



Parshas Pekudei 5765

March 11, '05

Volume IV Issue 23

If I accepted Shabbos before sunset, may I instruct a fellow Jew to perform a melacha?

The *halacha* is that even though one has accepted Shabbos, one may instruct a fellow Jew, who has not yet accepted Shabbos, to perform even a *melacha d'oraissa*.¹ This is also true for a woman who has lit candles and has thus accepted the Holy Shabbos. In such a case a woman may ask her husband or children, who have not yet accepted Shabbos, to light a fire on the gas range, turn on the lights in the house or anything else she has not as yet performed before lighting the candles. This is conditional in that the *tzibur* have still not accepted Shabbos.

May one who keeps Rabeinu Tam² after Shabbos tell a fellow Jew to perform a melacha during that time?

It would depend on the nature of this person's acceptance of Rabeinu Tam. If one holds the time of R' Tam to be the main *halacha*, one may not tell a fellow Jew to violate the Shabbos, because as far as the person is concerned it is still Shabbos.³ If however one merely accepted R' Tam as a *chumra* (a stringency) not to perform *melachos d'oraissa* (biblical violations) one may tell a fellow Jew who does not keep R' Tam to perform even a *melacha d'oraissa*, because instructing another person to do a *melacha*,

¹ *Simon* 263:17 and *M"B* 64. See also the *SS"K* 46:21.

² According to R' Tam it is only nighttime 72 minutes after sunset, which means that Shabbos is out later than the accepted custom.

³ See *SS"K* 46 footnote 105.

even on Shabbos, does not amount to the violation of a *melacha d'oraissa*.

What am I to do if I need to do a melacha and I have already accepted Shabbos?

It is obvious that one may not perform a *melacha* after accepting Shabbos. The question is whether one may annul one's Shabbos acceptance as long as it is not yet sunset.

The optimal solution in this case would be to tell someone else, who has not yet accepted Shabbos, to perform the *melacha* for you (provided that it is not very close to sunset, because from that time onwards *melachos* are forbidden unto all).

We must stress that this is a serious and complicated question and a rav must be consulted. Our intention is merely to present the various opinions on the matter.

If however it is something that one must attend to personally, it would depend on the understanding of "*kabalas Shabbos* – accepting Shabbos". If *kabalas Shabbos* has the status of an oath, in other words it is as if one made an oath not to perform *melachos* before Shabbos, the *halacha* is that an oath can be annulled before three men (a *beis din*) and in compliance with the *halachos* of annulling an oath. Accordingly, there would be a solution to annulling one's *kabalas Shabbos*, which would permit one to perform a *melacha*.⁴ However it has been accepted that the acceptance of Shabbos is more

⁴ See the *SS"K* 46 footnote 11.

severe than an oath and it cannot be annulled.⁵

What is the halacha if I accepted Shabbos and then remembered that I have not davened mincha as yet?

This too would depend on the understanding of *kabalas Shabbos* but from a different aspect. The *Shulchan Aruch HaRav* understands⁶ that one's personal *kabalas Shabbos* is an acceptance to refrain from performing *melachos* but that it is not really Shabbos. As a result one may still *daven mincha*, being that it is still Friday.⁷ From the *Mishna Berura*⁸ we see that a woman who lit Shabbos candles may not *daven mincha* afterwards, which leads us to understand that *kabalas Shabbos* carries more weight than merely refraining from performing *melacha* and it is as if one has accepted the actual Shabbos. According to this opinion one may not *daven mincha* after accepting the Shabbos.⁹

The final word is that one must not accept Shabbos before *davening mincha* and if one has accepted Shabbos, since there are a difference of opinions, one should ask one's rav what to do.

What can I do if I arrive late at shul and the tzibur has already accepted Shabbos but I have not yet davened mincha?

You are permitted to *daven mincha* but you should not *daven mincha* in front of the people that have already accepted Shabbos. You should enter a side room to *daven mincha*. The reason for this is because it is not right to act in a weekday fashion before a *tzibur* who have already accepted Shabbos.

⁵ HaRav Sternbuch shlita.

⁶ *Simon* 261 in the *Kuntres Acharon* 3.

⁷ He writes that *kabalas Shabbos* of the *tzibur* is more severe, see inside.

⁸ *Simon* 263:43.

⁹ See the *SS"K* 46:5 and footnote 28, and *SS"K* 43 footnote 128.

We must stipulate that this only applies when you yourself did not answer *Barchu* or *Mizmor Shir* together with the *tzibur*; because if you did, it is Shabbos for you as well and you may not *daven mincha*.¹⁰

Did you not teach us that if the tzibur has accepted Shabbos the individuals follow suit, so how may I daven mincha after they have accepted Shabbos.

Indeed the individual follows suit but only with regards to abstaining from performing *melachos*. With respect to *davening* as long as the individual has not accepted Shabbos by answering to *Barchu* etc. he may still *daven mincha*.¹¹

Vort on the Parsha

The *passuk* says that Moshe raised the *Mishkan* (40:18) yet the *Midrash* explains that it was too heavy for even Moshe to lift up and *Hashem* raised the *Mishkan* through a miracle. The question is that if so why does the Torah say that **Moshe** raised the *Mishkan*? The answer, says Rav Sternbuch, is that Moshe Rabeinu did all he could to raise the *Mishkan* and from that point on *Hashem* intervened. This is to teach us that even when some things seem impossible to do, we must put in every effort to complete it and see it through. It is from that point onwards that we might receive *siyata dishmaya* to complete it.

Food For Thought

May one dally before making Kiddush on Friday night?

Can a woman make Kiddush for a man?

What does wine have to do with Kiddush and havdalah?

Answers coming be"H next week.

¹⁰ *Shulchan Aruch simon* 363:15 and *M"b simon* 363:60.

¹¹ *Bi'ur Halacha simon* 363:15 ד"ה של חול.

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Note: The purpose of this series is intended solely for the clarification of the topics discussed and not to render halachic decisions. It is intended to heighten everyone's awareness of important practical questions which do arise on this topic. One must consult with a proper halachic authority in order to receive p'sak.