On Shaving the Beard with an Electric Shaver

A responsum on the electric shaver and the prohibition of destroying the corners of the beard

בדין גילוח הזקן במכונת גילוח

לֹא תַקִּפוּ פְּאַת רֹאשְׁכֶם וְלֹא תַשְׁחִית אֵת פְּאַת זְקָנֶךָ׃

"You shall not round off the corner of your head, and you shall not destroy the corner of your beard."

— Vayikra 19:27

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Author's Introduction

In recent generations the posekim have disagreed about the electric shaver: does it fall under the prohibition of shaving with a razor (*ta'ar*), or does it have only the status of scissors (*misparayim*)? Many of the Aḥaronim have already written on this at length, yet I decided to look into the matter as well, as far as my limited understanding allows, and to clarify the essential law from the words of the Talmud and the posekim. With the help of Hashem, blessed be He, I begin.

Chapter One

What *Hashḥatah* Means

גילוח שיש בו השחתה, הוי אומר זה תער

"A shaving that involves destruction: that is a razor."
— Makkot 21a

The Torah states (Vayikra 19:27):

> לֹא תַקִּפוּ פְּאַת רֹאשְׁכֶם וְלֹא תַשְׁחִית אֵת פְּאַת זְקָנֶךָ׃
>
> **You shall not round off the corner of your head, and you shall not destroy the corner of your beard.**

And regarding the kohanim it states (Vayikra 21:5):

> וּפְאַת זְקָנָם לֹא יְגַלֵּחוּ
>
> **And they shall not shave the corner of their beard.**

The Gemara in Makkot (21a) teaches:

> תנו רבנן, יכול אפילו גלחו במספרים יהא חייב, תלמוד לומר לא תשחית. אי לא תשחית, יכול אפילו לקטו במלקט וברהיטני יהא חייב, תלמוד לומר לא יגלחו. הא כיצד, גילוח שיש בו השחתה, הוי אומר זה תער
>
> **The Rabbis taught: One might think that even if he shaved it with scissors he would be liable; therefore the Torah says, 'you shall not destroy.' If it had said only 'you shall not destroy,' one might think that even if he removed it with tweezers or a plane he would be liable; therefore the Torah says, 'they shall not shave.' How so? A shaving that involves destruction: that is a razor.**

We see, then, that one is liable for shaving the beard only with a shaving that involves destruction (*hashḥatah*), that is, with a razor; one who shaves with scissors is not liable, since shaving with them involves no *hashḥatah*.

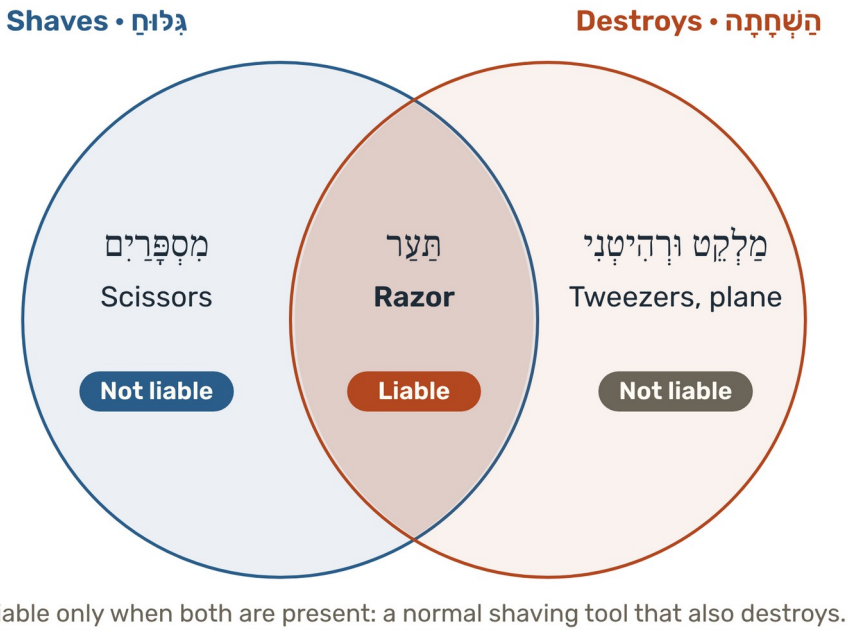


FIGURE 1. *The Gemara's test (Makkot 21a). Scissors shave but do not destroy; tweezers and a plane destroy but are not a normal way of shaving. Only a tool that does both — a razor — carries liability.*

The Rivan explains there:

> ופאת זקנם לא יגלחו גבי כהנים כתיב, ולא תשחית את פאת זקנך בישראל כתיב, וילפינן להו בגזירה שוה האי מהאי דפאה פאה וכו'
>
> **'And they shall not shave the corner of their beard' is said of the kohanim, and 'you shall not destroy the corner of your beard' of Israelites; we learn each from the other through a *gezerah shavah*, from the word *pe'ah* that appears in both, etc.**

And there (s.v. *Lo tashḥit*) he explains the difference between shaving with scissors and shaving with a razor:

> **Scissors do not destroy, since they do not cut the hair at its base, as a razor does.**
>
> ומספרים אינן משחיתים שאין חותכין שיער בצד עיקר כתער

Tosafot in Nazir (40b, s.v. *Detanya*) write likewise:

> **With scissors there is no *hashḥatah*, since they do not remove the hair from its base and its root.**
>
> ובמספרים ליכא השחתה שאינו נוטל השער מעיקרו ושרשו

See also Rabbenu Peretz on Makkot (20a), who writes regarding rounding the head:

> **From here there is proof that rounding the head is forbidden only with a razor but permitted with scissors, since it teaches, 'one who evens his temples': with scissors one cannot make them even, but a razor leaves none of the hair at all.**
>
> מכאן ראיה דהקפת הראש אינה אמורה אלא בתער אבל במספריים שרי, מדקתני המשוה צדעיו, ובמספרים אינו יכול להשוות אבל תער אינו מניח מן השער כלל

The words of the Rishonim make the essential difference between a razor and scissors clear: a razor cuts the hair close to its base and root and leaves nothing of it, while scissors do not cut the hair from its base but leave some of it. Therefore, whenever the hair is removed from its base until the skin is completely smooth, that is *hashḥatah*.

There is no hint in the words of Ḥazal that the essential difference between a razor and scissors depends on how the implement works, whether the hair is cut by one blade or by two. The whole difference is whether or not the shaving involves *hashḥatah*. Accordingly, even an implement that works the way scissors do, if it cuts the hair from its base until nothing of it remains, should be considered a shaving that involves *hashḥatah*.

Know that a razor does not pull out the root of the hair, which lies hidden beneath the skin; it only cuts the hair close to the surface of the skin. Even when one stretches the skin while shaving, so that the hair is cut slightly below the surface, the root is not pulled out but stays in its place beneath the skin.

So when the Rishonim wrote that a razor cuts the hair from its base and root, they must have meant not the root hidden within the skin but the base of the hair near the surface, which cannot be seen after shaving. The *hashḥatah* the Torah speaks of, then, does not depend on actually pulling out the root of the hair, but on cutting the hair so close to the skin that nothing of it is left standing out and visible to the eye.

See also the commentary of the Rosh on Nazir (59a), who explains the difference between a razor and scissors:

> **And he knew that with scissors it is impossible to shave them so close to the skin.**
>
> וידע דבמספרים אי אפשר לגלחן כל כך סמוך לבשר

He means that scissors differ from a razor in that, because of the way they work, they cannot cut the hair right at the skin as a razor does: their two blades cut against each other and one of them inevitably comes between the hair and the skin, so some of the hair remains after shaving.

