

## FURTHER IYUN

### Further Iyun on the Usage of Electric Shavers

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The Torah mentions the prohibition of shaving one's beard in two separate places in *Sefer Vayikra*. The first time, it is presented as a general prohibition to *Am Yisrael*: “Neither shall you **destroy** the corners of your beard,”<sup>1</sup> whereas the second instance refers specifically to the sons of Aharon and the *Kohanim*: “Neither shall they **shave** off the corners of their beard.”<sup>2</sup>

We see that the Torah chose two different verbs to describe the prohibition. When commanding *Am Yisrael*, the Torah uses the verb “**destroy**,” while in connection to the *Kohanim* it uses the verb “**shave**.” *A priori*, one could have understood that these are two separate prohibitions, given to different segments of the population. However, Chazal explained that the Torah prohibited the same action to all Jews. The two verses and different verbs come to teach us that one only violates the prohibition if one transgresses two conditions. Let's clarify.

The Mishna in *Masechet Makkot*<sup>3</sup> cites a dispute between the *Tanna Kamma* and Rabbi



Eliezer. Both agree that whoever shaves his beard with a razor violates a Torah commandment.<sup>4</sup> The *Tanna Kamma* holds that there is no Torah violation with other tools, while Rabbi Eliezer argues that even if one shaves his beard with מלקט ורהיטני, *melaket* and *rehitny* (to be defined below), he has violated a Torah prohibition.

The *Tanna Kamma* employs a *gezera shava* (verbal analogy) from the words “*pe'at*”<sup>1</sup> and “*pe'at*”<sup>2</sup> that both shaving and destroying the hair are needed in order to transgress a Torah violation, and the only instrument that fulfills both conditions (i.e., destroys and shaves) is the razor. By contrast, scissors has the capability of fulfilling the aspect of shaving, but not destroying, while *melaket* and *rehitny* can destroy, but do not shave normally.

The Gemara raises a difficulty on Rabbi Eliezer's opinion – if he agrees to the *gezera shava* of the *Tanna Kamma* (and therefore both the aspect of destroying and shaving are needed in

1. *Vayikra* 19:27.

2. *Vayikra* 21:5.

3. *Masechet Makkot* 20a.

4. Concerning the exact location of the *pe'ot*, the Mishna (*Makkot* 3:5) says there are five *pe'ot*, two on each side and one underneath. There are so many different explanations to the Mishna that the *Shulchan Aruch* writes (*Yoreh De'ah* 181:11) that any *yerei shamayim* should not use a blade anywhere on his beard. The Rema adds that he should not shave even under the throat. There is one area that is agreed it is allowed to shave with a blade, and that is the mustache.

order to transgress the Torah violation), why does he claim that using a *melaket* and *rehitny* constitutes a Torah violation? And if he does not agree to the *gezera shava*, but claims that each commandment is independent of the other, then even scissors should involve a Torah violation (for although it doesn't destroy the hair, it still shaves)? The Gemara answers that Rabbi Eliezer agrees to the *gezera shava* of the *Tanna Kamma*, but is of the opinion that *melaket* and *rehitny* also contain the aspect of shaving.

To summarize – both agree that the Torah violation is only transgressed when two conditions – shaving and destroying of the hair, are done. Therefore, they all agree that a razor involves a Torah violation, but scissors do not. They only dispute *melaket* and *rehitny*, for although they agree that these fulfill the aspect of destroying the hair, the dispute is if they also fulfill the aspect of shaving.

### Defining *Hashchata*/Destroying and *Giluach*/Shaving

Although as we have mentioned, both of these conditions are needed to transgress a Torah violation, it is not clear exactly what these terms mean.

#### *Hashchata*/Destroying of the Hair Refers to the Result

**Rashi** states in several places in his commentary to the Talmud that a *melaket* is a certain tool used to rub and scrape the scabbard of a sword to make it smooth. Rashi explains that this tool

was used by professionals, so it is easy to understand why shaving with such a tool would be considered destroying, as it would completely remove the hair. Furthermore, not only would no hair remain on one's beard, but several layers of skin might also be totally removed. One can also understand why this would be difficult to define as shaving, as it is not recommended or common to shave one's beard with such a tool. Elsewhere<sup>5</sup> **Rashi** writes that a *melaket* is tongs. This description is similar to tweezers of modern times and this is how Rambam describes it<sup>6</sup>. Both the **Meiri** and the **Nimukei Yosef** take a similar approach and explain that the *melaket* and *rehitny* pull the hair from the root. The **Rivan**<sup>7</sup> describes *melaket* and *rehitny* as tools that remove the hair very close to the root, i.e., very close to the skin.

