KOL NIDRE: PAST, PRESENT AND FUTURE

RICHARD C. STEINER*

In memory of my beloved aunt, Irene Horowitz, whose profound love for the synagogue service continues to inspire all who knew her

1. Introduction

*Kol Nidre*, so beloved today, was once a highly problematic text for many.1 R. Zedekiah b. Abraham Anaw could find nothing positive to say about *Kol Nidre* in its traditional forms (אין בו שום תקנה רק רע).2 R. Isaac b. Mordecai Qimḥi declared that the recitation of *Kol Nidre* in any version was not a custom but an error (אינו מנהוג אלא טעות).3 R. Nissim b. Reuben of Gerona (Ran) felt that it was improper to say it (אין ראוי وغيرها),4 and his student, R. Isaac b. Sheshet Perfet (Rivash), encouraged a colleague to abolish it in his community, promising that all the rabbis would thank him if he did (ואם יישר חילך ותבטלין' ...

* Bernard Revel Graduate School, Yeshiva University. I am very grateful to Professors David Berger, Simcha Emanuel, Shamma Friedman, S. Z. Leiman, Leib Moscovitz, Rabbi Menachem Jacobowitz and the anonymous JSIJ reviewers for helping me to improve this article. I would particularly like to thank Prof. B. Septimus for his painstaking reading and many corrections. None of these very generous colleagues bears any responsibility for the errors that remain.

1 See Y. Goldhaber, *והוצאת ספר תורה בליל יום הכיפורים* in *אמריート ליל נב里的 הוצאת ספר תורה בליל יום הכיפורים* 17/1 (2001), 93-99; Yitzchak Stessman, *ספר כל נדרי* (Jerusalem, 2008), 764 n. 10. I am indebted to S. Z. Leiman for the latter reference.

2 *שבת הלכות*, Ms. Zurich Braginsky 250, p. 396 l. 1.


4 *מסכת נדרים_CC_

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The opposition of these and many other authorities outside of Northern France and Germany had roots in the geonic period.

The Babylonian Geonim were uncomfortable with the entire practice of annulling vows. They asserted that “many ignoramuses go astray through this, believing that all vows and pledges incumbent upon them are void, and treating vows and pledges lightly (…” and that, in any case, “we do not study Nedarim and we don’t know how to make binding or to release vows and oaths.” They did not permit the annulment of vows in their own circles, and they urged Jews throughout the Diaspora to abandon the practice. Pirqei b. Baboi included a discussion of the practice of annulling vows in his polemic against Palestinian customs (ca. 812 C.E.). He reports that a group of people came to R. Yehudai Gaon (757-61 C.E.), requesting that he release them from their vows and

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5 Responsam §394 cited in Naftalim Wieder, "עבר ועתיד בנוסח "כל נדרי מכתב לדוד: ספר זכרון הרב דוד אוקס ז"ל (ed. Y. D. Gilat and E. Stern; Ramat-Gan: Bar-Ilan University, 1978), 192 = Naftalim Wieder, הנבנשה נושה התפילות (2 vols.; Jerusalem: Ben Zvi Institute, 1998), 1:371. I am indebted to S. Z. Leiman for calling my attention to the reprint, which has two pages of corrections and additions at the end.

6 Benjamin M. Lewin, אוצר הגאונים (Jerusalem: Mossad Harav Kook, 1928-1962), 11:22 §60. The concern is expressed already in Ned. 23b. Cf. the promiscuous use of oaths described by Ibn Ezra in his long commentary to Exod 20:6:

He is apparently referring to the rhetorical use of the Arabic oath particle wallahi, used for emphasis to this day.

7 Lewin, אוצר הגאונים, 11:23 §63; cf. p. 20 §56. For the conjecture that the Geonim abandoned both the study of Nedarim and the practice of annulling vows (even the annulment by an expert of a single specified vow) as a reaction against the widespread use of vows and oaths in magic, see Moshe David Herr, ענייני הלכה בארץ ישראל במאה השיטה והשביתה (Jerusalem: Ben Zvi Institute, 1985), 64-65; and Neil Danzig, מבוא לספר הלכות פסוקות עם תלחים פסוקה (New York: Jewish Theological Seminary of America, 1993), 426-27. Neither presentation of the conjecture explains why the Geonim would have expected their alleged reaction to reduce the use of vows and oaths in magic.

8 Shraga Abramson, שם כמשר הלכות ומסקנות עמו תלחים הלכות (Sinai 50 (1961-62), 185; as corrected and completed in Maagarim (the online Historical Dictionary of the Hebrew Language), II. 30-33.

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oaths. The Gaon refused to do so, telling them, “Go fulfill your oaths and pay your vows.” When asked his opinion of “those who release vows and oaths on the eve of Rosh Hashanah and the eve of Yom Kippur,” presumably a reference to the recitation of Kol Nidre (or its Hebrew counterpart, Kol Nedarim), the Gaon replied that such people “utter falsehoods and make themselves a laughing-stock (משחיקים) in the Academy (Sura), since no one in the world does that—not even ignoramuses (עומרים).” R. Abraham b. Nathan ha-Yarḥi cites a geonic responsum that labeled the recitation of Kol Nidre/Nedarim a “foolish custom” (שדרו ממתיב’ הקדושה שמנהג שטוח) in the Academy.

The geonic rejection of the practice of annulling vows at the beginning of the year was not restricted to any specific text or formula. It extended even to the brief declaration for annulling future vows recorded in the Mishnah (m.Ned. 3:1). According to the Talmud (Ned. 23b), this declaration was to be made at the beginning of the year:

וְהֵרָצוּ שֶלָּא תְקִימֵי נְדֵרִים כָּל חֲשֶׁנָה יִצְפְּרוּ בְּרָאשָׁו חָשֶׁנָה יִזְכּוּר כָּל

And he who wants the vows that he makes during the entire (coming) year not to be valid should stand at the beginning of the year and say, “every vow that I may make shall be void,” (and it shall be so)—provided that he remembers this at the time of the vow.

Despite the impeccable credentials of this text, it too was rejected by the Geonim. The most vehement rejection is found in a responsum attributed either to R. Hai b. Sherira Gaon or to R. Hai b. Nahshon Gaon (881-91 C.E.):

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9 Abramson’s interpretation, “they pretend to be sages,” does not fit the context. For my interpretation, see רצה לשליח (Git. 66a). The spelling לנהר (rather than לנהו) appears to be original there, according to the manuscripts and editions in the Talmud Text Databank (JTSA). If so, Pirqei b. Baboi’s spelling comes from the Bavli, as expected.

In the nations around us, there is a practice of saying *Kol Nidre* on Yom Kippur, reciting a verbal evasion for the coming year.

This reference is explained more fully in another source:

Rabbenu Hai answered those who say that the release of vows and oaths is (prescribed in the emended mishnah that states) that a person “should stand at the beginning of the year and say ‘every vow that I may make during the whole year is hereby void,’ (and it shall be so)—provided that he remembers this at the time of the vow, etc.” He said “Heaven forbid, for we should not behave in this way, not (even) according to the mishnah that they adduce as proof.... Heaven forbid, for He is not a God who desires wickedness, nor can evil abide with Him (cf. Ps 5:5). If people only knew the meaning of vows and the meaning of oaths, they would not practice evasion at all. And everyone who practices evasion is as if....

An earlier but less conspicuous rejection of the talmudic practice is found in a responsum of R. Natronai Gaon (857-65 C.E.):

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And (concerning) that which you asked: Can the community release, on Rosh Hashanah and Yom Kippur, all vows that they vow from this year to next year?\(^\text{14}\)

Reply: ... And it is not the practice in the Academy or anywhere else (in our land) to release vows—not on Rosh Hashanah and not on Yom Kippur. We have heard that in other lands they say Kol Nidre \(\text{we-}'\text{Esare, but we have not seen this (ourselves) or heard this from our Rabbis.}

The question deals with the use of a prospective declaration—no doubt that of the Talmud. The reply is slightly evasive, avoiding an explicit rejection of amoraic practice: the annulment of vows is not practiced in Babylonia (in any form—prospective or retrospective), but retrospective Kol Nidre is reportedly in use in other lands.

The banning of Kol Nidre could not have been easy. Evidence of a psychological void on Yom Kippur can be seen in the following report:

And from the day that the sages stopped annulling vows and releasing oaths, they instituted (the practice of) saying in the laments in the Academies on Yom Kippur and the public fasts: “O Merciful One, it is evident to You that we have no one to annul vows and (that) there is no one who releases resolutions....”


\(^{14}\) Cf. בשנה אחרות “next year” (Gen 17:21).

\(^{15}\) Lewin, יאוצר הגאונים, 11:8-9 and 20 §56.
The recitation of this lament was presumably a poor substitute for the recitation of Kol Nidre itself. At the end of the geonic period, R. Hai b. Sherira Gaon “seems to have yielded to popular pressure, that wanted to assure itself of a clear record on the Day of Atonement.”

He revised the text, converting it from a quasi-judicial declaration into a plea for forgiveness:

כָּל דִּרְךָ אֲתֶרֶךְ וְקָוָמָּךְ וְרָחְמֶךָ וְשַׁבְּעָּךְ וְדִינֶרֶךְ וְדָא שָׁתִּיבְּנָא (פָּנָיָה)
שֶׁעֶבר עַד יָמָנָיָהּ כְּפֶרְוָיָה וְהָעֲבַרְתָּא עֲלֵיָהּ בּישָׁאָל וּבָאָנותָא
נְפָעֵי הָרָחְםָן מִקָּסְמֵי מַמְיָאְלֵי דְלוַישָׁרְיָה לִדְלוַישָׁרְיָה לְדָא שַבְּעָּתָא
רָחְמָן הָלוֹם יְלוֹויָה יָאֵיסָרָא אֶא אַסְרָרָא לְמִיתָבָהָהּ בּוֹצָהָ בּוֹצָהָ
לְא שָבְוקָ (פָּנָיָה שָבְוקָ) לְמִילָּךְ בְּרֶילָּךְ כְּחָאַ נִסְחָא וְגוֹ' 17

All vows, resolutions, promises, pledges, and oaths that we have vowed, sworn, pledged, and imposed upon ourselves from the last Yom Kippur fast to this Yom Kippur fast and violated through error or force majeure, we seek mercy from the Lord of Heaven that He may forgive us and absolve us—our vows not vows for incurring guilt, our resolutions not resolutions for incurring sin, and our oaths not oaths for incurring punishment, as it is written, “Forgiveness shall be granted, etc.” (Num 15:26).

This text, known from Shibbole ha-Leqet, is the only complete Aramaic (more precisely: bilingual) version of Kol Nidre that is explicitly attributed to a Babylonian source. The passages that turn the declaration into a prayer are in bold print. If we change דלישרי לן דלישבוק לן to ייהון שרן ושבי קין and take out the rest of those passages, we get a text that is close to the familiar Ashkenazic version, albeit a bit shorter:

16 Jacob Mann, Texts and Studies in Jewish History and Literature (Cincinnati: Hebrew Union College Press, 1931-35), 2:52 n. 99. If there was popular pressure, it may have stemmed from the belief that בֶּן נָדְרֶם בּוֹסֶמָ פָּתָיָ “children die from the sin of (a parent not fulfilling) vows” (Shab. 32b, Ketub. 72a). I am indebted to S. Z. Leiman for this insight.
17 R. Zedekiah b. Abraham Anaw, ספרי הלקט, cited according to Ms. Zurich Braginsky 250, p. 396 ll. 2-6.
18 This rendering and the ones that follow are only approximate.

