# HALACHIC AND HASHKAFIC ISSUES IN CONTEMPORARY SOCIETY 

## 116 - CALENDAR CONUNDRUMS - INSIGHTS INTO ADAR

## OU ISRAEL CENTER - WINTER 2019

Today is Rosh Chodesh Adar I - the first Adar of a Leap Year1. For much of the year we take our calendar for granted and experience the constant rhythm of the holidays. But leap years can make us think twice about the calendar and examine more closely some of its most fascinating conundrums.

## A] THE LUNISOLAR CALENDAR

A lunar month ${ }^{2}$ is approximately $291 / 2^{3}$ days, so 12 lunar months is 354 days. A solar year ${ }^{4}$ is approximately $3651 / 4^{5}$ days. There are a number of options for how calendars can combine and connect the two cycles:
(a) Solar only - where only the solar year is measured. Lunar months are entirely ignored and random 'months' are assigned with 30/31 days each, subject to adjustment. Example - the modern civil calendar.
(b) Lunar only ${ }^{6}$ - where only 12 lunar months are measured and the year is 354 days. This calendar will slip by about 11 days a year against the solar year. Example - the Moslem calendar. All of their festivals slip 11 days a year against the solar years. Thus Ramadan slips backwards through the civil calendar, resetting approximately every 32 years.
(c) Solar with adjustment - 365 days comprising 12 months of 30 days each, making 360 , with a $5^{7}$ day celebration at the end of the year to match the solar year. Example - the Ancient Egyptian calendar and modern Coptic Calendar
(d) Lunisolar - 12 lunar months with an extra intercalary month every two or three years. Many such ancient calendars, including the Hebrew calendar, used the Metonic ${ }^{8}$ Cycle $^{9}$. This noted that 19 solar years (6,940 days) is almost exactly 235 lunar months.

## 

שמות יב:א-ב
The first mitzva given to the Jewish people was to count the months from Nissan, as a way of reminding us of the great miracle of Yetziat Mitzrayim. As such, the Jewish calendar is set up as a lunar calendar.

אמר רבי לוי כל מעשיהן של ישראל משונין מאומות העולם .... ישראל מונין ללבנה ואומות העולם לחמה
שיר השירים רבה (וילנא) פרשה ו
Chazal note that the Jewish calendar is specifically lunar to differ from the prevailing custom of the non-Jewish world.

## 

The Torah ${ }^{10}$ calls Nissan 'chodesh haaviv' - the month of spring/budding. This anchors it in the seasons of the solar year since Nissan must fall in the spring.

1. This year ( 5779 ) is actually the longest possible year of 385 days -55 weeks exactly (since both Cheshvan and Kislev both had 30 days). This is why the chagim next year fall on the same days of the week as in last year.
2. ie between new moons.
3. To be precise: 29.53059 days -29 days, 12 hours, 44 minutes, 2.8 seconds. Thus the Jewish months alternate between 29 and 30 days. The length of most months is now fixed. Tishrei, Shvat, Adar Rishon (in a leap year), Nissan, Sivan, and Av will always have 30 days. Tevet, regular Adar (in regular year), Adar Sheini (in a leap year), Iyar, Tammuz, and Elul are always 29 days long. Cheshvan and Kislev can vary - sometimes 29 days and sometimes 30 days.
4. A tropical year is the time that the Sun takes to return to the same position in the cycle of seasons, as seen from Earth.
5. To be precise: 365.24217 days -365 days, 5 hours, 48 minutes, 45 seconds.
6. Lunar calendars date back into the mists of the earliest civilizations.
7. Later reformed to 6 days in order to take account of the extra quarter day per year.
8. After Meton of Athens - 5th Century BCE. But it was known to Babylonian astronomers well before this.
9. The Chinese calendar is also lunisolar, but uses a different system of adjustment whereby a leap month could be added after different months of the year. This makes a big difference to chinese fortune telling! See
http://www.chinesefortunecalendar.com/clc/LeapMonth.htm and http://www.heredg.com/2014/01/whats-deal-chinese-leap-month/
10. See also Shemot 23:15 and 34:18.

The Hebrew lunisolar calendar ${ }^{11}$ follows the Metonic cycle where years $3,6,8,11,14,17$ and $19{ }^{12}$ are leap years with 13 months.

