



בְּיִשׁוּבָהּ שֶׁל מַעְלָה וּבְיִשׁוּבָהּ שֶׁל מַטָּה  
עַל דַּעַת הַמְּקוּם וְעַל דַּעַת הַקְּהָל  
אָנוּ מִתְּרִין לְהִתְפַּלֵּל עִם הָעֹבְרִינִים: ←

*בישיבה* / By the authority of all who congregate. Originally a legal formula, *Kol Nidrey* is introduced by this meditation in which an imaginary court is invoked to validate the liturgical proceeding. The parallelism is striking: "who congregate above/the Omnipresent One" and "who congregates on earth/this assembly." We stand *before* God and *among* our community—we require the permission and participation of both. R.H.

*Anu matirin lehitpalel im ha'avaryanim* / Whether righteous or unrighteous, all shall pray as one community. There is a Jewish folk legend that suggests that in the *Kol Nidrey* chant, the word עֹבְרִינִים / *avaryanim* (transgressors) was actually a code for the word, *Iberyanim* (Iberians or Spaniards), referring to death-fearing Spanish Jews who had converted to Christianity during the Inquisition, but who secretly continued to practice Judaism. According to the legend, in embracing these crypto-Jews within the community of believers and sinners, the *Kol Nidrey* chant reminds us that we all wear masks, we all hide our true essence—and we all enjoy the possibility of God's forgiveness. L.G.B.

DERASH. The setting for *Kol Nidrey* is that of two courts joined. The earthly court, composed of the *hazan* and two people holding Torah scrolls, reflects the heavenly court where God sits in judgment. The imagery of the court is further emphasized by the legalistic style of the *Kol Nidrey* prayer itself. In this introductory prayer to *Kol Nidrey*, "we" are granted permission to pray with sinners. But since no human being is without sin, this permission must be understood as a mutual act. We can only become a community when we begin to forgive ourselves and each other. D.A.T.

## KOL NIDREY/ALL SOLEMN VOWS

By the authority of all who congregate above  
and all who congregate on earth,  
and with permission of the omnipresent One,  
and by consent of this assembly,  
we accept into our midst whoever seeks to pray.  
Whether righteous or unrighteous,  
all shall pray as one community. ↪

KAVANAH. Worlds are joined in this opening recitation. Upper and lower worlds are joined. The divine and the human are joined. We and they—those who have crossed the boundary to leave the we—are joined. This reveals our intention in seeking atonement: at-one-ment. We seek unification, the dissolution of barriers, the merging and unity that will culminate at the end of Yom Kippur. S.P.W.

DERASH. It is we who are the righteous, granting permission to participate in prayer. It is also we who are the unrighteous, seeking readmission to the community of holy beings. Realizing that each of us is both righteous and transgressor is the first step in *teshuvah*. J.A.S.

DERASH. The Kabbalist Isaac Luria taught that we can build our personal sanctuary (*mishkan*) with God one year at a time. The task of Yom Kippur is to build our *mishkan* in time, to build a relationship with God that will last for the year. Yom Kippur is a return to the source to reconstruct our interior. Z.S.S.

כָּל נְדָרֵי וְאֶסְרֵי וְשְׁבוּעֵי וְחַרְמֵי וְקֹנָמֵי וְקִנּוּסֵי וְכִנּוּיֵי דְנִדְרָנָא  
 וְדִאֲשַׁתְּבַעְנָא וְדִאֲחַרְיִמְנָא וְדִאֲסָרְנָא עַל נַפְשָׁתָנָא מִיּוֹם כְּפוּרִים  
 שְׁעֵבֵר עַד יוֹם כְּפוּרִים זֶה הִבָּא עָלֵינוּ לְטוֹבָה כְּלַהּוֹן אַחֲרָטָנָא בְּהוֹן  
 כְּלַהּוֹן יְהוֹן שְׂרֹן שְׁבִיקִין שְׁבִיתִין בְּטִלִין וּמְבַטְלִין לֹא שְׁרִירִין וְלֹא  
 קִיּוּמִין: נְדָרָנָא לֹא נְדָרֵי וְאֶסְרָנָא לֹא אֶסְרֵי וְשְׁבוּעָתָנָא לֹא שְׁבוּעוֹת: ←