A razor is different: its blade cuts the hair right at the skin, leaving nothing that can be seen. According to the Rosh, then, the essential difference between a razor and scissors is how close to the skin the cut is made: a razor cuts the hair right at its base, while scissors leave some of it.

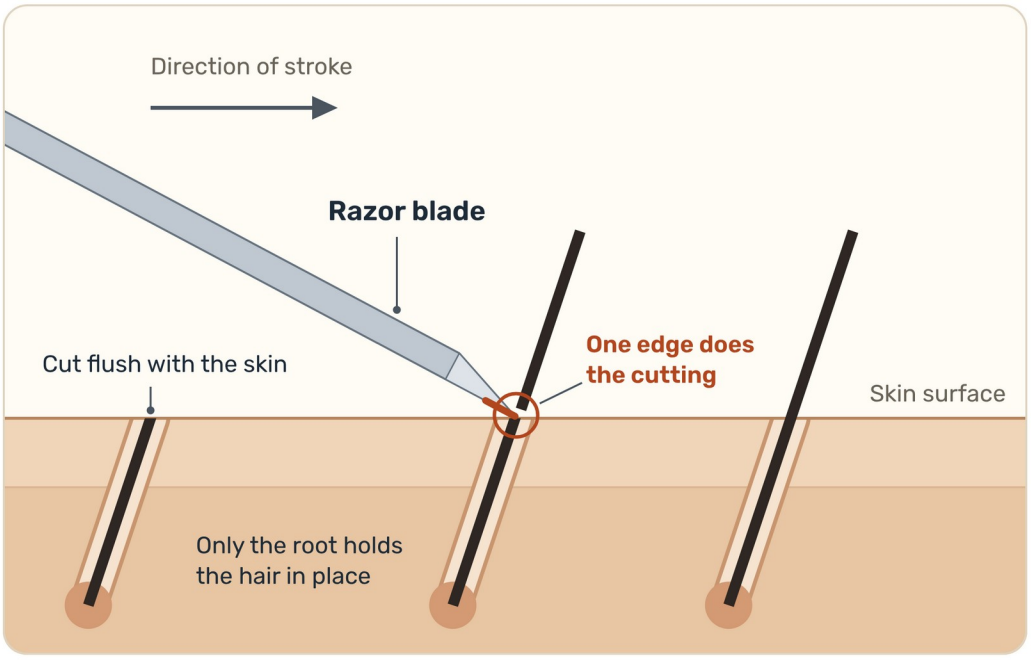


Figure 2. *A razor. A single edge glides along the skin and cuts the hair at the skin line; nothing holds the hair but its root. Not to scale.*

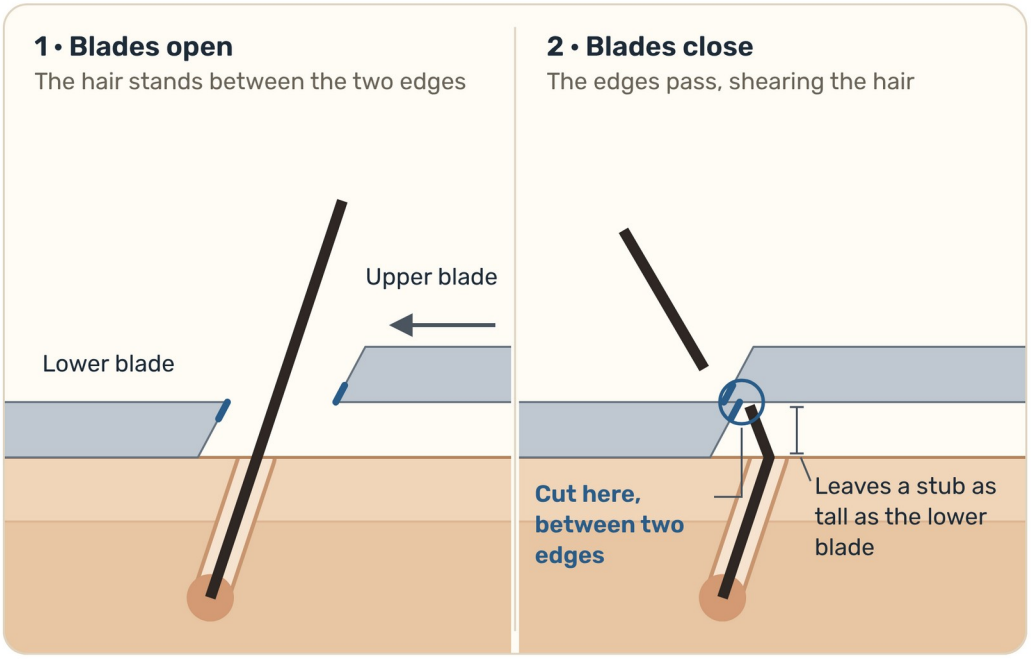


Figure 3. *Scissors. The hair is trapped between two edges and sheared where they pass; the lower blade stands between the hair and the skin and leaves a stub as tall as itself. Not to scale.*

Rabbenu Yehonatan of Lunel writes similarly in his commentary on Makkot (Mishnah 7):

> **'And he is not liable until he removes it with a razor' — that is, some of the root of the hair remains within the flesh, but it does not protrude outside, as it protrudes with scissors.**
>
> ואינו חייב עד שיטלנו בתער, כלומר שנשאר קצת משורש השיער בתוך הבשר אבל אינו בולט מבחוץ כמו שבולט במספריים

He states explicitly that after a razor shave the base of the hair remains hidden within the flesh and nothing of it protrudes, whereas with scissors some of the hair remains protruding above the skin.

Chapter Two

The Electric Shaver

במספריים מותר דלית בהו השחתה, שהרי ניכר שם השער

"With scissors it is permitted, since they involve no hashḥatah, for the hair can still be seen there."

— Nimukei Yosef, Makkot 3b

Electric shavers, as is well known, do not work exactly as a razor does. A razor cuts the hair with its edge, which touches the skin itself with nothing in between, and it cuts the hair level with the surface of the skin (though it does not uproot it from the inner root). An electric shaver, by contrast, has a thin metal screen that separates the blades from the skin: the screen is what touches the skin, the hairs enter through its holes, and the blades set inside it cut them.

Some shavers boast of a method called "Lift and Cut," as if one blade lifts the hair and another cuts it. In truth, however, it has become clear that almost all these shavers work in the same basic way. When the shaver is pressed, the screen pushes the soft skin slightly down; the hair then stands out further and enters the holes of the screen, where it is cut by the blades moving rapidly beneath it.

When the pressure is released and the skin returns to its natural place, the hair turns out to be cut close and to look truly level with the surface of the skin, so that it can be detected neither by sight nor by touch.

