You Shall Not Boil a Kid in Its Mother’s Milk: The Dietary Law That Wasn’t
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The brief command “You shall not boil a kid in its mother’s milk” appears three
times in the Pentateuch—once in the Covenant Code [Exod 23:19b], once in the Ritual
Decalogue [Exod 34:26b], and once in Deuteronomy [Deut 14:21c]. In each instance, the
phraseology is identical: lō’ tēḇaššēl gēḏī bēḥālēḇ ’immō. Assuming that this command
forbids eating a kid boiled in its mother’s milk, it would be the only dietary law
contained in the Ritual Decalogue and the second of only two dietary laws in the
Covenant Code. (The first forbids eating “flesh torn in the field” [Exod 22:30]).

The law is problematic for several reasons. First, it doesn’t appear to follow the
logic of any of the other Israelite dietary laws. For example, in her seminal work on the
topic, Mary Douglas has traced the prohibition against eating certain animals [Deut 14;
Lev 11] to the idea that a holy people should only eat animals that fully conform to their
class. For example, animals with four or more feet and wings fail to fully conform to the
flying class or to the walking class and are thus taboo. Animals that appear to have
“hands” but who use them to walk (weasels, mice, etc.) are neither fully four-footed or
two-footed creatures, and are thus taboo for a holy people. Thus also the pig, which has
cloven hooves but does not chew the cud, fails to fully conform to the livestock class and
is therefore taboo,¹ although Douglas later admitted that there were likely other factors
that also contributed to the Israelite abhorrence toward swine.² Whether one fully accepts

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repugnance toward pigs in the ancient Near East, see Jacob Milgrom, Leviiticus 1-16 (AB
all of Douglas’ specific conclusions, her overarching idea that only certain types of animals were suitable for consumption by a holy people seems sound. The prohibition against boiling a kid in its mother’s milk, however, can in no way follow from the same logic. Kids are generally permitted for Israelite consumption. Unlike the animals listed as unclean, kids are apparently only forbidden if they are prepared a certain way.

Perhaps then, the prohibition against boiling a kid in its mother’s milk should be linked to other laws that forbid consumption of food that has been prepared in the wrong way. One might argue that the command against eating meat that has not been drained of its blood [Gen 9:3-4; Lev 17:10-11; Deut 12:16, 23-25] is analogous. The explicit reason for the blood prohibition, however, is that “the life is in the blood” [Gen 9:4; Lev 17:14; Deut 12:23]. As Jacob Milgrom notes, while the Israelites are permitted to eat meat, a living being’s blood, which contains its life, must be returned to its creator, usually at an altar.3 While one might conceivably attempt to make the argument that milk also contains life, this is not an argument that is ever actually made in the Israelite laws. Additionally, unlike blood, milk itself was never forbidden, and thus the prohibition against blood is in no way analogous to the law against boiling a kid in its mother’s milk.

The final class of prohibited foods is carrion, “meat that is torn in the field.” There are two possible explanations for such a prohibition. The first is the hygienic hypothesis, one of the oldest explanations for the dietary laws in general.4 That is, carrion is forbidden because it is likely to cause disease. The other is that carrion has not been drained of its blood and thus the prohibition is merely a subset of the law against

3 Milgrom, *Leviticus 1-16*, 691-713.

4 This hypothesis can be traced at least as far back as Maimonides. See Milgrom, *Leviticus 1-16*, 718-19.
consuming blood [cf. Lev 17:14-15]. Whichever explanation one prefers, however, the prohibition against boiling a kid in its mother’s milk would not fall under either category. There is nothing unhygienic about cooking meat in milk nor is blood involved in cooking meat in milk.

Thus, if the law against boiling a kid in its mother’s milk is in fact a dietary law, then it is a completely anomalous one. It is therefore unsurprising that it has drawn a significant amount of scholarly attention and a wide array of suggestions as to the rationale for the law. At one time a consensus had developed that the prohibition was against participating in a Canaanite ritual (and since this suggestion was popular during the middle of the twentieth century, it was obviously a “pagan” Canaanite rite, probably having to do with fertility). Unfortunately, the primary evidence for such a hypothesis was the mention of gd ḥlb in the Ugaritic “Birth of the Gracious Gods” (KTU 1.23), understood as a “kid in milk” by H. L. Ginsberg. This Ugaritic evidence provided the key bit of evidence that there were in fact Canaanite rituals involving kids cooked in milk. Subsequent research demonstrated that the reading was impossible, though, leaving no evidence whatsoever for a Canaanite rite that involved cooking kids in milk. Scholars were thus thrown back to the biblical text itself to explain the meaning of the law.

