Tanhuma Behukotai 5

Another interpretation. "When anyone explicitly vows..." (Lev. 27:2).

This is as it says, "The fruit of the righteous is a tree of life, but a wise person acquires lives (nefashot)" (Prov. 11:30). If a person is righteous, and does not occupy himself with Torah, even though he is righteous, he has nothing in his possession. Rather, "the fruit of the righteous is a tree of life"; this refers to the Torah. Because when one is a Torah scholar, one learns how one acquires lives (nefashot), as stated, "but a wise person acquires lives." As if he makes a vow for the value of human beings, he would have learned what to do from the Torah. But if he does not have Torah in his hand, he has nothing in his hand.

And so you find in the case of Yiftah the Gileadite, because he was not a Torah scholar, he lost his daughter. When? In the time that he fought with the Children of Ammon and made a vow at that time, as it says, "Then Yiftah made a vow to the Lord...Then it shall be that whatever comes forth..., shall belong to the Lord, and I will offer it up as a burnt offering." (Jud. 11:30-31). At that time the Holy Blessed One was angry with him. The Holy Blessed One said, "If there had come out from his house a dog, a pig, or a camel, he would have offered it to Me." Hence [God] summoned his daughter to him. And why so much? So that all those that vow will learn the laws of vows, and not behave wrongly regarding oaths.

"And there was his daughter coming out to greet him... And when he saw her, he rent his clothes..." (Jud. 11:34-35) But was not Pinḥas there, and yet he said, "and I cannot retract?" However, Pinḥas had said, "I am a high priest and the son of a high priest. Shall I humble myself and go to an ignoramus (am ha'aretz)?" [And] Yiftach said, "I am head of the tribes of Israel and head of the magistrates. Shall I lower myself and go to a commoner?" Between the two of them that poor woman perished from the world; so the two of them were liable for her blood. In the case of Pinḥas, the ruaḥ hakodesh left him. In the case of Yiftaḥ, his bones were scattered, as stated (in Jud. 12:7), "and he was buried in the cities of Gilead."

דָבָר אַחֵר, אִישׁ כִּי יַפְלִיא נֶדֶר בְּעֶרְכְּדְּ נְפָשׁוֹת.

ֶּיָה שֶׁאָמַר הַכָּתוּב: פְּרִי צַדִּיק עֵץ חַיִּים וְלֹקֵחַ נְפָשׁוֹת חָכָם (משלי יא, ל). אָם יִהְיֶה אָדָם צַדִּיק, וְאַף עַל פִּי שֶׁהוּא צַדִּיק וְאֵינוֹ עוֹסֵק הַיִּים, זוֹ תּוֹרָה, שֶׁמִּתּוֹדְ שֶׁהוּא בֶּן תּוֹרָה, הוּא לָמֵד הֵיאַדְ לוֹקֵחַ נְפָשׁוֹת, שֶׁנֶּאֱמֵר: וְלוֹקֵחַ לָמֵד מִן הַתּוֹרָה הֵיאַדְ עוֹשֶׁה. וְאִם אֵין בְּיָדוֹ תִּוֹרָה, אֵין בְּיָדוֹ כְּלוּם. תּוֹרָה, אֵין בְּיָדוֹ כְּלוּם.

בֵּן אַתְּ מוֹצֵא בְּיִפְתָּח הַגִּלְעָדִי, מִפְּנֵי שֶׁלֹּא הָיָה בֶּן תּוֹרָה, אִבֵּד אֶת בִּתּוֹ. אֵימָתַי, בְּשָׁעָה שֶׁנְּלְחַם עִם בְּנֵי עַמּוֹן, וְנָדֵר בְּאוֹתָהּ שָׁעָה, שְׁנָּאֲמֵר: וַיִּדַּר יִפְתָּח נֶדֶר וְגוֹ', וְהָיָה הַיּוֹצֵא וְגוֹ', וְהָיָה לַהִ' וְהַעֲלִיתִיהוּ עוֹלָה (שופטים יא, ל-לא). בְּאוֹתָהּ שָׁעָה הָיָה עָלָיו כַּעַס מִן הַקָּדושׁ בָּרוּדְ הוּא. אָמַר, אִלּוּ יָצָא מִבֵּיתוֹ כֶּלֶב אוֹ חֲזִיר אוֹ גָּמָל, הָיָה מַקְרִיב אוֹתוֹ לְפָנֵי. לְכָדְּ אוֹ חֲזִיר אוֹ גָּמָל, הָיָה מַקְרִיב אוֹתוֹ לְפָנֵי. לְכָדְּ זְמֵן לוֹ בִּתּוֹ. כָּל כָּדְּ לְמָה. כְּדֵי שִׁיּלְמְדוּ כָּל הַנּוֹדְרִים, הַלְכוֹת נְדָרִים וְקוֹנְמוֹת, שֶׁלֹּא לִנְהֹגּ

