

HALAKHA

With regard to flogging, for one hair – לְלִקּוֹת בְּאַחַת – A nazirite who shaved a single hair off his head during his term of naziriteship is liable to receive lashes (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 5:11).

With regard to invalidation, to remove two hairs – לְעֵיבָב בְּשְׁתֵּימַיִם: A nazirite who shaved his head but left two hairs on his head has not fulfilled the obligation of shaving, and it is as though he has not done anything. This *halakha* applies to the shaving of both a ritually pure nazirite, who shaves at the end of his term of naziriteship, and an impure one, who shaves during his term (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 8:6).

Negates it only if he shaved most of his head – אֵינוֹ סוֹתֵר – אֵלֶּא בְּרֹב רֹאשׁוֹ: If a nazirite shaved his head, but left most of the hair of his head intact, this does not negate his naziriteship (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 6:1).

רַבִּי אֵינוֹ דְּנִין קָל מִחֻמּוֹר לְהַחְמִיר עָלָיו.

as one does not derive a *halakha* in a lenient case from the *halakha* in a more stringent one in a manner that would cause one to be stringent in the more lenient case. Since the case of a leper is more stringent than that of a nazirite, as a leper must shave his entire body, one cannot derive from the *halakha* of a leper that a stringent *halakha* applies to a nazirite. It is therefore necessary for the verse to specify that a nazirite's final shaving must be performed with a razor.

רַבִּי אֹמֵר: אֵינוֹ צָרִיךְ, הֲרֵי הוּא אֹמֵר "תֵּעָר לֹא יַעֲבֹר עַל רֹאשׁוֹ עַד מְלֵאת". הַתּוֹרָה אָמְרָה: אַחַר מְלֵאת לֹא תִהְיֶה תַגְלִחַת אֶלֶּא בְּתֵעָר.

Rabbi Yehuda HaNasi says that the term "razor" itself is not necessary to teach that a nazirite's final shaving must be performed with a razor, as the verse states: "A razor shall not come upon his head until the completion of the days that he vowed naziriteship to God" (Numbers 6:5). This full sentence indicates that the Torah said: After the completion of his term the shaving must be performed only with a razor.

וְהִכְתִּיב עָלָיו לְעֵבֹר עַל רֹאשׁוֹ!

The Gemara comments: Rabbi Yehuda HaNasi claims that the term "razor" indicates that shaving, in this case that of a nazirite after the completion of his term, may be performed only with a razor. If so, the verse should be understood in the same manner with regard to the prohibition of shaving. But if one examines the first part of the verse by itself, isn't it written: "A razor shall not come upon his head" (Numbers 6:5), and the first *tanna*, whose opinion Rabbi Yehuda HaNasi does not dispute, derives from this verse that he is prohibited from shaving by other means as well, notwithstanding the explicit mention of a razor.

לְעֵבֹר עָלָיו בְּשֵׁנֵי לְאוּיָן.

The Gemara explains that the phrase "shall not come upon his head" teaches that a nazirite may not remove his hair in any manner. As for the mention of razor in this context, it serves to teach that he will violate two prohibitions for this action of using a razor, one for removing his hair and one for doing so with a razor.

אָמַר רַב חֲסִדָּא: לְלִקּוֹת – בְּאַחַת, לְעֵיבָב – בְּשְׁתֵּימַיִם, לְסוֹתֵר – אֵינוֹ סוֹתֵר אֶלֶּא בְּרֹב רֹאשׁוֹ, וּבְתֵעָר.

Concerning a nazirite who shaves his hair, Rav Hisda says: With regard to flogging, a nazirite who shaved his hair is flogged for shaving even one hair;<sup>h</sup> with regard to invalidation, i.e., the ritual shaving of his hair at the end of his naziriteship, the shaving is invalidated if he failed to remove two hairs;<sup>h</sup> and as for negating his naziriteship, shaving during his term negates it only if he shaved most of his head.<sup>h</sup> And this applies only if he removed his hair with a razor.<sup>n</sup>

NOTES

But isn't it written "a razor," etc. – וְהִכְתִּיב תֵּעָר וְכוּ' – The commentaries debate the meaning of this difficulty. Some explain that the question refers to the opinion of the first *tanna*: How can he claim that the term "razor" refers only to the mitzva of shaving, when the verse is explicitly dealing with the prohibition against shaving (Commentary on *Nazir*, first explanation). Others assert that this difficulty applies to the opinion of Rabbi Yehuda HaNasi as well: How can the basic meaning of the verse be ignored, when it apparently prohibits a nazirite from shaving with a razor during his term (Rabbi Avraham min HaHar, citing Commentary on *Nazir*)?

