

## Deuteronomy 14:1-21

### “Clean and Unclean Meats”

“You are the sons of the LORD your God; you shall not cut yourselves nor shave your forehead for the sake of the dead. For you are a holy people to the LORD your God, and the LORD has chosen you to be a people for His own possession out of all the peoples who are on the face of the earth. You shall not eat any detestable thing. These are the animals which you may eat: the ox, the sheep, the goat, the deer, the gazelle, the roebuck, the wild goat, the ibex, the antelope and the mountain sheep. Any animal that divides the hoof and has the hoof split in two *and* chews the cud, among the animals, that you may eat. Nevertheless, you are not to eat of these among those which chew the cud, or among those that divide the hoof in two: the camel and the rabbit and the shaphan, for though they chew the cud, they do not divide the hoof; they are unclean for you. The pig, because it divides the hoof but *does* not *chew* the cud, it is unclean for you. You shall not eat any of their flesh nor touch their carcasses. These you may eat of all that are in water: anything that has fins and scales you may eat, but anything that does not have fins and scales you shall not eat; it is unclean for you. You may eat any clean bird. But these are the ones which you shall not eat: the eagle and the vulture and the buzzard, and the red kite, the falcon, and the kite in their kinds, and every raven in its kind, and the ostrich, the owl, the sea gull, and the hawk in their kinds, the little owl, the great owl, the white owl, the pelican, the carrion vulture, the cormorant, the stork, and the heron in their kinds, and the hoopoe and the bat. And all the teeming life with wings are unclean to you; they shall not be eaten. You may eat any clean bird. You shall not eat anything which dies *of itself*. You may give it to the alien who is in your town, so that he may eat it, or you may sell it to a foreigner, for you are a holy people to the LORD your God. You shall not boil a young goat in its mother's milk.”

Deuteronomy 14:1-21 composes the Torah's second major concentration of instruction on clean and unclean animals, following Leviticus ch. 11. Those of the source-critical tradition, seeing the Leviticus instructions originating from P or the so-called Priestly writer, and the Deuteronomy instructions originating from D or the Deuteronomist, would argue that these instructions are more abridged, and that they probably originated first.<sup>1</sup> Conservatives, who adhere to a Mosaic origin of the Torah or Pentateuch, would be more inclined to think that the Deuteronomy instructions are more focused within the narrative of the Ancient Israelites being readied by Moses to finally enter into the Promised Land. In the estimation of J.H. Hertz, “In Deut. we have something more than a mere repetition; there is just the kind of exposition which is appropriate to the circumstances of Moses' farewell to his people.”<sup>2</sup> Jewish commentator Jeffrey H. Tigay, who more-or-less favors the JEDP documentary hypothesis, still fairly observes, though,

“The list of permitted and forbidden animals is largely identical to that in Leviticus 11, but it is more concise and is tailored for practical use: it adds a list of the main types of

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<sup>1</sup> For a summary of the Book of Deuteronomy, as well as a brief analysis of Deuteronomy as the so-called “pious fraud” written during the time of Josiah (cf. 2 Kings 22:8, 11), consult the entry appearing in the workbook *A Survey of the Tanach For the Practical Messianic*.

<sup>2</sup> Hertz, 809.

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permitted quadrupeds, which were the types of animals usually eaten, and it omits those less likely to be eaten: permitted insects, forbidden animals that walk on paws, and forbidden and swarming land creatures (Lev. 11:20-21,27,29-31)."<sup>3</sup>

What needs to be especially recognized, for Deuteronomy 14:1-21, is the close proximity of these dietary instructions being issued, right along with the admonition for Ancient Israel to avoid pagan practices. Whereas in Leviticus ch. 11 it can be deduced, based on the topics in the surrounding chapters, that physical cleanliness and hygiene are a likely secondary rationale behind the dietary laws—here in Deuteronomy 14:1-21, avoidance of the ways of Israel's neighbors is similarly a secondary factor.<sup>4</sup> *IVPBBC* details how the kosher dietary laws of Israel were somewhat unique, in contrast to the dietary customs of some of their Ancient Near Eastern neighbors:

"In Mesopotamia there were numerous occasions on which certain foods were prohibited for a short period. There is also evidence in \*Babylonia that there were certain restrictions concerning animals that particular gods would accept for sacrifice. But there is no overriding system such as that found here. Yet though there is no known parallel in the ancient world to anything like the Israelite system of dietary restrictions, the permitted animals generally conform to the diet common in the ancient Near East."<sup>5</sup>

14:1 The Deuteronomy 14 instructions, which mainly detail clean and unclean animals, open with a very different commandment to the Israelites: "You are children to HASHEM, your God—you shall not cut yourselves and you shall not make a bald spot between your eyes for a dead person" (ATS). The assertion *banim atem l'ADONAI Elohei'khem* (בְּנִיִּם אַתֶּם לַיהוָה אֱלֹהֵיכֶם), "You are children of the LORD your God" (NIV, NRSV), helps to communicate the idea of God as a concerned parent, and the Israelites as His sons and daughters, a theme which is seen earlier in Deuteronomy (1:31; 8:5).

