רש"י שמות כג:יט

מסכת חולין קטו:

Parsha Plug: Parshat Mishpatim

Shemot 23:19, Shemot 34:26, Devarim 14:21

Shemot 23:19 The choicest of the first fruits of your soil you shall bring to the house of the Lord, your God. You shall not cook a kid in its mother's milk. Shemot 34:26 The choicest of the first of your soil you shall bring to the house of the Lord, your God. You shall not cook a kid in its mother's milk."

Devarim 14:21 You shall not eat any carcass. You may give it to the stranger who is in your cities, 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 cook a kid in its mother's milk.

שמות כג:יטַ רֵאשְׁ'ית בִּכּוּרֵי אַדְמָתְּדְ תִּבִּיא בֶּית יְקוַק אֱלֹקִיךְ לְא־תְבַשֵּׁל גְּדִי בַּחֲלָב אִמְּוֹ: שמות לד:כוּ רֵאשְׁ'ית בִּכּוּרֵי אַדְּמֶתְךְ תִּבִּיא בָּית יְקוֹק אֱלֹקִיךְ לְא־תְבַשֵּׁל גְּדִי בַּחֲלֶב אִמְּוֹ: דברים יד:כא לא־תְאכְלַוּ כָל־נְ בֵלָה לְּגֵּר אֲשֶׁרְ־בִּשְׁעָרֶיךָ תִּחְנָנָה וַאֲכָלָ'ה אַוֹ מֵכֹר לְצִּיְרִי כֵּי עָם קִדוֹשׁ אֲתָּה לְיִקוֹק אֱלֹקִיךְ לְא־תִבַשֵּׁל גִּדִי בַּחֲלָב אִמְוֹ:

שמות כג:יט, שמות לד:כו, דברים יד:כא

Rashi on Shemot 23:19

You shall not cook a kid: A calf and a lamb are also included in this for גָּדִי is only an expression of a tender young animal. We know this from what you find in many places in the Torah where גְּדִי is written, and it was necessary to write after it עִזִים [to qualify it as a kid], for example, "I will send you a kid עִזִים (Gen. 38:17); "the kid גְּדִי הָעִזִים " (Gen. 38:20); "two kids "עִזִים גְּדְיֵי (Gen. 27:9); to teach you that wherever גְּדִי is mentioned unqualified, it also means a calf and a lamb.

לא תבשל גדי: אף עגל וכבש בכלל גדי, שאין גדי אלא לשון ולד רך, ממה שאתה מוצא בכמה מקומות בתורה שכתוב גדי, והוצרך לפרש אחריו עזים, כגון (בראשית לח יז) אנכי אשלח גדי עזים, (שם שם כ) את גדי העזים, (שם כז ט) שני גדיי עזים, ללמדך, שכל מקום שנאמר גדי סתם, אף עגל וכבש במשמע.

Masechet Chullin 115b

The school of Rabbi Yishmael taught: The Torah states three times: "You shall not cook a kid in its mother's milk" (Exodus 23:19, 34:26; Deuteronomy 14:21). One verse serves to teach the prohibition against eating meat cooked in milk, and one serves to teach the prohibition against deriving benefit from it, and one serves to teach the prohibition against cooking meat in milk.

דבי רבי ישמעאל תנא (שמות כג, יט) לא תבשל גדי בחלב אמו ג' פעמים אחד לאיסור אכילה ואחד לאיסור הנאה ואחד לאיסור בשול.

Ibn Ezra on Shemot 23:19

The first:...And the Sages received a tradition that Jews not eat meat with milk (as well as not to cook meat with milk). And now I will explain: You should know that the custom of the Torah is to speak about what is common...People do not eat meat with milk, as it is not a pleasant food. As meat only gets cooked after a long time, and milk is not [quick to cook]; such that it is not the custom in the lands of Yishmael to this day for people to eat veal cooked in milk. [This is] because there is much moisture in veal, like there is [also] in milk, and so it is injurious, hence it is not eaten. But because gedi meat does not have moisture and it is warm when it is young, they therefore cook it in milk. And do not wonder, on account of it not being

