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Kein Land für sich allein

Studien zum Kulturkontakt
in Kanaan, Israel/Palästina und Ebirnâri
für Manfred Weippert zum 65. Geburtstag

herausgegeben von
Ulrich Hübner und Ernst Axel Knauf



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Ritual Wisdom? On «Seething a Kid in its Mother's Milk»

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R. Aha b. Jacob questioned this statement of R. Isaac b. Joseph (saying) «Is there no one who does not accept the *Miqra* as determinant? Has it not been taught: «Thou shalt not seethe a kid in the milk of its mother» in which verse you might read in the fat [*b^hēleb*] of [its mother]?

bSanhedrin 4a-b¹

There is a discussion in the Talmud about how to pronounce (hence interpret) Hebrew words that are consonantly similar but differ in meaning depending on their vocalization. The above quotation well illustrates the application of a hermeneutic principle of *yēš 'ēm lam-miqrā* regarding the authority of the traditional reading (*Miqra*) of Scripture.² Rabbi Aha's point is that, especially when there is no discrepancy between the *q^rrē* and *ketiv* of a specific word, the traditional vocalization of Scripture is reliable because no one would think of reading in Exod 23:19 **b^hēleb*, «in the fat of...» for the traditional *baḥ^alēb*, «in the milk of...». Had the text read **b^hēleb*, since fat could have come from either a male or a female sacrifice, it would have been superfluous to specify that it came from 'immō, «its mother.» In this paper, dedicated with much affection to Manfred Weippert, I want to explore the possibility that in Exod 23:19 (and in similar passages), there might once have been reason to vocalize the crucial word «*b^hēleb*» «in the fat of...».

The prohibition cited in Sanhedrin has attracted much interest in scholarly literature. It occurs three times in the Pentateuch, at Exod 23:19 (Book of the Covenant, commonly allocated to «E»), at Exod 34:26 («Brief» Covenant, commonly allocated to «J»), and at Deut 14:21.³ Undoubtedly this interest is piqued not just by the role it has played in defining Jewish alimentary practices since Talmudic time but also because the injunction continues to resist solutions, whether approached through Hebrew philology, comparative anthropology, or the study of culinary practices.

¹ After the Soncino edition of the Talmud, CD-ROM edition. Rabbi Aha b. Jacob was active in Babylon, early 4th c. CE. – I record here my debt to Avigdor Hurowitz with whom I had valuable correspondence, and to my colleague Douglas Knight for commenting on a draft of this paper.

² On this and other principles, see KASHER 1988, 592-93.

³ There is much lore why a prohibition would be repeated verbatim three times. *M. Hullin* 113a cites R. Akiva's opinion that it was meant to exclude the flesh of wild animals, fowl, and unclean animals. Elsewhere in *Hullin* (115b) the threefold repetition is said to progressively prohibit the cooking, eating, and selling of milk-sodden flesh. On kabbalistic lessons derived from the prohibitions, see *Zohar, Shemot* ii/124b-125a.

The Text

Exod 23:19	Exod 34:26	Deut 14:21
<p>rē 'šit bikkūrē 'admātekā tābī' bēt Yhwh 'lōhēkā lō' tebaššēl gđī baḥ^alēb 'immō</p>	<p>rē 'šit bikkūrē 'admātekā tābī' bēt Yhwh 'lōhēkā lō' tebaššēl gđī baḥ^alēb 'immo</p>	<p>lō' tō'kelū kol-nebēlā laggēr 'ašer biš'ārēkā tittenennā wa'akālāh 'ō mākōr lenokrī kī 'am qādōš 'atā laYhwh 'lōhēkā lō' tebaššēl gđī baḥ^alēb 'immo</p>
<p>You will bring the best of your land's early harvest to the temple of the Lord, your God. You will not seethe a kid in its mother's milk.</p>	<p>You will bring the best of your land's early harvest to the temple of the Lord, your God. You will not seethe a kid in its mother's milk.</p>	<p>You will not partake of naturally dead animals. You may give it to a resident foreigner who may eat it or you may sell it to a foreigner, for you belong to a people sanctified by the Lord. You will not seethe a kid in its mother's milk.</p>

In the Hebrew version, the prohibition consists of five words, none of which is particularly obscure, with no variation in their syntax. In each of its manifestations, however, the prohibition is only tenuously attached to its context. In the two Exodus occurrences, the sentence is preceded by slightly differing formulations on how to celebrate the agricultural festivals. In both passages, the prohibition closes the series of divinely formulated laws; but while in Exod 23 it is followed by divine pledges and blessings for those who obey God, in Exod 34 it ends with the apotheosis of Moses. The formulation in Deuteronomy differs from those in Exod 23 and 34 in that it comes at the end of a list of clean and unclean animals. These divergences are worth noting, even if ultimately they will not prove instructive in elucidating the meaning and intent of this law; but they give reason to conjecture that the prohibition was not organic to at least two (if not all three) of its present contexts. It would be imprudent to identify one setting as original because equally convincing arguments can be offered to favor the primacy of each of the remaining two.⁴

Rahlfs's LXX edition of the prohibitions displays differences. Exod 23:19a is formulated differently (but not significantly so) from Exod 34:26a, but whereas the verbs in Exod 32:19b and Deut 14:21c are *epsō*, «to boil, cook», that of Exod 34:26b gives *prospherō*, normally used to render *ḥaqrīb* («to offer», or the like, see Lev 2:14; Deut 23:19; Ezr 7:17), indicating that its translator was underscoring its

⁴ FISHBANE (1985, 228-230) has interesting remarks on the recombination of legal sources (in this case Exod 22:30 and 23:19) into Deut 14:21.

cultic setting. HARAN (1979: 33 n. 28), followed by LABUSCHAGNE (1992: 11), cites the Codex Freer of Deut 14:21b that adds the following, «Whoever does so, is doing as if offering a mole, an impurity (evoking the wrath) of the God of Jacob», the last approximating an (awkward) expansion found in the Samaritan of Exod 23:19b that speaks to a similar topic (*ky 'sh z 't kzb šk w 'brh hy ' l 'lhy y 'qb*).