It is interesting to note that **Rambam** writes in his Commentary<sup>8</sup> on the Mishna that *melaket* and *rehitny* are two tools that were used simultaneously, probably something like the combination of a comb and a scissors. In any case, in light of these *Rishonim* we can conclude that the Gemara understood the term *hashchata* as the hair being cut very close to its root. In other words, *hashchata* describes the result of the action, but not the action itself.

#### *Giluach*/Shaving Refers to the Type of Action

**Rashi**<sup>8</sup> (in *Kiddushin*) and **Rivan**<sup>9</sup> write that using a *melaket* and *rehitny* is not “a common way to shave.” Similarly, **Tosafot**<sup>10</sup> hold “that it is not

5. *Masechet Yevamot* 43a.

6. *Masechet Makkot* 3:5.

7. *Masechet Makkot* 21a.

8. *Masechet Kiddushin* 35b.

9. *Masechet Nazir* 40b.

10. *Masechet Makkot* 21a.

common to shave” with a *melaket* and *rehitny*. These *Rishonim* imply quite unequivocally that the term *giluach*, shaving, refers to the use of specific tools for shaving in a common manner.

But how does this definition align with Rabbi Eliezer’s approach, who claims that *giluach* can also be done with the *melaket* and *rehitny*? Are the *Tanna Kamma* and Rabbi Eliezer arguing about a historical reality about the norms of the day?

Perhaps we could suggest that the *melaket* and *rehitny* were used by professional barbers but weren’t his main tools. The *Tanna Kamma* and Rabbi Eliezer consequently disagree whether the barber’s minimal use of the *melaket* and *rehitny* for shaving defines these tools as a common way of shaving or not.

### Another Possibility of Understanding the Definition of *Giluach*/Shaving

The **Meiri** has an interesting explanation, which can be understood in two ways:<sup>11</sup> “If this procedure was done with a *melaket* and *rehitny* and other similar tools, which are used to pluck the hair and remove it from the root, one is exempt, as this is not shaving. What is shaving that involves destroying? This is the razor.” It is clear from the contrast he makes between *melaket* and *rehitny* and a razor that “shaving” is the manner of action. In other words, what differentiates between *melaket* and *rehitny* and a razor is the manner of use, and not the frequency of use, as opined by Tosafot.

As opposed to Tosafot, who explain that if it’s not frequently used, it cannot be considered shaving, the Meiri seems to be focusing on the

fact that this action of pulling individual hairs differs from the usual action of shaving.

There are two ways of understanding the Meiri: First, one can say that the difference is between tools used to cut hair that function by cutting a large quantity of hair, which is considered shaving, and *melaket* and *rehitny*, which work by plucking each hair individually. Alternatively, one could explain that the distinction is between tools that cut the hair and tools that pull the hair from its root, which is not considered shaving.

### Application of These Definitions to the Halachic Status of Electric Shavers

One final term must be clarified before understanding how this all relates to electric shavers: “מספריים כעין תער”, scissors like a blade. Is a scissors used like a razor forbidden in the same manner as a razor itself?

The **Rambam** writes:<sup>12</sup> “Therefore, if he shaved his beard with a scissors similar to a blade, he is exempt.” The *Sefer HaChinuch*<sup>13</sup> understands from the Rambam’s usage of “exempt” that he held that it is still prohibited on a rabbinic level.

The *Kesef Mishneh*<sup>14</sup> argues that the Rambam holds that using scissors similar to a blade is completely permissible. The Rambam stated that one is exempt, rather than stating it is permitted because the wording of the *sugya* is also “exempt,” even though it really means permitted, and the Rambam followed the wording of the *sugya*. In the same vein, the

11. *Masechet Kiddushin* 35b.

