

How We Got It Wrong with Milk & Meat

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Problem 1: Why should “you not boil a kid in its mother's milk”? In other words, why the injunction in the Torah in the first place?

Problem 2: How & why did the halachic kashrut laws for separation of milk & meat develop?

Problem 1

The best analyses of the reasons for the law that I have come across are in the following papers:

1. *Separating Meat & Milk: An Inquiry* (Tim Hegg, Torah Resource Institute)¹
2. *Once Again Seething A Kid In Its Mother's Milk* (Alan Cooper, JSIJ 10 (2012) 109-143)²

Background

The injunction occurs three times in the Torah (Exodus 23:19, Exodus 34:26, and Deuteronomy 14:21) & every time it is exactly the same wording:

לֹא תִבְשֵׁל גְדִי בְחֵלֶב אִמּוֹ

The context however appears to be different between the two Exodus references & the Deuteronomy reference. The below table³ compares the context of the three instances where we are forbidden to boil a kid in its mother's milk.

Exodus 23:19	Exodus 34:26	Deuteronomy 14:21
Vv. 10-11 The Shemittah	Vv. 10-17 Sinai Covenant made with Israel through Moses as mediator	Vv. 1-2 Prohibition against adopting pagan mourning rituals. Reason: "You are a holy people to Adonai your God"
V. 12 Weekly Shabbat	Vv. 18-26 Pilgrimage Festivals and Weekly Shabbat — all males must appear	Vv. 3-20 Clean and unclean animals; those which can and cannot be used for food.
V. 13 No Idolatry	Vv. 27 — Commandments regarding the Pilgrimage Festivals: a. prohibition: no sacrifice to be offered with leavened bread b. prohibition: Pesach sacrifice must not be left over until morning	Law relating to an animal that dies of itself (נִבְלָה): a. prohibition: meat from nebelei is prohibited to an Israelite (covenant member)

¹ https://www.torahresource.com/EnglishArticles/Meat&Milk_9-2012.pdf

² <https://www.biu.ac.il/JS/JSIJ/10-2012/Cooper.pdf>

³ Generated from Cooper.

	<p>c. requirement: to bring the first fruits of the ground</p> <p>d. prohibition: do not boil a kid in its mother's milk</p>	<p>b. permitted: meat of nebelei may be given to a גֵר אֲשֶׁר בְּשַׁעְרֵיךָ⁴</p> <p>c. permitted: meat of nebelei may be sold to a נְכָרִי⁵</p> <p>d. prohibition: do not boil a kid in its mother's milk</p> <p>Reason: "You are a holy people to Adonai your God"</p>
<p>Vv. 14-17 Three Pilgrimage Feasts: Pesach, Shavuot, Sukkot — all males must attend</p>		<p>Vv. 14:22-15:6 Laws of the yearly tithe including the first born of the flock (cf. 15:19-20) which are to be taken to the Tabernacle or Temple and eaten "in the presence of Adonai," followed by the law of the third year tithe, which is to be deposited in one's town so that the disadvantaged may eat.</p>
<p>Vv. 18-19 Sacrifices in the context of the Pilgrimage Festivals:</p> <p>a. prohibition: no sacrifice to be offered with leavened bread</p> <p>b. prohibition: fat of the sacrifice not to remain overnight</p> <p>c. requirement: to bring the first fruits of the ground</p> <p>d. prohibition: do not boil a kid in its mother's milk</p>		

It is pretty clear that the two instances in Exodus are in the context of temple sacrifices during the pilgrimage festivals. The Deuteronomy instance is in the context of clean & unclean food, (ie. Kashrut). Although even here Cooper suggest that Seidel's Law⁶ applies. ("According to Seidel's Law, when a later text cites an earlier one, it inverts the order of key elements or terms in the source text."⁷) This instance is the basis of all rabbinic kashrut laws relating to separation milk & meat.

⁴ Alien within your gates.

⁵ Foreigner.

⁶ The phenomenon is well documented in legal texts. See, e.g., Bernard Levinson, Deuteronomy and the Hermeneutics of Legal Innovation (New York: Oxford, 1997), p. 196 (s.v. "Seidel's Law"); David P. Wright, Inventing God's Law: How the Covenant Code of the Bible Used and Revised the Laws of Hammurabi (N.Y.: Oxford, 2009), pp. 236, 458 n. 21. (Cooper, p. 114)

⁷ Cooper, p. 114.