Proposed Solutions

Interpretations of the meaning and context of the prohibition have been many, differing essentially on whether they focused on the animals (a goat and its mother), on the manner the goat was ritually presented, or on the cultic occasion for which it was slaughtered. Recently published articles are encyclopedic on this literature (HARAN 1979, MILGROM 1985; KEEL 1990, MILGROM 1991, 737-742; LABUSCHAGNE 1992) and, after urging readers to inspect their pages, I shall cite representative positions only.⁵

In the Hebrew text, the animal is a *gdī*, «a young goat», but in the Greek it is an *arēnos*, generally a lamb or sheep, but occasionally also goat.⁶ An opinion is that goats are explicitly cited because they are the main milk producers in Near Eastern antiquity.⁷ But already Philo, who knew the Greek version, took the term as inclusive for all cultically acceptable domesticated animals, and this opinion, independently championed by Rashi, has hardly been challenged since.⁸

Compassion

A great number of interpreters have found a humanitarian purpose in the linkage of goat and mother; but in doing so they offer different grounds. Augustine was an early advocate for taking *baḥ^alēb* 'immō as reference to an animal too tender for slaughter because it was «at its mother's teat». But this understanding goes against Hebrew idiomatics and is contradicted by Israel's manifest willingness to immolate animals

⁵ I do not explicitly annotate opinions that are commonly rehearsed in the commentaries (sub voce) and in articles such as those of HARAN, LABUSCHAGNE, and KEEL.

⁶ In the LXX *arēnos* refers to small cattle, either lamb (*kebes*, 1K 29:21; *kešeb*, Gen 30:33, Lev 1:10; *šālē*, Isa 40:11; *kār*, Jer 28:40), goat ('*ātūd*, Prov 27:26) or any fattling (*m^arī*'), as in 1Kgs 1:9; see v. 19).

⁷ See Prov 27:26-27, «Sheep furnish your garment; rams pay for field. Goat's milk suffice for your food, providing for your household and feeding your maids». According to bŠabb. 19b, «The goat is for milking, the sheep for shearing, the hen for laying eggs, and the ox for plowing». Goat's milk is richer in protein and fat, is easier to digest, and is more economical to produce than is cow's milk. See, conveniently, E. Firmage's remarks on goats in his excellent article, FIRMAGE 1992, 1127-1129.

⁸ See also the comments of Rashbam [Samuel ben Meir, 11th/12th c.] who arrives at a similar conclusion via a different principle, LOCKSHIN 1997, 287-289. Rabbinic hermeneutics applied the phrase *dibbēr hak-kātūb bahōwē* («Scripture speaks of what is usual») to an exegetical principle in which the customary stands for common; see KASHER 1988, 589-90.

as young as eight days.⁹ Philo took the prohibition literally and understood it to apply only if animals are cooked in the milk of their very own mothers, but deemed the act so cruel that the Hebrews compassionately avoided it (*de Virtutibus*, 125-144).¹⁰ Not sufficiently considered by Philo (and, for that matter, by those who espouse his humanitarian explanation¹¹) is whether people of antiquity perversely forced an animal to watch its young turned into goulash and whether an animal would recognize that its own milk was being used in the process. Since Rabbinic time, however, the connection between mother and victim was no longer taken literally, so that the flesh of any ritually acceptable animal could not be mixed with any milk, whether drawn from the same species or not. This is reflected in Onqelos's Aramaic translation of our verse as *lā' tēk^elūn b^sšar baḥ^alāb* «you will not *eat* flesh with milk,» thus indicating that by the second century CE the prohibition had acquired the categorical application still obtaining in Orthodox Judaism.¹²

Humanitarian reasons for the prohibition continue to be proposed, even when tenuously attached to the Hebrew context. O. Keel (1990) ascribes to the people of antiquity a belief that intimacy between mother and child was deeply carved into the psyche of all mammals, including animals. The act of suckling is not only a manifestation of this intimacy, but is also symbolic of divine benevolence and symbolic of cosmic balance. Keel reproduces touching scenes in which sucklings are placed in proximity of their mothers, thus facilitating lactation, and suggests that the Hebrews, following their neighbors, were enjoined not to precociously separate mother from child.¹³ Keel's explanation hardly explains why Israel, alone among its neighbors, so empathized with the torments of animals that it converted the sentiments into a cultic injunction. Earlier, Sir James Frazier had similarly explored the magical bonds that are established by sucklings and their mothers. For him, the biblical prohibition reflected a broadly espoused superstition against breaking those bonds.¹⁴

Somewhat similarly, dependent on theories linking the prohibition to taboos, was Robertson Smith's notion that milk was a vital fluid very much like blood which was forbidden to the Hebrews (SMITH 1894, 221). For Labuschagne that fluid was not plain milk but beestings (colostrum), an animal's first milk, rich enough to take a reddish hue that may have reminded of blood; hence its prohibition for mixing

⁹ In 1 Sam 7:9 Samuel sacrifices a suckling lamb (*šālē ḥālāb*); see further the comments of HARAN 1979, 27 and LABUSCHAGNE 1992, 8.

