

Parshat Chukat

Israel's Vow, Yiftach's Vow.

Chavruta:

This week we shall focus upon our Haftara and the way in which it sheds light upon our parsha.

Study the Haftara. The story of Yiftach. It would be best to see the Yiftach story in its entirety in Sefer Shoftim 11:1-12:7

1. How does the Haftara connect to the Parsha?

The most obvious connecting point is Bemidbar 21:21-35 which describes Am Yisrael's conquest of the "Arvot Moav".

- Study the pesukim in Bemidbar. Refer to a map of the region (Daat Mikra or another Bible Atlas.)
- What lands did Bnei Yisrael take from Sihon? (21:24)
- Whose lands were they originally? (21:26)
- What is the relationship between the lands of Sihon and the land of Moav?

2. Vows

Here is a second similarity between the Yiftach story and our parsha. Let us compare Yiftach's vow (Shoftim 11:30-40) with its disastrous results and the vow of Bnei Yisrael in Bemidbar 21:1-3.

- Is Yiftach's vow problematic?
- Is Am Yisrael's vow good or bad?
- In what ways are the vows similar and how are they different?
- Why does one vow prove to be successful and the other so tragic?

3. See the Ramban for some an important methodological approach in dealing with difficult chronology in chumash.

4. **A comprehensive Midrashic source** that discusses the strengths and weaknesses of Yiftach's character can be found in The Midrash Tanchuma to Parshat Bechukotai, section 5.

Shiur:

"When the Canaanite, King of Arad who dwelt in the Negev, learned that Israel was coming by the way of Atarim, he engaged Israel in battle and took some of them captive. Israel made a vow to the Lord and said: If you deliver this people into our hand, we will proclaim their towns as banned/sacred (herem). The Lord indeed heeded Israel's voice and delivered the Canaanites, and they proclaimed them banned/sacred and their cities. So that the place was called Hormah"

This short incident seems to pass with little trace. Probably most readers of Parsha barely remember this successful war.

But this war is fascinating in a number of respects. Firstly, I always have been impressed by the strange absence of the personality of Moses, the great leader, who has been involved in every wilderness episode thus far. In our story it is Am Yisrael which demonstrates a new independence, a stridency and a confidence that we have not witnessed thus far in Chumash. In this war against the King of Arad, Am Yisrael act upon its own instincts, knowing exactly what do to without being lead by Moses. And this is certainly unusual. What happened here to precipitate such a radical shift?

A second question relates to the notion of "Herem." This word beholds multiple meanings. It can indicate a ban¹ or a religious restriction upon a particular object. It might bestow sanctity on the object by its dedication to God². And it also has connotations of destruction³. Which of these possible meanings are indicated by the Torah text?

And now, a third question. Why do Bnei Yisrael resort to a vow here? Are they bargaining with God? What is the correct usage of a vow? In our Haftara – the story of Yiftach – Yiftach also utters a vow as he embarks for battle, however the vow goes horribly wrong. Was it indeed appropriate for Bnei Yisrael to utilize the tool of a vow in this case? On the one hand, their prayers were clearly answered. On the other hand this "vow" is an unusual technique, a bargaining tool and a hence, a questionable practice. Did Am Yisrael act correctly? What is the correct place of the "vow" in the value system of Judaism?

DEVARIM 23

The Torah in Parashat Ki Tetze clearly allows for a vow, but warns us of its power:

"When you utter a vow to God you may not delay in fulfilling it. For God will seek its fulfilment from you, and you will incur a sin.

If you fail to vow, there is no sin.

Be careful with that which you express with your words; act in accordance with the vows that you make to God, fulfilling that which you have promised." (Devarim 23:22-4)

There is no need to express vows in Judaism. But if one does verbalise a promise, one better make that commitment true.

Why are vows so sensitive? Why does the Torah emphasise that despite the voluntary nature of vows, they are taken with utmost seriousness?

ELECTION PROMISES

Maybe let us answer that question with another question. Who makes a vow? Why would anybody decide, on a bright and happy day, to make a vow to God?

