

PARASHAT MISHPATIM



גדי בחלב אמו

A Kid in its Mother's Milk

■ Returning Evil for Good

One of the most central lessons the Torah constantly wishes to teach us is to recognize goodness and be grateful to those who bestow it upon us. The traits of thankfulness and *Hakarat HaTov* (appreciation) are a foundation stone in the halls of justice.

For example, we are forbidden ever to accept converts from Moav and Amon into our nation, precisely because of their lack of *Hakarat HaTov*. Their father Lot, nephew of Avraham Avinu, was saved from the destruction of S'dom and Amora only because Avraham pleaded with G-d on his behalf. Yet Amon and Moav refused to acknowledge this kindness years later, when Avraham's descendants asked to be allowed to pass through their territories on our way out of Egypt into the Holy Land. Moav went even further, by hiring the Gentile prophet Bil'am to curse Israel and destroy them, both physically and spiritually. Beyond violating the tenets of basic human kindness, these were also a blatant display of ungratefulness.

Egyptians, on the other hand, are not absolutely banned from converting and joining Israel. For although we suffered greatly for over a century as their slaves, the Torah wants us to remember that we were foreigners living comfortably in their land for some 80 years (under Joseph's rule) before persecution began. This is why we do not totally rebuff them; the third-generation of an Egyptian convert may join Israel.

The common denominator of these laws is, of course, the primary importance of *Hakarat HaTov*. We can enumerate three levels in the sin of ungratefulness:

1. Ignoring one who has done us a favor.
2. Repaying good with evil.
3. Taking insensitive advantage of good.

Let us expand on each of these.

1. **Ignoring one who has done us a favor.** A concrete example is when the Chief Butler in Pharaoh's kingdom in Egypt forgot about Joseph (Yosef HaTzaddik) for two years – starting just three days after Yosef had helped him by brilliantly interpreting his dream as foretelling his release from prison. As is written: ***“The Chief Butler did not remember Yosef, and he forgot him.”*** (B'reshit 40,23)
2. **Repaying good with evil.** This is even worse than the above; it is not passive, but an active negation of a good turn. A telling example of this is Pharaoh's aggressive, cruel treatment of the Children of Israel, despite the fact that it was their father and uncle, Yosef, who had turned Egypt into a super-power.
3. **Taking cynical advantage of a good turn.** This is the worst type of ungratefulness of all: turning the good done for you into bad. It is like taking a life-saving raft offered to you and smashing it over the head of the one who offers it. One who does so is no less than despicable. We must distance ourselves as far as we possibly can from this ugly trait.

Adam HaRishon, the first man, failed gravely when G-d asked him why he had eaten of the forbidden fruit. Adam immediately tried to shift the blame onto his wife, whom he coldly called ***“the woman You have given me”*** (B'reshit 3,12). Eve had been created precisely for Adam's sake and for the sake of his future, yet he now turns around and blames her heartlessly – even implying that it was Hashem's fault for having given her to him!

■ A Kid in its Mother's Milk

It is well-known that the Torah forbids us from eating or cooking meat and milk together. This is one of the laws defined as a חוק, *hok*, a statute that appears to have no explanation. No fewer than three times does the Torah stipulate this prohibition, and the first time is in the Torah portion of Mishpatim:

... לא תבשל גדי בחלב אמו.

Do not cook a kid in its mother's milk. (Sh'mot 23,19)

The Torah uses various pedagogic exegetical methods to explain itself, including that of consecutive passages or verses. This is called a *davar hala-med me'inyano*, “something derived from its context.” In this case, the words that appear in the same verse as the above milk-meat prohibition are the commandment of Bikurim, first-fruits:

ראשית בכורי אדמתך תביא בית ה' אלהיך...

The first fruits of your land, you shall bring to the House of the Lord your G-d.