The Lord directs, "You shall not gash yourselves nor shall you make a bald place on the front of your head for the dead" (Alter), which would have involved some kind of cutting and shaving of one's head, for mourning the dead. It cannot be overlooked how the verb *gadad* (גָּדַד), appearing in the Hitpael stem (intensive action, reflexive voice), can indeed mean "to **make incisions upon oneself**" (*HALOT*),<sup>6</sup> hence a number of Jewish versions having "gash" (NJPS, Jerusalem Bible-Koren) or "cut gashes" (Keter Crown Bible). The type of cutting or mutilation in view is obviously pagan in origin, with it being mirrored perhaps by what is witnessed in The Baal Cycle:

"Then Beneficent El the Benign descends from his seat, sits on the footstool, [and] from the footstool, sits on the earth. He pours dirt on his head for mourning, dust on his crown for lamenting; for clothing he puts on sackcloth. With a stone he scrapes his skin, double-slits with a blade. He cuts cheeks and chin, furrows the length of his arm. He plows his chest like a garden, like a valley he furrows the back. He raises his voice and

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<sup>3</sup> Jeffrey H. Tigay, *JPS Torah Commentary: Deuteronomy* (Philadelphia: Jewish Publication Society, 1996), 137.

<sup>4</sup> Daniel I. Block, *NIV Application Commentary: Deuteronomy* (Grand Rapids: Zondervan, 2012), 344.

<sup>5</sup> Walton, Matthews, Chavalas, 184.

<sup>6</sup> *HALOT*, 1:177.

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cries: 'Baal is dead! What of the peoples? Son of Dagon! What of the multitudes? After Baal I will descend to Hell.'"<sup>7</sup>

In Leviticus 21:5, the priests were instructed, "They shall not make any baldness on their heads, nor shave off the edges of their beards, nor make any cuts in their flesh." It can be thought that with Israel being a kingdom of priests (Exodus 19:6), that a regulation as important as not gashing or mutilating oneself via cuts, would have been expected to have been followed by the people at large. (Some of the applications of this are deliberated in b.*Makkot* 20b-21a.) Leviticus 19:27-28 has given similar instructions, in close proximity to a directive in Leviticus 19:26 not to consume blood (discussed further). Elsewhere in the Tanach, pagan people cutting or gashing themselves, either for mourning the dead or entreating a deity, is witnessed (1 Kings 18:28; Jeremiah 16:6-7; 41:4-5; 47:5). It is also logical to assume that some of these practices may have been involved with ancestor worship or various cults of the dead (Deuteronomy 18:8-11).

14:2 It is forthrightly communicated, "For you are a holy people to HASHEM, your God" (a), *ki am qodesh atah l'ADONAI Elohekha* (כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ). It is further stated how Israel is to be *segullah* (סְגֻלָּה), "for His own possession," "treasured" (Alter), or "special" (Jerusalem Bible-Koren), with an older version like the KJV actually having "peculiar." *Segullah* is defined by *CHALOT* as "**personal property**."<sup>8</sup> Being repeated or echoed in v. 2 are previous themes regarding Israel to be holy (Leviticus 11:44) and a kingdom of priests (Exodus 19:5), doubtlessly a part of what it means "to be his own unique treasure out of all the peoples on the face of the earth" (b, CJB). *TWOT* summarizes the significance of the Hebrew term *segullah*:

"Israel was God's personal possession (Psa 135:4). Moses reminded Israel that God chose her and redeemed her from bondage not because of her goodness, but solely because he loved her and was faithful to the promises given to the patriarchs. Israel should reflect God's holiness and live out his commandments (Deut 14:2ff), reflecting his standards in a life of wholehearted compliance with the terms of the covenant made at Sinai (Exo 19:5-6) and renewed at their entrance into Canaan. Then would they have good success (Deut 26:16-19). So it should be with all believers. These verses from Deut are doubtless alluded to in Tit 2:14 and 1Pet 2:9."<sup>9</sup>

