



*Excerpted from Living the Halachic Process
by Rabbi Daniel Mann - Eretz Hemdah, with
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When to Commemorate Halachic Anniversaries in Leap Years

Question: If one's parent died in the month of Adar in a regular, non-leap year, when does he observe yahrtzeit in a leap year (when there are two months of Adar)? Is the answer the same for the bar mitzva of a boy born in Adar of a regular year who turns thirteen in a leap year?

Answer: Although one would expect the same answer for both questions, the answers may differ for the following reason. Becoming a bar mitzva depends on the passage of thirteen years. Although this occurs on one's birthday, it is the passage of time, not the date per se, that is critical. For a yahrtzeit, the date is the factor. A related distinction is that one can become a bar

mitzva only once (we refer to becoming obligated in mitzvot, not to the celebration). In contrast, it is possible to commemorate a yahrtzeit on two days, in some years.

The Rama¹ rules unequivocally that in the situation you describe, the boy becomes a bar mitzva in Adar Sheini.² Several sources support this claim. The Yerushalmi³ and Tosafot⁴ say that the extra month is Adar Rishon, whereas Adar Sheini corresponds to the regular month of Adar. Also, the Mahari Mintz⁵ points out that when one rents a house for a year and there is a leap year in the interim, the renter always gets the extra month,⁶ even if the rental period ends up being from Adar to the next Adar Sheini.

Regarding yahrtzeit, the situation is more complex. The poskim discuss the matter primarily in regard to the custom that some accept upon themselves to fast on the yahrtzeit. The Shulchan Aruch⁷ says that here too, the yahrtzeit is in Adar Sheini. However, the Rama⁸ says that here the preferred day is in Adar Rishon. Why the change?

Most seem to understand that Adar Rishon is also Adar, and the question is one of prioritization and precedence. Tana'im debate this question in Megila 6b. R. Eliezer says that we should

¹ *Orach Chayim* 55:10.

² It is clear that the *Shulchan Aruch* agrees- see *Mishna Berura* ad loc.:45.

³ 1st perek of *Megilla*.

⁴ *Nedarim* 63b.

⁵ *Shut Mahari Mintz* 9.

⁶ *Bava Metzia* 102a.

⁷ *Orach Chayim* 568:7.

⁸ Ad loc.

perform the mitzvot of Adar (including those of Purim) in Adar Rishon because we do not pass up the opportunity to do mitzvot. R. Shimon b. Gamliel, whose opinion we accept, says that we perform them in Adar Sheini because they should be done in proximity of the month of Nisan, which is related to Purim through the common theme of redemption. The Terumat HaDeshen⁹ derives from this gemara that when a mitzva is not related to redemption, we do the mitzva at the first opportunity, namely, in Adar Rishon. The Rama prefers this opinion.¹⁰ However, he mentions that there are those who are stringent and fast on both days. The Shach¹¹ seems to accept that stringency.

The simple understanding of the Rama's stringency is that we do not know which opinion is correct, and thus we cover our bases. However, the Magen Avraham¹² and the GR"A¹³ believe that when there is no special reason to prefer one Adar to the other, we actually consider there to be two yahrtzeit days, one in each Adar. Although the Magen Avraham points out that one who voluntarily accepts the minhag of fasting can do so however he wants, it is advisable to keep both days. The Mishna Berura¹⁴ seems to concur, as does the Igrot Moshe.¹⁵ It appears that most

Ashkenazim follow the minhag cited in the Rama's main ruling (Adar Rishon), whereas S'fardim follow the Shulchan Aruch (Adar Sheini). Those who want to keep both days or come from a place with that minhag should feel free to do so.

What about the other practices of yahrtzeit? The same basic opinions pertain, but one may decide to keep two days as far as visiting the grave, learning, and/or saying Kaddish are concerned, but perhaps not fast twice (for those who fast). We should note that even the Magen Avraham says that one has the right to say Kaddish only once. He refers to the times when only one person would recite a Mourner's Kaddish and a yahrtzeit would supersede a mourner during his year of mourning. This situation exists in relatively few shuls these days. However, the principle still precludes one from asking in both Adars to get an aliya or to be chazan to commemorate the yahrtzeit.



⁹. 294.

¹⁰. See also *Yoreh Deah* 402:12.

¹¹. Ibid. 11

¹². 568:20.

¹³. To *Orach Chayim* 568:10.

¹⁴. 568:42.

¹⁵. *Yoreh Deah* III:160.