

Yom Kippur, 5772, 2011:

The Promise and Hope of Kol Nidrei

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Dedicated to the sacred memory of my sister-in-law, Ruchama Rivka Sondra, and the *refuah shlaimah* of Yosef Shmuel ben Miriam.

The exact origins of Kol Nidrei are lost in the sands of time. One of the earliest sources regarding our present practice is found in a responsum of Rav Natronai Gaon (9th century Babylonia). It is quoted in the commentary of Rabbeinu Asher ben Yechiel (1250-1328, known as the “Rosh”) to *Talmud Bavli, Yoma*, 8:28:

But we do not follow this practice, to nullify vows neither in the two yeshivot [Sura and Pumbedita] nor in any place [of which I am personally aware]; neither on Rosh Hashanah nor on Yom Kippur. We have, however, heard that in other lands they say ‘Kol Nidrei.’ We, however, have never seen it nor heard of it from our rabbis may they be blessed.

In contrast, approximately 100 years later, Rav Saadia Gaon developed a fixed Hebrew text for Kol Nidrei that in many ways mirrors our own Aramaic text:

There are those that act in the following manner: The leader of the congregation stands up on *Yom Hakippurim* and says: “All vows, excommunications, prohibitions, oaths, and practices that we have sworn to perform, and we have issued as excommunications, and that we have prohibited and we have sworn and we have taken upon ourselves, from the past Yom Kippur until today that has come upon us, we hereby repudiate them and we come before our Heavenly Father [and state:] if we have uttered a vow it is no longer a vow, if we have proscribed something upon ourselves it is no longer a proscription, if we have excommunicated someone they are no longer in excommunication, if we have sworn an oath it is no longer an oath, if we have followed a certain practice it is no longer binding. Moreover the vow, prohibition, excommunication, and oath are all nullified from their moment of inception. There exists no vow, no prohibition, no excommunication, no oath, and no practice. Instead, there is pardon (*mechilah*), and forgiveness (*selichah*) and expiation (*kapparah*)...” (Ibid., translations my own.)

Thus, for approximately the last 1,100 years, Kol Nidrei has been an essential part of our Yom Kippur liturgy. It is said with great solemnity and dignity. Moreover, for many, it has become the defining moment of Yom Kippur.

At first blush, however, it is difficult to understand exactly how and why Kol Nidrei has captured the hearts and minds of our people. In essence, it is a formal juridical statement whose content consists of the nullification of vows. This hardly seems to be the kind of subject matter that would captivate our imagination and bring us to heartfelt feelings of *teshuvah* (repentance). Yet, strangely enough, Kol Nidrei has an almost mesmerizing effect upon us. The question is “Why?”

My rebbi, Rabbi Yosef Dov Halevi Soloveitchik *zatzal* (1903-1993), known as “the Rav” by his students and disciples, discussed this question in one of his public lectures summarized in Dr. Arnold Lustiger’s book *Derashot Harav: Selected Lectures of Rabbi Joseph B. Soloveitchik*. Pages 94-95 and 100-102 of this work reveal the compelling rationale offered by the Rav as to why we recite Kol Nidrei which provides a solid explanation for its profound effect upon us all. The Rav noted that when Hashem revealed the manner and degree of punishment that he would bring upon *klal Yisrael* (the Jewish people) as a result of the sin of the Golden Calf, Moshe responded with heartfelt prayer and supplication: “Moses prayed (‘*vayichal*’) before the L-rd, his G-d, and said: ‘Why, O L-rd, should Your anger be kindled against Your people whom You have brought up from the land of Egypt with great power and with a strong hand?’” (*Sefer Shemot* 32:11, translation, *The Judaica Press Complete Tanach*). *Talmud Bavli, Berachot* 32a states that the word “*vayichal*” is a novel way to refer to prayer, since the Tanach (Hebrew Canon of Scripture) usually employs very different terminology when referring to *tefilah* (prayer). The Gemara suggests that the Torah used this word because of its similarity to another word that is directly connected to the annulment of vows, namely, “*yachal*” (“profane,” *Sefer Bamidbar* 30:3). Given this similarity, Rabbi Soloveitchik

suggested that this prayer was “an attempt by Moses to annul G-d’s vow to destroy the Jewish people.” In consonance with this notion, Rava suggested in our above-cited Gemara that:

[Moshe stood and prayed] until he nullified His vow. It is written here [*Sefer Shemot* 32:11] “*vayichal*” and it is written there [*Bamidbar* 30:3] “*lo yachal d’varo*.” We have a well known rule: “One [even Hashem] cannot annul his own vow, but others can annul it for him’ [in this case Moshe for Hashem].”

As Rabbi Soloveitchik further noted, the Zohar, based upon this Talmudic passage, suggested that Kol Nidrei is designed “in part to release G-d from this vow” to thoroughly punish the Jewish people. In addition, “on Erev Yom Kippur, Jews are constituted as a *beis din* (court of law) to ‘absolve’ G-d, which is indeed what He desires...” The Rav suggested that at first glance, it is difficult to connect the concept of releasing an individual from a vow to releasing Hashem from a vow. After all, what do man and his Creator have in common in this, or any, area? In his view, however, “a closer examination of the concept of *hatarat nedarim* (nullification of vows) may shed light on this idea.” He opines that:

A vow can be nullified if it can be demonstrated that there was some kind of mistaken impression at the time of the vow. The person who took the vow declares that had he known then what he knows now, he never would have taken this vow. In short, it was not really he, knowing what he now knows who took the vow at all, but rather somebody else, who acted on the basis of a mistake or a lack of information.

Therefore, when Moshe employed the word “*vayichal*,” he was “asking G-d to view the Jewish people in the same way that a court looks at someone who wishes to nullify a vow.” In other words, the vow was taken in error from its very inception. The person who took this erroneous vow was not himself. Rabbi Soloveitchik builds upon this concept and states:

Similarly, when a Jew has sinned, even when he has worshipped idols, deep in his heart he is still good. In a certain sense, then, it was not really the person himself who committed this sin, but somebody else who acted on the basis of a mistake. For every Jew who worshipped the Golden Calf, there was another inner Jew who did not, and “those” Jews deserved to be saved.”

The Rav’s words shed a brilliant light on the true nature of Kol Nidrei and why it is so profoundly revered. Deep within us, we know that we want to be better than the way we have acted and that we truly regret the various sins that we have done. Regardless of the elaborate rationalizations that we have created, we realize that we have done many acts for which we are ashamed. Yet, the real person within us, the *neshamah hapenimit* (the innermost soul) never did those actions. It is this innermost Jew who deserves to be saved. Thus, it is our task to come closer to our true selves, to our inner Jewish selves, and thereby draw near to our Creator.

This, then, is the promise and hope of Kol Nidrei. It teaches us that even Hashem’s vow to punish us to near extinction could be, and was, annulled when Moshe interceded on behalf of our better and truer selves. With G-d’s help, may this year be the one wherein we encounter our authentic inner souls and worship Hashem with our entire being. If we can do this, the potential of Kol Nidrei to transform our lives will finally be fully realized.

V’chane yihi ratzon.

Shabbat Shalom and g’mar chatimah tovah

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<http://reparashathavuah.weebly.com/>

The email list, *b'chasdei Hashem*, has expanded to hundreds of people. I am always happy to add more members to the list. If you have family or friends you would like to have added please do not hesitate to contact me via email at rdbe718@gmail.com.