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A HELPING HAND? THE FIVE-FINGERED HANSA AND AYIN HARA

Adapted from the writings of Dayan Yitzhak Grossman

Auction house Sotheby's Dubai has unveiled a diamond that's literally from out of this world...

Sotheby's calls the 555.55-carat black diamond—believed to have come from outer space—"The Enigma"...

Sophie Stevens, a jewelry specialist at Sotheby's Dubai, told The Associated Press that the number five bears an important significance to the diamond, which has 55 facets as well.

"The shape of the diamond is based on the Middle Eastern palm symbol of the Khamsa, which stands for strength and it stands for protection," she said. Khamsa in Arabic means five.

"So there's a nice theme of the number five running throughout the diamond," she

added.¹

It is perhaps likely that the diamond will be purchased by a wealthy, superstitious Arab, but there are Jewish sources going back more than four centuries that discuss the *hamsa's* powers of protection against the evil eye (*ayin hara*) and misfortune.

R' Yitzchak Onkinira, in his work *Ayumah Kanidgalos* (published in 5337/1576-7), writes:

There is a great *segulah* in the letter ה, that wherever it is found, either actually written or imagined or uttered, or in the image of a single hand with its five fingers, [fashioned] of any metal and hung on a young man or on anything in the world, then accidents will not befall him, and [this is effective] in particular to remove stubbornness of the

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¹ Out of this world: 555.55-carat black diamond lands in Dubai. AP News. <https://apnews.com/article/massive-black-diamond-space-auction-ae17c561ce95112b8f60e64b220dabed>.

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Dedicated in loving memory of
 HaRav Yosef Grossman zt"l



PARSHAS MISHPATIM THE SEVEN SEIZE

Excerpted and adapted from a shiur by
 Dayan Yosef Greenwald

But in the seventh year you shall release it and abandon it; the poor of your people shall eat it, and what they leave over, the beasts of the field shall eat. So shall you do to your vineyard and to your olive tree.

Shmos 23:11

The Torah mandates that produce grown in Eretz Yisrael during Shmitah must be abandoned and declared *hefker* (ownerless). But the *poskim* disagree about the mechanics of this halacha. According to the Mabit (1:11), it is "*afka'asa d'malka*"—rendered ownerless by the King—so it is automatic. According to the Bais Yosef (Avkas Rocheil 22-24), the owner must declare it ownerless, and if he fails to do so, it does not become ownerless automatically.

There are at least two major ramifications of this dispute. First, *hefker* produce is not subject to *trumot uma'asros*, so according to the Mabit, Shmitah produce is exempt, but according to the Bais Yosef, produce

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Honor Scroll

- Q** I bought a *sefer* Torah and plan to keep it at home. Are there any restrictions on where I may place it?
- A** In a two-story house, in some cases a *sefer* Torah should not be kept below a bedroom. The Shulchan Aruch (O.C. 151:12) writes: "One must refrain from using the area above a *bais haknesses* for permanent undignified uses, for example, for sleeping." The Rama, however, limits this prohibition to a building

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heart (*shrirus leiv*) and *ayin hara*.²

Similarly, the Chida explains the mystical significance of the number five, and notes:

And so they are accustomed, to be spared from *ayin hara*, to fashion a silver ה...and similarly they are accustomed to say “five” to be spared from *ayin hara*...³

The Ben Ish Chai mentions the above passage of the Chida and adds:

And they therefore hang a piece of wood with the design of a hand with five fingers and the letter ה engraved upon it.⁴

While belief in the prophylactic power of the number five against *ayin hara* is a Sephardi tradition, Ashkenazi Jewry has its own traditions of formulas and talismans against *ayin hara*, the most ubiquitous of which is the automatic appending of the phrase “*kenaineh hora*” (no *ayin hara*) to any reference to one’s good fortune, such as the number of children one has. Sephardim, on the other hand, say “*bein porat Yosef*,” referencing the Gemara:

One who enters a city and fears the evil eye should hold the thumb (*zekafa*) of his right hand in his left hand and the thumb of his left hand in his right hand and recite the following: I, so-and-so son of so-and-so, am among the descendants of Yosef, over whom the evil eye has no dominion, as it is stated: “Yosef is a fruitful vine (*bein poras Yosef*), a fruitful vine by a fountain (*alei ayin*); its branches run over the wall (Bereishis 49:22).” Do not read it as *alei ayin*; but rather, read it as *olei ayin* (who rise above the eye)—the evil eye has no dominion over him.⁵

2 Ayumah Kanidgalos p. 11a, cited in Yalkut HaReuveni Yavechi s.v. *Os hei mo'il le'ayin hara*.

3 Pesach Einayim Brachos 20a s.v. *Vederech ha'emes efshar*.

4 Ben Ish Chai Shanah Shniyah Pinchas se'if 13.

5 Brachos 55b (cited by Ben Ish Chai *ibid.*). While this passage indicates that the verse itself is to be used (apparently by anyone) as a talismanic formula to ward off *ayin hara*, the Gemara elsewhere

(I am unaware of a similar source in Chazal for the aforementioned Ashkenazi practice of saying “*kenaineh hora*.”)