Summary Regarding the Three Contexts

It is reasonable to conclude that the two instances of the injunction in Exodus are related to sacrifice practices. It appears that the Deuteronomy instance is related to kashrut but the sentences immediately after the injunction in Deuteronomy relate to the first fruits & tithing & the requirement to make offerings at the tabernacle or temple. Thus all three instances are strongly related to tabernacle/temple offering/sacrifice. All instances of the injunction are basically saying that this form of religious rite is forbidden. However we have to admit that this is all conjecture as there is no explicit reason given in the text for the injunction. In Deuteronomy it gives the reason as "because you are a holy people" but this does not explain why cooking a kid in its mother's milk is unholy.

To try to obtain an understanding of the reason for the injunction, Hegg did something quite interesting. He compared the same above injunctions with those in the Masoretic Pentateuch⁸, Septuagint⁹, Samaritan Pentateuch^{10,11}, and the Syriac Pentateuch¹² and to a fragment found amongst the Dead Sea Scrolls.

⁸ The Masoretic Text is the authoritative Hebrew and Aramaic text of the Tanakh for Rabbinic Judaism. It was primarily copied, edited and distributed by a group of Jews known as the Masoretes between the 7th and 10th centuries CE. (https://en.wikipedia.org/wiki/Masoretic_Text)

⁹ The Septuagint or LXX ... is the earliest extant Greek translation of the Old Testament from the original Hebrew. It is estimated that the first five books of the Old Testament, or Pentateuch, were translated in mid-3rd century BCE and the remaining texts were translated in the 2nd century BCE. (<https://en.wikipedia.org/wiki/Septuagint>)

¹⁰ The Samaritan Pentateuch, also known as the Samaritan Torah, is a text of the first five books of the Hebrew Bible, written in the Samaritan alphabet and used as scripture by the Samaritans. It constitutes their entire biblical canon. Some six thousand differences exist between the Samaritan and the Masoretic Text. Most are minor variations in the spelling of words or grammatical constructions, but others involve significant semantic changes, such as the uniquely Samaritan commandment to construct an altar on Mount Gerizim. Nearly two thousand of these textual variations agree with the Koine Greek Septuagint and some are shared with the Latin Vulgate.

Frank Moore Cross ... views the Samaritan Pentateuch as having emerged from a manuscript tradition local to Palestine. The Hebrew texts that form the underlying basis for the Septuagint branched from the Palestinian tradition as Jews emigrated to Egypt and took copies of the Pentateuch with them. Cross states that the Samaritan and the Septuagint share a nearer common ancestor than either does with the Masoretic, which he suggested developed from local texts used by the Babylonian Jewish community. His explanation accounts for the Samaritan and the Septuagint sharing variants not found in the Masoretic and their differences reflecting the period of their independent development as distinct Egyptian and Palestinian local text traditions. On the basis of archaizing and pseudo-archaic forms, Cross dates the emergence of the Samaritan Pentateuch as a uniquely Samaritan textual tradition to the post-Maccabean age. (https://en.wikipedia.org/wiki/Samaritan_Pentateuch)

¹¹ The Maccabees, (Hebrew: מַכַּבִּים or מַקְבִּים), were a group of Jewish rebel warriors who took control of Judea, which at the time was part of the Seleucid Empire. They founded the Hasmonean dynasty, which ruled from 167 BCE to 37 BCE, being a fully independent kingdom from about 110 to 63 BCE. (<https://en.wikipedia.org/wiki/Maccabees>)

¹² Syriac, is closely related to the Aramaic dialect used by Jesus and the Apostles. The term Peshitta was used by Moses bar Kepha in 903 and means "simple" (in analogy to the Latin Vulgate). It is the oldest Syriac version which has survived to the present day in its entirety. It contains the entire Old Testament, most (?) of the deuterocanonical books, as well as 22 books of the New Testament, lacking the shorter Catholic Epistles (2-3 John, 2 Peter, Jude, as well as John 7:53-8:11). It was made in the beginning of the 5th century. Its authorship was ascribed to Rabbula, bishop of Edessa (411-435). The Syriac church still uses it to the present day. The earliest manuscript of the Peshitta is a Pentateuch dated AD 464. There are two New Testament manuscripts of the 5th century (Codex Phillipps 1388). (https://en.wikipedia.org/wiki/Syriac_versions_of_the_Bible)

