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

Overview

Siman 199 Seif 1:

The waiter who ate an olive's volume may be included in the zimun.

- This is true even though he did not sit with them at the table and ate while standing. (M.B. 1)

Siman 199 Seif 2:

Nowadays, Cutheans are the same as idolaters and are not included in a zimun.

Siman 199 Seif 3:

Someone who is an absolute am ha'aretz is included in a zimun nowadays.

- There is a disagreement whether we include in a zimun someone who does not fulfill a mitzvah that is known to everyone and according to the stringent position certainly we would not include someone who publicly transgresses one of the mitzvos. (M.B. 2)

Siman 199 Seif 4:

A gentile is not included in a zimun. Even a convert who was circumcised but did not immerse may not be included in a zimun. Someone who is a full fledged convert is included in a zimun and he may recite birkas hamazon including the words על שהנחלת לאבותינו.

- This is true even if his intent is to bless the Jewish G-d. (M.B. 3)
- As long as he has not immersed in front of a Bais Din of three judges it is as if he did not immerse. (M.B. 4)

Siman 199 Seif 5:

An onen during the week when he is not obligated to recite birkas hamazon is not included in a zimun.

- Even according to the opinion that allows him to answer and recite berachos he is not included in the zimun since he is exempt from birkas hamzon. (M.B. 9)
- Even b'dieved he may not discharge the obligation of others. (M.B. 10)

Halacha Highlight

Including non-religious people in a zimun

Shulchan Aruch Siman 199 Seif 3
עם הארץ גמור
An absolute am ha'aretz

Shulchan Aruch (סע' ג') rules that nowadays we include even someone who is an absolute am ha'aretz as part of a zimun. Mishnah Berurah (סק"ב) explains that the Gemara (Berachos 47b) maintains that even someone who studied Tanach and Mishnayos but did not serve Torah scholars (meaning did not learn the underpinnings of the Mishnah's rulings and is incapable of asking and answering questions) may not be included in a zimun. For that reason Shulchan Aruch emphasizes that nowadays even someone who did not even study Tanach or Mishnah may be included in a zimun. Biur Halacha (ד"ה מזמנין) explains in the name of Rosh that in the time of Chazal one who did not study was considered negligent and for that reason would not be included in a zimun. Since following this restriction would exclude almost everyone from being included in a zimun and there is a concern that this would drive people away from the tzibbur altogether, the ruling was put aside.

Mishnah Berurah (סק"ב) then mentions a dispute whether we include in a zimun even nowadays someone who does not fulfill a mitzvah that is well known amongst the Jewish People, for example, someone who does not read shema in the morning and at night. According to Magen Avrohom, since most people read shema there is little concern that not including those who do not read shema would have a damaging effect on the tzibbur. As far as including people who are not religious in a zimun, the Poskim write that if they are considered tinokos shenishbu they may be included in a zimun. However, even when they will be included in the zimun it is not proper to honor them as the leader of the zimun. Rav Chaim Pinchas Sheinberg, however, contends that when possible it is preferable not to serve bread so that one should not have to form a zimun (וזאת הברכה עמ' 132).