

## Exodus 23:19; 34:26

### “Not Boiling a Goat in its Mother’s Milk”

“You shall bring the choice first fruits of your soil into the house of the LORD your God. You are not to boil a young goat in the milk of its mother” (Exodus 23:19).

“You shall bring the very first of the first fruits of your soil into the house of the LORD your God. You shall not boil a young goat in its mother’s milk” (Exodus 34:26).

One piece of Torah legislation, which is twice issued in Exodus 23:19 and 34:26, is something from which a significant amount of traditional Jewish kosher application is found. The Pentateuchal directive, for the Ancient Israelites not to boil a kid in its mother’s milk, has been taken throughout Jewish history as mandating a separation of consuming meat and dairy products together. This instruction is actually given in association with the Ancient Israelites appearing at the three festivals of ingathering: Unleavened Bread, *Shavuot*/Pentecost, and *Sukkot*/Tabernacles (Exodus 23:14-18), and later with the instructions regarding the Passover sacrifice (Exodus 34:25).

There are, to be sure, many commentators and interpreters who feel that the prohibition against boiling a kid in its mother’s milk pertains to some sort of Ancient Canaanite fertility rite.<sup>1</sup> There are others who feel that this is a prohibition rooted in humanitarian concerns, given some of the ancient delicacies eaten during the period, directing Israel to treat its animals with care. As it regards the kosher dietary laws being adhered to by today’s Messianic people, many do feel that the prohibitions of Exodus 23:19 and 34:26 only apply to some ancient pagan religious ritual, and should not be taken as speaking against people eating cheeseburgers or a meat lasagna. At the same time, there are certainly Messianic people, more geared toward an Orthodox Jewish level of *kashrut* than not, who do feel that there is a substantial Biblical and historical basis for the separation of meat and dairy. A consideration of Exodus 23:19 and 34:26, and what various figures have said about these verses, should be in order.

23:19 The instruction of Exodus 23:19b is *lo-tevasheil gedi b'chaleiv immo* (בְּחֵלֵב אִמּוֹ לֹא-תִבְשֵׂל גְּדִי), “You shall not boil a kid in its mother’s milk” (RSV), “Do not cook a young goat in its mother’s milk” (NIV), or “Thou shalt not seethe a kid in his mother’s milk” (KJV). The verb in view is *bashal* (בָּשַׁל), appearing in the Piel stem (intensive action, active voice). *TWOT* states that it means “**seethe, bake, boil, roast, and grow ripe**. KJV translates *bāshal*, when it means boil, as seethe, sod, sodden or boil. A cognate verb in Akkadian, Ethiopic and Arabic (IV stem) means ‘cooked’ and in Syriac and Akkadian means ‘ripe.’”<sup>2</sup> While *gedi* (גְּדִי) mainly means a “**kid** of goat and sheep” (*HALOT*),<sup>3</sup> the

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<sup>1</sup> John Gray, “The Book of Exodus,” in Charles M. Laymon, ed., *Interpreter’s One-Volume Commentary on the Bible* (Nashville: Abingdon, 1971), 66; R. Alan Cole, *Tyndale Old Testament Commentaries: Exodus* (Downers Grove, IL: InterVarsity, 1973), 180, 230; John D. Hannah, “Exodus,” in *BKCOT*, 144; Walter Brueggemann, “The Book of Exodus,” in *NIB*, 1:871; Walton, Matthews, Chavalas, 103, 118; Peter Enns, *The NIV Application Commentary: Exodus* (Grand Rapids: Zondervan, 2000), 458; Thomas B. Dozeman, “Exodus,” in *New Interpreter’s Study Bible*, 120.

<sup>2</sup> Earl S. Kalland, “בָּשַׁל,” in *TWOT*, 1:136.

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CJB may be observed to have taken a liberty with, "You are not to boil a young animal in its mother's milk."