COMMENTARY. The *Kol Nidrey* is at once a legal declaration and a prayer. In the careful language of a contract it marks out the territory of prayer, introspection, and personal resolve as a domain beyond law. This is a realm where the promptings of the heart and utterances in the passion of the moment are allowed a certain freedom, privacy, and momentum, irrespective of their realization or completion in practice. By declaring such utterances null and void, one both affirms their importance and limits their force. Let the heart be free, says this prayer, to promise what it will, to aspire where it will, even to call itself to task in the harsh language of law—but let us be at peace with our past failures or resolve and get on with our lives as best we can. *Kol Nidrey* inevitably calls to mind all that we have done, or not done, since the previous *Kol Nidrey*. Indeed, it is that previous declaration that now reaches into the present, and releases us to pray and to change—and to assume our role in our community of prayer.

J.R.

KAVANAH. At this Yom Kippur, we seek to deal kindly but honestly with ourselves, to take care that our commitment to ideals does not entail the destruction of our own souls, our own worlds. We freely admit our failings and create our atonements. No excuse, no escape, just an honest seeing into the truth, that we might correct our path and set off once more toward the good each of us seeks.

R.M.S.

COMMENTARY. This prayer has long been associated with the Hidden Jews—the Jews in Spain who converted to Christianity during the Inquisition and kept their Jewish life secret in order to survive. This prayer allowed them to pray as Jews by forgiving the vows they had made to another religion, another system of beliefs. What a deep resonance this interpretation has for gay and lesbian Jews who are living hidden, secret lives! For those in the closet about their gay identity in their Jewish communities and those in the closet about their Jewish lives in the gay community, this prayer recognizes the pain of hidden and split identities and offers the hope for integration and healing.

Adina Abramowitz

All solemn vows, all promises of abstinence, and formulas of prohibition, and declarations of austerity, and oaths which bear a name of God, and pledges to ourselves assumed on penalty, whatever we might have sworn and then forgotten, whatever earnest, well-intentioned vows we might have taken up but not upheld, whatever punishment or harm we might unwittingly have called down on ourselves, from the last Day of Atonement to this Day of Atonement (may the Day come upon us for the good!)—from all of them, we now request release:

Let their burden be dissolved, and lifted off, and cancelled, and made null and void, bearing no force and no reality. These vows shall not be binding vows, those prohibitions not be binding prohibitions, those oaths shall not be binding oaths.

COMMENTARY. Part of the awesome power of *Kol Nidrey* comes from the gathering of so many Jews in community. Although we may have theological hesitations regarding *Kol Nidrey's* annulment of vows, these pale in comparison to the fulfillment of our one shared commitment: to be here together.

J.A.S.

COMMENTARY. Despite generations of commentary, the peculiar paradox of *Kol Nidrey* remains—that even as we prepare to swear loyalty to our resolutions, we declare that unkept pledges are absolved. In the early years of the original Reconstructionist synagogue (the Society for the Advancement of Judaism), Rabbi Mordecai Kaplan attempted to avoid this problem by substituting Psalm 130 for the words of *Kol Nidrey* while chanting the traditional melody. The reaction of the congregants was strongly negative: while they may not have been able to make sense of *Kol Nidrey's* words, the emotional appeal determined the outcome. Today we remain moved by the solemnity of the moment, the plaintive chant, and the orchestrated overture to the Day of Atonement—even when the purpose of the words escapes us. In the realm of the spirit, the heart often speaks louder than the head.

R.H.

A Deathless Prayer

Pain and . . . fear . . . kept us awake. A cloudless sky, thickly set with glittering stars, looked in upon our grief-filled prison. The moon shone through the window. Its light was dazzling that night and gave the pale, wasted faces of the prisoners a ghostly appearance. It was as if all the life had ebbed out of them. I shuddered with dread, for it suddenly occurred to me that I was the only living man among the corpses.

All at once the oppressive silence was broken by a mournful tune. It was the plaintive tones of the ancient Kol Nidrei prayer. I raised myself up to see whence it came. There, close to the wall, the moonlight caught the uplifted face of an old man, who, in self-forgetful, pious absorption, was singing softly to himself. . . . His prayer brought the ghostly group of seemingly insensible human beings back to life. Little by little, they all roused themselves and all eyes were fixed on the moonlight-flooded face. We sat up very quietly, so as not to disturb the old man, and he did not notice that we were listening. . . .

