

**YESHIVAT HAR ETZION
ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

PARASHAT HASHAVUA

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PARASHAT KEDOSHIM

***Orla and Reishit*
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And when you come to the land and plant every type of fruit tree, then you shall consider their fruit as *orla* ("uncircumcised"); for three years it shall be "uncircumcised" for you; it shall not be eaten. And in the fourth year all of its fruit shall be holy as thanksgiving to God. And in the fifth year you shall eat its fruit, that it may yield for you its increase; I am the Lord your God. (*Vayikra* 19:23-25)

These verses contain two commandments:

- The prohibition of *orla* - i.e., the use of the fruit that grows on a tree for its first three years, and
- The commandment of *neta revai* - the obligation of bringing the fruit of the fourth year to Jerusalem and eating them there in a state of ritual purity.

These two commandments are related to one another¹: following the three years during which the fruit is forbidden, in the fourth year the fruit has special sanctity.

Let us take a closer look at the first verse cited above, dealing with the prohibition of *orla*.

Orla and Bikkurim

At first glance, the prohibition of *orla* looks like the commandment of *bikkurim* (the first fruits). Both involve first fruits, and in both cases we are forbidden to eat these first fruits. Also, the Torah introduces both commandments with the formula, "When you come to the land":

And it shall be, when you come to the land that the Lord your God gives you as an inheritance, and you take possession of it and dwell in it,

¹ Further on we shall discuss the fundamental connection between them.

then you shall take of the first of all the fruit of the earth, which you shall bring from your land which the Lord your God gives to you, and you shall place it in a basket, and you shall go to the place with the Lord your God will choose, to cause His Name to dwell there. (Devarim 26:1-2)

However, there is a clear difference between the two commands. In the case of *bikkurim* the first fruits are consecrated to God, and are brought to the Sanctuary with joy and thanksgiving. When it comes to *orla*, on the other hand, the fruits are not dedicated to God; moreover, the Torah stresses their negative status: "It shall not be eaten."

"Uncircumcised"

The appellation by which the Torah refers to these fruits is likewise surprising. They are referred to as "uncircumcised" (*arelim*), and this term is repeated three times in a single verse: "*Ve-araltem orlato... arelim.*"

The term *arel*, as it appears in *Tanakh*, has a negative connotation. The first source where this word appears is in *Bereishit* 17:

This is My covenant which you shall observe between Me and you, and your descendants after you: every male among you shall be circumcised. And you shall circumcise the flesh of your foreskin, and it shall be a sign of the covenant between Me and you... And an uncircumcised male, whose foreskin flesh is not circumcised - that soul shall be cut off from his people; he has violated My covenant. (10-11, 14)

The primary meaning of the term *orla* in the Torah is a reference to a part of the body that must be removed. This is certainly not a positive connotation. A male who is uncircumcised is called "*arel*," and this is not a positive title.

The term *orla* appears in a great many places in the context of circumcision.²

There are some places where the term appears in other contexts:

- a. "*Arel sefatayim*" (of uncircumcised lips):
"Moshe spoke before God saying, 'But Bnei Yisrael have not listened to me; how, then, will Pharaoh listen to me, since I am of uncircumcised lips?'"³ (*Shemot* 6:12)

² See, for example, *Shemot* 12:48; *Yehoshua* 5:7; *Shoftim* 14:3; *I Shmuel* 14:6; *I Shmuel* 17:26; *I Shmuel* 31:4; *Yishayahu* 52:1; and many others.

³ Likewise in verse 30.

b. "Arel lev" (of uncircumcised heart):

"Circumcise yourselves to God and remove the foreskins of your hearts."⁴ (*Yirmiyahu* 4:4)

c. "arel ozen" (of uncircumcised ears):

"Behold, their ears are uncircumcised; they cannot listen." (*Yirmiyahu* 6:10)

In the above three expressions, the text is not referring to an actual circumcision to remove the foreskin; nevertheless, the state of being "uncircumcised" clearly indicates a negative situation. It would appear that in these contexts the word *orla* is borrowed from its original sense,⁵ such that it connotes some deficiency or blemish that must be repaired or removed.