12. *Hilchot Avoda Zara* 12:7.

13. *Mitzva* 252.

14. On Rambam, *ibid*.

**Shulchan Aruch**<sup>15</sup> rules that scissors like a blade is permitted. From the Gemara in *Makkot* above, it seems that scissors are permitted, since, even though they involve shaving, they do not involve marring. Seemingly then, “scissors like a blade” would also be permitted because they do not completely remove and “mar” the hair in the way that a razor does.

After clarifying these terms, we can now discuss shaving with an electric shaver. A large group of modern *poskim* agree that modern shavers involve *hashchata*. **Rabbi Nachum Rabinowitz** *shlita*<sup>16</sup> writes very clearly that “it is very evident to all that a shaver destroys the skin... anybody looking at a man who shaved with a shaver, even the types that are not as sophisticated, can see that his face is cleanly shaven.”

If there is no *heter* for modern shavers in terms of *hashchata* (according to these *poskim*), perhaps there is room for leniency in terms of how one defines shaving.

Based on Tosafot’s definition that shaving is defined by the frequency of the use of the specific tool, it would not be permitted to use electric shavers today, as they are used worldwide and are definitely considered machines that are commonly used for shaving.

According to the Meiri, whichever way one understands his opinion, it would seem that electric shavers would be forbidden, since they both shave many hairs simultaneously and cut the hairs, as opposed to pulling them out.

There are some *poskim* who permit using electric shavers, and we will try and understand

how they define the Gemara’s terms and their relevance to electric shavers. Rabbi Rabinowitz writes that modern electric shavers should be permitted, similar to *melaket* and *rehitny*, because one hair at a time is caught in the mesh, and the blades do not have sufficient strength to cut more than that at once. **Rabbi Yisrael Rosen zt”l**<sup>17</sup> questioned this approach, because according to all of the *Rishonim*, the heter of *melaket* and *rehitny* is due to the fact that it is uncommon to shave with them, as stated by Tosafot, and he therefore rejects Rabbi Rabinowitz’s opinion. However, Rabbi Rabinowitz’s *heter* might be sufficiently justified according to how we interpreted the Meiri (in the first understanding), but this explanation still seems difficult to rely on.

Other *Acharonim* offer alternative approaches to permit shavers, and we will review several of their approaches. First, several *Acharonim* do not define shavers as *hashchata* at all. **Rav Shlomo Zalman Auerbach** explains<sup>18</sup> that the action of a blade is defined as *hashchata* because it totally removes all the hair, but modern shavers do not remove the entire hair that is protruding above the skin. Although the face is often smooth after using an electric shaver, Rav Shlomo Zalman explains that the machine pulls the hair away from the skin and cuts it several millimeters above the skin. At the moment of cutting, some of the hair remains above the root, but that small bit of hair is pulled back into the skin after being cut, and the skin therefore feels smooth. **Rav Ovadia Yosef** approvingly quotes<sup>19</sup> this opinion of Rav Shlomo Zalman Auerbach.

15. *Shulchan Aruch*, y.d. 181:10.

16. *Melumadei Milchama*, page 281.

17. *Techumin* Vol. 22, p. 447; the Zomet Institute website at [bit.ly/tz1s6ef17](http://bit.ly/tz1s6ef17).

18. *Minchat Shlomo* 2:97:6.

19. *Yabia Omer* 9, *Yoreh De'ah* 10.

Rav Ovadia Yosef continues that Rav Moshe Feinstein was quoted as permitting electric shavers, but that he did not record this in writing, because he believed that the Jewish way was to grow a beard.

In light of the above, Rav Ovadia Yosef concludes that anyone who grows a beard will be blessed, but one who must shave for various reasons may use a shaver, but only on condition that he is careful not to push the machine too forcefully on his skin (for the reason that will be explained below).