Generally speaking, two major reasons have been proposed for the rationale of this prohibition: (1) it forbids a Canaanite fertility ritual, or (2) boiling a kid in its mother's milk is inhumane. Kenneth Laing Harris summarizes,

"The reason for this rule is not made explicit here or in the other places where it is repeated (see 34:26; Deut. 14:21). Boiling a **young goat in its mother's milk** may have been a pagan religious ceremony practiced by the nations in Canaan as a way to induce fertility. Alternatively it may be seen as a gross violation of the natural order: the young goat should drink its mother's milk and gain life from it, not be cooked in it."<sup>4</sup>

While Judaism has historically taken "you shall not cook a kid in the milk of its mother" (ATS) as pertaining to a moratorium against eating milk and meat products together, not all Jewish interpreters have ignored some of the other components to this prohibition. The *Soncino Chumash*, for example, explains how "Goats are rich in milk and it was customary among the surrounding nations to boil the young animal in its mother's milk. The Torah considered this a gluttonous way of eating and so prohibited it....The law applies not only to the meat of the kid, but to every mixture of milk and meat."<sup>5</sup> So, while certainly supporting the separation of eating meat and dairy products together, Jewish commentators will acknowledge how there are other factors to be considered. J.H. Hertz, however, principally takes the Exodus 23:19 instruction as a prohibition against eating meat and dairy, concluding that this separation was in practice long before the Rabbinical authorities of the post-Second Temple period formally codified it:

"Upon these words, the Rabbis based the prohibition against eating meat and milk together in any way or form whatever. This prohibition was doubtless observed long before the age of the Rabbis; and in connecting it with this text, they merely sought a support in the Torah for an immemorial Jewish practice."<sup>6</sup>

The Targum Onkelos, germane to the broad First Century C.E., notably did paraphrase Exodus 23:19 with, "The beginning of the first fruits of thy land thou shalt bring into the sanctuary of the Lord thy God. Thou shalt not eat flesh with milk."<sup>7</sup> So, it does need to be recognized that at least some sort of discussion on the separation of meat and dairy products, in the kosher keeping of the Jewish people, was present within the Second Temple world of Yeshua the Messiah and His Apostles. We do know from the text of the Apostolic Scriptures or New Testament, to be certain, that there were discussions on the cleanliness of pots and cups and utensils (Mark 7:4; Matthew 23:25-26; Luke 11:39), which could have very well been associated with debates over separating meat and dairy products and not just hygiene in general.

While the specific Torah instruction of Exodus 23:19 forbade Ancient Israel from cooking a *gedi*, a young goat or lamb, in the milk of its mother, the *ArtScroll Chumash* notes how in later Jewish interpretation, "The prohibition against cooking meat and milk

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<sup>3</sup> HALOT, 1:178.

<sup>4</sup> Kenneth Laing Harris, "Exodus," in *ESV Study Bible*, 181.

<sup>5</sup> Cohen, pp 490-491.

<sup>6</sup> Hertz, 318.

<sup>7</sup> [BibleWorks 9.0: OKE Targum Onkelos on the Pentateuch](#). MS Windows 7 Release. Norfolk: BibleWorks, LLC, 2011. DVD-ROM.

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together applies to all sheep [and cattle; not only *kid* meat in the *milk* of *its* own *mother*. Rabbinic law extended the prohibition to all other kosher meat and fowl].”<sup>8</sup> Not only would the flesh of animals like goats, sheep, and cattle be prohibited from eating with dairy products—but so would the meat from kosher birds be prohibited from eating with dairy products.

34:26 The prohibition seen in Exodus 34:26b is verbatim to that seen previously in Exodus 23:19b: *lo-tevasheil gedi b'chaleiv immo* (לֹא-תִבְשֹׁל גְדִי בְחֵלֶב אִמּוֹ), “not you-cook young-goat in-milk-of mother-of-him” (Kohlenberger).<sup>9</sup> Yet, there are some additional thoughts to be noted from examiners. The Orthodox Jewish *ArtScroll Chumash* does recognize that some level of ancient pagan ritual might be prohibited here, stating,

