

Guide for Accepting Early Shabbos

Revised Edition

By Rabbi Yosef Braun

This guide¹ contains relevant and practical information about "taking Shabbos early". During the summer months when nightfall is relatively late, many people prefer to eat their Friday night meal at a more convenient hour so that they have a bit more time to learn, do the Parasha with their children, etc. As such, they bring in the Shabbos early, thereby also enhancing the mitzvah² of *tosefes Shabbos* (adding on to Shabbos). Below are some of the halachic issues involved in accepting Shabbos early.

1. CANDLES

Generally, the **custom** is that the women³ accept Shabbos as soon as they light Shabbos candles⁴. However, **in a case of need**, a woman may stipulate that she doesn't wish to accept Shabbos immediately⁵. Nonetheless, she must accept Shabbos **very close** to the time of candle lighting⁶ (AR Shulchan Aruch 263:7).

When lighting candles **earlier in the day**, one must be **extra cautious**⁷ to accept Shabbos **very soon** after candle lighting, because otherwise it isn't noticeable that these candles were lit in honour of Shabbos. If she has not accepted Shabbos very soon after candle lighting, and neither has her husband accepted Shabbos⁸, the candles **must** be extinguished and rekindled⁹ (AR Shulchan Aruch 263:6 & 263:11).

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1. I am indebted to Rabbi Doniel Neustadt, author of *Sefer Diyunei Halacha*, for some of the material presented herein. It is important to note that although many references here are to the Alter Rebbe's Shulchan Aruch, in many instances it is also the common view of the majority of Poskim.
 2. According to most Poskim, this obligation is **biblically** mandated (AR Shulchan Aruch 608:1. Cf. AR Shulchan Aruch 261:4 where he brings this in the name of *yesh omrim*. Others maintain that it is only a rabbinic mitzvah. See also references quoted in Nishmas Shabbos vol. I §205). The mitzvah applies equally to men and women (AR Shulchan Aruch 608:4 regarding Yom Kippur; regarding Shabbos - Peri Megadim Mishbetzos Zahav 608:1. Cf. Minchas Chinuch 313:9. Common consensus follows the opinion that it applies to both men and women – Shemiras Shabbos K'hilchoso II 46:1 n.7. See also references quoted in Nishmas Shabbos vol. I §206). For more details about this mitzvah – see further fn. 20-22. For a conceptual analysis of the nature of this mitzvah – see Likutei Sichos XVI p. 233; XIX p. 37. Reshimos Shiurim (Kalmanson) Pesachim §35-36.
 3. This custom does not apply to men who light Shabbos candles, though it is worthwhile for men to stipulate explicitly that they are not accepting Shabbos with candle lighting (AR Shulchan Aruch 263:7).
 4. Opinions differ whether the acceptance of Shabbos is indicated by the recital of the beracha (AR Shulchan Aruch 263:8) or the actual kindling of the lights (as implied in AR Shulchan Aruch 263:7).
 5. On Yom Tov, however, once she has recited *Shechayanu* she may no longer stipulate that she is not accepting Yom Tov (Responsa Tzitz Eliezer 10:19-5 and others).
 6. Much less than 15 minutes later (AR Kuntres Acharon 263:2), within approximately 10 minutes (Ketzos Hashulchan ch. 74 fn. 17. Cf. Eretz Tzvi § 113).
 7. Acharonim (Responsa Eretz Tzvi 113. Tehilla L'dovid 263:4. Kitzur Halachos Mishulchan Aruch Adhaz 263 fn. 52) discuss whether this rule – acceptance of Shabbos very soon after candle lighting – applies only in a case where candles were lit earlier in the day (as implied in AR Shulchan Aruch 263:6) or in all cases of candle lighting (AR Shulchan Aruch 263:7 & 11). Consequently, when lighting candles earlier in the day, one must be **extra cautious** to accept Shabbos very soon after candle lighting.
 8. If she can't accept Shabbos very soon after candle lighting, it is better that her husband lights candles instead of her. If this is also not possible, she may light the candles while he accepts Shabbos soon after (AR Shulchan Aruch 263:11). The acceptance of

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The earliest one can accept Shabbos is from *pelag hamincha*¹⁰. If one accepts Shabbos before this time, it is meaningless. Thus, if one accepts "early Shabbos," one should ensure that the Shabbos candles are lit **after** *pelag hamincha*. If they are kindled prior to *pelag hamincha*, the candles **must** be extinguished and rekindled¹¹ in the proper time (AR Shulchan Aruch 261:5).

On the other hand, according to many poskim, once a husband accepts Shabbos early, his wife and children must do so as well. This is particularly so with regard to performing melachos on his behalf (See below sec. #3 **in detail**). Therefore, the wife should ensure to light candles **before** the early minyan accepts Shabbos, i.e. before the time that the minyan recites *Mizmor shir l'yom haShabbos*¹², or at the latest before the recital of *Borchu*. (AR Shulchan Aruch 261:7).

Although, while at home, one has no idea of where the shule minyan is "up to"¹³, it is, however, safe to assume that the minyan will not reach *Mizmor shir* until 7-10 minutes following the beginning of Kabbolas Shabbos. Practically, this allows for a delay of **no more than 7-10 minutes** for candle lighting from the time listed as "Earliest Candle Lighting" in the shule calendar.

Shabbos by another family member will not help (implied from AR Kuntres Acharon 263:2. See also Kinyan Torah 4:26. Cf. Shemiras Shabbos K'hilchoso vol. II 43:24).

9. Even though this causes the first beracha to be in vain (AR Shulchan Aruch 263:11& 14). Presumably, she should rekindle the candles with a beracha (Derech Hachayim 50:3). But see Ketzos Hashulchan ch. 74 fn. 28 and Kitzur Dinei Neshek ch. 4 fn. 27 who rule in accordance with the dissenting opinions. This is especially so nowadays when we anyhow have electric lights burning, thus indicating that the candles were indeed lit for Shabbos (Responsa Kinyan Torah 4:25-26. See further fn. 11 for similar arguments).