אבן עזרא שמות כג:יט

ראשית...וחכמים קבלו שלא יאכל ישראל בשר בחלב. ועתה אפרש. דע כי מנהג התורה לדבר על ההווה...אין אדם אוכל בשר בחלב כי אינו מאכל ערב והבשר לא יתבשל רק בזמן רב. והחלב אינו כן. כי אין המנהג עד היום בארץ ישמעאל שיאכל אדם טלה מבושל בחלב. בעבור שיש בטלה ליחה רבה. וככה בחלב והנה הוא מזיק. על כן לא יאכל. ובעבור כי בשר הגדי אין בו ליחה וכשהוא קטן הוא חם על כן יבשלו הגדי בחלב. ואל

the custom of the people in these places to eat the gedi of the goats. For the physicians concur that there is no meat [as good] as it, and they even permit sick people to eat it. And in Spain, the Land of Israel, Persia and Babylonia, they do eat it. This was also the custom of the ancient ones (to eat it): "Two good gedii of the goats" (Genesis 27:9); "and we shall make a gedi of the goats before you" (Judges 13:15); and the priests eat a gedi of the goats as a sin-offering. And since no one eats raw meat, it is forbidden to cook a gedi in its mother's milk...And we do not have a need to seek the reason for its prohibition, as it is hidden from the eyes of the ones with understanding. Perhaps it was because it is cruel-hearted to cook a kid in its mother's milk, in the way of "Do not slaughter a sheep or an ox - it and its child on one day (Leviticus 22:28), and "do not take the mother upon the young" (Deuteronomy 22:6). And most people are not accustomed to having sheep, so they buy milk from the marketplace and the milk is from a collection of different sheep. Maybe the buyer of the gedi will not know where is its mother; and when he buys milk, maybe there is milk there that is from the mother of the gedi that he bought, so he would transgress. And stringent about any doubt from the Torah. And behold even the Yishmaelites concur that if a gedi is cooked in its mother's milk, such that the lineage is the same, then [the meat] is more pleasant. And the verse is speaking about what is common. And behold the ancient ones, may their memory be blessed, were stringent to remove any doubt and they forbade all meat and milk.

תתמה בעבור שלא נהגו אנשי אלה המקומות לאכול גדי עזים. כי כל הרופאים מודים כי אין בשר כמוהו ואפילו לחולים התירו שיאכלוהו. וכן אוכלים אותו בספרד ואפריקא וארץ ישראל ופרס ובבל. גם ככה היה מנהג הקדמונים. שני גדי עזים טובים ונעשה לפניד גדי עזים. והכהן אוכל גדי עזים א' לחטאת ובעבור שאין מנהג אדם לאכול בשר חי אסור לבשל הגדי בחלב אמו....ואין לנו צורך לבקש מה טעם איסורו כי נעלם מעיני הנבונים. אולי היה כי אכזריות לב הוא לבשל הגדי עם חלב אמו כדרך ושור או שה אותו ואת בנו לא תשחטו. גם לא תקח האם על הבנים. ומנהג רוב האדם שאין להם צאן ויקנו החלב בשוק והחלב יהיה מאוסף משיות רבות אולי הקונה הגדי לא ידע אנה אמו והנה אם קנה חלב אולי יש בו מחלב אם הגדי שקנה ויהיה עובר. וכל ספק שהוא מן התורה לחומרא. והנה גם הישמעאלים מודים כי אם יבושל הגדי בחלב אמו שהתולדת שוה אז הוא יותר ערב והכתוב דבר על ההווה. והנה קדמונינו ז"ל החמירו להסיר כל ספק. ואסרו בשר בחלב.

Seforno on Shemot 23:19	ספורנו שמות כג:יט
Do not practice these procedures which the idolaters believe are apt to improve	לא תעשה כמו אלה הפעולות להרבות
the earth's productivity. Rather [to do so] you will present God with a gift of the	הפירות כמחשבת עובדי עבודה זרה,
very first and finest of your respective crops.	אלא ראשית בכורי אדמתך תביא.

Rabbeinu Bachya on Shemot 23:19

According to the plain meaning of our text the reason for this whole commandment is that the practice of boiling the kid in the milk of its mother is apt to deaden feelings of compassion in the human heart. It coarsens one's entire personality. After all, milk is a derivative of the animal's blood. Consumption of blood coarsens a person's personality, causing a person to develop feelings of cruelty. One of the reasons consumption of blood is prohibited to Jews by the Torah is the fact that contrary to other parts of the animal, blood does not become assimilated by the body of the person eating it in the same manner as do other parts of the animal's tissue. In other words, the negative influence of blood remains in the body without being sublimated. Even though in the meantime this blood was been converted into milk and when by itself does not transport the negative elements of blood to people drinking the milk, the moment it is mixed