¹⁰ The sentiment carries through in Jewish exegesis, for example Rashbam (Samuel b. Meir) has this to say about it, «It is disgraceful and voracious and gluttonous to consume the mother's milk together with its young» (LOCKSHIN 1997: 287).

¹¹ See MILGROM 1985, who dwells on Israel's alleged opposition to commingling life (in this case milk, for its nourishing property) and death.

¹² MOORE 1927, 75-76. Moore refers to the Mekhila, *Mishpatim* c 20 (ed. FRIEDMANN f. 102a-b; WEISS f. 108a-b).

¹³ Bibliography in STOL 1994, 191.

¹⁴ See HARAN 1979, 24-25, who cites an impressive array of scholars with similar explanations, many of which seem to be based on diatribes against Jewish dietary «superstitions». Haran also cites a number of (more or less reliable) ethnological reports on cooking animals in milk that, however, do not have a mother-young connection.

with meat (LABUSCHAGNE 1992, 14-17). If so, one would expect to have read about the prohibition of beestings whether or not it was used to cook meat.¹⁵

Demarcation

A number of explanations are drawn from the festival setting, at least for the two Exodus attestations. Knauf (1988) gravitates toward a celebratory rather than a cultic background, with festive meals that included milk-soaked meat. He refers to Gen 18 and to an episode in Sinuhe (89-95) in which milk products and meat form part of banquets.¹⁶ Israel regularized the prohibition to distinguish itself from post-exilic populations (such as Arabs) with which it was competing. But why would Israel demarcate itself in just such a way? While milk (and its derivatives) were used commonly in the cuisines of antiquity, including as additive to meat dishes, there is never an insistence in any literature that milk and meat be the product of the same animal, which is precisely the idiosyncrasy of the Hebrew prohibition.¹⁷

Distinguishing the Hebrews from their neighbors is commonly proposed as a goal for the prohibition, and this discrimination is implied as well in most interpretations that claim humanistic reasons for the practice. Once potent were explanations that ascribed this practice to the despised Canaanites, who were presumed to cook flesh in milk. Maimonides could offer such a suggestion even when all that he

¹⁵ For the use on milk in Mesopotamia, see BIGA 1994; STOL 1993; 1994. For its role in biblical narratives, see GROTANELLI (1994) who also reviews the opinions of anthropologists. I mention here, for lack of a better spot, the curious Greek references to a «he-goat (occasionally also bull or ram) falling in milk» mentioned, among other texts, in 4th century gold leaves recovered from sarcophagi. (I owe Gregory NAGY knowledge of the material and to Robert DREWS the bibliographic help.) The meaning and import of the phrase still eludes interpretation, see ZUNTZ 1971, 322-327. I follow SEGAL 1990, 411 in reading one of these leaves:

Now you died and now you were born, on this day, thrice blessed.
Tell Persephone that the Bacchic one himself has released you.
A bull, you rushed into milk.
Suddenly you rushed into milk.
A ram [*krios*], you fell into the milk.
You have wine as your fortunate honor.

And there await you beneath the earth the rewards that the other happy ones (have).

¹⁶ The Sinuhe passage has been rendered variously, but in some opinions is said to read «milk in everything cooked». Even so, meat has to be imported into the phrase to make biblical sense out of it, «Provisions and strong drinks were made for me, with wine as a daily supply, and cooked flesh, and roast fowl, as well as wild game. They would snare and lay it out for me, as well as the catch of my own hounds. Many sweets were made for me, with milk in every cooked dish» (quoted from PARKINSON 1997, 31-33; see also FISCHER 1976). In fact, Sinuhe may be ironic here, for the association of eating flesh and drinking milk (especially raw) with the uncivilized and the nomadic was widespread, especially in Greek antiquity; see SHAW 1982/83. – Ethnological references to Arabic dishes that are said to require the cooking of meat in its *own mother's* milk can be ranged into the same biblicalizing category. For a startling example of such introjections, see Claudia Roden's comments on a recipe for «immos» (RODEN 1970, 265).

¹⁷ For the use of milk in Mesopotamian recipes, see BOTTÉRO 1995, 162, 219-220 (index).

knew of Canaanite practices came from the Bible (Guide for the Perplexed iii, 48). For him the practice was cultic, hence its condemnation. The suggestion was given a new life by early translations of an Ugaritic passage, KTU 1.23 (UT 52; CTA 23), 14, that allegedly advocated «cooking a kid in its mother's milk, a ... in ghee». Since then, and as a result of a closer inspection of the original, it has become obvious that the passage had been biblicalized and can scarcely be rendered as it had been, thus removing the evidence for the alleged parallel.¹⁸

«Cooking a Kid in its Mother's Fat»?

