



Halachos of
AMIRA L'AKUM

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Please note that the material presented is not meant to be a comprehensive guide to the halachos of Amira l'akum.

In any case of question or doubt a Rabbi should be consulted.

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Introduction - Here we go!

This month we will learn halachos pertaining to *amira l'akum*- speaking to a non-Jew about performing *melacho* on Shabbos. The halachos of *amira l'akum* are quite detailed and can be confusing. As always, one should consult with a Rov whenever possible.



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Day 1

Chazal imposed two distinct prohibitions regarding the *melacho* of a non-Jew on Shabbos:

- 1) It is forbidden for a Jew to instruct a non-Jew to do *melacho* for them on Shabbos. The instruction itself is prohibited, regardless of whether or not the Jew derives personal benefit from the *melacho* performed.
- 2) A Jew may not derive substantive benefit from a *melacho* performed by a non-Jew on their behalf. This applies even if the Jew did not ask or even indicate that the *melacho* should be performed. Examples of this, and the parameters of what constitutes “substantive benefit,” will be discussed below.

We will begin this month’s learning by discussing the parameters of the first prohibition (instruction), after which we will discuss scenarios wherein it does not apply. Then we will turn our attention to the parameters of the second prohibition (benefit), followed by a discussion of scenarios where it does not apply.



Day 2

On Shabbos (or Yom Tov) one may not ask a non-Jew to do *melacho* on their behalf.

Generally speaking, one may not even ask a non-Jew to do something for them that is only prohibited *m'drabanan* (exceptions to this will be discussed below).

To illustrate: Rivkah lives in a city without an eruv and thus may not carry from her unfenced backyard into her house. Although doing so is only prohibited *m'drabanan* (because the backyard is not a *reshus harabim*), nonetheless, she may not instruct a non-Jew to carry something into the house from her backyard (to be continued).

מ"ב ס' שז סק"ח



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Day 3

It was previously mentioned that one may not ask a non-Jew to do something on Shabbos that is prohibited. Nonetheless, one may ask a non-Jew to do something that one typically refrains from doing due to a *chumra* or *minhag*.

For example, some have the *minhag* not to carry on Shabbos even in a city with a kosher eruv. Such a person is permitted to ask a non-Jew to push a stroller for them on Shabbos. Because pushing the stroller is halachically permitted, one may ask the non-Jew to push the stroller for them.

מ"ב ס' שז סק"ח



Day 4

One may not instruct a non-Jew prior to Shabbos to do *melacho* for them on Shabbos. Additionally, one may not make an arrangement with a non-Jew which necessitates that the *melacho* be performed on Shabbos, even if one did not explicitly tell the non-Jew to do the *melacho* on Shabbos. For example, one may not drop off a car at the mechanic on Friday afternoon to be picked up on Motzaei Shabbos if it is not feasible that the work could be done before/after Shabbos. In the event that it is possible for the work to be performed before/after Shabbos, it is fine if the work was done on Shabbos.

שו"ע ס' שז ס"ב, שו"ע ס' רנב ס"ב



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Day 5

On Shabbos, one may not instruct a non-Jew to do *melacho* for them on Motzaei Shabbos. For example, on Shabbos afternoon one may not ask their cleaning help to do the laundry on Motzaei Shabbos (to be continued).

שו"ע ס' שז ס"ב



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Day 6

It was previously mentioned that on Shabbos one may not ask a non-Jew to do *melacho* for them on Motzaei Shabbos.

However, one is permitted to ask a non-Jew to do *melacho* for them on Motzaei Shabbos if it is for the sake of a mitzvah.

To illustrate: Sarah is hosting a *sheva berachos* at her home on Motzaei Shabbos. On Shabbos, she may ask her cleaning help to load and run the dishwasher as soon as Shabbos is over so that there will be clean plates for the *sheva berachos*.

שש"כ פ"ל ס"ב



Day 7

Thus far, we have primarily discussed scenarios in which *amira l'akum* is prohibited. We will now turn our attention to a number of scenarios where the prohibition of *amira l'akum* does not apply. One may ask a non-Jew to do *melacho* on Shabbos for the sake of one who is seriously ill (even if their condition is not life-threatening). For example, if the sick person is having difficulty resting in their room due to excessive light, a non-Jew may be asked to turn off the light (to be continued).

שו"ע ס' שכח סי"ז



Day 8

It was previously mentioned that in a circumstance of serious illness (i.e. one who is bedridden), one may ask a non-Jew to perform a *melacho* on behalf of a sick person. The *poskim* tell us that under conditions of great cold, all people are automatically considered *cholim* (sick people). Thus, if the temperature is exceptionally low, a non-Jew may be asked to turn on the heat. Additionally, children and the elderly are particularly sensitive to the cold; therefore, if they are present, a non-Jew may be asked to turn on the heat even if it is not exceptionally cold (to be continued).