ב על שלשה סימנין מעברין את השנה - על התקופה ועל האביב ועל פירות האילן ....
ה ויש שם דברים אחרים שהיו בית דין מעברין בשבילן מפני הצורך, ואלו הן - מפני הדרכים שאינן מתוקנין ואין העם

 להם מקום לצלות את פסח מעיהם מעברין את השנה עד שיבנו התנורים וייבשו. ומפני גליות ישראל שנעקרו ממקומן ועדיין
 ו אבל אין מעברין את השנה לא מפני השלג ולא מפני הצנה ולא מפני גליות ישראל שעדיין לא נעקרו ממקומם. ולא מפני הטומאה, כגון שהיו רוב הקהל או רוב הכהנים טמאים אין מעברין את השנה כדי שיהיה להם פנאי לטהר ויעשו בטהרה אלא יעשו בטומאה כוּ
רמב"ס הלכות קידוש החודש פרק 4
Before the fixing of the calendar, the Jewish year was extended to include a leap month, based on a number of factors, including (i) Astronomical data, such as when Pesach will fall out relative to the vernal equinox; (ii) Agricultural data, such as: How ripe is the barley (for the korban Omer)? How large are the newborn lambs and pigeons?; (iii) Weather: Is the rainy season drawing to a close? Could there be a famine?; (v) The halachic inconvenience of creating a leap year: eg Shmittah year and the year following were never made into leap years, and the year before Shmittah usually was as leap year; (v) Infrastructure: eg the condition of the highways and bridges.

## B] THE NAMES OF THE MONTHS

The Jewish days of the week have no names, simply numbers counting to the only named day - Yom Shabbat. So too the Jewish months of the year have no names, simply numbers counting from the only named month - Chodesh HaAviv.

In First Temple times some of the month acquired names:


The 2nd month (now Iyar) was called Ziv.

The 7th month (now Tishrei) was called Eitanim.

After the return from the Babylonian exile, all the months were renamed according to the names of the Babylonian months which were:

| 1 - Nisanu | 7 - Tashritu |
| :--- | :--- |
| 2 - Ayaru | $8-$ Samnu |
| 3 - Simanu | $9-$ Kislimu |
| 4 - Dumuzu | $10-$ Tebetu |
| 5 - Abu | $11-$ Shabatu |
| 6 - Ululu | $12-$ Adaru |

[^0] אצלנו. והסבה בזה, כי מתחלה היה מניינם זכר ליציאת מצרים. אבל כאשר עלינו מבו מבל ונתקים ועים מה שאמר הכתוב וירמיה
 מארץ צפון. חזרנו לקרא החדשים בשם שנקראים בארץ בבל להזכיר כי שם עמדנו ומשם העלנו הש"י. כי אלה השמות ניסן
 הכתוב בחדש הראשון הוא חדש ניסן, כמו הפיל פור הוא הגורל (שם). ועוד היום הגוים בארצות פרס ומדי כך הם קוראים אותם ניסן ותשרי וכלם כמונו. והנה נזכיר בחדשים הגאולה השנית כאשר עשינו עד הנה בראשונה:

The Ramban understands that the adoption of Babylonian names was to achieve the same effect as the original numbering of the months. Just as that was intended to emphasize the redemption from Egypt by counting from the Exodus, so too Babylonian names were intended to mark the miracle of the redemption from Bavel!

## C] LEAP YEARS AND KAPARA

In Mussaf on Rosh Chodesh from Tishrei to Adar II¹3 we add the words ולכפרת פשע. Why? A number of reasons are brought ${ }^{14}$ :

- It is a 13 th 'lashon' in the list of berachot ${ }^{15}$.
- The matching of the solar and lunar year gives extra opportunities for teshuva due to the mystical basis of each of those ideas.
- If the leap year is a 'mistake' we need kapara for the mistake since we would be eating chametz on Pesach.
- Based on Divrei HaYamim 2:30:18 which Chizkiyahu said after inappropriately creating a leap year.
- We are delaying Yom Kippur by a month so we need extra kapara.
- The essence of every Rosh Chodesh is kapara for each day in month. This is needed even more in a leap year with more days!
- We need kapara for delaying the future geula in Nissan


## D] ADAR I AND ADAR II

## D1] HALACHIC ISSUES ARISING

Halachic issues which arise from the intercalating of an extra month of Adar include:

- When to celebrate Purim.
- When a child born in Adar celebrates a bar/bat mitzva.
- When the yahrzeit of a deceased family member should be commemorated.
- When the year runs for nedarim or contracts.
- Dating of shtarot - gittin, keyubot etc ${ }^{16}$
- The running of a 3 year chazaka period for claiming ownership of land.
- How to remember Amalek at least once per year.


