

HALACHICALLY SPEAKING

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{ TOPIC }

MAKING EARLY SHABBOS (PART 2)



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► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, zt"l* on current issues.

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MAKING EARLY SHABBOS (PART 2)

Early Shabbos in Same Place as Regular Shabbos *Minyan*

There is an opinion in the *poskim* that if a *chazzan* stood in one place and was *motzi* the congregation with *tefillah*, then a second *chazzan* should not stand in his place, since it is a disgrace to the first *chazzan*.¹ However, this only applies if the participants of the first *minyan* are still in shul; if they left (which is the case when making an early Shabbos and the regular *minyan* comes later) then it is permitted.² In addition, in a shul where it is customary to have many *minyanim* there is no issue.³

Regular Shabbos in Place Which Made Early Shabbos

The *Shulchan Aruch*⁴ says that if an individual comes to a shul where they accepted Shabbos already he should not *daven* Minchah in that shul⁵ since Minchah is a weekday *tefillah* and the shul has the *kedushah* of Shabbos. It would follow that if a shul made a *minyan* for early Shabbos it would not be permitted to form a later *minyan*. It is possible that the concern is only when the original *tzibbur* is present, but once they leave there is no concern.⁶

1. *Rama* 69:1.

2. *Ibid.* See *Mishneh Halachos* 6:48.

3. *Mishnah Berurah* 69:16.

4. 263:15.

5. See *Shevet Hakehasi* 3:96.

6. *Ibid.*, *Nishmas Shabbos* 1:491, *Be'er Sarim* 2:34. See *Ashrei Ha'ish* 2:page 39:25 which

אין על להקדי"ה בעולמו אלא י
אמות של הלכה בלבד... (ברכות ח)



Making Early Shabbos – Who Follows Suit

The *Shulchan Aruch*⁷ says that if most of the community accepts Shabbos then the remaining individuals have to accept Shabbos as well. If a community has many shuls and each shul has its own time for accepting Shabbos, one does not have to follow another.⁸ If one attends a shul that only has an early *minyan* for Shabbos he must make early Shabbos as well.⁹ This is not common today since most people *daven* in many different shuls.¹⁰ Furthermore, most shuls today have multiple *minyanim*.¹¹ If the majority of congregants attend the early *minyan*, the smaller *tzibbur* need not make early Shabbos.¹²

In a bungalow colony there may be only one *minyan* for *davening*, and each person has to make early as well,¹³ since a bungalow colony is considered its own entity and community in relation to this halachah.¹⁴

Harav Moshe Feinstein *zt"l*¹⁵ maintains that people

has a stringent approach.

7. 263:12.

8. *Magen Avraham* 24, *Mishnah Berurah* 51.

9. *Machatzis Hashekel* 24.

10. See *Nishmas Shabbos* 1:482, *Teshuvos V'hanhagos* 1:273, *Be'er Moshe* 2:15-19, *Madanei Shlomo* pages 69-70.

11. See *Mishneh Halachos* 15:82. Refer to *Be'er Moshe* 2:15-19.

12. *Igros Moshe* O.C. 5:15. In regard to a *minyan* in one's home (such as a *shteibel*) see *Mishneh Halachos* 15:82.

13. *Nishmas Shabbos* 1:486. Refer to *Shulchan Halevi* (Hebrew) 1:pages 63-64 quoting the opinion of Harav Yisroel Belsky *zt"l*. In regard to coming to the bungalow once early Shabbos began see *Shulchan Halevi* (Hebrew) 1:pages 64-65. This is common in a sleep away camp as well (*Hamesivta* 5761 page 511).

14. See *Nishmas Shabbos* 1:481 in regard to a hotel. If there is a *minyan* in the neighboring colony it is possible that his own colony does not restrict him in regard to the acceptance of early Shabbos (Harav Yisroel Belsky *zt"l*).

15. *Igros Moshe* 3:38. See *Mahari Shteiff* 42, *Magdanas Eliyahu* 1:88, *Mishneh Halachos* 15:84, *V'dibarta Bam* 70.

