

Second Day Yom Tov in the Diaspora

Introduction: What is Second Day Yom Tov?

The Jewish month (lunar calendar, new month when a new moon appears) is 29.5 days long but months can only be composed of full days (no half-days) so months can only be 29 or 30 days long. When (long ago) the new moon was seen over Jerusalem then a new month was declared by the court (*Sanhedrin*) and there was knowledge of how long the previous month actually was.

The length of Jewish holidays is fixed in the Torah. Traditionally, in the diaspora (*galut*, outside of Israel) the holidays of Sukkot, Shemini Atzeret / Simchat Torah, Passover and Shavuot are celebrated as two day long holidays (*yom tov*'s) whereas in Israel they are celebrated (as described in the torah) as one-day long holidays. This means that there can be five extra days of holidays in the diaspora compared with in Israel.

Reform Jews generally do not celebrate two days of yom tov. "The second days of the holidays ... have no longer any significance for our time ... if any congregations abolish ... these second days, they ... are thoroughly justified in their act." -

<http://www.reformjudaism.org/passover-7-or-8-days>

History

Mishnah Rosh Hashanah Chapter 2 (via Sefaria.org);

(1) If [the judges] didn't know [the witnesses], others were sent with him to testify about him. At first, testimony about the new moon was received from any one; [but] from when the heretics corrupted [and bribed witnesses to lie], it was ordained, that [testimony] should be received only of those witnesses who were known.

(7) The head of the court [then] said, "[The new moon is] consecrated"....

(2) At first, bonfires were lighted on the tops of the mountains [to transmit the appearance of the new moon]...

(3) ... [the court's agent] went to the top of the mountain, and lighted the fire ... until he could see his fellow, [and] that [the latter] was doing the same on the top of the next mountain; and so too, [this process was repeated with regards to the next fellow] on the top of the third mountain.

(4) ... until he could see the whole Diaspora in front of him [lit up] like a torch fire.

(2) ... but when the Cutheans [the Samaritans] corrupted [the process], it was ordained that messengers should be sent out.

Learning why Rosh Hashanah is two days everywhere will help explain why Sukkot, Shemini Atzeret / Simchat Torah, Passover and Shavuot are traditionally observed for two days in the diaspora.

Why is Rosh Hashanah two days long everywhere (Israel and the Diaspora)?

Practicality of when (i.e. what part of the day) witnesses came to testify (in Jerusalem) that they saw the new moon.

Babylonian Talmud Beitzah 4b – 5a (via <http://www.halakhah.com/pdf/moed/Beitzah.pdf>)

It was stated: [With respect to] the two Festival-days of the New Year, Rab and Samuel both say: [An egg] laid on the first day is forbidden on the second day. For we have learnt: In early times they [the Sanhedrin] admitted the testimony about new moon throughout the [whole] day. Once, however, the witnesses were late in arriving and the Levites erred in the chant. [In consequence] they enacted that they should only receive witnesses until minhah (afternoon prayer service), but if witnesses came from minhah onwards they observed [the remainder of] that day and the following day as holy.

(Rashi footnote #5 on 5a) Hence it was seen that the Sanhedrin itself under such conditions observed the New Year's Festival for two days even where there was no uncertainty; and the people outside Jerusalem would need to observe both the 30th and the 31st of Ellul (name of last month in the Jewish calendar) as New Year in case of such a contingency, so that the observance of two days for the New Year's Feast was an enactment of the Rabbis from the very beginning making two days one continuous day of holiness, and, therefore, an egg laid on the first day is prohibited even on the second.

(Rambam) Kiddush HaChodesh - Chapter Five via http://www.chabad.org/library/article_cdo/aid/947922/jewish/Kiddush-HaChodesh-Chapter-Five.htm

7. [Even] when the calendar was established based on the sighting of the moon, the majority of the inhabitants of *Eretz Yisrael* (land of Israel) would celebrate Rosh HaShanah for two days, because of the doubt involved. They would not know the day on which the court established the new month, because the messengers would not depart on the holiday.

8. Moreover, even in Jerusalem, where the court would hold session, there were many times when the holiday of Rosh HaShanah was celebrated for two days. For if

witnesses did not arrive on the thirtieth day [following Rosh Chodesh Elul], the day on which they had awaited [the arrival of] witnesses would be regarded as holy, and the following day would be regarded as holy.