The following tables are copied from his article:

Exodus 23:19

MT	Lxx	SamPent	Syriac
<p>ראשית בכורי אדמתך תביא בית יהוה אלהיך לא־תבשל גדי בחלב אמו:</p> <p>The first of the first fruits of your ground you shall bring to the house of Adonai your God. You shall not boil a young goat in the milk of his mother.</p>	<p>τὰς ἀπαρχὰς τῶν πρωτογενημάτων τῆς γῆς σου εἰσίοσεις εἰς τὸν οἶκον κυρίου τοῦ θεοῦ σου οὐχ ἐψησεις ἄρνα ἐν γάλακτι μητρὸς αὐτοῦ</p> <p>The <u>first</u> of the first fruits of your ground you shall bring into the house of the Lord your God. You shall not <u>boil</u> a <u>lamb</u> in milk of his mother.</p>	<p>ראשית בכורי אדמתך תביא ביתה יהוה אלהיך לא תבשל גדי בחלב אמו כי עשה זאת כזבח שכח ועברה היא לא־להי יעקב:</p> <p>The first of the first fruits of your ground you shall bring to the house of Adonai your God. You shall not boil a young goat in the milk of his mother for doing this is like a sacrifice forgotten and a rage [outburst] to the God of Jacob.</p>	<p>ܘܝܢ ܠܠܗܝ ܕܐܕܘܢܝ ܕܘܫܘܒܐ ܠܒܫܠ ܕܘܫܘܒܐ ܕܐܘܟܠܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ.</p> <p>The first produce of the ground you shall bring to the house of the Lord your God. You shall not boil a young goat in the milk of his mother.</p>

Exodus 34:26

MT	Lxx	SamPent	Syriac
<p>ראשית בכורי אדמתך תביא בית יהוה אלהיך לא־תבשל גדי בחלב אמו:</p> <p>The first of the first fruits of your ground you shall bring to the house of Adonai your God. You shall not boil a young goat in the milk of his mother.</p>	<p>τὰ πρωτογενήματα τῆς γῆς σου θήσεις εἰς τὸν οἶκον κυρίου τοῦ θεοῦ σου οὐ προσίοσεις ἄρνα ἐν γάλακτι μητρὸς αὐτοῦ</p> <p>The first fruits of your ground you shall bring into the house of the Lord your God. You shall not <u>offer</u> a lamb in milk of his mother.</p>	<p>ראשית בכורי אדמתך תביא ביתה יהוה אלהיך לא תבשל גדי בחלב אמו:</p> <p>The first of the first fruits of your ground you shall bring to the house of Adonai your God. You shall not boil a young goat in the milk of his mother.</p>	<p>ܘܝܢ ܠܠܗܝ ܕܐܕܘܢܝ ܕܘܫܘܒܐ ܠܒܫܠ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ.</p> <p>The first produce of the ground you shall bring to the house of the Lord your God. You shall not boil a young goat in the milk of his mother.</p>

Deuteronomy 14:21c

MT	Lxx	SamPent	Syriac
<p>לא־תבשל גדי בחלב אמו:</p> <p>You shall not boil a young goat in the milk of his mother.</p>	<p>οὐχ ἐψησεις ἄρνα ἐν γάλακτι μητρὸς αὐτοῦ</p> <p>You shall not boil a lamb in milk of his mother.</p>	<p>לא תבשל גדי בחלב אמו:</p> <p>You shall not boil a young goat in the milk of his mother.</p>	<p>ܠܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ ܕܘܫܘܒܐ.</p> <p>You shall not boil a young goat in the milk of his mother.</p>

What is important to note is:

- the Septuagint in Exodus 34:26 states, “You shall not offer a lamb in the milk of its mother.”

- The Samaritan Pentateuch in Exodus 23:19 states “You shall not boil a young goat in the milk of his mother for doing this is like a **sacrifice** forgotten and a rage [outburst] to the God of Jacob.”¹³

From this evidence it is quite clear that cooking a kid in its mother’s milk is part of a religious act of an offering or sacrifice.