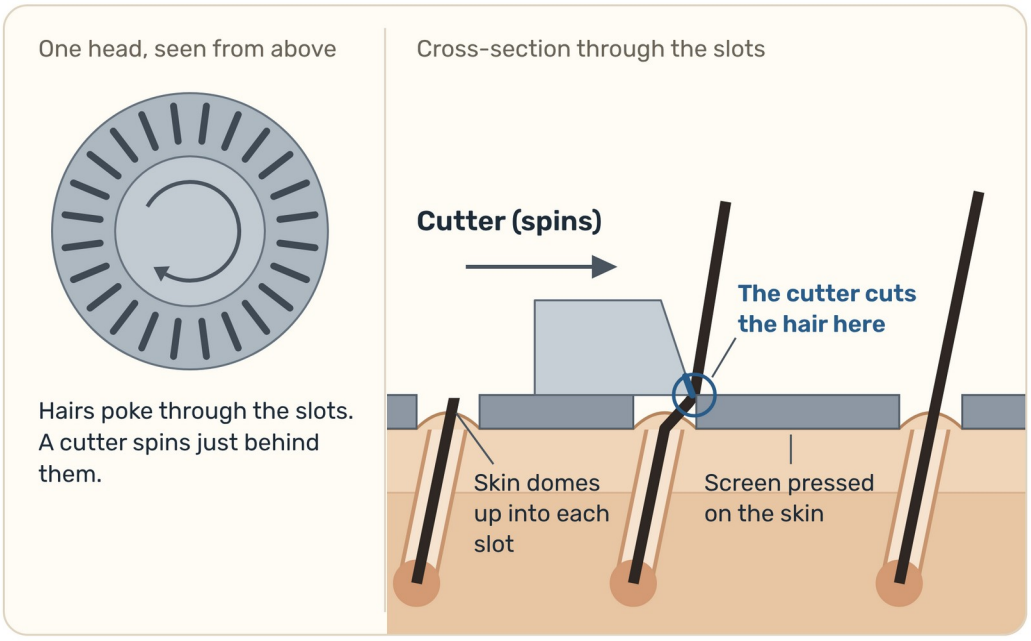


FIGURE 4. *A rotary shaver. The hairs enter the slots of the screen, and the cutter spinning just behind it cuts them there, close to the skin. Not to scale.*

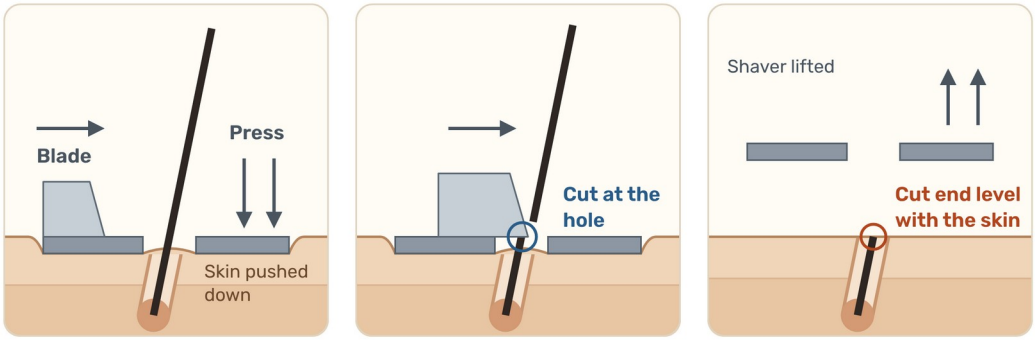


FIGURE 5. *How most shavers cut. Pressed against the face, the screen pushes the skin slightly down; the hair stands out further, enters a hole and is cut there by the moving blade. When the skin returns to its place, the cut end looks level with it. Not to scale.*

In practice, then, the result is very similar whether one shaves with a razor or with a shaver: the hair is cut down to the surface of the skin. The essential difference between them lies in how they work: the razor touches the skin, while in the shaver a screen stands in between. Yet the shavers too shave the hair close to the skin, completely smooth.

We already explained above that scissors normally leave some of the hair protruding above the skin and cannot shave as close to the skin as a razor does.

I tested this myself. I shaved a small area of my neck with scissors and found that the blades cannot be brought that close to the skin: when I tried to press them right against it, the skin was cut and bled. Moreover, because of the thickness of the lower blade, the hair cannot be cut any closer to the skin than that thickness, since this blade stands between the place of the cut and the skin. Some of the hair must therefore remain protruding, even when the scissors are brought as close to the skin as possible. From what I saw, the hair that remains is about one or two millimeters long, though there is no fixed measure; it all depends on the thickness of the blades, the thickness of the hair and how one shaves.

We must therefore ask: do these shavers have the status of a razor, because they cut the hair right at the skin, or the status of scissors, because of the way they work?

One cannot dismiss this by arguing that since a shaver's shave is not always as smooth as that of an actual razor, it involves no *hashḥatah*. Even with a razor itself, how close the cut comes to the skin is not the same in every shave; it depends on the sharpness of the razor, how hard it is pressed, how the skin is stretched and how many times it passes over the same spot.

Sometimes, even after a razor shave, some hair remains that was not cut right at the skin, yet the razor does not cease to be a razor because of this. In recent generations, too, razors with several blades have been made, to bring the cut even closer to the skin. So a razor's *hashḥatah* does not depend on every shave actually being completely smooth, but on its way of shaving: it cuts the hair close to its base.

With shavers, too, there are people, especially those whose beard hair is soft and fine, for whom the shave is so smooth that no difference at all can be seen between it and an actual razor shave.

Nor do we find in the words of Ḥazal any exact measure of how much of the hair must remain above the skin for the shave not to count as *hashḥatah*. From the words of the Nimukei Yosef, who wrote that scissors involve no *hashḥatah* **"for the hair can still be**

seen there," one may infer that whenever the hair cannot be seen after shaving, there is room to judge it as *hashḥatah*, even if some tiny amount of it remains that the eye cannot see.

In my humble opinion, in how close it cuts to the skin and in the result of the shave, the shaver resembles a razor more than scissors. It is made to cut the hair very close to its base, until nothing of it remains that can be seen, whereas with ordinary scissors the blade cuts the hair only where the opposite blade meets it, and so some of the hair remains.

And although the shaver has a thin metal screen separating the blades from the skin, this separation alone does not prove that there is no *hashḥatah* here, since in the end the hair may be cut so close to its base that nothing of it can be seen. In how close it cuts and in the result of the shave, then, the shaver resembles a razor more than ordinary scissors.

Now, the main reasoning of those who permit the shaver, comparing it to scissors, is that its blades do not cut the hair by their sharpness alone, as a razor does, but press it against the edges of the holes in the screen until it is cut. They therefore held that the screen acts like the second blade of a pair of scissors: the hair is cut by two parts working against each other, and this is not a shaving that involves *hashḥatah*.

It seems, however, that there is a fundamental difference between them, for two reasons. First, with ordinary scissors the lower blade stands between the place of the cut and the skin, so the hair is not cut right at its base; in a shaver, by contrast, the screen is extremely thin and cannot keep the blade from cutting the hair close to its base, so that the result of the shave is like that of a razor. This is especially so when the shaver is pressed firmly against the skin: the screen is then pressed onto the flesh, and the inner blades can come very close to the surface of the skin and cut the hair right at its base, until almost no remaining hair can be seen on the skin.

Second, they differ even in the act of cutting itself. With scissors the two blades cut against each other, and both take part in the cutting. In a shaver, by contrast, the screen is not made like a knife and has no edge that cuts the hair; all it does is hold the hair and keep it in place against the inner blade, and the blade cuts it as it passes over the screen. The cut, then, is not

made by two blades, as with scissors, but by a single blade alone, and the screen merely helps hold the hair in place while it is cut.

Accordingly, the shaver's action should not be compared to scissors; on the contrary, it is more like a razor, where the cut is made by a single blade, especially since the result of the shave is that the hair is cut right at its base.