¹ Devarim 7:26

² Rashi here. Vayikra 27:28; Bemidbar 18:14.

³ eg. Devarim 20:17. See also Rashi here.

In truth, most of the vows in Tanach are made in a situation of severe distress, and duress. The person who vows is distraught and lost for direction.

Let us think of a few examples. Channah, in her desperation at her childlessness vows to dedicate her son to God. Yaakov Avinu, frightened and insecure as he leaves home, and his homeland (reversing Avraham's Lech Lecha!) makes a vow that if God returns him home safely and intact, then he will dedicate a house to God. Yonah, in the belly of the fish makes a vow. These are situations of dire helplessness. Our Haftara that we will refer to shortly also emphasises the context of a vow. Yiftach, in the heat of battle is stricken by nerves. He feels unsure of victory, or alternatively, he wants God to assure him of victory. He makes a statement to God, a vow, promising that if God helps him NOW, then in the FUTURE, he will offer something to God.

But why a vow? What does a vow do? How does it work?

In a sense, if I may be so irreverent, a vow is remarkably like buying something on credit. Let me explain. A person is in trouble. The person feels unworthy now, but desperate. I am in crisis. I need God's help NOW, at this very moment in time. It is crucial. So what do I do? I tell Hashem: Listen God. I am going to do something exceptional, but I cannot do it now. I am in the middle of battle, but when YOU do what I request, then, in response, I will repay you with a religious act. Please God, consider me as if I had done that worthy act already. That is the real "me;" pretend that I have already brought the Korban, or given that Tzedakka, or performed that good deed. Yes! I know that I haven't done it yet, but I will. On the basis of my promise about what I WILL do, please consider it done already, and help me NOW.

We buy now, pay later.

Now, what happens if I don't fulfil my vow?

Let us illustrate this by an analogy from the world of politics⁴. A politician puts himself up for election under the banner of a variety of promises. People vote him into office on the basis of those policies, those dreams. Once in office, he then betrays his election promises. He goes his own way. Let us examine this situation. The person who was elected was not the person himself, the individual on the TV screen. The person who was elected was the sum total of the policies, the vision, the strategies that he had stated in his campaign. If he fails to live up to his own statements then he is elected under false pretence. He betrays his very office. The person in this situation is there fraudulently.

Likewise, when an individual utters an oath in a testing situation, they say to God: view me as a person who has already performed the following act. Let me win the war and I will bring a sacrifice, i.e. let me win the war as if I have ALREADY brought the sacrifice. And if I don't bring it, then I am in debt! I am living on borrowed time. I exist by virtue of a lie.

This is the power of words. A vow is a potent tool. It is not a surprise that the Midrash states:

"He who vows and does not fulfil, his personal records are examined by God." (Tanchuma Vayishlach)

God examines what he is owed! No wonder that Kohelet says (5:4) "Better not to vow at all than to utter a vow and not fulfil it."

INSECURITIES

Why do Bnei Yisrael vow during this war in particular? I think that the reason is tied up with insecurities.

First, this is a new generation. Parshat Chukat takes us into the fortieth year of the Midbar. The meraglim generation is over. And these are new soldiers. They have never been at war. They must be apprehensive, nervous.

Second, Moshe plays no role in this war. Why not, we shall discuss in a second, but Moshe is not there. What would Moshe do? He would consult the *Urim Vetummim*, ask God, consult with the Almighty. But the people are doing this alone. And so, they use very "human" methods. They do not resort to oracles, or prophetic communication. They use a technique that will demonstrate their dedication and faith to God. And they trust that God will respond with Divine assistance.

THE SECOND GENERATION.

Maybe let us take a step back and consider what is happening in Parshat Chukat. Parshat Chukat contains a whole string of stories, but what exactly is the link that ties them into a single narrative. Let us first examine the evidence. Immediately preceding this story, we have

1. Miriam's death
2. Moses will not be going into Canaan
3. Aharon's death.

The best way that I can put it is the literal dismantling of the previous generation. In other words, we are entering into a new reality. The older generation is dying out, Chazal talk about the miraculous "be'er Miriam" and the "protective clouds – *Annanei Hakavod*" is being withdrawn at this historical juncture. The wilderness years are coming to a close. A younger generation are taking over. And this younger generation have been raised to live, not in the Midbar, but rather in Eretz Yisrael! In a natural mode, not in a miraculous state of being.