Some Septuagint manuscripts contain a version of the SP addition at Ex 23:19:

“You shall not boil a lamb in its mother’s milk, for the one who makes this kind of **sacrifice** is hated and it is a transgression to the God of Jacob.”¹⁴

Other Septuagint manuscripts contain a somewhat different version of the SP addition at Deut 14:20[21]:

“You shall not boil a lamb in its mother’s milk, for whoever does this is as if he would **sacrifice** a mole¹⁵; it is a provocation to the God of Jacob.”

This last reference is very important as it provides strong evidence that the context of the Deuteronomy injunction is related to sacrifice & not kashrut. Finally Hegg points to a fragment found among the Dead Sea Scrolls of Deut 14:20 where the next letter after אָמוּ בְחֵלֶב אֶדְי תִבְשֵׁל גְּדִי is a letter “כ” & therefore consistent with the word “כִּי”, meaning “because”. As the researchers have not found more of the fragment, we can only say that this fragment is not inconsistent with other versions of instances that provide a reason for the injunction.¹⁶

What do we have so far? I think the evidence that the injunction is related to a sacrifice or offering that is found offensive to God is very strong. But we don’t know why it is offensive.

There have been a number of attempted explanations. The first is by Philo “who lived from c.20 BCE – c.50 CE and therefore reflects at least one Jewish perspective from the pre-[Second Temple] destruction in 70 CE. His comments deal entirely with how the prohibition against boiling a kid in its mother’s milk was given as divine command to foster and enrich a humanitarian soul within His people.¹⁷ In this

¹³ The translation is difficult & there it is argued that it could also be translated as “The first of the first fruits of your land you shall bring to the house of Adonai your God. You shall not boil a kid in the milk of its mother, for doing this is like forgetting a sacrifice, and it is a provocation to the God of Jacob.” (Hegg, p. 10)

¹⁴ Hegg, p. 12.

¹⁵ Greek ἀσπάλακα is literally “an unseen animal,” and is therefore understood as a rodent that lives underground and is not seen. (Hegg, p. 13)

¹⁶ Hegg, pp. 12-13.

¹⁷ *On the Virtues*, 142–44 (Hegg, pp. 17-18)

142 And our lawgiver [Moses] endeavours to surpass even himself, being a man of every kind of resource which can tend to virtue, and having a certain natural aptitude for virtuous recommendations; for he commands that one shall not take an animal from the mother, whether it be a lamb, or a kid, or any other creature belonging to the flocks or herds, before it is weaned. And having also given a command that no one shall sacrifice the mother and the offspring on the same day, he goes further, and is quite prodigal on the particularity of his injunctions, adding this also, “Thou shalt not seethe a lamb in his mother’s milk.”

143 For he looked upon it as a very terrible thing for the nourishment of the living to be the seasoning and sauce of the dead animal, and when provident nature had, as it were, showered forth milk to support the living creature, which it had ordained to be conveyed through the breasts of the mother, as if through a regular channel, that the unbridled licentiousness of men should go to such a height that they should slay both the author of the existence of the other, and make use of it in order to consume the body of the other.

emphasis, Philo takes the position that the prohibited milk with meat is only that of the animal's mother and it therefore appears that he was not dependent upon the rabbis for his teaching." I think it is more likely that the rabbis had not yet established the stricter kashrut laws of separation of milk & meat prior to the destruction of the temple.

"This humanitarian or life vs. death interpretation of the prohibition's meaning figures significantly in the history of interpretation. For instance, Rashbam (R. Shmuel b. Meir, 1085–1158 CE) writes that to eat the meat of a goat cooked in its mother's milk 'is disgusting, voracious, and gluttonous.... According to the same model, [in Lev 22:28 and Deut 22:6–7] Scripture teaches us civilized behavior.'"

"Ibn Ezra (1089 – 1164 CE) also adopts the humanitarian view:

'We have no need to seek the reason that it is prohibited, for this is hidden even from those of understanding. But perhaps God commanded us not to do it because it demonstrates a certain cruelty. The commandments "no animal from the herd or from the flock shall be slaughtered on the same day with its young" (Lev 22:28) and "do not take the mother together with her young" (Deut 22:6) are similar.'"

"Rambam (Moshe b. Maimonides) (c.1135-1204 CE) is often quoted for his interpretation that the prohibition against boiling a kid in its mother's milk was given because such a practice was done by the idolatrous nations.