[This final point is debatable as certainly even before the advent of electricity, candles lit in broad daylight "b'od hayom godol" are obviously lit for Shabbos. See also Responsa Mehar'al (Epstein) § 67 that spreading a Shabbos tablecloth is not sufficient to indicate that it was lit for Shabbos. Toldos Shmuel, however, is satisfied with lighting in a special Shabbos candelabrum, even when lighting before *pelag hamincha*].

Ketzos Hashulchan suggests, instead of extinguishing the old candles, to light a new extra candle on time, and accept Shabbos very soon thereafter.

10. An hour and a quarter of *sha'os zemaniyos* – halachic hours – before sunset (AR's position in Siddur). This is actually dependant on the formula of calculating these halachic hours. While it is agreed upon that *pelag hamincha* takes place one and a quarter halachic hours before the end of the day, there is disagreement as to what exactly is considered "day." Some authorities rule that the day period, which is divided into twelfths, begins at sunrise and ends at sunset. Accordingly, *pelag hamincha* is a halachic hour and a quarter before sunset. Others rule that we count the "hour" units of the day from dawn until nightfall. From this perspective, *pelag hamincha* is an hour and a quarter before nightfall. Most communities have adopted the first opinion as basic halachah.

11. Whether to make a new beracha or not is the subject of dispute amongst poskim (See sources quoted above fn. 9).

[The Sh'lah (Maseches Shabbos ch. *Ner Mitzvah* s.v. *u'leinyan zeman hadlaka*) is lenient in a case where the candles were lit after Mincha and all preparations for Shabbos have already been made. See also Minchas Yitzchok 9:20. Responsa Eretz Tzvi § 113 wishes to interpret the Alter Rebbe's words accordingly, at least in a case where the candles were lit less than 7-10 minutes before *pelag hamincha*. See also Shulchan Hatohor 263:5 (in a case where people are already going to shule for Shabbos).

Similarly, Peri Megadim in Eshel Avrohom 263:10 is lenient in a case where one has accepted Shabbos at the time of candle lighting. However, the Alter Rebbe (261:5) implies that the halacha applies even in a case where the candle lighting was accompanied with *kabbolas Shabbos*].

12. See Ketzos Hashulchan ch. 76 fn. 1 and others regarding the contemporary custom.

According to some, acceptance of Shabbos occurs (at the recital of *Lecha Dodi* – Aruch Hashulchan O.C. 270:2. Cf. Halichos Shlomo Tefillah ch. 14 fn. 6, or later) when the phrase *Bo'ee kallah* at the conclusion of *Lecha dodi* is recited (See Ketzos Hashulchan ibid. & ch. 77 fn. 11. Mishna Berura 261:31. Kaf Hachayim 261:27 argues that this is the opinion of the Arizal based on Sha'ar Hakavanos Derushei Shabbos).

As for the difficulty in determining the contemporary custom, see Shabbos Ka'halacha ch. 11 *he'ora* 5. In many communities, this issue is a moot point, as Kabbolas Shabbos is usually recited way after nightfall (see, for example, Ketzos Hashulchan ch. 77 fn. 15; Likutei Sichos XXV p. 347 fn. 2).

13. It is noteworthy to mention that in previous times the custom was to send the children home from shule prior to *Borchu* to remind the women to light Shabbos candles (AR Shulchan Aruch 263:6. See also AR Shulchan Aruch 260:5).

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It follows then that the window for candle lighting is extremely narrow. **Lighting too early is a meaningless act, but lighting even 10 minutes later than the time given in the calendar might be a violation of Shabbos according to some opinions.**

2. MINCHA & MAARIV

When davening an early Maariv before nightfall, we are following the opinion of Rebbi Yehuda that night begins already from *pelag hamincha*. Thus, Mincha must be davened **earlier** than *pelag hamincha*.

It is not proper to daven both Mincha & Maariv between *pelag hamincha* and nightfall. This would be a manifestation of *תרתי דסתר* (*tartei d'sasrei*), meaning a contradiction: relying simultaneously on the position of Rebbi Yehuda that the time for Ma'ariv begins at *pelag hamincha* and on the position of Chachamim who say that the time frame for Mincha extends past *pelag hamincha* until nightfall¹⁴. Therefore, we schedule an early minyan to begin Mincha about 15-20 minutes before *pelag hamincha*. This way, Mincha can be said **before** *pelag hamincha*, followed by Kabbolas Shabbos and Maariv **after** *pelag hamincha*. This would be consistent with Rebbi Yehuda's opinion. (AR Shulchan Aruch 267:2)

If an individual¹⁵ has been delayed and davened Mincha after *pelag hamincha*, he must wait to daven Maariv until after nightfall¹⁶.

14. Generally, one must choose between the positions of Rebbi Yehuda and Chachomim and adopt one of them on a permanent basis. Despite the fact that it seems that most communities nowadays have adopted Chachomim's position, as we often daven Mincha after *pelag hamincha* (Mogen Avrohom 233:7 in his time; closer to our generation - Aruch Hashulchan O.C. 233:3), one may be still lenient on Friday night and follow the position of Rebbi Yehuda, due to the special mitzvah of *tosefes Shabbos*. This leniency however is granted only with the provision that one does not "contradict" oneself on that very day, i.e. daven both Mincha and Maariv before *pelag hamincha* or daven both Mincha and Maariv after *pelag hamincha*. (AR Shulchan Aruch 267:2). Even *besha'as hadechak* ("special circumstances"), where one may be lenient and follow Rebbi Yehuda's position (despite the fact that he normally follows Chachomim's position), he must ensure to not create a situation of *tartei d'sasrei* on that same very day.

Some congregations are extremely lenient in this regard and daven both Mincha and Ma'ariv after *plag hamincha* on Friday night; certain communities are even lenient on other weeknights as well. Some poskim have attempted to defend this practice in communities where people might otherwise not attend the minyan, causing the minyan to fall apart completely (Mogen Avrohom 233: 7. AR Shulchan Aruch 90:10. Mishna Berura 233:11), thus considering the situation worse than an ordinary "*sha'as hadechak*".