Being God's holy people, Ancient Israel was here forthrightly called to be separate from others, and it would not only pertain to their religious practices, but even down to the food that would eat. Ronald E. Clements observes, "The holiness associated with God demanded, by its very affinity, a careful separation from all that was unclean and that could threaten this holiness. Holiness and uncleanness, if allowed to come together, were a dangerous mixture. Just as idolatry and the worship of gods other than the LORD God broke into and threatened the purity of worship, so also uncleanness threatened the boundaries of Israel's holiness."<sup>10</sup> While modern readers might be keen to separate out

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<sup>7</sup> Mark S. Smith, trans., "The Baal Cycle," in Simon B. Parker, ed., *Ugaritic Narrative Poetry* (Atlanta: Society of Biblical Literature, 1997), pp 149-150.

<sup>8</sup> *CHALOT*, 253.

<sup>9</sup> R.D. Patterson, "סְגֻלָּה," in *TWOT*, 2:617.

<sup>10</sup> Ronald E. Clements, "The Book of Deuteronomy," in Leander E. Keck, ed., et. al., *New Interpreter's Bible* (Nashville: Abingdon, 1998), 2:397.

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avoidance of idolatry from Ancient Israel's diet, the separation of these aspects of life into two distinct spheres for these people was not as so delineated. God wanted His own to be separated out unto Him in all of their actions, and proper reverence toward Him and diet overlapped.

14:3 The Lord decrees in v. 3, *lo to'kal kol-to'eivah* (לֹא תֹאכַל כָּל-תוֹעֵבָה): "You shall not eat any abominable thing" (RSV), "You shall not eat any abhorrent thing" (NRSV), "You shall not eat any abomination" (ATS). The term *to'eivah* (תוֹעֵבָה) can be used to describe a wide variety of "abominations," not only including unclean animals, but also including pagan idolatry or perverse sexual activities. *TWOT* summarizes how for within the Tanach,

"[T]he abomination may be of a physical, ritual or ethical nature and may be abhorred by God or man. Sharing a meal with a Hebrew was ritually offensive to an Egyptian (Gen 43:32), as was offering certain kinds of sacrifices (Exo 8:22). Homosexuality and other perversions are repugnant to God and fall under his judgment (Lev 18:22-30; Lev 20:13). Idolatry (Deut 7:25), human sacrifice (Deut 12:31), eating ritually unclean animals (Deut 14:3-8), sacrificing defective animals (Deut 17:1), engaging in occult activities (Deut 18:9-14), conducting one's business dishonestly (Deut 25:13-16), practicing ritual prostitution (1Kings 14:23ff), and similar acts of disobedience (for seven more abominations, see the list in Prov 6:16-19) were sure to bring God's wrath on those who perpetrated them."<sup>11</sup>

Sometimes today, in protest of conservative Christians opposing the homosexual agenda, proponents of the homosexual agenda will claim that pork or shrimp are classified as being an "abomination" every bit as much as homosexuality. This has left many Christian people without an answer to their inconsistencies, as they do tend to eat what the Torah classifies as an "abomination." Surely it does have to be recognized that prohibited sexual actions, labeled as *to'eivah*, have capital penalties associated with them, and later a figure like the Apostle Paul forthrightly says that they are "unnatural" (Romans 1:26) or "against nature" (KJV).<sup>12</sup> Even with various unclean animals classified as being *to'eivah* and prohibited from consumption, there is **no capital penalty** of any sort associated with those who may eat meat from animals considered unclean—even though a reevaluation of the dietary laws and their place for the post-resurrection era should be in order for various contemporary Christians.

Concurrent with the labeling of various unclean animals as an "abomination," it has been observed that some of the unclean animals listed in Deuteronomy 14, were associated with various forms of Ancient Near Eastern idolatry. J.A. Thompson describes,

"It is possible that in some cases the creatures were linked in some way with pagan cult practices, *e.g.* the serpent was sacred to the fertility goddesses throughout the ancient Near East. The wild boar and the pig were sacred animals of Aliyan Baal at Ugarit and of Ishtar in Cyprus. The ibis and certain fish were venerated in Egypt. Superstition gave to the bat, which hid away in tombs and burial chambers, an aura of mystery. The practice of totemism may have endowed some animals with uncleanness in Israel's sight, *e.g.* the crow (raven, 14) was the totem of certain Arab clans. In some cases no clear reason for regarding an animal as unclean is obvious. But whatever the reason it was

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<sup>11</sup> Ronald F. Youngblood, "tô'ēbâ," in *TWOT*, 2:977.