כל השנה הלכות בכל יום מובטח להשתדל... (מדה עב)

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generally make early Shabbos because it is convenient,¹⁶ witnessed by the fact that they only make it in the spring and summer months.¹⁷ Therefore, a woman does not have to make early Shabbos when her husband goes to shul,¹⁸ and can continue her regular housework. It should be noted that others disagree with this premise,¹⁹ and the woman should make sure to light candles when the husband says *Mizmor Shir* or *Barchu*²⁰ (this is usually a half hour after Minchah starts). Others say that women can light candles later as long as they light before the husband comes home.²¹

Some maintain that nobody can force other family members to accept Shabbos early.²²

According to the strict view, children should not work for a parent when the father has made early Shabbos,²³ nor should they work for their mother after she lit candles even if it is early.²⁴

Asking Someone to Do Work for You

One who made an early Shabbos may ask someone who

16. See *Be'er Moshe* 2:15-19.

17. *Melamed L'hoel* 14. Refer to *Shulchan Halevi* (Hebrew) 1:page 64 on this point which mentions that many times people accept Shabbos because of the added *kedushah*, and for the noise of the weekday to stop and to enjoy the quiet of Shabbos, even if their intention is for their kids to go to sleep early as well.

18. See *Pri Megadim* M.Z. 263:1, *Orchos Shabbos* 27:footnote 53, *Avnei Yushfei* 7:59:3.

19. *Be'er Moshe* 2:15-19. See *Shemiras Shabbos K'hilchasah* 46:7, *Shevet Halevi* 7:35. Refer to *V'yihi B'nsoa* pages 133-138.

20. *Ibid*, *Shevet Halevi* 7:35. One who walks into shul when the *tzibbur* said *Mizmor Shir* may not *daven* Minchah at that time (*Nishmas Shabbos* 1:492).

21. *Teshuvos V'hanhagos* 3:85, opinion of Harav Yisroel Belsky *zt"l* as expressed in *Shulchan Halevi* (Hebrew) 1:page 64.

22. *Be'er Moshe* 2:15-19. See *Avnei Yushfei* 7:59:7.

23. *Shevet Halevi* 7:35. See *Shevet Halevi* 6:38:3.

24. *Teshuvos V'hanhagos* 3:82, see 1:273.

איזן לל להקצי"ה בעולמו אלז יז אמות של הלכה בלכד... (ברכות ח)

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did not yet accept Shabbos to do work for him,²⁵ since he himself had the option not to accept Shabbos at all.²⁶ Others explain that it is not considered Shabbos at all for the second person.²⁷ The same is true on Motza'ei Shabbos:²⁸ if one keeps a later time as a *chumrah*²⁹ he would be able to ask someone else to do work for him if the latter *davened* Ma'ariv and said *Atah Chonantanu*.³⁰

Motza'ei Shabbos Early

One may not *daven* Ma'ariv after *plag haminchah* on Motza'ei Shabbos unless it is for a pressing situation.³¹ One example would be during a blackout when it may be dangerous to come to shul at night to *daven* Ma'ariv.

Early Rosh Hashanah

The opinion of the Maharil³² is that one should not accept early Rosh Hashanah since it is the Day of Judgment, and we do not want to bring it early.³³ Others are lenient.³⁴

Early Sukkos

We do not make early Sukkos, since one needs to make Kiddush at night.³⁵ Shemini Atzeres is not made early

25. *Shulchan Aruch* 263:17. See *Shulchan Halevi* 1:pages 61:3 which mentions one should avoid asking another Jew to do a *melachah* straight out but should hint to him instead.

26. *Magen Avraham* 30.

27. *Taz* 3, *Mishnah Berurah* 64.

28. *Rama* 263:17, *Magen Avraham* 31, *Taz* 3, *Mishnah Berurah* 65.

29. *Shevet Halevi* 1:53, *Teshuvos V'hanhagos* 1:234.

30. *Mishnah Berurah* 66.

31. *Shulchan Aruch* 293:3.

32. 33.

33. See *Natei Gavriel Rosh Hashanah* 22:1. Refer to *Magen Avraham* 581:10.

34. *Minchas Yitzchak* 10:41.

35. *Rama* 639:3, *Magen Avraham* 11, *Pri Megadim Eishel Avraham* 472:1, *M.Z.* 494:1,

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either,³⁶ as one would not be able to make a *brachah* on the sukkah even though it is day, because he said in *davening* it is Shemini Atzeres.³⁷ The Taz³⁸ argues and says that it is considered the next day even if the sun is shining, but the custom is not like the Taz.³⁹

Simchas Torah is late because of *hakafos*.⁴⁰

Asarah B'Teves

When Asarah B'Teves falls out on Friday, can we make Shabbos early and eat before nightfall? The opinion of the *poskim* is that one may not accept Shabbos early, and the fast ends after nightfall at whatever time one usually waits to eat after a fast.⁴¹

Early Pesach

On Pesach, matzah⁴² and the four cups need to be consumed at night.⁴³ Therefore we do not make an early Pesach.⁴⁴

Mishnah Berurah 25. Refer to *Kol HaTorah* 66:pages 229-231.