Derech Hachayim (66:1) suggests that at least on Friday nights one may rely on this leniency. Bi'ur Halacha (267 s.v. *u'bipelag*) maintains, however, that this leniency has no basis in Shas, and he therefore rules that on Friday nights one may be lenient only in a case of a genuine *sha'as hadechak* and only if Maariv will take place **after sunset** (See Pinas Ha'halacha p. 107 fn. 12 for an explanation how to reconcile this with Mishnah Berurah's position in 233:11).

[It is noteworthy that the Tur O.C. 235 also cautions that one should still ensure that Maariv is recited **very close** to nightfall. However, it is likely that the Tur is not dealing with the issue of *tartei d'sasrei* at all; rather, he is concerned with the fact that the Shema – along with the blessings accompanying it – is being recited before nightfall. (This might also be the issue dealt with in AR Shulchan Aruch *ibid.*). In other words, even when following the position of Rebbi Yehuda which allows for Maariv (i.e. *Shemone esray*) to begin immediately following *plag hamincha*, the Shema and the accompanying blessings must wait until nightfall. The Tur, therefore, justifies the custom to be lenient in this matter on the basis of maintaining the stability of the minyan, provided however that they are recited close to nightfall].

All of these leniencies apply only to congregations. As for individuals – see below fn. 15.

15. Only congregations might be entitled to certain leniencies with regard to *tartei d'sasrei* (see previous footnote); individuals, however, may not daven Ma'ariv until after nightfall (Magen Avrohom 89:19. Kitzur Shulchan Aruch 70:1. AR Shulchan Aruch 90:10).

Despite the unclear language in these sources, it would seem that they are only referring to individuals who regularly daven Mincha after *plag hamincha*, in accordance with common custom. However, from the comments of Sh'lah (Maseches Chulin ch. *Derech Chaim* s.v. *ach b'chol*), it appears that this is a general instruction, in order to ensure that the Shema – along with the blessings accompanying it – is recited after nightfall only.

16. It is, however, likely that the leniencies granted to communities with regard to *tartei d'sasrei* might apply to this individual too, if after his private recitation of Mincha he subsequently joins the minyan for Maariv. I have not found clear sources on this matter. Nonetheless, due to the fact that these leniencies are indeed, as the word implies, "leniencies", ordinarily not to be used even *besha'as hadechak*, and are not rooted in Shas (as per above fn. 14), it is difficult to find justification for a private individual

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One who has been delayed and has not yet begun Mincha until after the community has accepted Shabbos may **not** daven Mincha in the shul while everyone is davening Maariv. Rather, he must leave and daven Mincha **outside of the shul**¹⁷.

If he actually responded to the congregation's *Borchu* – even if he doesn't want to accept Shabbos¹⁸ – he is considered having accepted Shabbos along with the congregation and **he may not daven Mincha at all**. Rather, he must daven Maariv instead and repeat the Maariv *Shemoneh Esray* twice as does anyone who missed davening Mincha. (AR Shulchan Aruch 263:23). It is recommended to avoid this situation completely¹⁹ by walking out of the shul just prior to *Borchu*. (Ketzos Hashulchan ch. 77 fn. 7).

However, if he arrives just **before** the community's acceptance of Shabbos, he may begin Mincha right away, even though he will still be in the midst of Mincha while the congregation is davening Maariv. (AR Shulchan Aruch 263:24)

3. MELACHA

It is forbidden to perform any melachos from sunset onwards (AR Siddur Seder Hachnosas Shabbos)²⁰. If someone accepts Shabbos early, provided it is after *pelag hamincha*, they are forbidden from performing melachos from that time onwards. One is considered to have accepted Shabbos early, through either of the following methods²¹:

relying on this, even if he will subsequently join a minyan for Maariv.

[As a general rule: an individual who is always particular to wait with Maariv until nightfall may daven *bi'yechidus* instead of joining an early minyan for Maariv, even if Mincha was davened before *pelag hamincha* (Tzemach Tzedek Chidushim Berachos 1:1. Cf. Igros Moshe O.C. 2:60)].

17. Even though he is forbidden from performing *melacha* after the (majority of the) community has accepted Shabbos, he may still daven Mincha – Peri Megadim in Eshel Avrohom 263:28. (See Chayei Odom 33:4 & Tehilla L'Dovid 263:8 for an explanation). This is no different from davening Mincha after sunset (which is permitted according to AR Seder Hachnosas Shabbos), even though one is forbidden from performing *melachos* then (see also Responsa Minchas Yitzchok 9:20. Cf. Shemiras Shabbos Khilchoso 46:5. See also below fn. 26).
18. Ketzos Hashulchan ch. 77 fn. 7 questions why he should be affected by responding to *Borchu*, in communities where the acceptance of Shabbos is indicated by reciting *Mizmor shir l'yom haShabbos*, especially if he clearly intends not to accept Shabbos (see below fn. 25). Although he concludes with “*v'tzarich iyun godol*”, nonetheless, this seems to be the correct Halacha.
19. Ketzos Hashulchan also addresses the dispute whether one is obligated to respond to *Borchu* even though he will consequently have to skip Mincha.
20. Though there is a requirement of *tosefes Shabbos*, Rishonim (and Acharonim) dispute the exact amount of time that one is obligated to add to Shabbos (See references quoted in Yisroel Vehazemanim vol. I 24:1). Many Rishonim seem to maintain that there is no set amount of time required to add to Shabbos. Although Igros Moshe 1:96 maintains that one may perform melacha until 2 minutes before sunset, according to the Alter Rebbe (Seder Hachnosas Shabbos), accepting Shabbos **at sunset** is considered a fulfillment of the mitzvah of *tosefes Shabbos*, because “real” Shabbos begins only several (approximately four) minutes later at the “real” sunset. [Responsa Avnei Nezer O.C. 498:3 & Ketzos Hashulchan ch. 93 fn. 2 deduce from the above that according to the Alter Rebbe one must add 4 minutes to Shabbos. Cf. Responsa Eretz Tzvi §60].

