The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, Nov 1 2023 ■ י"ז חשון תשפ"ד
סימן ד"ש סעיף א'

Halacha Highlight

Going out wearing a watch on Shabbos

Rema Siman 304 Seif 1 (b)
אסור לצאת בחותם
He may not go out wearing an emblem

Rema addresses the allowance of a slave to go out with an emblem on Shabbos. He rules that if the emblem is made of clay and is worn around the slave's neck it is permitted for him to go out wearing it. The reason is that there is no concern that he will remove it and carry it since he knows that the master insists that he wear it. There is no concern that it may break and he will transport the broken pieces back to his master's house since there is no value to a broken clay emblem. If, however, it is made from metal which has value it is prohibited since he may transport the broken pieces of metal back to his master's house. If it is worn on his garment rather than around his neck the concern is that it may break and he will throw a garment over his shoulder, thereby transporting the garment rather than wearing it, to hide the fact that it is broken from his master.

Rav Moshe Feinstein (חידושי בתרא) proved from this halacha that it is permitted for one to go out wearing a watch on Shabbos. Even though the emblem is not an adornment and does not benefit the slave's body, it is permitted for the slave to go out with it around his neck. The rationale is that since it is common for slaves to wear such an emblem it is considered a "garment," so too, one who always wears a watch may go out with it on his wrist on Shabbos even if it is not an adornment and does not benefit the wearer's body. Rav Chaim Pinchas Scheinberg (שם) rejected the proof from this halacha. Since the owner does not want the slave to walk around without his emblem it is considered a garment since he needs it to walk freely in the public domain. In contrast, there is no necessity for one to wear a watch so if it is not an adornment and does not benefit the wearer's body it may be prohibited. However, even Rav Scheinberg agrees that it is permitted for one to go out with a medical alert bracelet since that serves the benefit of the wearer's body.

Overview

Siman 304 Seif 1 (b):

A slave may perform melacha for another Jew who is not his owner, even with his awareness as long as the Jew does not instruct him to do it and the Jew may not benefit from that melacha on Shabbos. Some maintain that if the slave did not commit to fulfill the seven Noahide laws and is completely non-Jewish his master is not commanded to restrain him from performing melacha. Accordingly, one may ask such a slave to perform melacha for a patient who is not deathly ill or for someone who died on the first day on Yom Tov. When someone is commanded concerning the rest of a slave, the slave may not go out with the emblem his master made for him to demonstrate that he is a slave. If it is made from clay it is permitted for him to go out with it hanging around his neck but not on his garment. If it is made from metal it is always prohibited. If the slave made a seal for himself, even if from clay it is prohibited for him to go out with it.

- Although he is performing melacha for the sake of a Jew, as long as he was not instructed by a Jew to perform the melacha it is assumed he is doing so out of his own self-interest and is not prohibited unless he was commanded to do so. (M.B. 12)
- This opinion maintains that the master is not commanded regarding his slave resting unless the slave committed to some mitzvos. Elya Rabba cites authorities who subscribe to the first, stringent opinion. (M.B. 15)
- If the seal is either on his garment or made from metal, he may not go out to the public domain wearing it. (M.B. 17)
- Since the metal is valuable and the owner does not want it to become lost we are concerned that if it breaks he will transport it four amos in the public domain. (M.B. 19)