



Parasha Kedoshim
By Rabbi David Silverberg
The Mitzvah of Orla

Parashat Kedoshim introduces the prohibition of *orla*, which forbids partaking of fruit produced by a tree during the first three years since its planting. The fruits produced during the fourth year are brought to Jerusalem and eaten there, and then, starting from the fifth year, the fruits are entirely permissible for consumption in all locations (19:23-25).

In his *Guide for the Perplexed* (3:37), Maimonides claims – as he does regarding many other Biblical commands – that the Torah issued this prohibition in order to counter the beliefs of the ancient pagans:

It is further mentioned in the *Nabatean Agriculture* that the ancient idolaters caused certain things named in that work to rot, waited till the sun stood in a certain degree [of the ecliptic], and then they performed many acts of witchcraft. They believed that that substance should be kept ready by everyone, and when a fruit-tree is planted, a portion of that rotten substance should be scattered round the tree or under it; the tree would then grow quicker and produce more fruit than is generally the case. They say that this process is very extraordinary; it acts like a talisman, and is more efficient than any kind of witchcraft in accelerating the productiveness of fruit-trees. I have already shown and explained to you how the Law opposes all kinds of witchcraft. The Law, therefore, prohibits us to use the fruit yielded by a tree in the first three years after it has been planted, so that there should be no opportunity for accelerating, according to their imagination, the productiveness of any tree. After three years most fruit-trees in Palestine yield fruit by the ordinary course of nature, without the application of those magical performances which were very general in those days.

According to Maimonides, then, the prohibition of *orla* is intended to undermine the ancient idolatrous practices that were believed to increase a tree's production in its early years, when it naturally produces less fruit.

Nachmanides makes reference to Maimonides' approach in his Torah commentary, with one important addition. According to Nachmanides' understanding of Maimonides' comments, the ancient pagans would bring the tree's first fruits – which they believed to have been produced through the idolatrous powers – as an offering to their gods. To counter this practice, the Torah required *Benei Yisrael* to bring the first permissible fruits yielded by the tree to Jerusalem, where they would be eaten in the context of a festive celebration of thanksgiving to the Almighty.

For Maimonides, the goal of undermining and opposing idolatrous beliefs and practice suffices to explain the reason behind this prohibition. Nevertheless, we should perhaps also note the particular significance of the contrast between *orla* and the pagan ritual described. Ever since Adam's banishment from *Gan Eden*, mankind has had to struggle with the forces of nature, which are often at odds with human survival. The pagans sought to resolve this conflict by "outsmarting" the natural system, appealing to alleged supernatural forces. The Torah not only urges us to abstain from these practices, but also requires us to celebrate the "miracles" of nature. Whereas the pagans would celebrate what they perceived as the triumph over nature, offering the fruits believed to have grown supernaturally, we are to celebrate and offer thanks to God for the fruits produced over the course of the natural three-year process. We are to recognize the divine power manifest through the natural order, rather than try to circumvent the natural order. The tree's full production after three years is cause for celebration, because the course of nature is itself an expression of God's greatness and the kindness He extends to all His creatures.