Another possible argument to permit a shaver is to define the action of the shaver as “scissors that are like a razor.” Even though we clarified that this leniency would seemingly depend on the quality of the shave, one can also define it by the manner of shaving, namely, two blades working together, and as modern shavers use two blades that work simultaneously, they can be considered as a “scissors that are like a razor.”<sup>20</sup>

There are other *Acharonim* who forbid the use of a shaver, because, in their opinion, the shaver is identical to a blade. One basis for this approach is a story told about the **Chazon Ish**, in which he purportedly tested a shaver on his hands that were dirtied with ink. When he moved the shaver over his hands, they became cleaned, which seemingly indicates that the blade of the shaver is in direct contact with the skin and can therefore “shave off the ink.” A shaver would thus be identical with a razor and should be forbidden. The *Minchat Yitzchak*,<sup>21</sup>

basing his opinion partly on this story, prohibits using a shaver, because most men are not careful to distance the machine somewhat from the skin, and concern exists that the blade of the shaver may come in contact with the skin. The *Likutei Halachot*<sup>22</sup> of the Chafetz Chaim also rules that a shaver is like a razor.

This opinion was not accepted by Rav Ovadia Yosef, and he quotes from the *Yitzchak Yiranein*<sup>23</sup> that he consulted with expert electricians who explained that the ink on the *Chazon Ish*'s hand came off because of the heat of the electricity, and not because of the movement of the blades. Still, Rav Ovadia Yosef writes that one should not push the shaver down hard on one's face, as that could potentially bring the blade too close to one's skin.

## The Approach of Kabbala

We cannot end the discussion of this *sugya* without looking beyond the halachic sources to the Kabbalistic perspective on the matter. The *Zohar HaKadosh*<sup>24</sup> writes:

ווי למאן דאושׂיט ידיה בדיקנא יקירא עלאה.

Woe to the person who sends his hand against his precious spiritual beard.

In light of this, the **Chida**<sup>25</sup> writes that “according to the way of truth [i.e., the Kabbalistic approach], the Torah totally prohibited removing one's beard,” and the **Ben Ish Chai** similarly writes<sup>26</sup> that “no hand should touch” the upper beard. According to this perspective, even if

20. This appears to be the opinion of Rabbi Rosen in the article quoted above on the Zomet Institute website at [bit.ly/tz1s6ef20](http://bit.ly/tz1s6ef20), and in particular section 4. It also appears to be the opinion of Rav Shabtai Rapaport; see there section 6.

21. 4:113.

22. *Masechet Makkot* 14b, *Ein Mishpat* 7.

23. 1:2:6, page 441.

24. *Parshat Naso*, page 130.

25. *Shiyurei Beracha*, *Yoreh De'ah*, *siman* 181.

26. *Torah Lishma*, *siman* 215.

there are ways to permit shaving, Hashem's will is that a Jewish man not touch his beard, and most definitely should not remove any hairs.

Despite this, we find several *poskim* who argue that even if one accepts the approach of the *Zohar HaKadosh*, it need not be understood in the comprehensive manner of the Chida and *Ben Ish Chai*. **Rav Ovadia Yosef**<sup>27</sup> quotes the **Rav Pe'alim**<sup>28</sup> that the **Arizal** explains that the *Zohar HaKadosh* was specifically discussing someone who **completely** removes the facial hair, but not if the majority of the hair remains in place and he cuts it lengthwise. The **Chatam Sofer**<sup>29</sup> also claims that **Rav Menachem Azariah of Fano** was clean-shaven, without leaving one hair on his face, because the position of the *Zohar HaKadosh* does not apply outside of Israel, as *chutz la'aretz* is not deserving of such a spiritual stringency. **Maran HaRav Kook** *zt"l* writes in a letter,<sup>30</sup> quoting from **Rav Chaim of Volozhin**, that the *Zohar HaKadosh* was specifically referring to shaving with a razor, and this is brought in *Yabia Omer*.<sup>31</sup> Even if we interpret the *Zohar HaKadosh* to mean that there is a problem to shave any amount of facial hair in any manner, Rav Ovadia Yosef concludes that priority should be given to the halacha as recorded in the Gemara, and he also writes that the approach of the Kabbala was not meant for the masses.

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27. *Yabia Omer*, *ibid*.

28. Section 4, *Sod Yesharim siman 5*.

29. Section 1, *Orach Chaim, siman 159*.

30. Section 2, *siman 466*.

31. *Ibid*.