

**Shavuot:  
One Day or Two Days?  
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Class of 2017**

Originally published on My Jewish Learning in two parts ([part I](#), [part II](#))

I have lived in Israel for most of my life. Many mitzvot are only relevant in the land of Israel, but there is one question that only crossed my mind once I left my country. I had not contended with the issue of what to do when traveling abroad for a holiday. I knew that there were differing opinions but on the rare occasion when I did travel abroad, I followed a *psak*, *halakhic* ruling, to observe only one day of the holiday, while being careful not to do any *melakha*, prohibited activities, publicly in a Jewish community on the second day of the holiday.

However, this issue came to an abrupt head when I moved to the U.S. for a period of a few years to study at Yeshivat Maharat. During my first Sukkot in the U.S., I observed one day but felt an unsettling disquiet within. I was eventually able to put a name to it – I felt lacking in my halakhic integrity. As a future Maharat, it was time for me to do my own research and find out what was really going on behind the scenes of the *halakha*.

I had heard of a ruling requiring all Jews to observe one day while in Israel and two days when outside of Israel. This made sense to me as it matched the original customs observed within and without the land of Israel and seemed the best way to commemorate those customs.

### **Background**

The lunar month is either 29 or 30 days long. During the time of the Sanhedrin (supreme rabbinic court), Rosh Chodesh, the first day of the new month, was determined by eyewitnesses who actually saw the new moon. They would report to the Sanhedrin, which would then determine the date for Rosh Chodesh, and send out messengers to notify all the Jews living in Israel and in the diaspora of the appropriate date. These communities would then celebrate Sukkot and Pesach on the fifteenth of Tishrei and Nissan and subsequently count 49 days to Shavuot on the sixth of Sivan. The messengers always had enough time to reach the communities in Israel **before** the fifteenth of each month. However, the messengers would reach communities outside of Israel **after** the fifteenth of the month, which left them with a doubt as to the correct day to celebrate each holiday. They therefore observed two days of *chag*, just in case<sup>1</sup>.

Once the Jewish calendar was set (sometime between 400 and 500 CE), our sages instructed these same communities outside of Israel to continue observing two days of the holiday. This was so that

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<sup>1</sup> Beitza 4b: see Rashi who explains why two days were observed in the Diaspora as it was too far for the messengers to get there before the fifteenth of the month

they would not forget customs<sup>2</sup> unique to observing two days of the holiday, lest we lose track of the established Jewish calendar or a foreign government not allow us to observe the holidays on the proper date.

## One Day in Israel

Visitors to Israel have myriad options. Many halakhic decisors<sup>3</sup> opine that one should observe two days, based on Mishna Pesachim 4:1. This Mishna says that a visitor must observe the stringencies of the land from which she came *as well as* those of the land which she is visiting. According to this logic, visitors to Israel must observe two days in Israel because that is the custom of the communities *from which* they came. However, the Chacham Tzvi's<sup>4</sup> brilliant read of the Mishna in Pesachim leads him to a different conclusion.

The Chacham Tzvi explains that this rule applies only when comparing “apples to apples.” In other words, when the circumstances are exactly the same in both places but the custom itself differs. However, the case of one vs. two days of the holiday is not simply a personal custom observed differently in Israel and in the diaspora; rather, because communities in Israel never had any doubt as to the correct day of the holiday, it was **never relevant** for them to observe two days. The custom of observing two days of the holiday is geographically linked only to the diaspora and therefore the Mishna's imperative to keep both the local custom and your home community's custom does not apply when visitors come to Israel for a holiday. The Chacham Tzvi posits that **everyone** should observe **one** day while in Israel. He even suggests that one who does observe two days in Israel risks violating *bal tosif*, the prohibition against adding commandments to the Torah .

Intuitively it seemed that this same logic of the Chacham Tzvi would be applied in the other direction. I was growing more and more sure that the correct ruling would be for me to observe two days outside of Israel – no simple task for an Israeli. But again I noticed an unsettled feeling as I continued to research the issue. It took some introspection and hard thinking before it came to me in a flash. Of course! It was difficult for me to give a ruling for **myself** as I would be directly affected by the decision. I needed to continue my research as if **someone else** had asked me this *halakhic* question.

Amazingly, this simple realization eased my tension immediately and I returned to my *halakhic* journey with renewed enthusiasm.

This year, I embarked on my first *halakhic* investigation as a Yeshivat Maharat student, researching the question of whether visitors from Israel should observe one or two days of a holiday when

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<sup>2</sup> This includes issues such as saying shehchianu, preparing from one day to the next, different Torah readings, when to say yizkor and others. In some communities burial may take place on the second day.