<sup>12</sup> Consult the FAQ, "Romans 1:26-27."

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evidence of obedience in God's people that they made a distinction between clean and unclean..."<sup>13</sup>

Previously in Deuteronomy, the term *to'eivah* or "abomination" was used to describe pagan idolatry (7:25; 12:31; 13:14). Even with no capital penalties being associated with eating unclean things—unlike various forms of idolatry—how far are readers to take the theme of unclean meat being an "abomination"? Christopher Wright advises,

"These three earlier uses all depict Canaanite idolatry, whether practiced by Canaanites or by apostate Israelites. Does this mean then that eating an unclean animal was as heinous a crime as worshipping other gods? No, but it means that the *principle* that lay behind the distinction in the animal world in relation to Israel's eating habits was the same as that which required their rejection of Canaanite gods—namely the holiness (distinctness, difference) of Israel."<sup>14</sup>

The issues with classifying various animals as unclean for consumption, and using the same terminology of "abomination" for these animals as for idolatry, shows the spectrum of human activities that God expected Israel to sanctify. Wright is correct to describe, however, "The rest of the OT shows that all creatures share in the goodness and wonder of creation and bring glory to God. The selection of some as clean for eating did not denigrate the rest. Cleanness and uncleanness were ritual categories, not moral judgments."<sup>15</sup> Various unclean animals, such as the horse, were certainly used for transportation purposes, but not for food. Horses were unclean for eating, but they had a definite place in Israel's society.

As various animals are listed as being clean or unclean in Deuteronomy 14, as with Leviticus 11, the *ArtScroll Chumash* notes how, "there are no authoritative translations of the majority of species named here. Since conjecture, no matter how well-founded, is not sufficient to permit the consumption of species for which there is no historically accepted tradition, we transliterate the names of the doubtful species."<sup>16</sup> Various animals, which are contested, are seen in the ATS version being transliterated from the Hebrew (Ashkenazic) for English readers.

14:4-8 Among the land animals that are detailed in Deuteronomy 14, the first three are not disputed: "These are the animals that you may eat: the ox, sheep, and goat" (v. 4, ATS). Among the animals that follow, being listed in v. 5, the ATS rendering has: "the hart, and the gazelle, and the roebuck, and the wild goat, and the pygarg, and the antelope, and the chamois." Here, one sees that the first two, "the deer, the gazelle" (NJPS), are widely agreed upon, but the remaining five are not. The *ArtScroll Chumash* notes the speculation of what these remaining five might be:<sup>17</sup>

- *yachmur* (יַחְמוּר) "may be the fallow deer."
- *aqo* (אֶקוֹ) is "the ibex (steinbok), according to *Rashi*."
- *dishon* (דִּישׁוֹן) is "a type of antelope."

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<sup>13</sup> J.A. Thompson, *Tyndale Old Testament Commentary: Deuteronomy* (Downers Grove, IL: InterVarsity, 1974), 178.

<sup>14</sup> Christopher Wright, *New International Biblical Commentary: Deuteronomy* (Peabody, MA: Hendrickson, 1996), 181.

<sup>15</sup> *Ibid.*

<sup>16</sup> Scherman, *Chumash*, 1011.

<sup>17</sup> *Ibid.*

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- *teo* (תאו) is “a wild ox according to *Rashi*.”
- *zemer* (זמר) “is a giraffe, according to *R’Saadyah* and *Radak*, but *Chullin* 80a seems to understand it as a wild goat.”

Following the specification of various clean animals in vs. 4-5, the qualifications for additional clean animals, along with some specific unclean land animals listed, appear in vs. 6-7:

“[A]nd every (other) animal having a hoof or cleaving in a cleft two hooves, bringing-up cud, among animals, it you may eat. However, these you are not to eat among those that bring-up cud, among those that have a hoof, that is cleft: the camel, the hare, and the daman, for they bring-up cud, but a hoof they do not have—they are *tamei* for you!” (Fox).<sup>18</sup>

V. 8 targets the pig as being unclean, and forbidden for eating:

“And the pig—for it has a hoof but does not (bring-up) cud—it is *tamei* for you; from their flesh you are not to eat, their carcass you are not to touch!” (Fox).<sup>19</sup>

Why the pig is targeted as being forbidden has been speculated by various examiners, with the two most often proposed reasons being associated either with the pig’s generally unsanitary living conditions, or pork being involved in various Ancient Near Eastern religious rituals. In the view of R.K. Harrison, “The pig is the intermediate host of several parasitic organisms, and even under the best of modern culinary conditions its flesh can transmit these unwholesome infestations which under some circumstances can cause death.”<sup>20</sup> Daniel I. Block further states, though, in slight contrast, “Nothing is said of its disgusting habits, its association with trichinosis, or its role in pagan sacrificial rites performed in graveyards (Isa. 65:4; 66:3, 17). The pig is rejected simply because it does not chew the cud.”<sup>21</sup> While it would seem unlikely that the pig is just arbitrarily unclean for no other reason for not chewing the cud, it is true that any other reasons that people can suggest are precisely those: suggestions, even if well informed. The main reason why the dietary laws are to be followed, is because God requests it of His own.

