

STUDIES ON THE TEXTS OF THE DESERT OF JUDAH [107/1]

# Reading and Re-Reading Scripture at Qumran

VOLUME I

*Genesis and Its Interpretation*

MOSHE J. BERNSTEIN

BRILL

Reading and Re-Reading Scripture at Qumran  
Volume 1

# Studies on the Texts of the Desert of Judah

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# Reading and Re-Reading Scripture at Qumran

Volume 1

*By*

Moshe J. Bernstein



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For my mother

Adina Gerstel Werfel Bernstein

Who never gets enough credit

שמע בני מוסר אביך ואל תטש תורת אמך  
(Proverbs 1:8)



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## PREFACE

ויקראו בספר בתורת האלהים . . . ויבינו במקרא—“They read in the book of the Law of God . . . and made the reading understandable” (Nehemiah 8:8). I wanted to employ this fragment of the biblical verse that describes Ezra’s reading of the Torah and its concomitant translation and interpretation as the overall title of these two volumes, because I think that it encapsulates and characterizes the approach to Scripture that we perceive in the Qumran scrolls. When I proposed the title to Professor Florentino García Martínez, the editor of *Studies on the Texts of the Desert of Judah*, he disqualified it as a title because of the publisher’s reluctance to use foreign language in book titles, but continued his email with “I really like the quote of Nehemiah . . . I think you should use it in the introductory essay to the collection, both in Hebrew and in your translation!” So it appears here in the Preface, while the volumes bear the more prosaic and more easily citable title that they do.

My attraction to that verse in Nehemiah goes back to the talmudic interpretation of the full text (*b. Megillah* 3a and *b. Nedarim* 37b), ויקראו במקרא, בספר בתורת האלהים מפרש ושום שכל ויבינו במקרא, which parses the individual terms of the verse as referring to the biblical text, its translation, its verse-divisions and its accentuation (or “traditions”). My first field of interest in early Jewish biblical interpretation was the Aramaic versions, the targumim, and מפרש זה תרגום, “‘translated,’ this means the targum,” has always been a part of my thinking about the earliest stage of targumic development, because מפרש, like targum, really implies more than mere translation, and veers into the realm of interpretation. I believe that this whole verse, read and interpreted a bit more loosely, but still along the lines that the rabbis read it, points to the many ways in which Judaism, in its various manifestations in the Second Temple era, confronted Scripture, grappling with its difficulties and ambiguities through the employment of the techniques of reading, translating, and explaining, leading ultimately to understanding.

The name of the collection, *Reading and Re-Reading Scripture at Qumran*, is a conscious echo of the “genre” called “rewritten (or retold) Bible (or Scripture)” which is so significant in the literature of Qumran, but it was not chosen merely as a wordplay. The authors of the Dead Sea Scrolls very clearly were readers and re-readers of Scripture, of the literature that

we now call the Bible, and they demonstrate the familiarity that such constant recitation and study engendered on virtually every page of every work that they wrote. However we understand the nuances of passages such as *והרבים ישקודו ביחד את שליטת כול לילות השנה לקרוא בספר ולדרוש* and *משפט שתבין בספר מושה* [ו] [בספר] י' (1QS VI:7), and *הנ[ביאים וברוי]ד* [and] the book[s of the P]rophets and Davi[d]" (4Q397 [4QMMT<sup>d</sup>] IV:10) and *והבינו המבקר בפרוש התורה*, "the *mebaqqer* shall lead him to understand the interpretation of the Law" (CD XIII:5–6), we see their employment of language similar to that of Neh 8:8, indicating in different ways a devotion to the reading, interpretation, and comprehension of the "Book."

And not only did they read, interpret and understand, but they also engaged in activities that we can subsume under the root *דרש*, a not-easily-translated term that is not found in the verse in Nehemiah, but in the "other half" of that biblical book, Ezra 7:10 *לדרוש את תורת ה'* "to investigate the Law of the Lord." One of their leaders was the *דורש התורה*, "the seeker (or expounder) of the Law," and they are instructed *ואל ימש* (1QS VI:6–7), "let one constantly investigating the Law day and night not be lacking from anywhere that ten of them are present," followed by the citation above that juxtaposes *קרא* and *דרש*. Scripture was thus the inspiration for almost all of their literary activity, and their intellectual productivity can almost always be connected with Scripture in some way. Their laws, their poetry, their wisdom compositions—not to mention their biblical commentaries of various sorts—and, of course the texts in which they retold scriptural stories and prophecies, were all descendants of Scripture. And even if what they were writing did not derive from or comment on or expand Scripture, then it still was modeled on Scripture stylistically.

These volumes contain thirty essays, written over the last thirty-three years (with the very large majority over the last two decades), focusing on or touching upon a variety of the ways that Scripture (what became what we have come to call the Hebrew Bible or TeNaKh) was read, interpreted, and employed at Qumran. All have been published before, including one essay that appeared in Hebrew originally and makes its first appearance here in English ("Three Notes on 4Q464," originally *שלש הערות על תעודת* "4Q464 קומראן", *Tarbiz* 65 (1995): 29–32). They have been edited only lightly, and therefore appear in virtually the same form that they did in their initial appearances, with the page breaks of the original publications marked by a vertical line in the text with page numbers in the margin. This policy was adopted on the advice of my good friend Florentino who

felt that *Gesammelte Schriften*, in near-original form, should demonstrate the process of scholarly thought and production, and not merely its final results. In cases where my positions have changed or have been modified in the course of scholarly debate, those shifts will become clear to the reader. I have also not attempted to level the style of abbreviation and italicization across the essays. References to forthcoming projects, cooperative or individual, that were begun but never completed, whether my own or those of others, have been deleted to save the reader the labor of searching in vain for things that never came to fruition. There has been some updating in references to standard editions of texts that appeared after the articles were written, and very occasional other bibliographical improvements in the notes. Bibliographies that originally accompanied articles, such as the one that opens the collection, have been omitted, as have abstracts, and the transcript of the discussion that followed “The Genre(s) of the Genesis Apocryphon” in Volume 1.

Beyond those colleagues from near and far who encouraged and supported me in the writing of the essays contained in these volumes while they were being composed and who are often thanked in first footnotes, many individuals deserve special thanks for participation in the very lengthy and deliberate process that culminated in the gathering of this group of articles into a book. They begin with Dr. Hindy Najman, Associate Professor in the Department of Religious Studies and the Program in Jewish Studies at Yale University, my former student at Stern College for Women of Yeshiva University. It is a good while since we sat together at an Association for Jewish Studies annual meeting and she proposed that I gather my essays for publication. She did not yield easily to my reluctance to embark upon the project, but had I listened to her when she first pressed this suggestion upon me, this collection would have been a bit smaller. I have always been grateful for her initial thought and subsequent encouragement. My good friend Professor James C. VanderKam of the Department of Theology at the University of Notre Dame has constantly gently prodded me to collect and publish these essays, and he is not a person to whom I can say “no” easily. Another former student, Dr. Shani L. (Berrin) Tzoref, in addition to having been a sounding board for many of these essays in the course of their being written, as can be seen from their first footnotes, has urged me over the years to gather my work together in this form, and then was kind enough to take the time to read and critique the introductory essays to both volumes more than once.

Eighteen of these essays originally appeared under the Brill imprint, either in their journals or in collections of essays that they published.

Mattie Kuiper, Assistant Editor at Brill, has always encouraged my interest in publishing a book under their auspices, patiently waiting for me to find the right time to do so. Florentino García Martínez, who needs no introduction as a distinguished scholar of the scrolls and editor of so many volumes dealing with them, has always shown interest in my publishing these essays under his stewardship in the series *Studies on the Texts of the Desert of Judah*.

At Yeshiva University, I am grateful to a number of individuals and their administrative units who facilitated my hiring of research assistants at different points in the course of this project: Senior Vice-President and Provost Morton Lowengrub for a summer grant in the summer of 2006; Professor Steven Fine and the Center for Israel Studies for a grant in summer 2011, and Vice-Provost (and fellow DSS scholar) Lawrence H. Schiffman for a grant in spring 2012. Dr. Lowengrub and Dean Barry Eichler of Yeshiva College also helped make possible the production of this book with the award of a sabbatical for the whole of the 2010–2011 academic year. Associate Dean Fred Sugarman of Yeshiva College facilitated the acquisition of the software that made the light editing that was necessary to produce the volumes much easier to accomplish.