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It will be noted that this text is a retrospective declaration for annulling past vows and oaths. It appears to be a revision and (partial) translation of a longer Hebrew text, Kol Nedarim, known from geonic responsa and the Genizah. The latter text, composed in Palestine before 650 C.E., was also a retrospective declaration.19

R. Hai Gaon was not the only authority who felt a need to revise the bilingual version of Kol Nidre. A far more influential revision stems from the family of Rashi. In Sefer ha-Yashar, Rabbenu Tam writes:

cל נדרי ואסרי וקונמי וחרמי ושבועי דינדרנא ודאשתבענא ודאחרמנא ודאסרנא על נפשנא מיום צום הכיפורים שעבר עד יום צום הכיפורים ה זה יהון שרן ושביקין נדרנא לא נדרי איסרנא לא איסרי ושבועתנא לא שבועי כנת' ונסלח וגו'.

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cל נדרי ודאמרינן בליל יומキャפורים הגיה אבה מרי זצ"ל: מיוםキャפורים זה עד יום כפורים הבא עלינו לטובה כאוהון דאיחרטנא בהון וחקיר ואות (see below) and in two of the four early witnesses to this section of Kol Nedarim that are recorded in Maagarim. In the version of Rashi’s student, R. Joseph Kara (as quoted by R. Ephraim of Bonn), the word זה appears here; see Wieder, עתב ועתיד, 190 = Wieder, התגבשות נוסח התפילה, 1:369. That word is not necessary, however, since, for halakhic reasons, Kol Nidre is recited before the holiday begins. Thus, יוםキャפורים זעוי לוי רחוב גט needing to be fulfilled before the holiday begins. Therefore, יום כפורים הבא עלינו לטובה originally meant “Yom Kippur which is (now) coming favorably upon us”; it referred to the one about to begin.

19 See my forthcoming article on the origin of Kol Nidre and, in the interim, Jacob Mann, Texts and Studies in Jewish History and Literature (Cincinnati: Hebrew Union College Press, 1931-35), 2:51-53 (with literature); and Goldhaber, אמרת כל נדרי, 96.

20 Note the absence of the word הזה here, just as in Tosafot, Ned. 23b s.v. את (see below) and in two of the four early witnesses to this section of Kol Nedarim that are recorded in Maagarim. In the version of Rashi’s student, R. Joseph Kara (as quoted by R. Ephraim of Bonn), the word הזה appears here; see Wieder, עתב ועתיד, 190 = Wieder, התגבשות נוסח התפילה, 1:369. That word is not necessary, however, since, for halakhic reasons, Kol Nidre is recited before the holiday begins. Thus, יום כפורים זעוי לוי רחוב גט needing to be fulfilled before the holiday begins. Therefore, יום כפורים הבא עלינו לטובה originally meant “Yom Kippur which is (now) coming favorably upon us”; it referred to the one about to begin.

21 R. Jacob b. Meir Tam, ספר יהושע לברית: כל העדות (ed. S. S. Schlesinger; Jerusalem: Kiryat Sefer, 1959), 70 §100.
My lord father corrected *Kol Nidre*, which we say on Yom Kippur night, (to read): “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of them that we (shall have) regretted” (shall be released),” and that is the true (version). He who says “from last Yom Kippur to (this) Yom Kippur coming (we pray) favorably upon us—all of them we have regretted” is committing an error, because it is not possible to release *oneself* (from a vow) or (to release someone other than oneself from a vow) without *ab initio* regret and either an expert (judge) or three ordinary ones, and also because the halakhah is in accordance with (the view of) R. Papa, the final authority, who said in “The Sender of a Bill of Divorce” (= chapter 4 of *Giṭṭin*) that one must specify the vow (that he wishes to release)—and that is (indeed) our practice. Thus, “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us” is the true (version), and support for this (comes from) what they say in “Four Vows” (= chapter 3 of *Nedarim*): “He who wants the vows that he makes during the entire (coming) year not to be valid should stand at the beginning of the year and say, ‘all vows that I may make shall be void,’ (and it shall be so)—provided that he remembers this at the time of the vow.”

In this passage, Rabbenu Tam puts his seal of approval on the revision of *Kol Nidre* proposed by his father, R. Meir b. Samuel of Ramerupt. The latter, we are told, replaced the temporal phrase of the traditional version, מיום כפורים שעבר עד יום כפורים הבא עלינו לטובה, with a phrase that made more halakhic sense, מיום כפורים זה עד יום כפורים הבא עלינו לטובה. This is a remarkably economical and elegant revision, affecting only a single word of the original: שעבר. The latter is replaced by זה, thereby automatically changing the referent of the phrase יום כפורים הבא עלינו לטובה to the *following* Yom Kippur, the one that is a year away.

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22 This is a translation of דאיחרטנא, the reading of the standard edition. For a more likely reading, see section 3 below.
23 For a detailed discussion of *ab initio* regret, see אנטיקלופדיות תורת נדרים in אנציקלופדית תהלומדית, 11:351-52.
24 See n. 20 above.
25 The other emendation noted in the passage is less relevant to this study: כלחת דאיחרטנא “all of them that we (shall have) regretted” in place of כלחת דאיחרטנא.
Rabben Tam is not the only member of the family known to have accepted R. Meir’s revision. R. Ephraim of Bonn informs us that Rabben Tam’s brothers, Rashbam and R. Isaac, accepted it as well:

אבל אני לפי קט שכלי נרא’ עינביי כאשר הנהיג הרב ר’ מאיר מן רמרו וכאשר נהגו בניו רבינו שמואל ורבי נאבים ורבי יצחק אחריו לומר מיום כפורים זה עד יום כפורים הבא עלינו לטובה....

But I, in accordance with my meager intelligence, find proper the practice instituted by R. Meir of Ramerupt and adopted by his sons, Rabben Samuel, Rabben Jacob, and R. Isaac after him, viz., to say “from this Yom Kippur to (next) Yom Kippur coming (we pray) favorably upon us.”

And one of Rashi’s disciples, cited in Liqquṭe ha-Pardes, reports that Rashi too lent his prestige to this version:

ומשמ היי יעקיב ביר שמעון נמרא: בערב יום הכיפורים nostro ובסעית הכנס אולם כל אחד ואישSESIAL והדרכ מאנס [ך!]:ディיארמאונת וי אסתר על פמאז [ך!] יז השבעון bí מיפיסים הז יפרים חנה עלית לו חכוח [ך!]: אוחיט [ך!] בהם שחר ביטמין בטלין ומבוטלין ולא שרירין ולא קימין. דנה אל דרי ואיסרטם לא אאיסרי. שבעון ונסלנו לכל גומ’. כך שמעתי פה קדש [ך!] כ 어렵 שבירת משועלת ועלינו לטובה היו שור[ך!] ולא שור[ך!] ולא שור[ך!] ולא שור[ך!]

This emendation appears to be based on the principle "שאני אפשר להתיר ... בלא חרטה דמעיקרא." The emendation is apparently designed to stress that the feelings of remorse postdate the vow and predate the recitation of Kol Nidre; see also after n. 102 below.

26 Wieder, עב, ד; 190 = Wieder, 1:369.
27 Ms. Jerusalem NLI: ו’דאשתבענה; Venice edition of 1539: 'ודאשתיבענ
28 Ms. Jerusalem NLI: ו’דאשתבענה; Venice edition of 1539: 'ודאשתבענ
29 Ms. Jerusalem NLI and Venice edition of 1539: כול משועלת ועלינו לטובה...
30 So too in Ms. Jerusalem NLI and Venice edition of 1539.
32 The passage is transcribed from Ms. Frankfurt Oct 81 fol. 6r (dated 14th cent.); I have added a few notes from Ms. Jerusalem NLI 6655=28 fol. 71r (dated 1535) and the Venice edition: לקויי פרנס אראי בר חס נ濉יאי רכני שמלת צעייל (Venice: Daniel Bomberg, 1539), [22-23]. Both of the manuscripts

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In the name of R. Jacob b. Simeon, the following is found: On Yom Kippur eve, they (= the people) come to the synagogue and say: “All vows, resolutions, promises, pledges, and oaths that we have vowed, sworn, pledged, and imposed upon the self [sic!] by oath from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of them I shall regret [sic!]. (May they be) released, cancelled, rendered null and void, not in force, not valid—our vows not vows, our resolutions not resolutions, and the [sic!] oaths not oaths. ‘Forgiveness shall be granted to all, etc.’ (Num 15:26).” So I heard the holy mouth (of Rashi) say when he went (and stood) in front of the ark (to lead the service). He would say neither “from last Yom Kippur to ...” nor “may they be released” nor “as it is written, ‘Forgiveness shall be granted....’” And he would return to the beginning until (he had recited it) three times.

According to one source, the idea that Kol Nidre should be prospective goes back even further in the family, to Rashi’s father-in-law! But how is it possible to leave the tense of the verbs unchanged after changing the reference of their temporal adverbial from past to future? In the version cited in Liqquṭe ha-Pardes, most of the verbs seem to remain in the past tense, creating an internal contradiction. Moreover, “I shall regret” is a singular imperfect verb, appropriate to the prospective version but

are available online; I am indebted to Yisrael Dubitsky of the Institute for Microfilmed Hebrew Manuscripts, National Library of Israel, for providing the links and folio numbers for both. Wieder (תגבשות נוסח התפילה, 1:389) notes that this report is not cited elsewhere, but his conjecture that opponents of the revised version suppressed the report does not explain why even the many proponents of the emendation (see below) fail to cite it.

34 This should read “Jacob b. Samson” according to Avraham Grossman, חכמי צרפת (Jerusalem: Magnes, 2001), 417. For his relationship to Rashi, his reported role as the teacher of Rabbenu Tam, etc., see ibid., 411-26.
35 Or: “and self-imposed”; instead of “and imposed upon ourselves.”
36 Instead of “we have regretted.”
37 Instead of “our.”
38 Grossman, חכמי רמט, 124 n. 9. Grossman doubts that the source is reliable.
inconsistent in both number and tense with all the other verbs. The problem raised by the tense of those verbs is addressed briefly in Sefer ha-Yashar, but the passage in question, like much of the work, has come down to us in a corrupt form. After examining the later sources, I shall attempt to reconstruct the original form of both Rashi’s version and Rabbenu Tam’s comment.

It should be noted that the same internal contradiction is found in most Ashkenazic editions of the mahzor—from medieval manuscripts and early printed editions to the editions in use today. Some editors discuss the contradiction and offer solutions—

39 Not surprisingly, most Sephardic editions of the mahzor retain the old retrospective version of Kol Nidre/Nedarim; see Toviya Fraind, ספר מועדים לשמחה (Jerusalem: Otzar Haposkim, 1998), 1:304. I am indebted to S. Z. Leiman for this reference.