ְּהְנֵּה בָּתּוֹ יוֹצֵאת לְקְרָאתוֹ, וַיְהִי כִּרְאוֹתוֹ אוֹתָהּ וְיִקְרֵע אֶת בְּגָדָיוֹ וַיֹּאמֶר אֲהָהּ בִתִּי וְגוֹ, וְאָנֹכִי פָּצִיתִי פִי אֶל ה' וְלֹא אוּכַל לְשׁוּב (שם פסוק לד-לה). וַהַלֹא פִּנְחָס הָיָה שָׁם, וְהוּא מֹמֵר לֹא אוּכַל לְשׁוּב. אֶלָא פִּנְחָס אָמֵר, אֲנִי כֹּהֵן גָּדוֹל בֶּן כֹּהֵן גָּדוֹל וְאֵידְ אֵלֶדְ אֵצֶל עַם הָאָרֶץ. יִפְתָּח אָמֵר, אֲנִי רֹאשׁ שׁוֹפְטֵי יִשְׂרָאֵל רֹאשׁ הַקְּצִינִים, אַשְׁפִּיל עַצְמִי וְאֵלֵדְ אֵצֶל הַדְיוֹט. מִבֵּין תַּרְנִיהוֹן אַבְדַת הַהִּיא עֲלוּבְתָּא מִן עָלְמָא. וּשְׁנֵיהֶם נִתְחַיְּבוּ בְּדָמֶיהָ. פִּנְחָס, עַצְמוֹתָיו, שָׁכֵּן בְּתִיב: וַיִּקְבֵר בְּעָרֵי גִּלְעָד (שם עַצְמוֹתָיו, שָׁכֵּן בְּתִיב: וַיִּקְבֵר בְּעָרֵי גִּלְעָד (שם יב, ז). When he sought to sacrifice her, she cried in front of him.

His daughter said to him, "My father, I came out to greet you in joy, and you slaughter me? Is it perhaps because the Holy Blessed One wrote in the Torah that Israel offer human lives (nefashot adam) before the Holy Blessed One? But is it not written, 'When one of you presents an offering to the Lord from the beasts.' (Lev. 1:2). 'From the beasts' and not from humans?"

He said to her, "My daughter, I made a vow, 'It shall be that whatever comes forth....' Is it possible that one who makes a vow does not have to fulfill his vow?"

She said to him, "Behold, our father Jacob made a vow, 'and of all that You give me, I will surely set aside a tithe for You' (gen. 28:22). When the Holy Blessed One gave him twelve sons, did he offer up one of them? And not only that, Ḥannah, who said, 'And she made a vow and said, "Adonai Tzevaot, if You will surely see [then I will give him to the Lord all the days of his life]" (I Sam. 1:11). Did she offer up her son as a sacrifice to the Holy Blessed One?"

All these things she said to him, but he did not heed her.

When she saw that he did not hear her, she said to him, "Let me go to a beit din. Perhaps one of them will find an opening for your words." As it is stated (in Jud. 11:37), "leave me alone for two months, so that I may go and come down to the mountains."...¹ She went to them, but they did not find an opening for Yiftaḥ to undo his vow, because of the sin of those he slaughtered from the tribe of Ephraim...² Therefore, he is (Prov. 28:3) "a torrential rain, and there is no bread," in that he had someone who would undo his vow; however "there is no bread," for the Holy Blessed One hid the halakhah from them, so that they would not find an opening to undo his vow.

בֵּיוָן שֶׁבִּקֵשׁ לְקָרְבָהּ, הָיְתָה בּוֹכָה לְפָנָיוּ. אָמְרָה לוֹ בִּתּוֹ, אָבִי, יָצָאתִי לִקְרָאתְּךְּ בְּשִׁמְחָה וְאַתָּה שׁוֹחֵט אוֹתִי. שֶׁמָּא כָּתַב הַקָּדושׁ בָּרוּךְ הוּא בַּתּוֹרָה שֶׁיְּהוּ יִשְׂרָאֵל מֵקְרִיבִין לִפְנֵי הַקָּדושׁ בָּרוּךְ הוּא נַפְשׁוֹת אָדָם. אֵין כְּתִיב בַּתּוֹרָה, אָדָם כִּי יַקְרִיב מִכֶּם קַרְבָּן לַה' מִן הַבְּהֵמָה (ויקרא א, ב), מִן הַבְּהֵמָה וְלֹא מִן בִּנִי אַדָם.

אָמַר לָהּ: בִּתִּי, נָדַרְתִּי, וְהָיָה הַיּוֹצֵא אֲשֶׁר יֵצֵא וְהַעֲלִיתִיהוּ עוֹלָה. שֶׁמָא כָּל הַנּוֹדֵר יָכֹל הוּא שַׁלֹּא לִשִׁלָּם נַדָרוֹ.