One possibility is that the Gemara is suggesting an alternative explanation: Perhaps the two types of shaving are not the same, as a nazirite is liable before the completion of his term only if he shaved with a razor, but after its completion he can cut his hair with any implement (Commentary on *Nazir*, second explanation). Yet others explain: Since Rabbi Yehuda HaNasi does not require the term "razor" for the mitzva of shaving, the verse must be teaching that a nazirite is liable during his term only if he uses a razor. This however, is not possible, as Rabbi Yehuda HaNasi does not dispute the ruling of the first *tanna* that the phrase "shall not come upon" teaches that he is liable

for any implement that removes hair (*Tosafot*). Alternatively, the difficulty against the opinion of Rabbi Yehuda HaNasi is as follows: If the *halakhot* of the shaving of purity are derived from this verse, why is the term "razor" not stated in that context? The verse should have simply stated: He shall not have a razor come upon his head until the completion, which would have clarified the meaning (Rabbeinu Azriel, cited in *Shita Mekubbetzet*).

Most of his head, and with a razor – בְּרֹב רֹאשׁוֹ וּבְתֵעָר – Some commentaries maintain that the phrase: And with a razor, refers exclusively to the first *halakha*, i.e., he is flogged only if he used a razor. As for negating his naziriteship, the nazirite negates thirty days even if he cut his hair with other implements, provided that not enough hair remains to bend the end to the root (*Tosafot*; see 39b). Others claim that the phrase: And with a razor, refers to all the *halakhot* (Rosh). This dispute depends, among other factors, on the precise text of the *baraita* cited below. Some commentaries read, based on the *Tosefta* (4:3): He is liable if he uprooted or pulled out any amount, from which it may be inferred that the phrase: And with a razor, does not refer to all the earlier *halakhot* but only to negating days of his naziriteship.

In the manner of a razor – **כְּעֵין תֵּזַר**: A nazirite who shaved a single hair is liable even if he cut the hair with scissors or pulled it out. This is the case if he cuts the hair to its root, producing the same result as a razor. If he left enough to bend his hair from the end to the root he is exempt, as this is not the manner of shaving with a razor. However, some commentaries claim that the phrase: In the manner of a razor, means that the hair is entirely uprooted (*Tosafot*). Likewise, if a nazirite shaved most of his hair with a razor or in the manner of a razor, he negates thirty days of his naziriteship (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 5:11, 6:1).

Three people shave – **שְׁלֹשָׁה מְגַלְחִין**: Although the shaving of a nazirite is not indispensable for his ritual purification, nevertheless it is a mitzva for him to shave, even if he does so much later. Likewise, the shaving of a leper upon his ritual purification is a positive mitzva (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 8:6; *Sefer Tahara, Hilkhhot Tumat Tzara'at* 11:1; and *Sefer HaMitzvot*, positive mitzva 111).

And with regard to all of them, if they shaved with an implement other than a razor, etc. – **וְכֹלֵן שֶׁגִּילְחוּ שְׂלֵא** – **בִּתְעָרוּ וְכוּ'**: A nazirite who shaved with any implement other than a razor or who left two hairs uncut has not fulfilled his obligation, whether he was shaving for his ritual purity or after his impurity. The same applies to the two shavings of a leper; they are invalid if he did not use a razor or if he left two hairs (Rambam *Sefer Hafla'a, Hilkhhot Nezirut* 8:6 and *Sefer Tahara, Hilkhhot Tumat Tzara'at* 5:3).