When at last he was silent, there was exaltation among us, an exaltation which people can experience when they have fallen as low as we had fallen and then, through the mystic power of a deathless prayer, have awakened once more to the world of the spirit.

—LEON SZALET, a concentration camp survivor  
(trans. Catherine Bland Williams)

Recited three times:

All vows, renunciations, bans, oaths, formulas of obligation, pledges, and promises that we vow or promise to ourselves and to God from this Yom Kippur to the next—may it approach us for good—we hereby retract. May they all be undone, repealed, cancelled, voided, annulled, and regarded as neither valid nor binding. Our vows shall not be considered vows; our renunciations shall not be considered renunciations; and our promises shall not be considered promises.

*Kol nidrei ve-esarei va-haramei, v'konamei v'khinnuyei, v'kinnusei u-sh'vu-ot, dindarna u-d'ishtabbana, u-d'aharimna v'da-asarna al nafshatana, mi-yom kippurim zeh ad yom kippurim ha-ba aleinu l'tovah, kul'hon iharatna v'hon, kul'hon y'hon sh'ran, sh'vikin sh'vitin, b'teilin u-m'vuttalin, la sharirin v'la kayyamin. Nidrana la nidrei, ve-esarana la esarei, u-sh'vu-atana la sh'vu-ot.*

ASSURANCE OF FORGIVENESS

Leader and congregation; some congregations recite this verse three times:

“The entire congregation of the people Israel shall be forgiven, as well as the stranger who dwells among them, for all have erred.”

*V'nislah l'khol adat b'nei yisra-el v'la-ger ha-gar b'tokham, ki l'khol ha-am bi-sh'gagah.*

Leader:

[Moses prayed:] “As befits Your abundant love, please forgive this people’s sin, just as You have always forgiven this people from the time of the Exodus from Egypt until now.” And there it further says:

Leader and congregation; some congregations recite this verse three times:

ADONAI replied, “I have forgiven, as you have asked.”

*Va-yomer Adonai, salahti ki-d'varekha.*

*Barukh atah ADONAI*, our God, ruler of time and space, for granting us life, for sustaining us, and for bringing us to this moment.

*Barukh atah Adonai eloheinu melekh ha-olam, she-heheyanu v'kiy'manu v'higi-anu la-z'man ha-zeh.*

The Torah scrolls are returned to the ark.

On days other than Shabbat, the service continues on page 207.

Recited three times:

כָּל-נִדְרֵי וְאֶסְרֵי וְחַרְמֵי, וְקוֹנָמֵי וְכַנּוּיֵי, וְקוֹנוֹסֵי וְשְׁבוּעוֹת, דִּנְדַרְנָא וְדִאֲשַׁתְּבַעְנָא, וְדִאֲחַרִּימָנָא וְדִאֲסַרְנָא עַל נַפְשַׁתְנָא, מִיּוֹם כְּפוּרִים זֶה עַד יוֹם כְּפוּרִים הַבָּא עֲלֵינוּ לְטוֹבָה, כְּלָהוֹן אַחֲרֵטְנָא בְּהוֹן, כְּלָהוֹן יְהוֹן שְׁרוֹן, שְׁבִיקִין שְׁבִיתִין, בְּטֵלִין וּמְבַטְלִין, לֹא שְׁרִירִין וְלֹא קִימִין. נִדְרָנָא לֹא נִדְרֵי, וְאֶסְרָנָא לֹא אֶסְרֵי, וְשְׁבוּעֵתְנָא לֹא שְׁבוּעוֹת.

Leader and congregation; some congregations recite this verse three times:

וְנִסְלַח לְכָל-עֲדַת בְּנֵי יִשְׂרָאֵל וְלִגְר בְּתוֹכֶם, כִּי לְכָל-הָעָם בְּשִׁגְגָה.