אָמְרָה לֵיהּ, וְהַרֵי יַצְקֹב אָבִינוּ שֶׁנָּדַר וְאָמֵר, כָּל אֲשֶׁר תִּתֵּן לִי עַשֵּׂר וְגוֹ (בראשית כח, כב), וְנָתַן לוֹ הַקָּדוֹשׁ בָּרוּךְ הוּא שְׁנֵים עָשֶׂר בָּנִים, שָׁמָּא הִקְרִיב לְהַקַּדוֹשׁ בָּרוּךְ הוּא אֶחָד מֵהֶם. וְלֹא עוֹד אֶלָא חַנָּה, שֶׁאָמְרָה, וַתִּדֹּר נֶדֶר וַתֹּאמֵר, ה' צְּבָאוֹת אִם רָאֹה תִּרְאֶה וְגוֹ (ש"א א, יא), שֶׁמָּא הִקְרִיבָּה אֶת בְּנָהּ לִפְנֵי הַקַּדוֹשׁ בָּרוּךְ הוּא.

בָּל הַדְּבָרִים הָאֵלֶּה אָמְרָה לוּי וְלֹא שָׁמַע לָהּ.

פֵיוָן שֶׁרְאֲתָה שֶׁלֹּא שָׁמֵע לָהּ, אָמְרָה לוּ: הַנִּיחֵנִי וְאֵרֵד אֵצֶל בֵּית דִּין, שֶׁפָּא יִמְצְאוּ בָּתַח לְנִדְרְדּ. שֶׁנָּאֲמֵר: הַרְפֵּה מִמֶּנִּי שְׁנַיִם חֲדָשִׁים וְאֵלְכָה וְיָרַדְתִּי עֵל הֶהָרִים וְגוֹ (שופטים יא, לֹז)... הָלְכָה אֶצְלָם וְלֹא מָצְאוּ בָּתַח לְיִפְתָּח לְהַתִּיר לוֹ אֶת נִדְרוֹ, בַּעֲוֹן אוֹתָן שֶׁשָּׁחֵט מִשְׁבָט אֶפְרָיִם... לְפִיכָד, מָטָר סוֹחֵף וְאֵין לֶחֶם, שֶׁהָיָר לוֹ מִי שֻׁיַּתִּיר אֶת נִדְרוֹ, אֶלָּא וְאֵין לֶחֶם, שֶׁהָעֶלִים הַקָּדושׁ בָּרוּדְ הוּא מֵהֶם אֶת הַהַלָּכָה, שֶׁלֹּא יִמְצְאוּ פִּתְחוֹ לְהַתִּיר לוֹ אֶת נדרוֹ.

אָמַר רַבִּי זְכַרְיָה, וְכִי יֵשׁ אָדָם יוֹרֵד עַל הֶהָרִים, וַהֲלֹא בְּנֵי אָדָם עוֹלִים לֶהָרִים. מַהוּ וְיָרַדְתִּי עַל הֶהָרִים. אֵלּוּ סַנְהֶדְרִין, כְּמָה 1. בּ). שְׁנֶאֱמֵר: שִׁמְעוּ הָרִים אֶת רִיב ה' (מיכה ו, ב).

R. Zechariah said, "Is there anyone who comes down to the mountains? Does not one go up to the mountains? So what is the meaning of 'and come down to the mountains?' These represent the Sanhedrin, as in the usage (of Micah 6:2), 'Hear, O mountains, the lawsuit of the Lord."

^{2.} אָנְיו הוּא אוֹמֵר, גֶּבֶר רָשׁ וְעֹשֵׁק דַּלִּים מָטָר סוֹחֵף וְאֵין לָחֶם (משלי כח, ג). גֶּבֶר רָשׁ וְעֹשֵׁק דַּלִּים, שֶׁהָיָה רָשׁ בַּתּוֹרָה בּתְּרָה שׁבֹּלֶת וַיֹּאמֶר סִבּּלֶת וְלֹא יָכִין לְדַבֵּר כֵּן (שופטים יב, בֹּגְרוּפוֹ שֶׁל שִׁקְמָה, שֶׁהָיָה עשׁק אֶת הַדַּלִּים, שֶׁנֶּאֱמֵר: וַיֹּאמְרוּ לוֹ אֱמֹר נָא שִׁבּלֶת וַיֹּאמֶר סִבּּלֶת וְלֹא יָכִין לְדַבֵּר כֵּן (שופטים יב, וֹיִא שׁבֹּלֹת וַיֹּאמֶר.), והיה שׁוֹחטן.