40 מחזור לימים הנוראים (ed. Daniel Goldschmidt; 2 vols.; Jerusalem: Koren, 1970), vol. 2, opposite p. 1. For a description of the manuscripts, see ibid., vol. 1, pp. 60-2. See also the Worms Mahzor, part II, from ca. 1280 C.E. (NLI website, f. 61a); the Esslingen Mahzor from 1290 C.E. (JTSA library website, f. 64a); and the Nuremburg Mahzor from 1331 C.E. (NLI website, f. 349a). All three of these manuscripts have דִּנְדַּרְנָא ודאשתבענא ודאחרימנא וּדְאָסַרְנָא (three perfects followed by a participle) modified by ‘מיום כפורים זה וכו’. Only the participle has a temporal interpretation that does not clash with the adverbial modifier (see below).

41 See, for example, מחזור מכל השנה כמנהג קהלות קדש אשכנז (Venice, 1568), 131b and מחזור כמנהג ק"ק אשכנזים, חלק שני (Venice, 1600), 144a. Both of these editions have דִּנְדַּרְנָא ודאשתבענא ודאחרימנא וּדְאָסַרְנָא (three perfects followed by a participle) modified by ‘מיום כפורים那只 וכו’. The contradiction is found in its purest form in the High Holiday Prayer Book (ed. Philip Birnbaum; New York: Hebrew Publishing Company, 1951), 489. It has דִּנְדַּרְנָא ודאשתבענא ודאחרימנא וּדְאָסַרְנָא (four perfects; cf. the Constantinople mahzor in the preceding footnote) modified by ‘מיום כפורים זה וכו’. Other modern editions exhibit a hodgepodge of forms. For example, מחזור רבא: יום הפורים, נוס הפורים (Jerusalem: Eshkol, n.d.), 27, has דִּנְדַּרְנָא (דִּנְדַּרְנָא) ודאשתבענא ודאחרימנא וּדְאָסַרְנָא (three perfects followed by a participle) modified by ‘מיום כפורים זה וכו’. Almost the same version is found in מחזור כלבי השחה: יום כפור, ספד (Brooklyn: Atereth, 1971), 39-40, and in מחזור עם פירוש ע”י ב＃ ידידא (Jerusalem: Miller, n.d.), 34; however, these two editions substitute דאשתבענא instead of דאשתבענא (pointed in different ways) for דאשתבענא (cf. the Prague mahzor in the preceding footnote and see at n. 137 below). The
but only in an introduction or an appendix. Thus, the editor of an Ashkenazic mahzor (Venice, 1717) adds a brief discussion of Kol Nidre at the very end of his edition:

However, as the years multiplied, the straight became (increasingly) crooked, and the text (of Kol Nidre) became (increasingly) corrupt, as stated clearly by the lips of R. Caro and the author of the Levushim, for the correct version (serves) to release vows that will be made “from this Yom Kippur to (next) Yom Kippur, coming (we pray) peaceably upon us,” whereas, and do not refer to the future.... And it occurred to us to correct that which had become corrupt in the (published) versions, but after considering this course we decided to retreat, because, inasmuch as all the (published) versions are corrupt, the reader will surely say that our eyesight is...

same is true of מחזור יומ כיפור ליווי צפור נאש וראינו (Jerusalem: Moreshet, 1981), 40, and the Complete ArtScroll Machzor: Yom Kippur (ed. Nosson Scherman, et al.; New York: Mesorah Publications, 1986), 59 (Ashkenaz edition) = 67 (Sefard edition); however, the contradiction is less blatant in these more recent editions since they offer a compromise version that combines the prospective adverbial and the retrospective one: מימי קפראים שקט, מיום יומ כיפור הזה וימי קפראים שקט בין יומ כפורים שעבר... ומי יומ כפורים זה... For the origin and spread of this compromise, see מפרץ יומ כיפור, לאשה שלום (ed. Nosson Scherman, et al.; New York: Mesorah Publications, 1991), 11:392; Wieder, ערב עיתים, 196-202 = Wieder, התגבשות נוסח התפילה, 1:375-381; Fraind, ספר מועדים לשמחה, 1:309-314.


44 The expression from Lev 25:16 is given a new meaning here.
faulty\textsuperscript{45} and pin the blame on us. Nevertheless, having found here a blank page, we wish to present the correct version to discerning people.... And as for those who wish to err, let them err. We have left them their old version, still standing in its place, so everyone can do what is right in his own eyes.

Similarly, Wolf Heidenheim does not dare to eliminate the contradiction in the \textit{mahzor} of which he was both the editor and the printer, despite the fact that only a few pages earlier he prints a lengthy discussion of the grammatical aspects of \textit{Kol Nidre}, concluding with a revised version.\textsuperscript{46}

The present article is the latest attempt to deal with the problem. I became involved with it some decades ago, when a distinguished rabbinic authority called me before Yom Kippur and asked me if it was possible to eliminate the tense contradiction in an inconspicuous way that would not provoke controversy. Clearly the verbs needed to be emended, but the obvious emendations—the ones that came first to mind—were not adequate to the task. Take, for example, some of the Aramaic expressions for “we shall vow” offered as emendations in past centuries. R. Aaron b. Jacob ha-Kohen of Lunel, for example, writes:

\begin{center}
וזה נסחת כל נדרי: כל נדרי והאריסי והמסירי והקומי ויומי ושבועי די
עליונא לדרלי ולמסרי ולהזונים ולהזונים
וזה עד יום הפורים הבא עלינו לטובה כנחון...
\end{center}

This is the text of \textit{Kol Nidre}: “All vows, pledges, resolutions, promises, and oaths that we shall vow, resolve, and impose upon ourselves from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of them that we shall have regretted....”

\textsuperscript{45} The expression from Isa 28:7 is given a new meaning here.
\textsuperscript{46} המחבר \textit{עירובים ליום כפור} (ed. W. Heidenheim; Roedelheim: Buchdruckerey von W. Heidenheim, 1832), 6b-8b, 10a.
Ralbag and R. Jacob Emden have a different expression:

Even if they recite (Kol Nidre) in the future tense, saying נדר “we shall vow,” it does not have the benefit that one might think would come from it.

But there is no doubt in the world that, according to the opinion of Rabbenu Tam, we must necessarily change the old text completely and we have to say דנדר “that we shall vow” or דבך (with hireq, and dagesh in place of the missing nun). And so all of them: דשתיים “that we shall swear” and דניסר על נפשנו “that we shall impose upon ourselves”—all with first person plural preformative nun.

R. Isaac b. Mordecai Qimḥi has a third expression:

And he corrected the mahzorim (to read) “that we shall vow from this Yom Kippur to next Yom Kippur.”

All of these emendations of נדרנו eliminate the contradiction, but they are hardly inconspicuous.

After giving some thought to the rabbi’s request, I came to the conclusion that the solution had to be based on six facts:

49 R. Jacob Emden, שאלות יעבrious (Altona, 1738), 134a §145.
(1) The Aramaic active participle, the counterpart of Hebrew קבָּתוּב (Biblical Aramaic) or קְבַּתוּב (Jewish Babylonian Aramaic).

(2) In Aramaic, resh lowers a preceding short tsere/ḥireq to pataḥ, as though it were a laryngeal. This rule is usually described as operating in word-final position, but it is attested in other positions as well, e.g., (Ezr 4:19, 6:1) and אַתַּרְוּ (Ezr 7:12, 21 = Hebrew ספר in Ezr 7:6, 11).

(3) The pronoun אנא/אנה sometimes follows a participle that serves as its predicate, e.g., יָדַע אֲנָה (Dan 2:8), אָמַר אֲנָה (Dan 4:4).

(4) The pronoun אֶנָּא has an enclitic form -נא attached to participles in Jewish Babylonian Aramaic, e.g., יָדַעְנָא (Onqelos to Gen 12:11, 48:19, Exod 9:30, 18:11, Deut 3:29), מְחַדְּר (Ezr 6:12), מְחַכְּר (Dan 4:34), מְמוּרְרָא (Dan 6:15), and ומ (“and I would go up to a place (where Torah was forgotten), and I would teach five children to recite the Five Books (of the Torah), and I would teach six children to recite the Six Orders (of the Mishnah), and I would say to them: ‘(Recite with each other)

52 Cf. יְבַקַר (Ezr 4:15), יְמַגַּר (Ezr 6:12), מְקַר (Dan 4:34), מְפָשְׁטַר (Dan 6:15), and מְפֹר (passim).
55 J. N. Epstein, דקדוק ארמי בבלית (Jerusalem: Magnes, 1960), 39 (citing from תשובות החכמים, מהד' הרכבים, 134 §260).
56 Bible in Aramaic, 1:17, 84, 104, 119, 295, 346 (bis).
until I come back” (B.Meš. 85b). The most relevant example is לא נדרנא “I do/shall not vow” (Ned. 9a).57

(5) Enclitic נְ- does not normally reverse/block the lowering of the vowel in the preceding (previously final) syllable. In the Talmud (manuscripts as well as printed editions), we find אמרנא, אמרנא, חדרנא, שדרנא, etc. regularly written without yod in the penultimate syllable.58 There a few exceptions, however, so we may be dealing with a “variable rule.”59

(6) In Late Aramaic (including Jewish Babylonian Aramaic), the participle is regularly used for the indicative future in addition to the present,60 e.g., “tomorrow I shall sue him” (Git. 55b, B.Bat. 39a = אתבעオープンבدين in Sefer ha-Shṭarot of R. Hai Gaon §23).61

Based on these six facts, I came up with what I thought was a clever new way of eliminating the contradiction that mars Kol Nidre in many mahzorim. I telephoned the rabbi and suggested that he change the vocalization of נְדַרְנָא “we have vowed” and אֲסַרְנָא "we have bound" to נָדַרְנָא “I shall vow” and אָסַרְנָא “I shall bind” (with qametz in the first syllable of each). For the other two verbs, אַחֲרִימְנָא and

57 With the creation of these and other contracted forms, the participle finally came to be inflected for person, much like the perfect and imperfect. This was the culmination of a long process through which the (originally nominal) participle gradually infiltrated the verbal system and eventually came to dominate it. For the inflection derived from the contracted forms in modern Aramaic, see Otto Jastrow, “The Neo-Aramaic Languages,” in The Semitic Languages (ed. Robert Hetzron; London: Routledge, 1997), 360, 362-63. For the corresponding Hebrew development, see M. H. Segal, A Grammar of Mishnaic Hebrew (Oxford: Clarendon Press, 1927), 164 n. 1.
58 See the preceding paragraph and nn. 119 and 121 below.
59 The form פָטָרְנָא “I divorce” appears in two unpublished Aramaic magic bowls alongside פָטָרְנָא in five published ones; see n. 119 below.
61 See also at n. 72 below.
I recommended not revocalization but replacement of *aleph* with *mem*, yielding *מַחֲרִימְנָא* and *

These four emendations, I told him, would change the tense of the four verbs from past to future by converting them to participles. It was not until years later that I learned that none of this was new. The form *אָסַרְנָא* (rather than *

And the evidence adduced below suggests that most of my emendations recapitulated changes made already by Rabbenu Tam or his father.

2. Rabbenu Tam’s Version of *Kol Nidre*: The First Four Verbs

The tense of the Aramaic verbs in *Kol Nidre* has received extensive treatment in halakhic literature. However, the quality of the treatment is uneven. The source of the problem is obvious. In the words of R. Mordecai Jaffe:

... but it (= *Kol Nidre*) was composed originally in Aramaic, in which we are not well-versed.