Vocalizing ḥlb

The Sanhedrin pages to which I made reference above (4a-b) also preserve a debate about the reliability of the «traditional» vocalization of Scripture, especially when the meaning of a cluster of consonants makes sense however vocalized. Thus, in Exod 23:17, which reads «three times a year all your males yr'h the Lord God», the form yr'h is (allegedly) understandable when read as the received niph'al (yērā'ē «he shall be seen/appear») or as qal (yir'ē «he shall see»).¹⁹ However, R. Aha b. Iqā would not concede any uncertainty in the traditional way Scripture was vocalized in his days, stated that in each manifestation of the prohibition, «it is seething, as a method of cooking, that the law forbids». His point was: because the law uses the verb *biššēl*, *ḥālāb* must refer to a liquid (hence milk) that could be brought to a boil. Had it stood for *ḥēleb*, «fat», the relevant verbs would have been *šālā* (to roast) or *hiqtīr* («to turn into smoke»)²⁰

In fact, already in antiquity there was discrepancy in how to interpret a few Scriptural occurrences of the consonants ḥlb. This was so despite the possibility that the *ḥēt* in *ḥālāb*, «milk», and in *ḥēleb*, «fat» represented phonemes that were sounded and heard differently: a *ḥēt* in the word for «milk» (Arabic *ḥalab*) against a *ḥēt* for «fat» (Arabic [rare usage] *ḥilbun*). Thus, the received Hebrew version of Ezek 34:3 has, «You eat the fat ('et-*ḥaḥēleb* tō'k'ū), wear the wool, and slaughter the fatling; but you do not tend the flocks», but the Greek gives, «You eat the milk, etc...»²¹ The opposite is found in Ezek 25:4 where the MT reads «[The Easterners] will be

¹⁸ HARAN is good at exposing the difficulty of the reading (1979: 25-27). So too is MILGROM 1985. In the opinion of RATNER & ZUCKERMAN (1986), the passage is part of a choreographed cultic ceremony in which youths are to declaim (or sing) a poem that begins with «gd in milk, *ānnh* in ghee», the italicized words themselves referring either to plants or to animals.

It is obvious that passage and context of the Ugaritic text are not yet fully understood.

¹⁹ I add «allegedly» because in fact in the sentence the verb can only be read as niph'al (as in the LXX), especially because of the indirect clause that follows, 'el-p'ēnē hā'ādōn YHWH.

²⁰ See KASHER 1988, 592.

²¹ Probably because in many cultures milk is said to be «eaten» as well as drunk. Note, however, that in a passage with the same phrase (Ezek 39:19), the versions are in agreement in translating, «You ate fat until full, drank blood until drunk...».

those who eat your fruit and drink your milk (*hemmā yištū ḥ^alābēkā*), where the Greek has «... drink your lushness (*piōntai tēn piōtēta*)».²²

Other passages involving *ḥlb* could easily support either vocalization. Sense can be had however we render the consonants *ḥlb* in Deut 32:14, «Curds of cattle (*ḥem 'at bāqār*) and milk of sheep (*waḥ^alab šō 'n*), with fat from lambs (*'im-ḥeleb kārīm*), rams «those of Bashan», and he-goats, with the best marrow from wheat (*'im ḥeleb kilyōt ḥittā*) and the foamiest blood-red wine you might drink». So too in 1 Sam 17:17-18 in which Jesse could have been instructing his son David to bribe the officers in charge of his brothers, «Take to your brothers an ephah of this parched wheat and ten of these loaves, and rush them to your bothers in the camp. Bring also these ten slices of fat (*ḥarīšē ḥlb*) to the squad leader, check on your brothers' well-being and take reassurances about them». Uncontested mention of milk and milk derivative as table products are surprisingly few in the Hebrew Bible, given Israel's extensive pastoral operations.²³

But R. Aha's point remains well taken. To conjecture a reading «fat» rather than «milk» for our passage, we will need to show that *biššēl* could refer to food preparation other than boiling, and that the prohibition was applicable despite the Hebrew ban on eating fat.

«To boil»?

The verb *bšl* has cognates in other Semitic languages, some (Akkadian, Aramaic) closer than others (Arabic) to the meaning of «preparing food». Most of the attestations in Hebrew are to the piel (*biššēl*) with meanings that can be established contextually, although in a few instances it is not possible to be certain about their precise connotation. In Exod 16:23 the verb is contrasted to «baking» (*'āpā*). The laws of Passover in Exodus specify (Exod 12:9) that the paschal lamb can neither be eaten raw (*nā'*) nor boiled in water (*baššēl m^abuššāl bam-mayim*), but must be grilled over a fire (*slī 'ēš*).²⁴ The deuteronomic version (Deut 16:7) simply says *ūbiššaltā* (*w^a-'ākaltā*) and rather than imagining that we have a distinct tradition for the treatment of the sacrificed lamb, it is simpler to assume that *biššēl* refers to a

²² Josephus's reading of Gen 4:4 has Abel offering to God «milk, and the first-fruits of his flocks» (*Ant.* i.2.1, WHISTON translation). But this reading seems to be his paraphrase from the Hebrew.

²³ See, conveniently, CAQUOT 1980, 386-391. On the basis of an Ugaritic word pairing for «fat» and «honey», MARGALIT (1987) proposes that the promised land should be described as a «land flowing with fat and honey». However, as a pair, «fat and honey» is unlikely when treated as sweets in Cant 4:11, 5:11 and Isa 7:22. Moreover, the verb in the expression (**zwb*) applies to liquids, even when they ooze out as discharges.