36. Opinion of the Maharshal quoted in *Taz* 668:1, *Nachlas Shivah* 45:49, *Magen Avraham* 668:3, *Chayei Adam* 153:5, *Mishnah Berurah* 668:7, *Sha'ar Hatzion* 11 quoting this as the opinion of the *Bach*, *Levush*, *Elyah Rabbah*, *Chemed Moshe*, *Nehar Shalom*, *Bigdei Yeshu*, and *Mor U'ketziah*. See *Aruch Hashulchan* 668:6.

37. *Aruch Hashulchan* 668:6. See *Kaf Hachaim* 639:57.

38. 668:1.

39. *Aruch Hashulchan* 668:6.

40. *Bnei Banim* 3:2.

41. *Natei Gavriel Chanukah* – responsa 14. See *Yabia Omer O.C.* 6:31, *Rivevos Ephraim* 4:65, *Tefillah L'Moshe* 5:8.

42. *Shemos* 12:8, *Tosafos Maseches Pesachim* 99b “ad,” *Mishnah Berurah* 639:5. See *Shemiras Shabbos K'hilchasah* 46:8.

43. *Magen Avraham* 639:11. See *Kuntres Noam Megadim* page 23b:9.

44. *Tosafos Maseches Pesachim* 99b “ad,” *Rosh Maseches Brachos* 4:6, *Pesachim* 10:2, see *Taz* 472:1, 639:12, *Pri Megadim Eishel Avraham* 472:1, *M.Z.* 494:1.

Seventh Day of Pesach

The only Yom Tov in which there are no issues regarding making early is the seventh day of Pesach.⁴⁵

Early Shavuos

We do not make an early Shavuos.⁴⁶ One reason is that we count seven complete weeks until Shavuos, and it is not considered complete until nightfall.⁴⁷ Therefore, we make sure to wait on Shavuos night until dark to *daven* Ma'ariv.⁴⁸ This is quoted by many *poskim*.⁴⁹ Others explain that the *pasuk* says by Shavuos, “*U'krasem b'etzem hayom hazeh*,”⁵⁰ which implies that we need to wait until night for *davening*.⁵¹ Others note that we usually rely on *Krias Shema al Hamittah* when we make early Shabbos. Since we stay up all night on Shavuos and do not say *Krias Shema al Hamittah* we must say *Krias Shema* at the proper time.⁵²

45. See *Bnei Banim* 3:2, *Minchas Yitzchak* 10:41.

46. For a nice discussion on this see *Zecher L'Avraham* 5757-5758:pages 484-496 in depth.

47. As mentioned in *Maseches Menachos* 66a. Most say the concern is not to make Kiddush before nightfall as opposed to *davening* Ma'ariv before nightfall (see *Zecher L'Avraham* 5757-5758:pages 484-496 in depth).

48. *Taz* 494, *Magen Avraham*, *Pri Megadim* M.Z. 494, *Elyah Rabbah* 3, *Shulchan Aruch Harav* 2, *Mishnah Berurah* 1, *Shemiras Shabbos K'hilchasah* 46:8, see *Shelah* in *sefer Emek Brachah* page 69b. Refer to *Emek Hateshuvah* 1:82.

49. *Pri Megadim* M.Z. 494, *Pri Chadash* 494, *Shulchan Gavoah* 494, *Ben Ish Chai Bamidbar* 1:2, *Shulchan Aruch Harav* 2, *Kitzur Shulchan Aruch* 120:11, *Nachlas Shivah* 45:49, *Moed L'chol Chai* 8:23, *Aruch Hashulchan* 494:3, *Divrei Yatziv* O.C. 226. In regard to those who argue see *Yosef Ometz* 850, *Siddur Yaavetz* 2:63:2, *Melamed L'ho'il* 108. In regard to a nursing home where the old people need to eat early see *Shevet Halevi* 8:119.

50. *Vayikra* 23:21.