The research assistant for the initial stage of the project was Mr. Jonathan Brukirer who reviewed all the essays that had been published to that point, noting typographical errors, and indicating passages that needed to be cross-referenced or updated. During the 2011–12 academic year, Mr. Binyamin Goldstein first aided me in turning published material back into Word files that could be edited, and then joined me in reading all the material against its published form in the hope that we could fix old errors and preclude new ones from creeping in. He is also co-responsible with me for the production of the indices. The thoughtful care he exhibited in reading the essays, paying attention to both content and academic minutiae, makes me look forward to reading his own scholarly production in the not-distant future.

My family, especially my wife Judy, has always played a strong supporting role in my scholarly production, one which goes well beyond the specific cases where I remember to include thanks to her for her editorial assistance in the first footnote of an article. Both she and our son Michael Simcha Netanel (also a sometime copy and style editor) are happy that the labor going into the creation of these volumes is finally drawing to an end. I especially appreciate that they both allowed me to continue to work virtually unabated on this project as we prepared for Michael's wedding to Dr. Jade Gormady at the end of August 2012. That passive assistance was

as valuable in the production of these volumes as our reading together those many sets of galleys over the past three decades.

The dedication attached to these volumes was not a difficult decision. The Book of Proverbs instructs us twice (1:6 and 6:20) **אל תטש תורת אמך**, “do not forsake the teaching of your mother,” but, in all too many cases, especially in circumstances like my own, **תורת אמך**, “your mother’s teaching,” is concealed or overwhelmed by **מוסר אביך**, “your father’s instruction.” My father ז”ל understood this quite well, for thirty-five years ago, when he read the dedication to him of my Ph.D. thesis, a literary study of Euripides’ *Trojan Women*, as the one *qui legendi artem me docuit*, “who taught me the art of reading,” he remarked, “But your mother taught you how to read!” The art of reading takes many forms, and I cannot say, six decades or so later, that I remember who taught me what at that early age, although I suspect that both my parents played a role in that phase of my elementary education. My mother has been an educator, in fact a reading specialist among other things, both formally and informally for all of her life, and her three children represent but a small fraction of the thousands of students whom she has taught. The innumerable lessons that she taught us (and her grandchildren and great-grandchildren as well), however, go far beyond our ability to read and understand texts, as important as that training might be. They touched more broadly on all facets of our intellectual, emotional, and religious development, and she will doubtless continue to have a significant impact on the lives of her descendants in all those realms long into the future. She has waited, not always patiently, for a long time, for this—or any other book—from me, and I am profoundly thankful to God that she still has the ability to read and appreciate this dedication, which acknowledges but a fraction of the credit that is due to her. Unsurprisingly and in her inimitable fashion, she had expected this book to be dedicated to someone else. Sorry, Judy, you’ll have to wait, *Deo volente*, for the next one!

Erev Shabbat, 10 Marḥeshvan 5773  
October 26, 2012 (Michael’s 26th birthday)

Postscript: In the time between sending these essays off to the publisher and receipt of the proofs, I was invested as the David A. and Fannie M. Denenberg Chair in Biblical Studies at Yeshiva University. I gratefully acknowledge the generosity of the Denenberg and Glushakow families in affording me this honor.





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Chapter 1: “Pentateuchal Interpretation at Qumran,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (ed. P.W. Flint and J.C. VanderKam; Leiden: E.J. Brill, 1998), 1.128–159

Chapter 2: “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–196 (permission to republish granted by the Editors of *Textus*)

Chapter 3: “The Contours of Genesis Interpretation at Qumran: Contents, Contexts and Nomenclature,” in *Studies in Ancient Midrash* (ed. James L. Kugel; Harvard Center for Jewish Studies/Harvard University Press, 2001), 57–85 (permission to republish granted by The Center for Jewish Studies, Harvard University)

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Chapter 7: “From the Watchers to the Flood: Story and Exegesis in the Early Columns of the *Genesis Apocryphon*,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran, Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002* (ed. E.G. Chazon, D. Dimant and R.A. Clements; STDJ 58; Leiden/Boston: Brill, 2005), 39–63

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Chapter 9: “Divine Titles and Epithets and the Sources of the Genesis Apocryphon,” *Journal of Biblical Literature* 128 (2009): 291–310 (permission to republish granted by the Society of Biblical Literature)

Chapter 10: “The Genre(s) of the Genesis Apocryphon,” in *Aramaica Qumranica: The Aix-en-Provence Colloquium on the Aramaic Dead Sea Scrolls* (ed. D. Stökl Ben Ezra and K. Berthelot; STDJ 94; Leiden; Brill, 2010) 317–343 (including discussion and responses that have been omitted in the current publication)

Chapter 11: “Is the Genesis Apocryphon a Unity? What Sort of Unity Were You Looking For?” *Aramaic Studies* 8:1/2 (2010): 107–134

Chapter 12: “The *Genesis Apocryphon* and the Aramaic *Targumim* Revisited: A View from Both Perspectives,” in *The Dead Sea Scrolls in Context: Integrating the Dead Sea Scrolls in the Study of Ancient Texts, Languages, and Cultures* (ed. A. Lange, E. Tov and M. Weigold; VTSup 140; Leiden: 2011), 2: 651–671

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Chapter 20: “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” *Dead Sea Discoveries* 15 (2008): 24–49

Chapter 21: “The Re-Presentation of ‘Biblical’ Legal Material at Qumran: Three Cases from 4Q159 (4QOrdinances<sup>a</sup>),” in *Shoshannat Yaakov: Jewish and Iranian Studies in Honor of Yaakov Elman* (ed. S. Secunda and S. Fine; BRLJ 35; Leiden: Brill, 2012), 1–20

Chapter 22: “4Q159: Nomenclature, Text, Exegesis, Genre,” in *The Mermaid and the Partridge. Essays from the Copenhagen Conference on Revising Texts from Cave Four* (ed. G.J. Brooke and J. Høgenhaven; STDJ 96; Brill, 2011), 33–55

Chapter 23: “4Q159 Fragment 5 and the ‘Desert Theology’ of the Qumran Sect,” in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. S.M. Paul, R.A. Kraft, L.H. Schiffman and W.W. Fields; VTSup 94; Leiden: Brill, 2003) 43–56

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Chapter 26: “כי קללת אלהים תלוי” (Deut. 21:23): A Study in Early Jewish Exegesis,” *Jewish Quarterly Review* 74 (1983): 21–45 (permission to republish granted by University of Pennsylvania Press)

Chapter 27: “Women and Children in Legal and Liturgical Texts from Qumran,” *Dead Sea Discoveries* 11 (2004): 191–211

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Chapter 30: “Biblical Interpretation in the Dead Sea Scrolls: Looking Back and Looking Ahead,” in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden, Brill, 2010), 141–159

## INTRODUCTION TO VOLUME 1: GENESIS AND ITS INTERPRETATION

The fifteen essays in this volume concentrate on the treatment of Genesis in the Qumran corpus, with ten of them (4–13) addressing specific Qumran texts. These are introduced by three broad essays, two of which (1–2) deal substantially, and the third (3) wholly, with material from Genesis. The final two essays (14–15) deal with the handling of motifs within the book of Genesis. The first of those two analyzes a significant character and theme primarily within the Qumran corpus, and the second, which concludes the volume, studies a “motif” in the early biblical interpretation of Genesis, showing that the complex picture that sometimes emerges from rabbinic texts of varying degrees of antiquity has roots reaching well into the pre-rabbinic period. It is not surprising that half of the essays in the overall collection deal with the book of Genesis, since, when we examine Second Temple writings on the Bible outside of the Dead Sea scrolls, we find that Genesis takes pride of place among them, just as it does in the Qumran scrolls. And it is likewise the first half of Genesis that attracts the most concentrated attention of the various authors of this era (excluding, of course, the author of *Jubilees*), both at Qumran and elsewhere.

The essay on pentateuchal interpretation at Qumran (1) was written in 1998 for a volume marking fifty years of Qumran scholarship, shortly after the appearance of the first three volumes of DJD (13, 19, and 22) that contained “parabiblical” pentateuchal texts. It attempted first to portray Qumran pentateuchal interpretation broadly, and then to focus on three different sorts of texts. Its position as one bookend of this group of essays, delineating the state of scholarship on this subfield just before the turn of the millennium, is balanced by the final essay in the second volume (30), “Biblical Interpretation in the Dead Sea Scrolls: Looking Back and Looking Ahead,” written a little more than a decade later, and presented originally at a conference in Jerusalem marking sixty years of research into the Scrolls. The progress that scholarship has made on a broad front in this area can be seen simply by comparing these two essays and the bibliographical data that they contain.