If so, one must wonder why they chose to compare these shavers to scissors because of how they cut, rather than to a razor because they destroy the hair, especially since these shavers are designed from the start to shave the hair close to the skin, unlike ordinary scissors, which are not normally used that way. One must therefore ask: just because the hair is cut against the screen, should the shaver be regarded as scissors, even though the result of the shave is the destruction of the hair, as with a razor? This is all the more so since, as explained, even the act of cutting itself is not entirely like that of scissors.

Chapter Three

The Screen as a Second Blade

ומספרים אינן משחיתים שאין חותכין שיער בצד עיקר כתער

"Scissors do not destroy, since they do not cut the hair at its base, as a razor does."

— Rivan, Makkot 21a

I saw that She'elot uTeshuvot Yoru Mishpatecha by Rav Gideon Ben Moshe (26) cites his teacher, Rav Ben Tzion Abba Shaul, as permitting shavers whose blade does not cut the hair by itself but only together with the screen, since in such a case they are like scissors *ke'ein ta'ar*.

He explained that the hair enters the holes of the screen and the blade presses it against the edges of the holes until it is cut, as the two blades of a pair of scissors help each other. He also wrote that certain shavers were tested and it was found that the blade does not cut without the help of the screen.

With all due respect to his Torah stature, in my humble opinion this proof is not enough to decide that the shaver has the status of scissors. Even if we accept that the blade cuts the hair only with the help of the screen, it has still not been shown that its shave therefore involves no *hashḥatah*.

Ḥazal did not say that any cut made by two parts working against each other is permitted; they said that one is liable only for a shaving that involves *hashḥatah*. As for why scissors are permitted, the Rishonim have already explained the reason: with them the hair is not removed from its base. From where, then, could we learn from this a permission for the shaver, which, even if it cuts the way scissors do, is capable of cutting the hair close to its base, as a razor does?

One should further note that even if we prove that the blade does not cut the hair without the help of the screen, this is no proof that the screen counts as the second blade of a pair of scissors in halachah. It may be that the screen only holds the hair in place against the blade so that the blade can cut it, and not everything that helps a blade cut thereby becomes scissors. Nor do we find in the words of Ḥazal that whenever the hair is cut against something else, it is no longer shaving with a razor. Rather, one must determine whether there is an act of shaving that involves *hashḥatah* here; clarifying the manner of cutting alone is not enough.

Furthermore, the rav mentioned explains the Rivan's words in a forced way. The Rivan wrote that scissors do not destroy **"since they do not cut the hair at its base, as a razor does."** He takes "base" (*ikar*) to mean not the base and root of the hair but the essential part of the cut: scissors do not cut the hair by the force of a single blade, but by two blades working against each other. According to his explanation, the difference between a razor and scissors depends not on how far the hair is destroyed but on how the implement works. He added that, since Maran ruled in the Shulḥan Aruch that scissors are permitted even *ke'ein ta'ar*, it is more reasonable to explain the Rivan this way.

In my humble opinion this explanation is difficult. The plain sense of the words is that the *ikar* spoken of here is the base of the hair, not of the blade. This is also proven from Tosafot in Nazir (40b), who wrote **"since they do not remove the hair from its base and its root"**: these words cannot be explained as referring to the edge of the blade, only to the actual base of the hair. Rabbenu Yehonatan of Lunel likewise explained that with a razor the hair does not protrude outside the flesh, whereas with scissors it does. The words of these three Rishonim thus agree: the difference depends on what remains of the hair after shaving, and we do not find that they mentioned any distinction between one blade and two.

Proof of this can be brought even from the words of the Rosh cited above, who wrote that scissors cannot shave as close to the skin as a razor does. If the permission depended on two blades taking part in the cut, what difference would it make whether or not they can shave close to the skin? Even if they cut right at the skin, they would still be permitted because of the two blades.

It therefore seems that there is reason for concern here under the rule that a doubt in a Torah law is treated stringently (*safek de'oraita leḥumra*). For by Torah law only a razor is forbidden, not scissors, and it has not been settled which of the two the electric shaver should be compared to.

In truth, the Torah did not forbid a razor as such; it wrote **"you shall not destroy"** and **"they shall not shave,"** and Ḥazal derived from these verses that although scissors shave, they do not perform *hashḥatah*. This does not, however, exclude other implements from the prohibition: anyone who shaves with an implement that both shaves and performs *hashḥatah* transgresses it.

Chapter Four

A Shaving That Destroys

דרך כהני עובדי כוכבים היה להשחית זקנם. לפיכך אסרה תורה להשחית הזקן

"It was the practice of idolatrous priests to destroy their beards; therefore the Torah forbade destroying the beard."
— Rambam, Hilchot Avodah Zarah 12:7

One should further note the underlying reason for the prohibition of destroying the beard, as the Rambam writes in Hilchot Avodah Zarah (12:7):

דרך כהני עובדי כוכבים היה להשחית זקנם. לפיכך אסרה תורה להשחית הזקן. וחמש פאות יש בו. לחי העליון ולחי התחתון מימין וכן משמאל ושבלת הזקן. ולוקה על כל פאה ופאה. ואם נטלן כלן כאחת לוקה חמש. ואינו חייב עד שיגלחנו בתער שנאמר ולא תשחית את פאת זקנך גלוח שיש בו השחתה. לפיכך אם גלח זקנו במספרים פטור. ואין המתגלח לוקה עד שיסיע. ואשה מתרת להשחית זקנה אם יש לה שער בזקן. ואם השחיתה זקן האיש פטורה

It was the practice of idolatrous priests to destroy their beards; therefore the Torah forbade destroying the beard. The beard has five corners: the upper cheek and the lower cheek on the right, and likewise on the left, and the tip of the beard. One receives lashes for each corner, and if he removed them all at once, he receives five sets of lashes. He is not liable until he shaves it with a razor, as it says, 'and you shall not destroy the corner of your beard' — a shaving that involves destruction. Therefore, if he shaved his beard with scissors, he is *patur*. The one being shaved does not receive lashes unless he assists. A woman may destroy her beard if she has hair on her chin, and if she destroyed a man's beard, she is *patur*.

The Rambam first gives the reason for the prohibition — that idolatrous priests used to destroy their beards, and therefore the Torah forbade destroying the beard — and only afterward explains that one is liable only with a razor, which is a shaving that involves destruction. This implies that what matters is not the name "razor" alone but a manner of shaving that involves *hashḥatah*; indeed, he states the reason explicitly, for he is not content with the word **"razor"** but adds **"a shaving that involves destruction."**

Accordingly, one may say that any other implement that works by shaving the hair close to its base, until nothing of it can be seen, falls under a shaving that involves *hashḥatah*. The shavers common today, designed from the start to shave the beard close to the skin as a razor does, therefore bear a resemblance to the essential *hashḥatah* the Torah forbade, even though they do not cut in exactly the same way as a razor.