“Success and prosperity depend on God’s blessing. Therefore, one should devote the very beginning of material blessing—the first fruits—to God. Secondly, the ancient heathens would cook meat in milk as a charm for success...Therefore the Torah concludes with a command not to fall into that spurious trap (*Sforno*).”<sup>10</sup>

In his Exodus commentary, John I. Durham concludes that while there are some difficulties to be recognized with the view that Exodus 23:19 and 34:26 prohibits an Ancient Canaanite fertility ritual—the practice of boiling a kid in its mother’s milk was something which would have violated the integrity of Ancient Israel’s relationship to God:

“[T]he command against cooking a kid in its mother’s milk (v 26b), a verbatim parallel of 23:19b...[has been] connected...with Canaanite fertility worship mainly on the basis of a reconstructed text from Ugarit. While...[this] suggestion cannot be proven, the inclusion of this command in the summary list of 34:17-26 almost certainly implies that it has something to do with a practice that had the potential of drawing Israel into a compromise of loyalty to Yahweh.”<sup>11</sup>

**23:19 and 34:26 application** There is little doubting the fact that while it is unknowable whether or not the Ancient Israelites who received the instructions of Exodus 23:19 and 34:26 separated meat and dairy products in their daily diet—that later Judaism, with discussions present in the Second Temple world of Yeshua, did interpret these verses as requiring a separation of meat and dairy, with many regulations and interpretations spun off for modern application. The basic rule, as witnessed in the Mishnah, is that “Every [kind of] flesh [of cattle, wild beast, and fowl] is it prohibited to cook in milk, except for the flesh of fish and locusts” (m.*Chullin* 8:1).<sup>12</sup> Jeffrey H. Tigay, in his comments appearing in *The Jewish Study Bible*, takes a much broader approach to the Exodus 23:19 prohibition, noting how it is rooted within the Torah’s direction about being sensitive to the animals, something which various figures throughout Jewish history have concluded:

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<sup>8</sup> Scherman, *Chumash*, 437.

<sup>9</sup> Kohlenberger, 1:246.

<sup>10</sup> Scherman, *Chumash*, 514.

<sup>11</sup> John I. Durham, *Word Biblical Commentary: Exodus*, Vol. 3 (Waco, TX: Word Books, 1987), 462.

<sup>12</sup> Neusner, *Mishnah*, 780.

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"Meat boiled in sour milk ('leben') was probably considered a delicacy, as it is by Arabs, since it is tastier and more tender than meat boiled in water. As noted by Philo (*Virt.* 143-144), Ibn Ezra, and Rashbam, this law is similar to the rules that forbid acts of insensitivity against animals such as slaughtering cattle on the same day as their young, sacrificing cattle in their first week, and taking a mother bird along with her fledglings or her eggs (22.29; Lev. 22.27-28; Deut. 22.6-7). It is therefore likely that it also applied to lambs and calves, kids being mentioned only because goats were the most common type of cattle or because their meat is most in need of tenderizing and flavoring. Jewish law construes this rule broadly, forbidding cooking or eating any domestic cattle with the milk or milk products of any domestic cattle. Supplementary regulations also prohibited eating fowl or game with milk and required the use of utensils for milk and meat, including their products (Maimonides, *Hilkot Ma'akhalot 'Asurot*, ch 9). The association of this rule with the festivals is probably due to the fact that meat was eaten infrequently but was part of festival meals."<sup>13</sup>

The Jewish philosopher Philo was a voice contemporary to Yeshua and the Apostles, who recognized this instruction as pertaining to the humane treatment of animals:

"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. 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" (*On the Virtues* 143-144).<sup>14</sup>

The *ArtScroll Chumash* summarizes some similar thoughts on the reasoning behind the prohibitions of Exodus 23:19 and 34:26:

"*R'Hirsch* suggests a reason for the prohibition and for its insertion in this passage. Meat represents the animal portion of life, the muscle and sinew. Milk represents the reproductive capacity of animal life, for milk is the nourishment that supports new life. In animals, these two aspects of life are inseparable; animals instinctively eat and reproduce. Man has a higher calling. He must not mingle these aspects of his nature. To the contrary, he must learn to differentiate between his activities and—primarily—to subjugate them all to his duty to grow in the service of God and to put Godliness into all

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<sup>13</sup> Jeffrey H. Tigay, "Exodus," in *The Jewish Study Bible*, 160.

