

Milk and Meat? You Might *Chok*:

Investigating a Cryptic Commandment

Jeffrey Shott

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The Torah's thrice-repeated commandment, "You shall not boil a kid in its mother's milk" (Exod. 23:19, Exod. 34:26, Deut. 14:21) has traditionally been interpreted by rabbis as a prohibition against cooking or consuming meat and dairy together. Yet, it is not apparent to readers outside the rabbinic tradition that this commandment is meant to be understood as imposing a dietary restriction; and even within Rabbinic Judaism the precise meaning behind this *mitzvah* – including whether such a meaning exists at all – has been debated for centuries. Modern biblical scholars tend to dismiss the traditional interpretation, but this unanimous rejection of the rabbinic position is where their agreement ends. Numerous articles concerning the possible meanings of this text have been published in recent decades, each proposing various competing hypotheses ranging from the historical to the metaphorical to the outright arbitrary. To sift through the confusion surrounding this cryptic commandment, one must carefully analyze both its historical development and its immediate Scriptural context.

That meat and dairy ought not be prepared or served together is a prohibition that "seems to have been unknown in Biblical times."¹ When, for example, Abraham was visited by the three men who prophesied Isaac's birth, he "took curds, and milk, and the calf which he had prepared, and set it before them" (Gen. 18:8). Likewise, when David traveled to Mahana'im his hosts brought forward "honey and curds and sheep and cheese from the herd, for David and the people with him to eat" (2 Sam. 17:29). Nothing in the text indicates that either of these meals represented anything other than entirely unproblematic – and indeed, rather laudatory – acts of hospitality.² Hence, for Rabbinic Jews the "kid law" text is the sole supposed Scriptural evidence

¹ Eran Viezel and Nir Avieli, "Why Are Jews Forbidden to Eat Meat and Milk Together? The Function of Eating Restrictions in Human Societies," *The Journal of Theological Studies* 72, 2 (October 2021): 581, <https://doi.org/10.1093/jts/flab063>.

² Ibid.

supporting the incorporation of a ban on joint preparation or consumption of dairy and meat into *kashrut* (i.e., Jewish dietary law). Although the text only mentions *cooking* (by boiling) a *young goat* in its *own mother's* milk, the rabbis understood this mitzvah to proscribe not only cooking but also eating – or deriving any benefit whatsoever from – *any* meat cooked in *any* milk. This already expansive interpretation of the text was extrapolated over time to include prohibitions against eating meat and dairy during the same meal – or even within several hours of each other – regardless of whether they were cooked together or not, and sharing a table when one party is eating meat, and the other is eating dairy. Even though this text is cited as the justification for such extensive restrictions, according to Rabbi Aryeh Citron it “is clear that the main reason for this mitzvah is beyond comprehension. Hence, it is referred to as a *chok*—a statute that we fulfill simply because it is the will of G-d, although we don’t understand it.”³ Citron is not alone in reaching this conclusion. Jewish Theological Seminary’s Dr. Alan Cooper concurs with his analysis, stating: “The conundrum of the kid law is probably insoluble given the state of both the evidence and our knowledge.”⁴ Indeed, for some, the cryptic and seemingly arbitrary nature of the kid law is precisely the point. According to Viesel and Avieli, the purpose of dietary restrictions is to separate cultures. Yet, the more sense a dietary restriction makes on its face, the more likely it is that multiple cultures will adopt it, thereby diluting its power to serve as a separation device. A ban on the consumption of cockroaches, for example, makes much more sense on its face than the idea that cheeseburgers are somehow problematic. Thus, “The ban on meat and milk, is a key example of the importance of arbitrary dietary rules as a way for

³ Aryeh Citron, “Meat & Milk,” Chabad website, accessed June 8, 2024, https://www.chabad.org/library/article_cdo/aid/1149824/jewish/Meat-Milk.htm.