'As for the prohibition against eating *meat [boiled] in milk*, it is in my opinion not improbable that—in addition to this being undoubtedly very gross food and very filling—*idolatry* had something to do with it. Perhaps such food was eaten at one of the ceremonies of their cult or at one of their festivals. A confirmation of this may, in my opinion, be found in the fact that the prohibition against eating *meat [boiled] in milk*, when it is mentioned for the first two times [Ex 23:19; 34:26], occurs near the commandment concerning the pilgrimage: *Three times in the year, and so on*. It is as if it said: When you go on pilgrimage and enter *the house of the Lord your God*, do not cook there in the way they used to do. According to me this is the most probable view regarding the reason for this prohibition; but I have not seen this set down in any of the books of the Sabians¹⁸ that I have read.'"¹⁹

Alternate idea

Once Again Seething A Kid In Its Mother's Milk by Alan Cooper offers an interesting observation & potential explanation for the injunction.

144 And if any one should desire to dress flesh with milk, let him do so without incurring the double reproach of inhumanity and impiety. There are innumerable herds of cattle in every direction, and some are every day milked by the cowherds, or goatherds, or shepherds, since, indeed, the milk is the greatest source of profit to all breeders of stock, being partly used in a liquid state and partly allowed to coagulate and solidify, so as to make cheese. So that, as there is the greatest abundance of lambs, and kids, and all other kinds of animals, the man who seethes the flesh of any one of them in the milk of its own mother is exhibiting a terrible perversity of disposition, and exhibits himself as wholly destitute of that feeling which, of all others, is the most indispensable to, and most nearly akin to, a rational soul, namely, compassion.

¹⁸ Sabians appear to be idol worshippers that abandoned paganism for monotheism.

¹⁹ Hegg, pp. 18-24.

Cooper notes one of the Aramaic Targumim for Deuteronomy 14:21, Pseudo-Jonathan (similarly Yerushalmi and Neofiti):

The choice first fruits of your land you must bring to the Temple of the Lord your God. My people, House of Israel, you are permitted neither to cook nor to eat meat and milk combined, lest my anger rage and I “cook” your produce, both wheat and chaff combined.²⁰

This is interpreted by Cooper & others as explaining the prohibition in terms of an illicit mixture (Shatnez). As with the ban on wearing woven clothes of wool & linen, “Perhaps the Targumist sought to assimilate the kid law to the law of shatnez²¹, relating the kid with milk to a quintessential illicit mixture.”²²

Cooper notes that he finds this idea first expounded in detail in the early seventeenth-century Torah commentary *Keli yeqar* by Ephraim of Luntshits. Ephraim of Luntshits writes, “It is well known that the flesh of the fetus is derived from the red blood of the female that gives rise to all that is red since that is its source. So too, the animal’s milk is derived from blood that has been clarified and transformed into milk. Both the flesh of the newborn and the animal’s milk, accordingly, are derived from the mother’s blood. Once they have been separated, they should not be recombined by cooking or by eating (since eating also is cooking in the stomach). If one soaks the meat in milk all day there is no violation of the law “do not cook” because they are not recombined by soaking as they are by cooking or digestion...”²³ Clearly this view of reproduction is mistaken but probably not inconsistent with the primitive view of reproduction that existed at the time the First Temple. I find this explanation a little difficult to take because I do not understand why once something is separated it cannot be recombined. In other words, the explanation for not cooking a kid in its mother’s milk seems to have been transferred to the inexplicable law of shatnez. We thus have not really travelled any further in understanding the original reason for this prohibition.

Cooper finally mentions a proposed explanation from one of his research students in her PhD dissertation (now a book *Sacrifice and Gender in Biblical Law* by Nicole J. Ruane).

“Ruane begins her argument concerning the kid law with the uncontroversial observation that upholding strict separation of classes or categories is a condition of Israel’s remaining a “holy people” (esp. Deut 14:21). Holiness connotes being separate or set apart. In the case of the kid law, Ruane contends, the “separation” to be maintained is between the mother and the sacrificial victim, signified by milk (feminine) and meat (masculine), respectively. A mother animal produces two kinds of food: her milk and her offspring (=meat). Since they are available for consumption at the same time, it is reasonable to assume that they would be combined (cf. Rashbam above). Seething a kid in its mother’s milk might have been acceptable quotidian (usual daily) practice, but in the sacrificial cult the feminine fluid could not be

²⁰ Cooper, p. 118.