Rashi explains the word *orla* in each of these cases as indicating "sealing":

"*Arel sefatayim*" - [meaning] of sealed lips. Likewise, I interpret every appearance of the word *orla* as meaning "sealed." "Their ears are uncircumcised" (*Yirmiyahu* 6:10) - meaning, sealed against hearing. "Of uncircumcised heart" (*Yirmiyahu* 9:25) - sealed against understanding. "Drink, you too, and the uncircumcised one" (*Chabbakuk* 2:16) - and seal (yourself) from drunkenness of the cursed goblet. "Foreskin flesh" - meaning, sealed and covered with it. (Rashi on *Shemot* 6:12)

Ibn Ezra offers a similar interpretation:

"I am of uncircumcised lips" - meaning something similar to "heavy," and likewise "their ears are uncircumcised" (*Yirmiyahu* 6:10).

According to Ibn Ezra, the term "*arel*" is used to denote "heaviness," a certain difficulty, lack of completion.

Thus, *orla* is a word that indicates some sort of deficiency or blemish. Its appearance in connection with fruit is unusual and unclear.

In addition, in many different places the Torah command us to "*limol et ha-orla*," meaning, to remove the foreskin, to correct the deficiency. Here, in contrast, we read, "*ve-araltem orlato*," and the meaning appears to be the opposite of circumcision: the Torah is commanding us to cause the fruit to be *arel*.

What is the meaning of *orla* with regard to fruits? And what is man's place and role in this *orla*?

⁴ Likewise in other places: *Vayikra* 26:41; *Devarim* 10:16; *Yirmiyahu* 9:25; *Yechezkel* 44:7-9

⁵ See also the Concordance of A. Even-Shoshan, under "*arel*" and "*orla*."

Prohibition of Benefit

Rashi, in the continuation of his commentary on *Shemot* 6:12, explains:

"It shall be uncircumcised for you - make it a sealing and a covering of prohibition, to act as a barrier against eating it (ad loc.); "for three years it shall be uncircumcised for you" - sealed and covered and set aside so as not to be eaten.

Commenting on *Parshat Kedoshim*, he states:

"It shall be uncircumcised for you" - you shall seal up its sealing; it should be sealed and barred against having any benefit from it. (*Vayikra* 19:23)

According to Rashi, here too the word *orla* may be understood to mean "sealing." What it means is that the fruit must be barred from eating; it must be prohibited to enjoy any benefit from it.⁶

This explanation suggests that there is no problem inherent in the fruit itself. The command pertains to man: he is commanded to turn the fruit into *orla*; to "seal" it from himself, so that he will not derive any benefit from it.

In other words, this is a regular prohibition against deriving benefit. The question is, why does the Torah use the expression *orla* specifically in connection with this prohibition? After all, there are many things concerning which we are forbidden to derive benefit, yet none of them adopt such language.

Ibn Ezra (commenting on *Vayikra* 19:23) provides the following explanation for the use of the term *orla* in connection with the fruit:

And the reason for (the Torah stating,) "*ve-araltem orlato*" is that that fruit is considered like *orla*, which is detrimental and not beneficial, like "uncircumcised lips" and "uncircumcised ears" and "foreskin flesh." And the reason for (the specific formulation,) "*ve-araltem*" is so that it will be considered in your eyes as something that is *orla*..."

To Ibn Ezra's view, *orla* (the foreskin) is removed because it is flesh that is superfluous, not beneficial - perhaps even detrimental. Likewise, the fruit that grows during the first three years of a tree's growth should be

⁶ Rashbam, Ramban and Abarbanel interpret the command in the same manner.

considered as an *orla* - i.e., as devoid of benefit and even as detrimental.⁷

But why is the fruit prohibited during the first three years?

Unripeness

Ramban (on *Vayikra* 19:23) maintains that the fruit of the first three years of a tree's growth are like unripe fruit that is detrimental to one's health:

... And it is a further truth that the fruit (that grows) at the beginning of a tree's planting have excess moisture which is harmful for the body and is not good for eating, like a fish that has no scales (above, 19:9). The foods that are prohibited in the Torah are also bad for the body.

According to this explanation, it is clear why the fruits of the first three years are called *orla*: they are harmful, and therefore they should be removed and not used.

Still, we are left with the question of why the Torah adopts the peculiar expression, "*ve-araltem orlato*." What is man's role in rendering the fruit *orla*?