<sup>14</sup> Philo Judaeus: *The Works of Philo: Complete and Unabridged*, trans. C.D. Yonge (Peabody, MA: Hendrickson, 1993), 654.

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his activities. This higher duty is symbolized in the prohibition against mixing milk and meat. Its proximity to the laws of the festivals and the first fruits conveys the teaching that one who succumbs to his animal instincts destroys the holy nature of the seasons and God's blessings of prosperity."<sup>15</sup>

A liberal Jewish interpreter like Richard Elliot Friedman repeats some of the views present regarding the cruelty issues associated with "You shall not cook a kid in its mother's milk" (Exodus 23:19, his translation), but also recognizes the possibility that a Canaanite ritual may also be a factor:

"A Canaanite (Ugaritic) text may picture the chief god, El, having kid cooked in milk. This biblical law may thus be a prohibition against eating something that was regarded as food for a deity. This explanation is uncertain because the Canaanite text does not specify *mother's* milk, and the word there that is read as 'kid' is partly effaced. Alternatively, the biblical law may be a moral one, consistent with other biblical law, which prohibits sacrificing an ox or sheep on the same day as its offspring (Lev 22:28) or taking a mother bird along with her eggs in the wild (Deut 22:6-7)."<sup>16</sup>

While it is quite commonplace to hear that the Exodus 23:19 and 34:26 instructions are a prohibition against Ancient Canaanite religious rituals, few have actually seen the short statement where such a practice could be in view. The Ugaritic document "The Birth of the Gracious Gods" actually says,

"Fertile fields, fields divine, The fields of Athiratu and Rahmayyu. Seven times by fire, youthful voices a *gd* in milk, a *annh* in butter Seven times by the firestand, inc[ense... .]" (lines 13-15).<sup>17</sup>

There are scholars like Walter C. Kaiser, who noting the presence of this Ugaritic reference, urge some caution in directly associating it with Exodus 23:19. He observes,

"The prohibition of cooking a young goat in its mother's milk (see also 34:26; Deut 14:21b) has been explained since 1933 by a reference in a broken passage of a thirteenth-century B.C. Ugaritic text called 'The Birth of the Gods Pleasant and Beautiful' (text 52, line 14). It is generally agreed that the reference is to a fertility rite that entails boiling a kid in milk; but there is no sure reference to the milk of its mother in the broken Ugaritic text."<sup>18</sup>

A critical scholar like Brevard S. Childs, however, thinks that even with some corruption present in this Ugaritic resource, the association of it with Exodus 23:10 and 34:26 is fairly high:

"The final prohibition in v.19b (cf. 34.26; Deut. 14.21) has long interested commentators and called forth various explanations...New light has been thrown on the text by the Ugaritic parallel in 'The Gods Fair and Beautiful'. The text reads as follows: *tb(h g)d bhlb annh bhmat*, 'cook a kid in milk, a lamb (?) in butter'. Unfortunately, the text is broken in one place and must be restored. Although the reconstruction of Virolleaud is

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<sup>15</sup> Scherman, *Chumash*, 437.

<sup>16</sup> Friedman, *Commentary on the Torah*, 250; also reflected in Nahum M. Sarna, *JPS Torah Commentary: Exodus* (Philadelphia: Jewish Publication Society, 1991), 147.

<sup>17</sup> Theodore J. Lewis, trans., "The Birth of the Gracious Gods," in *Ugaritic Narrative Poetry*, 208.

<sup>18</sup> Kaiser, in *EXP*, 2:445.