²¹ When one tries to understand the original reason for the law of shatnez, there does not seem to be a rational explanation or an original discernable reason. E.g. “The Torah does not explain the reason for shatnez, and it is categorized as a *chok* -- a law whose logic is not evident.” (<http://www.aish.com/jl/m/mm/48948976.html>)

²² Cooper, p. 118.

²³ Cooper, pp. 135-6.

blended with the masculine flesh. Meat (masculine) is the officially sanctioned ritual substance in a sacred activity in which milk (feminine) has no part. In Ruane's words:

Just as the sacrificial systems codified in biblical law exclude the new human mother from cultic activity [in Leviticus 12], so they also exclude the mother animal from becoming ritual and sacrificial material... Along with the shunning of new mothers themselves, the sacrificial systems in biblical law also omit the most motherly of foods, namely milk.... Laws concerning animal mothers control and limit the ways in which motherhood and its symbols may play a role in the socio-cultic bonds created by sacrifice. This exclusion must be taken as indicative of sacrifice's purpose of constructing a patrilineal society."²⁴

Cooper notes:

The feminine substances that are banned from ritual use are encapsulated in the description of Canaan/Israel as אֶרֶץ זָבַת חֶלֶב וְדָבָשׁ, "land flowing with milk and honey" (Exod 3:8 and an additional 19 times in Torah and Prophets). The "land" is feminine, as are the substances that "flow" from "her" as blood "flows" from a menstruant (Lev 15:19). The femininity of milk is self-evident; honey is of feminine character whether it is produced from bees (דבורה), figs (תאנה), or dates (תמר), and Lev 2:11 prohibits the use of honey in sacrificial ritual.

It is hard for us today to appreciate the concept of deity that our Jewish ancestors held over two thousand years ago. Today we think of God as some sexless, spiritual entity but then Israel's god, Yahweh, was definitely male.

In a dvar torah I gave earlier this year I noted the following:

If you really want to turn an Orthodox & possibly even a Progressive Jew apoplectic, just inform them that God had a wife and the evidence for this is contained in a book by William G. Dever, Professor Emeritus of Near Eastern Archeology and Anthropology at the University of Arizona. It was published in 2005 with the title, *Did God Have a Wife?: Archaeology and Folk Religion in Ancient Israel*. ...

Professor Dever, however, isn't alone. In a book I read recently by Richard Elliot Friedman, Katzin Professor of Jewish Civilization Emeritus of the University of California, San Diego with the title *The Exodus*, he notes the discovery of an inscription with the words "Yahweh of Samaria and his Asherah". Friedman explains that "Asherah" is a generic term for a goddess. He also notes that you will find in the book of Jeremiah²⁵ the acknowledgement of the fact that the people have been worshipping a goddess known as the "Queen of Heavens".

For those of you that can't work out who the Queen of Heavens is, then just answer the question who is the King of Heavens & what must the queen's relationship have been to the king? So the point here is that prior to the destruction of the First Temple it is common amongst the people to worship Yahweh

²⁴ Cooper, pp. 141-2.

²⁵ Jeremiah's ministry was active from the thirteenth year of Josiah, king of Judah (626 BC), until after the fall of Jerusalem and the destruction of Solomon's Temple 587 BC. This period spanned the reigns of five kings of Judah: Josiah, Jehoahaz, Jehoiakim, Jehoiachin, and Zedekiah. The Hebrew-language chronology *Seder HaDoroth* (published 1768) gives Jeremiah's final year of prophecy to be 595 BC, at which point he transmitted his teachings to Baruch ben Neriah.

(<https://en.wikipedia.org/wiki/Jeremiah>)

along with his Asherah & when it comes to explaining the calamity that befell the Israelites, the prophets blame it on the people for, amongst other things, their worship of God's wife.

Josiah is recorded in the Tanach as initiating a campaign to centralize worship & eliminate idolatry. I think it is fair to say that the struggle to eliminate the female deity for Israelite worship took many centuries.