Indeed, we already find Aḥaronim who were stringent even about shaving with scissors, where the hair is cut close to its base until nothing of it can be seen. See the words of the Beit Hillel, cited in She'elot uTeshuvot Shemesh Tzedakah (Yoreh De'ah 61) and noted by Rabbi Akiva Eiger in his glosses to the Shulḥan Aruch (Yoreh De'ah 181):

> **In Ashkenaz it was the custom to cut hair with scissors using both points, and they would uproot all the hairs so that no hair could be seen, as with a razor; this is a severe prohibition. It is indeed a strong argument, and one should be concerned for it — follow the reason: there is no greater *hashḥatah* than removing the hairs from their base.**

Likewise, Rav Shmuel Landau, son of the Noda BiYehuda, writes in She'elot uTeshuvot Noda BiYehuda (Mahadura Tinyana, Yoreh De'ah 81) that it is forbidden to shave with a stone whose sharp points cut the hair close to its base:

> **It is certainly an outright prohibition, and truly like a razor. For the sharp points of the stone, the *tziporen shamir*, shave and cut the hairs from their base; this is a shaving that involves destruction, and the stone performs the act of a razor, whose sharpness cuts the hairs. What difference is there whether the hairs are cut with an**

> **iron razor or with any stone? In the end it cuts the hair close to the base, unlike scissors; this is called a shaving that involves destruction, and it is the act of a razor and forbidden by Torah law, etc.**

See also She'elot uTeshuvot Maharsham (vol. 2, 243), who cites She'elot uTeshuvot Min HaShamayim as stringent about scissors that leave no hair at all, and is himself stringent on this as well.

Their words make clear that the matter depends not on the name of the implement alone but on how close to the skin it cuts: whenever the hair is cut close to its base, as a razor cuts it, that counts as a shaving that involves *hashḥatah*. There is reason for concern, then, with today's shavers as well, which normally shave the hair close to the skin until nothing of it can be seen; the separating screen alone does not prove that they involve no *hashḥatah*.

Therefore, even if the electric shaver is not literally a razor, it is still reasonable to regard its action as a shaving that involves *hashḥatah*, and there is concern that one who shaves with it transgresses a Torah prohibition — all the more so since, as explained above, its shave is closer to a razor's than to that of scissors.

Who, then, would dare to permit so severe a prohibition because of a thin screen between the blades and the skin, when in the end the shaver performs the act of a razor, cutting the hair close to its base until nothing of it can be seen? How can we be lenient where a Torah prohibition may be involved, and rule leniently for the public in something people stumble over every day — especially when one who destroys his beard with a razor incurs five sets of lashes, one for each corner? It therefore seems that these shavers should not be permitted without clear proof that their manner of shaving has the status of scissors and not of a razor.

Chapter Five

Scissors "Like a Razor"

והא רב נמי בתער קאמר. כעין תער

"But Rav too said 'with a razor'! — Like a razor."
— Nazir 58b

Some have sought to be lenient on the basis of the Gemara in Nazir (58b):

> אמר רב, מיקל אדם כל גופו בתער. ופירש רש"י שאין בזה משום "לא ילבש גבר שמלת אשה". והקשו בגמרא מברייתא דתניא, המעביר בית השחי ובית הערוה הרי זה לוקה. ותירצו, הא בתער הא במספריים. והקשו, והא רב נמי בתער קאמר. ותירצו, כעין תער
>
> **Rav said: A person may remove the hair of his whole body with a razor.** Rashi explains that this does not involve **'a man shall not wear a woman's garment.'** The Gemara objected from a baraita: **One who removes the hair of the armpit or the pubic area receives lashes!** It answered: **This one is with a razor, that one is with scissors.** It objected: **But Rav too said 'with a razor'!** It answered: **Like a razor.**

We see that there is a way of shaving with scissors called **"like a razor"** (*ke'ein ta'ar*) — shaving with them close to the skin as a razor does — and yet they do not have the status of an actual razor. See Tosafot in Shevuot (2b, s.v. *Ḥayav al harosh*), who write that even the beard may be shaved with scissors *ke'ein ta'ar*; this is also the view of several Rishonim.

From this they sought to learn that even a shaver, although it shaves close to the skin as a razor does, has only the status of scissors *ke'ein ta'ar*, which were permitted even for shaving the beard.

We must, however, examine the essential definition of the scissors *ke'ein ta'ar* mentioned in the Gemara: does it mean shaving with them right at the skin until nothing of the hair remains, or only a shave closer to the skin than with ordinary scissors, in which some of the hair still remains? Rashi there (s.v. *Ke'ein ta'ar*) explains:

> שגזז במספרים בסמוך לבשר כעין תער
>
> **That he cut with scissors close to the flesh, like a razor.**

One may infer from his words that he did not write that one cuts the hair from its base and root, like an actual razor, but **"close to the flesh,"** which implies that even with scissors *ke'ein ta'ar* some of the hair remains, only it is very short. Accordingly, there is no proof from here to permit a shaver that cuts the hair so close to its base that nothing visible of it remains, since it may be that scissors *ke'ein ta'ar* were permitted only when their shave does not involve complete *hashḥatah*.

Further support for this can be brought from the words of the Rambam in Hilchot Nezirut (5:11):

> נזיר שגלח שערה אחת לוקה, בין בתער בין בזוג, והוא שקצצה מעיקרה כעין תער. וכן אם תלשה בידו לוקה. אחד המגלח ואחד המתגלח, שנאמר "תער לא יעבור על ראשו". ואם הניח ממנו כדי לכוף ראשה לעיקרה, אינו לוקה, שאין זה כעין תער
>
> **A nazir who shaved a single hair receives lashes, whether with a razor or with scissors, provided he cut it from its base, like a razor. Likewise, if he plucked it by hand, he receives lashes. This applies both to the one who shaves and to the one being shaved, as it says, 'a razor shall not pass over his head.' But if he left enough of it to bend its tip to its base, he does not receive lashes, for this is not like a razor.**

It is explicit here that whenever one leaves enough of the hair to bend its tip to its base, it is not included in *ke'ein ta'ar*. From this one may infer that the expression **"*ke'ein ta'ar*"** does not necessarily denote a shaving that destroys the hair completely, like an actual razor; even

when some of the hair remains, as long as it is less than enough to bend its tip to its base, it may be included in *ke'ein ta'ar*. The Meiri (Nazir 34a) writes likewise.

See Nazir (39b), where it says:

> וקים להו לרבנן כל שבעה יומין אתיא מזייא כדי לכוף ראשו לעיקרו
>
> **The Rabbis have established that in every seven days the hair grows enough to bend its tip to its base.**

So the measure of enough to bend its tip to its base is the amount the hair grows in seven days. It follows that even after six days, when the hair has already grown and is clearly visible, it is still less than enough to bend its tip to its base, and so falls under *ke'ein ta'ar* with regard to the laws of the nazir.

And as is known in reality, beard hair can grow about two or three millimeters in six days, an amount anyone can see. So it is possible for the hair to be visible and protruding, and yet still to fall under *ke'ein ta'ar*.

It seems that the source of the Rambam's words here is the statement of Rav Ḥisda in Nazir (40a): **"For lashes, one [hair]; to invalidate [his final shaving], two; and to nullify [his count], it is nullified only with most of his head, and with a razor."** The Gemara there concludes: **"Rather, say: like a razor."** The plain sense is that "with a razor" applies also to the last clause, about nullifying the nazir's count, with which Rav Ḥisda ended his words.

Now, we learned there (39b) that a nazir whom bandits shaved, leaving enough to bend its tip to its base, does not nullify his count; this implies that whenever they did not leave this amount, it is nullified, even though he was not shaved from the base and root itself. If so, were we to say that *ke'ein ta'ar* applies only when the hair is removed completely from its base, it would be difficult: how could Rav Ḥisda say that the count is nullified only *ke'ein ta'ar*, when even if some of the hair remains, as long as it is less than enough to bend, the count is nullified?