In the 1998 essay, I discussed these “typical” examples of Qumran pentateuchal interpretation (although the term “typical” should probably be used rarely about any Qumran phenomenon): the Genesis Apocryphon (1Q20), Commentary on Genesis A (4Q252), and the Temple Scroll

(11Q19).<sup>1</sup> The former two of these texts are discussed much more fully in other essays in this volume, and one passage from the latter is the subject of two of the articles in volume 2. The actual picture of Qumran pentateuchal interpretation is really more complex than the one drawn in this essay on the basis of those three documents, not least because the many fragmentary texts that touch on the Pentateuch (and that could not be studied in detail in this type of essay) do not allow us to draw sharp lines in characterizing them.

In “Rewritten Bible” (2), I challenged the ongoing expansion of the employment of this generic rubric in the secondary literature, especially relating to the Qumran scrolls. From Géza Vermes’s narrow definition, this nomenclature has far outgrown his five paradigmatic examples (*Jubilees*, pseudo-Philo’s *Liber Antiquitatum Biblicarum*, the Genesis Apocryphon, Josephus’s *Jewish Antiquities*, and the Palestinian targumim), and is now employed both for works with far less connection to the Bible, such as *Enoch*, and even for the *process* of re-presenting Scripture in almost any fashion, a position that I, quite frankly, find semantically incomprehensible and therefore virtually useless as a rubric of any sort.<sup>2</sup>

While I, on the one hand, then argue for continuing to use this rubric, but only with much more restricted employment than had been in vogue previously, many scholars, on the other hand, would now like to do away with it completely. I believe that their attitude is generated by two factors, each having to do with one of the terms in the generic rubric. Many contemporary scholars decline, or at least are reluctant, to employ the term “Bible” (or even the term “Scripture”) for the works that we now refer to as *TeNaKh*, Hebrew Bible, or Old Testament.<sup>3</sup> They feel that as long as there may have been fluidity in what books would make up that collection or in the text forms of those books that would be eventually be chosen, it is anachronistic to call the “collection” “Bible”, even for the sake of convenience.<sup>4</sup> I think that that claim is both historically misled-

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<sup>1</sup> It is again worth noting that in (17) “The Dead Sea Scrolls and Jewish Biblical Interpretation in Antiquity: A Multi-Generic Perspective” (also written a bit more than a decade later in the context of conferences marking the sixtieth anniversary), I presented a closer analysis of a half dozen sample documents, including 4QReworked Pentateuch, 11QTargum Job, 4QpIsa<sup>b</sup>, and 4Q159 (Ordinances), in addition to the Apocryphon and 4Q252.

<sup>2</sup> Vermes’s definition of his then new term is to be found in *Scripture and Interpretation in Judaism* (2nd ed.; Leiden: Brill, 1973), 95.

<sup>3</sup> For a limited listing of discussions of “rewritten Bible” and its equivalents in the last ten years alone, see “Looking Back and Looking Ahead,” (below 692, n. 16).

<sup>4</sup> Anders Klostergaard Peterson, “Rewritten Bible as a Borderline Phenomenon—Genre, Textual Strategy, or Canonical Anachronism?” in *Flores Florentino: Dead Sea Scrolls*

ing, and, perhaps even more important, theologically conditioned. It cannot be anachronistic to refer to the “Pentateuch” or to “Scripture” (and perhaps even to “Bible”) since, if you had used the term “holy books” or “holy writings” or “Law” or “Prophets” in conversation with Ben Sira or Josephus, they would have known what you meant (and if you had given them a term in Greek to refer to the collection of all those books, I think that they would have understood it and used it). What may be anachronistic in describing Second Temple Judaism is the notion that there is no Bible until there is a “(closed) canon,” and that is a position which is clearly founded on Christian, rather than Jewish, conceptions of canon and sacred scripture.

I have a bit more respect, on the other hand, for the more subtle argument that some of the books that we might term “rewritten Bible” were not intended to be “rewritten” at all, but were composed with an aim to being “Bible.” If that be the case, can we then refer to them as “rewritten”? I think, however, that this, too, is something of a straw man in the end, since nothing precludes a work being both Bible and “rewritten Bible” simultaneously. Witness, for example, the book of Chronicles, which, I believe, can without too much difficulty be assigned to both categories (although I continue to believe that Vermes omitted it from his original list of “rewritten Bible” because it was “Bible”). As long as we are careful in the definition and description of our generic rubrics, terms like “rewritten Bible” can be used quite productively.

I am personally not sure that there is a real difference between “Bible” and “Scripture,” but I would certainly be willing to adopt “rewritten Scripture,” were that change to win converts to my position.<sup>5</sup> I still believe that generic categories must be narrowly defined if they are going to be useful. If, therefore, we had an equally meaningful, but less “loaded” term

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and *Other Early Jewish Studies in Honour of Florentino García Martínez* (ed. A. Hilhorst et al.; JSJSup 122; Leiden: Brill, 2007), 285–306 (302–3), is willing to allow for the continued employment of the term “rewritten Bible” from an “etic” perspective (i.e., that of the 21st century scholar), but not an “emic” one (that of the original authors). Although I should certainly forbear from employing such terminology (as “emic” and “etic”) myself, I have never viewed generic classifications like this one (and most others that we employ to describe the literature of antiquity) as anything but “etic.” As John J. Collins recently put it, “generic categorization is a modern enterprise that we undertake for our own pragmatic reasons . . . genres are not objective entities, but construals that are not necessarily the only way of looking at the texts in question” (“Epilogue: Genre Analysis and the Dead Sea Scrolls,” *DSD* 17 [2010]: 392).

<sup>5</sup> Note that the title selected for this collection of essays is not *Reading and Re-reading the Bible at Qumran*.



to replace “rewritten Bible/Scripture,” I should be happy to employ it, but we still do not, and to utilize “parascriptural” or “parabiblical” with the same excessively broad range that “rewritten Bible” once had strikes me as particularly unproductive and virtually unmeaningful. This debate among scholars is not yet concluded.

“Contours of Genesis Interpretation” (3) is an attempt to look past the grandiose names assigned in the early days of Qumran scholarship to a variety of texts relating to the book of Genesis. It aims to determine what material in Genesis was of most interest to the Qumran authors, to ascertain the scope of the works in which Genesis was treated, to clarify in what sorts of works they wrote about it, and, having done that, to draw as coherent a picture as is possible of Genesis interpretation at Qumran.<sup>6</sup> The narratives of Genesis were very popular subjects for the Qumran authors, and they employed them, or summarized them, or commented on them, or alluded to them in works covering a broad generic spectrum. It appears, however, that it is the same elements within the Genesis story, rarely later than the Aqedah in the narrative, that recur most frequently in these Qumran texts, regardless of the literary form of the documents in which they are found. Perhaps even more significant than that phenomenon is my observation that care must be exercised in relying on the nomenclature of Qumran texts, since those names given to them in the early days of Qumran scholarship can often be misleading regarding both genre and scope.

The series of essays (4–6) devoted to 4Q252 (now known as Commentary on Genesis A)<sup>7</sup> seeks primarily to study the biblical exegesis of this text, on the one hand, and to confront the question of its genre, on the

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<sup>6</sup> I recently have revisited a good deal of this material from a somewhat different perspective in “Where Are the Patriarchs in the Literature of Qumran?” in *Rewriting and Interpreting the Hebrew Bible: The Biblical Patriarchs in the Light of the Dead Sea Scrolls* (ed. Devorah Dimant and Reinhard G. Kratz; BZAW 439; Berlin: de Gruyter, 2013), 51–76.

