

Untimely Assistance

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June 18, 2020

Q: May one ask a non-Jew before Shabbos to do *melacha* on Shabbos? Conversely, may one ask him on Shabbos to do *melacha* after Shabbos?

A: The answers to your questions depend upon the reason for the prohibition of *amirah l'akum* (asking a non-Jew to do *melacha*). Several are offered:

- Rashi (Avodah Zarah 15a) says that the prohibition is based on the *pasuk* in Yeshaya, *mimtzo cheftzecha v'dabeir davar*: It is forbidden to talk about and plan *melacha* on Shabbos, which certainly includes asking someone to do *melacha*.
- The Rambam (*Hilchos Shabbos* 6:1) says the reason is that if one asks a non-Jew to do *melacha*, he may come to do it himself.
- The Smag (*lo sa'aseh* 75) quotes from the Mechilta (Bo 12:16) that we derive from *kol melacha lo yeiaseh vahem* that *melacha* of a non-Jew is forbidden. (The Smag is unsure whether this is a Biblical prohibition or an *asmachta*.)
- The Me'iri (Avodah Zarah 21a) says the reason is *shelichus*: If one asks a non-Jew to do *melacha*, it is considered as if he did it himself.
- The Ritva (Shabbos 122a) says the reason is that it would turn Shabbos into *chol*, i.e., if *melacha* were permitted it would make Shabbos feel like a weekday, and the Torah mandates that Shabbos be different from *chol*.

If one would ask a non-Jew before Shabbos to do *melacha* on Shabbos, there would certainly not be Rashi's problem of *v'dabeir davar*, since he is not talking about the *melacha* on Shabbos. However, the Me'iri's issue of *shelichus* would certainly still apply, and the other reasons would likely apply as well.

In the reverse case, where he asked the non-Jew on Shabbos to do *melacha* after Shabbos, Rashi's reason would forbid it, but the other reasons would not.

In practice, *amirah l'akum* is forbidden in both cases.