There is a certain dichotomy within the structure of Sefer Bemidbar. The Book of Bemidbar divides into two distinct chronological periods⁵, each with their own characteristics, strengths and failings.

The first section of the Sefer (Bemidbar to Korach) describes the post-Exodus generation, Bnei Yisrael in their second year of the

⁴ I heard this analogy from Rav Medan.

⁵ This division is suggested by both the Abarbanel, and the Haemek Davar, in their introductions to the Sefer. See also the Ibn Ezra on 20:1 where he suggests that 38 years separate the end of Parshat Korach and the start of Parshat Hukat.

wilderness. This group was a newly freed slave nation with all the traumas, fears, failures, that their circumstances generated. This is a group who constantly feel insecurity in the face of challenge and pine for the security, sights and smells of their old home, Egypt. This generation is sentenced with a ban upon entry to the Land of Israel and destined to live out their lives aimlessly in the wilderness.

The second generation is different in temper and mood to their parents' generation. The story of this younger generation is described in the latter half of the Sefer (Hukat to Massei.) This generation are Israel-orientated. They are born with the optimism of free people. They have no romantic memories of Egypt. These are a confident, dignified, independent nation.

If this is true, then this war gives us a first glimpse an image of the new generation at their finest. When confronted by war, they automatically respond to the situation spiritually; turning to God first, and only afterwards to the art of warfare. The Israelites that we witness here are the new generation, who are confident in their military abilities, and at the same time, demonstrate a deep sensitivity towards the spiritual.

CHEREM

Let me support this hypothesis by focusing upon the verb "cherem" which is used here in the vow of Bnei Yisrael. In our earlier discussion, we mentioned its multiple meanings. If we are sensitive to the resonance of this word and its usage elsewhere in Tanach, we can detect a certain foreshadowing. Let us explain.

In the Battle of Jericho in Joshua ch.6 the word "cherem" is used in two ways:

1. Spoils of War
2. A dedication to God.

The spoil is "banned" (cherem) BECAUSE it is God's property. Since God turned the tables of the war by striking the victory blow to the walls of Jericho, it is God who is the victor in this battle. The spoils of war rightfully belong to Hashem, a ban that restricts their usage for human purposes.

Maybe a similar thing may be said about our war here in Sefer Bemidbar. In this war episode with Bnei Yisrael, a similar dynamic is at play. God helps Bnei Yisrael in their battle campaign and they decimate the enemy. However they tell God that in "exchange" for the assistance He has delivered in the war, they will dedicate the spoils to God.

If this connection is true, then the feeling that Bnei Yisrael are in "pre-conquest" mode is given added support. Bnei Yisrael are ready and eager to enter Canaan.⁶

WHERE IS MOSES?

So where is Moses? Might we suggest something radical? This generation do not need Moses. After all, the people act perfectly without Moses. Let us remember; this is the generation who were nurtured and raised under Moses' leadership. They have grown up in the Midbar. They do not need Moses' hands raised in the air in order to demonstrate that God fights the battles of Israel. They have learnt the lessons that Moses has taught them, internalised the messages. And here they put it all into practise.

These are people who are confident when facing war; after all they are to conquer the Land of Israel. It is possible that Moses was aware of the mood that animated this generation. Moses deliberately fostered a temperament of independence, encouraging initiative and courage in the face of military confrontation. It was precisely the fear of the enemy that led their parents to ruin and disaster in the episode of the Meraglim. If Moshe has succeeded in producing a generation who can fight alone, perfecting the God-man balance within war (by their "vow and fight" policy,) then his "standing back" in this episode is a symptom of Moses' success in raising this younger generation and not a sign of failure.