Leader:

סְלַח-נָא לְעוֹן הָעָם הַזֶּה כַּגְּדֹל חַסְדְּךָ, וְכֹאֲשֶׁר נִשְׁאַתָּה לְעָם הַזֶּה מִמְצָרִים וְעַד-הַנְּהָה. וְשֵׁם נֹאמֵר:

Leader and congregation; some congregations recite this verse three times:

וַיֹּאמֶר יְהוָה סְלַחְתִּי כְּדַבְּרְךָ. בְּרוּךְ אַתָּה יְהוָה אֱלֹהֵינוּ מֶלֶךְ הָעוֹלָם, שֶׁחֲיִינוּ וְקִימָנוּ וְהִגִּיעָנוּ לְזִמְן הַזֶּה.

The Torah scrolls are returned to the ark.

On days other than Shabbat, the service continues on page 207.

KOL NIDREI כָּל-נִדְרֵי. The Kol Nidrei is an Aramaic legal formula created in response to a widely felt need to nullify unfulfilled personal vows, a desire to enter the new year with a clean slate. In the 9th century, Babylonian Jewish leaders opposed its recitation. Therefore, Rabbenu Tam (France, 12th century) changed the language from past tense to future, a change that was widely adopted. Most of all, Kol Nidrei expresses our fear that even our best intentions for the new year will not be fulfilled. At the same time, it expresses how much we regret what was not accomplished in the past year. Kol Nidrei mentions seven types of promises and uses seven verbs expressing nullification. Seven symbolizes completion.

THE ENTIRE CONGREGATION . . . SHALL BE FORGIVEN לְכָל-עֲדַת בְּנֵי יִשְׂרָאֵל. Numbers 15:26. In the Bible, this verse

follows the command to bring a sacrifice when the entire people have sinned in error. Here it is removed from its biblical context and adopted as a statement of God’s forgiveness, implying that all of our sins are really errors of judgment and so surely are to be forgiven when we express regret. Thus, the story of Yom Kippur is as much one of God’s forgiveness as it is of human failing.

I HAVE FORGIVEN סְלַחְתִּי. Numbers 14:20. In the story of the scouts and the recalcitrance of the Israelites in the desert, the Bible assures us that even when the entire community acts against God’s wishes, God forgives. Moses prays for the people, and God responds, “I have forgiven you as you have asked.” So too, God forgives each of us when we approach this day regretting our acts.

FOR GRANTING US LIFE שֶׁחֲיִינוּ. We recite this *b'rakhah*, offered on all occasions when we experience a moment of joyful newness, to remind us that Yom Kippur is a time of blessing. We stand together as a community and express thanks that we are here together after another year.

וְנִסְלַח לְכָל־עֲדַת בְּנֵי יִשְׂרָאֵל וְלִגְר הַגֵּר בְּתוֹכְכֶם כִּי לְכָל־הָעָם  
בְּשִׁגְגָה:

סְלַח־נָא לְעוֹן הָעָם הַזֶּה כַּגְּדֹל חַסְדְּךָ וְכַאֲשֶׁר נִשְׁאַתָּה לְעָם הַזֶּה  
מִמִּצְרַיִם וְעַד־הַנֵּה: וְשֵׁם נֹאמַר:

וַיֹּאמֶר יְהוָה: סְלַחְתִּי כְדָבָרְךָ:

בְּרוּךְ אַתָּה יְהוָה אֱלֹהֵינוּ מְלֶכֶךְ הָעוֹלָם שֶׁהַחַיִּינוּ וְקִיַּמְנוּ וְהִגִּיעְנוּ  
לְזִמְנֵן הַזֶּה:

Baruh atah adonay eloheynu meleh ha'olam sheheheyanu  
vekiyemanu vehigi'anu lazeman hazeh.

DERASH. According to the *midrash*, Yom Kippur plays a part in the Exodus year. On Shavuot, Moshe goes up to receive the tablets. He comes down and breaks them on the seventeenth of Tammuz. For forty days he argues with God to forgive. He goes up again on Rosh Hodesh Elul, and comes down on Yom Kippur reciting *salahti kidvareha*. So the Torah that was actually received was not the Torah of Shavuot but the Torah of Yom Kippur. Our law is one that was given with *salahti kidvareha*. It contains the built-in possibility of *teshuvah*. Z.S.S.