## BACKGROUND

Depilatory [*nasha*] – **נָשָׂא**: Some linguists accept the version of this term that appears in the mishna (*Nega'im* 10:10): *Nasham*, and suggest that it is the name of a medicine. Nowadays, various medicinal preparations are used for the removal of bodily hair. These cause a chemical reaction that breaks down the hair so it falls off when rubbed even lightly. Different kinds of sulfur salts were used for this purpose. This depilatory possibly contained a similar material, perhaps mixed with lime. A depilatory removes hair for a certain amount of time; some were strong enough to prevent hair from ever growing back.

בתער – אין, במידי אחרים – לא?  
והקתני: מנין לרבות את כל המעבירין!  
אלא אימא: בעין תער.

The Gemara asks: This indicates that according to the opinion of Rav Hisda, a nazirite who shaved with a razor, yes, he negates thirty days, whereas if he did so with anything else, no, he does not negate days. But isn't it taught: From where is it derived to include all implements that remove hair, i.e., that a nazirite is liable if he uses any of them? The verse states: "Shall not come upon his head," meaning in any manner. This indicates that a nazirite must add days to his term of naziriteship even if he shaved with an implement other than a razor. Rather, say that Rav Hisda meant: In the manner of a razor.<sup>h</sup> That is, the nazirite negates his naziriteship only if he removes his hair as one does with a razor, without leaving any part of it.

תניא נמי הכי: נזיר שתלש, מירט, סיפקר  
כל שהוא – אינו סותר אלא ברוב ראשו,  
ובתער. רבי שמעון בן יהודה אומר משום  
רבי שמעון: כשם ששתי שערות מעבבות  
בו – כך שתי שערות סותרות בו.

This opinion is also taught in a *baraita* (*Tosefta* 4:3): With regard to a nazirite who tore out, uprooted, or pulled out any amount of hair, this negates days of his naziriteship only if he shaved most of his head, and only if he did so in the manner of a razor. Rabbi Shimon ben Yehuda says in the name of Rabbi Shimon: Just as leaving two hairs invalidates his shaving of ritual purity at the end of his term, and the act is considered incomplete, so too, leaving a mere two hairs negates days of his naziriteship, if he shaved during his term.

תנן התם: שלשה מגלחין ותגלחתן מצוה:  
נזיר, ומצורע, ולויים. וכולן שגילוהו שלא  
בתער, או ששיירו שתי שערות – לא עשו  
ולא כלום.

§ We learned in a mishna there (*Nega'im* 14:4): Three types of people must shave<sup>h</sup> their hair, and their shaving is a mitzva: A nazirite; and a leper, as it is stated: "And he who is to be cleansed shall wash his clothes, and shave off all his hair" (*Leviticus* 14:8–9). And the third category is Levites, when they were first sanctified for their service, as it is stated: "And this you shall do to them to cleanse them: Sprinkle the water of purification upon them, and let them cause a razor to pass over all their flesh" (*Numbers* 8:7). And with regard to all of them, if they shaved with an implement other than a razor,<sup>h</sup> or if they left two hairs uncut, they have done nothing, i.e., they have not fulfilled their obligation.

אמר מר: שלשה מגלחין ותגלחתן מצוה.  
פשיטא! מהו דתימא: משום עבורי שער  
הוא, ואפילו סך נשא – קא משמע לן  
דלא.

The Gemara analyzes this mishna. The Master said there: Three types of people must shave and cut their hair, and their shaving is a mitzva. The Gemara asks: This is obvious; after all, doesn't the Torah command all three to shave? The Gemara answers: The statement of the mishna is necessary, lest you say that the mitzva is due to and aimed at the removal of hair, and therefore even one who applied a depilatory [*nasha*]<sup>b</sup> to remove his hair has fulfilled his obligation. The mishna therefore teaches us that this is not so, as the mitzva must be performed by shaving.

תנני: וכולן שגילוהו שלא בתער. בשלמא  
גבי נזיר כתיב 'תער לא יעבור על ראשו',  
וגבי לויים כתיב 'והעבירו תער על כל  
בשרם', אלא מצורע בתער מנלן?