On this point the Rishonim disagree. Tosafot in Nazir (40a, s.v. *Uveta'ar*) write:

> **It seems that it refers to the first clause, that he receives lashes only with a razor; but he nullifies [his count] even when it is not *ke'ein ta'ar*: with most of his head, he nullifies it wherever they did not leave enough to bend, even though it is not *ke'ein ta'ar*.**
>
> ונראה דקאי אריש דאינו לוקה אלא בתער, אבל הוא סותר כי נמי אינו כעין תער אלא ברוב ראשו סותר היכא דלא שיירו בו כדי לכוף, אע"ג דלא הוי כעין תער

They thus distinguished between lashes and nullifying the count: for lashes, *ke'ein ta'ar* is required, whereas to nullify the count it is enough that not enough was left to bend its tip to its base, even though this is not *ke'ein ta'ar*. According to them, then, one cannot prove from the law of nullifying the count that anything less than enough to bend its tip to its base is *ke'ein ta'ar*.

As for the Rambam, however, one may say that he followed the plain sense of Rav Ḥisda's words, that *ke'ein ta'ar* applies also to nullifying the count, and he therefore explained that the measure of *ke'ein ta'ar* is whenever one did not leave enough to bend its tip to its base. So his view is explained by the Leḥem Mishneh there, the Keren Orah on Nazir (40a, s.v. *Amar Rav Ḥisda*), the Ḥazon Ish (Nazir 140:10) and Sefer Sha'ul Sha'al (Yoreh De'ah 132:1). According to this, in the Rambam's view the definition of *ke'ein ta'ar* is not limited to removing the hair from its very base; even when some of it remains, as long as it has not reached enough to bend its tip to its base, it is *ke'ein ta'ar*.

Admittedly, we find that the Maharam Schick on the Mitzvot (mitzvah 374) and the Aruch HaShulḥan HeAtid (Hilchot Nezirut 15:8–9) explained the Rambam's view differently: a nazir receives lashes for **"a razor shall not pass over his head"** only when he cut the hair from its very base. When the Rambam wrote that if he left enough to bend its tip to its base he does not receive lashes, he did not mean that anything less makes him liable to lashes for a razor, but that it involves another prohibition, **"he shall be holy"** or **"he shall not profane his word,"** or rabbinic lashes.

Nevertheless, the plain sense of the Rambam's language, **"But if he left enough of it to bend its tip to its base, he does not receive lashes, for this is not like a razor,"** implies that the measure of enough to bend is what takes it out of *ke'ein ta'ar*, and with less than this it is still *ke'ein ta'ar*. This is especially so since the beginning of his words deals with lashes for the nazir's shaving, and he made no mention here of another prohibition or of rabbinic lashes. It therefore seems that the first explanation fits his language more comfortably.

But even according to Tosafot, for whom *ke'ein ta'ar* means complete *hashḥatah*, there is no proof from here to permit shavers. Tosafot in Nazir (40a, s.v. *Uveta'ar*) wrote:

> כעין תער שעוקר השער ומשחיתו מעיקרו
>
> **Like a razor, that uproots the hair and destroys it from its base.**

And they wrote there (39b, s.v. *Kol shehu*):

> לרבות כל המעבירין ובלבד שיהא כעין תער מעיקרו משרשו לגמרי
>
> **To include all means of removal, provided that it is like a razor: from its base, from its root, completely.**

So their view is explained by the Minḥat Ḥinuch (mitzvah 373:1) and the Ḥazon Ish (Nazir 140:10): for lashes it is not enough that one did not leave enough to bend its tip to its base; the hair must be cut from its very base.

Nevertheless, Tosafot themselves in Nazir (40b, s.v. *Detanya*) wrote regarding destroying the beard:

> ובמספרים ליכא השחתה שאינו נוטל השער מעיקרו ושרשו
>
> **With scissors there is no *hashḥatah*, since they do not remove the hair from its base and its root.**

According to them, then, scissors do not destroy the hair from its base as a razor does, even though we find scissors called *ke'ein ta'ar*.

It follows that, either way, there is no proof from this sugya to permit shavers. According to the Rambam, as explained, the expression *ke'ein ta'ar* may include even a shave after which some of the hair remains, so there is no proof that the scissors that were permitted destroy the hair completely. And according to Tosafot, although they explained *ke'ein ta'ar* for a nazir as complete *hashḥatah*, regarding the beard they wrote explicitly that scissors involve no *hashḥatah* because they do not remove the hair from its base and root.

One therefore cannot prove from the permission of scissors *ke'ein ta'ar* that a shaver whose result is like that of an actual razor is permitted; it must still be determined whether its shave destroys the hair, as explained above.

In my humble opinion, there is no room to distinguish two levels in shaving the beard with scissors: a mere shave that leaves some of the hair, and a shave very close to the skin, called **"*ke'ein ta'ar*,"** that removes the hair from its base and root. If that were so, there would be a difficulty either way.

If such shaving counts as *hashḥatah* and is forbidden by Torah law, the Gemara in Makkot should have distinguished between one kind of scissors and another, instead of stating without qualification that scissors are excluded from **"you shall not destroy."**

And if it is permitted, why do Tosafot themselves write further on (40b, s.v. *Detanya*) that scissors are permitted because **"there is no *hashḥatah*, since they do not remove the hair from its base and its root"**? On this view, scissors *ke'ein ta'ar* do remove the hair from its base and are permitted nonetheless! Tosafot should then have stated explicitly that even complete *hashḥatah* is permitted with scissors, since that is the greater novelty and the one that needed saying.

Rather, it must be that scissors have only one level: they never remove the hair from its base and root, even when one shaves with them *ke'ein ta'ar*.

Moreover, the Sifra (Kedoshim 6:4) teaches:

> ולא תשחית את פאת זקנך, מה תלמוד לומר. לפי שנאמר "ופאת זקנם לא יגלחו", יכול אפילו גלחו במספריים כבתער יהיה חייב, תלמוד לומר "לא תשחית פאת זקנך". יכול אפילו לקטן במלקט וברהיטני יהיה חייב, תלמוד לומר "וזקנם לא יגלחו". הא כיצד, גילוח שיש בו השחתה, הוי אומר זה תער
>
> **'And you shall not destroy the corner of your beard' — why does the Torah say this? Since it says, 'and they shall not shave the corner of their beard,' one might think that even if he shaved it with scissors as with a razor, he would be liable; therefore the Torah says, 'you shall not destroy the corner of your beard.' One might think that even if he removed them with tweezers or a plane he would be liable; therefore the Torah says, 'and their beard they shall not shave.' How so? A shaving that involves destruction: that is a razor.**

The Sifra, the source of the baraita in Makkot, states explicitly that the scissors the Torah excluded with **"you shall not destroy"** are scissors used **"as with a razor,"** and it is plain that this is the very same **"*ke'ein ta'ar*"** mentioned in the Gemara.

Rabbenu Hillel, in his commentary on the Sifra there, explains the reason:

> ת"ל "לא תשחית", לאפוקי מספריים, דלאו בר השחתה הוא, משום דמשיירי עיקרי השערות
>
> **The Torah says 'you shall not destroy' — to exclude scissors, which are not capable of *hashḥatah*, because they leave the bases of the hairs.**

We see that even scissors **"as with a razor"** involve no *hashḥatah*, because they always leave the bases of the hairs.

Now, everything the Rishonim explain in the sugya in Makkot about why scissors are permitted — that they do not destroy, because they do not cut the hair at its base — applies equally to scissors *ke'ein ta'ar*; there is no distinction between them at all, for they are one and the same.