<sup>3</sup> Shulchan Aruch HaRav 496:11, Mishna Brura 496:13, Iggerot Moshe, Orach Chaim 4:101, and others

<sup>4</sup> Rav Tzvi Hirsh Ashkenazi (1660–1718), Responsa 167

traveling outside of Israel. As I explained in my previous post, the Chacham Tzvi rules that a resident of the diaspora who travels to Israel for a holiday should observe the holiday for one day only.

The next step in my journey was to research the Chacham Tzvi in the opposite direction – for a person traveling from Israel to the diaspora. Interestingly, he does not address this issue directly. So instead I turned to other *poskim*, *halakhic* decisors, and looked for responsa and rulings of authorities who follow the Chacham Tzvi's ruling regarding visitors to Israel to see if and how they used this logic to address the question regarding visitors to the diaspora.

Here came the big surprise! While rabbis such as Rav Chaim Soloveitchik<sup>5</sup>, Rav Avraham Yitzchak Ha-Kohen Kook, and Rav Tzvi Pesach Frank agree with the Chacham Tzvi that everyone should observe one day in Israel, almost no one uses this logic in the opposite case<sup>6</sup>. If we were to follow the Chacham Tzvi's logic, a visitor from Israel to the diaspora should observe two full days of the holiday, the custom of the place she is visiting. But the majority of rabbis do not rule this way.

Rav Tzvi Pesach Frank<sup>7</sup> explains beautifully why this is not the case. He writes that nowadays, after the Jewish calendar was established, communities in the diaspora are no longer observing two days because of inherent doubt as to which is the correct date. The underlying reason for observing two days has changed from a rabbinic requirement to a communally obligatory *minhag* (practice); one that is incumbent on communities in order to respect memories and preserve customs over time. Our sages wanted to make sure that if there were ever a time in the future when doubt about the correct date led to a need to observe two days, communities in the diaspora would know what to do. Therefore, a visitor from Israel would not be required to observe two full days of the holiday as it is incumbent on the community but not on a passing visitor. I was pleased to see that this followed the ruling of the Shulchan Aruch as well.

Now the question remained as to how one defines a visitor? When does one become an integrated part of their new community? This, too, required research and I found a plethora of opinions. There are those who say that if the visitor owns a home in Israel, is absolutely planning on returning to Israel to live, and never entertained the thought of staying in the diaspora – that is enough to grant them “visitor's status” when they are in the diaspora and they should therefore observe only one day when traveling outside of Israel.

One responsum explaining the categories of resident and visitor that resonated especially well with me was from Rav Eliezer Melamed<sup>8</sup>. He says that if an Israeli is going abroad for an undetermined amount of time of at least one year, that person immediately becomes part of the diaspora community (particularly if the person's family comes along). However, if the Israeli is going for a specific purpose, then it depends on the amount of time she will be away. As Rav Melamed notes,

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<sup>5</sup> Reshimot Shiurim, Sukka, p. 226

<sup>6</sup> The Baal HaTanya was the only one I found to rule that Israelis should observe two full days.

<sup>7</sup> Har Tzvi 3:78

<sup>8</sup> Pninei Halacha: <http://revivim.yhb.org.il/2013/02/>

most courses of study and *shlichut*, emissary work, range up to four years, so he suggests that anything longer than that period would constitute an identity shift from “visitor” to permanent “resident,” which would require observing two full days of the holiday.

Upon returning to answer this question for my own situation, I applied Rav Melamed’s criteria. I realized that although Yeshivat Maharat is a four-year program, I came to the U.S. a full year before it started, bringing my total stay up to five years. It felt odd, yet strangely correct to have a second seder and to observe eight days of Pesach this year while my children visiting from Israel observed only one day of the festival (and therefore a seven-day Pesach). My *halakhic* integrity had come home.

My *halakhic* journey has been empowering, exciting and enlightening. This is why I am on this path; this resonates with my soul and is fuel for my passion. With God’s help I look forward to many more journeys such as this one – for individuals and for sharing with the larger community as well.



Rabbanit Bracha Jaffe served, for many years, as Community Educator and Director of Mercaz Center for Adult Education in Beth Tfiloh synagogue in Baltimore, MD. Her love of tefilla and ritual led her to be an experienced gaba’it and organizer of women’s tefilla groups. She has taught many women and girls to leyn and is the voice of the JOFA Megillat Esther App. Rabbanit Bracha interned at United Orthodox Synagogue in Houston, Texas and at the Hebrew Institute of Riverdale in New York. She participated in chaplaincy programs at New York Presbyterian Hospital and at a maximum security women's prison. Rabbanit Bracha is a 2017 graduate of Yeshivat Maharat, following a long career in hi-tech in Israel. She feels blessed to be following this path which nourishes and fills her soul.