It is noteworthy, however, that the greatest Sephardi *gadol* in history did not consider *ayin hara* to be that serious a concern. The Gemara declares:

It is prohibited for a person to stand in another’s field and look at his crop while the grain is standing.⁶

Rashi explains, “So that he should not damage it by *ayin hara*.” As we have previously noted,⁷ however, the Rambam omits this prohibition from his Mishneh Torah. R’ Matisyahu Strashun points out that this is an example of his general practice of omitting anything involving the supernatural, such as the evil eye, evil spirits, and demons,⁸ and he subsequently notes that the Rambam himself (in a responsum to the sages of Lunel⁹) explicitly explains his position: Unlike looking at someone as he goes about his affairs, which causes “great and definite” harm (classic *hezek re'iyah*, the laws of which the Rambam does codify), the concern for *ayin hara* involved in looking at someone’s standing grain is beyond what is required by the law (*midas chassidus*).¹⁰ So while the Rambam is unwilling to completely dismiss the concern for *ayin hara*, he downgrades its severity to the

(*ibid.* 20a) adduces the verse in support of the principle that (actual) descendants of Yosef are not susceptible to *ayin hara*.

6 Bava Basra 2b.

7 Bilam, Basilisks and the Evil Eye. Bais HaVaad Halacha Journal, Volume 5775 Issue XXXVI (Parshas Balak).

8 See Shu”t Sho’el Umeishiv *mahadura tinyana cheilek 4 siman 87*; Segulos Yisrael *ma'areches reish os 2* (citing Maharsham); R’ Chaim Rapoport, Kovetz He’aros Uveiuirum Issue #990 (Mikeitz-Chanukah) p. 53. Cf. R’ Zvi Hirsch (Maharatz) Chajes, Darchei Moshe (Zolkova 5600/1840) pp. 8a-b from s.v. *Be'inyan hachalamos hatzodkos*.

9 Teshuvos HaRambam (Yerushalayim 5694/1934) #260, pp. 239-40. The Rambam there is addressing a related but slightly different question, regarding his ruling (*Hilchos Shecheinim 2:16*) that a fence between neighboring gardens is only required to be ten *tfachim* in height, as opposed to the four *amos* required for a fence between neighboring courtyards, where *hezek re'iyah* is a concern.

10 Hagahos VeChidushim of R’ Matisyahu Strashun Bava Basra *ibid.* See Magid Mishneh and Migdal Oz to *Hilchos Shecheinim 2:16*, and cf. *Ayin Hara Be'in HaYahadus*, chapter 5.

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not rendered ownerless by the owner is subject to *trumos uma'asros*.

Second, according to the Mabit, Shmitah produce grown entirely by gentiles is automatically *hefker*, so there is no *trumos uma'asros* obligation. The produce has *kedushas shvi'is* and must not be wasted or

ruined. According to the Bais Yosef, however, such produce requires *trumos uma'asros* and lacks *kedushas shvi'is*.

The position of the Mabit was accepted by the Chazon Ish. His view is followed by many in his town of Bnei Brak, who treat gentile produce (“*yevul nachri*”) with *kedushas shvi'is*. In Yerushalayim, the Bais Yosef’s position is generally accepted, and most do not treat *yevul nachri* with *kedushas shvi'is*.

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that was originally built as a shul, not a converted home. The Mishnah Brurah (42) says that the area above an *aron kodesh* demands a higher level of sanctity, so one may not sleep there in any instance. R’ Moshe Sternbuch (Teshuvos Vehanhagos 2:531) writes that this stringency only applies to an *aron kodesh* in a shul, but in a home, there is no prohibition to sleep in a room above a *sefer Torah*. If a minyan is held in the house on a constant basis, e.g., on Shabbos mornings, although that room doesn’t have *kedushas bais haknessess*, the box containing the *sefer Torah* is treated as an *aron kodesh* and the area above it must be treated with sanctity (Piskei Teshuvos O.C. 151:26).



RAV ARYEH FINKEL

Rav Sternbuch says that even in a private house, one must never place the *sefer Torah* below a bathroom.

The Shulchan Aruch (Y.D. 282:1) instructs: “It is a mitzvah to designate a place for [a *sefer Torah*], and to honor that place and beautify it.” This is the source of the universal minhag to construct a beautiful *aron kodesh*. This mitzvah is not limited to a shul; even in a private home, a *sefer Torah* should not be kept in an ordinary closet or safe. It should be kept in a dedicated place, which should be somewhat decorated or enhanced (see Mishneh Halachos 18:98).

point that he declines to codify an explicit imperative in the Gemara rooted in such a concern, on the grounds that despite the Gemara’s use of the term “prohibition,” it is really only a matter of piety.

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