Accordingly, one cannot rely on the explanation of some Aḥaronim who took scissors **"*ke'ein ta'ar*"** to mean cutting the hair at its base exactly like a razor, as the Perishah writes (Yoreh De'ah 181, note 3):

> **With scissors like a razor — that is, to cut all the hair until it is smooth as if he had cut it with a razor; it is forbidden, etc.**

The Ḥayei Adam (89:16) writes similarly, and other Aḥaronim followed them. Presumably the Sifra cited above was not before them. Even without the Sifra, their words require further study, for we do not find a single one of the great Rishonim who explains it this way in the sugya in Makkot, which is the main sugya on this law.

Chapter Six

The Rambam's *Patur*

לפיכך אם גילח זקנו במספריים פטור

"Therefore, if he shaved his beard with scissors, he is patur."
— Rambam, Hilchot Avodah Zarah 12:7

It therefore seems clear that anything that brings about *hashḥatah* through shaving falls under the **"razor"** the Torah forbade; the matter does not depend on the name of the implement. And the **"scissors *ke'ein ta'ar*"** that were permitted must be ones that still leave some of the hair near its base and root. So even if we were to judge the shaver as scissors, since it cuts the hair right at the skin and destroys it from its base, it does not share the permission of scissors and should be forbidden.

This is all the more so according to the Rambam, who measures *ke'ein ta'ar* by the hair that remains: if one left enough to bend its tip to its base, it is not *ke'ein ta'ar*, and if less, it is. When the hair is cut right at the skin, then, until nothing of it can be seen, this is not merely **"*ke'ein ta'ar*"** but like an actual razor.

This applies especially to us Sephardim, who should follow the Rambam wherever the other Rishonim among the Sages of Sepharad do not disagree with him.

Beyond this, there is a further point to examine in the Rambam's words cited above, where he wrote: **"Therefore, if he shaved his beard with scissors, he is *patur*,"** which implies exempt but forbidden. Maran, in the Kesef Mishneh, already addressed this there:

> **Nevertheless, there is a difficulty in what he wrote, 'if he shaved his beard with scissors, he is *patur*,' which implies that there is a prohibition; he should have said 'permitted,' as with rounding the head. It seems one can say that he followed the wording of the Mishnah and was not being precise, for it is permitted even at the outset.**

And so Maran ruled in the Shulḥan Aruch (Yoreh De'ah 181:10):

> **One is liable for destroying the corners of the beard only with a razor, but with scissors it is permitted, even like a razor.**

Others before Maran, however, understood the Rambam's words literally. So writes the Sefer HaḤinuch (mitzvah 252):

> **The Rambam wrote, 'and if he shaved with scissors, he is *patur*'; it appears from his words that he is merely exempt, but that it is forbidden to do so.**
>
> כתב הרמב"ם ואם גילח במספרים פטור, נראה מדבריו דדוקא פטור הוא אבל אסור לעשות כן

Maran's words in the Kesef Mishneh seem to require further study. The Rambam wrote in the introduction to the Mishneh Torah that he composed it so that a person could learn the entire Oral Torah from it, with no need for another book to know the law. Yet according to the Kesef Mishneh, no one could grasp the Rambam's intent here without knowing the wording of the Mishnah.

Furthermore, in many places the Rambam departs from the wording of the Mishnah and the Gemara and puts things in his own words. Why, then, did he choose the word *patur* here,

which implies exempt but forbidden, rather than write "permitted," if he truly meant to permit it at the outset?

I also saw that the Gaon who wrote the Ma'aseh Roke'aḥ comments on the Kesef Mishneh's words:

> **It implies that he means exempt but forbidden. However, Maran of blessed memory proved that it is exempt and permitted; see there. Nevertheless, one may question why he did not write the word 'permitted,' as he wrote regarding the law of the mustache further on.**

It follows that the Rambam's words need not be read as the Kesef Mishneh understood them, and there is room to read them literally: exempt, but forbidden.

I also saw that Rav Ze'ev Wolf Turbowitz, in his book Ziv Mishneh, likewise disputes the Kesef Mishneh, writing:

> **In my humble opinion, it would seem that this is not our master's view; rather, he chose the word *patur* deliberately, to teach that it is forbidden. For he worded it precisely, 'if he shaved his beard,' meaning *ke'ein ta'ar*; therefore there is no liability for it, but there is a prohibition.**
>
> **Our master in fact drew this precision from the wording of the Mishnah in Makkot 20: 'He is not liable until he removes it with a razor; Rabbi Eliezer says: even if he removed it with tweezers or a plane, he is liable.' The Gemara there explains that Rabbi Eliezer holds that these too perform shaving, that is, *ke'ein ta'ar*. The Tanna Kamma chose the word 'liable' precisely — 'he is not liable until he removes it with a razor' — to exclude tweezers and a plane, which are *ke'ein ta'ar*, for which he is likewise not liable; this implies that there is no liability for it, but there is a prohibition.**
>
> **As for what the Kesef Mishneh wrote, 'as with rounding the head,' where our master did write 'permitted': there he did not use the word 'shaving' but 'trimming,' writing in the preceding halachah, 'it is permitted to trim the *pe'ot* with scissors.' But as for shaving *ke'ein ta'ar*, one can say that it is forbidden there too.**

> **Know that this is so, for in the next halachah our master wrote that the mustache may be shaved, yet added, 'although it is permitted, Israel did not practice destroying it,' without mentioning a razor there. This implies that Israel did not practice destroying it even with scissors *ke'ein ta'ar*. If so, for the beard and the *pe'ot* it is certainly forbidden by law; but one is liable only with a razor, and it is permitted only with scissors that are not *ke'ein ta'ar*. This requires further study; consider it carefully.**

Like Rav Turbowitz, Rav Yosef Kafiḥ reads the wording precisely in his commentary on the Mishneh Torah, citing in support the Rambam's own words in his responsa:

> **Our master wrote in responsum 244: 'The corners of the head are the two temples, and the measure of hair one leaves there is the width of the temple, which is less than a thumb. The corners of the beard are four: the upper cheek and the lower cheek on the right side, and likewise the two cheeks on the left side. One may trim all the corners with scissors. And so we always do — that is, we trim the corners of the head with scissors — for only the destruction of a razor was forbidden. We were not commanded to grow the [hair of the] temples, as the masses imagine; only the nazir was commanded to grow his hair, and therefore if he shaved, he neglected a positive commandment and transgressed a negative commandment. This is not so with the corners; they involve only a negative commandment, and therefore there is no obligation to grow them; only destruction was forbidden.'**
>
> **Now, our master was very precise in his wording, as was always his way. For what is permitted he wrote, both in the halachah and in the responsum, 'to trim' — in his Arabic, לילתקט — and for the Torah prohibition he used 'destruction with a razor'; and later, in halachah 7, he wrote, 'if he shaved his beard with scissors, he is *patur*.'**
>
> **His words are perfectly clear: trimming, that is, with scissors not *ke'ein ta'ar*, is entirely permitted; shaving with scissors, that is, *ke'ein ta'ar*, is *patur*, which implies that it is forbidden by rabbinic law; destruction with a razor is forbidden by Torah law and one is liable.**

These are precious words, showing how precise the Rambam was in his language, distinguishing between one word and another, both in his responsum and in the Mishneh Torah.