<sup>7</sup> That was not always its official designation; cf. Patrick H. Alexander et al., eds., *The SBL Handbook of Style for Ancient Near Eastern, Biblical, and Early Christian Studies* (Peabody, Mass.: Hendrickson, 1999), 77, which identifies this text as “*Commentary on Genesis A*, formerly *Patriarchal Blessings* or *Peshar Genesis*.” When these articles were written, the DJD edition of 4Q252 had not yet appeared, so that the text that I dealt with was founded on the edition by B.Z. Wacholder and M.G. Abegg, *A Preliminary Edition of the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave Four: Fascicle Two* (Washington, D.C.: Biblical Archaeology Society, 1992), and on *A Preliminary Concordance to the Hebrew and Aramaic Fragments from Qumran Caves II–X* (printed from index cards compiled by R.E. Brown, J.A. Fitzmyer, W.G. Oxtoby and J. Teixidor; prepared and arranged for printing by H.P. Richter; Göttingen, 1988). The text of the essays in this volume has been revised slightly in light of the official edition, by George J. Brooke.

other.<sup>8</sup> The former goal typifies a great deal of my engagement with the literature of Qumran that interprets the Hebrew Bible in any way, and in this article, as in others, I attempt to locate the exegesis expressed in 4Q252 within the larger context of Jewish biblical interpretation in antiquity. In the course of my study of the exegesis, I argued that the formal or typological dissimilarity of the pieces of the text from one another makes it likely that the composer was selecting them from earlier compositions, and that their consecutive, but not narrowly sequential nature creates the effect of a biblical commentary, rather than that of a “rewritten Bible” work. This is true despite the fact that the second section of 4Q252 (i 3–ii 5) appears to derive from a work of the latter genre. In my opinion, much of the material in 4Q252 is not ideologically driven, but responds to exegetical issues in the text that might attract the attention of any interpreter, and does it in a way that is not theologically or ideologically conditioned. This observation, of course, excludes the Commentary’s remarks on Jacob’s blessing of Judah in v 1–6, which is clearly of a “Qumranic” nature.

My discussions of 4Q252 took place in the context of a “dialogue” with George J. Brooke, who, in addition to being the editor of this text in DJD 19, has probably contributed more to its clarification, and from more perspectives, than any other scholar.<sup>9</sup> The text has now also been discussed in some detail by Daniel K. Falk and Sidnie White Crawford in their recent books on Second Temple works on Scripture.<sup>10</sup> It continues to draw a good deal of scholarly attention, with one of the major issues addressed still being the question whether it possesses thematic or any other sort of unity.<sup>11</sup> In my view, all attempts to demonstrate ideological

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<sup>8</sup> In (6) “4Q252 i 2 לא ידור רוחי באדם לעולם,” I deal with a narrower question—whether a reading in a document which is not a biblical text reflects a textual tradition or exegesis. Even though several of the ancient versions seem to reflect a reading like ידור, I believe that they are all contextual attempts to solve the *hapax legomenon* ידן. Cf., however, the view of George J. Brooke in “Some remarks on 4Q252 and the text of Genesis,” *Textus* 19 (1998): 1–25 (8–9).

<sup>9</sup> Among his many articles on 4Q252 (in addition to the one cited in the last note) are “The Thematic Content of 4Q252,” *JQR* 85 (1994): 33–59; “The Genre of 4Q252: From Poetry to Peshet,” *DSD* 1 (1994): 160–179; “4Q252 as Early Jewish Commentary,” *RevQ* 17 (1996): 385–401; and “The ‘Commentary on Genesis A’ and the New Testament,” *The Dead Sea Scrolls and the New Testament* (Minneapolis: Fortress, 2005), 177–194.

<sup>10</sup> Falk, “4QCommentary on Genesis A–D,” *The Parabiblical Texts: Strategies for Extending the Scriptures in the Dead Sea Scrolls* (CQS 8; LSTS 63; London & New York: T&T Clark, 2007), 120–139; White Crawford, “4QCommentary on Genesis A,” *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008), 130–143.

<sup>11</sup> For example, Juhana Markus Saukkonen, “Selection, Election, and Rejection: Interpretation of Genesis in 4Q252,” in *Northern Lights on the Dead Sea Scrolls* (ed. Anders

or theological unity have failed, leaving the question of the work's genre an open one. I plan to return to a discussion of the genre of 4Q252 in an article currently under preparation.

The lion's share of the specifically-focused essays (7–12) in this volume is devoted to the Genesis Apocryphon, a text that I first encountered at the age of ten or eleven when my father ז"ל was eagerly perusing the newly published Avigad-Yadin *editio princeps* of this hitherto-unknown Qumran document.<sup>12</sup> As Professor of Semitic Languages at Yeshiva University, with a particular interest in Aramaic, he was always on the lookout for new texts in that language, and I still have the pages from the spiral-bound notebook in which he made textual and linguistic observations on those first five columns, published with their hard-to-read facsimiles. I think that we read selections from the Apocryphon in a formal course that I took with him years later, although, if that recollection is faulty, we may simply have read parts of it one-on-one as a not atypical part of my extra-curricular education. So although my familiarity with this text dates virtually to its initial publication, I never could have imagined then that I should eventually devote as much of my scholarly effort to it as I ultimately have done.

Although the Apocryphon was one of Vermes's paradigmatic examples to be subsumed under the generic rubric "rewritten Bible," the fact that it was written in Aramaic and dealt with a part of the Pentateuch had led some earlier scholars to study it from the perspective of the later rabbinic targumim and/or midrashim. As more Second Temple and, especially Qumran, texts were published and studied, it became more and more clear that the context within which the Apocryphon had to be examined differed from that of the later rabbinic material. Thus, because this text was the first text of its type from Qumran to be published and because it seemed to be linkable both to the Second Temple and rabbinic contexts, it seemed possible even shortly after its initial publication to study it from a variety of angles.

The series of articles on the Apocryphon that appear in this volume made their appearance in print between 1996 and 2011, but they had been

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Klostergaard Petersen et al.; STDJ 80; Leiden: Brill, 2009), 63–81; and Shani Tzoref, "Covenantal Election in 4Q252 and 'Jubilees' Heavenly Tablets," *DSD* 18 (2011): 74–89, and "4Q252: *Listenwissenschaft* and Covenantal Patriarchal Blessings," in "Go Out and Study the Land" (*Judges 18:2*): *Historical and Archaeological Studies in Honor of Hanan Eshel* (ed. Aren Maeir, et al.; JSJSup 148; Leiden: Brill, 2012), 335–57.

<sup>12</sup> Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes Press and Heikhal Ha-Sefer, 1956).

percolating for a much longer period of time. The trajectory of my thinking about the Apocryphon began before the publication of the “new” columns by Greenfield and Qimron and Morgenstern, Qimron and Sivan, and the original lecture on which (8) “Re-Arrangement, Anticipation and Harmonization” is based was delivered in 1986, some years before those columns were published.<sup>13</sup> The publication of the new texts has made the Apocryphon even more available for further analysis, both along the classic lines that had been adopted in scholarship until that point, as well as from a variety of new perspectives.<sup>14</sup>

I approached the Apocryphon initially as a student of early biblical interpretation, interested in the reading of the book of Genesis that it offered, the exegetical method that it employed, and the ways in which it expressed its exegesis. Thus I discussed in “Rearrangement” some of the techniques that this example of “rewritten Bible” utilized in creating a smoother and interpreted biblical narrative. The fact that one of my major illustrations was a unique example of a technique found textually elsewhere in the Samaritan Pentateuch (but not in this passage) and exegetically in later rabbinic literature is unsurprising when we consider the elements shared in common by Jewish biblical interpretation in late antiquity.

Until the publication of the “new” columns, we could not know for certain that there was a major difference in the way the biblical text and

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<sup>13</sup> Jonas C. Greenfield and Elisha Qimron, “The Genesis Apocryphon Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; *AbrNSup* 3; Leuven: Peeters, 1992), 70–77 and Matthew Morgenstern, Elisha Qimron, and Daniel Sivan, “The Hitherto Unpublished Columns of the Genesis Apocryphon,” *AbrN* 33 (1995): 30–54.

<sup>14</sup> In the last few years, the Apocryphon has again become the object of intense scholarly interest, and the creative academic discourse that has ensued continues to enhance our comprehension of the work as a whole. In addition to substantial treatments of the Apocryphon in the works of Falk and White Crawford mentioned above in n. 10, I note in particular the work of Daniel Machiela, who has produced an important, if not unflawed, new edition of the text, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009), in addition to several articles, and of Esti Eshel, the author of a range of recent studies on the Apocryphon, who collaborated with me in very productive study of the text of the “new” columns during the Fall of 2001 when I was a Fellow of the Institute for Advanced Studies at the Hebrew University, as well as on a number of other briefer occasions during the last decade. For detailed summaries of the current state of the question in interpretation of the Apocryphon, as well as bibliographies that are fairly up-to-date as of this writing (Summer 2012), see my “Introduction to Aramaic Studies 8.1/2: Studies in the *Genesis Apocryphon* and Qumran Aramaic,” *Aramaic Studies* 8.1/2 (2010): 1–4 and “The Genesis Apocryphon: Compositional and Interpretive Perspectives,” in *A Companion to Biblical Interpretation in Early Judaism* (ed. M. Henze; Grand Rapids: Eerdmans, 2012), 157–79.

narrative was treated between the first portion of the Apocryphon (the Lamech-Noah section that I often refer to as Part I) and the Abram section (that I often refer to as Part II). “From the Watchers to the Flood” (7) was one of the first attempts to discuss the first eleven columns of the Apocryphon while focusing on elements of both the story and its exegesis. Once we saw the surviving material of the Apocryphon beyond column 2, it became easier to think about the first part of the Apocryphon as a more independent narrative than the second, since it is not as tightly bound to the biblical narrative.