שו"ע ס' רעו ס"ה



Day 9

It was previously mentioned that under circumstances of exceptional cold, a non-Jew may be asked to turn on the heat. Most *poskim* maintain that the same halacha applies to a situation of extreme heat. If people are suffering due to extremely high temperatures, a non-Jew may be asked to turn on the air conditioning.

שש"כ פ"ל סי"א



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Day 10

We have learned that generally speaking one may not ask a non-Jew to perform a rabbinic prohibition on Shabbos. Nonetheless, there are a number of circumstances that are exceptions to this prohibition, where one may be permitted to ask a non-Jew to do an *issur d'rabanan* on their behalf. Some examples of this are:

- 1) For the sake of a mitzvah
- 2) To alleviate great discomfort or some other great need
- 3) To prevent suffering a significant loss

In any of these situations, one should consult a Rov to determine if the prohibition of *amira l'akum* applies.

שו"ע ס' שז ס"ה, שש"כ פ"ל סי"ד



Day 11

One is permitted to instruct a non-Jew to perform a certain task that can be accomplished without doing a *melacho*, even if they know that the non-Jew is likely to do a *melacho* to fulfill the task.

For example, one may ask their cleaning help to wash the dishes on Shabbos.

Because dishes can be washed in a permissible manner, even though the cleaning help will probably turn on hot water to wash the dishes, there is no problem of *amira l'akum*.

מ"ב ס' רעו סקכ"ז



Day 12

One may instruct a non-Jew to do something permitted on Shabbos, even if they know that the non-Jew will do a *melacho* in order to perform that task.

For example, one may ask a non-Jew to bring something up from a pitch-black basement, even though the non-Jew will certainly turn on the light in order to find the item.

ארחות שבת פכ"ג ס"ס



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Day 13

One may instruct a non-Jew to do an act on Shabbos which will result in an unintentional *melacho* being performed.

For example, if one forgot to put their fridge on Shabbos mode, it is prohibited to open the door in order to take out food if this will certainly result in the light etc. to turn on. However, one may ask a non-Jew to open the door so that food can be removed/returned, since the intention of the non-Jew is merely to open the fridge, and the light turning on is unintentional (to be continued).

מ"ב ס' רנג סק"ק



Day 14

Under certain circumstances, one may instruct a non-Jew to move a *muktzah* item for them. Depending on the need to move the item, and the category of *muktzah* the item is classified under (i.e. *kli shemlachto l'issur*), such instruction may be permitted. In such an instance a Rov should be consulted.

רמ"א ס' רעו ס"ג, ארחות שבת פי"ט סשפ"ז ואילך



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Day 15

Thus far we have covered the prohibition of asking a non-Jew to do *melacho* on Shabbos, and a number of circumstances where this prohibition does not apply. We will now turn our attention to the other prohibition related to *amira l'akum* - not to derive substantive benefit from a *melacho* act performed on behalf of a Jew (even if the Jew did not request that the act should be done).

A classic example of this halacha is when a non-Jew turns on a light in a dark room for the sake of a Jew. Because the *melacho* was done on behalf of a Jew, the Jew may not benefit from the *melacho*. If the *melacho* done is prohibited *m'doraysa* (such as turning on a light), no Jew may derive benefit from the act (to be continued).

שו"ע ס' רעו ס"א, מ"ב ס' שכח סקל"ח



Day 16

One who sees that a non-Jew is about to perform a *melacho* for them is required to tell the non-Jew not to do the *melacho*.

מ"ב ס' רעו סקי"א



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Day 17

If a non-Jew did *melacho* for the sake of a Jew under the age of bar/bas mitzvah, all Jews may derive benefit from the *melacho*.

שש"כ פ"ל סמ"ו



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Day 18

It was previously mentioned that one may not derive substantive benefit from a *melacho* performed by a non-Jew for the sake of a Jew. Therefore, if a non-Jew turned on a light in a dark room, one may not use that light. However, only if the room was completely dark is it considered deriving substantive benefit from the act of the non-Jew. If before the non-Jew turned on the light there was already a small amount of light in the room, one may in fact use the light that was turned on by the non-Jew. This same halacha applies to a non-Jew increasing the heat. If the heat was already on and the non-Jew is merely raising the temperature, the increased heat is not considered substantive benefit and one may derive benefit from the additional heat.

