



Volume 3. Issue 26.

Nezirut – Fit for a Queen

Someone who accepted upon himself a *nezirut* of long duration (in *chutz la'aretz*), and completed his term of *nezirut*, and afterwards came to the Land of Israel - *Beit Shammai* say: He is a *nazir* for thirty days. *Beit Hillel* say: He is a *nazir* from the beginning of his term.

It happened that Queen Helena's son went to war and she declared, "If my son returns in peace from the war, then I will be a *nazir* for seven years." Her son returned from war, and she was a *nezirah* for seven years.

At the end of the seven years she went up to the Land of Israel and *Beit Hillel* ruled for her that she must be a *nezirah* for another seven years. At the end of those seven years she became *teme'iah* and so it resulted she was a *nazirah* for twenty-one years. *R' Yehuda* said: She was a *nezirah* for only fourteen years

.(*Nazir* 3:6)

Tosefot states that the case in the *Mishnah* is *lav davka* (happenstance). *Tosefot* holds that the case *Beit Hillel* and *Beit Shammai* argue about is a case that could occur if a *nazir* was to go up to *Eretz Yisrael* toward the end of his *nezirut*.

The *Bartenura* however, disagrees with this view and states that this *Mishna* is talking about a case which is *davka*. He states that there cannot exist a *nazir* in *chutz la'aretz* due to the presence of *tumat Eretz Ha'amim* (the assumed *tumah* of *chutz la'aretz*). Therefore, according to the *Bartenura*, if a person vowed to become a *nazir* outside of *Eretz Yisrael* he is obligated to move to *Eretz Yisrael* in order to fulfill his vow. Interestingly the *Tosefot Yom Tov* adds, that a person who takes on *nezirut* is obligated to move to *Eretz Yisrael* immediately upon taking his vow.

The *Rambam* (*Hilchot Nezirut* 2:21) rules like the *Bartenura* and *Tosefot Yom Tov*. He states explicitly that the concept of *nezirut* does not exist in *chutz la'aretz*,

and one who takes on a vow of *nezirut* is obligated to move to *Eretz Yisrael*, and be a *nazir* there for the amount of time stipulated in his vow.

The *Kesef Mishnah* finds this ruling from the *Rambam* problematic. The second half of the *Mishnah* indicates that Queen Helena took a vow of *nezirut* and yet she was not obligated to make *aliyah* to *Eretz Yisrael* immediately! The *Mishnah* explicitly states that she waited seven years before moving. It seems that those who hold a *nazir* must move to *Eretz Yisrael* are ignoring the *ma'aseh* (case) of Queen Helena!

The *Kesef Mishnah* provides three possible answers to his own question.

Firstly, it is possible that the reason that Queen Helena moved to *Eretz Yisrael* is precisely because the *Rabbanim* held that it was an obligation on every *nazir* to undertake their *nezirut* in *Eretz Yisrael*. This answer is seemingly still difficult as the *Rambam* rules that one must move immediately to *Eretz Yisrael* upon accepting a vow of *nezirut* upon themselves.

Secondly, Queen Helena was the queen of a country called *Adiabene*, and she converted to Judaism with her son, *Munbaz* (*Bava Basra* 11a). Due to the fact that she was the Queen of this country, it is very possible that the *Rabbanim* of the time did not know that she had taken on a vow of *nezirut*. Consequently, because they did not know, they could not force her to move to *Eretz Yisrael* immediately. It is only when she moved to *Eretz Yisrael* after seven years, that they became aware of her situation and ruled accordingly.

Thirdly, on a more practical level, the *Kesef Mishnah* suggests that Queen Helena was obligated to move to *Eretz Yisrael* immediately, however, for the first seven years of her *nezirut* she was bound by her obligation to rule the country. It is only after seven years, once her rule was over, that she was able to move to *Eretz Yisrael*.

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Revision Questions

נזיר ג' – ה' – ה': ד'

- What is the law regarding a person that declares he is a *nazir* while standing in a cemetery? (ג': ה')
- What is the law regarding a *nazir* that enters a cemetery? (ה': ג')
- What is the law regarding a person that was a *nazir* outside Israel, then moved to Israel? (ג': ו')
- For how many years was *Hilni Ha'Malka* a *nezira* and why? (ג': ו')
- Explain the debate regarding two conflicting sets of testimonies regarding the duration for which a person accepted being a *nazir*. (ג': ו')
- If *Reuven* declared that he is a *nazir* and *Shimon* said “me too” is *Shimon* also a *nazir*? (ד': א')
- Regarding the previous question, what is the law if *Reuven* (through *she'elat chacham*) had his *neder* undone? (ד': א')
- If a woman declared that she is a *nezira* and her husband said “me too”, can he then be *meifer* her *neder*? (ד': א')
- If the husband said “I am a *nazir* – and you?” and the wife responds “amen”, can he then be *meifer* her *neder*? (ד': ב')
- If a woman became a *nezira* is she punishable if: (ד': ג')
 - She drank wine and then her husband was *meifer* her *neder*?
 - Her husband was *meifer* her *neder* without her knowing about it and then she drank wine?
- If a woman became a *nezira* and separated animals for the purpose of the *korbanot* and after her husband was *meifer* her *neder* what is done with the animal? (Provide both cases). (ד': ד')
- Regarding the previous question, what if she separated money instead? (Provide both cases). (ד': ד')
- What are the four opinions regarding the point after which a husband cannot *meifer* his wife's *neder nezirut*? (ד': ה')
- Can a parent make their child a *nazir*? (ו': ג')
- In what case can a child use the money set a side for the *korbanot* for his parent's *nazirut* for his own *nazirut*? (Include both opinions) (ד': ו')
- Give three examples of *hekdesht ta'ut* and is it considered *hekdesht*? (ה': א'-ב')
- If someone made a *nazir* declaration and thought perhaps it was not a genuine *nazir* declaration, then after sometime a *chacham* confirmed it indeed was, from when does he begin counting his *nazirut* time? (ה': ג')
- What did *Nachum HaMadi* rule regarding the *nezirim* that came from outside Israel and only then discovered that the *Beit Ha'Mikdash* was destroyed? (ה': ד')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
4 th February ט"ז שבט	5 th February י"ז שבט	6 th February י"ח שבט	7 th February י"ט שבט	8 th February כ' שבט	9 th February כ"א שבט	10 th February כ"ב שבט
Nazir 5:5-6	Nazir 5:7-6:1	Nazir 6:2-3	Nazir 6:4-5	Nazir 6:6-7	Nazir 6:8-9	Nazir 6:10-11