14:9-10 Following the classification of clean land animals, are the rather succinct instructions given regarding marine creatures in the water, *b’mayim* (בַּמַּיִם):

“These you may eat from all that is in the sea: every one that has fins scales, you may eat. But every one that does not have fins and scales, you are not to eat, it is *tamei* for you” (Fox).<sup>22</sup>

While the requirements of fish possessing fins and scales would certainly allow for a great number of fish to be eaten by Israel, it would also mean that a variety of fish would be classified as unclean. Furthermore, all shellfish would be disqualified from eating.

14:11-20 The third classification issued in Deuteronomy 14 concerns various clean and unclean birds. This is something, as noted by the Ashkenazic Hebrew transliterations provided by the ATS version, which is unclear for many because of whether or not various extinct species to modern times are being listed, and/or if these are bird species only native to the Ancient Near East:

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<sup>18</sup> Fox, *Five Books of Moses*, pp 915-916.

<sup>19</sup> *Ibid.*, 916.

<sup>20</sup> R.K. Harrison, “Deuteronomy,” in *NBCR*, 220.

<sup>21</sup> Block, *Exodus*, 348.

<sup>22</sup> Fox, *Five Books of Moses*, 916.

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“Every clean bird, you may eat. This is what you shall not eat from among them: the nesher, the peres, the ozniah; the raah, the ayah, and the dayah according to its kind; and every oreiv according to its kind; the bas haya'anah, the tachmos, the shachaf, and the netz, according to its kind; the kos, the yanshuf, and the tinschemes; the kaas, the rachamah, and the shalach; the chasidah, and the anafah according to its kind, the duchifas and the atalef. And every flying swarming creature is unclean to you; they shall not be eaten. Every clean bird may you eat.”

While it is good to see the direction, “Every (kind) of pure flying-thing, you may eat” (v. 20, Fox),<sup>23</sup> the reality is that such clean birds have been determined throughout Jewish history largely by Jewish tradition—with the unclean birds widely being those birds of prey that would feed on carrion. Clean birds determined by modern Jewish tradition would include chicken, duck, goose, and turkey.

14:21 While Deuteronomy 14 is largely probed for providing various classifications of clean and unclean animals, v. 21 includes a very perplexing directive: “You shall not eat any carcass. To the sojourner within your gates you may give it and he may eat it, or sell it to a foreigner, for you are a holy people to the LORD your God” (Alter). Here, it is decisively prohibited for the native Israelite to willfully eat the flesh of a clean animal that dies of natural causes, a *nevelah* (נִבְלָה) being a “carcass, corpse,” and for v. 21 being “specif. = body of animal dying of itself” (BDB).<sup>24</sup> Such an animal could be given to the *ger* (גֵּר) or sojourner within the community of Israel to eat, or it could be sold to the *nokri* (נֹכְרִי) or foreigner.

Why could sojourners within Israel be given clean animals that died of natural causes to eat? This direction has been a point of strong contention for those within today’s Messianic community who hold to a One Law/One Torah position, where the ancient *ger* and native Israelite are believed to be held to the same basic Instruction (sometimes with no differences at all), and various Messianic Jews who believe that v. 21 highlights distinctions between the sojourner and native.<sup>25</sup> Were sojourners and natives within Ancient Israel really held to a vastly different standard here? Some would indeed say that the kosher laws, or at least various regulations for abstaining from blood, were only applicable to native Israelites.<sup>26</sup> However, any instruction regarding eating classified-clean animals, which died of themselves, needs to be kept in view of how there would be instances when natives in Israel would indeed also eat animals that died of natural causes. Both the native and the sojourner, in fact, are enjoined to wash in water in the event of this taking place:

“Also if one of the animals dies which you have for food, the one who touches its carcass becomes unclean until evening. He too, who eats some of its carcass shall wash his clothes and be unclean until evening, and the one who picks up its carcass shall wash his clothes and be unclean until evening” (Leviticus 11:39-40).