²⁴ Grilling over a fire was the most frequent way for cooking the internal organs of an animal. Occasionally, too, a whole animal can be grilled. This process is often cited in biblical translation as «roasting», even if in our parlance the latter requires the use of ovens, a relatively inefficient way to prepare meat. The other method of preparing meat, especially animal muscle which tends to be tough, is boiling. These two processes were common to civilizations of antiquity; see BOTTÉRO 1980-83, 283-290; 1995, 167-179; DETIENNE 1977, 173-175, and the fine study of BERTHIAUME 1982.

broad category of meat processing that could include boiling. The last meaning would be manifest when water is mentioned as a medium (such as in Exod 12:9), when the preparation requires kettles or the like (as in 1 Sam 2:13-15, 2 Kgs 4:38, 2 Chr 35:13, Zech 14:21), or when broth is said to result (Judg 6:19). In Deut 16:7, as well as in 1 Kgs 19:21, the verb is most likely suggesting «grilling».²⁵ In 2 Sam 13:8 the verb occurs at the end of a sequence of food preparation that likely excluded boiling, *wat-tiqqaḥ 'et-hab-bāšēq wat-tāloš* [*wat-tāloš*] *wat-^alabbēb* *'ēnāw wat-^abaššēl 'et-hal-^abībōt*, «[Tamar] took the dough and kneading it, she shaped it in his presence and fried (?) it». Utensils for this activity include (metal) pans (*pārūr* Num 11:8²⁶), pottery and bronze vessels (*ḥeres, kelī neḥōšet*, Lev 6:21).

ḥēleb

'baššēl, then, is the general term for preparing meat.²⁷ But in this paper, I am speculating that the prohibited meat was not one cooked in milk (*ḥālāb*, or in any dairy product) but in animal fat (*ḥēleb*).²⁸ Whatever the ingredient with which the goat was being cooked, however, our prohibition cannot have been cultic, for sacrificial food was neither boiled nor grilled, but burnt into a smoke that lifted toward the heaven. From the comparison of Exod 23:14-17 with Exod 34:18-24, it has been commonly deduced that our prohibition was especially in effect during Succoth, one of three festivals when food intake was likely to include meat (HARAN 1979, 34-35, see also KNAUF 1988). Since Israel had developed sharp rules against the eating of fat from sacrificial animals, the questions arise whether the proscription also affected non-sacrificial meat and if it did, whether its provisions applied equally to all permitted animals as well as to fatty portions (for example around the muscle)

²⁵ Note how 2 Chr 35:16 tried to harmonize the Exod and Deut paschal practices, «they grilled the Passover sacrifice with fire as by law, but the consecrated food they boiled in cauldrons, kettles, and pan, promptly distributing them to the people». — In 1 Kgs 19:21, Elishah is said to use the plough with which to *biššēl* two slaughtered oxen, so here hardly meaning «to boil». I don't know what kind of process was deemed optimal when, during sieges, children were cannibalized (2 Kgs 6:29; Lam 4:10).

²⁶ Manna is gathered, ground in mills, beaten in mortars, «fried?» in a pan (*pārūr*, according to 1 Sam 2:14 and Judg 6:19, the smallest utensils in which to hold broth), and turned into cakes that tasted like «rich cream».

²⁷ Hebrew has a verb that is specific to «boiling», *rātaḥ*, even when it is used metaphorically. In Ezek 24:3-5, God instructs the prophet to build an allegory. «Set up a cauldron; set it up, but also pour water in it. Collect in it (meat) pieces, every choice piece, thigh and shoulder, and fill (it) with select bones. Take the best from the flock and, piling the bones [often emended to «wood»] under it, bring it to such a fierce a boil that its bones are stewed within it (*gam-baššēlū 'šāmēhā b'tōkāh*); see also the sequence in Ezek 24:10, with *hātēm hab-bāšār*, «cook thoroughly the meat».

²⁸ That the verb does not necessarily mean «to boil», saves us from speculating on the type of dairy product that (unlike milk) resists boiling; see HARAN 1979: 30-31 who, along with many (including non-Saadia Arabic translation of Scripture) opt for *laban*, a fermented milk derivative. Still, a number of languages speak of «boiling» milk, even when it cannot be done without spilling it. See the passage in Sinuhe (B26) «Then [Amunenshi] gave me water while he boiled milk for me» (PARKINSON 1997, 29).

that were not specifically prohibited. The answer on all this is instructive, albeit not definitive.