Despite scholarly disagreement, if there is anything approaching a scholarly consensus at present, it is that the law is intended to keep separate life, which is rather

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naturally conceptually tied to milk, and death. Building on this distinction, Nicole Ruane, followed by Alan Cooper, has recently argued that the issue was actually to keep conceptually masculine meat separate from conceptually feminine milk in the sacrificial cult, which had a special interest in excluding all things feminine from the patrilineal cultus. Even here, though, the hypothetical rationale is to keep separate those things that ought to be separate.

One notable exception to the structuralist approach preferred by most recent scholars is the suggestion of Jack Sasson, who argues that the word for milk, hālāḇ, should actually be read ḥēleb, “fat.” Thus the command is actually, “You shall not boil a kid in its mother’s fat.” He argues that, rather than a proscription with cultic implications, the command is actually a “gnomic observation couched as legal formulation.” He observes, “Cooking a young animal in its mother’s fat would require the killing of a young animal together with its breeder, thus compromising one’s holdings in a way that would not obtain were the young animal cooked in milk or butchered with its sire.” Thus the “command” is actually intended as advice to be frugal with one’s possessions.

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Sasson’s suggestion that the “law” was intended gnomically has much to commend it. First, as noted above, if it is in fact a dietary law, then it follows a logic all its own. The structuralist explanation that milk represents life (or femininity) and thus should not be mixed with death (or masculinity) is interesting, but it would be the only instance of a dietary law resting on such a rationale. Further, the law against boiling a kid in its mother’s milk is strangely specific. There is no prohibition against cooking meat in milk, only the meat of a kid in the milk of its mother. Further, the prohibition is not against cooking the meat of livestock in general in its mother’s milk, but only the meat of a kid (gēdî). Why not a “calf (‘ēgel) or a kid,” in the same way that the law of the firstborn specifies that you should give the firstborn of “your cattle and your sheep” (lēšōrēḵā lešō ʾnēḵā [Exod 22:29])? As a law, “You shall not boil a kid in its mother’s milk,” is unusually narrow in scope and anomalous within the broader tradition of Israelite dietary law. As a gnostic saying, however, it begins to make sense.

Indeed, it would hardly be unsurprising to find an Israelite maxim employing animal imagery. There are numerous examples of such maxims in both biblical and extra-biblical Near Eastern material. Qoheleth reminds us “Better a living dog than a dead lion” [Ecc 9:4]. When Samson’s wife reveals the solution to his riddle to his opponents he declares that they would not have solved his riddle if “you had not plowed with my heifer” [Judg 14:18]. Proverbs is full of animal maxims. For example: “Four things on earth are small, but they are most wise: the ants are a people without strength, yet they prepare their food in the summer; the badgers are a people without power, yet they make their houses in the rock; the locusts have no king, yet each of them go out in their

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10 Sasson, “Ritual Wisdom, 304-05.”
divisions; you can grasp lizard in the hand, yet it is found in the palaces of the king” [Prov 30:24-28]. Similar animal maxims are found in Akkadian correspondence: “The bitch in her haste gave birth to blind whelps” [ARMT I 5, 11-13]. “The man who seized a lion’s tale sank in the river. He who seized a fox’s tale escaped” [Harper, ABL 555, rev 3-6]. “When an ant is struck, does it not fight back and bite the hand of the man who strikes it?” [EA 61, 16-19]. “Where can the fox go to escape the sun?” [Prism of Esarhaddon V:25].

Given how common maxims employing animal imagery are in the ancient Near East, one should not at all be surprised by a gnomic saying “You shall not boil a kid in its mother’s milk.”

If it is such a maxim, though, then what does it mean? Sasson’s argument that the point of the saying is to warn against compromising one’s holdings by consuming one’s capital along with one’s revenue is problematic for two reasons. First, it requires repointing hālāb (“milk”) to hēleḥ (“fat”), a reading with no textual support. Secondly, instruction concerning efficient use of one’s resources ill fits the context. Granted, legal material frequently jumps from subject to subject without any clear connection between one law and the next, but it is worth noting that all three versions of the prohibition occur in the exact same context.

In Exodus 23:19 and Exodus 34:26, immediately prior to “You shall not boil a kid in its mother’s milk,” we read “The best of the first fruits of your ground you will bring to the temple of Yahweh your god” (rē’üş bikkūrê ’admāṭēḵā tāḇî’ bēṯ YHWH

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11 These and other similar maxims are helpfully collected by B. Foster, Before the Muses: An Anthology of Akkadian Literature (vol. 1; Bethesda, Md.: CDL Press, 1993), 349-50.