The problem is particularly acute in sources from the 16th century onwards. The earlier sources exhibit a better command of Aramaic grammar, and many of the errors found in them are attributable to

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62 This is the vocalization in all manuscripts and old printed editions, according to Wolf Heidenheim in his *מחזור ערבית ליום כפור לבני אשכנז והנוהגים מבית ווי* (Roedelheim: W. Heidenheim: 1832), 7b and 10a. My cursory check confirms his claim. For example, in the Esslingen Maḥzor from 1290 C.E. (JTSA library website, f. 64a) and the Nuremburg Maḥzor from 1331 C.E. (NLI website, f. 349a), we find *ווּדְאִישְׁתְּבַֿעֲ* with a *rafeh*-sign over the *bet* (not to mention the *dalet*) and a *shewa* under the *taw*; see also n. 41 above. As noted by Heidenheim, this form is also found in the targumim, e.g., אֲשָׁתְיָה in *Genizah Manuscripts of Palestinian Targum to the Pentateuch* (ed. Michael L. Klein; 2 vols.; Cincinnati: Hebrew Union College Press, 1986), 1:63, 2: plate 11 (Gen 31:53); cf. Onqelos to Lev 5:22, 24. As explained by Heidenheim, it is an *itpeʿel* form, not *itpaʿal*.

63 See the examples in nn. 40-42 above (where *אָסַרְנָא*, by contrast, is not to be found). Having grown up with the Birnbaum *mahzor*, I was not fully aware of the form *אָסַרְנָא*.

64 R. Mordecai Jaffe, *לבוש החור* (Venice, 1620), 178c §619.
Indeed, at times the medievals seem to compare favorably with modern scholars in their knowledge of Aramaic.

Let us begin with a modern study of this question by Charles Touati:

In place of *nedarnâ, nâdarnâ*—an Aramaic participle with future meaning followed by the agglutinating pronominal affix *nâ*— “the vows that we shall pronounce.”

In this description of the revised version of *Kol Nidre*, the vocalization is correct but the translation, with “we” instead of “I,” is not. Touati compounds his error by adding:

Let us observe that in Aramaic the participle does not generally have, as in Biblical Hebrew, future meaning, and that the pronominal affix of the first person plural can only be *nan* and not *nâ*; in this case, it should have said *nâdîrînan* (cf. J. N. Epstein, *Diqduq aramit bablit* ... Jerusalem 1960 p. 41)....

Both of these observations are problematic. *Kol Nidre* is composed at least partially in Late Aramaic, and one of the best-known features of Late Aramaic is the use of the participle with future (as well as present) reference. As for the second observation, it is true that Epstein’s grammar deals with forms like כָּתְבִינַן on p. 41, but there is no reason to limit our inquiry to that page. Surely forms like כָּתִיבְנָא on p. 40 (cf. p. 21) should also be considered in attempting to make sense of the prospective version of *Kol Nidre*. The point, which Touati has missed, is that the unvocalized forms נדרנא and אסרנא were homographs in Babylonian Aramaic. Moreover, in the pronunciation of Rashi’s family, אסרנא was probably a homophone as well, since

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65 I have used the earliest printed editions available to me. Unless otherwise mentioned, I used copies from HebrewBooks.org or (in a few cases) Otzar HaHochmah. Where necessary (or readily available online), I have used manuscripts as well.


68 See n. 60 above.
everything that we know about that pronunciation suggests that it did not distinguish qametz (אָסַרְנָא) from pataḥ or haṭaf pataḥ (אֲסַרְנָא).

The sensitivity of Franco-German scholars to the ambiguity of 69-

is evident from several glosses in the commentary to Bavli Ta’anit attributed to Rashi. At Ta’an. 21b, for example, we find: "תָּנֵי אֲנָא = שׁוֹנֶה אֲנִי" rather than a plural perfect (תְּנֵינָא = שָׁנִינוּ). Rabbenu Tam, too, was intimately familiar with the singular א- appended to participles. In his famous Aramaic reshit-poem for the turgeman, he uses the phrase "ככאמינו והיגמו "when I stand and translate." 70

Many sources point to the homography of נדרנא as one of the foundations of the revised, prospective version of Kol Nidre. However, it is not clear who it was that first pointed out this homography. According to most of the later sources (see below), it was Rabbenu Tam who adjusted the tense of the first four verbs, which could explain why he fails to mention them in Sefer ha-Yashar, in discussing his father’s revision of Kol Nidre. However, the later sources are contradicted by the report of Rabbenu Tam’s own disciple, R. Eliezer b. Samuel of Metz, in Sefer Yere’im (betw. 1171 and 1179):

69 Henoch Yalon, הגייה ספרדית בצרפת הצפונית בדורו של רש”י ובדורות שלאחריו in קונטרסים לעניני הלשון העברית; עניני לשון (Jerusalem: Wahrmann Books, 1963), section III, 16-31; Ilan Eldar (Adler), ממדורי הקדרון השפתיים: ממדורי הקדרון השפתיים (2 vols.; Jerusalem: Hebrew University Language Traditions Project, 1978), 1:57 (many examples of qametz replacing haṭaf pataḥ); Le Glossaire de Leipzig (ed. Menahem Banitt; 3 vols.; Jerusalem: Israel Academy of Sciences and Humanities, 2005), 3:1477 (Dan 2:8 אֲנַא = MT אֲנָא), 1483 (Dan 2:24 אָזָל = MT אֲזַל), 1501 (Dan 4:24 נַעֲוָיָתְךָ = MT נַעֲוָיָתְךָ), 1529 (Ezr 4:11 עָבָר נַהְרָא = MT עֲבַר נַהֲרָא), and other examples of qametz replacing haṭaf pataḥ.

70 מחזור שבועות (ed. Daniel Goldschmidt; Jerusalem: Koren, 2000), 572 l. 15; מחזור פסח (ed. Daniel Goldschmidt; Jerusalem: Koren, 1993), 634 l. 15. Note, however, that the second participle (תרוגע) is missing a prefixed mem.

71 Paris, BN 1309, f. 121r. I am indebted to Yisrael Dubitsky (Institute for Microfilmed Hebrew Manuscripts, National Library of Israel) for this.

http://www.biu.ac.il/JS/JSIJ/12-2013/Steiner.pdf
And on the night of Yom Kippur, I have heard in the name of Rabbenu Meir, the father of Rabbenu Jacob, that one should say as follows: “All vows and resolutions which נָדַרְנָא and אָסַרְנָא,” referring to the future, as they say in Shebu’ot chapter 3 (19b, cf. Ned. 16a) “(the Hebrew oath) שֶׁאֹכַל means (in Aramaic) אָכִלְנָא,’ (I swear) that I will eat.”

In support of the idea that נָדַרְנָא and אָסַרְנָא can refer to the future, this source cites an excellent proof text: שֶׁאֹכַל אָכִלְנָא means ‘I will eat’” (Sheb. 19b, Ned. 16a). In this proof text, we find Abaye glossing the Hebrew first person singular imperfect אֹכַל with the Aramaic participle (+ first person singular enclitic pronoun) אָכִלְנָא.

The choice of verbs in Sefer Yere’im may point in the same direction; it is possible that נָדַרְנָא and אָסַרְנָא are cited because they are the only two verbs in Kol Nidre that are always homographs when unvocalized. Although the only surviving manuscript of Sefer Yere’im (from around the 15th century) has no vocalization in these words, the original must have been vocalized as נָדַרְנָא and אָסַרְנָא or the like; otherwise, it would have been incomprehensible, since without vocalization the text attributed here to Rabbenu Meir is identical to the traditional text.

The changes to the verbs of vowing are reported in later sources with varying degrees of accuracy. The fullest and most accurate report is the one cited by R. Bezalel b. Abraham Ashkenazi:

לפי מכ rtlm יא יב כיו כיו ליה לאו כיו כיו ליה כיו כיו נדני כיו כיו להב הרי tekst ק okhttp גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גה גhe tekst בוק לתוק לתוק לתוק לתוק לתוק לתוק לתוק לתוק לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלת לתוקלתלתניק לתניק לתניק לתניק לתניק לתניק לתניק見てנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקلتにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてנקלתにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكلوにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלוにてنكלו_unset.txt

http://www.biu.ac.il/JS/JSIJ/12-2013/Steiner.pdf
And for that reason Rabbenu Tam used to say: “I read all these expressions with a qametz—דִּי נָדַרְנָא וְדִי חָרַמְנָא וְדִי אָסַרְנָא וְדִי אִשְׁתַבַעְנָא—since the reference of all these expressions is to the future. Those who read (them) with a shewa—דִּי קָרְנָא וְדִי חַרְמָנָא וְדִי אָסַרָנָא—with reference to the past and with the intention of annulling what they have already vowed, pledged, resolved, and sworn are committing an error.”

This passage purports to be a direct quote, in the first person, from Rabbenu Tam himself. It cleverly uses a form (קְרִינָא) that exemplifies the point of the statement. The number of imprecisions is remarkably small. Two of them concern the last example on the list, מִשְתַבַעְנָא, which is (1) incorrectly vocalized with pataḥ instead of shewa under the taw, and (2) correctly vocalized with no qametz in the stem, thereby contradicting the plain sense of the assertion that “I read all these expressions with a qametz.” In addition, we may note that חָרַמְנָא is misvocalized with pataḥ instead of hireq under the resh. This appears to be a careless mistake made by a copyist under the influence of נָדַרְנָא and אָסַרְנָא; there is no reason to believe that it goes back to Rabbenu Tam or his father. The apparent accuracy of the quotation and its first-person formulation seem to point to a reliable source close to Rabbenu Tam—someone like R. Eliezer b. Samuel of Metz. The latter is cited as the source of numerous passages in the Nedairim volume of R. Bezalel Ashkenazi’s compilation, and although our passage is cited in the name of רנב"י (R. Nathan b. Joseph, a disciple of Ramban), it has been demonstrated that there is much confusion in the attributions given in this volume. 

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75 His name appears twice on the preceding page (שיטה מקובצת על מסכת נדרים, 27a ll. 20 and 41), both times in connection with matters relevant to Rabbenu Tam’s discussion of Kol Nidre in Sefer ha-Yashar. One of the occurrences is at the end of a section, the other in the middle.
Many aspects of this report are confirmed by other sources, sources which in some instances became corrupted over time:

R. Moses b. Jacob of Coucy:

The general practice is to say in *Kol Nidre* “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us,” with *נדרנא* referring to the future, as we say in chapter 3 of *Shebu’ot* (19b, cf. *Ned.* 16a) “(the Hebrew oath) *שֶׁאֹכַל* means (in Aramaic) ‘*דְּאָכִילְנָא*’ (I swear) that I will eat.”

R. Meir ha-Kohen:

It is true that Rabbenu Jacob wrote and instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming upon us” intending to release the vows of the coming year.... (It is also true that) one should not raise an objection (to that practice) from the expression *נדרנא*, because that can also refer to the future, as we find in the chapter 3 of *Shebu’ot* (19b) “(the Hebrew oath) *שֶׁאֹכַל* means (in Aramaic) ‘*דְּאָכִילְנָא*’ (I swear) that I will eat.”

R. Asher b. Jehiel (Rosh):

University doctoral dissertation; Jerusalem, 2002), 154-55. I am indebted to Simcha Emanuel for this reference.

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77 R. Moses b. Jacob of Coucy, *ספר מצות המדל* (Venice: Daniel Bomberg, 1547), 71d.

