

AN EARLY START TO SHABBOS:HOW AND WHEN

by Rabbi Doniel Neustadt

During the summer months, when the sun sets late in the evening, it is common practice in many communities to daven Ma'ariv and begin Shabbos early, long before sunset. There are a number of halachic issues associated with this practice that require review and clarification.

IS IT "PROPER" TO BEGIN SHABBOS EARLY?

The idea of extending the Shabbos by ushering it in earlier than required has its roots in the Biblical mitzvah of tosefes Shabbos.(1) Indeed,as far back as the Rishonim Shabbos was ushered in early,(2)and the custom persisted in many European communities for centuries.(3) As we will explain, the poskim even permitted davening Ma'ariv before its proper time in order to begin Shabbos earlier. Many people feel that an early Shabbos enhances their oneg Shabbos and shalom bayis as it allows the family to enjoy the Shabbos meal at a reasonable hour and thus be imbued with the spirit of Shabbos.(4)

Nowadays, early Shabbos begins when the congregation recites mizmor shir l'yom ha-Shabbos in shul. Once that psalm is recited, it is considered as if Shabbos in all its aspects has begun even though it is still bright daylight outside.(5) Thus one may no longer daven the Friday Minchah,(6) but instead, he may daven Shabbos Ma'ariv, recite Kiddush and eat the Shabbos meal.(7) Obviously, he may no longer transgress any of the forbidden Shabbos Labors, neither Biblical nor Rabbinic.(8) It is permitted, however, to instruct a non-Jew - or even another Jew who has not yet begun Shabbos - to do a forbidden Shabbos Labor on his behalf.(9)

Women accept Shabbos when they light the Shabbos candles at home. L'chatchilah, they should daven the Friday Minchah before lighting candles,(10) but b'diavad they may rely on the poskim who permit women to daven Minchah even after lighting candles.(11) Note: Starting Shabbos early means that one accepts upon himself the sanctity and all of the halachos of Shabbos; it does not necessarily mean that it is no longer Friday and the calendar day of Shabbos has begun. Therefore:

1. The Friday evening Kerias Shema, which was recited during Ma'ariv, must be repeated at home after tzeis ha-kochavim, since the evening Kerias Shema is invalid if recited before nightfall.(12)
2. The Shabbos Sefiras ha-Omer should not be counted until night falls, (13) so one should count the omer at home after tzeis ha-kochavim. B'diavad, though, some poskim hold that if the omer was counted before nightfall, it is a valid count, and the counting may continue on the following days with a blessing.(14)

3. B'diavad, Friday's Sefiras ha-Omer may be counted [without a blessing] after davening Ma'ariv on Friday night, if it is not yet sunset.(15)
4. A woman who failed to make her hefsek taharah before ushering in the Shabbos may, b'diavad, do so until sunset.(16)
5. A baby born on Friday evening before sunset but after the parents began Shabbos, will still have his bris the following Friday morning. His bar mitzvah, and a girl's bas mitzvah, will be based on their Friday birth date.
6. The yahrtzeit of a parent who died on Friday before sunset but after Shabbos was begun, will be held on the Hebrew date of that Friday.(17)

HOW EARLY MAY SHABBOS BEGIN?

Early Shabbos may begin at any time after plag ha-minchah. Shabbos candles which were mistakenly lit before plag ha-minchah are not valid even b'diavad;(18)they must be extinguished and rekindled, and the proper blessing repeated.(19)One who davened Ma'ariv before plag ha-minchah must repeat his Ma'ariv.(20)

WHEN IS PLAG HA-MINCHAH?

While it is agreed upon that plag ha-minchah takes place one and a quarter seasonal - a seasonal hour is one twelfth of the day - hours before the end of the day, there is disagreement as to what exactly is considered "day." Some poskim(21)maintain that the day begins at alos ha-shachar and ends at tzeis ha-kochavim. Plag ha-minchah, then, is an hour and a quarter before tzeis ha-kochavim.(22)But others(23)hold that "day" begins at sunrise and ends at sunset, which makes plag ha-minchah an hour and a quarter before sunset. Most calendars and luchos have adopted the second opinion as basic halachah,(24)and this is the custom today in many communities.(25)

HOW MAY ONE DAVEN MA'ARIV BEFORE SUNSET? ISN'T THIS THE TIME FOR MINCHAH?

On weekday nights, one should not daven Ma'ariv before sunset since this is the time designated for davening Minchah. Since each of the tefillos has its own time slot, davening Minchah and Ma'ariv during the same time period in the day is considered a "contradiction" which should be avoided. Still, on Friday night, most poskim permit davening Ma'ariv even before sunset, since by doing so we are gaining the benefit of extending the Shabbos.(26)But in order to avoid a direct contradiction with Minchah, the poskim suggest that Minchah be davened before plag ha- minchah and Ma'ariv after plag ha-minchah, thus retaining for each of the tefillos an exclusive time period. L'chatchilah, one should make every effort to follow this ruling.(27)For technical reasons, however, congregations sometimes find this time-frame difficult to adhere to, and they daven both Minchah and Ma'ariv after plag ha-minchah on Friday night. Some poskim have found grounds to justify this practice.(28)

IF A COMMUNITY OBSERVES THE EARLY SHABBOS MUST EACH INDIVIDUAL COMPLY WITH THE EARLIER ONSET OF SHABBOS?

