solemnity of vows, and did much within their power to discourage them, since they recognized their binding nature. The Sages allowed for annulment of four kinds of vows: 1) vows of incitement (made under some form of duress), 2) vows of exaggeration, 3) vows made in error, and 4) vows broken under constraint (cf. m.*Ned.* 3.1). Yet even in developing a working scheme by which annulment of vows was allowed, the Sages recognized that they were treading on thin ice: “The absolution of vows hovers in the air, for it has nothing in the *Torah* upon which to

depend” (m.*Chag*. 1.8). They were simply trying to find a way to maintain a society in which vows, on the one hand, were to be taken seriously, and on the other hand, presented impossible cases to adjudicate within the society. It was for this reason that the Sages discouraged the use of personal vows.

Be you guilty or innocent, do not swear. (y.*Shevuot* vi. §6, 37a)

Be careful with vows, and not hasty with them, for he who is hasty with vows will end by false swearing (מועל בשבועות), and he who swears falsely, denies Me, and will never be forgiven. (b.*Mattot* 79a)

In fact, we hear the Sages saying, “Let your yea and nay both be *zedek* (righteous)” (b.*BavaMetzia* 49a). R. Huna (250-290 CE) said, “The yea of the righteous is a yea; their no is a no” (Mid. Rab. *Ruth* vii. §6, on *Ruth* 3:18). We also read in b.*Sh’vuot* 36a,

R. Eleazar said: ‘No’ is an oath; ‘Yes’ is an oath. Granted, ‘No’ is an oath, as it is written: And the waters shall no more become a flood (Gen 11:15) and it is written: For this is as the waters of Noah unto Me; for as I have sworn [that the waters of Noah should no more go over the earth . . . , Is 54:9]. But that ‘Yes’ is an oath, how do we know? — It is reasonable; since ‘No’ is an oath. ‘Yes’ is also an oath. Said Raba: But only if he said, ‘No! No!’ twice; or he said, ‘Yes! Yes!’ twice.

Thus, the rulings found in the later rabbinic literature seem to lean upon what Yeshua teaches in our Apostolic section for this Shabbat (Matt 5:33f). When He teaches us, “But let your statement be, ‘Yes, yes’ or ‘No, no’; anything beyond these is of evil,” He is teaching that one’s vows should be made simply, and with full intention to perform them.

We know that there was plenty of “fine print” in Yeshua’s day, just as there is in ours. The attempt to make it appear as though one was piously taking a vow, when in reality the person had no intention of keeping it, was a problem then as now. If the later rabbinic literature in some measure reflects earlier traditions, m.*Nedarim* may offer an interesting discussion of the specific language that rendered a vow valid or invalid, showing that the issue of vows was something that presented problems in a legal sense.

[If he said, “May it be to me] like the lamb [of the daily whole offering],” “Like the [temple] sheds,” “Like the wood,” “Like the fire,” “Like the altar,” “Like the sanctuary,” “Like Jerusalem”—[if] he vowed by the name of one of any of the utensils used for the altar, even though he has not used the word *qorban*— lo, this one has vowed [in a binding way as if he had vowed] by *qorban*. R. Judah says, “He who says, ‘Jerusalem,’ has said nothing.” He who says, “An offering,” “A whole offering,” “A meal offering,” “A sin offering,” “A thank offering,” “Peace offering,”—“be what I eat with you,” he is bound [prohibited from eating with the other party]— R. Judah permits [declares him not bound] (m.*Nedarim* 1.1–3).

Note that R. Judah considers a vow made “like Jerusalem” as not binding, most likely because “Jerusalem” was too nondescript. Again, this seems to conform to the words of Yeshua when He says:

Woe to you, blind guides, who say, 'Whoever swears by the temple, that is nothing; but whoever swears by the gold of the temple is obligated.' You fools and blind men! Which is more important, the gold or the temple that sanctified the gold? (Matt. 23:16–17)

Thus, in this example, the “Temple” is too nondescript, while the “gold of the Temple” is specific enough for a vow. Yeshua’s point is that this is knit-picking. If one intends to make a vow, one should intend to keep it regardless of the “fine print” and the language that is used.

Thus, Yeshua does not negate the use of vows, but only vows made on the basis of “legalese” that could be broken without consequence. What He requires of us is that we be forthright in our dealings, and that when we place ourselves under obligation to something or someone, we commit ourselves to fulfill that obligation, even if the cost is higher than we had originally considered. In Ps 15, the righteous person who is allowed to dwell in the Tent of Adonai is described as someone who “swears to his own hurt and does not change” (Ps 15:4). It is this kind of commitment to our vows, oaths, and obligations that our Master requires.

There is a difference in the case of a husband or father who annuls the vow of a wife or daughter and once again, this would seem to inform the annulment of vows as instituted by the Sages. According to the later rabbinic literature, in the case of a father or husband, the vow is retroactively uprooted, so much so that one can act as though the vow had never occurred (b.*Ketuvot* 74b). In the case of a rabbinically annulled vow, the vow remained in force until it was annulled, and the person was obligated to it until such time.

The ability for a husband or father to annul a vow taken by a wife or daughter may indicate a number of things. What it does not indicate, however, is a general inferiority of women. Both men and women are able to make equally bad or foolish vows. However, the focus of our current *parashah* in this regard is not that women regularly make foolish vows, and that therefore they must be constantly under supervision in regard to vows, but that women must be protected from the legal ramifications of a wrongful vow. This perspective is based upon the general domestic role given to women in the Torah. In a general sense, wives and mothers have as their first, God-given obligation, to attend to the needs of their husband and children. The making of a home is their highest purpose. Where wrongful vows would (for example) require that they pay monetary compensation beyond their means in order to fulfill such a vow, this might jeopardize the home. The priority for wives and mothers to be “workers at home” (cf. Tit 2:5) is therefore of primary concern, and the right of a husband to annul such vows has as its focus the maintenance of the home and ultimately of the society. The same may be said of daughters, who, though they do not have the immediate familial responsibilities of a wife and mother, are nonetheless “in training” for such a role, and are therefore to be equally guarded.