Hebrew has a number of terms that refer either exclusively or otherwise to animal fat. *šemen* and *dešen* are two terms that can refer to both, although the preponderance of references suggests that only secondarily did they characterize the animal derivatives. But when they do so, *dešen* tends to be more poetic than *šemen*.²⁹ The opposite is at stake with two other terms, *peder* and *hēleb*. *peder* occurs rather rarely (Lev 1:8,12; 8:20) and is exclusively applied to animal fat. *hēleb* (many references) is almost always the fat that is burnt when Israel sacrificed to redress wrongs or obtain absolution. As a metaphor, *hēleb* serves purposes that are not easy to harmonize. Applied to plants (wine, grain, oil, even animals), it stands for «the best». Qualifying human beings, however, it imparts arrogance, stubbornness and insensitivity, even wickedness.³⁰

The burnt *hēleb* (often translated in English by «suet» or «tallow») is peeled off from around organs below the diaphragm of a sacrifice – the kidneys, the lobe of the liver, the intestines (Exod 29:22; Lev 3:3-4; 4:8-10; 7:3-6; 9:10). The tail of sheep (‘*aylā*), very fatty in the Levantine variety, is also included in some of these passages, and some authorities have emended (too hastily, despite the fact that it would corroborate my suggestion) a word in 1 Sam 9:24 from *w^hhe’ālēhā* to *w’lyh* that would make Saul the recipient of a fatty portion of meat.³¹ Why Israel, unique among its neighbors, was so insistent on assigning the *hēleb* of sacrificial animals to God is beyond easy recovery. Despite idiomatic usage in which the *hēleb* (and derivatives) of a commodity refers to its best quality (as is «cream of x» in English), the fat of animals could not have been the choicest portion to offer a deity. Nor is it, as some (cynical) opinions have it, inedible, hence readily relinquished; for suet plays a fine role in the cuisine of many cultures, past as well as present.³² After processing, it readily served to fry, braise, and sauté meats and vegetables.³³

²⁹ *šemen* can be used metaphorically for stubbornness and greed, but also for physical (Ps 109:24) and sexual health (Cant 4:10). In Gen 49:20 («About Asher, his food is rich and he will provide princely dainties» [*š^hmēnā laḥmō*]), *šemen* must certainly be exploiting the symbolism for wealth that characterize animal fat.

³⁰ See HELLER 1970, who connects the eating of fat with magically acquiring such qualities, as well as potency; hence the prohibition. See also the comments of DHORME 1963, 14-17.

³¹ See the commentaries on this passage, especially contrasting those of DRIVER 1890 and McCARTER 1980. It is interesting that the emendation was encouraged by *b’Abod. zar.* 25a, on the ground that it was derived from a non-sacrificial animal. Moreover, while HB mentions only the tail of sheep and rams, the Talmud mentions the fatty tails of goats and oxen, see *Encyclopedia Talmudica* 2, 265-71.

³² On the edibility of (rendered) fats, for Ancient Egypt see IKRAM 1995, 175-180; in contemporary cuisine, see MONTAGNÉ 1961, 408-409; contrast to the remarks of MILGROM 1990, 205-07. Note, too, that to enrich broths Mesopotamian cooks added fat when boiling meat; BOTTÉRO 1980-83, 289 (§7); see also the CAD L (203-204, sub *lipū*), N (142-143, sub *nāhu*, «lard»).

³³ A technology for deep-frying in oil / fats was known in antiquity, but it required a prohibitive amount of sustained heat.

Not all fat was forbidden as food. Because Scripture is encyclopedic only about events and circumstances that bring God and his chosen folk together, it should not be surprising that slaughtering of animals for profane purposes is not highly featured in its chapters.³⁴ Certainly passages with non-figurative usage of the verb *tābah*, «to butcher, cook [meat],», likely refer to profane slaughter.³⁵ While the verb *šāḥaṭ* is almost exclusively attached to ritualistic sacrifice, *zābah*, commonly a technical term in ritual slaughter, can address profane contexts.³⁶ Of such passages, we may dismiss as hyperbolic the Psalmist's, «I am sated as with fat and oil (*kemō hēleb wādešen tišba' napšī*, Psalm 63:5)» and as allegorical God's rebuke of shepherds (that is, leaders) who «eat the fat» rather than tend the sheep (Ezek 34:3 [see above]; also 39:19). Still, there remain hints in Scripture that the use of fat was not totally proscribed, especially for those who had no ready access to a permanent temple. This is implied by Deut 12:20-25, which omits mention of fat:

When your Lord God enlarges your borders as he had told you and you decide to eat meat just because you have a craving for meat, eat from it as much as you desire. Moreover, if the place that your Lord God has chosen where to set his name is too far from you, then slaughter as I have instructed you from cattle or flock that the Lord had given you and eat from it within your town as much as you desire. But eat it as are partaken gazelles and deer; the clean no less than the unclean may eat

³⁴ That especially after the destruction of Herod's Third Temple the protocol and ritual of profane and cultic slaughters merged is not immediately relevant to this study. It is interesting to note that during Talmudic times a non-biblical term, *šūmān*, was called on to designate permitted fat; see, for example, *bKeritot*, 7b, 17b-19b, *Nazir* 23a, *Shabbat* 12b. Note *Lev. rab* xxii:10, «[God says:] ... of forbidden fat (*hēleb*) [I have compensated] by permitting you ordinary fat (*šūmān*)».

³⁵ See especially Exod 21:37 (= 22:1), referring to a thief who butchers a stolen animal; but also Gen 43:16 (banquet in Egypt), Deut 28:31 (warning about not enjoying butchered meat), 1 Sam 25:11 (Nabal refusing to share butchered animals with David), Prov 9:2 (Wisdom's banquet).