## D2] WHICH IS THE 'REAL' ADAR?

Chazal learn that the intercalated month can only be at the end of the year, just like the extra day in a full month is at the end of the month.

> אין מעברין אלא אדר - וכל שאר החדשים אין מעברין דכתיב (אסתר ג) לחדש שנים עשר הוא חדש אדר. ואי מעברין אחת משאר

But which of the two Adars is the REAL one?

[^1]The Yerushalmi asks this question directly and tries to work out what difference it would make if the first or second Adar were the 'additional' month. Ultimately, it is unable to come to a clear conclusion!

## D3] THE BAR MITZVA MODEL

## (A) Born in Regular Year and Bar Mitzva in Leap Year

If a boy ${ }^{17}$ is born on 29th Cheshvan and becomes bar mitzva in a year in which there are 30 days in Cheshvan, all would agree that the bar mitzva day is 29th and not 30th. So if a boy is born in Adar - the 12th month, and becomes bar mitzva in a year with 13 months, which month should the bar mitzva be in?

The Rema rules (following the Mahari Mintz) that if a boy is born in Adar of a regular year, and the bar mitzva falls in a leap year, the bar mitzva must be in Adar II! According to this, clearly the extra month is Adar I and the 'real' Adar is Adar II.

כדבריש מוהר"י זיל בתש ז"ל.
13.

פרי חדש אורח חיים סימן נה
The Pri Chadash brings an alternative opinion that the bar mitzva should be in Adar I, but prefers the ruling of the Rema.

Rav Mordechai Willig understands ${ }^{18}$ that the reason for this is that both Adar's are the 12 th month - but are ' 12 A ' and ' 12 B ' 19 !
(B) Born in Leap Year and Bar Mitzva in Regular Year
. 14.

משנה ברורה סימן נה ס"ק מה
If a boy is born on 30 Cheshvan and in the 13th year Cheshvan only has 29 days, the bar mitzva will be in 1 Kislev.
On that basis, if a boy is born in a leap year in Adar II (ie the 13th month of that year) and the 13th year is a regular year, when should he have his bar mitzva. Based on the above logic, Rav Schachter ${ }^{20}$ rules that the bar mitzva should be in Nissan!!! Rav Willig disagrees and rules that it should be in Adar on the basis that the boy was not born in month 13, but in month 12B.

If a boy is born in a leap year on 30 Adar I (ie first day Rosh Chodesh Adar II) and the 13th year is a regular year when Adar has only 29 days, when should the bar mitzva be? Based on the Mishna Berura above, it should be on 1 Nissan. However the Binyan Tzion ${ }^{21}$ rules that since the boy was born on Rosh Chodesh Adar, the bar mitzva should be on Rosh Chodesh Adar - a whole month earlier than expected! He understands that Rosh Chodesh itself is a determining factor.

אם נער אחד נולד בכ"ט לאדר ראשון משנה מעוברת, ונער אחד נולד באדר שני באחד בו, ושנת י"ג אינה מעוברת, אותו שנולד בכ"ט לאדר הראשון צריך להמתין עד כ"ט לאדר בשנת י"ג להיות בן י"ג שנה. ואותו שנולד אחריו באחד באדר השני יהיה בן י"ג שנה כיון שהגיע אחד באדר של של שנת י"ג

שולחן ערוך אורח חיים הלכות ברכות השחר ושאר ברכות סימן נה
Twins could be born at the end of 29 Adar I and the beginning of 1 Adar II. If their bar mitzva year has one Adar only, the younger twin will have his bar mitzva at the beginning of the month, a whole month earlier than the older twin!

[^2](C) Born in Leap Year and Bar Mitzva in Leap Year

What is a boy is born in leap year in Adar I and the bar mitzva year is also in a leap year. Should the bar mitzva be in Adar I or Adar II?


משנה ברורה סימן נה
The Mishna Berura rules that the bar mitzva follows the original birth month - Adar I or II.


מגן אברהם סימן נה
The Magen Avraham's position is that the bar mitzva must happen at the end of the 13th year, which is only in Adar II. As such, he rules that even a boy born in Adar I should have his bar mitzva in Adar II!

D4] THE PURIM MODEL

משנה. קראו את המגילה באדר הראשון ונתעברה השנה - קורין אותה באדר שני. אין בין אדר הראשון לאדר השני אלא
קריאת המגילה, ומתנות לאביונים.
The Mishna rules that the Megila and Matanot LeEvyonim must be in Adar II. Even if they have already been done in Adar I and the leap year is subsequently added (before the calendar was fixed), they must be repeated.