Nonetheless, it is obvious that one who accepts Shabbos and refrains from melacha even earlier (AR Shulchan Aruch 261:5 regarding *anshei ma'aseh*) is acting in a praiseworthy manner (Mishna Berura 261:23. This point can be implied from R' Yossi's statement in Shabbos 118b. See also Tikunei Zohar §48).

See Responsa Divrei Nechemya §15 who delineates three categories and times of *tosefes Shabbos*: obligatory *tosefes* (one violates a mitzvah when not accepting Shabbos during this time); optional *tosefes* (one fulfills the mitzvah during this time, but is not guilty of violating the mitzvah if he doesn't accept Shabbos then) and extra *tosefes* (during this time no mitzvah is fulfilled but it is considered praiseworthy). See a similar approach in Responsa Shevet Halevi 4:27

[This approach is, in part, also apparent from AR Kuntres Acharon 261:3. See, however, Shulchan Shlomo 261:6 & Tehilla L'Dovid 261:5].

As the times that the Divrei Nechemya mentions are consistent with the shita of Rabbeinu Tam, it is difficult to determine how and whether to apply this to the position of the Geonim that *bein hashemoshos* begins from sunset.

21. Poskim debate whether one can retract the acceptance of Shabbos. In most of the methods listed, common consensus is that it cannot be retracted in any way (See Mogen Avrohom 263:31. Minchas Shabbos Minchah Chadashah 76:1. Aruch Hashulchan

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- One has consciously accepted upon themselves Shabbos (AR Kuntres Acharon 261:3 & 271:5)

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- One davened Maariv²³ and mentioned Shabbos in prayer, even if he clearly states that he doesn't want to accept Shabbos (AR Shulchan Aruch 263:16)²⁴.

- One responded to the congregation's *Borchu* (AR Shulchan Aruch 263:23), even if he doesn't want to accept Shabbos (Ketzos Hashulchan ch. 77 fn. 7)²⁵.

- The majority of the community have already accepted Shabbos (see below for more detail), even if the individual doesn't want to accept Shabbos (AR Shulchan Aruch 261:3 & 263: 17).

- Women who light Shabbos candles, unless stipulating mentally otherwise (see above sec. # 1 in detail).

- One announced, "Let's come and make Kiddush" (AR Shulchan Aruch 271:14 & Kuntres Acharon 263:5)

In all cases of "early Shabbos"²⁶ although one is forbidden from performing any Shabbos *melachos*, there is one leniency that applies during this time. It is permissible during this time to ask of another Jew who has not yet accepted Shabbos, or a non-Jew, to do anything we need, even if that act would involve *melacha*. Even though on Shabbos itself it is never permissible to tell a Jew to do *melacha* and there are severe limitations regarding when a non-Jew may be instructed to do prohibited activity for a Jew, during this time none of these restrictions apply. (AR Shulchan Aruch 263:25 & Kuntres Acharon 263:8). It is

O.C. 263:28. Kaf Hachayim 263:22. Responsa Igros Moshe O.C. 2:38. Shemiras Shabbos K'hilchoso II ch. 43 fn. 11. See also references quoted in Nishmas Shabbos vol. I §210).

22. It is unclear whether mental acceptance of Shabbos is sufficient even without verbalising it. Some say furthermore that even the mere abstention from work is in itself sufficient.

The Mishna Berura 261:22 rules that it must (preferably?) be verbalised. See also Mishna Berura 553:2. For an alternative interpretation of the Mishna Berura, see Diyunei Halacha (Neustadt) I pg. 258 and Darchei Halacha 261:2 fn. 1.

The language of AR Shulchan Aruch 608:7 is unclear on the matter. [AR Kuntres Acharon 261:3 uses the term "*kabala bilvad*" in contrast to accepting Shabbos through davening or responding to *Borchu* (referring to Tur and Beis Yosef O.C. 553. In O.C. 553:1 Rema rules that mental *kabala* is insufficient. Cf. AR Kuntres Acharon 271:5 "*b'amira b'alma*")].

It is possible that some of the seemingly conflicting sources are not in total disagreement. A distinction can be made between the level of acceptance required for merely fulfilling the **mitzvah** of *tosefes Shabbos* and the method of acceptance which mandates one to fully observe all the laws of Shabbos (including *shvusim* – see below fn. 26). Alternatively, there might be a distinction between the required **minimum** for *tosefes Shabbos* as opposed to the option extending the time of Shabbos even further.

For a thorough discussion on this matter- see references quoted in P'nei Shabbos I pp. 224-228. Yisroel V'hazemanim I 24:1-2 & Nishmas Shabbos vol. I §211 of the same author.

23. According to Toras Shabbos 263:25, the recital of "*asher bidevoro maariv arovim*" is sufficient to be considered accepting the sanctity of Shabbos. This applies only to individuals; the community is considered to have accepted Shabbos with the recital of *Borchu*, or even earlier (see above fn. 12).
24. An individual who davened Maariv before nightfall under the mistaken impression that it is already night, is not *yotze* Maariv and may still perform melacha. However, if this happened to an entire community, they need not daven Maariv again and they must refrain from melacha (AR Kuntres Acharon 263:6 & 263:7).
25. This is perhaps also implied in AR Shulchan Aruch 261:3. See also Responsa Yechava Da'as 6:18. Cf. Kaf Hachayim 263:95 & Responsa Igros Moshe 3:37. See also references quoted in Nishmas Shabbos vol. I §493).
26. There are several distinctions between the various forms of Shabbos acceptance. In some cases certain limited activities may remain permissible (those activities that are permissible during *bein hashemoshos*). This depends on whether the early Shabbos is considered "*tosefes Shabbos*" or "*itzumo shel yom*" (See AR Kuntres Acharon 261:3. Cf. Dagul Mirveava O.C.261). Likewise, in some cases one might be able to daven Mincha after the acceptance of Shabbos (see also above fn. 17). For example, responding to the congregation's *Borchu* (or lighting Shabbos candles for women) would be considered an acceptance of *itzumo shel yom*; whereas mental acceptance of Shabbos is treated only as *tosefes Shabbos*. This is obviously beyond the scope of this guide. For more information on this matter, see references in quoted in Nishmas Shabbos vol. I §240.