78 R. Meir ha-Kohen, *משנה תורה* in *משנה תורה* (Venice: Marco Antonio Justinian, 1550), 151a (following *הלכות שביתת עשור*).
Rabbenu Tam corrected the *mahzorim* (to read) “from this Yom Kippur to (next) Yom Kippur, coming upon us” and not as had (previously) been written in the *mahzorim* “from last Yom Kippur to this Yom Kippur.” And one should also say *דָּרְנָא וְּדִי מֵשֶׁתֶּבעַנְא*, i.e., that which I shall vow and swear.

The vocalization of *נַדְרְנָא* is faulty but significant nevertheless, because *משתבענא* is left unvocalized. The contrast seems to reflect a recognition that *משתבענא* can only be a participle, while *נדרנא* can be a participle or perfect depending on its vocalization.

*Tosafot*:

Based on our talmudic discussion, Rabbenu Tam expunges that which is written in *Kol Nidre* in the *mahzorim*, i.e., “from last Yom Kippur to (this) Yom Kippur coming (we pray) favorably upon us” ... Accordingly, it seems proper to me to correct (it to read) “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us,” (according to which) it is the vows of the following year that we are releasing.... And as for the fact that one says *דָּרְנָא* in *Kol Nidre* referring to the past, thereby implying

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80 According to the edition (col. פ.צ, n. 34), the vocalization is in the manuscript.
81 מָסְכָּת נָדְרֶנָא עַמּוֹנֵי בֵּית הַסְדִּיקָא וְרָשׁוֹן נִיסָס הָהָרְשַׁבְּא (Ned. 23b s.v. מתכָּת נָדְרֶנָא עַמּוֹנֵי בֵּית הַסְדִּיקָא וְרָשׁוֹן נִיסָס הָהָרְשַׁבְּא).
that we are releasing (vows) in the past, it may be said that (the written form) דנדרנא represents two (distinct) expressions ... it represents (one in) the future and (one in) the past.

R. Yom Tov b. Abraham Ishbili (Ritva):

הילך כלוחו והלעייה חרטמה Kıרנה זכרנה בקמנו כרניא לה

Therefore, all these expressions—אסרנה, דנדרנה—ארמה—I read with a qametz, since the language refers to the future.

R. Jacob b. Asher:

והוקשה לר"ת ז"ל מה מועיל להתיר על מה עברו כבר ושנהיג לומר מי"ה זה עד י"ה הבא עליו וגו והנהיג לומר דני נדרנה ודי מישתבענה....

Rabbenu Tam found it difficult (to understand) what use it is to release (vows) that have already been violated, and so he instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming upon us,” and he also instituted the practice of saying “that I shall vow and that I shall swear.”

R. Aaron b. Jacob ha-Kohen of Lunel:

וכן פסקו רוב הגאונים ז"ל דני נדרנה בקמץ ודי חרניא ודי אסרנה ודי מישתבענה דヘ下一篇 לשונות אלו להבא. והקורין בשבא דני

83 R. Jacob b. Asher, טור אורח חיים §619 (Pieve di Sacco, 1475) §614 (= §619 in our editions). I would like to thank Rabbi Jerry Schwarzbard, Librarian for Special Collections, JTSA, for providing a scan of the relevant page. Later editions, beginning with Mantua 1476 (see n. 117 below), have a nonsensical reading here.
אשר נושיעו ונהיה בינה.

And that is what most of the early authorities ruled: יד זרעים ויד אסורה ודמיתה, and Yid חכמה יד אסורה ודמיתה, for the reference of these expressions is to the future. Those who read (them) with a shewa—יד זרעים יד אסורה, etc.—their reference is to the past, and their intention is to annul what they have (already) vowed, resolved, and sworn. They are committing an error.

R. David b. Joseph Abudarham:

והוקשה לרבינו תם מה מועיל להתיר על מה עברו ועכשיו... ליום הכיפורים הבא עליון לטובה. ענין זה יומד או כל אכירות וקשרנא... והוקשה לרבינו תם וﻦ למות הקדמונים. ונהינא ליום הכיפורים...

Rabbenu Tam found it difficult (to understand) what use it is to release (vows) that have already been violated, and so he instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us” and he also instituted the practice of saying “that I shall vow and that I shall swear.”

R. Nissim b. Reuben of Gerona (Ran):

אלא שרבו יאכיבי צור עלייה מתכון הלשון כייריperation תחלמה... ליום הכיפורים מעניין כייריperation כל ימי הכיפורים הכה עלינו לטוב. ונהינא להב... נראת להב.

However, R. Jacob [Tam] used to correct the language to refer to the future: all vows and resolutions יד אסורה ויד אסורה...
חָרמנא

It seems clear from these sources that Rabbenu Tam’s disciples reported that he read some of the verbs in Kol Nidre (the ones in the qal stem, possibly including אַחֱרָנָה) with qametz (instead of shewa) in the first syllable. This revocalization converted qal perfects referring to the past into qal participles referring to the future. In some sources, the tradition became garbled, and the vocalization with qametz was incorrectly extended to all of the verbs in Kol Nidre, including מַשְׁתבענָה.

The testimony of several of the above sources concerning the correcting of mahzorim is supported by the version of Kol Nidre found in 18th century manuscripts from the Jewish communities of Asti, Fossano and Moncalvo (Piedmont, Italy): דְּנַה נְדוּרְנָא וְדְּנַה מַקְדִישָנָא וְדְּנַה מַקְנִימוּנָה וְדְּנַה מַחֲרִימוּנָה וְדְּנַה מַשְׁתַּבענָה וְדְּנַה אֵיסָרָנָא עַל נְפֶשֶׁנָא. None of the other mahzorim examined by Goldschmidt, including two manuscripts...
from medieval France,\footnote{For a description of the two manuscripts, one in Parma and the other in Geneva, see מחזור לימים הנוראים, I:כנ, מของเขา של הלומדים, ו, א:כג.} have anything similar. Since the Jews of these communities came there in the 14th century from France and preserved the Northern French \textit{piyyuṭim} of the high holiday liturgy until modern times, it seems likely that they preserved a Northern French version of \textit{Kol Nidre} reflecting the influence of Rabbenu Tam.

\section*{3. The Fifth Verb in \textit{Kol Nidre}}
As noted above, the tense of one of the verbs in the revised version of \textit{Kol Nidre} is mentioned briefly already in Rabbenu Tam’s \textit{Sefer ha-Yashar}. The passage is corrupt, but it can be reconstructed with the help of the citations and paraphrases by the later authors given below:

\begin{quote}
Rabbenu Tam:

כל נדרי דאמרינן בלילי יום הכפורים הגיה אבא מרי זצ”ל מיום כפורים זה עד יום כפורים הבא עלינו לטובה כולם דאיחרטנא (צ”ל דאי־חרטנא) בהו וכן עיקר.... דאיתחרטנא (צ”ל דאי־חרטנא) להבא משמע כדאמרי' בברכות (ו)יהיו לרצון אמרי פי משמע דאמרן ומשמע דאמינא.

\end{quote}

\textit{Kol Nidre}, which we say on Yom Kippur night—my lord father corrected (it to read): “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them (shall be released),” and that is the true (version).... The form דאי־חרטנא refers to the future as we say in Berakhot (9b): "‘Let the words of my mouth be acceptable’ (Ps 19:15)—it means ‘what I said’ and it means ‘what I shall say.’” And as for the meaning of

\footnote{The point of this talmudic proof text is not entirely clear. It may be cited to show that a single phrase can refer either to the past or the future. Or it may cited to show that a first person singular participle such as אמי" can refer to the future. It should be noted, however, that the reading יהיו לרצון אמרי פי משמע דאמרן ומשמע דאמינא is not attested in the surviving manuscripts of Ber. 9b. The closest match is יהיו לרצה אמרי פי משמע דעת אמר ומשמע עניא למחו of three manuscripts in the Talmud Text Databank (Paris 671, Florence II-I-7, and Oxford - Bodl. heb. b. 10 (2833) 6-7). Another three manuscripts have יהיו לרצוי אמרי פי משמע עניא משמיע דעת אמר, a reading very close to that of our printed edition, יהיו לרצוי אמרי פי משמע עניא משמיע דעת אמר(ו).}
דאי־חרִטנא, it tells us that, after (making) the vow, we should remember the condition (we announced) at the New Year, and we should regret (making the vow) so that it may be released.

R. Ephraim of Bonn:

אבל אני לפי קטט שכלי נרא' בעיניי כאשר הנהיג הרב ר' מאיר מן רמרו וכאשר נהגו בניו רבינו שמואל ורבינו יעקב והרב ר' יצחק אחריו לומר מיום כפורים זה עד יום כפורים הבא עלינו לטובה.... ושם דאיחרטנא (בצילים: דאיחרטנא) משמע נמי להבא כמו רוב אמינא עבידנא יהבינה (בצילום: יהבינה) שבתלמוד. ורבינו יעקב הביא ראייה מדאמרינן בברכות יהיו לרצון אמרי פי משמע דאמרי ומשמע דאמינא. ופי' דאיחרטנא (בצילום: דאיחרטנא) כלומר שנזכור בתנאי של ראש השנה לאחר הנדר ונתחרט ויהא מותר.

But I, in accordance with my meager intelligence, find proper the practice instituted by R. Meir of Ramerupt and adopted by his sons—Rabbenu Samuel, Rabbenu Jacob, and R. Isaac—after him, viz., to say “from this Yom Kippur to (next) Yom Kippur coming (we pray) favorably upon us.”... The expression דאי־חריטנא also refers to the future like many (occurrences of) אמינא, עבידנא, and יהבינה in the Talmud. And Rabbenu Jacob adduced proof from what we say in Berakhot (9b): “‘Let the words of my mouth be acceptable’ (Ps 19:15)—it means ‘what I said’ and it means ‘what I shall say.’” And as for the meaning of דאיחרטנא, it tells us that, after (making) the vow, we should remember the condition (we announced) at the New Year, and we should regret (making the vow) so that it may be released.

R. Eliezer b. Joel ha-Levi:

http://www.biu.ac.il/JS/JSIJ/12-2013/Steiner.pdf
There are some among the great rabbis who instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming (we pray) peaceably upon us—all of those, if I shall regret them, (shall be released).”...

R. Abraham b. Nathan ha-Yarḥi:

There are some among the great rabbis who instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them, (shall be released).”...

Rabbenu Jacob wrote concerning Kol Nidre which one says on Yom Kippur night: “My lord father corrected (it to read): ‘from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them, (shall be released),’ and that is the true (version).”

R. Mordecai b. Hillel ha-Kohen:

There are some among the great rabbis who instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them, (shall be released).”...

Tosefot Yeshanim:

There are some among the great rabbis who instituted the practice of saying “from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them, (shall be released).”...

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Based on this, Rabbenu Meir corrects *Kol Nidre we-*ʾEsare (to read) “from this Yom Kippur to (next) Yom Kippur, coming (we pray) peaceably upon us,” for they used to say “from last Yom Kippur to this Yom Kippur.”... And *דאי־חריטנא* “if I shall regret” refers correctly to the future, because the condition helps only if he regrets it (= the vow), and then the condition helps, annulling it retroactively.