קראו את המגילה באדר הראשון ונתעברה השנה - קורין אותה באדר השני, שכל מצות שנוהגות בשני נוהגות בראשון חוץ

The Gemara brings three Tannaitic opinions about the relationship between Adar I and Adar II. The Tana Kama rules that they are identical expect for the mitzva of Megilla, which must be in Adar II. R. Eliezer says in the name of R' Yosi that all mitzvot work in Adar I. R'Shimon ben Gamliel says in the name of R. Yosi that all mitzvot have to be in Adar II.
 שנה ושנה אדר הסמוך לשבט, אף כאן אדר הסמוך לשבט. ורבן שמעון בן גמליאל סבר: בכל שנה ושנה - מה כל שנה ושנה אדר הסמוך לניסן - אף כאן אדר הסמוך לניסן. בשלמא רבי אליעזר ברבי יוסי - מסתבר טעמא דאין מעבירין על המצות. (רש"י - משבל לידי אקדים לעשוח, דכבי תניא במכילתא ושמרתם את המאות - אם באת מאוה לידך אל תחמיצנה) אלא רבן שמעון בן גמליאל מאי טעמא? אמר רבי טבי: טעמא דרבי שמעון בן גמליאל מסמך גאולה לגאולה עדיף (רש"י - פורים לפסח).

The Gemara then explains that both R. Eliezer (who sees Adar I as the main month) and R. Shimon ben Gamliel (who sees Adar II as the main month) are learning from the same verse - that Purim should be celebrated the same way in all years. R. Eliezer understands that the 'real' Adar must come straight after Shevat so that we do not bypass the opportunity to do a mitzva. R. Shimon b. Gamliel understands that the 'real' Adar must come straight before Nissan so as to emphasize the connection between the two 'geulot'- of Purim and of Pesach. ${ }^{22}$

יום י"ד וט"ו שבאדר ראשון אין נופלים על פניהם, ואין אומרים מזמור יענך ה’ ביום צרה, ואסור בהספד ותענית. אבל שאר
23. Based on 3 opinions in the Rishonim. Tosafot rules that there is a prohibition on fasting but no mitzva of simcha. The Rosh says that the two go together and do NOT apply in Adar I.

So which is the 'real' Adar? it appears that BOTH Adars are intrinsically considered Adar. Purim is in Adar II simply because of the importance that it be celebrated near to Nissan. If not for this rule, both Adars could qualify as the 'real' Adar.
-.. קמ"ל דאדר ראשון לא נקרא אדר אלא 'חודש העיבור' מיקרי שהרי אין קורין את המגילה באדר ראשון
משנה ברורה סימן נה ס"ק מה
The Mishna Berura rules that Adar II is the real Adar. In fact, he understands that Adar I should not even be called Adar but 'the Leap Month'.

D5] THE YAHRZEIT MODEL

כשאירע יום שמת אביו או אמו באדר והשנה מעוברת יתענה באדר ב'. הגה: ויש אומרים דיתענה בראשון אם לא שמת בשנת

The Shulchan Aruch rules that a Yahrzeit ${ }^{24}$ should be commemorated in Adar II. However the Rema rules that it should be in a Adar I (unless the petira was itself in Adar II). The Rema adds that some commemorate the Yahrzeit in BOTH Adars! The Vilna Gaon supports this position, indicating that BOTH Adars are really called Adar.

Many mefarshim understand that the machloket between the Mechaber and the Rema is whether the yahrzeit is defined as the anniversary of the petira, which in a leap year will be in Adar II. Or is the yahrzeit the anniversary of the end of the mourning, which was 12 months ${ }^{25}$ (not one year) after the petira? The Gra understands from the Purim model that both Adars are intrinsically called Adar and thus the mourning should be in both Adars.

D6] THE 'NES' MODEL
. 24.

משנה ברורה סימן תרצז:ב
If a person makes an annual seudat hoda'ah in celebration of a nes that happened to them, the Mishna Berura rules that it should be in Adar I, unless the original event was in Adar II.

D7] THE NEDARIM MODEL

|  הראשון - כותב אדר הראשון, אדר שני - כותב אדר סתם, דברי ר"מ. ר' יהודה אומר: אדר הראשון - כותב סתם, אדר שני כותב תיניין! |
| :---: |
|  |  |

כותב תיניין!
נדרים סג.
The Gemara deals with the case of someone who makes a vow 'for a year', or 'until Adar'. How does the Leap Year impact on this? It appears to conclude that there is a machloket Tannaim as to which is the 'real' Adar. Rabbi Meir rules that the 'real' (stam) Adar is Adar II and R. Yehuda rules that it is Adar I!

