The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן רס"ג סעיף י"א-י"ד

Overview

Siman 263 Seif 11:

If an individual davens Shabbos davening while yet day, it is prohibited for him to perform melacha even though the community did not yet daven and he asserts that he did not wish to accept Shabbos.

- This applies only after plag hamincha. (M.B. 49)
- Once one davens and mentions Shabbos his acceptance is not even subject to a stipulation. (M.B. 50)

Siman 263 Seif 12:

If the majority of the tzibbur accepted Shabbos the minority is drawn after them against their will.

- If the majority of the tzibbur was not in the bais haknesses they are not drawn after the minority that accepted Shabbos. Similarly, in a city that has more than one bais haknesses, members of one are not drawn after the other but a minyan in one's home is drawn after the city's majority even if the minyan meets regularly. (M.B. 51)

Siman 263 Seif 13:

If someone arrives in a city on erev Shabbos and the tzibbur already accepted Shabbos, even though it is yet day, if he has money or other objects on him he must allow them to fall.

- In other words, he should go to a room and should allow it to fall there where it will be safe. (M.B. 52)

Siman 263 Seif 14:

If, on a cloudy day, the tzibbur erred and thinking it was dark kindled lights and davened ma'ariv and subsequently, the clouds dispersed and the sun shined, the tzibbur does not have to daven again as long as they davened after plag hamincha. If it was an individual who erred he must daven again. Regarding melacha a tzibbur as well as an individual are permitted to perform melacha since their acceptance of Shabbos was done in error. Some authorities contend that those who kindled lights are prohibited to perform melacha but everyone else is permitted. Some authorities maintain that the candle that was lit for Shabbos may not be touched nor may additional oil be added and even after it is extinguished it is prohibited for someone to touch it.

- We do not trouble the tzibbur even though they accepted Shabbos in error. (M.B. 53)
- The same Halacha is true if this takes place during the week. (M.B. 55)
- This applies even though they have not yet davened but had he not even kindled lights, even though he davened, since it was done in error it is not considered an acceptance. Later authorities write that accepting Shabbos in error by davening is binding except that the minority does not follow the majority in this regard since the acceptance was made in error and one should not be lenient against the position of these Poskim. In a circumstance of need one may rely on the first opinion cited in Shulchan Aruch. (M.B. 56)
- This applies even to one who did not yet kindle Shabbos lights and the reason is that he maintains that an acceptance of Shabbos in error is binding but if necessary for a mitzvah, one may be lenient. Pri Megadim writes that one who kindles a light while it is day and stipulates that he does not wish to accept Shabbos, the light is nevertheless set aside for the mitzvah and may not be used for a weekday purpose and it is prohibited for others as well. (M.B. 57)

Halacha Highlight

Accepting Shabbos together with the tzibbur

Shulchan Aruch Siman 263 Seif 12

המעוט נמשכים אחריהם על כרחם

The minority is drawn after them against their will

Shulchan Aruch (סעי' י"ב) rules that once the majority of the residents in town accept Shabbos, the minority of residents are drawn into Shabbos as well. Mishnah Berurah (סי"ק נ"א) adds that in a city that has more than one bais haknesses, the members of one bais haknesses are not drawn into Shabbos by virtue of the acceptance of Shabbos in the other bais haknesses even if that bais haknesses contains the majority of residents in town. Poskim write that generally a person is drawn after the bais haknesses in which he regularly davens and once that tzibbur accepts Shabbos via the recitation of בואי בשלום it becomes Shabbos for him as well even though he is still in his home. According to Shulchan Aruch HaRav, if a person is home and the majority of residents in town have not yet accepted Shabbos, he is not drawn into Shabbos even though in the bais haknesses where he regularly davens they accepted Shabbos. However, once he arrives in his bais haknesses where they already accepted Shabbos it is considered Shabbos for him even though most people in town have still not yet accepted Shabbos (פסקי תשובות אות ל"ט).

In a circumstance in which one regularly davens in one bais haknesses but on one particular week he intends to daven elsewhere, his acceptance of Shabbos is determined by the bais haknesses where he intends to daven that week. In those batei knesiyos in which they have an early minyan and a late minyan, if one intends to daven at the later minyan he is not drawn into Shabbos by the acceptance of Shabbos by the early minyan even if that is the main minyan in the bais haknesses. However, the second minyan should not be held in the same place as the first minyan. Teshuvas Minchas Yitzchok (שו"ת מנחת יצחק ח"א סי' כ"ד), however, wrote that if all of the people who davened at the early minyan have left, it is perfectly acceptable for the second minyan to daven in the same place where the first minyan davened (פסקי תשובות שם והע' 364).