The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Thurs, May 21, 2026 ■ ה' סיון, תשפ"ו
סימן קצ"ו סעיף א'

Overview

Siman 496 Seif 1:

In exile they observe two days of Yom Tov out of doubt and everything that is prohibited on the first day is prohibited on the second day. They would excommunicate those who disparaged the second day of Yom Tov and if the person was a Torah scholar they were not as stringent and excommunicate him; rather he was given Rabbinic lashes.

- Although we are now experts in determining the dates of the calendar there is a concern that the pressures of exile would become too much and people would observe Pesach on the wrong day. (M.B. 1)
- Even if a person violated a Rabbinic prohibition or instructed a gentile to do *melacha* he would be excommunicated if he disparaged the day intentionally. (M.B. 2)
- There is a disagreement amongst the *Poskim* whether the second day is treated more stringently than the first day. Ultimately how to react to someone who desecrates Yom Tov will be up the local *Bais Din*. (M.B. 2)

Stories to Share

Visitors from Abroad

ש"ע סי' תצ"ו, אי: "כל מה שאסור בראשון אסור בשני ..."

A certain person worked as a cab driver in Eretz Yisrael. One isru chag he picked up a few people who were obviously from outside of Eretz Yisrael. After exchanging a few pleasantries he realized that they were Jewish but not religious. The driver wondered what he should do. He knew that a visitor from chutz la'aretz must comport himself on Yom Tov Sheni exactly like on Yom Tov itself. Although these people did not know better, he was enabling their violation and he did know that this is forbidden. Yet how could he leave them at the side of the road? Also what should he do with the fee that they would undoubtedly pay him?

When this question reached Rav Shlomo Zalman Auerbach he answered decisively. "Even taking public transportation in Eretz Yisrael is absolutely forbidden on Yom Tov Sheni since this is a disgrace to the holiday. A driver who finds out that his fare is Jewish after they are in the car must do his utmost to terminate the journey immediately since he has a hand in their violating Yom Tov Sheni. If this will cause hatred, I am unsure what he should do. Possibly he can complete the trip he was hired for, especially since the Chacham Tzvi holds that a Jew in Eretz Yisrael—even from chutz la'aretz—keeps only one day of Yom Tov. But it is obvious that he is forbidden to take a penny from them."

יום טוב שני כהלכתה, פ' י"ד, הע' י"ב-י"ב*

Halacha Highlight

The origin of observing two days of Yom Tov

Shulchan Aruch Siman 496 Seif 1

בגליות שעושין שני ימים טובים מספק

In exile where they observe two days of Yom Tov out of doubt

Shulchan Aruch writes that outside of Eretz Yisroel two days of Yom Tov are observed, rather than the one day of Yom Tov as Biblically mandated. According to the Torah, Rosh Chodesh is declared upon the acceptance of witness testimony of the appearance of the new moon. Rosh Chodesh could be declared one of two days – either on the 30th day after the start of the previous month or on the 31st after the start of the previous month. Once the testimony of the witnesses was accepted the new month was declared and the word had to be spread which day was Rosh Chodesh so that people would know when to observe Yom Tov that month. Initially word was spread by lighting a series of fires. After Tzedukkim corrupted this system by lighting fires on the wrong night it was decided that word of the new month would be spread by sending messengers. The shortcoming of this new system was that the messengers could not reach the distant places and they did not know which day to observe as Yom Tov. Due to that doubt, they observed two days of Yom Tov, one day in case Rosh Chodesh was on the 30th and the second day in case Rosh Chodesh was on the 31st.

Mishnah Berurah (סק"א) writes that once a fixed calendar was established, there is no reason for people to observe two days of Yom Tov since everyone knows when Rosh Chodesh will fall. Nevertheless, the Gemara Beitzah (4b) teaches that *Chazal* instituted that those who live outside of *Eretz Yisroel* should continue to observe two days of Yom Tov. The basis of this enactment was the concern that due to persecution that communities may have to endure there may not be sufficient scholarship to make the necessary calculations for determining when Yom Tov is to occur. Additionally, some communities could become isolated from the rest of the Jewish People, leaving them at risk for observing Yom Tov on the wrong day. For this reason there are some *Poskim* (מ"ב סק"ב) who maintain that transgressions of the second day of Yom Tov are treated more stringently than violations of the first day since in this regard Rabbinic enactments are treated more stringently than Biblical law.