Though Rashi explains that Bikurim and the meat-milk ban are two separate mitzvot, let us learn from Bikurim something about the adjacent meat-milk prohibition. The essence of Bikurim centers on the edict against using the “starting point,” the source, for our own purposes.¹ The “root point” is the source of blessing and abundance. It is holy; it is the revelation of the hand of the Creator Who created the world *ex nihilo*, out of nothing. This “starting point” must not be touched; it must be returned to Hashem, in order that He again bless the land and its fruits.

This is why we must bring the First Fruits to the Beit HaMikdash, and give them to the Cohanim, G-d's representatives. This is also the root of why we bring Terumah – a portion of our fruits – as well as the first wool that grows on a sheep, and the first-born of our animals, to the Priests. These gifts symbolize the starting point, which is the essence of our appreciation of G-d's goodness, and is therefore sanctified.

Just as we listed three levels in ungratefulness, the same is true for *hakarat hatov*:

1. **Not ignoring one who has done us a favor.** This is manifest simply by saying “thank you” and reciting the blessings of *hodaah*, thanks, in our prayers. Our Matriarch Leah expressed this upon naming her son Yehuda when she said, “*This time, I will thank [odeh] G-d.*” (B'reshit 29,35)
2. **Repaying good with good.** For instance, Avraham Avinu responded affirmatively to a request by King Avimelekh, vowing to remember for generations the kindness he had done him. Avimelekh asked, “*Now*

1. as we discuss in depth in our lesson on Pe'ah and First Fruits (Vayikra, Parashat Emor)

swear to me here by G-d that you will not lie to me or to my son or to my grandson; according to the kindness I have done with you, you shall do with me. Avraham replied, *“I will so swear.”* (21,23-24)

3. **Using the original good to increase goodness in general.** The mitzvah of Bikurim is the perfect example, in which we take the essence of the primary good and return it to G-d's representative, the Priest, so that He can bless Israel through it.

The ultimate inverse of gratefulness is to cook a little goat in its mother's milk. This milk is the very essence of the mother's gift of life to her offspring. The Creator, the ultimate source of good, created it for the nourishment of His creatures, and it is the “beginning point” for the little goat's life. To take this wellspring of life and to boil in it the very animal to which it was supposed to give life; to take the good and use it for bad; to turn life into death – and all this merely to satisfy man's lust – is the height of evil and depravity. We must distance ourselves from this ugly, repulsive act, and anything like it, as much as possible.

This is why so many Rabbinic stringencies are attached to this law: Not only is a kid goat forbidden, but rather all meat, even chicken, is forbidden to be boiled in milk... and not only in its mother's milk, but in all milk... and not only when boiled, but even just eating them together is forbidden... and one may not even eat milk products within six hours of eating meat, so that the meat might first be digested. Finally, even the flavor of one cannot be consumed with the other, such as milk boiled in a pot in which meat was just cooked.

The same principle applies for all the Torah's prohibitions: the greater and more vile the sin, the more we must distance ourselves from it.

We can now understand the above verse in its entirety: *“The First Fruits are holy and should be brought to the Temple,”* as they are the ultimate in appreciation of goodness – and for the same reason, *“do not cook a kid in its mother's milk”* – the worst possible manifestation of wicked ungratefulness.

■ **The Mother Bird and Her Chicks**

The Torah's commandment of *Shiluach HaKen*, sending away the mother bird before taking her chicks, is one of the few whose reward the Torah clearly delineates: *“so that you will merit long life”* (D'varim 22,7). This shows us most distinctly how we must avoid abusing the natural instinct for compassion.

Hashem instilled in all animals the instinctive desire to protect and care for their young ones. The mother bird fulfills this mission and destiny most perfectly: She sits atop her eggs to warm them so that they will hatch into little chicks, and she then hovers and dotes over them to feed and protect them. The Torah instructs us: “Do not take wicked advantage of this wondrous, holy moment of the joining of the mother and her young! Do not abuse this special moment, this fulfillment of G-d’s will, when the mother is so devoted that she will not fly away even when a hunter comes – merely for the benefit of a hunt or other physical desires.”

