The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Shabbos, Oct 28 2023 ■ י"ג חשון תשפ"ד
סימן ש"ג סעיף י"ח-י"ט

Overview

Siman 303 Seif 18:

Whatever Chazal prohibited to be transported to the public domain may not be transported to a courtyard that does not have an eruv except for a כבול and a sheitel which is a braid of hair that is worn in a woman's hair. Some maintain that what is prohibited to be worn outside may not even be worn as an adornment inside and certainly it is prohibited to go out with an adornment to a courtyard that has an eruv except for a כבול and a sheitel. Some maintain that it is permitted to wear these items into a courtyard even if it does not have an eruv. Nowadays women are accustomed to go out wearing all varieties of jewelry. Some explain that it is actually prohibited but since they will not listen it is preferred that they should violate the prohibition inadvertently rather than intentionally. Some justify the practice based on the last rationale cited above, namely, that Chazal did not prohibit wearing jewelry in a courtyard that does not have an eruv and nowadays that we do not have full-fledged public domains and are considered only a karmelis which is comparable to a courtyard that does not have an eruv, it is permitted. Another justification is that nowadays jewelry is common and women wear it even during the week and thus there is no concern that she will remove it to show her friend as they used to in earlier times when jewelry was worn only on Shabbos and consequently was uncommon. However, regarding a ring that has a signet for a woman and one that does not have a signet for a man about which the Mishnah says that one is liable to offer a Chatas, even in a karmelis it is prohibited and even for us. The same is true regarding all else about which Chazal say that one is liable to offer a Chatas. There is an opinion that maintains that nowadays that men go out wearing a ring that does not have a signet, it is an adornment for them and is permitted. Accordingly, since women nowadays go out with signet rings it is an adornment for them and permitted. However, one must warn the women that they should not go out with needles unless it is used to hold knots together but not others because regarding those items that are not functional they will listen.

- ❖ It is permitted to transport them to a courtyard with an eruv and certainly in a house. (M.B. 58)
- ❖ Shulchan Aruch refers to the woolen כפה mentioned in seif 3. The same applies to the אצטמא mentioned there and the reason they are permitted is so that a women will not appear unattractive to her husband. (M.B. 59)
- ❖ The custom is to go out even into what we consider to be a public domain. (M.B. 62)
- ❖ When wearing the article it only rises to the level of a Rabbinic prohibition as opposed to these rings. (M.B. 63)
- ❖ Rav Akiva Eiger writes that although one need not protest one who follows the lenient opinion, a ba'al nefesh should not go out wearing a ring if there is no eruv. (M.B. 65)
- ❖ The leniencies can only be applied to something that is an adornment, therefore, in seif 9 regarding needles inserted in a kerchief one may not wear more than what will be functional. (M.B. 67)

Siman 303 Seif 19:

One must warn women that they may not go out with a needle whose point or knob came off and place it in their kerchief unless they fell off before Shabbos (and it was designated) **for this use** (See below siman 308 seif 11).

- ❖ Shulchan Aruch refers to a non-eyed needle that has a knob on one end called an עקץ and once that or the point is missing it is no longer a utensil. Magen Avrohom contends that a non-eyed needle does not lose its status as a utensil unless it loses the point and the knob. As far as designation for use before Shabbos, all opinions agree that it is effective even for an eyed needle that lost the point and the knob. (M.B. 68)

Halacha Highlight

Wearing jewelry

Shulchan Aruch Siman 303 Seif 18

נהגו חצאת בכל תכשיטין

The custom is to go out wearing all varieties of jewelry

After many seifim that elaborate on different types of adornments that are subject to Rabbinic injunctions prohibiting a woman from wearing them outside on Shabbos, Shulchan Aruch (סעי' י"ח) relates that nowadays women go out wearing many varieties of jewelry. He then presents two explanations for this practice. His first explanation is that in reality it is prohibited even nowadays for women to go out wearing jewelry but since the women will not listen, it is better to allow them to wear jewelry unaware that it is prohibited than it is to inform them that it is prohibited which will result in them knowingly violating this prohibition. According to the second explanation, Chazal's injunctions apply only to an actual public domain and nowadays that we no longer have actual public domains it is permitted. Rema offers another rationale for the lenient practice which is that jewelry is more common in our days and the concern that she will remove it to show her friends no longer applies and thus it is permitted.

In his conclusion, Shulchan Aruch writes that women should be warned that regarding needles they should not go out with any more than are needed to hold the folds of their garment in place but no more. The reason is that they will comply with the restriction against wearing jewelry with regards to those items that are not at all functional. Biur Halacha (ד"ה כי בזה) infers from Shulchan Aruch's wording that we do not rely on these leniencies, we just do not protest against those who do rely upon it. In contrast, Chazon Ish (ארחות רבינו ח"א עמ' קל"ז) maintained that once Shulchan Aruch wrote that the custom is for women to wear jewelry, that is the halacha and it is permitted for a woman even l'chatchila to go out wearing jewelry even in the absence of an eruv.