DERASH. These verses from the book of Numbers appear in the story of the Israelite spies in Canaan. Later we will recite the Thirteen Attributes of God's compassion, also part of the wilderness story of human failure. The disasters during the wandering in the wilderness are part of the Torah's paradigm for forgetting purpose, losing awareness, faith and truth. The people seek a product of their own making, a god of gold to worship in place of the living God that is beyond their full comprehension and mastery. Our stumbling and falling often occurs when we substitute an immediate and known gratification for a transcendent value. Through the inclusion of the Thirteen Attributes in the stories of the wilderness wanderings, divine forgiveness and mercy are inextricably linked with this story of failure. It teaches us about the universality of error and forgetfulness and the eternal possibility of realizing God's loving presence in our lives. S.P.W.

"And there shall be atonement  
for the whole community of Israel,  
and the stranger dwelling in their midst  
—indeed, for an entire people that has gone astray." Numbers 15:26

"Grant forgiveness, then,  
for the transgression of this people,  
as the abundance of your love demands,  
and as you have always lifted from disfavor  
these, your people, from the time of Egypt until now,"  
as it is told: Numbers 14:19

"THE FOUNT OF MERCY said:  
I grant forgiveness, as you ask." Numbers 14:20

Blessed are you, ETERNAL ONE, the sovereign of all worlds,  
who has given us life,  
and has sustained us,  
and has brought us to this time.

סְלַחְתִּי כְדָבָרְךָ / I grant forgiveness as you ask. The words, from Numbers 14:20, are portrayed as God's speech following the rebellious report of the spies sent by Moses to scout out the Promised Land. Moses implores God not to eradicate the Israelite people. "Thus, I [God] grant forgiveness as you [Moses] ask." On Yom Kippur, each of us brings our own rebellious report: We have scouted out our own Promised Land and declared ourselves unable to secure it. Despite the promise of God's presence, we have squandered the opportunity to advance. But tonight, each of us becomes like Moses; each of us asks for ourselves: "Grant forgiveness as I ask." We do not expect to reach the Promised Land—only to be allowed to continue on the journey. R.H.

as trustworthy. We pride ourselves on being true to our word, dismiss others who are not, and shudder at the thought that we might become those others, for whom pledges mean nothing.

For biblical Israel and Rabbinic Judaism, oaths and vows (two different legal categories, as we shall see) are essentially promises, but they carry a great deal more weight.

→ An oath, or *shvu'ah*, is a promise either to perform or to refrain from a certain act. Explicitly or implicitly, it calls down a divine curse upon oneself should one fail to fulfill it. Alternatively, it designates not just oneself, but others, often one's children, as surety that the oath will be fulfilled.

A vow, or *neder*, has both a limited and an extended form. Originally, in its more limited biblical sense, it was a means of designating one's property as belonging to God or to God's sanctuary. Once so designated, the item vowed belonged solely and absolutely to God and could be used only by God's representatives on earth, the priests. By implication, intentional use of that property for the personal needs of the person taking the vow (a particularly heinous form of theft called *m'ilah*) resulted in the divine punishment of death. Such a vow dedicates a person's property to God and is called a *dedicatory vow*.

Rabbinic sources extend that usage, to arrive at a variant form of *neder*, a *prohibitory vow*.<sup>1</sup> A vow of this type involves rendering something forbidden as if it had been sanctified for Temple use. One can forbid one's own property to oneself or to others (or the belongings of others to oneself) in this way. A variety of legal formulas have the legal impact of prohibiting usage, but a common form states, "Let any X that I might use be considered *korban* or *konam* ['a sacrifice']"; from the latter we get the Aramaic plural *konamei*, which is found in *Kol Nidre*.

It may be that a prohibitive vow is actually a dedicatory vow, which, paradoxically, takes effect only when it is violated. Thus, when one says, "If I eat this food let it be considered *korban*," that is, "consecrated," he means his statement as an implicit promise not to eat the food at all. The instant he does so, it becomes dedicated to God retroactively back to the point at which the oath was made, and he will have violated the prohibition against profaning the holy.