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about the only one possible, the argument is not free of circular reasoning. Nevertheless, even if the difficulties are admitted, the probability that this is indeed a parallel text is high. Accordingly, the biblical prohibition was directed specifically against a Canaanite ceremony, which was probably connected with its fertility cult."<sup>19</sup>

Durham is uncertain of the origin of the Exodus 23:19 prohibition in the context of Ancient Israel, and instead actually thinks that the later Jewish mandate against eating meat and dairy products together is clearer:

"The prohibition of cooking a kid in the milk of its own mother has been variously explained on magical grounds...or as a reaction against Dionysian...or Canaanite...religious practices. The use of this verse [Exodus 23:19] to explain Jewish dietary restrictions is far less obscure than its origin, about which we remain unsure."<sup>20</sup>

Over the past several decades, there has been some loss of support, of the view that the Exodus 23:19 and 34:26 prohibition against boiling a kid in its mother's milk, is somehow rooted or connected to an Ancient Canaanite practice.<sup>21</sup> But, this is by no means universal among examiners. And, it would be inappropriate to dismiss the obvious humanitarian issues of concern for animal welfare, detectable in these passages.

The instruction of Exodus 23:19 and 34:26 is a definite dividing line among kosher-friendly Messianic people. A majority of today's Messianic people, who may be said to keep a kosher-style diet, will view the prohibition "You shall not boil a young goat in its mother's milk" as either being associated with Ancient Canaanite fertility rituals, and/or some kind of concern for treating the animals with care and respect. These are people who will mix meat and dairy in their diet, and will have no quarrel about eating a cheeseburger or a meat lasagna. A minority of today's Messianic people, who will observe a more Orthodox Jewish level of kosher eating, will take these passages as prohibiting eating meat and dairy products together. Reflective of this latter view is Aaron Eby, author of the 2012 book *Biblically Kosher*:

"This issue is often taken to exemplify the difference between 'biblical' and 'rabbinic' kosher....It is no secret that rabbinical rulings exist that go beyond mere interpretation of the Torah....Rabbinical rulings are set in place for various reasons, the most common being in order to prevent the likely transgression of a biblical law. Often those reasons are misunderstood, and sometimes they might seem like a stretch to us, but regardless, the explanation for these rulings can be found."<sup>22</sup>

Eby has done us all an important service, in directing our attention to how we must expel some effort to understand the how's and the why's of various Jewish interpretations and applications of Torah instructions throughout history. Being ignorant of how Jewish religious authorities have interpreted Exodus 23:19 and 34:26 is unacceptable. *Being arrogant toward those who interpret these passages as requiring a separation of meat and dairy products is even more unacceptable.* Yet, Eby has done us

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<sup>19</sup> Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (Philadelphia: Westminster Press, 1974), pp 485-486.

<sup>20</sup> Durham, 334.

<sup>21</sup> Among Messianic writers, Aaron Eby, *Biblically Kosher: A Messianic Jewish Perspective on Kashrut* (Marshfield, MO: First Fruits of Zion, 2012), pp 104-108 takes significant issue with the view that the Exodus 23:19; 34:26; Deuteronomy 14:21b prohibition has anything to do with ancient paganism.

<sup>22</sup> *Ibid.*, 88.

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all a disservice in appropriating the terminology “Biblically kosher” in his book, and with it implying that his interpretation of various Torah passages surrounding kosher are basically the only correct ones and thus are truly “Biblical.”<sup>23</sup>

More sensitivity and understanding toward Messianic people who separate meat and dairy products, on the basis of Exodus 23:19 and 34:26, does need to be present from those who will eat meat and dairy together. What this means, more than anything else, is that in corporate gatherings concessions will have to be made from one side to another, so that all can participate in a meal. In practical terms, this would mean that kosher-friendly Messianics who have no personal issues with eating meat and dairy together, may have to forego this at various times, so that those who do separate meat and dairy, can join in fellowship meal times.

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<sup>23</sup> Tim Hegg (2012). *Separating Milk & Meat: An Inquiry. Torah Resource*. Available online via <<http://torahresource.com>>, mainly argues that the separation of meat and dairy were a later, post-Second Temple Rabbinic invention, and that the intention of the Torah’s instructions was mainly rooted in the Ancient Israelites offering the proper sacrifices.