My ongoing study of the Apocryphon continued along very traditional lines, although my article (12) “The *Genesis Apocryphon* and the Aramaic *Targumim* Revisited: A View from Both Perspectives” dealt with that issue from a perspective that differed from that of most of the scholars who had written on this topic in the past. Arguing that the approach and methods adopted that had been employed to date in comparing the Apocryphon and the targumim were actually fundamentally flawed, I suggested that, if they were to be compared at all, we needed to ask a different set of questions in order to get appropriate results. We needed to begin by conceding that these two types of Aramaic texts are not generically similar, and only then looking for ways in which the study of each of them might enlighten the other.

The results of one piece of research, however, (9) “Divine Titles and Epithets and the Sources of the Genesis Apocryphon,” diverted me from those well-trodden paths. I had set out to study the ways in which the Apocryphon referred to God, and, to my surprise, the different divine titles and epithets employed in the work divided themselves almost exactly between the first seventeen columns, the Noah-Lamech material, and the last four columns, the Abram material. These data pointed to the first portion being related to *Enoch*, and the second perhaps to *Jubilees*, and those observations, coupled with the divergent ways in which the two parts relate to the biblical text, set in motion my next set of studies on the Apocryphon dealing with the related questions of genre and unity.<sup>15</sup>

In these articles I came to the conclusion that the parts of the Apocryphon are not generically the same, and that “rewritten Bible/Scripture” can therefore be employed only as a very loose generic rubric for the

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<sup>15</sup> (10) “The Genre(s) of the Genesis Apocryphon”; (11) “Is the Genesis Apocryphon a Unity? What Sort of Unity Were You Looking For?” Cf. also the articles cited in note 14 above.

entire work, but I simultaneously observed that the Apocryphon was nevertheless a unity, and that the next important issue to investigate was how to reconcile those apparently contradictory conclusions, or, if they could not be reconciled, how to explain them. This has led me to think about the Apocryphon in a way different from the way it has been studied in virtually all earlier scholarship, as a literary artifact, independent of the Bible, one that demands the same sort of treatment that any other literary text would receive. I have subsequently presented a number of as yet unpublished papers directed at elucidating the Apocryphon literarily, and hope in the near future to publish a monograph that will integrate the “classical” approaches to its study with the “literary” approach that I am advocating.<sup>16</sup> The fundamental issue of the Apocryphon’s “genre,” however, remains somewhat intractable, in my opinion, if we limit ourselves to the kinds of generic rubrics and the nomenclature that have been suggested in the past for it and other similar works of the Second Temple era. The Apocryphon’s clearly composite nature, with only Part II legitimately fulfilling Vermes’s criteria for “rewritten Bible” (or “Scripture”) demands a “super-generic” term to describe the work as a whole.

Some Qumran texts are so fragmentary that it is difficult to say anything really meaningful about them, and we have to try to take advantage of the observation of even tenuous connections in order to locate them accurately within the narrative of the Pentateuch about which they write, as well as within the context of ancient Jewish exegesis. “Exposition on the Patriarchs” (4Q464) is such a text. In a brief article (13), published in English for the first time, I try to clarify a few lines about Jacob and Joseph based on rabbinic parallels, on early exegetical traditions and on the use of language within the biblical story.

“Noah and the Flood at Qumran” (14) deals with a character and a theme that are of particular importance in the texts from Qumran, as well as in much of the other Second Temple literature outside of the Dead Sea Scrolls. Noah is granted greater prominence in these texts than he is in later rabbinic Judaism, and his character is portrayed more favorably than it is in many rabbinic texts. In the Genesis Apocryphon, he is “on stage”

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<sup>16</sup> These papers include: “Narrator and Narrative in the Genesis Apocryphon,” World Congress of Jewish Studies, August 2009; “Genre Just Gets in the Way Anyway: Reading the Genesis Apocryphon Multigenetically,” Society of Biblical Literature, November, 2010; “The Narrative of the *Genesis Apocryphon*: Between Exegesis and Story,” Association for Jewish Studies, December, 2010; “Poetic and Rhetorical Features in the Genesis Apocryphon,” American Schools of Oriental Research, November 2011.

for a long time, beginning with his presence as an infant virtually from the beginning of the surviving text in column 2, and then making his dramatic entrance towards the end of column 5 where we read “[copy of] the book of the words of Noah.” He remains the protagonist until column 17. It is not difficult to calculate how much more attention he receives than he does in the Pentateuch by noting how much of the material in the Noah narrative is extra-biblical.

It is furthermore important to realize that “big” works like *Jubilees*, *Enoch* and the Apocryphon are not the only ones in which Noah and the Flood make appearances. The range of texts, and the kinds of texts, that allude to them is quite broad generically, and includes narratives, wisdom works, commentaries, and even liturgical works. What is emphasized about Noah and the Flood thus varies, depending on the sort of work that refers to them and the reason for the allusion. The large questions (was there ever a “Book of Noah,” and, if there was, what was its scope, and did it exist at Qumran) are still a matter of dispute, but it is clear that Noah and the Flood featured prominently and broadly in the literature and thought of Qumran.

The final article in this volume (15) is a narrowly focused essay on an oft-discussed biblical passage. It demonstrates how a broad range of pre-rabbinic and rabbinic sources present remarkably similar versions of the roles which angels play in rewritten narratives of the Aqedah, both in supplying the backstory that drives it before the biblical story begins, and in watching it or even interfering with it while it takes place. Even the subcategories of the motif can be broken down in similar fashions across texts from *Jubilees*, pseudo-*Jubilees* (4Q225) and pseudo-Philo, on the one hand, and from a variety of early and late rabbinic documents, on the other. The value of this study is in the detailed demonstration that both exegetically-based and freely-composed expansions of the biblical narrative in the pre-rabbinic and rabbinic eras are shared across a spectrum of texts and traditions.

In sum, the essays in this first volume demonstrate, in both narrow and broad focus, the variegated picture of interpretation of Genesis that the Dead Sea Scrolls contain, even based only on the limited texts that survive. We can only imagine how much richer this portrait would have been had time been kinder to their remains.

## CHAPTER ONE

### PENTATEUCHAL INTERPRETATION AT QUMRAN

The list of documents found at Qumran which, in some sense or other, can be considered to contain interpretation of the Pentateuch includes more than fifty items, some of which exist in more than one copy. Pentateuchal interpretation at Qumran thus presents, unsurprisingly, a far more complex picture than that relating to any other biblical book or group of books. This is due, on the one hand, to the greater significance which the Torah possessed for the authors of the Dead Sea Scrolls compared with the books which we now know as the Prophets and Hagiographa, and to the very scope and generic variety of the material in the Torah, on the other. The ensuing discussion will offer a survey of a variety of Qumran texts which interpret the Pentateuch in different ways, and then present detailed analysis of three significant interpretive texts of different types. Needless to say, not all of the documents which fall under this rubric can be included in this limited approach.

#### 1. WHAT IS "PENTATEUCHAL INTERPRETATION"?

How is "pentateuchal interpretation" to be defined? The focus of this survey is broadly on the works which interpret the books which make up the Pentateuch in the Hebrew Bible, and not on the particular type or technique of exegesis they employ in reading those books. Furthermore, we must recall that ancient biblical interpretation, including that found in the Dead Sea Scrolls, should not be measured by the standards of the modern biblical commentary. The modern commentator's goal is often to elucidate, by "objectively" employing the many tools (linguistic, historical, archaeological and literary) which have been developed over the last couple of centuries, the meaning of the biblical text by discerning what that text might have meant to its original audience. There is frequently an attempt today, even in biblical commentaries which are written from a particular confessional or theological perspective, to separate the detached and unprejudiced perception of the biblical text from comments on what it might mean to members of a particular faith | community. As far as we can tell, no such attempt was made by the ancient interpreter; therefore,



in order to gain a full picture of biblical interpretation in an ancient context, we must examine, in addition to works which might pass muster as biblical interpretation in the modern era, texts which use scripture to convey an ideological, doctrinal or theological message. To survey Qumran interpretation of the Pentateuch properly, we must examine what we, from a stance quite different from that of the ancient interpreters, perceive as eisegesis in addition to the exegesis which is more akin to the interpretation of the modern scholar.