An echo of this moral enjoinder is found in the Medrash (D’varim Rabba 6,5), in which R. Elazar teaches: “Hashem said that since this bird engaged in the honor and rectification of the world, it should be saved.” This mother bird is busy raising the next generation, playing her part in the building up of the world – and we must stamp out our desire to take cynical advantage of it. Distancing ourselves from cynicism and evil intentions will bring us long years of good life:

... לא תקח האם על הבָּנִים. שְׁלַח תְּשַׁלַּח אֶת הָאִם וְאֶת הַבָּנִים תִּקַּח לָךְ
לְמַעַן יִיטֵב לָךְ וְהֵאֲרַכְתָּ יָמִים.

... Do not take the mother with the chicks; send the mother away, and then take the chicks, so that it will be good for you and you will have long life. (D’varim 22,6-7)

■ **Wanton Destruction**

This principle is similarly found in the prohibition against purposeless destruction, known as *bal tash’hit*. The Torah states: “*When you besiege a city and wage war against it... you must not destroy its tree... for you can eat from it; do not cut it down.*” (D’varim 20,19)

If, in time of war, the need arises to cut down a tree in order to build fortifications, and two trees - a fruit tree and one that does not bear fruit - are available for the purpose, one may not cut down the fruit tree. The reason is this: We must not cut down the source that nourishes us. That which G-d created for the purpose of granting us life, we may not use to take someone else’s life. The non-essential destruction of a food-producing tree, even in war-time, is the destruction of one’s character traits and personality; the harm it causes to one’s soul is much greater than the damage caused by a delay in winning the war.

■ The Ban on Blood

Let us recall how we explained the mitzvah of Bikurim: Before eating of our crops, their “root point” must be returned to the Creator, so that He will continue to bless the world with it. This leads us to the severe prohibition against consuming blood, repeatedly emphasized in the Torah. For example: **“Be strong, not to eat the blood”** (D’varim 12,23). Why is this injunction so grave? The key lies here:

אִישׁ אִישׁ מִבֵּית יִשְׂרָאֵל אֲשֶׁר יִשְׁחַט שׂוֹר אוֹ כֶּשֶׁב אוֹ עֵז בַּמַּחֲנֶה...
וְאֵל פֶּתַח אֹהֶל מוֹעֵד לֹא הֵבִיאוּ לְהַקְרִיב קָרְבָּן לָהּ...
דָּם יִחֹשֵׁב לְאִישׁ הַהוּא, דָּם שָׁפָךְ...

*Any man of Israel who slaughters an ox, sheep or goat in the camp...
and does not bring it to the Communion Tent for a sacrifice to Hashem...
it will be considered as if he has spilt blood.* (Vayikra 17, 3-4)

The verse forbids the slaughter of an animal if not for a sacrifice. Let us understand it in accordance with R. Yishmael’s opinion in the Gemara (Hullin 16b) and the Ramban’s commentary: During Bnei Yisrael’s 40 years in the desert, they were forbidden to eat meat normally. One had to first bring the animal as a sacrifice to G-d in the Tabernacle, and only then was he permitted to eat the permitted portions of the sacrifice. If one slaughtered an animal and did not offer it as a sacrifice, it was considered as if he had “murdered” the animal and spilt blood for nothing; it could no longer be eaten.

Just a few verses later, the Torah explains: **“For the life-force of the blood is in the flesh, and I have given it to you [to place it] on the altar to atone for your souls”** (verse 11). The Torah emphasizes that the blood contains the life-force, the spiritual part of the animal – its “root point.” Before we eat from the animal, we must take this root and bring it to the Mishkan, where we pour it onto the altar for G-d, thus returning it to its source and atoning for our soul. This cannot be done without consecrating the animal as a sacrifice. The blood sprinkled on the altar serves as a shield for man’s blood and comes in its place – as the above verse concludes.

