

Erev Shabbos Parshas Bamidbar 5783

**Early Shabbos on Second Day Yom Tov**

The Shulchan Aruch (Orach Chaim 503, 1) says that it is prohibited to prepare from the first day of Yom Tov to the second day of Yom Tov. The reason for this is that the two days of Yom Tov are considered to be two separate days, and not one long day. In fact, the second day is not Biblically a Yom Tov, but was instituted by Rabanan because of Sfeika D'Yoma: In previous generations, communities far from Eretz Yisroel did not receive the Kiddush Hachodesh decision early enough to know when the Yom Tovim occurred. Because of the doubt, they kept two days of Yom Tov. Today we continue this custom. However, since the second day of Yom Tov is not a biblical Yom Tov, one may not prepare from the first day of Yom Tov to the second day, since it would effectively be preparing from Yom Tov to a weekday (see Mishna Berura Ibid. 3). According to one opinion in the Gemara, biblically, one may not prepare from Yom Tov to another day, even if the other day is Shabbos.

Because of this, the Levush (Siman 488) states that the custom is not to Daven Maariv on the second night of Yom Tov until nightfall ("Tzeis"), lest people start preparing for their meal immediately after Maariv, not realizing that it is still day. This custom is also brought down in the Mateh Efraim (599, 2) and in the Luach Ezras Torah in the name of Rav Henkin.

The contrary Halacha applies if the second day of Yom Tov is Shabbos, as will be true this coming Shavuos. When the second day is Shabbos, there is no concern that we might prepare on Yom Tov for a weekday, as one may make an early Shabbos and affectively "end" the first day of Yom Tov.

But there is a reason to specifically accept Shabbos early:

The Mishna Berura (527, 3) explains that although we make an Eruv Tavshilin to be able to prepare from Yom Tov to Shabbos, the Eruv is only a rabbinic institution. How does that "solve" the Torah prohibition of preparing from Yom Tov to another day? The answer is that biblically, one may prepare from Yom Tov to Shabbos because of the concept of הוֹאִיל. Because one may possibly have guests stop by, one may cook and prepare extra food for that possibility. However, this leniency was restricted by the Rabbis, and therefore we have Eruv Tavshilin. For the biblical prohibition we have "הוֹאִיל", and for the rabbinic prohibition we have the Eruv.

This is all fine and well when there is enough time on Yom Tov for guests to arrive. But if it is late in the day, and there is no time for guests to arrive, one does not have the biblical leniency of הוֹאִיל, and then he may not prepare food for Shabbos even if he made an Eruv.

Therefore, the Pri Megadim (Siman 527) and the Eliyah Raba (Ibid), bring that the custom is to accept Shabbos/Yom Tov early on a second day Yom Tov that falls on Shabbos, to prevent people from making prohibited preparations for Shabbos close to dark. This applies even for one who usually doesn't make an early Shabbos. When a second day Yom Tov falls on a Shabbos the custom is that all make an early Shabbos.

Just to end with one point: We discussed why generally the start of a second day Yom Tov should wait until nightfall. There are other reasons that pertain to specific Yomim Tovim. For example: On Pesach we wait for nightfall, because the Seder cannot be started early. This Halacha applies to both days. Similarly, on Succos (learned from Pesach), one should not start the Seudah until nightfall, and this Halacha, according to some opinions, applies to both days.

On Shavuos, we also have a Halacha not to start the first night of Shavuos until nightfall. The reason there is because one must count the entire Sefiras Ha'omer completely before Shavuos ("Temimos"). Hence one should not start Shavuos early (this applies specifically to Maariv and Kiddush) – see Mishna Berura (494,1). Does this apply to the second day of Yom Tov? We do not find such a requirement. The reason for this is simple. "Temimos" refers to Sefiras Ha'omer, and Sefira ended on the first night of Shavuos. Why then don't we count two Sefira counts each day because of Safek the same way we have two day Yom Tov? This is a question beyond the scope of this piece, but one answer based on the Rishonim is that counting cannot be done in doubt, counting must determine a finite number. If so, when we reach the second night of Shavuos we have no Sefira to complete and therefore there is no issue to accept Yom Tov early from this aspect (see Biur Halacha 639, 3).

To conclude: Usually the second night of Yom Tov should not begin before nightfall, and therefore the custom is to wait till nightfall for Maariv. When the second night of Yom Tov is Shabbos, the custom is the opposite, and one should accept an early Shabbos-Yom Tov.