רבינו בחיי שמות כג:יט

וע"ד הפשט טעם המצוה הזאת לפי שהוא מטמטם את הלב שהרי החלב נעשה מן הדם והדם מזגו רע ומוליד אכזריות ואחד מטעמי האיסור שבו שאינו מקבל שנוי והתפעלות בגוף כשאר הדברים הנאכלים ולכך טבעו הרע נשאר בתוכו מבלי שנוי ואע"פ שנשתנה עכשו מדם לחלב וקבל שנוי והתפעלות שהועתק לדבר אחר מ"מ כשחוזר ומערבו עם הבשר הרי חוזר לכח הדם וטבעו הראשון כבתחלה והתערבם יחד מטמטם הלב ומוליד גסות ותכונה רעה בנפש האוכל...ומה שנזכרה מצוה זו

again with flesh and boiled together it reverts to its original negative character-coarsening properties...The reason that every time we find this verse it appears in connection with the pilgrimage festivals is in order to warn the pilgrims who come to Jerusalem three times a year,- the holy site where prophets are active, not to coarsen their hearts by consuming forbidden foods but to ensure that their physical bodies remain as pure and conducive to positive character building influences as is possible. Their hearts must remain receptive to the positive spiritual influence which abounds in Jerusalem.

Maimonides, in his Moreh Nevuchim third part chapter 48, writes concerning this prohibition that seeing it was a custom of the pagans to eat milk and meat in their temples on their festivals the Torah forbade this practice and wrote it twice in connection with the three pilgrimage festivals in order to remind us not to behave on these festivals as did these pagans. The Torah is at pains to implant in us the awareness of how radically different the observance of festivals for our God is from the way the pagans worship their deities. This is what Maimonides writes as the reason for this commandment. Although I have not quoted his words verbatim I have presented his meaning faithfully.

It is fairly clear that these various reasons are not an adequate explanation for such a basic legislation. Maimonides did not mean to advance this as the deeper meaning of the legislation. He only wanted to show the questioner that this commandment could be understood in terms of weaning the Jewish people from pagan practices.

The fact is that the entire legislation belongs to the category of חקים, the statutes for which no logical reason can be found, just as we cannot fathom a reason for the legislation of the red cow. The true meaning of these statutes will not be revealed to us until after the arrival of the messiah...In the meantime it suffices to know that there is a mystical dimension to this commandment.

A Kabbalistic approach: You are aware that all the commandments are divine and reflect something parallel to conditions which exist in the celestial regions. The same applies to the commandments known as הקים. They are called thus as they reflect matters engraved, חקוק, in the celestial regions. The legislation of meat and milk is an example of this. Just as each of these components by itself is permissible and only mixing them is prohibited, so the Torah had to be especially stringent in its prohibition against mixing two perfectly permissible items with one another. Were this not so we would find it difficult to understand that joining two permitted substances and making one out of them is so harmful to the condition of God's universe. It is like a lesson not to confuse the kind of holiness which exists in the celestial regions with the sanctity which exists, or is the aim of the Torah to establish, in our terrestrial world. Even when optimum conditions of sanctity exist in our part of the universe, this does not mean that these two types of holiness can be part of the same "brew," can be mixed as if they were all the same. As long as there is a יצר הרע, an evil force at work in our world, God and His name are not one and the same. These two kinds of holiness are still apart and do not mix...This explains why the angels who visited