⁴ Alan Cooper, “Once Again Seething a Kid in Its Mothers Milk,” *Jewish Studies, an Internet Journal* 10 (2012): 143, <http://www.biu.ac.il/JS/JSIJ/10-2012/Cooper.pdf>.

religious communities to distinguish ‘us’ from ‘them’.”⁵ It is, then, not merely a *chok* to be obeyed without being understood but a mitzvah one should obey precisely because it is *not* understood.

Such sentiments have not dissuaded centuries of thinkers, Jewish and otherwise, from speculating on the matter. Moses “Rambam” Maimonides, for example, considering that the Exodus appearances of the kid law are found in passages regulating observance of the annual festivals, famously proposed “that most probably it is . . . prohibited because it is somehow connected with idolatry, forming perhaps part of the service, or being used on some festival of the heathen,” although he admits to having no evidence of such a pagan practice.⁶ Such evidence was believed to be found on a fourteenth-century B.C. cuneiform tablet discovered in 1929 by French archaeologists working in the ruins of Ugarit (modern day Syria). The tablet, known as KTU 1.23, pertains to the fertility cult of the ancient Canaanites, and – according to the translation of Charles Virolleaud – line 14 includes an instruction to “Cook a kid in milk, a [?] in curds.”⁷ Following the 1933 publication of Virolleaud’s translation, biblical scholars identified this discovery as a vindication of Rambam’s theory. That the kid law was directed against just such a pagan fertility ritual as outlined in KTU 1.23 enjoyed widespread acceptance, was featured in numerous biblical commentaries, “and indeed became almost a dogma of

⁵ Eran Viezel and Nir Avieli, “Why Are Jews Forbidden to Eat Meat and Milk Together? The Function of Eating Restrictions in Human Societies,” 618.

⁶ Moses Maimonides, *A Guide for the Perplexed*, trans. Michael Friedlaender, Online Library of Liberty Website, accessed June 8, 2024, Part III, Chapter XLVIII, <https://oll.libertyfund.org/titles/friedlaender-a-guide-for-the-perplexed>.

⁷ Christopher Eames, ““Thou Shalt Not Seethe a Kid in Its Mother’s Milk”: Peculiar Scripture Illuminated by Archaeology,” Armstrong Institute of Biblical Archaeology website, accessed June 8, 2024, <https://armstronginstitute.org/740-thou-shalt-not-seethe-a-kid-in-its-mothers-milk-peculiar-scripture-illuminated-by-archaeology/print>.

scholarship.”⁸ Virolleaud’s translation, however, has since come under a great deal of scrutiny, and this partially because it was a translation based on his own reconstruction of a damaged section of the tablet. In 1985, epigraphers Ratner and Zuckerman published the findings of their study of KTU 1.23, including a series of high-resolution photographs of the tablet, from which they concluded that the line in question “cannot have anything to do with cooking kids in milk.”⁹ Scholars thus returned to the drawing board to attempt to make sense of this once again mysterious mitzvah.

Certain scholars have read the kid law in a humanitarian light, following the interpretation initially proposed by the first-century Hellenistic Jewish philosopher Philo of Alexandria. In his work *On the Virtues*, Philo suggests that boiling a kid in its mother’s milk is forbidden because it is

grossly improper that the substance which fed the living animal should be used to season and flavour its death, and that while nature provided for its conservation by creating the stream of milk and ordaining that it should pass through the mother’s breasts as through conduits, the license of man should rise to such a height as to misuse what had sustained its life to destroy also the body which remains in existence

and remarks that anyone who would do such a thing “shows himself cruelly brutal in character and gelded of compassion, that most vital of emotions and most nearly akin to the rational soul.”¹⁰ Unaware of later rabbinic *halakha*, Philo focuses his argument on the fact that one is boiling an animal in the milk of its *own mother*, which he views as an act of cruelty and

⁸ Jacob Milgrom, ““You Shall Not Boil a Kid in Its Mother’s Milk”: An Archaeological Myth Destroyed,” Biblical Archaeology Society Library website, accessed June 9, 2024, <https://library.biblicalarchaeology.org/article/you-shall-not-boil-a-kid-in-its-mothers-milk/>.