51. *Ha'emek Davar Vayikra* 23:21, *Meishiv Davar* O.C. 18. See *Az Nidberu* 14:40. A difference between the two reasons can be if it applies to the second night of Shavuos. (See *Mekadesh Yisrael Shavuos* 5:page 178.)

52. *Moed L'chol Chai* 8:23, *Hisorerus Teshuvah* 3:68:4, *Likutei Maharich* 3:page 46 (old print).

It should be noted that some prove that from the fact that we can make early Yom Tov, it is an indication that this applies to Shavuos as well unless we have proof otherwise.⁵³ Others say that it is possible if we make early Shavuos then it is considered the next day and there is no issue with not having seven complete weeks.⁵⁴ Indeed, some are lenient and allow an early Shavuos.⁵⁵

Some ask why we are not concerned about counting *sefirah* in the beginning. Why don't we wait to count until after *tzeis* on the first night just as we wait on Shavuos night?⁵⁶ It would seem that if we wait to count later at night on the second day it would take away from the *kedushah* of Chol Hamoed and *sefirah* (in Eretz Yisrael, the second night of Pesach is Chol Hamoed), but if we don't wait on Shavuos night then we would just add to the Shavuos Yom Tov. Nonetheless we wait on Shavuos night.⁵⁷

Some question: why should adding to Yom Tov be neglected for a *mitzvah d'Rabbanan* of having complete weeks of counting *sefirah*?⁵⁸

One possible answer is that Shavuos is different than other Yamim Tovim. All other Yamim Tovim start on a specific day of the month, but Shavuos starts fifty days after the *korban omer*. Until these days are complete, there is no Yom Tov of Shavuos. Therefore, there is no concept of adding to Shavuos like other Yamim Tovim.⁵⁹ In addition, the *pasuk*

53. See *Korban Nesanel Pesachim* 10:2:2.

54. Refer to *Taz* 668:1.

55. See *Moed L'chol Chai* 8:23, *Yosef Ometz* 850, *Degel Machaneh Ephraim O.C.* 3. Refer to *Siddur Yaavetz* page 174.

56. *Ohalei Aharon* 1:2.

57. See *Melamed L'ho'il* 108. Refer to *Zecher L'Avraham* 5757-5758:page 487.

58. *Rivevos Ephraim* 8:491. Refer to *Natei Gavriel Shavuos* page 94:footnote 1. Also see *Natei Gavriel Shavuos* - responsa 2. See *Korban Nesanel* to *Maseches Pesachim* 10:2.

59. *Moadim U'zmanim* 7:233.

איך ללמוד תורה
למנוחה
בשבת
וערב
ביום
השני
לפסח
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השנייה
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בארץ
ישראל
(ברכות ט)



כל השנה הלכות בכל יום מובטח להשתדל... (גדה עב)

says by Shavuos, “U’krasem b’etzem hayom hazeh,”⁶⁰ which implies that we accept the *kedushah* of Shavuos through *tefillah* and Kiddush. This can only happen on Shavuos itself, as opposed to other Yamim Tovim or Shabbos where we can add to it without doing anything.⁶¹

Some have the practice to *daven* early on Shavuos and wait to make Kiddush until night.⁶²

Second Day Yom Tov

Before we end our discussion regarding early Shabbos, it is imperative to discuss the issue of making early the second day of Yom Tov in places outside of Eretz Yisrael (in Eretz Yisrael there is only one day of Yom Tov – except Rosh Hashanah).⁶³ This is very relevant especially for Shavuos since it is a long day and people want to eat early.⁶⁴

Logically, it would seem that this is no different than adding to Shabbos. This is how some *poskim* rule.⁶⁵

Hachanah

Some take issue with making the second day of Yom Tov early since one will come to prepare one day for the next before reciting *Barchu* of Ma’ariv.⁶⁶ Others say in the olden

60. *Vayikra* 23:21.

61. Based on *Moadim U’zmanim* 7:233. For a similar idea see *Pnei Meivin* 134.

62. *Pri Chadash* 494, *Aruch Hashulchan* 3. Refer to *Mekadesh Yisrael Shavuos* 5. See *Shevet Halevi* 8:119 in regard to a hospital or old people.

63. *Rambam Hilchos Kiddush Hachodesh* 5:12, *Ritva Maseches Rosh Hashanah* 18a, *Shulchan Aruch O.C.* 601:2, *Mishnah Berurah* 3, *Aruch Hashulchan* 600:1, 601:1. Refer to *Shoel U’meishiv* 2:2:85, *Ir Hakodesh V’hamikdash* 18:1, *Yom Tov Sheini K’hilchasah* pages 500-503, *Yom Tov Sheini Shel Galuyos L’halachah* pages 6-7, *Be’er Moshe* 7:pages 252-253. See *Harirei Kedem* 1:32.