SECTION II - YIFTACH'S VOW

Let us now turn our attention to the Haftara and begin looking at the story of Yiftach and his vow. This vow with its tragic consequences is certainly one of the more troubling episodes that we read of in our Sifrei Nevi'im. This strange vow has captivated the attention of commentators throughout the ages, and many questions are raised. However, for now, let us begin by noting the similarity of the vows within our two parshiot:

Am Yisrael's vow	Yiftach's vow
Israel made a vow to the Lord	Yiftach made a vow to the Lord
And he said:	And he said:
If You deliver this people into my hand	If you deliver the Ammonites into my hand
I shall destroy/sanctify their cities.	Then whatever comes out of the door of my house to meet me on my safe return ... shall be to the Lord and I shall offer it as a burnt offering.

Once again, we pose the question. Was one vow good and the other bad?

Chazal give us a clue:

"Rabbi Shmuel Bar Nachmani taught a teaching of Rabbi Yochanan: Four (Biblical figures) appealed to God in an inappropriate manner. Three received an appropriate response, and one a response in accordance with his request. These are they: Abraham's slave Eliezer, Calev, (King) Saul, and Yiftach of Gilad.

⁶ See the Ramban here in Bemidbar 21:1-3. There he discusses the relationship between this event and the future conquest of Horma in Shoftim 1:16-17. His conclusions are enlightening. But once again, a

certain connection is being drawn with the conquest of Canaan and our parsha.

Eliezer said: (Bereshit 24:14) 'The young girl to whom I appeal to with the request: "Please lower your jar that I may drink." - If a slave girl had come and given him to drink, would he then have married her to his master's son? God answered him appropriately: 'Behold Rivka emerged.'

... Saul said: (in the battle of Goliath – Samuel I 17:25) 'The man who kills him will be rewarded by the king with great riches; he will also give him his daughter in marriage.' - If a Kushi, an idolater, a slave had stepped forward would he then have given his daughter's hand in marriage? – God answered appropriately: 'David the son of a man of Efrat.'

Yiftach, as it states: ' whatever comes out of the door...I will offer as a burnt offering.' - If a donkey, a dog, a cat had come out of his door, would he then have offered that as a burnt offering? God answered him in the same inappropriate manner: 'And behold his daughter came out to meet him.' " (Bereshit Rabba 60:3)⁷

What is the unifying principle behind this Midrash? Interestingly, each instance deals with the promise, in some form, of the life of a young woman. But the real drama here is that each test-case presents a commitment based upon a condition. And this conditional variable is unpredictable and open to the winds of chance. In short, we have a statement whose fulfillment is almost recklessly dependent upon a random occurrence. Obviously the random element in each of these statements creates a situation of absurdity. In each case, an event of critical importance is about to occur – the betrothal of a wife, the dedication of an offering to God - and the prime actor determines the object of his desire on the basis of an act of chance. This is "inappropriate" to say the very least!

If we return to our comparison between Yiftach and Bnei Yisrael, we can now explain why Yiftach's vow is problematic whereas the vow of Bnei Yisrael was worthy. Our Midrash has highlighted the major difference between Yiftach and Bnei Yisrael. Textually, the disparity lies in the final clause of the vow. Let us explain. Yiftach's final clause is lengthy and open-ended, leaving the fulfillment of the vow open to random occurrences, to a possible undesired, and undesirable, outcome. In contrast, the statement of Bnei Yisrael is precise and leaves nothing to chance. Israel make a firm commitment to destroy and dedicate to God the cities of their enemies. Their statement expressed none of the ambiguity of Yiftach's vow, none of the randomness. Their promise was firmly fixed in the most appropriate way.

Bnei Yisrael worded their vow appropriately whereas Yiftach worded his vow inappropriately. However, we may still raise a further query regarding this Midrash of Rabbi Yochanan. Why were the three personalities – Eliezer, Calev and Saul – granted

⁷ Some readers may be familiar with the version of the Midrash as it appears in Gemara Taanit 4a. The version there differs in a number of respects. The differences between the Midrashim are a topic for further investigation which are beyond the scope of this short essay. We refer to the Bereshit Rabba version since it would appear to be more original than the version in the Bavli.

a happy ending to their badly worded vow, whereas Yiftach's vow resulted in tragedy? It would appear that Yiftach is not simply unlucky. What was the factor that made Yiftach unworthy of God responding to his vow appropriately?