12 Sasson acknowledges as much and argues that the clause must be interpreted without reference to its context (“Ritual Wisdom?” 295)
 Likewise, in Deuteronomy just after, “You shall not boil a kid in its mother’s milk,” we find, “You shall tithe all the harvest of your seed which goes out annually in the field” (‘āssēr tē’āssēr ‘ēt kol-tēḥū’āt zar’ēḵā hayyōšē’ haššādē šānā šānā). Thus in every case the law occurs in the immediate context of delivering over the portion of the harvest that is Yahweh’s due.

Although the relationship between boiling a kid in its mother’s milk and the law of the first fruits is less than obvious, if one considers the logic behind offerings of first fruits, the connection becomes clearer. Perhaps the most explicit explanation for first fruit offerings is found in Proverbs 3:9-10: “Honor Yahweh with your wealth, and with the first fruits of all your harvest, and your silos will be full with plenty, and your vats will burst with wine” (kabbēd ‘et- YHWH mēhōneḵā ūmērē(’)ṣīt kol-tēḥū’āteḵā wēyimmālē’ū ’āmāsēḵa sāḇā’ wēy'rōš yēqābēḵā yîprōṣū). That is, material prosperity is dependent upon first giving Yahweh his due. Yahweh’s receiving the first fruits is the necessary condition for a bountiful harvest. This theme appears again in Jeremiah 2:3, where the nation of Israel is described as Yahweh’s first fruits, “Israel was holy to Yahweh, the first fruits of his harvest. All who ate of it were guilty; evil came upon them—an utterance of Yahweh” (qōdeš yišrāʾēl laYHWH rē(’)ṣīt tēḥū’ātō kol- ‘ōḵēlāw ye ’śāmū rā’ā tābō ’ ‘ālēhem nē’um- YHWH). While Proverbs promises prosperity for those who give Yahweh his due, Jeremiah declares disaster for those who consume it themselves.

The prohibition against consuming first fruits (at least in a non-sacred context) makes the link between the kid and its mother’s milk and the law of the first fruits a bit more clear. Indeed, I would posit that the link is even tighter than their sharing in common a prohibition against consumption. I would argue that the law against boiling a
kid in its mother’s milk is a gnomic restatement of the law of the first fruits. Understanding the meaning of the adage requires closely considering the relationship of a dam, her kid, and her milk. Goats, like mammals in general, begin lactating when they bear offspring. That is, offspring are the necessary condition for milk production. Human beings get to enjoy the milk as a result of the goat’s having had a kid. One could easily imagine herders rationalizing this arrangement by noting that the dam gets to enjoy her kid while humans get to enjoy her milk. It’s a win-win situation. If one were to take the kid away, however, then one would be robbing the dam of her due. If one were to take the kid away and boil it in her milk—milk that was only provided in the first place as a result of the goat bearing her kid—it would be an extraordinary act of ingratitude. Our personified goat was generously sharing her milk with people, happy to have her kid, when the people who were the beneficiaries of the goat’s generosity used her benevolence as a means for destroying that which was dear to her. Thus in “You shall not boil a kid in its mother’s milk,” we have something like a combination of the sentiments expressed in the English maxims “Don’t look a gift horse in the mouth,” and “You can’t have your cake and eat it too.” Once the logic behind the maxim is laid out, then its relationship to the law of the first fruits becomes obvious. Yahweh plays the role of the dam, the first fruits are the kid, and the milk is the remainder of the harvest, intended for human consumption.

If this is the case and the original prohibition against boiling a kid in its mother’s milk was originally a gnomic restatement of the law of the first fruits, when precisely did it become a dietary law? There is evidence that by the time that the law made it into the Deuteronomic legal corpus it was already being taken literally. First, although it appears
just before the law of the first fruits, the Deuteronomic version of the law immediately follows the prohibition against eating carrion, and this law in turn directly follows Deuteronomy’s list of clean and unclean animals. It appears that the Deuteronomic editor has taken the “other” dietary law of the Covenant Code, which appears in an entirely different section in the older law collection, and grouped it with the Covenant Code’s prohibition against boiling a kid in its mother’s milk. This rearrangement only makes sense if the Deuteronomic editor thought that “You shall not boil a kid in its mother’s milk” was a dietary law. That he keeps the law of the first fruits right next to the law about boiling a kid in its mother’s milk shows that he still knew that the two were somehow linked, but his grouping of the law with dietary laws demonstrates that he does not fully understand the connection. Once Deuteronomy presented the maxim as a dietary law, this in turn colored how later interpreters understood all three versions of the law, including modern interpreters who have exerted enormous amounts of energy and demonstrated no shortage of creativity in attempting to discover a rationale for a dietary law that wasn’t.