The mishna further teaches: And with regard to all of them, if they shaved with an implement other than a razor, they have done nothing. The Gemara asks: Granted, with regard to a nazirite the source of this *halakha* is clear, as it is written: "A razor shall not come upon his head" (*Numbers* 6:5), which indicates that when he does shave he must do so with a razor. And similarly, with regard to the Levites it is written: "And let them cause a razor to pass over all their flesh" (*Numbers* 8:7). However, from where do we derive that a leper must be shaved with a razor for his ritual purification?

וכי תימא: תיתי מלויים: מה לויים שכן  
טעונין תגלחת ואין תגלחתן אלא בתער,  
אף אני אביא את המצורע, שהוא טעון  
תגלחת ואין תגלחתו אלא בתער – איכא  
למיפרך: מה ללויים, שכן טעונין תגלחה  
בגופם, תאמר במצורע דלא!

And if you would say that this *halakha* is derived from the case of the Levites, as, just as Levites require shaving and their shaving is only with a razor, so too, I will bring the case of a leper, who requires shaving and say that his shaving can likewise be performed only with a razor, then this comparison can be refuted. What is unique about Levites is that they have an extra stringency, in that they require waving of their bodies, i.e., Aaron was required to pick up and wave the bodies of the Levites as part of the ritual of their sanctification (see *Numbers* 8:11). Will you say the same with regard to a leper, who does not require waving?

And the derivation has reverted – וְחֹזֵר הַדִּין – This is the standard method of deriving a *halakha* from two cases. When the proof from one case is rejected because it includes a unique aspect, the second case proves that this stringency is not necessary for the *halakha* in question to apply. If the proof from the second source is subsequently rejected because it too contains a special aspect, the Gemara returns to the first case. Ultimately, the *halakha* is derived from the common denominator in both cases, without taking into account the unique stringencies of each.

אֵלָּא, תִּיתִי מִנּוּזֵי. מִה לְנִזְיֹר שְׁכֵן קִרְבָּנוּ טְעוֹן לֶחֶם, תֹּאמַר בְּמִצְוֵת דְּלֹא! אֵלָּא, מִחֲדָא לָא אֲתֵינָא, תִּיתִי מִתְרִוּיָהּ.

מִהִי תִיתִי? תִּיתִי מִלּוּיִם – מִה לְלוּיִם שְׁכֵן טְעוֹנִין תְּנִיפָה בְּגוּפָהּ, נִזְיֹר יוֹכִיחַ. מִה לְנִזְיֹר שְׁכֵן קִרְבָּנוּ טְעוֹן לֶחֶם – לְלוּיִם יוֹכִיחוּ.

וְחֹזֵר הַדִּין; לֹא רָאִי זֶה כְּרָאִי זֶה, וְלֹא רָאִי זֶה כְּרָאִי זֶה, הֵצֵד הַשּׁוּה שְׁבָהָם – שְׁהוּ טְעוֹנִין תְּגַלְחָת וְתִגְלַחְתָּן בְּתַעַר, אֲךָ אֲנִי אָבִיא אֶת הַמִּצְוֵת שֶׁהוּא טְעוֹן תְּגַלְחָת, וְתִגְלַחְתָּן בְּתַעַר.

אָמַר לִיה רַבָּא מְבַרְנִישׁ לְרַב אֲשִׁי: וְלִיפְרוּךְ מִה לְהֵצֵד הַשּׁוּה שְׁבָהָן – שְׁכֵן

Rather, the *halakha* that a leper must use a razor is derived from the case of a nazirite, who does not require waving either. However, this comparison can also be refuted: **What is unique about the nazirite is that his offering requires bread. Will you say the same with regard to a leper, who does not require bread as part of his purification process? Rather, clearly the *halakha* of a leper is not derived from either one of the above cases, that of the Levites or the nazirite. Therefore, let it be derived from the two of them.**

The Gemara elaborates: As stated previously, **from which single case can it be derived?** If you say it can be derived from the Levites, what is unique about Levites is that they require waving of their bodies. This suggestion can be countered by saying that the case of a nazirite proves that this stringency is not the decisive factor leading to the requirement of a razor, as a nazirite is not waved and yet he must be shaved with a razor. And if you respond: **What is unique about the nazirite is that his offering requires bread**, one can similarly argue that the Levites prove that this stringency does not lead to the *halakha* of shaving with a razor, as the offering of the Levites does not require bread and nevertheless they must be shaved with a razor.