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<sup>23</sup> Ibid.

<sup>24</sup> BDB, 615.

<sup>25</sup> The various facets of this are addressed in the author’s article “Approaching One Law Controversies,” appearing in the *Messianic Torah Helper*.

<sup>26</sup> Cf. Bernard M. Levinson, “Deuteronomy,” in *Jewish Study Bible*, 268.

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“When any person eats *an animal* which dies or is torn *by beasts*, whether he is a native or an alien [*b’ezrach u’b’ger*, בְּעֶזְרָח וּבְגֵר, he shall wash his clothes and bathe in water, and remain unclean until evening; then he will become clean. But if he does not wash *them* or bathe his body, then he shall bear his guilt” (Leviticus 17:15-16).

Presumably, even with the sojourner being permitted to be given a clean animal that died of natural causes, so that he could eat it—he **would still have to bathe in water to become ritually clean after doing so.**

So why was the *ger* or sojourner within Ancient Israel allowed to be given an animal that died of natural causes? Noting the verb *tit’nenah* (תִּתְּנֶנָּה), “you-may-give-her” (Kohlenberger),<sup>27</sup> the *ArtScroll Chumash* actually indicates the view of how, “According to R’Yehudah, this is meant literally, that the righteous stranger should be rewarded with this gift to assist him in his livelihood.”<sup>28</sup> *IVPBBC* goes a little further than this, and suggests that giving the carcass of an animal that died of natural causes to a sojourner, would have been a form of charity:

“In a protein-starved area such as ancient Israel, it would have been almost criminal to let good meat to go waste. However, since the carcass would not have been drained of its blood, Israelites might not eat it...The meat could be distributed as charity to resident aliens (one of the protected classes, Deut 1:16; 16:11; 26:11).”<sup>29</sup>

While it is easy for some to conclude that the *ger* or sojourner being permitted to be given the carcass of a clean animal for eating, is indication of a major distinction between the sojourner and native within Ancient Israel—it is far better, and far more appropriate, for this to be viewed from the perspective of it being included within the various **welfare provisions** issued for the sojourner in the Torah. R.J.D. Knauth reminds us of the relatively poor economic conditions of most of the sojourners within Ancient Israel:

“Out of consideration for their especially vulnerable economic position—that is, not having any inheritance of land or family ties to fall back on in times of crisis—aliens were given rights and privileges similar to or even exceeding those of the native Israelite. Pentateuchal law answered their precarious vulnerability to economic hardship with charitable provision of basic necessities like food for the alien. The gleanings of the harvest and the leftover or fallen grapes were reserved for the poor and the alien (Lev 19:10; 23:22; Deut 24:19-22). The triennial tithe was to be available for aliens along with Levites, orphans, and widows (Deut 14:28-29; 26:12-13). Aliens were to be included in celebratory feasts along with orphans and widows (Deut 16:11, 14). The alien was also to share freely in the sabbatical-year produce, which was to be available for aliens along with landowners’ families, slaves, hirelings and animals (Lev 25:6; cf. Ex 23:11, where it is to be given to the poor and then the wild animals).”<sup>30</sup>

The sojourner was still required to ritually bathe upon eating an animal that had died of natural causes, as was the native (Leviticus 17:15-16). But, the sojourner being given an

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<sup>27</sup> Kohlenberger, 1:526.

<sup>28</sup> Scherman, *Chumash*, 1013.

<sup>29</sup> Walton, Matthews, Chavalas, 184.

<sup>30</sup> R.J.D. Knauth, “Alien, Foreign Resident,” in *Dictionary of the Old Testament Pentateuch*, pp 32-33.

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allowance for eating an animal that died of natural causes, was in all probability the result of most sojourners' poor, if not almost destitute, status. *It was better for many sojourners to be given meat from a carcass, for their sustenance, than such meat to be totally thrown away.* Even with holding to the traditional Jewish view that the *ger* or sojourner being permitted to eat this meat, meant that the *ger* was held to a vastly different Torah standard than the native Israelite, Tigay must still state,

"The distinction between *giving* the meat to strangers and *selling* it to foreigners reflects the differing economic statuses of the two classes. Resident aliens were often poor and objects of charity...Nonresident foreigners were normally present in Israel for purposes of trade and were able to support themselves."<sup>31</sup>

It is true, however, that the practice of giving anyone meat from an animal that died of natural causes would be widely illegal today in the West.