Yes. In a small community, e.g., a Yeshiva, camp, hotel or bungalow colony that has only one congregation which ushers the Shabbos in early, all members of the community are obligated to begin Shabbos at that time. (29) But in communities which feature several congregations, some of which accept Shabbos early and others which do so on time, each household may join the congregation of its choice with the following provisions:

- An individual must accept the Shabbos at the time "his" congregation does. "His" congregation means the shul where he is planning to daven this Friday night.(30) An individual may rotate from week to week, sometimes beginning Shabbos early and sometimes on time.(31)
- Although an individual must refrain from transgressing any forbidden Shabbos labors once the community Shabbos begins, he may still privately(32) daven the Friday Minchah.(33)
- A temporary or a permanent minyan which meets in a private home is not considered a separate congregation. Therefore, a private minyan may not make Shabbos on time if the rest of the community accepts Shabbos early. (34)
- Many poskim hold that if a husband accepts Shabbos early, his wife and children must do so as well.(35) Others hold that a wife and children may accept Shabbos whenever they wish regardless of when the husband or father began the Shabbos.(36)
- Poskim debate the status of a shul where the majority of the congregants wants to accept the Shabbos early and a minority wants to make a second minyan in the same shul which will begin Shabbos on time. Some authorities do not allow for such an arrangement,(37) while others are more lenient. (38)

WHAT IS THE RATIONALE FOR NOT BEGINNING SHABBOS EARLY?

Many communities, especially in Eretz Yisrael and in Chasidic circles, do not begin Shabbos early under any circumstances.(39) There are several halachic reasons for their stance. To name but a few: The opinion of the Gaon of Vilna(40) and other poskim, that even on Friday night Ma'ariv should be davened only(41) after tzeis ha-kochavim.(42) As stated earlier, there is a difference of opinion as to the exact time of plag ha-minchah. According to the first opinion quoted, plag ha-minchah is actually much later than the one which is published in most calendars. Thus a woman who lights candles after the earlier plag but before the later one, and men who daven Ma'ariv and recite Kiddush at that time, subject themselves to a possible brachah l'vatalah.(43) Some opinions hold that the Shabbos meal must be eaten on Shabbos proper, not on the extended part of Shabbos.(44) In addition to the basic rationale for starting Shabbos on time, there are a number of specific situations where some poskim recommend - as an extra stringency - that Shabbos not begin early. Among them:

- When Rosh Chodesh falls on Friday night, it is questionable whether or not yaaleh v'yavo can be said before Shabbos proper begins.(45)
- One who is commemorating a Shabbos yahrtzeit by reciting Kaddish and serving as the sheliach tzibbur, should do so on Shabbos proper and not on the extended period of

Shabbos.(46)

- 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 - before reciting Kerias Shema and davening Ma'ariv.(47)

FOOTNOTES:

1 See O.C. 261:2 and Beirur Halachah (s.v. yesh). [Although not all Rishonim require tosefes Shabbos, all would agree that one may begin Shabbos early; see explanation in Meishiv Davar 1:18.]

2 See Terumas ha-Deshen 1. See also Tosfos, Berachos 2a (s.v. m'eimosai).

3 As is reported by Beirur Halachah 60:5 (s.v. v'chein) and Aruch ha-Shulchan 235:8 and 267:8.

4 See Chayei Adam 6:1.

5 The poskim debate whether an early Shabbos is considered Shabbos min ha-Torah or only mi-derabanan; see Rav Akiva Eiger's commentary to Magen Avraham 253:26 and Beirur Halachah 261:2 (s.v. miplag).

6 O.C. 263:15.

7 O.C. 267:2.

8 O.C. 261:4. Once Shabbos was accepted [by reciting mizmor shir] it cannot be retracted in any way; see Minchas Shabbos (Minchah Chadashah 76:1); Aruch ha-Shulchan 263:28 and Kaf ha-Chayim 263:22.

9 O.C. 261:1 and 263:17.

10 Mishnah Berurah 263:43.

11 See Minchas Yitzchak 9:20 and Shemiras Shabbos K'hilchasah 43, note 128.

12 Mishnah Berurah 267:6.

13 See O.C. 489:3 and Beirur Halachah (s.v. v'yevarech) and Aruch ha-Shulchan 489:7.

14 See Beirur Halachah 489:3 (s.v. mi-beod yom). See Shraga ha-Meir 6:41 who quotes some Rishonim who did so even l'chatchilah.

15 Igros Moshe O.C. 4:99-3.

16 Chochmas Adam 117:5; Aruch ha-Shulchan Y.D. 196:21.

17 Pischei Teshuvah Y.D. 375:6. Concerning sitting shivah, however, the halachah is that a mourner who found out about the death of a relative after davening Ma'ariv, does not start sitting shivah until the following morning; Y.D. 375:11 and Shach 14.

