

RAMBAN: WHY WAS PARSHAS NEDARIM GIVEN OVER SPECIFICALLY TO "ROSHEI HAMATOS?"

by Rabbi Yissocher Frand

Parshas Masei

Ramban: Why was Parshas Nedarim given over specifically to "Roshei haMatos?"

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion: Tape # 108, Toiveling Dishes. Good Shabbos!

Our parsha begins with Moshe Rabbenu telling the Jewish people the laws of Nedarim [vows]. The beginning of the parsha is unique in that it begins with the words "Speak to the heads of the tribes saying..." Most of the Torah was either told directly to the children of Israel (Daber el bnei Yisroel) or it was said to the Kohanim (Emor el haKohanim). We do not have any other portion that told specifically to the Roshei haMatos [Heads of the tribes].

The early commentaries themselves were bothered by this question. The Ramban in his Chumash commentary suggests that Parshas Nedarim is something that should not be said over to the masses. The concept of taking oaths and vows is very stringent; and when people will hear that you can be "matir" a neder or a father or husband can be "mefir" a neder, they will come to take these matters lightly. [Matir, Mefir, and Hataras Nedarim are technical terms for halachic devices that permit the "undoing" of vows.] Consequently, according to Ramban, these laws were only given to the Roshei HaMatos, the leaders of the nation, who could be trusted to deal with these concepts with the level of sophistication and reverence that they deserve.

Alternate Opinion of the Chasam Sofer on the same question:

The Chasam Sofer, however, offers a different answer to this question. The Chasam Sofer suggests that the leaders of the nation had a special need to be aware of these laws. The Chasam Sofer quotes the story of the Shofet [Judge] Yiftach, who in haste made a vow to offer as a Korban to G-d the first thing that came to greet him when he returned victoriously from battle. The first thing that came to greet him was his daughter. [Yiftach was the leader of Israel during the time of Judges (Shoftim Chapter 11).]

The Medrash in Bereishis Rabba asks, Why didn't Yiftach go to Pinchas, the grandson of Aharon HaKohen, and have his vow "permitted" through the vehicle of "Hataras Nedarim"? The Medrash answers that Pinchas was waiting for Yiftach to come to him (he being the "Gadol haDor") and Yiftach was waiting for Pinchas to come to him (he being the chief political and military officer in the country). While each was trying to protect the honor of his own position, the life of the daughter was lost.

The Medrash says that both Yiftach and Pinchas were punished for this:

Yiftach lost his life in a terrible disease where limbs started falling off one by one (as it says, "he was buried in the cities (plural) of Gilead") and Pinchas lost his ability to receive Ruach HaKodesh. The Chasam Sofer says that perhaps this is why the Torah was particularly concerned that the leaders be extremely careful and well versed in the laws of Nedarim.

Two observations are to be made on this teaching:

1. We cannot project our own petty midos on people of the stature of Pinchas and Yiftach. Although the Medrash does say that in this situation they were punished for their actions, we must never confuse our own petty shortcomings with those of people who were Gedolei Olam [Unimaginably great leaders (literally "greats of the world")].
2. Many times, we see people do things because their Kavod [(personal) honor] was slighted. They do these things even though doing so is clearly to the detriment of both them and their own families. It is not unheard of for a person to sacrifice his own welfare or the welfare of his children on the altar of his ego. When a person's Kavod is affected, he can literally let his own children die.

We as human beings have a passion for kavod. The older we get, the more we have a tendency to be particular about our honor. A person needs an independent opinion to turn to -- be it his Rebbi, his Rav, his Rosh Yeshiva, or his good friend -- who can open his eyes to his own blindness regarding matters of Kavod. Only an independent opinion can help prevent a person from leading himself to self-destructive action or inaction.

This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion (#108). The corresponding halachic portion for this tape is: # 108 is: Toiveling Dishes. The other halachic portions for Parshas Matos / Masei from the Commuter Chavrusah Series are:

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