R. David b. Joseph Abudarham:

וְלַכְּךָ צַרְּפִּךְ לְפָרָּר דָּי־חֵרִיטָא בְּהוֹן כֶּלֶם וַאֲצָלָא אֶתְוַי יָאָדוּר מֻזָּה מַעְטֶה וַאֲיִרָא חֹּמֶר וַאֲמַעָל אֶתְוַי יָאָדוּר מֻזָּה מַעְטֶה.

Thus one must say “that I regret,” i.e., if I forget and make vows, I regret them from this very moment.

R. Nethanel Weil:

וּמָה נָרָא דְלֵידַּוֵי דְמַתְרַנָּא לְהָבָא נְכוֹ לְמֵר אִי־חֵרִיטָא וַאֲמַעָל שִׁבִּישׁ סְפָרִיָּא אַכָּה הָמִדִיפְסִי הָיְבָר לְהָבָא אָחָה וּבֵיָלְתָא חָאָה וַאֲמַעָל שִׁבִּישׁ סְפָרִיָּא.

And from this it appears that—according to our view, viz., that he is making a condition for the future—it is correct to say “if I shall regret,” and there is no textual error, but the printer combined them into one word whereas they should be two words.

As noted above, Rabbenu Tam, in his written presentation of the new version, chose to discuss only one of the five verbs in *Kol Nidre*:
His reading breaks up the word איחרטנא or (according to Abudarham) דאחרטנא or (according to R. Nethanel Weil) דיחרטנא into two words, one of which can be vocalized as a participle (קריטנא). Abudarham takes the latter as referring to the present, but Rabbenu Tam, R. Ephraim of Bonn, and Tosefot Yeshanim take it as referring to the future, on the theory that regret can only be retrospective. According to the latter reading, Kol Nidre can be translated as follows:

All vows, resolutions, promises, pledges, and oaths that I shall vow, swear, pledge, and impose upon the self from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of those, if I shall regret them, shall be released: the vows not vows, the resolutions not resolutions, and the oaths not oaths.

Finally, we should mention the treatment of איחרטנא attributed to Rabbenu Tam by the abridged version of Shibbole ha-Leqet, prepared by an unknown successor of R. Zedekiah b. Abraham Anaw:

Further, I found in the name of Rabbe nu Tam that he corrected (the mahzorim) and instituted the practice of

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100 His ideas about the other four seem to have been handed down orally; see at n. 74 above.
101 This is derived from דאחרטנא through elision of aleph; see n. 148 below.
102 Does he take חרטה to be a speech act rather than a feeling?
103 Or: “self-impose.” See at n. 35 above.
104 See at n. 37 above.
105 So in the Venice edition of 1546 (45a §102) and the Salonika edition of 1796 (90b §102), both of which represent the abridged version (as I learned from Simcha Emanuel). Ms. Zurich Braginsky 250 (396 l. 20) and the Vilna edition of 1887 (293 §317) by Buber (both representing the original unabridged version) have איחרטנא. As for London BL Or 13705, formerly Sassoon 539 (dated 1260 C.E.), Yisrael Dubitsky kindly informs me that it “skips (i.e., is missing) probably about 3 leaves between ff 686-687, comprising simanim 312-322. I believe this is what Sassoon himself meant when he wrote in his catalogue (Ohel David, Oxford 1932, vol. 1, p. 160) that ‘the whole section No. 34 ... is missing from the MS.’”
106 R. Zedekiah b. Abraham Anaw. שביל הלכת (Venice, 1546), 45a §102.

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saying “from this Yom Kippur to (next) Yom Kippur, coming upon us—all of them I shall/herby regret,” and (that) he wrote that that is the true (version), and (that) he who says “from last Yom Kippur” is committing an error....

Here, too, the word for “regret” is expressed by a participle, but in this case the stem of the participle is *ipāʿal* rather than *qal*.

In short, it seems that the prospective reading of *Kol Nidre* gave rise to three different emendations of אִיחָרַטְנָא (attributed to Rashi), דְּאִי־חָרִ(י)טְנָא (attributed to Rabbenu Meir), and מִתְחָרַטְנָא (attributed to Rabbenu Tam, by analogy with his emendation of אִשְׁתְּבַעְנָא to מִשְׁתְּבַעְנָא).

4. Why Singular Participles?
The emendations attributed to Rabbenu Tam raise several questions. Why did he not emend the perfects (אִשְׁתְּבַעְנָא, כָּרָנָא, etc.) to imperfects (אִשְׁתְּבַעְנַן etc.)? And even if he had some reason to prefer participles, why did he decide to use singular participles (אִשְׁתְּבַעְנָא “I shall swear,” etc.) instead of the expected plural participles (אִשְׁתְּבַעְנַן “we shall swear,” etc.)? One obvious answer to both questions is phonetic. He may have wanted the emended verb forms to sound as much as possible like the traditional forms of *Kol Nidre*. The change from דִּי נְדַרְנָא וְדִי מִשְׁתְּבַעְנָא to דִּי נָדַרְנָא וְדִי מִשְׁתְּבַעְנָא involves only the first vowel or the first consonant of each verb and, hence, is far less acoustically salient than a change to דִּי נָדְרִינַן וְדִי מִשְׁתַּבְעִינַן would be. But why would Rabbenu Tam have wanted the emended forms to sound like the traditional ones? One possibility is that he felt that such a minimal change would be less likely to provoke controversy. Another possibility, perhaps more likely given what we know of Rabbenu Tam, is that he believed that the oral reading tradition of *Kol Nidre* had become corrupted before his time through auditory errors (*Hörfehler*); hence, in attempting to reconstruct the original verb forms, he was obligated to assume that they sounded like the corrupt forms current in his time.108

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107 The participle מתחרטנא may refer either to future *ab initio* regret or, as B. Septimus suggests (oral communication), to a present declaration of regret (cf. Abudarham at n. 98 above).

108 I owe this second explanation to B. Septimus, who notes that Rabbenu Tam did not shy away from controversy.

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A second possible reason for the change from plural to singular is halakhic. According to R. Mordecai Jaffe, *Kol Nidre* is not legally effective in the plural:

וכבר אמרנו שאם אחד יוכל לתחנות בשתיים או יותר עם אומרים
לensus להזנות של רבם אז נוהים כלים комиссиוניים של עצמים לא
אמר ולא חותה כלום אלא חוויה ולאتكחל.

And we have already said that a person cannot make a condition on behalf of his fellow, and if so, (a person) using plural expressions at the end (of *Kol Nidre*) does not accomplish anything—he has not even stated his own condition. He has made no condition at all, whether he is the cantor or a member of the congregation.

This claim has been disputed, but even if it is exaggerated, it may contain a kernel of truth. Rabbeinu Tam himself tells us that his father’s revision of *Kol Nidre* was inspired in part by the talmudic formula in Ned. 23b cited above: כל נדרים שא咪י עדין לדורו ור בנחלל, “all vows that I may make shall be void.” Since that formula is in the first person *singular*, it is possible that Rabbeinu Tam believed that the original, uncorrupted version of *Kol Nidre* was also in the first person singular.

5. Dubious Grammatical Assumptions in Later Times
We have seen that Rabbeinu Tam or his father changed the verbs of *Kol Nidre* from perfects to participles. Many later halakhists accepted this idea in principle but had their own ideas about how to put it into practice.

One dubious idea that eventually took root was that masculine singular Aramaic participles with enclitic פ נ always have הירוק preceding the last consonant of the root—even if that consonant is resh or ’ayin. Already in printed editions of the 16th century, we find

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109 *כלש החודר*, 178c §619.
110 See R. Yom-Tov Lipmann Heller, *תוספות יומ טוב* to m.Ned. 3:1: לא ידעתי וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו וו מ. For an intermediate position, see R. Joseph Kosman, *ספר נוהג כצאן יוסף* (Tel-Aviv, 1969), 279-80.

111 It is cited here according to the version in *Sefer ha-Yashar*. 

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and even נָדַרְנָא, אָסַרְנָא, instead of נָדַרְנָא, אָסַרְנָא. Prominent examples that appeared in print in that century (irrespective of their date of composition) include:

R. David b. Joseph Abudarham:

והוקשה לרבינו תם מה מעיל לחתני על המ שערתי כבר והגין
לומר דומם הספורים הזע וליס חומר הב הארisphere המלע מטעב. וגו

It will be noted that this edition of Sefer Abudarham (Constantinople, 1513) contradicts the modern edition based on manuscripts cited above.

R. Jeroham b. Meshullam:

וכתב רבינו תם והגיה במחזורי' מי"ה הזה עד י"ה הבא עלינוgow גם Insider נדירנ' ודמשתבענא, i.e., what I shall vow and swear....

R. Joseph Caro:

והי שכתב וגו הניחה לומר די נדירנ' ודמשתבענא כליה הנדרש
המכנה והועס מפיו שכנעתו או מיי נדירנ' וכל חתן את"ילıt
ביחרי והניקה סותפ דוד"ילת באמק ממעסי שוחט הרכה זכר ושאר
אמר די נדירנ' שמי הוכת במלב את הנידר ניבנה שטינ
והניקה כקרת את טוחנה והד"ילת ביחרי שמעה מה שיאלי חולד
לידן זכשנה אאמר אדישבתנא באיב רכמת והזינה שמע

112 We have already encountered these two forms above in 18th century manuscripts of the mahzor from the Jewish communities of Asti, Fossano and Moncalvo; see at n. 89 above.

113 David b. Joseph Abudarham, ספר אבודרהם (Constantinople, 1513), 75b-c.

114 For the text and translation, see at n. 85 above.

115 R. Jeroham b. Meshullam, ספר תולדות אדם וחוה (Constantinople, 1516), 46b.
As for what he (= R. Jacob b. Asher) writes: “He (= Rabbenu Tam) also instituted the practice of saying דִּנְדָרְנָא וּדְמִישְׁתַּבֵּעַ. This (= דִּנְדָרְנָא וּדְמִישְׁתַּבֵּעַ) is the correct reading (in Ṭur Oraḥ Hayyim §619), and that is because when it says דִּנְדָרְנָא—one word, dalet with hireq, nun with shewa, dalet with qametz [sic!]—it means “that which I [sic!] have already vowed,” but when it says דִּי נָדִירְנָא—two words, one of them דִּי, the other נָדִירְנָא, nun without shewa, dalet with hireq—it means “that which I shall vow.” Similarly, when it says וּדְמִישְׁתַּבֵּעַ—with medial aleph—it means “that which I (sic!) have already sworn,” but when it has mem instead of aleph and it is vocalized with hireq (under the bet), it means “that which I shall swear.”

The form נָדִירְנָא would ordinarily be interpreted as a passive form. Passive participles take a yod, because, unlike active participles, they have a long hireq, and long hireq is not affected by final resh. Thus, the active participles אָסַרְנָא (“I forbid”) and פָּטַרְנָא (“I exempt”) contrast with the passive participles אֲסִירְנָא (“I am forbidden”) and פְּטִירְנָא (“I am exempt(ed).”). In other words, the addition of yod to נָדִירְנָא normally converts it to the passive voice—a voice that makes no sense in our context. Nevertheless, it may be going too far to brand נָדִירְנָא as a misspelling when it is used in the active voice. It can be compared to the active form פָּטִירְנָא “I am excommunicated” (Ned. 7a) in printed editions of various halakhic works (מסכת נדìm עם משתנות, 1: p. 67 n. 50); it too would be a passive participle if it were genuine.