64. *Bnei Banim* 3:2. See *Ben Ish Chai Bamidbar* 1:2. For a nice discussion on this see *Journal of Halachah and Contemporary Society* 35:pages 62-78.

65. Refer to *Hisorerus Teshuvah* 299. See *Ben Ish Chai Bamidbar* 1:2.

66. Refer to *Levush* 488:3, *Yosef Ometz* 826, *Mateh Ephraim* 599:2. See *Rivevos Ephraim* 8:459. Refer to *Teshuvos V’hanhagos* 3:150 if preparing before Kiddush is permitted.

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days the shuls were near the courtyards of people homes, and once the women heard *Barchu* they would prepare for the meal. If one were to *daven* early the women would think that it is permitted to prepare. This is not the case today when we rely on the times printed on the charts.⁶⁷

Taking Away from *Kedushah*

Some are against bringing in the second day of Yom Tov early since it may be taking away some *kedushah* from the first day of Yom Tov. This is the opinion of the Taz,⁶⁸ however, most *poskim* disagree with this opinion.⁶⁹ The *Aruch Hashulchan*⁷⁰ says that we do not eat until after dark on all Yamim Tovim.

It was not the custom throughout Europe to make *Yom Tov sheini* early.⁷¹

The Lenient Opinion

The rationale for those who hold one is allowed to make *Yom Tov sheini* early is as follows:⁷²

One is allowed to do this on every Erev Shabbos so why should this be different.⁷³ Although one should not *daven* Ma'ariv on Shabbos day after *plag haminchah* unless it is an emergency,⁷⁴ this is because it is wrong to *daven* a weekday *Shemoneh Esrei* on Shabbos and it looks like Shabbos is a

67. *Bnei Banim* 3:2.

68. 489:10.

69. *Mishnah Berurah* 489:23, *Sha'ar Hatzion* 51.

70. 668:6.

71. *Bnei Banim* 3:2.

72. See *Minchas Yitzchak* 10:41 which is lenient if there is a need.

73. *Hisorerus Teshuvah* 299.

74. *Shulchan Aruch* 293:3. One can say *Krias Shema* as well (see *Magen Avraham* 5, *Mishnah Berurah* 10 [wait until night]). One should not do work until fifty minutes after *shkiah*. This halachah could be relevant when there is a blackout and it is dangerous to walk on the street in the dark.

איך ללמוד להקדיש את שבת
הבית שלי הוא בית
של הלכה ולא של
אמונה (ברכות ה')



burden. However, the *tefillah* on the second day of Yom Tov is the same as the first day.⁷⁵

A simple solution to *hachanah*, the problem of preparing for the second day on the first day, is to eat a *kezayis* of each food before *davening* Ma'ariv.⁷⁶

כל השומה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (מדה עב)

75. *Hisorerus Teshuvah* 299. See *Lehoros Nosson* 9:60.

76. *Hisorerus Teshuvah* 299. See *Rama* 503:1.

