

VEBDE REBDE

Avinu Malkeinu when Yom Kippur falls out on Shabbat

Question: *I understand that this year, with Yom Kippur falling out on Shabbat, we will not be saying Avinu Malkeinu, except at Ne'ila. What makes Avinu Malkeinu fitting, among all the tefillot of Yom Kippur, to be eliminated, and why is Ne'ila an exception?*

Answer: First, we imagine you are Ashkenazi, as most Sephardic communities do recite Avinu Malkeinu on Yom Kippur that falls out on Shabbat, although many leave out the passages that mention sinning (see Yechaveh Da'at I, 54 and Mikra'ei Kodesh (Harari), Yom Kippur 5:12). Many Sephardim even say Avinu Malkeinu on Rosh Hashana that falls out on Shabbat and on Shabbat Shuva (ibid.).

Indeed, almost all Ashkenazim and some Sephardim omit Avinu Malkeinu on Shabbat even on Yom Kippur. The reason is that one is not allowed to make requests on Shabbat (Rama, Orach Chayim 584:1 and Mishna Berura ad loc. 4). It is true that we do recite passages that contain special requests (e.g., Zachreinu l'chayim ...) on Shabbat, and the justification is that since they are written in the plural, it is considered the needs of the community, which is permitted (see Tosafot, Berachot 34a). However, the fact that Avinu Malkeinu originated as a special prayer for fast days (Ta'anit 25b) is

part of the reason that it is treated as a particularly plaintive prayer that is inappropriate for Shabbat. This is despite the fact that it is recited in plural and is a regular part of our davening throughout Aseret Y'mei T'shuva (Orchot Chayim, Rosh HaShana 2). The Aruch HaShulchan (OC 619:8) has a different take on it. He says that, intrinsically, one is allowed to make any type of request on Yom Kippur, as the Yud Gimel Midot and many piyutim are no less strong than Avinu Malkeinu. Rather, the Rabbis chose to omit Avinu Malkeinu as a reminder that elements of Shabbat exist despite being largely overshadowed by the outpouring of the feeling of trepidation associated with Yom Kippur.

Avinu Malkeinu is considered an important prayer, and we do not easily give up on its use. One practical indication of this is the bending of a rule. Usually we do not say Avinu Malkeinu on Erev Yom Kippur. However, the Rama (OC 604:2) says that when Yom Kippur falls out on Shabbat, causing us to limit Avinu Malkeinu's recitation on Yom Kippur, we do recite it in Shacharit of Erev Yom Kippur. Some compare our relinquishing of our right to use this "spiritual tool" in honor of Shabbat to that of not blowing shofar when Rosh Hashana is on Shabbat, where our regard for Shabbat itself "sweetens our judgment" (see Divrei Yehuda (Scheinfeld), p. 201). There are voices raised to allow Avinu Malkeinu specifically on Yom Kippur when it



falls out on Shabbat because of the urgency of our having our last chance to achieve atonement before the end of Hashem's judgment (Ran, Rosh Hashana 9a of the Rif's pages).

Regarding why we say Avinu Malkeinu specifically at Ne'ila, there are at least three explanations. The Levush (OC 623:5) says that by that time Shabbat is out, so there is no longer a problem. The Magen Avraham (623:3) says that even if a shul gets up to Avinu Malkeinu before nightfall, they still recite it because now it is indeed the last chance (applying the aforementioned Ran to this case of the very last opportunity). Finally the Mateh Efrayim (623, K'tzeh Hamateh 8) cites the Maharil who says that we want to take the opportunity to say Avinu Malkeinu in the only tefilla where we insert "chotmeinu" (seal us) in place of "kotveinu" (inscribe us).

The Rashbetz (III, 176), one of the major sources on the matter, stresses that there are various minhagim on these matters, and one should not change the local practice based on what seems to be a preferred alternative minhag. With the help of whatever words we will end up saying, we should be "sealed" this Yom Kippur for a good year, full with lives of health, happiness and true meaning, on both a national and an individual level.

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