Thus, the annulment of vows by a father or husband in regard to a wife or daughter reinforces the Torah perspective that the highest and greatest role of women in a society is the raising of children and ordering of the home. For this is the very foundation of society itself. It also highlights the fact that men are to bear the responsibility of those things that (especially in the ancient society) could result in servitude or slavery, such as indebtedness and vows that would require payment. But even in our own times, severe debt brings a kind of slavery and can have very negative effects upon marriages and families. This is especially true if such debt forces the wife and mother to work outside of the home against her own choice.

Further, it is clear that God has put the father or husband in this role of guardian, for when he

annuls the vow of his wife or daughter, God will accept the annulment: “and Adonai will forgive her because her father had forbidden her” (30:5). The leading role of the father and husband is something God has ordained, not something that is merely a societal or cultural reality.

In the final analysis, the *parashah* teaches us that we are to take our vows, oaths, and obligations seriously, because we do so in the presence of the Almighty. Abandoning our pledged responsibilities is an affront to our King, and we cannot do so and think that He will let it go unnoticed. On the other hand, when we face what appear to be insurmountable difficulties in fulfilling our obligations, we can trust Him to supply us with strength and wisdom to honor what we have said we would do.

The second chapter of our *parashah* (Num 31) describes the war which God demanded Israel to make against Midian. As always, the issue of divinely sanctioned war raises many conflicts in our minds, because it seems to “soil the hands” of God Who is the source of life and not death. Even more difficult for us to accept is the manner in which whole societies are slated for destruction, including women and children (cp. Josh 6:21, regarding Jericho). How can a loving God allow such cruelty, and how is it fair that women and children, who generally had little participation in governmental aspects of the ancient near eastern society, should become military targets in national warfare? First, we should remember that Israel’s God, Who commanded the war against Midian in our *parashah*, is the same God Who brought the flood upon mankind in the time of Noah. If we balk at His directing Israel to destroy whole cities and nations in their conquest of the Land, then we must equally wonder at a God Who would destroy all but eight persons in the deluge. So the difficulty is with our limited understanding of God’s holiness and justice. We fail to appreciate the holy wrath of God against sin and sinners, and in so doing, we diminish what is meant in the biblical record by the phrase “to fear God.” The fear of God is based upon a recognition that He acts in accordance with His holiness, a holiness that is a consuming fire (cf. Heb 12:29). If we cannot reconcile in our own minds the reasons why He would have instructed Israel’s armies to destroy an entire city with all of its people, we must fall back upon the truth that God is holy, and thus His ways are not our ways—His thoughts are not our thoughts. Yet whatever He does, it is always in perfect harmony with His divine and eternal attributes. All that He does is holy and the means of bringing to pass His sovereign plan.

The Midianite women had snared Israel and enticed her into idolatry through the counsel of Balaam. In so doing, they had brought a curse upon Israel, and the Abrahamic promise was thus invoked: “I will bless those who bless you, and the one who curses you, I will curse” (Gen 12:2; 27:29). When Israel makes war against Midian, then, it is God’s vengeance that she exacts (Num 31:3). We should most likely understand that the designation “Midian” stands for a federation of nations that had banded together for protection, or were under the general rule of the Midianite kings. The Midianites in our text are one segment of the nation, and most likely should not be equated with the Midianites associated with Ishmael, the Amalekites, and Ephah (cf. Gen 37:28; Judg 8:22, 24; Judg 6:3, 33; Gen 25:4; Is 60:6).

A thousand men (this could denote a “division” and not necessarily a numerical sum) from each tribe were mustered for war. Phinehas functioned as the “chaplain,” who was in charge of the trumpets (חֲצֹצְרוֹת, *chatzotzerot*) for sounding the blasts in the battlefield. The victory was complete: Midian was completely defeated, her kings slain along with all the adult men including Balaam who had spearheaded the curse against Israel via the Midianite women. The troops then returned to Moses and Phinehas with the women, children, and booty of war. But Moses was angry that

they had spared the women and children. After all, it was through the women of Midian that Israel had been cursed. Moses thus declares the verdict that all the married women should be executed, along with all of the male children. Only virgin females were spared, but there is no indication how each woman's status was known. The conclusion was, however, that the ability for this group of Midianites to ever muster a standing army was rendered impossible. That other Midianites show up later in Israel's history would indicate that they came from other segments of the federation known by that name.

Some have suggested that the quantity of booty listed (31:32) as 675,000 sheep is far too large, and has been exaggerated. But if 32,000 maidens were taken, this would represent a total population of approximately 135,000, and for nomads (as the Midianites were), the large number of livestock is not out of the scope of possibility. Moreover, that not one Israelite soldier was lost should be understood as a divine miracle rather than a too-incredible war story.

We also see the laws of corpse impurity and the ceremony for cleansing being demonstrated in our *parashah*. In 31:19–24, those who had killed anyone in battle, or who had touched a corpse, were given instructions to lodge outside of the camp and to take the required days for their purification. Likewise, metal objects taken as booty were to be “passed through the fire” and then washed with water for purification. Objects that would not withstand the fire were only to be washed in water and then they were considered ceremonially clean. Such purification from corpse defilement reminds us that Israel was to be a nation characterized by life, not death. Even though war was sometimes necessary, it was not to be a way of life.