And in this manner the derivation has reverted<sup>N</sup> to its starting point. However, at this stage the *halakha* is derived from a combination of the two sources: **The aspect of this case is not like the aspect of that case, and the aspect of that is not like the aspect of this;** each case has its own special features. **The common denominator is that they require shaving and their shaving is with a razor.** Therefore, I will also bring the case of the leper, who requires shaving, and say that his shaving must be with a razor.

Rava of Barnish said to Rav Ashi: **And let us refute this derivation in the following manner: What is the common denominator between the Levites and the nazirite? Their common denominator is that**

Perek VI  
Daf 40 Amud b

אִין קִרְבָּנוּ בְּדִלּוּת, תֹּאמַר בְּמִצְוֵת שְׁקִרְבָּנוּ בְּדִלּוּת!

אָמַר לִיה רַבָּא בְּרַב מִשְׁרָשִׁיא לְרַבָּא: הָאִי תִנָּא, מִעֵיקְרָא אָמַר: לְלִמְדוּ מִמִּצְוֵת אִי אֲפֻשֶׁר שְׂאִין דְּנִין קַל מִחֲמוּר לְהַחֲמוּר עָלֵינוּ, וְהֵדֵר אָמַר: נִילְף מְדִינָא, וּמְדִינָא נִמִּי לָא יְלִיף!

the offering in each case does not include a level of poverty. In both cases the offering is fixed, i.e., a poor person does not have the option of bringing a less expensive offering due to his financial straits. **Will you say the same with regard to the leper, whose offering includes a level of poverty**, as a poor person can bring turtledoves instead of sheep (Leviticus 14:21–22)? Since the Torah was more lenient in the case of a leper than the cases of a nazirite and the Levites, it could also be that the *halakha* is also lenient with regard to his shaving, by not demanding the use of a razor. Consequently, there is no proof that a leper is obligated to shave with a razor.

In continuation of this discussion, Rava bar Mesharshiyya said to Rava: **This tanna initially said**, with regard to the obligation of a nazirite to shave with a razor (39b): **It is impossible to learn this requirement from the *halakha* that a leper must use a razor, as one does not derive a *halakha* in a lenient case from the *halakha* in a more stringent one in a manner that would cause one to be stringent in the more lenient case.** This indicates that it is obvious to the *tanna* that a leper himself must shave with a razor. **And he then said: Let us derive by means of an inference** that a leper must use a razor, **and ultimately he did not derive it from an inference by analogy either**, due to Rava of Barnish's objection. What, then, is the source for the *halakha* that a leper must use a razor?



If he removes it with a razor – עד שילקטנו בתער – It is prohibited to round off the corner of one's head, i.e., to shave the hair until the halakhic corners of the head are level with the forehead. Rather, one must leave the hair that links the head with the cheeks. One violates this prohibition only if he removes hair with a razor (Rambam). Some authorities say that scissors that cut like a razor are also forbidden (Rosh), and the custom is to be stringent in accordance with this opinion (Rambam *Sefer HaMadda, Hilkhhot Avoda Zara* 12:6; *Shulhan Arukh, Yoreh De'a* 181:3).

One might have thought that the same should also apply to a leper – יכול אפילו מצורע בן – A leper must shave all visible hair, including the corners of his head and beard (Rambam *Sefer Tahara, Hilkhhot Tumat Tzara'at* 11:1).

גילוח שיש בו השחיתה – Shaving that involves destruction – It is prohibited by Torah law for a man to destroy his beard. One violates this prohibition only if he uses a razor, but not if he cuts with scissors (Rambam *Sefer HaMadda, Hilkhhot Avoda Zara* 12:7; *Shulhan Arukh, Yoreh De'a* 181:10, and in the comment of Rema).

BACKGROUND

Tweezers [malket] – מלקט – Rashi indicates that this is a small file used for various types of metal. Others (Arukh) state that it is a kind of tweezers used for plucking hair. The Aramaic translation of *melkabayim* (see Isaiah 6:6), tongs or tweezers, is *malket*.