At the beginning of his explanation (on 19:23), Ramban provides a different explanation for the prohibition of *orla*:

The reason for this commandment is to give honor to God with the first of all of our produce from the fruit of the tree and the produce of the vineyard, where we do not eat of them until we bring each fruit for one year as thanksgiving to God. But for (the first) three years, the fruit is not worthy of being offered before the exalted Lord, since it is sparse, and the tree does not lend its fruit a good flavor or fragrance during the (first) three years; most do not even produce fruit at all until the fourth year. Therefore we wait for all of them, not tasting from them until will bring of the produce that we planted - for each fruit, the first produce is sanctified before God, and there it is eaten, and God's Name is

⁷ In some editions of the Ibn Ezra, another section appears at the beginning of his commentary here: "It is well-known that the fruit that grows during the first three years bears no benefit, and is detrimental - just as any fish that has no fins and scales is harmful, and the intelligent soul is damaged by the flesh of any bird of prey or impure animal; and one who is wise will understand this." On the basis of this addition, Ibn Ezra is positing that the fruit is not only to be considered **as if** it were harmful, but that fruit that is *orla* is actually harmful, and therefore prohibited.

praised, and this commandment is similar to that of the *bikkurim* (first fruits).

According to this Ramban, the crux of the commandment is the *neta revai* (the produce of the fourth year), whereby the first "real" fruit, as it were, is brought to the Sanctuary. The prohibition of *orla* is merely the preface to the commandment of *neta revai*. It is necessary to wait for three years, until the fruits are of a quality that renders them worthy of being brought before God.⁸

Accelerating the Ripening

A completely different reason for the prohibition of *orla* is proposed by Rambam in his *Moreh Nevukhim* III:37:⁹

...The ancient pagans also noted that they sacrificed things while taking care that the sun was at set positions, and they performed many acts of sorcery. They wanted this to be readied by each person, such that when he planted a fruit tree, he would scatter some rotten remains of that same fruit, and then the tree would grow quickly and produce fruit within a shorter time than usual. They maintained that this was a wondrous matter, belonging to the realm of sorcery, to accelerate the bearing of fruit. And we have already explained and stated that the Torah keeps distant from all of those acts of sorcery. Therefore the Torah forbids all that the fruit trees produce for three years from the time of their planting, such that there is no need to accelerate their growth... By the end of three years, most fruit trees in *Eretz Yisrael* produce fruit on their own, and they have no need for that act of sorcery...¹⁰

⁸ The same reason is given in the *Sefer Ha-Chinukh*, in the commandment of *neta revai*. Concerning the prohibition of *orla*, the *Sefer Ha-Chinukh* states that its reason is the same as the reason for *neta revai*. According to both the *Sefer Ha-Chinukh* and Ramban, the prohibition of *orla* does not stand alone; rather, it serves as a necessary prelude to the commandment of *neta revai*.

⁹ In the preceding section, Rambam notes that the pagans had instituted a law whereby "part of the first fruit that every fruit-bearing tree produced would be offered as a sacrifice, while the other part would be eaten in the pagan temple." If this procedure was not followed, they believed, the tree would be harmed. In contrast to this belief, God commanded specifically that the fruits of the first three years be burned: "and the exalted God promises that through the destruction of this first produce, the tree's produce will increase."

¹⁰ Abarbanel cites the opinion of Rambam in his commentary, and concurs: "...However, in order that out of great appetite you will not act in accordance with the ways of the land of Canaan, following the customs of the pagans in performing

According to Rambam, the prohibition of *orla*, like many other prohibitions in the Torah, is meant to distance Bnei Yisrael from the customs of the pagan nations. Since the pagans would perform certain magical actions in order to accelerate the fruit-bearing process, and would then sacrifice the fruit to their pagan gods, God forbade us to eat the first fruits of the tree in order that we would not come to adopt these magical tricks, nor be mistaken into believing that idolatry could accelerate the ripening of the fruit.

We may use Rambam's explanation to explore a different aspect of the prohibition.

Perhaps the very attempt on man's part to accelerate the production of fruit is a negative phenomenon. While God has given man the right to "improve" the world, through technological advances, there are still areas in which the Torah limits us and forbids certain actions, even though they appear to us to further the aims of perfecting the world. One example is the prohibition of *kilayim* - the cross-fertilization of different species. While we might imagine that a certain procedure of crossbreeding would improve the livestock or agricultural produce involved, God tells us that such procedures are improper.