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debatable whether one may instruct their own children (or wife) to perform melacha – on their behalf – during this time, and whether a parent must actually stop their children from performing melacha on their behalf. Common custom is to be lenient²⁷.

An individual's acceptance of Shabbos is determined by the community, i.e. he must begin Shabbos at the same time that the majority of the community does²⁸ (AR Shulchan Aruch 263:17).

If there is more than one shule in town: according to the Alter Rebbe (Shulchan Aruch 263:19)²⁹, every individual is determined by "his" congregation³⁰. "His" congregation means the shul where he is davening this Friday night (Shaar Hatziyon 551:56). An individual may rotate from week to week, sometimes beginning Shabbos early and sometimes on time (implied in AR Shulchan Aruch 263:19. Aruch Hashulchan O.C. 263:28). This applies to one who is actually attending shule³¹.

27. Amongst contemporary poskim, Igros Moshe O.C. 3:38 is stringent (even with regard to one's wife!); Shevet Halevi 6:38 & 7:104 is lenient.

Although the comments of an earlier authority, the Mekor Chayim 263:17, **seem** to concur with Igros Moshe's view (because melacha performed by family members is considered a biblical transgression for the parent), the omission of this very relevant detail by virtually all other authorities is of significance. This omission is even more obvious with regard to the halacha that the wife's candle lighting and her consequent acceptance of Shabbos does not affect any other household members in performing melacha (Rama O.C. 263:10 & subsequent authorities). Likewise, the Alter Rebbe 263:11 addresses the case of a husband who has accepted Shabbos while his wife is still engaged in melacha, seemingly on his behalf. A debate on the position of the Alter Rebbe (as might be implied from Kuntres Acharon 263:8) has appeared in the periodical He'aros U'biurim Oholei Torah §867 and subsequent journals.

Another issue for consideration is whether the acceptance of Shabbos by the husband affects the wife and children too, to the extent that they also must accept Shabbos. This issue is addressed further fn. 36-40. The two issues are not necessarily related: the former relates to the biblical law that one must ensure that one's children do not work on the parent's behalf (and possibly – the wife may also not work on her husband's behalf) on their Shabbos; the latter addresses whether acceptance of Shabbos by the "head of the household" (i.e. the father; regarding the mother – see below fn. 38) binds the rest of the household members. One might, on the one hand, maintain that the husband/ father's acceptance of Shabbos affects the rest of the family's acceptance, while acknowledging that a mother may instruct her children to perform melacha on her behalf. In contrast, even if we accept the position that children may perform melacha for their father if he has accepted *tosefes Shabbos*, there might be a situation where they are bound by his acceptance of Shabbos, if he accepted *itzumo shel yom*. (See also below fn. 40).

28. Whether this applies only if the *tzibbur* accepted Shabbos together as a *tzibbur* or even if they accepted it individually - See Shemiras Shabbos K'hilchoso ch. 46 fn. 31. See also sefer Erech Shai (who considers this similar to a *takonas hakohol*, effective only when done in public). From AR Kuntres Acharon 263:7 one may imply that it applies to individual acceptance as well. This is indeed the position of Responsa Shevet Halevi 7:35. See also Piskei Teshuvos (Rabinowitz) 263:19 fn. 72. This might also be implied from the comments of Peri Megadim in Mishbtzos Zahav 263:1.

If we assume that even the community's acceptance of Shabbos as individuals affects all other individuals, we need to address whether this applies only if the acceptance of Shabbos occurs through prayer or even if the community accepts Shabbos through the other methods of acceptance listed above. The Peri Megadim (ibid.) clearly distinguishes between the various modes of Shabbos acceptance (with regard to the effect of the "head of the household" on the rest of the family). From the comments of the Alter Rebbe (Kuntres Acharon 263:7) it would appear that it applies to other methods of acceptance too.

It is, however, likely, that only if the community accepts "*itzumo shel yom*" are the rest of the community affected; acceptance of "*tosefes Shabbos*" by the community may not affect all other individuals (see above fn. 26).

29. Machatzis Hashekel (263:24) however maintains that one is affected by the shule where they **normally** Daven. Others seem to argue that in a city with more than one shule, each individual may determine for himself when to accept Shabbos. This view seems not to have gained prominence amongst halachic authorities. See also further fn. 33.

30. A private minyan held in one's private home is not considered sufficiently independent and is bound by the majority of the community. (Derech Hachayim 51:5 quoted in Mishna Berura 263:51. See also Bi'ur Halacha 468:4 s.v. *v'chumrei*. Some wish to extend this to small *shatieblach* in relation to a major shule. Despite the comments of Eliyahu Rabba 263:26 regarding the custom in Prague, this is purely speculative. See also Shevus Yitzchok vol. 8 p. 237).

31. The Ketzos Hashulchan (ch. 76 fn. 9) maintains furthermore that, according to the Alter Rebbe, if an individual arrives in a shule which is accepting Shabbos early, although he doesn't normally join this shule, he is bound by the congregation's acceptance of Shabbos, even if he has not accepted Shabbos, nor have the majority of the members of the city.

This requires further analysis, especially in situations where he wasn't planning on joining them, or in a place where the early minyan exists only in summer months for convenience purposes (see references in fn. 35).

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However, if one does not attend shule (due to health considerations etc.), he is bound by the practice of the majority of the Jewish people in the city³². If the majority in his city has already accepted Shabbos, he is obligated to join the majority of the city in refraining from *melacha* from the earlier time. (AR Shulchan Aruch 263:19)³³.

There is considerable debate among contemporary *poskim* with regard to many minyanim in the same shule, particularly when they only maintain separate minyanim on the Friday night. Notwithstanding the view of many contemporary *poskim* to the contrary³⁴, common practice is to apply this even to different minyanim in one shule, i.e. each minyan retains its own status and is not affected by the other minyan³⁵.