Roman tweezers

LANGUAGE

Plane [rehitni] – רהיטני – Some suggest the source is the Greek *ῥυκανή*, *rhukanē*, meaning plane. Others say it is from *ῥίνη*, *rhinē*, meaning file.



Hand plane

אמר ליה: ההוא – אליבא דרבנן, הא – אליבא דרבי אליעזר. דתנן: ואינו חייב עד שילקטנו בתער, רבי אליעזר אומר: אפילו ליקטו במלקט וברהיטני חייב.

Rava said to Rava bar Mesharshiyya: **That baraita**, which states that one cannot derive the *halakha* from the case of a leper, which indicates that it is evident that a leper must shave with a razor, is **in accordance with the opinion of the Rabbis**. They derive the *halakha* of a leper's shaving from the prohibition against destroying one's beard. Conversely, **this source**, which attempted to derive the shaving of a leper from that of a nazirite and the Levites, is **in accordance with the opinion of Rabbi Eliezer**, who does not derive the *halakha* of a leper's shaving from the prohibition against destroying one's beard. Rabbi Eliezer must therefore derive this *halakha* by analogy from the cases of a nazirite and the Levites. This is as we learned in a mishna (*Makkot* 20a): **And one is liable for destroying his beard only if he removes it with a razor.**<sup>H</sup> **Rabbi Eliezer says: Even if he removed it with small tweezers<sup>B</sup> or a plane [rehitni]<sup>L</sup> he is liable.** Rabbi Eliezer maintains that one violates the prohibition even by destroying his beard with means other than a razor.

מאי טעמייהו דרבנן? דתניא: "זקנו" מה תלמוד לומר? לפי שנאמר "ופאת זקנם לא יגלחו". יכול אפילו מצורע בן, תלמוד לומר "זקנו".

The Gemara asks: **What is the reason of the Rabbis**; how do they derive from this *halakha* that a leper must shave with a razor? **As it is taught in a baraita** that the verse states with regard to the shaving of a leper: "He shall shave all his hair off his head and his beard" (Leviticus 14:9). Since the verse states: "All his hair," **what is the meaning when the verse states: "His beard"?** It is **because it is stated with regard to priests: "Neither shall they shave off the corners of their beards"** (Leviticus 21:5). One might have thought that **the same should also apply to a leper**,<sup>H</sup> i.e. that a leper who was a priest should be prohibited from shaving his beard. For this reason **the verse states: "His beard,"** which emphasizes that despite the general prohibition barring a priest from shaving his beard, a priest who is a leper is obligated to do so.

ומגלן דבתער – דתניא: "ופאת זקנם לא יגלחו", יכול אפילו גלחו במקפריים יהא חייב – תלמוד לומר "ולא תשחית".

**And from where do we derive that this shaving of a leper must be performed with a razor?** It is as it is taught in a *baraita*, with regard to the prohibition against a priest shaving his beard in the verse "Neither shall they shave off the corners of their beards" (Leviticus 21:5): One might have thought that a priest should be **liable even if he shaved his beard with scissors**. **The verse states, in the general prohibition issued to all Jewish men: "Neither shall you destroy the corners of your beard"** (Leviticus 19:27). This teaches that one is liable only if he shaves in a destructive manner, by uprooting the hairs entirely, which excludes the use of scissors.

יכול ליקטו במלקט וברהיטני יהא חייב – תלמוד לומר "ופאת זקנם לא יגלחו". הא ביצד? איזהו גילוח שיש בו השחיתה – הווי אומר זה תער.

One might have thought that **even if he removed it with tweezers or planes he should be liable**. **The verse states: "Neither shall they shave off<sup>N</sup> the corners of their beards"** (Leviticus 21:5), which indicates that the priests are liable only for removing their beards in a manner of shaving. **How so? What is the manner of shaving that involves destruction?**<sup>H</sup> **You must say this is shaving with a razor**. The Rabbis learn from here that the implement forbidden to a priest is the same one that must be used for the shaving of a leper, namely a razor.

ממאי? דילמא לעולם אפילו ליקטו במלקט וברהיטני נמי מצוה קעביד, והא קאתי לא שמוענין דאפילו בתער לא מיחייב עליה!