116 R. Joseph Caro, אוח הויים הוה הוה החודך וה—hebrew (Venice, 1550), 398c §619. I am indebted to Dr. Bruce Nielsen, Center for Advanced Jewish Studies, University of Pennsylvania, for providing photographs of this passage.

117 Contrast the readings found in the two earliest editions of Ṭur Oraḥ Hayyim: דִּנְדָרְנָא וּדְמִישְׁתַּבֵּעַ (Pieve di Sacco 1475, §614); דִּי נָדִירְנָא וּדְמִישְׁתַּבֵּעַ (Mantua 1476, §603). I am indebted to Leah Adler and Rachel Berliner for providing a photograph of the latter. For the former, see n. 83 above.

118 Cf. also the fictitious form נָדִירְנָא cited instead of נָדִירְנָא in printed editions of various halakhic works (מסכת נדìm עם משתנות, 1: p. 67 n. 50); it too would be a passive participle if it were genuine.
divorce,” attested in two unpublished Aramaic magic bowls. It can also be compared to the form "and he caused to rain" (Exod 9:23) found in a vocalized Genizah fragment of the Palestinian Targum. In these forms, a short hireq or tsere appears to have been preserved or restored (by analogy) before resh by native speakers. On the other hand, it must be noted that the form נדרנא itself is not attested in Jewish Babylonian Aramaic; the only form attested in the Talmud is נדרנא “I do/shall vow” (Ned. 9a). The yod that represents short hireq in כתיבנא is not found in נדרנא, suggesting (although not proving conclusively) that the short hireq of the latter has been lowered to pataḥ by the following resh. In short, the form נדרנא that appears in 16th-century printed versions of Kol Nidre was probably created on the analogy of regular forms such as כתיבנא rather than handed down by tradition.

The rise of this non-standard form should not surprise us, since no treatises on Aramaic grammar were available to Jews at the time (and because similar forms are attested as passive participles). Even today, when such treatises are available, the rule is unknown to many Semitists. Thus, a standard handbook of Semitic linguistics has the following to say about the vocalization of the participle in one of the

119 I am indebted to an anonymous JSIJ reviewer for this information. Contrast פטרה at n. 55 above and פטרה פטרה “I shall divorce” in Qid. 64b. For the latter, according to the Talmud Text Databank (JTSA), פטרה פטרה is the spelling in all witnesses: Oxford Opp. 248 (367), Munich 95, Vatican 111, JTS Rab. 2394, Spanish Print (ca. 1480), and Venice Print (1520), not to mention the Vilna edition. Shamma Friedman informs me that פטרה is the standard spelling in the magic bowls as well, occurring five times in the synoptic chart of five magic bowls published by Avigail Bamberger, תרומתן של קורות ההשבעה לחקר התלמוד ותקופתו (Hebrew University master’s thesis; Jerusalem, 2012), 30. Three of Bamberger’s five attestations appear in the synoptic chart of four magic bowls published by Dan Levene, A Corpus of Magic Bowls: Incantation Texts in Jewish Aramaic from Late Antiquity (London: Kegan Paul, 2003), 37.

120 Steven E. Fassberg, A Grammar of the Palestinian Targum Fragments from the Cairo Genizah (Atlanta: Scholars Press, 1990), 190. This form contrasts with many forms that have pataḥ before resh, such as דַּבַּר and ומְשַׁקַר. For other, more ancient examples of short e/i before final resh, etc. in Aramaic, see Beyer, Die aramäischen Texte, 1:108. According to Beyer, his examples are not exceptions; they simply predate the vowel shift that created the rule.

121 According to the Talmud Text Databank (JTSA), this is the spelling in the Venice edition of 1522 and the only extant manuscript (Vatican 487.1), not to mention the Vilna edition.

122 So in Jewish Babylonian Aramaic, not tsere.

123 See at n. 118 above.
Late Aramaic dialects: “Syriac has qāber....”\(^{124}\) In his review of the book, E. Y. Kutscher points out the error: “This is a faulty form. As is well known, Syriac (and other Aramaic dialects) turn an e before r into an a. Therefore, the root ‘qbr’ for the paradigms turns out to be ill-chosen.”\(^{125}\)

The reading נדרנא is probably not original in Sefer Abudarham, but it is original in Bet Yosef, as is clear from the discussion there. R. Joseph Caro may have taken that reading from the printed edition of Sefer Abudarham and/or the printed edition of Toledot Adam we-Hawwah, both of which were published decades before the completion of Bet Yosef (1542).\(^{126}\) The reading נדרנא is probably best viewed as a hypercorrection—an overreaction to the nonsensical past-tense reading, וגו המה הו מדרנא ודאישתבענא, that was current at the time. R. Abraham Abele Gombiner attributes the form נדרנא to R. Jeroham b. Meshullam (Toledot Adam we-Ḥawwah), rejecting it in favor of the form נדרנא used earlier by R. Meir ha-Kohen (Haggahot Maimuniyyot).\(^{127}\)

In the passage quoted above, R. Joseph Caro also introduces a new distinction into the discussion: דוי vs. ד. As noted by a few authorities, this distinction is totally irrelevant,\(^{128}\) a blatant red herring:

R. Abraham b. Mordecai ha-Levi:

ָהֶי בַּדַּיְּתַי תִּיוֹבְּת מָוָה עַל הָעֵבֶר (עֲיֵיְתַיְּדִי) וּכְשֶׁהָמַשׁ יִבְּרָה אֵ Assy/* Assy חָזֶה מַעֲשֵׂה נֶשֶׂ יִבְּרָה

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\(^{126}\) Both of those works are cited in Bet Yosef, but I am unable to say whether they were cited from the printed editions or from manuscripts.

\(^{127}\) R. Abraham Abele Gombiner, *מגן אברהם*, in ספר מגני ארץ והוא חיבור נחמד על הש”ע הטור אורח חיים (Dyrenfurth: Shabbetai Meshorer Bass, 1692), 306a §619. For the forms in Toledot Adam we-Ḥawwah and Haggahot Maimuniyyot, see at nn. 78 and 115 above.


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And he explained that (the version with) two words refers to the past (sic, for future?), whereas when they are one word it refers to the future (sic, for past?), but this statement is not correct and it is completely erroneous, because it is the same whether they are one word or two words, and either way they refer to the past.... And he who examines the language of the Targum carefully will find that there is no difference at all between one and the other.... And those who rely on this language of the Ṭur stumble in (the laws of) vows.

R. Jacob Emden:

With all due respect, all of this is a distortion, and there is no substance in this explanation, and this is not the way that the past (tense) is distinguished from the future in Aramaic. Furthermore, there is no difference at all between saying דנדרנא as one word and dividing it into two.

We turn now to R. Wolf Heidenheim. He agrees that Rabbenu Tam’s version of Kol Nidre was based on participles, but the participles that he reconstructs are different from those of his predecessors:

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130 I.e., דנדרנא.
131 I.e., דנדראט
132 R. Jacob Emden, מ=utf7 or utf8 (2 vols.; Altona: Jacob Emden, 1761-1769), 2:68c (§619).
Pursuant to all of these valid considerations, I committed myself to the version דִּי נְדֵרֵנָא וּדֹמְשַּׁבעְנָא וּדָמַרְמֵנָא וּדָאָסְרִינָא, because all of these expressions are the plural of the present tense ... and according to this version, the entire text will be on a solid foundation and not difficult at all, and this is the true version of Rabbenu Tam in my opinion....

This reconstruction is intended as a solution to a problem inherent in the standard reconstruction of Rabbenu Tam’s version of Kol Nidre. In that reconstruction, the enclitic subject pronouns attached to participles are singular but the possessive pronouns attached to nouns are plural. This inconsistency, pointed out by R. Mordecai Jaffe, is most blatant in the phrase אַסַרְנָא על נפש(ת)נא “I shall impose upon ourselves.” Heidenheim tried to fix the problem by making the participles plural, instead of making the suffixed pronouns singular as R. Jaffe had done.

Here again, however, we have a suggestion that attributes faulty Aramaic grammar to Rabbenu Tam. In Babylonian Aramaic, first person plural participles take the plural enclitic pronoun יָנָא derived from יָנָא “we,” not יָנָא derived from יָנָא “I.” Thus, the plural of אַסַרָנָא אָסְרִינָא is אָסְרִינַן, not אָסְרִינָא. The latter form appears to exhibit an internal inconsistency that is, if anything, even more blatant than the one in אָסַרְנָא על נפש(ת)נא, and there is no good reason to assume that Rabbenu Tam was unaware of this.

Most of the authorities quoted above believe that Rabbenu Tam changed the verbs of Kol Nidre from perfects to participles; however, this is not the only possible way of making them refer to the future. A number of alternatives have been proposed, some of which we have already noted. Ralbag and R. Jacob Emden claimed that the

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133 מחזור לערבית ליום כפור, 8b.
134 לبش החור, 178c §619.
135 J. N. Epstein, דקדוק ארמית בבלית, 41. Forms ending in יָנָא do occur in our printed editions, but, according to Epstein (ibid., 40), they are singular and textually dubious.
prospective reading of *Kol Nidre* presupposed the replacement of perfects (נְדַרְנָא “we have vowed,” etc.) with imperfects (נִנְדַּר “we shall vow,” etc.). R. Aaron b. Jacob ha-Kohen of Lunel emended to a compromise between the traditional version and Ned. 23b.

R. Mordecai Jaffe felt that these emendations—and indeed all of the emendations discussed above—were unnecessary. In *Levush ha-Hur*, he makes the startling claim that most of the verbs in the traditional version of *Kol Nidre* were already in the imperfect without any need for change:

And similarly דאשתבענא means “that I shall swear,” and similarly דאחרימנא means “that I shall pledge,” and similarly דאסטרטה means “that I shall impose,” ... and similarly the expression אחרטנא later on means “I shall regret from this very moment,” and all of them are first person singular....

He then goes on to explain that the -נא ending of these verbs “is in place of לא אמא whose meaning is ‘I’ except that the first aleph is missing.” In his eyes, the only obstacle to this solution is the form -נא, which, lacking an initial aleph, cannot be reinterpreted as an imperfect plus the ending -נא. As a result he is forced to emend it:

Therefore, it seems to me that it would be proper to have here (the form) דאסטרטה with prefixed aleph and with the meaning “that I shall vow.”

The problem with this solution, of course, is that enclitic -נא is used in Babylonian Aramaic only with participles, not with

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136 *לבוש החור*, 178c §619.
137 *לבוש החור*, 178d §619.

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imperfects. It follows that the verb אִנְדַרְנָא, found in many modern editions of the mahzor, is a fictitious form, created as an ad hoc solution to the problems of Kol Nidre. It is difficult to disagree with the assessment of R. Jacob Emden:

... all of the efforts made by these rabbis (= R. Mordecai Jaffe and R. David ha-Levi Segal) and the other latter-day authorities to explain Rabbenu Tam’s version of Kol Nidre were, with all due respect, an error and a distortion of the language. (There was) not (a single) one among them that was fully knowledgeable in, and acquainted with, Aramaic.