Such a vow might be taken as a safer alternative to an oath of self-restraint (a *shvu'ah*), which accomplishes the same thing, because it is not automatically associated with an actual curse. That is, rather than calling down a curse upon oneself if one fails to observe the restraints to which

Eliezer Diamond, in All these Vows: Kol Nidre,

p 74-75

one is bound by an oath, one simply forbids certain items to oneself using a *neder* (a vow). Breaking the *neder* would constitute misappropriation of something set aside as sacred, a serious matter, but it would not generate a divine curse.

Imagine someone, Mr. A, in a fit of anger, enraged by Mr. B. He could take an oath (a *sh'vu'ah*) in God's name that he will never allow B to use anything that belongs to him. If he changes his mind, he is subject to a divine curse. So instead, he makes a vow (a *neder*) to the same effect, by declaring that anything he owns becomes sanctified if and when B partakes of it.<sup>2</sup>

In sum, both vows (*n'darim*) and oaths (*sh'vu'ot*) should be taken only after careful consideration—oaths especially so, since one may end up changing one's mind. Either one, for example, may result in an unanticipated negative consequence—what the Mishnah calls a *nolad*, a “newborn” or newly arisen situation (from the Hebrew root meaning “to give birth”). Alternatively, one's state of mind may shift such that an oath or vow that seemed well-advised at the time no longer appears to have been a wise decision. One might experience *charatah*, “regret,” for having taken it.

Despite the potential pitfalls of oaths and vows, it appears that in biblical times once taken they could not be revoked. A seeming exception to the rule is the fact that the Torah allows a father or husband to cancel a woman's vow on the day on which he becomes aware of it,<sup>3</sup> but this is really just a consequence of the authority that these men inherently have, in biblical law, over the women making the vows; such vows are considered inherently provisional. Never does the Torah suggest that the person taking the vow himself has the option of annulling it. Such a vow would be self-contradictory and meaningless.

The strongest biblical evidence for the inviolability of vows is the narrative of Jephthah and his daughter. In Judges 11, we are told that the chieftain Jephthah takes a vow obligating him to offer to God the first living being to greet him if and when he returns from war victorious. When his daughter hurries out first, he tears his clothes in anguish, for he now must sacrifice her to fulfill his vow.<sup>4</sup> At no point is the possibility of annulling his vow mentioned.

However, sometime during the Second Temple period two means of annulling vows were apparently adopted, at least in some circles. The first is alluded to by the first-century Jewish historian Josephus: declaring a vow or oath mistaken if it had been made out of anger or ignorance of

## Kol Nidre Commentaries

Compiled by Rabbi Josh Jacobs-Velde

1) In the words of a former congregant, "Kol Nidre means: All bets are off." For him and, I now suspect, for most Jews, hearing Kol Nidre is like the sound of flipping that silent software switch that anyone who has ever fiddled with a computer has discovered with relief and joy: Restore Default Configuration. Go back to zero. Clean slate. Fresh start. You see before you on the screen one simple question: Begin New Game? In other words, everything that has been promised (and everything that might yet be promised), everything that has been said (and everything that might yet be said), everything that has been done (and everything that might yet be done) – they are all erased, null and void. You get a room full of people all hoping for that and you have yourself the holiest prayer in the book.

-R. Lawrence Kushner, in *All these Vows: Kol Nidre*, p.174-175

2) Kol Nidre is about speaking true--about the power of speech. It is a gift to us from a time far back in our tribal consciousness when we seemed to understand these things better than we do now, when we seemed to understand the biblical warning that we are absolutely accountable for everything that comes out of our mouths.

In fact our ancestors took this so seriously that they instituted the Kol Nidre service to deal with it. They realized that it was a very serious thing to make a vow and not carry through with it, so here at the holiest moment of the year--here at the moment when the purity of our soul is a matter of life and death – they instituted a ritual for the annulment of vows, so that we wouldn't have to bear the guilt of abusing the power of speech...

On Kol Nidre we affirm that it is an absolute catastrophe, it throws the soul out of balance, to have our words out of line with our deeds. But it is also an inevitable catastrophe, so every year at the beginning of this great ritual day in which we purify our souls, we remedy this: we forgive ourselves in advance for all the times in the coming year when we will make vows we will be unable to keep, when our words will be out of line with our deeds, and we acknowledge in this ritual that these times will certainly and inevitably come.

-R. Alan Lew z'l, *This is Real and You are Completely Unprepared*, pp. 188, 198