The Gemara asks: **From where** do we know that this is correct? **Perhaps if a leper actually removed it with tweezers or a plane he also performs the mitzva** and thereby fulfills his obligation, **and this verse is coming to teach us that even if the leper shaved with a razor he is not liable for destroying his beard**. In other words, one might have thought that a leper is prohibited from shaving with a razor, and the verse teaches that this is not correct. If so, there is no proof from here that the shaving of a leper must be performed with a razor.

NOTES

תלמוד לומר... לא – Although it is possible to remove the hair of one's beard or head with tweezers or planes, this is not the manner of shaving, as these implements are generally used for purposes other than cutting hair. There is a difference between shaving, i.e.,

the removal of hair with scissors or a razor in the usual manner, and destruction, which is the removal of hair by its roots, an action performed in various ways, e.g., uprooting with tongs or with a plane. Only a razor combines the acts of both shaving and destroying.

אָמַר: אִי סִלְקָא דְעֵתְךָ בִּי עֶבֶיד נְמִי  
בְּמִלְקָט וּבְרֵהִיטְנִי שְׂפִיר דְּמִי – לִישְׁתּוֹק  
קָרָא מִינֵיהּ, וְאֵנָּה אָמִינָא: וּמָה גָבִי  
נְוִיר, דְּאִיסוּרָא קָא עֶבֶיד – אִפִּילוּ הֲכִי  
מִחַיִּב, הֲכָא דְמִצְוָה – לֹא כָּל שְׂבָן?

They say in response: If it should enter your mind that if a leper performs his shaving with tweezers or a plane too, it is well and he has performed the mitzva, then let the verse be silent and refrain from the extra phrase, “his beard.” And I would say the following: And just as with regard to a nazirite, who performs a transgression by shaving his hair during his naziriteship and who, even so, is deemed liable for removing hair without the use of a razor, here too, in the case of a leper, where his shaving is a mitzva, does it not follow all the more so that he should be permitted to shave with any implement?

Perek VI  
Daf 41 Amud a

HALAKHA

A positive mitzva and a prohibition, etc. – עֲשֵׂה וְלֹא תַעֲשֶׂה: Whenever a positive mitzva and a prohibition conflict with one another, if they can both be fulfilled this is best. If not, the positive mitzva overrides the prohibition (Rambam *Sefer Ahava, Hilkhot Tzitzit* 3:6 and *Hilkhot Mila* 1:9; *Sefer Hafla'a, Hilkhot Nezirut* 7:15; *Sefer Tahara, Hilkhot Tumat Tzara'at* 10:5; *Sefer Zera'im, Hilkhot Kilayim* 10:32; see *Sefer Nashim, Hilkhot Yibbum* 6:10 and *Hilkhot Na'ara Betula* 3:5; *Shulhan Arukh, Yoreh De'a* 266:1).

The verse states: His head – תְּלַמּוּד לְוִמֵר רֵאשׁוֹ: If a nazirite contracted leprosy, from which he was purified during his term of naziriteship, he must shave off all his hair, as the positive mitzva for a leper to shave overrides the prohibition for a nazirite against shaving (Rambam *Sefer Hafla'a, Hilkhot Nezirut* 7:15).

NOTES

And Rabbi Eliezer, what is his reason – רַבִּי אֱלִיעֶזֶר מַאי – טַעְמָא: In other words, in light of the earlier statement that according to the opinion of Rabbi Eliezer the mitzva of shaving a leper cannot be derived from that of a nazirite, from where does he derive that a leper must use a razor? Some explain that as Rabbi Eliezer renders one liable for removing his beard in any manner, the phrase “his beard” is necessary to permit all types of shaving by a leper, even with tweezers and a plane, as these too entail the violation of the prohibition against destroying one’s beard. Therefore, the Gemara asks about the source of his derivation that a leper is obligated to use a razor (*Tosafot*).

וְתוּ, אִי סִלְקָא דְעֵתְךָ בִּי עֶבֶיד בְּמִלְקָט  
וּבְרֵהִיטְנִי מִצְוָה קָא עֶבֶיד, מִדְּלֹא כְּתוּב  
תַּעֲר – בְּרִישׁ לְקִישׁ, דְּאָמַר:

And furthermore, if it should enter your mind that when he performs his shaving with tweezers or a plane he performs a mitzva, from the fact that the word razor is not written he should not be allowed to use a razor at all, in accordance with the opinion of Reish Lakish, who says a principle in this regard.