The same would appear to apply to *orla*. Left to grow naturally, a tree does not generally produce plentiful, high-quality fruit during its first three years. Perhaps man may become capable of performing some sort of procedure that would cause fruit to appear earlier, and perhaps this would appear to him as an improvement and enhancement, but the Torah tells us that this would not be proper. Therefore, the fruit of the first three years should not be consumed.

According to this interpretation, the use of the negative expression *orla* concerning the fruit that grows during the first three years is meant to prevent man from accelerating the ripening of the fruit during this time. Since the fruit is forbidden anyway, there is no point in trying to accelerate their development. This interpretation also clarifies man's role in this prohibition: "*ve-araltem orlato*" means that man must leave the fruit in its "uncircumcised" state; i.e., he must refrain from enhancing it.

This leads us to formulate our question in a different way: Why does the Torah not simply and explicitly state that it is forbidden to accelerate or enhance the development of the fruit? From the language of the Torah it seems that the fruit that grows in a natural manner is "uncircumcised"; i.e., it is somehow deficient or blemished.

actions so as to accelerate the fruit before their time..." Ramban, too, cites Rambam as a third opinion in his commentary.

"Reshit" - A Holy Nucleus, Or A Polluted Shell?

Perhaps the prohibition of *orla* may be examined from a different angle.

We started our discussion by drawing a comparison between *orla* and ***bikkurim*** - two commandments that concern first fruits. There are a number of other commandments that address a *reshit* (beginning, first manifestation), and in every instance Bnei Yisrael are required to give of this *reshit* to God:

- a. Dedication of the firstborn to God:
"Sanctify unto Me every firstborn who opens the womb of Bnei Yisrael, whether of man or of livestock, it is Mine." (*Shemot* 13:2)
- b. The commandment of *bikkurim*:
"And now, behold, I have brought the first of the fruit of the land which the Lord has given me' - and he shall place it before the Lord your God." (*Devarim* 26:10)
"The beginning of the first-fruits of your land shall you bring to the House of the Lord your God" (*Shemot* 23:19)
- c. *Teruma* (the tithe) given to the kohen who serves in the Temple:
"The first of your grain, your wine and your oil, and the first of the fleece of your flock shall you give to him." (*Devarim* 18:4)
- d. Separation of *challa*:
"You shall offer up a cake of the first of your dough as a gift" (*Bamidbar* 15:20)
- e. Waving the *omer* and the prohibition of *chadash*:
"When you come to the land which I give to you, and you reap its harvest, then you shall bring an *omer* of the first of your harvest to the kohen." (*Vayikra* 23:10)

The commandments of *bikkurim*, *teruma*, *challa* and the *omer* require that the "first" be given to God. When it comes to *orla*, in contrast, we reject the "first" and label it as somehow unworthy.

Only afterwards do we take the fruits of the fourth year - which are no longer *reshit* - and sanctify them: "Sanctified for praise to God."

Against the backdrop of the other commandments of *reshit*, the use of the term *orla* with reference to these first fruits is most puzzling.

Apparently, the Torah is teaching us the proper attitude towards these first fruits. The fruits that grow during the first three years are not *bikkurim* - the sumptuous fruits that we have awaited. Rather, they are *orla* - superfluous, even harmful. The Torah specifically employs the term *orla* to indicate the parallel between these fruits and a bodily *orla*.

Just as a bodily *orla* (foreskin) represents an imperfect situation, and its removal is the correction - i.e., man is created incomplete, and he must perform a certain action in order to bring his body to completion and perfection, so the first fruits are imperfect; they are *orla*.

The wicked Turnus Rufus asked Rabbi Akiva: "Whose actions are more pleasing - those of God, or those of mortals?"

He answered: "Those of mortals are more pleasing."

The wicked Turnus Rufus said: "Behold the heavens and the earth - could you make anything like them?"

Rabbi Akiva answered him: "You cannot talk about things that are beyond human capacity, concerning which we have no control. Rather, talk about things that are within the human realm."

He said to him: "Why do you (Jews) practice circumcision?"

Rabbi Akiva said: "I knew that that was the point you wanted to question. It was for that reason that I told you that man's actions are more pleasing than those of God. Bring me wheat and cakes"...

He said to him: "These (i.e., the wheat) are God's work; these (the cakes) are the work of man. Are the latter not better?"

Turnus Rufus answered him: "If He so desires circumcision, why does he not create man already circumcised at birth?"