Many *poskim*³⁶ hold that if a husband accepts Shabbos early, his wife and children must do so as well³⁷ (Peri Megadim in Mishbtzos Zahav 263:1, quoted in Ketzos Hashulchan ch. 76 fn. 5. This is also implied

For an entire congregation that attends an earlier minyan (e.g. in places where many minyanim happen simultaneously, some davening Mincha and some Maariv) - see Ketzos Hashulchan ch. 77 fn. 7 that a *tzibur* is not bound to another *tzibur*.

32. Woman are not included in the equation of the majority of the city, according to AR Kuntres Acharon 263:7 that “*ein tzibur l’nashim*”. An individual who is shomer Shabbos is bound by the community (or majority of the community) accepting Shabbos through davening, even if they are not sufficiently observant in the laws of Shabbos – Responsa Bis’day Shlichus (R. Levi Yitzchok Raskin, England). However, the lack of acceptance of Shabbos by the majority of Jewish people in the city who are not observant is not significant to permit one to do *melacha* (Halichos Shlomo Tefillah 14:3).

33. Although this halacha addresses specifically one who normally attends a minyan that accepts Shabbos early, it seems that **every** person is always bound by the majority of his city, unless he actually aligns himself **that week** with another shule that is davening later. Some opinions maintain that an individual is always bound by the shule he regularly attends (Machatzis Hashekel 263:24). Despite the Ketzos Hashulchan’s objection to this (referred to above in fn. 18), the language of the AR might allow for this opinion too, i.e. one who does not attend shule is bound by the practice of his regular shule, but he may be lenient and consider the behaviour of the majority of the city.

34. See Responsa Minchas Yitzchok 1:24 and 10:20. Responsa Sheraga Hamay’ir 4:39. Igros Moshe 5:15. Be’er Sorim 2:34. Shevus Yitzchak vol. 8 pg. 237 (in a case where he regularly attends the first minyan).

Responsa Be’er Moshe 2:19 and Shemiras Shabbos Khilchoso II 46:7, however, are lenient. This can also be implied from Rav Pe’alim 2:49. Cf. Be’er Sorim *ibid*.

She’arim Metzuyanim B’halacha 75:1 is lenient in a case where the first minyan consists of non-shule members or where the *rov* davens in the second, later minyan.

[This might depend on the reason for being bound by the majority. It is possible that the acceptance of Shabbos by the majority doesn’t make it automatically Shabbos for the individual, rather he must refrain from *melacha* due to *chashada*, i.e. that people shouldn’t suspect him of violating Shabbos (Toras Chaim 263:1 in the name of Shiltei Hagiborim end of Shabbos ch. 2. Cf. Shiltei Hagiborim inside), or because of *avsha milsa*, so as not to act conspicuously against the behaviour of the community (Machazik Beracha 263. See also Be’er Esek § 39 (*lo tisgodedu*). Shevet Halevi 9:56 (*zilzul Shabbos*). An original approach is that it results from the concept of *takonas hakohol*). The language of most *poskim* however (Chayei Odom 5:5 and others) implies that the majority’s acceptance of Shabbos applies automatically to the minority as well].

It is questionable what the position of the Alter Rebbe would be (See Ketzos Hashulchan referred to above fn. 31 that a *tzibur* is never bound by another *tzibur*). Certainly, in a case where the majority of the city have not accepted Shabbos yet, even if the majority of the members of this shule have, he would be permitted to do *melacha*, if he did not attend the earlier minyan (implication of AR Shulchan Aruch 263:19)

35. Additional support to be lenient is the consideration that the early minyan exists only in summer months for convenience purposes (See Responsa Be’er Moshe 2:15 & 2:16. Shemiras Shabbos K’hilchoso II 46:9 n. 59).

Although the majority of *Poskim* reject this distinction and generally do not take into account the purpose of accepting Shabbos early (See Responsa Shevet Halevi 7:35. Shraga Hamey’ir 7:96. Be’er Sorim 2:34 (except for davening Mincha while the community is davening Maariv). Shulchan Shlomo O.C. 263 p. 22. Shevus Yitzchok vol. 8 p. 234; Responsa Igros Moshe 3:38 remains undecided on this matter. See also Igros Moshe 5:15), there is still room to be lenient with regard to the specific issue of two minyanim in the same shule. The fact that the early minyan exists only in summer months implies that later minyan is considered the “real” or “main” minyan and hence should not be affected by the acceptance of Shabbos of the earlier minyan.

36. Responsa Igros Moshe O.C. 3:38. Responsa Shevet Halevi 6:38 and 7:35.

37. Likewise, it seems that according to this opinion, if the husband attends a shule which davens later, the wife and children who are staying at home would not be bound by the majority of the city who have accepted Shabbos early and may accept Shabbos later (See below fn. 39). In the scenario where the husband has not attended shule and is bound by the majority of the city, Aruch Hashulchan O.C. 263:22 is in doubt whether the woman is bound by the husband, who in turn is bound by the community (“*greira achar greira*”). [This requires further analysis, for the woman would, in any event, be directly affected by the majority of the

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in Shulchan Hatohor 263:5). Some hold³⁸ that a wife and children may accept Shabbos whenever they wish, regardless of when the husband or father began the Shabbos. Even according to the lenient opinion³⁹, many *poskim* maintain that the wife (or children) may not perform any *melacha* specifically for her husband (or their father) during this time (Igros Moshe O.C. 3:38)⁴⁰.

4. SHEMA

Although one may daven Maariv from *pelag hamincha*, one does not fulfil the obligation to say the night time Shema at that time. Nightfall is the proper beginning time for Shema. Therefore, those who daven early **must** repeat the Shema (all three passages⁴¹) **after nightfall** (AR Shulchan Aruch 267:4). Remind each other at your Shabbos table to say Shema, so that nobody present forgets about this important mitzva. Accepting Shabbos early can be a positive experience, but not if it results in the neglect of a Torah mitzvah.