³⁶ It is important to note that there did not exist in Mesopotamia or in Greece a separate vocabulary for ritual and profane slaughters; see LAFONT 1999, 58-59 and VERNANT 1989, 25-26 (citing the works of J. CASABONA). MILGROM (1990, 169-175; 1991, 713-717) strains to prove that Hebrew *zābah* / *zibbah* must refer only to ritual slaughter, accommodatingly interpreting as cultic a number of passages in which animals are butchered (verb *zābah*) where a profane context is more evident. I offer comments on some of these passages: Num 22:40 and 2 Chr 18:2 allude to kings (Balaq and Ahab) who slaughter animals for distribution to visiting dignitaries (Balaam and Jehosaphat). It is essential not to confuse their acts with rituals before deities, for in antiquity the sharing of meat from the table of kings (suzerains or lords) was an act of conviviality and acceptance of patronage. It was ceremonial, perhaps also sacramental, but not a cultic act; see my study on the «Disbursement and Consumption of Food in Old Babylonian Mari» (forthcoming). 1 Sam 28:24 tells how the woman at Endor slaughters and prepares a calf for Saul and his retinue after the séance with Samuel. It is scarcely likely that in Israel a woman (condemned for her profession at that) would be making a cultic offering. The scene is highly reminiscent of Abraham when visited by divine beings, albeit the verb there is ‘*āsā* rather than *zābah*; see below. Milgrom is likely correct, however, to find a ritual context in 1 Kgs 19:21, because the activities of Elisha are paralleled in 1 Sam 6:14 and 2 Sam 24:22ff where presentations to God are manifest.

from it. Take good care, however, not to eat blood, for blood is life and you may not eat life with the meat. Do not eat it, but pour it out on the ground like water. Do not eat it, so that you and all your descendants can prosper by doing what is right in the Lord's eyes.

This focus on the spilling of blood but not on the avoidance of fat is replayed in Lev 7:25-27 where, in most interpretations, only the blood, but not the fat, of non-sacrificed animals is prohibited.³⁷ From a number of passages (for example Lev 7:24), we also know that the fat from *n^obēlā* (animals that died naturally) and *ṣrēpā* (animals killed by wild beasts) were not to be eaten, implying that the fat of profanely butchered animals could be included in meals.³⁸ Moreover, it is possible to interpret the evil acts attributed to the sons of Eli reported in 1 Sam 2:15-16 as their insistence on treating ritual sacrifice as profane.³⁹ Finally, we may also imagine that before the Hellenistic period the Passover sacrifice was treated profanely, so that goats or sheep were likely eaten whole, together with their fat (Exod 12:1-3, 46; Num 9:12, but see Deut 16:7).⁴⁰

A Holiness Code Equivalent?

Despite the above presentation, the most convincing argument that the consonants *ḥlb* might be read «fat» rather than «milk» is not philological but literary.⁴¹ I propose that the thrice repeated «do not cook a kid in its mother's fat» is less a culinary prohibition than a gnomic observation couched as a legal formulation.⁴²

³⁷ Whether Lev 7:25-27 is evoking the slaughter of domestic animal outside of the cult rather than game animals that were not ordinarily sacrificed has been debated; see MILGROM 1991, 427-29.

³⁸ See Ibn Ezra's commentary to this passage as well as to Deut 12:15. Some medieval rabbis (for example Albo, cited in the *Jewish Encyclopedia*, p. 350) were of the opinion that fat was to be permitted once the sacrificial system ceased, implying that the eating of fat from non-cultic sacrifice would be permitted.

³⁹ «Even before the fat is turned to smoke, an assistant of the priest would come and ask of the person sacrificing, 'Give me meat to grill for the priest, for he will not accept from you cooked meat for raw'. And if the person would tell him, 'let the fat become smoke first and then take whatever appeals to you', the assistant would say, 'no, but you must give now; otherwise I will take it by force'». BURKERT 1983, 89 n. 29, is especially useful to understand how the sons of Eli arrogantly corrupted the sharing of sacrificial meat (1 Sam 2:12-17).

⁴⁰ See also the remarks of MÜNDELER on Lev 7:15-18 and Exod 32:18 (1980, 394).

⁴¹ I might note that in the BH there are two attestations of *ḥēleb* that are construed with the preposition *b^o*: Job 15:27 («face covered with fat», said of a wicked man) and 2 Chr 29:35 (said of an abundance of peace sacrifice).

⁴² As such, it has the same application (and the same complicated interpretive afterlife) as the thrice repeated and distinctively set *lex talionis* formulations as an «eye for an eye (etc) ...» (Exod 21:23-25; Lev 19:21; Deut 19:21), the chiasmic and alliterative «He who sheds the blood of man, by man shall his blood be shed» (Gen 9:6), and the compact «you will treat [the false witness] as he schemed to do to his brother» (Deut 19:19). Some respected scholars (following Philo and Josephus) have urged that strictly equivalent talion (in Israel as well as in cuneiform law) was applied, especially among «tribal» groupings. However, many scholars (and talmudic rabbis for that matter), who have questioned the

Cooking a young animal in its mothers' 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. The same sort of prudent counsel occurs in Deut 22:6-7, «Should you chance on a bird's nest before you on the road, on any tree or on the ground, as hatchlings or as eggs, with the mother sitting by the hatchlings or on the eggs, do not take the mother along with the young. Shoo away the mother and take the young, that you may prosper and live long». As in our prohibition, banning the killing of the mother bird makes it possible for someone else in the future to chance upon more of her eggs. That Deut 22:6-7 may have also been prompted by humanitarian goals does not undermine my suggestion.