Qumran biblical interpretation, in addition to being unlike modern interpretation by virtue of its obvious tendentiousness, also employs a much broader generic range to express that interpretation. We must therefore cast our net rather widely in order to capture the fullest picture of pentateuchal interpretation at Qumran. The works which we must include in our survey, therefore, must range from some of the so-called Reworked Pentateuch texts (whose rearrangements of biblical pericopes constitute a rudimentary form of biblical commentary) to works which resemble the modern commentary, to works which comment implicitly on the Pentateuch in the course of their presentation of legal or narrative themes from the Pentateuch, and finally, to works which employ pentateuchal material in the course of hortatory or sapiential presentations.<sup>1</sup> The absence of clear-cut generic categories in antiquity and the concomitant blurring of distinction at the borders between apparent genres can lead at times to some ambiguity regarding just which works are scriptural commentaries.

130 Thus the Genesis Apocryphon, written in Aramaic, and the Temple Scroll, written in Hebrew (to choose one narrative and one | legal example of the rewritten Bible genre), and the so-called Genesis commentaries (4Q252–254) obviously belong in our survey, but what about the book of *Jubilees*? Should we consider it to be a work of biblical interpretation, or does its “near-canonical” status at Qumran exclude it from the category under consideration? And what of *Enoch*? In the case of that pseudepi-

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<sup>1</sup> The question of the “canon” at Qumran thus also plays a role in our consideration of pentateuchal interpretation. Is it necessary for the Pentateuch to be considered “canonical” before we can speak of it as being the object of interpretation? Therefore, if the so-called “Re-worked Pentateuch” texts are not intended by their authors to be “biblical” documents, then we can assuredly include them in the category of pentateuchal interpretation. If, however, as is held by some scholars, the authors of RP believed that what they were composing was “Scripture” then the status of those texts as pentateuchal interpretation requires further investigation. Some of the works which we shall consider will doubtless remain in “gray areas” from the perspective of canon.

graphical book, its connection with the material in the Hebrew Bible is fairly tenuous for most of the work, even though it is clear that a “scriptural” passage underlies its fundamental premise.<sup>2</sup>

The manifestations or forms of biblical commentary at Qumran are quite varied, and the interpretation of the Pentateuch is no exception. Our understanding of the nature of interpretation is, however, affected somewhat by the names which the early editors of the Qumran documents gave to some of the texts of very fragmentary nature, often names which imply greater content or range than they actually exhibit. In addition to full-fledged “rewritten Bible,” whose shape resembles that of the Bible itself and whose exegetical or interpretive remarks must occasionally be teased out of the rewritten text, there are shorter pieces belonging to the same genre, but with less range or scope. Also explaining or employing the Pentateuch, at times for interpretive purposes but at times with other goals, are “commentaries,” “paraphrases,” “admonitions,” “exposition,” and others. The proliferation of names for these various biblically-oriented works is, in fact, one of the barriers to forming an accurate portrait of Qumran exegesis.

## 2. PENTATEUCHAL INTERPRETATION IN ANTIQUITY AS UNDERSTOOD BEFORE THE QUMRAN DISCOVERIES

The contribution of the Qumran texts to the history of pentateuchal interpretation in antiquity is difficult to overestimate. Before the discovery of the Qumran scrolls, what we knew of pentateuchal interpretation was limited to such works as Josephus' *Jewish Antiquities*, Philo's allegorical material, early Christian exegesis, rabbinic midrash, and the then rarely-studied *Jubilees* and pseudo-Philo.<sup>3</sup> The apparent scholarly neglect of the discipline of early Jewish biblical interpretation during the first half of the twentieth century, just before the Qumran discoveries, was thus due in part to the paucity of available material and in part to a failure to

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<sup>2</sup> We shall actually not discuss the Aramaic fragments of *1 Enoch* and related literature because the biblical interpretation in them is minimal compared to the overall scope of the work. For a brief discussion of our theme in conjunction with *Enoch*, see J.C. VanderKam, “Biblical Interpretation in *1 Enoch* and *Jubilees*,” in *The Pseudepigrapha and Early Biblical Interpretation* (ed. J.H. Charlesworth and C.A. Evans, JSPSup 14; Sheffield: Sheffield Academic Press, 1993), 98–117.

<sup>3</sup> We omit from our list inner-biblical interpretation, although it, too, did not make a mark on scholarly consciousness until comparatively recent times. See especially, M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985).

recognize that a variety of generic forms might be subsumed under this rubric, which when integrated constitutes one of the most intellectually vibrant domains of ancient Jewish endeavor. Those two concomitant phenomena prevented the recognition of the major role which biblical interpretation, defined loosely, played in Judaism in its various manifestations during this crucial era. Indeed, the works which constituted the corpus of early Jewish biblical interpretation were scattered over centuries and among languages, and derived from diverse forms of Judaism.

Until recently, we lacked any textual material in its original language for many of these works, including such apocryphal and pseudepigraphical texts as Ben Sira, *Jubilees* and *Enoch*. The tendency to define or group these texts in arbitrary or artificial collections, such as the Apocrypha (rather than according to literary category) and according to hypothetical source groups (Pharisee, Sadducee or the like), also hindered the emphasis on biblical interpretation as a category in and of itself worthy of investigation. Under the constraints of prevailing historiographical currents, there was little intrinsic interest in the period of the Second Temple except as the ground from which rabbinic Judaism and early Christianity sprang. The early treatments of post-biblical Jewish literature sought therefore merely to bridge the historical gap between Jewish literature of the *Tanakh* and the *Mishnah*, or between the two testaments which comprise Christian Scripture. The systematic study of Jewish literature in antiquity, a significant portion of which constitutes early Jewish biblical interpretation, seems not to have piqued academic interest. One of the major effects of the Qumran finds, therefore, was to extend and expand scholarly awareness of the scope | of texts which interpret Scripture, particularly the Pentateuch, and to awaken inquiry into them as a discipline with intrinsic value.

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### 3. PREVIOUS RESEARCH ON PENTATEUCHAL INTERPRETATION AT QUMRAN

Despite the fact that the Qumran texts have been subject to scholarly scrutiny for a half century now, there is not yet any survey or synthesis of that biblical interpretation at Qumran which is, strictly speaking, pentateuchal. The history of scholarship on biblical interpretation at Qumran focused, in its early years, on the hitherto unattested genre of the *pesherim* and, to a lesser degree, on the interpretation of Scripture which is implied in such sectarian works as CD and 1QS. This was due largely to the failure of the early editors of the Qumran texts to publish the works

which contain the best and most diverse examples of works which focus on pentateuchal exegesis. The most notable exception was the publication by Israeli scholars of the five most readable columns of 1QapGen, the so-called “Genesis Apocryphon,” in 1956.<sup>4</sup> As scholars recognized its profound significance as one of the earliest interpretive documents of Jewish antiquity, they began immediately to study its relationship to midrashic and targumic literature on the one hand, and to the book of *Jubilees* and other related literature on the other.<sup>5</sup>

The other major work of pentateuchal interpretation to have been published before the 1980’s was, of course, the magisterial edition of the Temple Scroll (11QT) published by Yadin in 1977 in a Hebrew edition and then again in English in 1983. Already in this *editio princeps*, Yadin devoted a good deal of space to the relationship of | the text to its presumed biblical *Vorlage* and began to set out the legal exegetical principles which appeared to be operative in the scroll.<sup>6</sup> But there was still no context for discussion of pentateuchal interpretation at Qumran other than the broader one of pentateuchal interpretation in antiquity, for there was simply not enough Qumran material in public circulation to make the effort worthwhile.

In the 1980’s and early 1990’s, with the acceleration of the appearance of the still-unpublished documents, many fragmentary documents which involve pentateuchal interpretation came to the attention of scholars. Of considerably greater variety than the texts which had been published in the early days, they include commentaries, paraphrases and admonitions based on the Pentateuch which show the genuine diversity of Qumran

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<sup>4</sup> N. Avigad and Y. Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes Press and Heikhal Ha-Sefer, 1956). The “final” publication may be said to have continued through 1995 with the publication of the readable portions of all of the other columns by a group of scholars headed by Jonas Greenfield and Elisha Qimron, employing photographic and computer imaging techniques which were not available when the scroll was first opened. See J.C. Greenfield and E. Qimron, “The Genesis Apocryphon Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77 and M. Morgenstern et al., “The Hitherto Unpublished Columns of the Genesis Apocryphon,” *Abr-Nahrain* 33 (1995): 30–54.