Rabbi Akiva replied: "One might then ask why the umbilical cord emerges with the infant, such that his mother needs to cut it. Why does the infant not emerge circumcised? Because God gave Israel the commandments, in order to refine them..." (*Midrash Tanchuma* (Buber) *Parashat Tazria, siman 7*)

From the conversation between Rabbi Akiva and Turnus Rufus we learn that although the world was created by God, it was created imperfectly, and it is left to man to complete and perfect it.

Thus, the Torah provides two different views of *reishit*. On one hand, there are many commandments which express the special sanctity of the "first." The first is dedicated to God - not only out of thanksgiving, and as a declaration that all belongs to God, but also because the *reshit* itself is actually closer to its Divine source; it has a greater level of purity, and therefore greater sanctity, and is worthy of being given to God. (This is particularly manifest in the status of the firstborn: the firstborn is naturally, automatically consecrated to God; there is no need to consecrate him.)

At the same time, the prohibition of *orla* expresses the fact that the *reshit* is actually deficient or blemished. What is the meaning of these two opposed ideas?

Anything that is formed in this world has its source in the connection between the upper world and our earthly

reality. The commandments that reflect the sanctity of the *reshit* express the fact that everything in our world has its source in God, and the *reshit* is closest to the source. It reflects the beginning of the connection between the upper world and our reality. However, although everything in our world comes from God, our earthly reality is not complete and perfect; it is not Godly. The Divine world cannot appear in its completion in our world. Our material world uses Divine powers in a lowly, material manner. During the process of formation, these powers are covered over with a "shell"; they are sealed with an *orla*. Therefore, it is specifically the first appearance in the world that is covered with this covering, which must be removed in order to attain the more perfect and complete essence.

Man's first appearance in the world is incomplete; it is covered with an *orla* which must be removed. Similarly, the first fruits that a tree produces are not complete. They are not *bikkurim*, but rather *orla*. They are sealed with an outer covering, as it were, and are therefore forbidden.

Fruits that are *orla* are the first appearance of the produce of a tree, and this appearance is not complete. This is the shell, which must be avoided, removed. Only afterwards may one make use of the sumptuous fruits that grow later.

This idea is also expressed in the physical dimension: these first fruits are sparse and not of good quality. The root of this phenomenon, however, is to be found in the spiritual dimension. Nothing in our world is complete and perfect; everything is a mixture of good and bad. And it is specifically the first appearance that bears an outer shell, and external aspect of evil, which must be removed.

"Ve-araltem Orlato"

In contrast to the *orla* of the body, which must be removed, the Torah commands us, concerning the fruit, "*ve-araltem orlato*." This means that man must establish that these first fruits are *orla*. Even if such fruit have grown and appeared, even if they appear to be of good quality, and even if they are not harmful, man must recognize them as *orla*. He must declare them to be such.

Perhaps the significance of this commandment is that man must discern that the reality of our world is not holy in its natural state.¹¹ We must first recognize the reality and the

¹¹ In contrast to the argument of Turnus Rufus, who sought to prove that reality is holy as is because God created it, and also in contrast to other pagan views which "sanctified" the lowliest of natural phenomena in our world, such as Ba'al Pe'or.

presence of an outer shell which is not Godly at all, but rather a blemish.¹²

The next stage is to remove these coverings; to discard the blemished fruit. Only after this stage are we able to arrive at the chosen *reshit*, which is closer to its Divine source. This *reshit* is dedicated to God:

And in the fourth year all of its fruit shall be sanctified for praise to God. (24)

The commandment of *neta revai* resembles the commandments of *bikkurim* and *teruma*¹³ in its emphasis on the Divine aspect of reality, finding its strongest expression in the *reshit* - but only after the blemishes and "shells" of that *reshit* have been removed.

The final stage is the possibility of man making use of these fruits in this world for his own benefit, in a proper and blessed manner:

And in the fifth year you shall eat its fruit, that it may yield for you its increase... (25)

Translated by Kaeren Fish

¹² Sefat Emet comments on *Parashat Kedoshim* (641):
"...Just like the state of Adam, where, prior to the sin, there was no *orla* in the world at all, and therefore he was permitted to eat right away of every tree of the garden. Only afterwards, by means of the sin, did we come to inhabit a world of separation, with a mixture of good and evil in the world, and the Torah advises us as to how to separate ourselves from *orla*..."

¹³ As well as the other commandments of *reshit* enumerated above.