The usual meta-halachic rules state that in a machloket R. Meir and R. Yehuda, the halacha follows R. Yehuda ${ }^{26}$. As such, this should indicate that the 'real' Adar is Adar I! In fact, this sugya is not definitive, since (as in all issues of nedarim) the focus is on what people mean when they say certain words, rather than on the essential nature of the month. The focus of hilchot nedarim is always to establish the commonly understood meaning of human speech, rather than the biblical or halachic meaning of a word.

[^3]D8] THE RENTAL MODEL


The Mishna discusses whether a property rental contract for 'a year' includes the leap month. However, again this is really trying to define the contractual intention of the parties rather than the essential definition of a year.

## D9] THE WALLED CITY MODEL


The Torah specifies that if a house in a walled city is not redeemed by the owner within a 'full year' it will be sold in perpetuity.

|  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |  |  |

The Mishna learns from the extra word 'temima' in the verse that a year includes the 13th leap month where relevant.
Does this indicate that the leap month is an intrinsic part of the definition of the year? Or, since this is learnt from the extra word 'temima' in this specific case, maybe it indicates that the year does not normally include the leap month ${ }^{27}$.


[^0]:    11. Since 5,700 is divisible by 19 , it is easy to work out where any year in this century falls in the 19 year cycle, and thus which is a leap year.
    12. Remembered by the mnemonic GUCHADZaT - גוחאדז"ט
[^1]:    13. Some say until Nissan and some say ONLY in Adar. This may depend on the reasoning for the minhag.
    14. See https://download.yutorah.org/2018/1109/911632/ten-minute-halacha-adding-l-kaparas-pesha-in-rosh-chodesh-mussaf-during-a-leap-year.mp3
    15. According to the nuschaot which normally have 12 , which is not standard!
    16. Eg if the shtar simply says 'Adar', without specifying which one. Incorrectly dated shatorot can be invalid, especially a pre-dated shtar with mortgaged property. To download more source sheets and audio shiurim visit www.rabbimanning.com
[^2]:    17. All of these cases would also work for a girl and bat mitzva, but because of the nature of the skips of leap years in the 19 year cycle, it is far more likely that the scenarios will arise for boys in year 13 than for girls in year 12.
    18. See https://www.yutorah.org/lectures/lecture.cfm/755768/rabbi-mordechai-i-willig/halachic-ramifications-of-having-two-months-of-adar/and
    https://www.yutorah.org/lectures/lecture.cfm/760466/rabbi-mordechai-i-willig/when-is-a-bar-mitzvah-in-a-leap-year/
    19. Unlike the extra day in a full month which is not $29 B$ but 30 .
    20. B'ikvei Hatzon p 12.
    21. \#158-R. Yaakov Ettlinger, 19C Germany.
[^3]:    The Ran also says that they go together but DO apply in Adar I.
    24. Note that this question also arises for Chevra Kadisha groups that fast on the Yahrzeit of Moshe Rabbeinu on 7 Adar. R. Ovadia Yosef (Yechaveh Da'at 1:3) ruled that this should be Adar II. The Magen Avraham (0.C. 380:18) ruled that it should be Adar I.
    25. Another example of the counting of months, rather than years is the length of time it takes to create a chazaka on land. The Ritva (Bava Batra 28a) ruled that this is 36 months and not 3 years. A further example is the mitzva to remember Amalek by reading Parashat Zachor every year. Again, this is based on the idea that things are forgotten after 12 months. As such, when Parashat Zachor in a leap year will be 13 months after the previous one, some people are particular to have in mind the mitzva during the reading of these pesukim in Ki Tetzei shortly before Rosh Hashana. The Chatam Sofer (EH 119) holds that this is not necessary and suggests that the metaphysical reality of the leap year causes forgetting to kick in only after 13 months! Compare this with the Yerushalmi at the end of Ketubot 1:2 which suggests that physical anatomical changes in a young girl's body at age 3 will be altered and determined by the halachic and metaphysical reality of the longer leap year.
    26. See the Ran and Rashba on this Gemara who also rule that way and conclude that the 'stam Adar' is Adar RIshon. See also Rema 0C 427:1. To download more source sheets and audio shiurim visit www.rabbimanning.com

