The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, Apr 17 2024 ■ ט' ניסן, תשפ"ד
סימן תס"ח סעיף ד'

Overview

Siman 468 Seif 4:

One who travels from a place where they perform *melacha* to a place where they do not perform *melacha* may not perform *melacha* in the inhabited area since it will generate discord but he may perform *melacha* in the wilderness. One who travels from a place where they do not perform *melacha* to a place where they do perform *melacha* may not perform *melacha* and we subject him to the stringencies of the place from where he left as well as the stringencies of the place where he is. However, he should not give the appearance that he is intentionally doing nothing since a person should never deviate from the local custom to avoid discord. Similarly, one who intends to return home should conduct himself in accordance with the customs of his place, whether they are more or less stringent as long as it is not evident that he is following a different custom to the residents where he is currently located to avoid discord.

- If a person travels to another city where they are stringent and the traveler does not intend to remain there, he is not bound by that stringency and may privately follow the lenient position; however, in public he may not be lenient out of concern for discord. This is true concerning matters that can be done in private but *melacha* or other activities that cannot be done in private may not be performed altogether while in the city. If his intent is to remain there, as soon as he enters the city's *techum* he becomes subject to all of their customs. The same guidelines apply to someone who comes from a place that is stringent to a place that is lenient, however, one may not behave in a manner whereby people will realize that he is not conducting himself in accordance with their customs out of concern for discord and he should be stringent privately. (M.B. 14)
- Once one enters the city's *techum* he is considered in the inhabited part of the city. (M.B. 16)
- This applies even in private. (M.B. 17)
- This refers to the fields of a city that are beyond its *techum*. (M.B. 18)
- As long as people do not realize why he is not working it is permitted for him to refrain from work since they will assume that he has no work to perform. (M.B. 21)
- Authorities write that the word כל is missing and the intent is to apply these principles to other customs. (M.B. 22)
- If one comes from a place where they were lenient he must take precautions that people should not realize that he is conducting himself leniently. *Melacha* cannot be done privately but other activities can and must be done in a manner that no one will see. If his custom is to be stringent he must also take precautions to assure that people do not realize he is conducting himself stringently. If that is not possible he should conduct himself in accordance with the lenient position. However, this is true concerning customs but he may not be lenient regarding something that is actually prohibited, even if the prohibition is only Rabbinic. (M.B. 23)

Halacha Highlight

A married woman's customs

Shulchan Aruch Siman 468 Seif 4

ההולך ממקום שעושין למקום שאין עושין

One who walks from a place where they perform *melacha* to a place where they do not perform *melacha*

Shulchan Aruch addresses a person who travels from his home to another location and the customs of the two places are different. Mishnah Berurah (ס"ק י"ד) explains that when it is clear that the person is just visiting and intends to return home he retains the stringencies that are observed in his home town and may continue to follow the leniencies that are followed in his home town. However, he may not publicly behave differently from the residents of the town that he is visiting since that could generate discord. Therefore, when necessary he must follow the customs of his hometown in private. Mishnah Berurah (ס"ק י"ט) also writes that if a person moves to another town with the intent to remain in that second town, he immediately becomes a resident of that town and no longer is obligated to observe the stringencies of his former town, he may then follow the leniencies practiced in his new home.

Poskim write that when a man and woman from different communities marry it is considered as though the woman is moving from one town to another and immediately upon marriage she adopts her husband's customs, whether his customs are more stringent or more lenient. Additionally, regarding those customs that have a source in Shas that her husband conducts himself more leniently, it is necessary for the woman to annul her vow similar to any person who used to conduct himself is accordance with the stringent position and now wishes to follow the lenient position (פסקי תשובות אות י"א). Rav Shlomo Zalman Auerbach had a different approach to this circumstance. He maintains that it is not considered as though the woman is moving from one location to another rather she follows his customs and practices because she is obligated to serve and take care of him (משועבדת לבעלה לשמשה). Furthermore, it is unnecessary for her to annul a vow since it was understood that the practices she observed before marriage were not intended to be observed forever since it is likely that when she marries her husband would have different customs than her.