18 Mishnah Berurah 261:25 and 263:18

19 Beiur Halachah 263:4 (s.v. kodem).

20 Mishnah Berurah 267:4. See Aruch ha-Shulchan 263:19 for a dissenting opinion.

21 O.C. 263:4 as explained by Mishnah Berurah 19.

22 According to this opinion, the day beginning with alos ha-shachar and ending with tzeis ha-kochavim is divided into twelve parts, and one and a quarter parts before tzeis ha-kochavim is plag ha-minchah. But the exact moment of plag ha-minchah will depend on two more unresolved factors: 1) When, exactly, is alos ha-shachar - is it always 72 minutes before sunrise, or is it when the center of the sun is 16.1 degrees below the horizon-2) When, exactly, is tzeis ha-kochavim, is it 42, 50, 60 or 72 minutes after sunset?

23 This is the view of the Levush and strongly endorsed by Beiur ha-Gra O.C. 459.

24 While Chaye Adam 33:1 and Mishnah Berurah 233:4, 261:25, 263:19 and 443:8 quote both views without rendering a clear decision, Shulchan Aruch ha-Rav 443:4, Kitzur Shulchan Aruch 69:2 and Aruch ha-Shulchan 233:14, 267:3 and 443:5 rule in accordance with the second opinion.

25 Harav M. Feinstein (oral ruling, quoted in Sefer Hilchos Chanukah, pg.21). See Minchas Yitzchak 4:53.

26 O.C. 267:2. See Magen Avraham for an additional reason to distinguish between Friday night and weekday nights.

27 See Mishnah Berurah 267:3. Note, however, that Kitzur Shulchan Aruch does not mention this preferenca altogether, which explains why many communities are lax about davening Minchah before plag.

28 See Mishnah Berurah 233:11, Kaf ha-Chayim 233:12 and Ketzos ha-Shulchan 77:3. But only congregations are entitled to do so; individuals who davened Minchah after plag may not daven Ma'ariv until after sunset.

29 O.C. 263:12-13. See Igros Moshe O.C. 3:38 who questions - and remains undecided - whether or not this ruling applies nowadays, when accepting early Shabbos is made for the sake of convenience, and not for the sake of extending the sanctity of Shabbos. But other poskim, including Harav S.Z. Auerbach (addendum to Shulchan Shelomo O.C. 263, pg. 22), Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak vol. 8, pg. 234) and Shevet ha-Levi 7:35, reject this distinction.

30 Sha'ar ha-Tziyun 551:56.

31 Shulchan Aruch ha-Rav 263:19. See, however, Machatzis ha-Shekel 263:24 who holds that one is obligated to accept Shabbos at the time designated by the congregation where he regularly davens (even if he davens elsewhere that particular week). Harav Y.S. Elyashiv is quoted (Shevus Yitzchak,

vol. 8, pg. 237) as ruling that an individual who regularly davens with the early minyan in his shul must accept early Shabbos even if he is planning to daven in a later minyan which will meet in the same shul.

32 In his home or in the shul hallway.

33 O.C. 263:15 and Be'ur Halachah (s.v. shel). See explanation in Chayei Adam 33:4.

34 Mishnah Berurah 263:51. For a definition of a congregation, see Be'ur Halachah 468:4 (s.v. v'chumrei).

35 Mekor Chayim 263:17; Pri Megadim Mishbetzos Zahav 263:1; Aruch ha-Shulchan 263:22; Ketzos ha-Shulchan 76 (Badei ha-Shulchan 5); Shevet ha-Levi 7:35.

36 See Teshuvos R' Yonasan Shteif 42; Igros Moshe O.C. 3:38; Be'er Moshe 2:16.

37 Minchas Yitzchak 1:24; 10:20-2. See also Igros Moshe O.C. 5:15 and She'arim Metzuyanin B'halachah 75:1.

38 Be'er Moshe 2:19; Harav Y.S. Elyashiv (oral ruling, quoted in Shevus Yitzchak, vol. 8, pg. 237).

39 Indeed, Harav Y.S. Elyashiv (Koveitz Teshuvos 23) writes that he advises against making Shabbos in Eretz Yisrael early except in special cases. This also seems to be the view of Harav S.Z. Auerbach; see Shemiras Shabbos K'hilchasah 43, note 63.

40 Ma'asei Rav 15, quoted in Be'ur Halachah 235:1 (s.v. v'im).

41 Even if it menas davening with no minyan.

42 Still, in order to satisfy this opinion, one can begin Shabbos early and daven Ma'ariv after Kiddush and the Shabbos meal; Mishnah Berurah 271:11. See Ma'asei Rav 117 and Peulos Sachir.

43 See Mishnah Berurah 261:25 who seems to rule like the second opinion only l'chumrah but not l'kulah.

44 Mishnah Berurah 267:5.

45 Eretz Tzvi 1:25 quoting the Imrei Emes. See also Teshuvos v'Hanahagos 1:87.

46 Chelkas Yaakov 3:149.

47 Minchas Yitzchak 10:17.

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