<sup>5</sup> The edition of the Apocryphon by J.A. Fitzmyer (*The Genesis Apocryphon of Qumran Cave 1 [1Q20]: A Commentary* [3rd ed.; BibOr 18B; Rome: Pontifical Biblical Institute, 2004]) remains standard. For current bibliography on the Apocryphon, see my “The Genesis Apocryphon: Compositional and Interpretive Perspectives,” in *A Companion to Biblical Interpretation in Early Judaism* (ed. M. Henze; Grand Rapids: Eerdmans, 2012), 176–79.

<sup>6</sup> Y. Yadin, *The Temple Scroll* (3 vols., Jerusalem: Israel Exploration Society—Hebrew University of Jerusalem—Shrine of the Book, 1983). Further significant work on the exegesis of the Temple Scroll has been carried out by J.M. Baumgarten, J. Milgrom and L.H. Schiffman.

pentateuchal interpretive texts. We shall see that some of the exempla of biblical interpretation in the Qumran library derive from the sectarian ideology which characterizes many of the non-biblical scrolls, but also that some of them may be read as more neutral representatives of the practice of biblical exegesis in the late Second Temple era.

#### 4. THE SCOPE OF PENTATEUCHAL INTERPRETATION AT QUMRAN

When we turn to the question of the scope of the works which contain pentateuchal interpretation, we observe that the surviving texts from Qumran do not, with the possible exception of the Reworked Pentateuch, provide us with explication of more than one book of the Pentateuch at a time, and, as a rule, cover only small segments of the books to which they do refer. This fact cannot be attributable merely to the fragmentary remains of the Qumran documents, because in the surviving texts certain passages (such as the Flood and the Aqedah) appear to be treated over and over, frequently enough that the fortunes of preservation may not be blamed for the lack of the other material.

##### 4.1 *Works Encompassing the Whole Pentateuch*

- 134 The Reworked Pentateuch (4Q364–367) texts stand on the | unclearly marked border between biblical texts and biblical interpretation.<sup>7</sup> If 4Q364–367 represent a late stage in the development of the biblical text, it is a phase wherein the writer of the text feels “allowed” to rearrange segments of the text for the sake of clarity, to introduce interpretive comments, and even to add new material. The goal of the writer of such a biblical text combines the copying or transmission of the text with its interpretation. If, on the other hand, we assume that the writers of these

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<sup>7</sup> Published by E. Tov and S. White (Crawford) in H. Attridge et al., eds., *Qumran Cave 4. VIII: Parabiblical Texts, Part 1* (DJD 13; Oxford: Clarendon, 1994), 187–351. There is another text which Tov and White consider to belong to this problematical work, 4Q158, published by J. Allegro, *Qumran Cave 4.1 (4Q158–186)* (DJD 5; Oxford: Clarendon, 1968), 1–2, under the title “Biblical Paraphrase.” I am not convinced that all of the RP manuscripts represent the same text, and am even more certain that 4Q158 belongs to a more exegetical genre than 4Q364–67, and that it furnishes one of the few surviving Qumran exegetical works which focus on Exodus. See the treatments by M. Segal, “Biblical Exegesis in 4Q158: Techniques and Genre,” *Textus* 19 (1998): 45–62, and “4QReworked Pentateuch or 4QPentateuch?” in *The Dead Sea Scrolls—Fifty Years After Their Discovery, An International Congress, The Israel Museum, Jerusalem, July 20–25, 1997* (ed. Lawrence H. Schiffman, Emanuel Tov and James C. VanderKam; Jerusalem: Israel Exploration Society, 2000), 391–399.

texts did not intend them to be “Scripture,” then we might see in their purported scope, which covers the entire Pentateuch, an attempt to “interpret” the entire Pentateuch in this broad rewriting. But the very breadth of the rewriting, coupled with the fact that the amount of interpretation achieved is proportionately small, reduces the significance which we might have expected of such far-ranging “commentaries.”

The significance of the Reworked Pentateuch texts may lie in the realm of the history of biblical interpretation, wherein they represent first steps toward the commentary genre, rather than in the actual contents of their interpretation or exegesis, which is in fact comparatively meager. There are several passages which are often alluded to in discussions of the Reworked Pentateuch texts, the additional narrative material in Rebecca’s farewell to Jacob in 4Q364 3 ii and the “song of Miriam” in 4Q365 6a ii-c, and the additional legal material in the introduction of the wood and oil festivals in 4Q365 23. If, however, we examine the total remains of these manuscripts, those kinds of substantial additions to the biblical text are the exception rather than the rule. |

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Much more common are attempts to juxtapose passages which belong together thematically or to harmonize the occurrences of material which is repeated in more than one place in the Pentateuch with each other, an aspect of biblical interpretation which has already been recognized on the textual level from the Samaritan Pentateuch. Thus 4Q365 28 omits the laws of the ordeal of the wife suspected of adultery, of the Nazirite, and the priestly blessing, etc. (Num 5–6), so that the narrative flows smoothly from the appointment of the Levites (Num 4:47) to the setting up of the Tabernacle (Num 7:1). 4Q366 4 i combines two texts about Sukkot, joining the description of the special sacrifices of the day found in Num 29 with the rules for the festival found in Deut 16:13–14. The editors suggest that this combination may have even been followed by the account of Sukkot (Lev 23) and the extra festivals of 4Q365 23, although such a proposal must be considered highly speculative.<sup>8</sup> 4Q364 23a–b i harmonizes the account of Deuteronomy 2:8 with that of Num 20:17–18, adding to Deuteronomy the Numbers account of the exchange between the Israelites and the king of Edom as the Samaritan Pentateuch does by adding Deut 2:2–6 after Num 20:13.<sup>9</sup>

<sup>8</sup> Tov and White, in Attridge et al., eds., *Qumran Cave 4. VIII* (DJD 13), 341.

<sup>9</sup> See Tov and White, in Attridge et al., eds., *Qumran Cave 4. VIII* (DJD 13), 220–221.

4.2 *Works Encompassing Genesis**Jubilees*

Having been thus far disappointed in our search for overall pentateuchal interpretation at Qumran, we turn to works which interpret substantial segments of the Pentateuch. Once again, our best representative is a work whose identification as commentary might be questioned, the book of *Jubilees*. Like the Reworked Pentateuch texts, *Jubilees* has an ambiguous status at Qumran. It rewrites Genesis and a bit of Exodus, on the basis of the canonical Pentateuch. At the same time, it seems itself to have had significant status at Qumran, based both on the number of manuscripts which survive and the fact that it is cited in other texts as authoritative.<sup>10</sup>

136 But since | the degree of the rewriting in *Jubilees* involves far more substantial issues than that in almost all of the Reworked Pentateuch material, its status as an interpretive text is far less questionable.

Once again the intention of the author may be relevant: was the goal of the author of *Jubilees* to interpret the book of Genesis or to replace it? Parts of *Jubilees* seem to rewrite Genesis for the purpose of clarifying it or of choosing among various understandings of the biblical text, while other, often halakhic, sections are superimposed on the narrative framework of Genesis externally and can in no way be regarded as interpretation of that pentateuchal book.<sup>11</sup> If we focus not on the supplements to Genesis, but on the ways in which *Jubilees* explains the biblical book, we can constructively speak of the later work interpreting the earlier one.<sup>12</sup>

*Genesis Apocryphon*

There is one other Qumran text which, like *Jubilees*, exhibits a significant amount of breadth as *Jubilees* does in the extent of its coverage of Genesis,

<sup>10</sup> See J.C. VanderKam, "The Jubilees Fragments from Qumran Cave 4," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* (ed. J. Trebelle Barrera and L. Vegas Montaner; 2 vols.; STDJ 11; Leiden: Brill, 1992), 2.635–48 and his publication of the texts in Attridge et al., eds., *Qumran Cave 4. VIII* (DJD 13), 1–185.

<sup>11</sup> One might consider those passages in *Jubilees* which deal with halakhic material from Exodus–Deuteronomy as interpretation of those texts, and such an approach might offer a profitable path of investigation.

<sup>12</sup> For discussions of biblical interpretation in *Jubilees*, see VanderKam, "Biblical Interpretation in 1 Enoch and Jubilees," 117–25, and, more extensively, J. Endres, *Biblical Interpretation in the Book of Jubilees* (CBQMS 18; Washington, DC: Catholic Biblical Association, 1987).

and that is, of course, the Genesis Apocryphon (1QapGen). The opening of this work is missing and the scroll breaks off in the middle of a sentence at the end of a sheet at the bottom of column 22. The material in the preserved sections is parallel to that in Genesis 5–15, but there is no way to be certain how much further into Genesis (or beyond) the narrative extended.<sup>13</sup> The stories of Enoch, Lamech, Noah and Abraham are expanded in this treatment which is generally characterized as another, albeit limited, example of “rewritten Bible.” We shall return to the Apocryphon in detail as an example of pentateuchal interpretation later in this essay.