Although technically, if the meal begins "with halachic permission", i.e. more than half an hour before nightfall, one need not stop for Shema as it can be said after the meal, it is however recommended that families interrupt their meals for Shema when the proper time arrives. Aside from the positive educational value for family and guests, it helps to prevent from forgetting later on.

community on her own, without the fact that her husband is bound by the community. It seems that the position of the Aruch Hashulchan is that the women are not considered "part of the community" in this regard ("*ein tzibur lanashim*" - See above fn. 32 on a similar matter; perhaps this applies to the younger children also), and thus are always either affected by their husband or retain their own status].

38. Responsa Mahari Shteif 42. Be'er Moshe 2:17. One of the lenient factors is the fact that often the husband's acceptance of early Shabbos exists only in summer months for convenience purposes. However, this distinction has been rejected by many authorities (see above fn. 35). This position seems to have support in the comments of the Taz O.C. 679:1 who allows other family members to light Chanukah candles after the father has already (accepted Shabbos when he) kindled the Shabbos candles. This is also clearly spelled out in Levushei Serad (in his comments on Taz O.C.263:1). [Taz is consistent with his general position (ibid.) that men are considered to have accepted Shabbos with candle lighting, in contradistinction to the popular custom, addressed above in fn. 3]. However, it is arguable that this allowance only exists when Shabbos has been accepted through candle lighting; when the husband accepts Shabbos in prayer, however, his family might be bound by his acceptance. Indeed, this point is made in Peri Megadim in Mishbtzos Zahav 263:1. [The Peri Megadim argues the head of the household affects the rest of the family but he concedes that a woman lighting Shabbos candles does not affect her family, as her acceptance of Shabbos did not occur through prayer. It is interesting to note that the Peri Megadim considers the woman also to have the status of "head of the household", a point echoed in Levushei Serad (in his comments on Taz O.C.263:1), but not shared by any later authorities].

The Alter Rebbe (263: 11) allows for a situation of a husband who has accepted Shabbos while his wife is still engaged in *melacha*. One could have similarly argued that this only applies to other forms of Shabbos acceptance; once Shabbos has been accepted through prayer, the wife might be bound by her husband's acceptance, just as individuals are bound by the community's acceptance of Shabbos through prayer. However, from the comments of the Alter Rebbe (addressed previously in fn. 28), it is apparent that **other** methods of Shabbos acceptance also trigger the community's effect on the individuals. If the effect of the husband on the wife parallels the community's effect on the individuals, we are perforce led to the conclusion that the Alter Rebbe would not accept the notion of the wife and children being bound by the husband's acceptance of Shabbos.

It is, however, likely, that even according to the Alter Rebbe, acceptance of "*tosefes Shabbos*" (in contrast to *itzumo shel yom*) by the community may not affect all other individuals (see above fn. 26). Hence, a husband's acceptance of Shabbos might be binding on his wife and children if it too is an acceptance of *itzumo shel yom*. The comments of the Alter Rebbe allowing a woman to be engaged in *melacha* after her husband accepted Shabbos might be addressing a situation where there was merely an acceptance of *tosefes Shabbos*.

39. According to the lenient opinion, the woman would not be affected by the status of her husband. This creates a serious problem: In towns where most communities accept Shabbos early, there are often men who daven at a later minyan, while the household members follow in their footsteps and accept Shabbos later too. If we follow the position that the woman is not affected by the status of her husband, she should really accept Shabbos at the time when most of the town accepts Shabbos, regardless of when her husband accepts Shabbos.
40. See above fn. 27.
41. One must ensure to bring the word-total of Shema to 248 (the number of positive mitzvos), as is done with the Shema recited in the course of ordinary prayer (Hayom Yom 28 Adar I). This is achieved, according to Chabad custom, by repeating the words *Ani Hashem elokeichem*.

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One cannot rely on the recital of *Kerias Shema al hamita* before retiring to bed to qualify as the biblical mitzvah of reciting Shema in the evening, unless he is accustomed to do so throughout the week as well, i.e. he **always** davens Maariv early and intends to fulfill the Shema obligation through reciting *Kerias Shema al hamita*. (AR Kuntres Acharon 267:1)

5. KIDDUSH / MEAL

Another issue related to accepting Shabbos early is the timing of Kiddush and the Shabbos meal⁴². Once it gets "close" to dark, i.e. half an hour before nightfall⁴³, one should not begin a meal before saying Shema. This halacha applies during the week as well. However, whereas during the week many people are lenient in this matter, relying upon other mitigating factors, on Friday night these factors normally do not exist⁴⁴. In other words, if one has not made Kiddush by this time, he **must** wait until dark, say the Shema, and **then** make Kiddush (AR Shulchan Aruch 267:4). The idea is to say Kiddush well enough in advance so that one does not even enter the time-range of half an hour before nightfall⁴⁵.

One should also take into account that the standard custom is to refrain from making Kiddush⁴⁶ on Friday nights between (according to daylight saving time) 7pm & 8pm⁴⁷ (AR Shulchan Aruch 271:3).

When people begin their first Shabbat meal before nightfall, it is recommended that they continue the meal - eating a *kezayis* of challah - after nightfall (AR Shulchan Aruch 267:3).

6. PROS & CONS

The custom to usher Shabbos in early has existed in many communities for centuries⁴⁸. It is a fulfilment of *tosefes Shabbos* and, therefore, an enhancement of Shabbos. It can also enhance one's *oneg Shabbos*,

42. Some communities considered the option of accepting Shabbos after *pelag hamincha*, eating the meal with the family and then davening Maariv with a later minyan. This allows people to daven Maariv *bizemana* after nightfall, while still joining the family for the meal earlier on in the day. Although this is technically permissible (AR Shulchan Aruch 271:9), provided that the meal begins at least one half hour before nightfall (as explained further), it is not recommended. One should endeavour to perform the mitzvos in the correct sequence, in light of the spiritual ramifications of the mitzvos discussed in Kabbalah (See Kaf Hachayim 271:22 & 271:3. Sefer Hasichos 5704 p. 39 fn. 25 addresses the personal opposition of the Rebbeim to this practice. See Hisvadiyos 5748 vol. 1 pg. 319 that eventually this ceased to be practiced within Chabad altogether).