לעולם אצל החגים כדי להזהיר את ישראל העולים בכל שנה שלש פעמים לרגל למקום הנבואה שלא יטמטמו הלב במאכלים אסורים אלא שיהיה חומר שלהם זך וצלול להתבונן בדרכי התורה ויהיה לבם הוכן להשגת ידיעתו יתברך. והרמב"ם ז"ל כתב בזה טעם בטעמי המצות, כי מפני שהיה מנהג עובדי אלילים שהיו אוכלים בשר בחלב בבית תועבותם בימי חגיהם על כן באה התורה לאסור אותו, ויאמר הכתוב כשתבא שלש פעמים בשנה לבית ה' אלקיך לא תבשל גדי בחלב אמו כענין מנהגי עו"ג שעושים כך, ולכך נזכר הכתוב הזה בשני מקומות בכלל החגים, כי כן דרך התורה לאסור הדברים שהם לאלילים ותצוה עלינו לעשות ההפך כדי לעקור שורש אלילים מן העולם. זה כתב הרב ז"ל בטעם המצוה הזאת, ואע"פ שאין זה לשונו זה כונתו. ומך הנראה כי הטעמים האלה בלתי מספיקים ואינם עקר בטעם המצות אלא לדחות את השואל שהרי מצוה זו מכלל החקים היא מכלל פרה אדומה ושעיר המשתלח, וכן דרשו רז"ל לעתיד לבא הקב"ה מגלה להם לישראל מפני מה צותה התורה בשר בחלב ופרה אדומה ושעיר המשתלח...אבל המצוה הזאת יש לה סוד. וע"ד הקבלה כבר ידעת כי כל המצות כלן אלקיות וכל אחת מהן מצויירת לציורי דברים של מעלה אף כי החקים זכרון ודוגמא של מעלה כי על כן נקראו חקים לפי שהם חקוקים למעלה והבשר והחלב דוגמא ורמז כנגדם למעלה דברים מיוחדים. וכשם שהבשר והחלב כל אחד מותר בפני עצמו כן הדברים ההם כל אחד ואחד מיוחד בפני עצמו, וכשם שאין עקר האסור אלא החבור והתורה הרחיקתו וגזרה ביניהם הבדל ורחוק, כן הדברים ההם יש לנו להבין כי יש ביניהם הבדל ואין להשוות קדושה של מעלה לקדושה של מטה אע"פ שהכל מיוחד זה בזה ובעוה"ז שיש בו יצר הרע נצטרך ליחד אותם ומיחדין ואומרין כי הוא ושמו אחד, ומכאן תתעורר למה שאכלו המלאכים... Avraham could eat butter and meat at the same time as it appears from Genesis 18,8 that Avraham served it both simultaneously. Seeing that the angels do not have an evil urge (Shabbat 89) this restriction does not apply to them. Once the evil urge will have been abolished there will therefore be no need for this commandment.

בשר בחלב שנאמר (בראשית י״ח:ח׳) ויקח חמאה וחלב ובן הבקר, כי המלאכים אין להם יצר הרע שאף בבני אדם הגופניים לא תהיה נוהגת מצוה זו בזמן בטול יצר הרע.

Rabbi Jonathan Sacks, Descartes' Error: Chukat 5777

The [chukim] prohibitions against sowing mixed seeds, mixing meat and milk or wool and linen, and so on, create an instinctual respect for the integrity of nature. They establish boundaries. They set limits. They inculcate the feeling that we may not do to our animal and plant environment everything we wish. Some things are forbidden – like the fruit of the tree in the middle of the Garden of Eden. The whole Eden story, set at the dawn of human history, is a parable whose message we can understand today better than any previous generation: Without a sense of limits, we will destroy our ecology and discover that we have lost paradise. As for the ritual of the Red Heifer, this is directed at the most destructive pre-rational instinct of all: what Sigmund Freud called Thanatos, the death instinct. He described it as something "more primitive, more elementary, more instinctual than the pleasure principle which it over-rides". In his essay Civilisation and Its Discontents, he wrote that "a portion of the [death] instinct is diverted towards the external world and comes to light as an instinct of aggressiveness", which he saw as "the greatest impediment to civilisation." The Red Heifer ritual is a powerful statement that the Holy is to be found in life, not death. Anyone who had been in contact with a dead body needed purification before entering the sanctuary or Temple. Priests had to obey stricter rules, and the High Priest even more so. This made biblical Judaism highly distinctive. It contains no cult of worship of dead ancestors, or seeking to make contact with their spirits. It was probably to avoid the tomb of Moses becoming a holy site that the Torah says, "to this day no one knows where his grave is. (Deut. 34:6). God and the holy are to be found in life. Death defiles. The point is – and that is what recent neuroscience has made eminently clear – this cannot be achieved by reason alone. Freud was right to suggest that the death instinct is powerful, irrational, and largely unconscious, yet under certain conditions it can be utterly devastating in what it leads people to do. The Hebrew term chok comes from the verb meaning, "to engrave". Just as a statute is carved into stone, so a behavioural habit is carved in depth into our unconscious mind and alters our instinctual responses. The result is a personality trained to see death and holiness as two utterly opposed states – just as meat (death) and milk (life) are. Chukim are Judaism's way of training us in emotional intelligence, above all a conditioning in associating holiness with life, and defilement with death. It is fascinating to see how this has been vindicated by modern neuroscience. Rationality, vitally important in its own right, is only half the story of why we are as we are. We will need to shape and control the other half if we are successfully to conquer the instinct to aggression, violence and death that lurks not far beneath the surface of the conscious mind.