So it is with reference to him that Scripture has said (in Prov. 28:3), "A poor man who exploits the indigent is a torrential rain which leaves no bread." "A poor man who exploits the indigent." This is referring to Yiftach; since he was poor in Torah like a [mere] sycamore shoot. "Who exploits the indigent," since he exploited the indigent, when he said [to the men of Ephraim] (in Jud. 12:6), "Say, 'Shibboleth'; and he said, 'Sibboleth,' not being able to pronounce it correctly." Then he slaughtered him.

He went up and slaughtered her.

Then ruan hakodesh proclaimed, "Did I desire you to sacrifice lives (nefashot) to Me, [lives], 'which I never commanded, never spoke for, and which never entered My mind." (Jer. 19:5) "Which I never commanded" Abraham, that he slaughter his son. Instead I said to him (Gen. 22:12), "Do not raise your hand against the lad." [This was] in order to make known Abraham's love [of God] to the nations of the world, that he did not spare his only one from Me and carried out the will of his Maker.

"Never spoke" to Yiftach to offer up his daughter as a sacrifice to Me.

Rabbi Yoḥanan and R. Shimon ben Lakish: Rabbi Joḥanan says, "He was liable for money [in order to fulfill his vow], like the matter is written in Arakhin." Rabbi Shimon ben Lakish said, "[He was liable for] nothing, as he made a stipulation about something that is impossible to sacrifice, and [so] there was no [liability] upon him."

"And which never entered my mind," this is referring to Misha the king of Moab, about whom it is written that when he fell into the hand of the king of Israel (in II Kings 3:27), "And he took his firstborn son, who would become king in his stead, and offered him up as a burnt offering upon the wall."

What caused Misha to sacrifice his son? Because he was not a Torah scholar; for if he had read the Torah, he would not have lost his son, since it is written (in Lev 27:2-4) "When anyone explicitly vows to the Lord the value of human beings (nefashot). And the value of a male shall be [...]. And if it is a female...." Therefore (Prov. 11:30), "but a wise person acquires lives (nefashot)."

עָלָה וּשְׁחָטָהּ. וְרוּחַ הַקֹּדֶשׁ צֹוַחַת, נְפָשׁוֹת הָיִיתִי רוֹצֶה שֶׁתַּקְרִיב לְפָנַי אֲשֶׁר לֹא צִוִּיתִי וְלֹא דְּבַּרְתִּי וְלֹא עָלְתָה עַל לִבִּי (ירמיה יט, ה).

אֲשֶׁר לֹא צִוּיתִי לְאַבְּרָהָם שֶׁיִּשְׁחֹט אֶת בְּנוֹ, אֶלָא אָמַרְתִּי לוֹ, אֵל תִּשְׁלַח יָדְדְ (בראשית כב, יב), לְהוֹדִיעַ לְכָל הָאֻמּוֹת חָבָּתוֹ שֶׁל אַבְרָהָם, שֶׁלֹּא חָשַׂדְ אֶת יְחִידוֹ מִמֶּנִּי, לַעֲשׁוֹת רְצוֹן בּוֹראוֹ.

ְלְלֹא דָּבֵּרְתִּי לְיִפְתָּח לְהַקְרִיב אֶת בִּתּוֹ. רַבִּי יוֹחָנֶן וְרַבִּי שִׁמְעוֹן בֶּן לָקִישׁ. רַבִּי יוֹחָנֶן אָמֵר, דָּמִים הָיָה חַיָּב, כְּעִנְיָן שֶׁכָּתוּב בַּצְרָכִין, וְרַבִּי שִׁמְעוֹן בֶּן לָקִישׁ אָמֵר, וְלֹא כְּלוּם, שֶׁהִתְנָה עַל דָּבָר שֶׁאִי אֶפְשָׁר לְהַקְרִיב, וִלֹא הַיָּה עַלִיו כִּלוּם.

ְוְלֹא עָלְתָה עַל לְבִּי, זֶה מֵישַׁע מֶלֶךְ מוּאָב, שָׁכָּתוּב בּוֹ בְּשָׁעָה שָׁנָּפַל בְּיַד מֶלֶךְ יִשְׂרָאֵל, וַיִּקַח אֶת בְּנוֹ הַבְּכוֹר אֲשֶׁר יִמְלֹךְ תַּחְתָּיו וַיַּעֲלֵהוּ עוֹלָה (מ"ב ג, כז).

מִי גָּרַם לְמֵישַׁע שָׁיַּקְרִיב אֶת בְּנוֹ. עַל שָׁלֹּא הָיָה בֶּן תּוֹרָה. שָׁאִלּוּ קָרָא בַּתּוֹרָה, לֹא אִבֵּד אֶת בְּנוֹ, שֶׁכָּתוּב בַּתּוֹרָה, אִישׁ כִּי יַפְלִיא נֶדֶר, וְהָיָה עֶרְכְּךְּ הַזָּכָר, וְאִם נְקֵבָה הִיא וְגוֹ (ויקרא כז, ב-ד).