LOOPHOLES

But we spoke about how important it is to fulfil a vow. How could Yiftach abandon his promises in his hour of distress?

Maybe we can rephrase the question. Is a vow in the hands of man or of God? Or in our context, if Yiftach has uttered an inappropriate vow, can it not be revoked? Once again Chazal discuss the issue:

"Rabbi Yochanan said: He was obligated to dedicate only her (his daughter's) monetary worth.

Reish Lakish said: Even this he was not obligated, as the Rabbis have taught: If one took an unclean or disfigured animal and dedicated it as a burnt offering, it is as if one has said nothing (because that animal cannot be offered on the altar.)" (Bereshit Rabba 60:3)

The Rabbinic discussion then, suggests that Yiftach had no obligation whatsoever to sacrifice his daughter. A vow to sacrifice a human being is dealt with in one of two ways. Either it is invalid by definition; after all, one may not sacrifice humans, hence the vow becomes null and void.

Alternatively the vow is fulfilled via a monetary donation to the Temple. So Yiftach is off the hook. Rather interestingly, even Yiftach's name suggests this possibility. The name Yiftach is derived from the root PT"CH which indicates a "doorway" or a "loophole". Indeed, the very halakhic term for annulling a vow is termed a "petach." Yiftach had the potential to annul his own vow!

But let us look at the Tanach text. Is this possibility raised by the text itself? Or if this was a real and present possibility, why did Yiftach not take advantage of this legal loophole in order to save his one and only daughter⁸? First let us view Chazal's answer. Chazal accuse Yiftach of two personal flaws: ignorance and pride. In their view, his ignorance lead him to his imprecise phrasing of the vow. His pride prevented him from approaching the scholars of the era in order to request an annulment of the vow.⁹ So, for Chazal, Yiftach is to blame for the entire thing. Clearly this approach presents a viable understanding of the story. Moreover, if one reads the story closely, one can identify a certain intransigence, a sense of personal insecurity and a focus

⁸ It is interesting to compare this story of Yiftach to another parallel episode, the story of Saul's wartime vow in I Samuel Ch.14:27-8, 41-45. There Saul makes a vow that entraps his son, Yonatan. It would appear that King Saul simply ignores the vow upon the advice of the nation. Was this simply Saul giving in to pressure, or was it a legal release from the vow? The mepharshim here suggest that they legally annulled the oath in some way. See Rashi, Ralbag and especially the Radak on 14:45 there. Note also the parallel between the two situations with the use of the word "achar" indicating betrayal. Compare Shoftim 11:35-36 and I Samuel 14:29-30.

⁹ See the Tanchuma to Parshat Bechukotai.

upon ego about Yiftach which Chazal picked up on in their understanding of this thorny problem.

But, when we look at the text in the Tanach, the text is silent as to why Yiftach did not annul the vow. Is there no clue, no trace of an answer? Let us offer one possible reading of the Yiftach story, viewing it as a whole unit and revealing certain hidden emphases that might enrich our understanding, and shed light upon this particular problem.

THE POWER OF WORDS

The story of Yiftach is one in which language and promises play a crucial role. Clearly, Yiftach is a master of negotiation. In his bargaining with the Elders of Gilad (11:4-11), and his strident diplomacy with the King of Ammon (11:12-28) Yiftach demonstrates eloquence, tenacity and a sharp attention to detail. Both these episodes conclude, textually, with reference to Yiftach's "Devarim," his skill with words.

v.11: "Yiftach spoke all his **words** before God at Mitzpah."

v.28 "The King of Ammon did not listen to the **words** of Yiftach..."