The last part of v. 21, "You shall not boil a kid in its mother's milk" (Alter), is a repetition of what is seen in Exodus 23:19 and 34:26 (discussed further). There have been various explanations offered for this, ranging from it being a cause for the traditional Jewish separation of meat and dairy, to it being a prohibition on some kind of Canaanite fertility ritual. Another explanation, and more on humanitarian grounds, could be offered in terms of it meaning that just as a mother bird must be shewed away before taking her eggs (22:6-7), so should a newly born kid and its mother not be killed for eating on the same day (Leviticus 22:8).

**14:1-21 application** Just like for Leviticus 11, examiners are not agreed on the rationale which may sit behind the dietary instructions of Deuteronomy 14:1-21. Are they just for the purpose of Israel's holiness? Are they for the purpose of Israel's health? Are they to prevent Israel from being associated with idolatry? A relatively liberal examiner like John W. Rogerson, at least offers the descent summation,

"Various attempts to account for the classifications and prohibitions have been made, none of which is entirely satisfactory but some of which probably contain elements of truth. Thus, some of the prohibited species may have been believed to be animated by evil forces, or they may have been used in heathen rites, or their flesh may have been unhealthy or had a foul taste. The birds may have been prohibited because some of them were birds of prey that ate the corpses of animals. There may also have been economic reasons behind the ban. It has been argued that pigs were prohibited because they competed with humans for scarce resources of grain. A recent suggestion is that the prohibited species were anomalies that did not precisely fit into the classificatory schemes used by the Israelites to distinguish animals. It is likely that a mixture of superstition, custom, practical economics, and observation combined to produce the lists..."<sup>32</sup>

The only major reason for the dietary instructions, that just about all interpreters of Deuteronomy 14:1-21 can agree upon, is that which is stated in the text: **the holiness enjoined upon Israel** (vs. 7, 8, 9, 10). Earl S. Kalland comes close in his conclusion to drawing the attention of readers back to the mainly spiritual reasons that sit behind this instruction:

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<sup>31</sup> Tigay, *Deuteronomy*, 140.

<sup>32</sup> John W. Rogerson, "Deuteronomy," in *ECB*, 160.

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"The reason...for these injunctions is basically spiritual, though there may be other reasons growing out the psychological and sanitary considerations as well. Some of the unclean animals, etc., had associations with Canaanite religions. Some of the unclean creatures appear as reprehensible and others dangerous to the health of any who ate them. Eating anything dead (v.21) probably relates to the prohibition of eating blood. This also would constitute a religious reason for the prohibition. The meat would not be worth selling to a foreigner or giving to an alien if it were not edible."<sup>33</sup>

Harrison, as an Old Testament Christian theologian, directs the attention of evangelicals to his thought that these instructions "are no longer obligatory for the Christian, though they still enshrine important precepts of hygiene and preventive medicine. As such they deserve more than passing attention."<sup>34</sup> And, noting the common explanations for kosher such as health and avoidance of Ancient Near Eastern paganism, P.C. Craigie just concludes, "The text does not make absolutely clear which position is correct, and it is possible that both positions have some merit."<sup>35</sup>

Moral or ethical purity is obviously most important, even as witnessed within the Tanach or Old Testament itself (1 Samuel 15:22; Hosea 6:6; Psalm 51:16-17). However, it cannot go unnoticed that passages like Mark 7:14-23 and Acts 10:9-23 are commonly referenced by Christian exegetes of Deuteronomy 14,<sup>36</sup> as evidence in support their view that *kashrut* has been abolished for the post-resurrection era. (These passages are addressed further in this publication.) The view of Wright, for example, is that "The Christian is required to submit to OT law in matters of food—not, however, to the ritual laws of Leviticus 11 or Deuteronomy 14, but to the more basic law of Leviticus 19:18 and Deuteronomy 18:18f., to *love your neighbor as yourself* (Rom. 13:8-10; 14:15)—expressed in what you do or don't eat in certain company."<sup>37</sup> But as various contemporary and graceful Messianic people can unfortunately attest, when keeping some *personal* level of kosher—and not forcing it upon others who are not similarly convicted—they can still be shown a degree of disrespect for their kosher-friendly convictions.

Among Messianic Jewish teachers of Deuteronomy, Jeffrey Enoch Feinberg describes how "Neither Yisra'el's mourning rites nor her eating practices should blend matters of life and death. Torah delineates ten species of kosher (*fit*) animals, four species of non-kosher animals, and 20 species of birds to avoid [Dt. 14:3-8, 11-20; Chul. 63a,b]. Predators, carnivores, and blood-eaters are eliminated from the national diet. God is God of the living and not of the dead!"<sup>38</sup> From this perspective, those who keep a level of kosher, should hopefully learn how to separate dead from living things, and apparently with it should have a greater appreciation for the death of a clean animal, so that a human being may eat its flesh and continue living.