⁹ Robert J. Ratner and Bruce E. Zuckerman, “On Reading the “Kid in Milk” Inscription: Two ‘Lowly’ Epigraphers Speak Out,” Biblical Archaeology Society Library website, accessed June 9, 2024, <https://library.biblicalarchaeology.org/article/on-rereading-the-kid-in-milk-inscription/>.

¹⁰ Philo, *On the Virtues*, Loeb Classical Library, 251, https://www.loebclassics.com/view/philo_judaeus-virtues/1939/pb_LCL341.251.xml.

seemingly a sort of violation of natural law; but he appears to have no issue with the general practice of cooking meat in milk. Indeed, to his mind the fact that one could readily obtain from another creature the milk in which to boil an animal contributes to the inhumanity of choosing to do so with that of its own mother.

Modern proponents of the humanitarian reading argue that the kid law should be read in the light of such passages from the Torah as Lev. 22:26-28:

And the LORD said to Moses, “When a bull or sheep or goat is born, it shall remain seven days with its mother, and from the eighth day on it shall be acceptable as an offering by fire to the LORD. And whether the mother is a cow or a ewe, you shall not kill both her and her young in one day.

And Deut. 22:6-7:

“If you chance to come upon a bird’s nest, in any tree or on the ground, with young ones or eggs and the mother sitting upon the young or upon the eggs, you shall not take the mother with the young; you shall let the mother go, but the young you may take to yourself; that it may go well with you, and that you may live long.

The argument being that the kid law fits within a larger Torahic theme of respecting the mother-child relationship. From the humanitarian perspective, it is an affront to the maternal experience even of lower animals to separate them from their young too quickly after birth or to slaughter them on the same day as their offspring. Some proponents of this view further suggest that the kid law text is more accurately read as proscribing the boiling of a “kid [that is still] in the milk of its mother”; that is, a suckling. As Schorch argues, “Taken this way, the passage is perfectly understandable: A young goat which is still sustained by the milk of its mother shall not be boiled.”¹¹

¹¹ Stefan Schorch, “A Young Goat in Its Mother’s Milk”? Understanding an Ancient Prohibition,” *Vetus Testamentum* 60, 1 (January 2010): 124, <https://doi.org/10.1163/004249310X12609401262194>.

Others, however, regard the humanitarian understanding as unsatisfactory on multiple levels. Jacob Milgrom, for example, maintains that “in biblical Hebrew it is not possible, as this interpretation requires, to refer to a ‘suckling’ as one that is ‘in its mother’s milk.’”¹² Furthermore, the humanitarian reading can appear a bit stretched when one recalls that in the Torah, an animal may be offered as a sacrifice from the eighth day of its life – while it is still obviously sustained solely by its mother’s milk. It cannot, then, be the age of a suckling that renders killing it immoral, nor can it be imagined that a mother animal would be any less perturbed by its offspring being burned at the altar than boiled for human consumption. Milgrom, then, takes a more symbolic approach, seeing the kid law as “simply another instance of the emphasis on opposites characteristic of biblical ritual and practice: to separate life from death, holy from common, pure from impure, Israel from the nations.”¹³ In this view, milk is the symbol of life which should not be tainted by association with the cooking of dead flesh. This mitzvah, then, would follow in the line of such commandments as those that forbid the consumption of blood – also a powerful symbol of life – and the Torahic connection between contact with illness (with its connotations of mortality) and ritual impurity. This interpretation seems also to align with Philo’s view that boiling a kid in its mother’s milk is an affront to natural law since it turns a source of life into a means of death. Yet, as Schorch observes, “Milgrom’s interpretation fails to explain why the kid-in-milk prohibition specifically refers to the milk of *his* mother.”¹⁴ After all, milk retains its life-giving symbolic quality regardless of from which animal it comes. If the Torah were teaching that symbols of life (like milk) simply should not be comingled with

¹² Milgrom, ““You Shall Not Boil a Kid in Its Mother’s Milk”: An Archaeological Myth Destroyed,” Biblical Archaeology Society Library.