Moreover, we may add that his entire negotiation with the Elders of Gilad is concluded by the following statement:

"Let **God be the witness** between us. **Just as your word**, we shall do."(11:10)

this time, it is God who verifies the words of Yiftach. Yiftach's words are given legal weight by the Almighty.

The final episode of the entire Yiftach narrative Yiftach is the bloody civil war between Efrayim and Menashe (12:1-7). In that war, once again, the power of speech and its deterministic function is underscored. In the fight between the two tribes there was a need to undergo a test of identification to verify who was an Efrayimite and who was from Menashe. What determined the difference? It was the pronunciation, or rather, the enunciation of a single word. The utterance of words¹⁰ determined life or death for each person. (12:6)

So we can unequivocally emphasise the role of language in the Yiftach story. On this backdrop, two things are worth noting. First, that Yiftach, the language pedant, slips up when it comes to his own conversation with God. His accuracy with language fails him in his personal formulation of his vow.

Why might this be the case? Is it because he vows in the heat of battle? Note how the vow is fully integrated, enmeshed, into Yiftach's victorious battle against the enemy. Did Yiftach get carried away in the tension of the war situation?

But a further thought comes to mind. Yiftach certainly views God

¹⁰ It is also a verbal insult that triggers the war. See 12:1. Interestingly, the word "Bayit" is stressed in this verse, a word which forms a leitmotif throughout the story. See 11:2,7,31,34 and 12:1. Is there also a wordplay on the word "bat" i.e. daughter?

as a listener to, and judge of human affairs. Earlier we quoted the verse: "Let God be the witness between us." This theme resurfaces in 11:27: "May the Lord, who judges, decide today between the Israelites and the Ammonites." The outcome of the war is dependent upon God.

And so, in the heat of battle, Yiftach makes a promise, an oath, in order to express his unwavering dedication to God. Yiftach's victory is predicated upon his vow. It is as a result of his words, his commitment that he gains victory over his enemies. And now, in that the awful moment as he sees his daughter step out of his house, it dawns upon him, that if he renegades upon his vow, his victory will be in vain. God, the judge, the witness, has made Yiftach victorious because of his vow. How then, can Yiftach annul it? Yiftach, the man of words, becomes a prisoner of his own words. "I have uttered a vow (lit. opened my mouth) to the Lord and I cannot retract."(11:35)

Remember that which we said earlier in our shiur. Making a vow is like buying "on credit." Yiftach has won the war. On what basis? On the foundation of the promise he made to God! Yiftach makes a pronouncement and his entire victory – in his mind – rests upon that very pronouncement. If he fails to live up to his commitments he undermines his entire victory. He betrays Am If he fails to live up to his commitments he undermines his entire victory. He betrays Am Yisrael.

Now, clearly this is false. We have proven that Yiftach could ignore his vow. But maybe, here we see the power of words, where a person is chained by their past acts, and here Yiftach cannot free himself from his commitments. This is a classic abuse of words, of a vow.

IN CONCLUSION

"Better not to vow at all than to vow and not fulfill (Kohélet 5:4).

Rabbi Meir says: It is better still to refrain from making a vow at all! Rather just bring your lamb to the Temple courtyard (without a prior vow) and offer it to God.

Rabbi Yehuda says: It is even better, to vow and to fulfill the vow, as it states (Tehillim 76:12): "Vow and fulfill to the Lord your God" for one gains reward for the vow and reward for the fulfillment." (Tanchuma Vayishlach)

Here we have seen an example of a good vow, and an extremely problematic one. Am Yisrael in our parsha use a vow in the ideal way. They utilise a vow to bring God to the battle-field, to spiritualise a war, and to turn "spoils" into "sacred objects" – the double-entendre of Cherem. But Yiftach fails horribly as he tries his hand at the same game. In the hands of Yiftach, a vow turns into tragedy.

When we make commitments in life, they can empower us to growth, but sometimes, if used inappropriately they can become excuses, lies, or simply misplaced commitment. Commitment to God is a powerful thing. May we practice the caution, and may Hashem give us the wisdom to act appropriately.

Shabbat Shalom!