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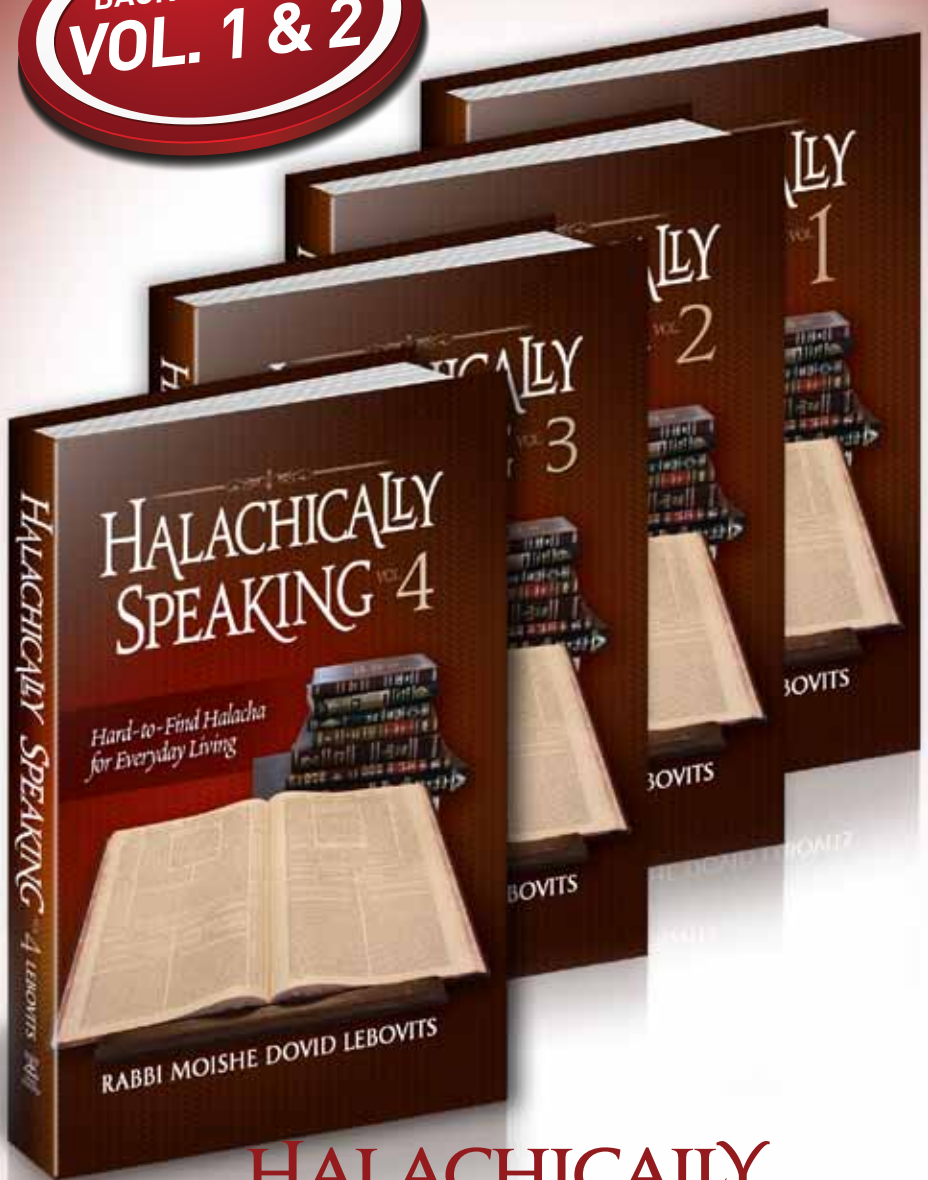


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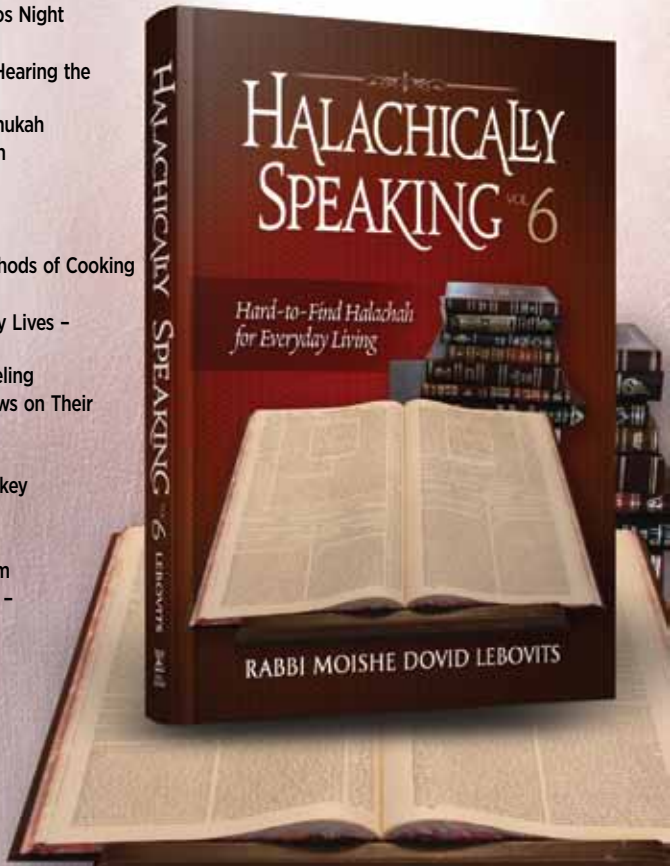


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