¹³ *Ibid.*

¹⁴ Stefan Schorch, ““A Young Goat in Its Mother’s Milk”? Understanding an Ancient Prohibition,” 119.

activities involving death (like cooking), this would lend credibility to the Rabbinic interpretation that goes beyond both the strict sense of the text and its historical meaning as understood by Biblical and Second Temple Jews.

One of the most intriguing potential meanings of this text was proposed by J. Webb Mealy, who observed that the kid law always appears either directly before (in Deuteronomy) or after (in both Exodus appearances) commandments regulating sacrificial grain offerings. Indeed, Mealy notes, the translators of the Septuagint rendered the Exodus 34:26 instance of the kid law as “do not bring forward” rather than “do not boil,” as is found in the Hebrew:

The information to be noted here is that the LXX translator(s) of Exod. 34:26 (or at least some of the early copyists) understood the command, “do not boil a kid in its mother’s milk” as something forbidden *in the specific context of bringing your offering of firstfruits* into the house of YHWH your God. They did not, in other words, understand it as a general dietary principle. To them, “a lamb/kid cooked in its mother’s milk” was not an acceptable *offering* in the context of offering your firstfruits.¹⁵

According to Mealy, the language of “boiling a kid in its mother’s milk” may best be understood simply as a figure of speech. Mealy’s hypothesis builds on the historical likelihood that many ancient Israelites would have been tenant farmers. For such oppressed peoples, it would have been tempting, when the landlord came knocking each year at harvest looking to collect his share, to sneak as much of last year’s crop (the previous generation, the “mother”) into his cut as possible, thereby securing as much of the fresh produce (the new generation, the “kid”) for oneself and one’s family as possible. Thus, to “boil a kid in its mother’s milk” would be a sneaky metaphor for mixing generations of produce when making one’s “offering” to a landowner. For Mealy, then, this mitzvah is really not a separate mitzvah at all, let alone one attempting to

¹⁵ J. Webb Mealy, "You Shall Not Boil a Kid in its Mother's Milk (Exod. 23:19b; Exod. 34:26b; Deut. 14:21b): A Figure of Speech?" *Biblical Interpretation* 20, 1-2 (January 2012): 36, <https://doi.org/10.1163/156851512X618579>.

curtail the joint consumption of meat and dairy, but a figure of speech used to clarify other mitzvot regulating the quality of offerings sacrificed to God. Consider the Deuteronomy appearance of the kid law: “You shall not boil a kid in its mother’s milk. You shall tithe all the yield of your seed, which comes forth from the field *year by year*” (Duet. 14:21b-22, emphasis added). Thus, on Mealy’s theory, the kid law is most accurately read as a tacked-on clarification: “Do not boil the kid in its mother’s milk—i.e. do not mix in surplus grain from the previous year.”¹⁶ As intriguing and seemingly explanatory as this theory may be, its main weakness is obvious: it is pure speculation. There is, after all, no evidence that such a figure of speech ever existed in ancient Israelite culture.

It appears, then, that each of the various kid law theories proposed in recent decades and throughout the centuries fall short of definitively determining a singular clear meaning behind the text. While it is difficult to imagine that this mysterious mitzvah simply does not have a true meaning (even if it is meant precisely to be arbitrary so as to better serve its purpose as a separation device, as some maintain), it is quite possible that, as with other Scriptures, its meaning is multifaceted – albeit obscure. Yet, it is not the case that all the hypotheses which have been proposed are equally weak. Those that come closest to the mark attempt to interpret the text in the light of its immediate context as pertaining to the regulation of liturgical practices (as Rambam and Mealy propose), as these – unlike the traditional rabbinic interpretation with its wild extrapolations – suffer only from lack of evidence.

¹⁶ Ibid, 64.

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