שו"ע ס' רעו ס"ד, ארחות שבת פכ"ג הערה ס'



Day 19

It has been discussed that one may not derive substantive benefit from a *melacho* performed by a non-Jew for the sake of a Jew on Shabbos. Included in this is benefiting from a light, heat, and the like. However, if a non-Jew turned off a light in a room for the sake of a Jew, one is permitted to sleep in the room. The absence of the bothersome light is not considered "benefit."

ארחות שבת פכ"ג סקי"א



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Day 20

One is permitted to derive benefit from a *melacho* that a non-Jew performed on Shabbos for himself. This applies when 1) it is apparent that the *melacho* is not being done for the sake of a Jew, and 2) when there is no concern that the non-Jew increased/will increase the *melacho* they are performing for the sake of a Jew.

For example, if one's cleaning help heated up water for themselves on Shabbos, the homeowner may not use some of that water. Although the water was not heated for the sake of the homeowner, we are concerned that the non-Jew added or will add water for the Jew.

שש"כ פ"ל סנ"ו



Day 21

One is permitted to derive benefit from a *melacho* that a non-Jew performed on Shabbos for himself. This applies even if the non-Jew did the *melacho* in order to make it easier for him to do a different act of service for a Jew.

For example, if one's cleaning help turned on the lights in a dark kitchen in order to wash the dishes, one may derive benefit from the light. Although the non-Jew turned on the light in order to wash the dishes for the Jew, nonetheless the *melacho* is considered to have been done for the non-Jew. In such an instance, one may even tell the cleaning help not to turn off the lights when they are finished (to be continued).

שש"כ פ"ל סנ"ז



Day 22

Prior to Shabbos, one is permitted to order a taxi/Uber to pick them up immediately after Shabbos is over. This is despite the fact that the driver will certainly have to drive on Shabbos in order to pick them up on time.

ארחות שבת פכ"ג סס"ה



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Day 23

It was previously mentioned that one is permitted to derive benefit from *melacho* that a non-Jew performs on Shabbos for themselves. In the event that a non-Jew performed the *melacho* for both himself and a Jew, the halacha varies whether or not one may derive benefit from that *melacho*. In such an instance a Rov should be consulted.

שו"ע ס' רעו ס"ב



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Day 24

If a non-Jew was asked to perform a *melacho* on Erev Shabbos and forgot to do so and then did the *melacho* on Shabbos itself, one may not derive benefit from the *melacho*.

ארחות שבת פכ"ג סנ"ט



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Day 25

We will now turn our attention to the halachos of hinting to a non-Jew. Unfortunately, many people are under the impression that hinting to a non-Jew to perform *melacho* on Shabbos is permitted under all circumstances. This is not so. The halacha permits hinting in a limited number of scenarios, when using precise language (see below).

If the light in a room was left on, one may say to a non-Jew "there is too much light in the room," or "I find it hard to sleep with the light on" etc. In such an instance, one does not transgress either of the two prohibitions we have discussed previously.

Because such statements are in no way requests or instructions, there is no problem of *amira l'akum*.

Additionally, as we have learned, having a light turned off is not considered deriving benefit.

Therefore, hinting in the aforementioned manner is permitted (to be continued).

שש"כ פ"ל ס"ה



Day 26

One may not hint to a non-Jew to perform a *melacho* which will provide the Jew with a positive benefit (as defined previously). Additionally, even when one is permitted to hint to a non-Jew, no language of request or instruction may be employed. For example, one may not say to their neighbor "Can you do me a favor? There is a light that we forgot to turn off etc." Rather, one must simply describe the inconvenience of the situation, their limitation in dealing with it, and the non-Jew on their own will do the *melacho*.

שש"כ פ"ל ס"ז



Day 27

As discussed previously, one may ask a non-Jew to open a fridge door that will unintentionally cause the light to turn on. In such an instance, while the door is still open, one may say to the non-Jew, "If the door closes I will be stuck," etc., so that the non-Jew will understand to do what is necessary to take care of the problem.

שש"כ פל"א ס"א



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Day 28

One who accepted Shabbos early is permitted to ask others who did not yet accept Shabbos to do *melacho*. Because it is still weekday for the friend, the prohibition of *amira l'akum* does not apply. In such an instance, even the one who accepted Shabbos already may benefit from the *melacho*.

To illustrate: A woman accepts Shabbos with candle-lighting. However, for the other members of the household, Shabbos does not begin until they accept Shabbos, or until a few minutes before sunset. Thus, if after lighting, a woman realized that she forgot to do a certain preparation, she may ask another member of her household to do the *melacho*.

שׁו"ע ס' רסג סי"ז



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Mazel Tov
on completing a month
of Halacha Yomi!