כָּל מְקוֹם שֶׁאַתָּה מוֹצֵא עֲשֵׂה וְלֹא  
תַּעֲשֶׂה, אִם אַתָּה יָכוֹל לְקַיֵּם אֶת  
שְׁנֵיהֶם – מוּטָב, וְאִם לֹא – יָבֵא עֲשֵׂה  
וְדָחָה אֶת לֹא תַעֲשֶׂה.

The Gemara cites the relevant principle: Any place where you find a positive mitzva and a prohibition<sup>h</sup> that clash with one another, if you can find some way to fulfill both, that is preferable; and if that is not possible, the positive mitzva will come and override the prohibition. In this case the leper can fulfill his duty with tweezers or a plane, and therefore it should be prohibited for him to shave with a razor. Since it was necessary for the verse to say that the positive mitzva for a leper to shave overrides the prohibition against destroying one’s beard, this proves that the mitzva can be performed only with a razor.

וְרַבִּי אֱלִיעֶזֶר, מַאי טַעְמָא? וְלִיף  
מִ“רֵאשׁוֹ”. דְּתַנְיָא: “רֵאשׁוֹ” מִה תְּלַמּוּד  
לְוִמֵר? לְפִי שְׁנַאמְרַן גָּבִי נְוִיר “תַּעֲר לֹא  
יַעֲבֹר עַל רֵאשׁוֹ”, יָכוֹל אִף נְוִיר מְצוּרַע  
בֵּן – תְּלַמּוּד לְוִמֵר “רֵאשׁוֹ”.

The Gemara asks: And Rabbi Eliezer, what is his reason?<sup>n</sup> From where does he derive the halakha that a leper must use a razor? He derives it from the fact that the verse states with regard to a leper: “He shall shave all his hair off his head and his beard” (Leviticus 14:9). As it is taught in a baraita: Why does the verse state: “His head,” if it already stated: “All his hair”? It is because it is stated with regard to a nazirite: “No razor shall come upon his head” (Numbers 6:5), and therefore one might have thought that the same should also apply to a nazirite who is a leper, i.e., it should be prohibited for him to shave his head even for the purification ritual for his leprosy. Therefore, the verse states: “His head,”<sup>h</sup> to teach that a nazirite who is a leper must shave his head with a razor. Being that a nazirite is prohibited only to use a razor, if a leper could fulfill his obligation to remove his hair using other implements, a nazirite who is a leper would not be permitted to use a razor. Therefore, it can be inferred from the halakha of a nazirite who is a leper that the only way for a leper to remove his hair is with a razor.

מִמַּאי? דְּלִמָּא לְעוֹלָם אִפִּילוּ לִיקְטוּ  
בְּמִלְקָט וּבְרֵהִיטְנִי מִצְוָה קַעֲבִיד. וְכִי  
תַנְיָא: תַּעֲר לְמָה לִי – לְמִימְרָא דְאִפִּילוּ  
בְּתַעֲר; סִלְקָא דְעֵתְךָ אָמִינָא: הוֹאִיל  
וְגַבִּי נְוִיר בִּי עֶבֶיד בְּתַעֲר מִחַיִּב, גָּבִי  
מְצוּרַע נְמִי לִיחַיִּב – קָא מְשַׁמְע לָן  
דְּלֹא!

The Gemara rejects this suggestion: And from where do you know that a leper must shave his head with a razor? Perhaps even if he actually removed it with tweezers or a plane he performs a mitzva. And if you would say: If so, why do I need the verse to teach me that he uses a razor, through the derivation of the superfluous term “his hair,” as above, one can answer: That is to say that he is permitted to shave even with a razor. As, it might enter your mind to say that since with regard to a nazirite, when he performs the act of shaving with a razor he is liable for transgressing the prohibition, with regard to a nazirite who is a leper as well, he should also be liable even if he shaved for his leprosy. The verse therefore teaches us that this is not the case, but it does not teach that a leper must use a razor.