The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שט"ו סעיף י'-י"א

Overview

Siman 315 Seif 10:

A folded cloth that has strings hanging from it from before Shabbos may be hung or taken down and the same is true concerning a curtain.

- Shulchan Aruch is teaching that if the cloth was hanging from the pole before Shabbos and it has strings hanging down to pull it out its full length, it is permitted to pull it out. Since the strings make it easy to pull out the cloth it is as if it is spread a *tefach* from before Shabbos and on Shabbos one is merely adding to a temporary *ohel*. Magen Avrohom writes that after it is spread it will not have a roof of a *tefach* nor will it widen to a *tefach* within three *tefachim* of the top because if it did it would be a permanent *ohel* and the presence of the strings would not be effective to permit it. (M.B. 37)
- Included in this is a curtain that hangs in front of an opening. Magen Avrohom asserts that regarding the curtain it is permitted even if it does not have strings since it has no roof. He also writes that when a partition is intended to permit something (which Shulchan Aruch taught in *seif* 1 is prohibited) the presence of strings is not effective but there are authorities who are lenient about this. (M.B. 39)

Siman 315 Seif 11:

A bridegroom's canopy that does not have a roof that is a *tefach*, nor does it widen to a *tefach* within three *tefachim* of its roof, is permitted to be spread out or taken down since it is designed for this purpose. This is true only if it does not drop down to within a *tefach* of the bed.

- Since it was designed for this purpose it is permitted even though it did not have strings from before Shabbos. If it was not designed for this it is prohibited as mentioned in *seif* 8 that even if its roof is not a *tefach* wide it is prohibited to make it on Shabbos. (M.B. 41)
- If it hangs vertically a *tefach* after the slope we consider the vertical *tefach* to be its wall and the sloped section to be the roof and would thereby constitute a permanent *ohel*. (M.B. 42)

Halacha Highlight

Making a partition that does not permit something

Shulchan Aruch Siman 315 Seif 10

וכן הפרכת

And the same is true for a curtain

Shulchan Aruch (סעי' י) first addresses the *halacha* of a cloth that is folded over a pole with the two ends of the cloth reaching the floor. Hanging the cloth on the pole so that he could crawl inside for protection from the sun is prohibited since it constitutes making a temporary *ohel* on Shabbos. However, if the cloth was already on the pole and there were strings attached which allow him to easily open and close the cloth it is permitted. The reason is that the presence of the strings on the cloth which makes it easy to open and close makes it similar to it being stretched out a *tefach* so that all one is doing is adding to a temporary *ohel* on Shabbos rather than forming one from scratch which is prohibited. In the second *halacha,* Shulchan Aruch teaches that the same is true regarding a curtain that is hung in front of an entrance.

Mishnah Berurah (ס"ק ל"ט) presents two explanations for the word וכן which introduces the second *halacha*. Magen Avrohom maintains that the word וכן is not intended to draw an exact parallel between the first *halacha* and the second since the curtain may be suspended even without strings attached to it being that it only forms a wall and a wall is not an *ohel*. He then notes that according to Rabbeinu Chananel it is necessary even for the curtain to have strings attached to it to permit opening and closing it and thus it is logical to assume that Rambam also subscribes to that opinion and he meant the word וכן specifically. This latter approach, however, is seemingly contradicted from another comment of the Mishnah Berurah. In the Sha'ar HaTziyun (ס"ק י"ג) writes in the name of Rambam that it is permitted to make a partition to permit relations since there is a permitted way to have relations without making the partition; therefore, even if one makes the partition, it is not a partition that is permitting something and thus it is permitted to make it. This clearly contradicts Mishnah Berurah's inclination that Rambam requires strings in order to permit hanging a curtain even though it does not serve the purpose of permitting something. וצ"ע.