R. Jaffe’s ideas about Aramaic morphology were implicitly rejected even by the editor of an Ashkenazic mahzor (Venice, 1717) who claimed to be following in his path. At the very end of his edition, he adds a brief discussion of Kol Nidre based on the views of R. Joseph Caro and R. Mordecai Jaffe—including the view of the latter that “a man can (petition the court to) annul only his own vows” (אין אדם יכול לבטל כי אם נדרי עצמו). He concludes with a revised version of Kol Nidre “according to the opinion of the aforementioned geonim”:

138 Cf. Heidenheim, מחזור לערבית ליום כפור, 8a: מוקדêt על המילים. The form אִנְדַרְנָא appears only as a noun. The earliest occurrence I have found is in talking: מחזור על מילים נאispens (Prague, 1613), 56a. R. Jaffe died in 1612, around a year before the printing of this mahzor.

139 According to the Bar-Ilan Judaic Library and the Talmud Text Databank (JTSA), it is completely unknown in ancient Rabbinic literature. The form אִנְדַרְנָא appears only as a noun. The earliest occurrence I have found is in talking: מחזור על מילים נאispens (Prague, 1613), 56a. R. Jaffe died in 1612, around a year before the printing of this mahzor.

140 R. Jacob Emden, יש ↔ 133b §145.

141 See at n. 43 above.

142 Habermann, הלכתת בכל, 184.

143 Habermann, הלכתת בכל, 185.
This consistently singular version clearly reflects the influence of R. Jaffe, especially in the forms “myself,” “my vows,” and “my oaths,” but it ignores his views concerning the distribution of enclitic נא.

Having said all that, it must be admitted that R. Jaffe’s solution is remarkably ingenious. Indeed, it is so clever that many have failed to grasp the point. Take, for example, the following note from the ArtScroll mahzor for Yom Kippur:

The literal translation of דנדרנא is *we have vowed* in the past tense. Since most communities have adopted Rabbeinu Tam’s version that Kol Nidrei refers to future vows, many authorities have changed דנדרנא to the future tense [דידי נדירי], but this change has not gained common acceptance. Our translation in the future tense, therefore, is not literal....

In this note, the editors adopt the verb form created by R. Jaffe, and they even vocalize its middle radical with dagesh (אןדרנא, with י, like imperfect אנד, and unlike perfect נדַרְנָא), but they fail to realize that he intended it as a future form. They wind up subverting his ingenious solution, claiming that they are ignoring the literal meaning of his (fictitious!) form when they translate it in the future.

6. Rashi’s Version of Kol Nidre

The suggestion put forth in Levush ha-Hur may help us to reconstruct Rashi’s version of Kol Nidre, which seems to have been somewhat different from that of Rabbeinu Tam. We recall that, according to Liqquate ha-Pardes (at least in its present form), Rashi was heard to say “מיום כיפורים זה עד יום כיפורים הבא עלינו לטובה” from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us,” while leaving דנדרנא ודישתבענא ודיאחרמנא ודי אסרנא “that we have vowed, sworn, pledged, and imposed” in the perfect. According to the same report, however, he was also heard to say “I shall...
instead of איחרטנא “we have regretted.” This emendation, if that is what it is, is reminiscent of Rabben Tam’s emendations; it results in a singular verb that refers to the future. However, it makes no sense in isolation, contradicting the number and tense of the other verbs. The same might be said of two other deviations from the traditional text found in the oldest surviving manuscript of the work (14th century): “we have imposed upon the self, we have self-imposed” instead of אסרנא על נפשא “we have imposed upon ourselves”; and איסרנא “and the oaths” instead of ושבועתא “and our oaths” (as expected from our vows” and our resolutions”).

Another noteworthy form in the manuscript is דישתבענא, exhibiting elision of aleph (see below). This is a legitimate colloquial spelling for a native speaker of Jewish Babylonian Aramaic in late antiquity, but its appearance in medieval France is far from routine.

In sum, the text of Kol Nidre in Liqquṭe ha-Pardes (according to the oldest extant manuscript) contains several anomalies. It is tempting to dismiss them as scribal errors, but it must be kept in mind that not every anomalous form in a text is the product of miscopying, mishearing, or the like. Sometimes forms that seem anomalous in a text were originally unproblematic, and became anomalous not because they were altered, but because they were not altered when the forms around them were changed. In other words, authentic forms can give the appearance of being corrupt when incomplete scribal alteration leaves them isolated—when copyists of the text eliminate (“correct”) all forms with a given characteristic except for one. Such survivals from an earlier textual stage may be called “vestigial readings.”

Can the anomalous forms cited above from (the oldest extant manuscript of) Liqquṭe ha-Pardes be considered “vestigial readings,” relics of a prospective version of Kol Nidre used by Rashi before the

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146 So in both manuscripts consulted and in the Venice edition of 1539. The form could also mean “he has regretted,” but that does not fit the context.
147 Did the original version of Liqquṭe ha-Pardes have similar emendations for ואיסרנא ודרא, ואיסרנא ודרא?
149 Vestigial readings must be distinguished from linguistic relic forms, which are vestiges of an earlier form of a language rather than a text.
time of Rabbenu Tam? What would such a text look like? The following is a very speculative suggestion:

All vows, resolutions, promises, pledges, and oaths that I shall vow, swear, pledge, and impose on the self by oath from this Yom Kippur to (next) Yom Kippur, coming (we pray) favorably upon us—all of them I shall regret. (May they be) released, cancelled, rendered null and void, not in force, not valid—the vows not vows, the resolutions not resolutions, and the oaths not oaths.

This highly conjectural reconstruction is based on the assumption that Rashi changed the tense of the four verbs by deleting the final נא from each of them—just as he did with אִיחָרַטְנָא—and making some additional minor adjustments. Take, for example, the perfect form דִּי שְׁתְּבַעְנָא “that we have sworn” found in the manuscript. This can be converted to an imperfect meaning “that I shall swear” by deleting the suffix, yielding דִּישְׁתְּבַע, an elided form of דְּאִישְׁתְּבַע or דִּי־אִישְׁתְּבַע. The same goes for דִּינְדַּרנָא “that we have vowed.” Deleting the suffix yields דִּינְדַּר, which, when changed to דִּינְדַּר, can be understood as an elided form of דְּאִינְדַּר or דִּי־אִינְדַּר meaning “that I shall vow.”

It is worth noting that very little revocalization is required by this solution. In my view, it is a solution worthy of Rashi. It is easy to see how an early copyist of Liququt ha-Pardes could have failed to grasp the idea and felt the need to add a geresh after each of the verbs (דינדר ודיישתבע ודיאחרמ' ודיאסר').

7. Conclusions
The annual annulment of vows and oaths through the recitation of Kol Nidre (or its older and longer Hebrew counterpart, Kol Nedarim) has been a controversial practice since R. Yehudai Gaon and his successors attempted to abolish it in the eighth and ninth centuries. Their efforts had mixed results in Spain and Provence: some communities recited it and some did not. In Northern France, the reaction to the geonic campaign was different. There the controversy
was about which version of *Kol Nidre* to recite—not about whether to recite it at all.

The halakhic problems inherent in *Kol Nidre* led R. Meir b. Samuel of Ramerupt, the father of Rabbenu Tam, to revise the text so that it referred to the vows of the coming year instead of the vows of the past year. The revision (inspired by the Talmud and possibly one or two geonic responsa as well) was accomplished through the substitution of a single word, replacing שעבר ("from last Yom Kippur to the one that is coming") with זה ("from this Yom Kippur to the one that is coming"). This change, however, created a linguistic problem that survives in many editions of the *mahzor* down to the present day. The emended temporal phrase refers to the future, but it modifies verbs in the past tense (דנדרנא ודאשתבענא ודאחרמנא ודאסרנא) — a blatant internal contradiction.

According to many reports, Rabbenu Tam (if not his father) solved the problem in a remarkably elegant and inconspicuous manner. In the revised version, the subtle replacement of זה was accompanied by an even more subtle replacement of *shewa* and *hataf patah* (אֲשֶׁרָה נְדַרְנָא אֲסַרְנָא וּדְאַרְטֶנָא וּמַחֲרִימְנָא וְחָרִימְנָא) with *qametz* (נָדַרְנָא אָסַרְנָא נַחֲרִימְנָא נִחֲרִימְנָא) in two of the verbs. The treatment of the other two verbs was equally subtle: אַחֲרִימְנָא / חֲרַמְנָא "we have pledged" and אִשְׁתְּבַעְנָא / מַשְׁתְּבַעְנָא "we have sworn" appear to have been replaced with מַחֲרִימְנָא / מַחֲרִיםְנָא "I shall pledge" and מַשְׁתְּבַעְנָא / מַשְׁתְּבַעְנָא "I shall swear," respectively. In all four cases, the perfect is replaced not with the expected imperfect but with the participle (which often refers to the future in Late Aramaic) plus enclitic -נא < אֶנֶא “I.”

For the fifth verb in *Kol Nidre*, אִיחָרַטְנָא / אִיתְחָרַטְנָא (אֲשֶׁרָה אִיחָרַטְנָא אֲסַרְנָא אָשֵׁרָה נַחֲרִיםְנָא נַחֲרִיםְנָא) ("we have regretted") three different emendations are recorded in our sources: (1) אִיחָרַט (attributed to Rashi), (2) דְּאִי־חָרִ(י)טְנָא ("if I shall regret") (attributed to Rabbenu Meir), and (3) מִתְחָרַטְנָא ("I shall hereby regret") (attributed to Rabbenu Tam, based on the analogy of his emendation of אִשְׁתְּבַעְנָא). The form אִיחָרַט, preserved in the earliest extant manuscript of *Liqquate ha-Pardes*, is of great interest. It raises the possibility that Rashi had his own prospective version of *Kol Nidre* that was lost to posterity, supplanted by the version of his son-in-law and grandson. Although copyists have tended to obliterate revisions of *Kol Nidre*, a few clues remain in the manuscript—enough to allow for a conjectural reconstruction.

150 For אֲשֶׁרָה וּנְדַרְנָא, the *qal* perfect and participle respectively, see n. 88 above.

http://www.biu.ac.il/JS/JSIJ/12-2013/Steiner.pdf
All of the emendations of the verbs change both their tense (past to future) and their number (plural to singular). The change of number has the effect of minimizing the acoustic salience of the emendations. It appears that the idea was to make the new forms sound as much as possible like the traditional ones, based on (1) the desire to avoid provoking controversy and/or (2) the assumption that the oral reading tradition of Kol Nidre had become corrupted through auditory errors (Hörfehler). The change of number may have had a halakhic basis as well. It may have been intended to eliminate a legal objection later to be raised by R. Mordecai Jaffe, and/or to make Kol Nidre agree with the legal formula cited by Rabbenu Tam from the Talmud (Ned. 23b) as the basis of his father’s revision.

These emendations exhibit remarkable mastery of the grammar of Biblical and Talmudic Aramaic. Indeed, beginning in the 16th century, even leading halakhic authorities did not grasp all of the linguistic subtleties of the emendations, and some of them felt compelled to make “improvements.” The level of sophistication is so high that it would be almost unimaginable outside of Rashi’s family—a family that produced commentaries on the Bible (Rashi, Rashbam, and Rabbenu Tam), commentaries and tosafoth on the Talmud (Rashi, Rashbam, and Rabbenu Tam), Aramaic poetry (Rabbenu Tam), halakhic responsa (Rashi and Rabbenu Tam), and a treatise on Hebrew grammar (Rashbam).