(Chabad website) footnote #16: ... Generally, the court would endeavor to structure the calendar so that the moon would be sighted on the thirtieth night of Elul. In expectation of the probability that the following day would be declared Rosh HaShanah, the people would observe all the holiday prohibitions and sound the shofar on the thirtieth day. Nevertheless, since it was possible that the moon had not been sighted, the people outside the immediate surroundings of Jerusalem would observe the following day as well. See the Jerusalem Talmud (Eruvin 3:9) which states that the observance of Rosh HaShanah for two days was ordained by "the prophets of the earlier generations." Sotah 48b states that this term refers to the prophets of the First Temple era.

Why should we keep second day Yom Tov?

Babylonian Talmud Beitzah 4b (via <http://www.halakhah.com/pdf/moed/Beitzah.pdf>)

R. Zera said: Logic supports R. Assi; for we are now well acquainted with the fixing of the new moon and, nevertheless, we do observe two days. Abaye said: Logic supports Rab; for we have learnt: In early times they used to light bonfires, but on account of the mischief of the Samaritans the Rabbis ordained that messengers should go forth. Now if the [mischief of the] Samaritans ceased we would [all] observe only one day; and [even during the Samaritan mischief] wherever the messengers arrived they observed [only] one day. But now that we are well acquainted with the fixing of the new moon, why do we observe two days? — Because they sent [word] from there [Palestine]: Give heed to the customs of your ancestors (*minhag avoteikhem*) which have come down to you; for it might happen that the government might issue a decree and it will cause confusion [in ritual].

Donin, *To Be a Jew*, page 212:

If its observance only adds to the ... awareness that one is living in the galut ... this too is a very important awareness to preserve.

Bleich, *Contemporary Halakhic Problems Vol 1*, page 57-60:

... preserving the centuries-old unity of *Klal Yisra'el* ... *Yom Tov Sheni* – where the enactment is for purposes of erecting “a fence around the Torah” ... We ... are certain that *Yom Tov Sheni* will not be abrogated before the ingathering of the exiles. ... the Messiah himself, while in the *galah*, will observe *Yom Tov Sheni*!

Lamm, *Seventy Faces*, pages 69-71:

No authority, not even a reconstituted Sanhedrin ... could abolish their observance. ... when we observe the “Holiday of the Exiles”, we proclaim that we are not only children of God but also brothers to our fellow Jews in all ages. ... R. Moses Sofer (*Derashot Chatam Sofer to Bo*) declared that these days will be observed in the Diaspora forever, if only in remembrance of our bitter two thousand-year-old *galut*, just as we still observe tokens of our earlier exiles.

Lamm, *Sweet Exile*, page 6, 10:

(If non-orthodox Jews abandoned second day yom tov then) It drives a wedge between the Orthodox and other Jews of this country. We shall now be left alone to battle for our people to receive two days off for their holidays from schools and business offices and government. ... We observe the “Second Days” specifically to show that we are not in Israel and that we must aspire to go there ... is the rationale of the Yom Tov Sheni Shel Galuyot.

Why should we stop observing Second Day Yom Tov?

- Science. We know definitively when there will be a new moon.
- The original reason no longer applies.
- Burden of five more days away from work, school etc.
- Modern reliable communications.
- No interference from governments.
- Original reason was rabbinically decreed, not biblically-commanded.
- There are already many existing “wedges” between orthodox and other denominations.
- Relevance of Israel and the diaspora regarding this custom?

References

- Bleich, J. David, 1977. *Contemporary Halakhic Problems Volume 1*, Ktav Publishing House, Yeshiva University Press. Pages 56-60
- Cohen, Martin S, 2012. *The Observant Life*, The Rabbinical Assembly. Page 170
- Donin, Rabbi Hayim Halevy. 1972. *To Be A Jew*, Basic Books. Pages 210-212
- David Golinkin, Editor. 1997 *Proceedings of the Jewish Law and Standards Committee of the Conservative Movement 1927 – 1970, Volume Three: Responsa*. Pages 1228-1272 (Yom Tov Sheni Shel Galuyot by Aaron H. Blumenthal + Responsa)
- Klein, Isaac, 1992. *A Guide to Jewish Religious Practice*, The Jewish Theological Seminary of America. Pages 99-102
- Norman Lamm, 2002, *Seventy Faces: Articles of Faith Volume 2*, Ktav Publishing. Pages 68-72
- Norman Lamm, 1969. *Sweet Exile* - http://brussels.mc.yu.edu/gsd/collect/lammserm/index/assoc/HAS_H0160/d2aed66f.dir/doc.pdf