Lev 22:27-28 advises that young animals may be slaughtered as early as eight days after their birth (see Exod 22:29), but that, «no animal and its young, from herd or flock, can be slaughtered on the same day» (*w^ošōr 'ō-šē 'ōtō we 'et-bnō lō' tišḥaṭū b^oyōm 'eḥad*).⁴³ In the literature, a number of scholars have sensed a connection between the second injunction and what is told about cooking a goat.⁴⁴ But as long as the caution was against cooking an animal in its mother's milk, the connection could not be made, for how could a procedure that required slaughtering just young animals threaten the survival of a flock? When rendered as «Do not cook a kid in its mother's fat», however, the thrice-reported counsel could now find its equivalent in the Holiness Code from which it had been so conspicuously missing. Moreover, because it is couched as wise observation, *gdī* may be taken generically for any animal acceptable for slaughter, profane or cultic, hence matching the vocabulary found in Lev 22:27-28.

*

When Abraham was said to have regaled his guest with meat, curds and milk (Gen 18:7-8), it is not clear whether the narrator of this story (whenever it was finally edited) was unaware of the prohibition in Exod 23:19 (etc.), knew of it but interpreted it narrowly (as did Philo), or knew of it but understood *ḥlb* to mean «fat» rather than «milk». The earliest we can be certain that these consonants in the prohibition were read *ḥālāb*, «milk» is the second (perhaps the third) century BCE, when the Greek translations of the Bible consistently gave *galaktos*, «milk», for the rel-

practicality of establishing true equivalence in most circumstances, have understood them as statements of such principles as making the punishment fit the crime through adequate compensation. See the good overviews (with bibliographies) in «Talion», *Encyclopedia Judaica* 15, 741-742 (H. H. COHN) and «Lex talionis», ABD 4, 321-322 (H. B. HUFFMON).

⁴³ The vocabulary here is generic and must not be interpreted to involve only the males among sacrificial animals.

⁴⁴ The two passages (as well as the bird and eggs law of Deut 22:6-7) are commonly connected by medieval exegetes, for example Rashbam (LOCKSHIN 1997, 288); Ibn Ezra (ROTTZOLL 2000, 743-744). See also GERSTENBERGER 1996, 331, who cites a Nuer husbandry practice; FIRMAGE 1992, 1128.

evant consonants. Lacking evidence or guidance on how these passages were understood before the Hellenistic period, it is difficult to suggest why a reading *hālāb*, «milk», came to be preferred over *hēleb*, «fat», especially when the cuisine of neighbors readily combined milk and meat. A feeble reason is that because the word *hēleb*, «fat», clearly occurred in the verse previous to Exod 23:19, tradition simply opted for a homonymous rather than the same reading, and that particular comprehension was subsequently applied to the remaining two passages. Slightly more defensible as a proposal is the increased tendency to adopt ritual proscriptions into daily life, so that any reference to cooking with «fat» (even to prohibit it!) was resisted, so that «milk» came to be preferred as a reading. The most plausible explanation, however, is that in selecting *hālāb* over *hēleb* there was a potential for championing an enigmatic, if not also an esoteric, interpretation of Scriptural law, one whose application would sharpen the distinctiveness of Jewish ritual practices from those of their neighbors. Such a drive to forge uniqueness through the interpretation of Hebrew law accelerated after the Roman destruction of the Temple, when non-priestly people progressively accepted rabbinic transmutations of priestly rituals.

Within a couple of centuries in the Hellenistic period the interdiction against cooking a kid in milk itself permutated from a quaint, narrowly interpreted, practice (Philo), to one with a sweeping application (Onqelos). One scholar has suggested that the change occurred during the Bar Kochva revolt, ostensibly to create sharper division between Jews and gentiles (LURIA 1992). Be that as it may, in the pages of the Talmud, the injunction came to be a cornerstone in the Jewish traditional practice of *kashrut* and, as it has been persuasively argued, a bulwark for Jewish survival.⁴⁵ Whether those promoting it had originally «milk» or «fat» in mind is (it has to be admitted) an academic exercise. As an inquiry into the history of ritual law, however, it cannot be beyond philological or even anthropological interest.

⁴⁵ Certainly by the time the Mishnah (especially in *Hullin*) was written about 200 CE, the notion that the law of Exod 23:19, 34:26, and Deut 14:21 forbade the cooking (and not just boiling) of any meat from acceptable animals in any milk product from the same had already been established, the prohibition having been extended to include acceptable game animals (for example gazelles), acceptable fowl, but not fish. A convenient overview of the Biblical laws of sacrifice as they have transmuted into Jewish dietary laws can be had in GRUNFELD 1972, 115-139. Other assessments are readily available in Jewish encyclopedias, generally under «Dietary Laws». See also the entry «*bšr bhīb*, Meat in Milk», *Encyclopedia Talmudica* (Jerusalem), 5 (1995), 385-415. As far as I can tell the Qumran community, which occasionally had its own interpretive way with Biblical ordinances, has yielded no comments on the issue. Worth noting too that the ban against «seething a kid in its mother's milk» was featured in Jewish medieval defense of the compassion of Mosaic law; see LOCKSHIN 1997, 288 n. 47. It should be registered here that Karaite interpretation of scripture permitted the eating of a mammal's meat mixed with milk definitely known not to come from its mother; see the comments of Elijah Bahyatchi (15th c.) as cited in NEMOY 1952, 266-267.

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