When it comes to the people's return from exile, less than 150 years after the destruction of the First Temple in 586 BCE, we have Ezra the Scribe roll up on his camel with a newly redacted version of the Torah in his saddle bag. His biggest problem is re-establishing the monotheistic religion in a culture where the Israelites that had remained in the land had intermarried & adopted some of the polytheistic religious practices of their non-Jewish neighbours. Separation of God's chosen from their non-Jewish neighbours is crucial & in the Second Temple which is to be built, there will be an even greater emphasis on the elimination of anything to do with Yahweh's former wife. Hence cooking a kid in its mother's milk is an outrage to Israel's God (as explained in the Samaritan Torah).

And if I may add my conjecture to this picture, according to Richard E Friedman, the instances of the injunction against cooking a kid in its mother's milk occur in sections of the Torah identified with the separate authors E, J & D.²⁶ If you were to remove these sentences in each instance where they occur, you would be none the wiser. It would not interrupt the flow in any way. In fact it would improve the flow. To me this indicates they are a later insertion by a redactor with an axe to grind & that axe is used to cut off any recidivist belief in a female deity.

To summarize:

- I think we have established beyond reasonable doubt that the cooking of the kid in its mother's milk was understood at the time as a form of offering or sacrifice;
- This offering was considered offensive to Yahweh because it was associated with another god, whether Yahweh's Asherah or not;
- The cooking of a kid in its mother's milk is not related to the kashrut laws in the Torah.

Problem 2

So how did we get to our milk & meat kashrut laws of today? Here I go back to Hegg's article which speculates as follows:

First, we know that following the destruction of the [Second] Temple and subsequent failure of the Jewish revolt under Bar Kochbah (134 CE), the rabbis of Yavneh began the process of transferring key aspects of the Temple service to daily life within the synagogue communities of the diaspora. In the same way, they transferred the enigmatic prohibition not to boil a kid in its mother's milk to the food laws. The prohibition was removed from its biblical context and transferred to the realm of food laws with ease since in Deuteronomy, the injunction comes at the end of a context enumerating food laws. The fact that the prohibition as found in Deuteronomy became the primary basis for reinterpreting it as a law of *kashrut* is seen by the fact that the Mishnah and the Targumim (as well as *Mechilta*) consistently have Deut 14:21 in view as

²⁶ See *The Bible With Sources Revealed* by Richard Elliot Friedman (HarperCollins, 2003).

representing the summation of the three times the injunction is found. In other words, the Deuteronomy text, with its inclusion of the food laws, becomes the lens through which the injunction finds its rabbinic interpretation and *kashrut halachah*.

The developed rabbinic *halachah*, which took the prohibition against boiling a kid in its mother's milk and transformed it into a central *halachah* of *kashrut*, also served an additional purpose. For in the emerging rabbinic Judaism, the need to mark distinctions between the Synagogue and the emerging Christian Church became increasingly important. The complete separation of meat and milk as an essential element of *kashrut* made social interaction with non-Jews via table fellowship a near impossibility.

It is interesting that in the rabbinic literature, very little is offered to explain the meat and milk which Abraham served to his guests in Gen 18:1-8²⁷. This may well be explained by the fact that until the post-destruction era, the primary concern of the *halachic* discussions (as witnessed in the Mishnah) pertain to the issue of cooking meat in milk, not particularly to matters of eating meat and milk together.

Were meat and milk strictly separated as a standard of *kashrut* in the pre-destruction era? The answer seems clearly to be no, even though the later Mishnah attributes such concerns to Sages living in the pre-destruction era, such as Hillel and Shammai. That the Mishnah would portray Hillel and Shammai as concerned with the *kashrut* aspects of a prohibition which, in the original context of the Torah, pertained to the sacrificial service, agrees with a not-uncommon phenomenon of the later rabbis attributing their newly formed *halachah* to earlier authorities in order to give it greater weight.

The conclusion of our study, then, is that separating meat and milk as a matter of *kashrut* is not based upon the written Torah. The long-standing separation of meat and milk as a standard of kosher food is entirely an enactment of later rabbinic *halachah*.²⁸

So what should Progressive Jews do today? That is up to each of us individually. Whatever decision we make, hopefully it will be made with as much knowledge as possible of how & why the laws evolved.

²⁷ v8: He [Abraham] then brought some curds and milk and the calf that had been prepared, and set these before them [3 messengers]. While they ate, he stood near them under a tree.

²⁸ Hegg, p. 28.