[Although from a halachic point of view, the consensus is clearly in favour of this arrangement, there are those who object to this from a halachic point as well (See Maaseh Rav 117 & Pe'ulas Sachir ibid. For possible explanations of this position – see Si'ach Tefilla p. 596)].

43. Common custom is to calculate this half hour according to standard hours rather than halachic hours. [From AR Kuntres Acharon 291:1 however, it appears that this half hour should be calculated in the same fashion as the half hour after midday, the earliest time for Mincha. Although opinions differ with regard to method of calculation for the half hour after midday, the weight of opinion and evidence seems to be shifted towards calculating it in halachic hours (See Shaar Hatziyon 233:8. For further elaboration – see Si'ach Tefillah p. 553).

44. During the week some individuals have a set time for davening Maariv at a late minyan, thus allowing them to eat before Maariv, without the concern of forgetting to daven. When davening early on Friday night before the appropriate time for Shema, this leniency does not exist. Likewise, during the week, a shomer who is not joining the meal can be appointed to remind everyone to recite Shema on time. When eating together as a family on Friday night, this is often impractical.

45. There are grounds for leniency in beginning the meal during this time *be'sha'as hadchak*, in case of a desperate need e.g. the lights will go out before nightfall (AR Shulchan Aruch 267:4), or in a case where one appoints a *shomer*, who is **not** joining the meal, to remind everyone to recite Shema on time.

46. Some are under the mistaken impression that this custom only applies when making Kiddush on red wine. Nothing can be further from the truth. This is a fallacy which has absolutely no Torah source. For a thorough discussion (if at all necessary), rejecting this mistaken premise, see Kovetz Tiferes Yehuda Kalman pp. 326-332.

47. For the correct method of calculating this time, see Shaarei Halocho U'minhog I pp. 267-268.

In Sydney, this is equivalent to **6.55pm-7.55pm**. For an explanation on this matter, see Kitzur Halachos Mishulchan Aruch Adhaz §271 fn. 12.

48. See Terumas Hadeshen §1. See also Tosafos Berachos 2a s.v. *m'eimosai*. In later times – Bi'ur Halachah 60:5 s.v. *v'chein* and

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as mentioned earlier, by allowing for *se'udas Shabbos* to be at an hour where the young children can join the family at the table. It can also be an enhancement of *shalom bayis* (See Chayei Odom 6:1. Maase Rav Hachodosh p. 22)⁴⁹.

But it should not involve compromising the standards of davening and other halachic matters. If people are "sloppy" about these issues, they make the taking of Shabbos early less than ideal.

Many communities, especially in Chasidic circles, do not begin Shabbos early under any circumstances⁵⁰. There are several halachic reasons⁵¹ for their stance. Amongst them: The opinion (See Bi'ur Halacha 235:1 s.v. *ve'im*) that even on Friday night Ma'ariv should be davened only after nightfall. Although the Shema will be repeated later, it is not ideal. Furthermore, it becomes too easy to forget to repeat the Shema after dark.

Also, it is a long standing Chassidic custom, practised in Lubavitch communities worldwide, to dedicate time for the study of Chassidus on Friday night before Kabbolas Shabbos, during both summer and winter⁵².

There are a number of specific situations where some *poskim* recommend that Shabbos not begin early.

- When Rosh Chodesh falls on Friday night, it is questionable whether *Yaaleh v'yavo* can be said before Shabbos proper begins (Eretz Tzvi 1:25 quoting the Imrei Emes. See also Teshuvos V'Hanahagos 1:87).
- One who is commemorating a Shabbos *yahrtzeit* by reciting *Kaddish* and serving as the *shaliach tzibbur*, should do so on Shabbos proper and not on the extended period of Shabbos (Chelkas Yaakov 3:149).
- A bar-mitzvah boy who is turning thirteen on Shabbos should wait until he becomes a certified adult - which does not take place until Shabbos proper sets in (AR Shulchan Aruch 53:13) - before reciting Shema and davening Ma'ariv (Minchas Yitzchak 10:17).

The common theme here is that starting Shabbos early means that one accepts upon himself all the halachos of Shabbos; it does not necessarily mean that it is no longer Friday and the calendar day of Shabbos has begun⁵³. Hence, during the days of the Omer, when one accepts Shabbos early he should not count the Friday night Omer until after nightfall, or at least after sunset (AR Shulchan Aruch 489:12 & 13).

Aruch Hashulchan O.C.235:8 and 267:8.

49. The Mogen Avrohom 267:1 adds another positive spin to taking Shabbos early. He points out that Maariv corresponds to the sacrificial burning of fats which took place at night. Since on Friday, the burning had to be done before Shabbos, we daven Maariv earlier on Friday evening, to match the corresponding sacrificial service.

This is not a perfect match because we are beginning Shabbos at that point, and the sacrificial burning was specifically done before Shabbos. [According to this logic we should be consistent and daven Maariv early on Friday throughout the entire year!]

50. See also Kovetz Teshuvos 1:23. Shemiras Shabbos K'hilchosos II ch. 43 fn. 63.

51. It is also not consistent with Kabbalah & the custom of the Arizal (Kaf Hachayim 267:1 & 267:3).

52. See Ketzos Hashulchan ch. 77 fn. 15 and *hashmatos* for precedents in the Talmud. Igros Kodesh 15:5717 advocates this custom too.

53. Likewise, a woman who failed to make her *hefsek taharah* before ushering in the Shabbos may, *b'diavad*, do so until sunset (Piskei Dinim 196:3). A baby born on Friday evening before sunset but after the parents began Shabbos will have his bris the following Friday morning. His bar mitzvah, and a girl's bas mitzvah, will be based on the Friday birth date. Similarly, if someone died on Friday before sunset but after Shabbos was begun, their *yahrtzeit* will be held on the Hebrew date of that Friday (Pischei Teshuvah Y.D. 375:6). Concerning sitting shiva, however, the halacha is that a mourner who found out about the death of a relative after davening Ma'ariv, does not start sitting shiva until the following morning (Y.D. 375:11 and Shach 14).