I saw, however, that some Aḥaronim (Olat Yitzḥak vol. 1, 39; Yosef Kemaḥ 44) drew the opposite conclusion from the Rambam's responsum. But their words rest on a version that does not follow the Arabic original; in their text it reads: **"One may trim all the corners with scissors."**

Rav Kafiḥ addressed this and settled the matter:

> **The translator of our master's responsa in the Mekitzei Nirdamim edition was not precise; despite our master's precision there — לקט for trimming, חלק for shaving — he translated everything as shaving, and thereby blurred our master's precision and his position.**

Rav Kafiḥ further wrote there:

> **See She'elot uTeshuvot Ḥacham Tzvi, appendices, 26: 'Regarding the corners of the head our master wrote "permitted," and regarding the beard "*patur*," implying that it is forbidden. The Kesef Mishneh already commented on this (below, halachah 7) and holds that it is not precise. But that is forced, given that Rabbenu Moshe was precise in his reading. What seems right to me is that our master holds that under the law of destroying the corners there is no issue with scissors, since they do not destroy, but under the law of women's adornment it should be forbidden. The Mishnah too is precise, for it teaches only "he is not liable," not "permitted," and that is because of adornment. Regarding the corners of the head, [women's adornment] does not apply; on the contrary, growing them and their hair is a beauty for them.'**
>
> **These words are astonishing: since he knew that Rabbenu Moshe was precise in his reading, how did he fail to notice the precision of his language, 'trim' versus 'shave'? Clearly none of this is needed, and the correct view is as I wrote.**

What emerges from all this is that according to the Rambam, only shaving with scissors that are not *ke'ein ta'ar* is permitted; shaving with scissors *ke'ein ta'ar* is exempt but forbidden by rabbinic law, and the measure of *ke'ein ta'ar* is leaving less than **"enough to bend its tip to its base."** But a shave that involves *hashḥatah*, as is common with shavers, is forbidden by Torah law, and one is liable for it.

Chapter Seven

What the Eye Sees

שנשאר קצת משורש השיער בתוך הבשר אבל אינו בולט מבחוץ כמו שבולט במספריים

"Some of the root of the hair remains within the flesh, but it does not protrude outside, as it protrudes with scissors."

— Rabbenu Yehonatan of Lunel, Makkot

After all this, I was shown photographs taken through a microscope, along with images of shaving with an actual razor, and they show clearly that even after a razor shave some of the hair still protrudes from the skin; it simply cannot be seen without magnification.

If so, one should say that the Torah forbade only a shaving that destroys the hair until the skin looks smooth to onlookers, even though in truth a tiny amount of hair still protrudes, for the Torah is not concerned with what the eye cannot see.

Accordingly, it is hard to understand the reasoning of those who are lenient with electric shavers because a screen separates the blades from the skin, and who hold that the shaver therefore has the status of scissors rather than of a razor. Even if we grant that the hair is cut between the blades and the edges of the holes in the screen, like the two blades of scissors, the screen is extremely thin and cannot hold the cut away from the skin as the lower blade of scissors does; the hair is therefore cut right at the skin.

Furthermore, as explained above, what matters is not the name of the implement alone but a shaving that involves *hashḥatah*: cutting the hair close to its base until nothing of it can be seen. This is found in electric shavers, whose whole design and purpose is to shave the hair as close to the skin as possible, until the skin looks smooth, close to a razor shave. What difference, then, does a different manner of cutting make, when in the end the very *hashḥatah* the Torah forbade is done with them?

I am therefore astonished at the many who are lenient with themselves in this matter. Many people are strict with themselves about things that are mere stringencies, yet here, where a severe Torah prohibition may be involved — one who destroys the five corners of his beard with a razor incurs five sets of lashes — they are lenient in something they do several times a week.

Surely, where a Torah prohibition may be involved, especially in something one can stumble over constantly, it is proper to be stringent and to take into account those who forbid, rather than enter into a doubtful prohibition for the sake of a smooth face.

The Ruling

What emerges from all of the above is that the **"scissors *ke'ein ta'ar*"** that Ḥazal permitted mean only shaving with them as close to the skin as possible, while some of the hair still stands out, visible to the onlooker. As the Nimukei Yosef wrote, scissors involve no *hashḥatah* **"for the hair can still be seen there"**; and as Rabbenu Yehonatan of Lunel wrote, with a razor the hair **"does not protrude outside, as it protrudes with scissors."**

But whenever the hair is cut so close to the skin that the onlooker can see nothing of it, that is complete *hashḥatah*: not *ke'ein ta'ar*, but the act of a razor. And although very close inspection, or touch, may still detect a little, this does not matter, since even after a razor shave a tiny amount of hair remains, and the Torah is concerned only with what people's eyes can see.

Now, scissors can never shave as close to the skin as shavers do, since their two blades cut against each other and one of them inevitably comes between the hair and the skin. As the Rosh wrote, **"with scissors it is impossible to shave them so close to the skin"**; and as I found when I tested it myself, one who presses them right against the skin cuts himself. Shavers, by contrast, were designed from the start to shave close to the skin, and their shave sometimes comes so close to a razor's that no difference can be seen, as explained above.

It therefore seems, in my humble opinion, that one should forbid a shaver that shaves the hair so close to the skin that nothing of it can be seen, since there is concern that it falls under a shaving that involves *hashḥatah*. At the very least it is a doubt in a Torah prohibition, and a doubt in a Torah law is treated stringently.

Even according to the Shulḥan Aruch, who permitted scissors even *ke'ein ta'ar*, there is no proof from this to permit a shaver that destroys the hair as a razor does, since it has not been established that it is included among the scissors he permitted.

Glossary

Term	Meaning
Aḥaronim	The later halachic authorities, from about the sixteenth century on
Baraita	A teaching from the time of the Mishnah that was not included in it
Gaon	A title of honor for an outstanding Torah scholar
Gezerah shavah	A rule of interpretation that links two verses through a shared word
Halachah	Jewish law; also a single numbered law of the Mishneh Torah
Hashḥatah	"Destruction" of the beard, which the Torah forbids (Vayikra 19:27)
Ḥazal	The Sages of the Mishnah and the Talmud
Hilchot	"The laws of": the title of each section of the Mishneh Torah
Ikar	Base, root; also, the main or essential part of a thing
Ke'ein ta'ar	"Like a razor": cutting with scissors close to the skin, as a razor does
Kohanim	The priests, descendants of Aharon
Maran	"Our master": Rabbi Yosef Karo, author of the Shulḥan Aruch and the Kesef Mishneh
Mishneh Torah	The Rambam's code of Jewish law
Misparayim	Scissors: two blades that cut the hair between them
Nazir	One who has taken the nazirite vow, which among other things forbids cutting his hair
Patur	Exempt from punishment (the opposite of *ḥayav*, liable). Whether it also means permitted is the subject of Chapter Six

Term	Meaning
Pe'ah, *pe'ot*	Corner, corners: of the head (the temples) and of the beard
Posekim	Halachic decisors: the authorities who rule on practical law
Responsum	A written answer to a question of Jewish law (Hebrew *teshuva*)
Rishonim	The early halachic authorities, from about the eleventh to the fifteenth century
s.v.	"Under the heading": the opening words of the comment cited (*dibbur hamatḥil*)
Safek de'oraita leḥumra	A doubt in a Torah law is treated stringently
She'elot uTeshuvot	"Questions and answers": a collection of responsa
Shulḥan Aruch	Maran's code of Jewish law, the standard work of practical halachah
Sugya	A Talmudic discussion of a topic
Ta'ar	Razor
Tanna Kamma	The first, unattributed opinion in a Mishnah or baraita
Yoreh De'ah	The second of the four parts of the Shulḥan Aruch; section 181 covers shaving the corners of the head and beard

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