The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"א סעיף ל"ט-מ'

Overview

Siman 301 Seif 39:

It is permitted for one to wrap himself and go out into the public domain in a kilah (a sheet similar to a tent) **that has straps used to stretch it out. The straps are not considered a burden since they are subordinate to it. Therefore, it is permitted to go out with straps attached to one's belt even though one's shoes are not tied to it since they are unimportant and consequently are subordinate to the belt. If the straps are made from silk they are important and not nullified and thus it is prohibited to go out with them if they are not attached to one's shoes. The same is true concerning anything that becomes detached from a garment but one end remains attached. For example, if a loop becomes detached and it lacks importance one may go out with it hanging but if it is important it is prohibited to go out with it hanging.**

- Although the straps are used to stretch out the tent they are not considered a burden when one wraps himself in it. (M.B. 146)
- It was common to attach one end of a strap to one's shoe and the other end to one's belt. (M.B. 147)
- Being that it no longer serves the garment since one half became detached it is a burden and since it is important it is not subordinate to the garment. Nishmas Adam adds that if one intends to reattach the loop it is prohibited to go out since it thereby has importance. If one does not intend to reattach it and it is not important it is subordinate to the garment. (M.B. 150)

Siman 301 Seif 40:

It is prohibited to place on one's head a hat which extends beyond one's head a tefach even in one's home since it forms an ohel.

- This is true when the brim is stiff so that it can form an ohel but if it is flexible it is no different than any other garment. (M.B. 151)
- Although there cannot be an ohel without walls, it is nonetheless, Rabbinically prohibited as a temporary ohel since it is intended to protect one from the sun. People are generally lenient concerning the hat called a בריטלי"ך and different explanations for the practice are suggested. Elya Rabba asserts that people follow the position that one cannot form an ohel with a hat. In a place where they do not have a custom to be lenient one should adopt a stringent position. Some people refrain from pulling their talis over their hat. Regarding umbrellas see below siman 315. (M.B. 152)

Halacha Highlight

Going out with loose or unnecessary parts of a garment

Shulchan Aruch Siman 301 Seif 39

לכל דבר שנפסק מן הבגד וראשו אחד מחובר

For anything that becomes detached from a garment but one end remains attached

Shulchan Aruch (סעי' ל"ט) discusses a loop on a garment where part of it came off but the other part remains affixed to the garment. He explains that the halacha depends on whether the loop has independent importance. If the loop does not have independent importance it is permitted to go out with the loop partially detached. The rationale is that if the partially detached loop does not have independent importance it is subordinate to the garment and it is not considered a burden that one is transporting. In the event that it does have independent importance it is prohibited to go out with the partially detached loop. Due to its importance it is not subordinate to the garment and is thus considered a burden.

Mishnah Berurah (ס"ק ק"נ) in the name of Nishmas Adam rules that the allowance to go out with a partially detached loop that is not important is limited to where one does not intend to reattach the detached section. If one intends to reattach the detached section he assigns importance to the part that remains and thus it is considered a burden. Accordingly, Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פי"ח הע' ק"ע) rules that if one has a garment that has a loop sewn into the garment that is intended to go around a button but the button fell off or if the button remains but the corresponding loop became detached and one intends to reattach the part that came off, it is prohibited to go out wearing that garment before it is repaired. If, however, the button that remains enhances the appearance of the garment it is permitted. Even though this is not its intended function, as long as it serves the garment, it is subordinate to the garment and thus one may go out with it on Shabbos.