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<sup>33</sup> Earl S. Kalland, "Deuteronomy," in Frank E. Gaebelin, ed. et. al., *Expositor's Bible Commentary* (Grand Rapids: Zondervan, 1992), 3:101; also Clements, in *NIB*, 2:398.

<sup>34</sup> Harrison, "in *NBCR*, 219.

<sup>35</sup> P.C. Craigie, *New International Commentary on the Old Testament: The Book of Deuteronomy* (Grand Rapids: Eerdmans, 1976), pp 230-231.

<sup>36</sup> Jack S. Deere, "Deuteronomy," in *BKCOT*, 288; Wright, *Deuteronomy*, 182.

<sup>37</sup> Wright, *Deuteronomy*, pp 182-183.

<sup>38</sup> Jeffrey Enoch Feinberg, *Walk Deuteronomy: A Messianic Jewish Devotional Commentary* (Clarksville, MD: Lederer, 2003), 73.

## Messianic Kosher Helper

More practically, Bernard M. Levinson, in noting the instructions in Deuteronomy 14, ably details in *The Jewish Study Bible* how “The word ‘kosher’ is never used in the Bible in reference to food. Nor is there in the Torah a comprehensive set of rules, similar to the later rabbinic system of *kashrut*, which covers permitted and nonpermitted foods, combinations of foods, means of preparation, rules for slaughter, etc. Deuteronomy nevertheless begins to build toward such a system.”<sup>39</sup> As discussed throughout this publication, even if today’s Messianic people may not agree with all of the Jewish traditions and customs associated with *kashrut*, they still have a responsibility to attempt to understand them. Clements is right to point out how beneficial the kosher dietary laws and customs have been to the Jewish people throughout history:

“[O]nce the Jewish communities found themselves increasingly living a scattered existence, intermixed with non-Jewish communities, these dietary rules became more difficult to enforce and, therefore, subject to closer attention and care. Once this situation had occurred, such rules themselves became important badges of religious commitment and identity, as they have remained for certain sections of the Jewish community to the present day.”<sup>40</sup>

In reflecting on the instructions of Deuteronomy 14:1-21, Clements actually takes it in the direction not necessarily of modern Believers in Yeshua, or even Jewish people in general, keeping kosher—but instead of God’s people actually taking serious the need to exercise proper dominion over Planet Earth and the environment:

“That human beings should exercise control, or dominion, over the animal and natural world (Gen 1:28) can be easily, and dangerously, misinterpreted to imply complete human freedom to exploit natural resources and the natural environment without restraint. The destructive consequences of doing so, leading at times to the extinction of valued forms of animal and plant life and the devastation of large areas of the earth, reducing once fruitful areas to wastelands, have all been visible effects of such uncontrolled exploitation.

“It is important that the modern reader recognize that the biblical concept of holiness included a wide recognition of the divine createdness and orderliness of all things, viewing all creation as part of a grand design that had to be respected and upheld. While it would be too much to claim that the concept of holiness as set out in Deut 14:1-21 consciously presented a clear-cut awareness of an ecological balance in the natural world, it is undoubtedly significant in its recognition that the human species belongs within a wider whole.”<sup>41</sup>

As Twenty-First Century Messianic people, who tend to be quite friendly toward the continued validity of *kashrut* in the post-resurrection era, we should be reminded of how God does want men and women to control what they eat. While this does involve a recognition of how certain animals are clean and unclean—whether they were classified as such for holiness purposes, health purposes, or for Ancient Israel to avoid idolatry, **or all of these and other potential reasons**—it also involves a proper employment of authority as His image bearers over the animal kingdom. How we will learn to do this,

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<sup>39</sup> Levinson, in *Jewish Study Bible*, 397.

<sup>40</sup> Clements, in *NIB*, 2:397-398.

<sup>41</sup> *Ibid.*, 2:399

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may also involve a deeper knowledge and integration of what it means to love God and neighbor<sup>42</sup>—and with it may indeed come a greater appreciation for His Creation, and for His Instruction which is to be for our significant benefit!

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<sup>42</sup> Deuteronomy 6:5; Leviticus 19:18; cf. Matthew 19:19; 22:39; Mark 12:31; Luke 10:27; Romans 13:9; Galatians 5:14; James 2:8.