The Torah continues to explain, in the next verse: **“I therefore said to the Children of Israel: None of you may eat blood.”** This applies to animals used for sacrifices; what about kosher animals and birds that are not brought upon the altar?

The passage continues and tells us that one who wishes to eat one of those animals, **“must spill its blood and cover it with earth”** (verse 13). Why cover it with earth? Because the animals were created from the earth:

וַיִּצְרֶה אֱלֹהִים מִן הָאֲדָמָה כָּל חַיַּת הַשָּׂדֶה וְאֵת כָּל עוֹף הַשָּׁמַיִם...
*G-d created, from the earth, all the beasts of the field and
 all the birds of the heavens...* (B'reshit 2,19)

The spiritual part of the blood cannot be “returned” to G-d via the altar, and so it is returned to its source: the dust of the earth.

Once Bnei Yisrael reached the Land of Israel and spread throughout its borders, this law changed:

כִּי יִרְחִיב ה' אֱלֹהֶיךָ אֶת גְּבֻלְךָ... בְּכֹל אֹתוֹת נִפְשֶׁךָ תֹאכַל בְּשׂוֹר.
*When Hashem expands your borders... you may eat meat
 as much as you wish.* (D'varim 12, 20)

The Torah explains that not everyone can easily reach the site of the altar, the Holy Temple in Jerusalem. G-d therefore permitted the proper slaughter of animals and the eating of meat everywhere, even without bringing a sacrifice. The same process of slaughter (*shechitah*) that applies in the Beit HaMikdash must be used, however. And what should be done with the blood, when there is no altar on which to pour it? As with the sacrifices, the blood must be poured onto the ground: *“Be strong not to eat the blood, for the blood is the soul... Do not eat it; pour it on the ground like water.”* (verses 23,24)

■ The Prohibition of Carrion

We thus understand that the “root point” – whether it be blood, tithes, or First Fruits – must be returned to the Creator, and not used to help us fulfill our physical desires.

Only after we return the “starting point” to G-d, can we eat the meat, wheat or fruit.

This will also help us understand the ban on eating a *n'velah*, an animal that died without proper *shechitah*. Such an animal did not have its blood sacrificed on the altar, nor was it poured on the ground in the required, purposeful manner. Only proper *shechitah* sanctifies the blood, exactly as in the Beit HaMikdash. Because the blood of a *n'velah* was not properly dealt with, its meat is not permitted for eating. The blood was not restored to its source for atonement, and therefore the meat is not kosher.

This helps explain the Torah's third mention of the prohibition on milk and meat, in the context of *n'velah*:

לא תאכלו כל נבלה... כי עם קדוש אתה לה' אלהיך,
לא תבשל גדי בחלב אמו.

*Do not eat any improperly slaughtered animal... for you are
a holy nation to Hashem your G-d. Do not cook a kid in its
mother's milk.* (D'varim 14,21)

We see that the Torah connects the ban on eating a carcass with that on eating milk and meat together, just as it connected the milk-meat ban with the commandment to bring the First Fruits to the Temple – for they all revolve around the same concept of taking the “root point” and using it in the most positive fashion.

Before Moshe Rabbeinu parted from the People of Israel, at the end of the 40 years of wandering in the desert, as they were about to enter the Promised Land, he delivered a long speech – including the Prophecy of Rebuke that we read in Parashat Haazinu:

הלה' תגמלו זאת עם נבל ולא חכם, הלא הוא אביך קנה הוא עשה ויכנה.
*Is this the way you repay G-d, you ungrateful and unwise nation?
Is He not your father, your master, the One who made you
and established you?* (D'varim 32,4-6)

Everything boils down to this most fundamental ethical instruction: to recognize goodness that we have been privileged to receive, and to leave as far behind as possible the evil of repaying good with bad. This concept is the Holy of Holies.