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## 5. INTERPRETIVE WORKS OF NARROW SCOPE

### 5.1 *Works Focusing on Parts of Genesis*

The focus on Genesis in *Jubilees* and the Genesis Apocryphon, to the exclusion of almost the whole rest of the Pentateuch, is actually quite characteristic of Qumran biblical interpretation overall. Whatever the reason may be, it is the first book of the Pentateuch which attracts most of the attention of the Qumran interpreters, and, beyond that, it is the first portions of Genesis which attract most of that attention.<sup>14</sup> If we examine the fullest range of Qumran texts which interpret or refer to incidents from Genesis, it will become clear that the authors of the texts found at Qumran are interested primarily in the antediluvian period and the patriarchal period through Abraham, particularly through the Aqedah. The few stories about Isaac in the Pentateuch, and the much larger Jacob and Joseph cycles seem to have made much less of an impact upon them, at least in terms of the literary remains which we possess. We shall see this most clearly as we survey the more narrowly focused remains of Qumran biblical interpretation.

<sup>13</sup> M. Morgenstern (“A New Clue to the Length of the Genesis Apocryphon,” *JJS* 47 [1996]: 345–47) has noted that the surviving sheets containing columns 5–22 are marked with the consecutive letters of the Hebrew alphabet, *pe*, *qop* and *šade*. He inferred that, since *pe* is the seventeenth letter of the Hebrew alphabet there must have been fifteen or sixteen sheets preceding the one on which column 1 is preserved. This would provide for a loss at the beginning of the Apocryphon of more than seventy columns, a length greater than that of any surviving Qumran manuscript. This suggestion, however, has yet to be evaluated thoroughly, and, at present, must be considered unproven.

<sup>14</sup> For a more detailed preliminary analysis of the texts discussed in this section, see M.J. Bernstein “Contours of Genesis Interpretation at Qumran: Contents, Context and Nomenclature” in *Studies in Ancient Midrash* (ed. J.L. Kugel; Cambridge, MA: Harvard Center for Jewish Studies/Harvard University Press, 2001), 57–85 (below 1.63–91).



138 There is a group of fragmentary texts labeled “pseudo-Jubilees” (4Q225–227) which seem to focus on Genesis.<sup>15</sup> 4Q225 retells portions of Genesis, in a fashion similar to *Jubilees*, but unlike *Jubilees*, it is selective, skipping large amounts of the narrative. But by doing so, the author presents us with juxtapositions which are significant. Thus in 4Q225 2 i God’s promise to Abraham regarding his descendants (Gen 15) and the birth of Isaac (Gen 21) are juxtaposed, and are followed immediately by the story of the *Aqedah* (Gen 22), | all within a space of five lines. The *Aqedah* story, on the other hand, is considerably elaborated with “Prince Mastemah” (שר המסטמה), a malevolent angelic figure known already from *Jubilees*, apparently acting as the stimulus for Abraham’s test. As Isaac lies bound on the altar, the holy angels weep and the angels of M[astemah?] rejoice in the hope that Abraham will fail. When he passes the test, the text stresses the faithfulness of Abraham. This theme and a brief list of the succeeding generations, Isaac, Jacob and Levi, appear in both 4Q225 and 4Q226, although it cannot be shown that the two of them represent the same work. References to “jubilees of years,” to Enoch, and to “the Watchers” in 4Q227 would seem to indicate an interest in calendar/chronology and in the antediluvian period, both of which are to be expected at Qumran, but we have no sense of context for this material. The surviving fragments of these texts exhibit very limited scope, and direct us to anticipate exegetical texts of less than grand scale.

The same can be said of the so-called Genesis Commentaries (4Q252–254<sup>a</sup>),<sup>16</sup> and we shall devote a fuller discussion to 4Q252 later. Although there is no verse from Genesis explicitly quoted in 4Q253, we find references to “the ark” and possibly to Noah, perhaps involving Noah’s sacrificing after the Flood.<sup>17</sup> 4Q254 cites Gen 9:24–25 which also appears in 4Q252, and seems to cite and interpret parts of Jacob’s blessing from Gen 49, a section which also is found in 4Q252, although there is no overlap between the manuscripts. Some of the other material in this manuscript seems unrelated to Genesis, referring to the “two sons of oil” of Zech 4:14, and the

<sup>15</sup> This text was published by J.C. VanderKam in H. Attridge et al., eds., *Qumran Cave 4.VIII* (DJD 13), 171–75.

<sup>16</sup> Published by G.J. Brooke as “4Q Commentaries on Genesis A–D,” in G. Brooke et al. eds., *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (DJD 22; Oxford: Clarendon, 1996), 185–236.

<sup>17</sup> For a broad discussion of the various treatments of Noah and the flood story at Qumran, see M.J. Bernstein, “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. E. Ulrich and D. Parry; STDJ 30; Leiden: Brill, 1999), 199–231 (below 1.291–322).

work does not lend itself easily to generic classification. 4Q254<sup>a</sup> (formerly part of 4Q254) is identified as an independent document by G. Brooke, and also contains references to the ark and the story of the Flood.

| Even more limited in scope, but also focusing on the flood story, are 4Q370 (“An Admonition Based on the Flood”), and 4Q422 (“4QParaphrase of Genesis and Exodus”).<sup>18</sup> 4Q370 summarizes the deluge, focusing on the flood generation as ingrates who have not appreciated God’s gifts. The Flood and God’s subsequent promise not to bring another one are described very briefly. There are no references to the Watchers, to the ark or to Noah, as the story is told very compactly with a focus on disobedience and punishment. 4Q422 also summarizes the story in very brief compass, with no room for the chronology of the Flood which we shall see in 4Q252, and there may not even have been room to describe the building of the ark within the fragmentary remains. Like 4Q370, 4Q422 seems to employ the material from Genesis in a hortatory fashion, relating God’s deliverance of Noah and the subsequent covenant. In both works, God’s actions seem to be the focus of the author’s attention.

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Two other texts deserve brief remarks before we leave Genesis: 4Q464 and 4Q180–181.<sup>19</sup> The former is an extremely fragmentary document which is distinguished by having a scope beyond that of most of the Genesis texts we are discussing. It has fragments dealing with Noah and Abraham, further demonstrating the interests of this literature in the Flood and in the Aqedah, but it also lists a series of events in the Jacob narrative, and seems to have references to Joseph as well. It is the patriarchs, and not Noah and his predecessors, who occupy the lion’s share of the fragments, and we appear to have here a work of somewhat broader scope than we might have expected on the basis of the evidence we have examined.

4Q180 is a more clearly sectarian commentary than the others we have seen, employing characteristic “Qumran terminology” such as | פשר (“interpretation”), סרד (“rule”), and קץ (“period”). Its purpose seems to be

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<sup>18</sup> Published by C.A. Newsom in M. Broshi et al., eds., *Qumran Cave 4.XIV: Parabiblical Texts, Part 2* (DJD 19; Oxford: Clarendon Press, 1995), 85–97, and T. Elgvin, in Attridge et al., eds., *Qumran Cave 4.VIII* (DJD 13), 417–28, respectively. The first column of 4Q422 deals with the Genesis story of creation and man’s disobedience, a theme which is also found in at Qumran a non-commentary, non-narrative text, 4QDibreHamme’orot (4Q504 8+9 1–22).

<sup>19</sup> Published by M.E. Stone and E. Eshel, “An Exposition on the Patriarchs,” in Broshi et al., eds., *Qumran Cave 4.XIV* (DJD 19), 215–30, and by J. Allegro with the first named “Ages of Creation” and the second untitled, in *Qumran Cave 4.1* (DJD 5), 77–80, respectively. On the latter text, see D. Dimant, “The Peshier on the Periods’ (4Q180) and 4Q181,” *Israel Oriental Studies* 9 (1979): 77–102.

to utilize the book of Genesis in a sectarian fashion, not to retell or interpret it. There seems to be a strong chronological interest in the fragments, which do not take the biblical story down past the Aqedah, two features which no longer surprise us. Furthermore, interspersed within this material which appears to be narrative is a large number of theological expansions, typical of Qumran in both language and content. This is the type of work which is liable to frustrate any attempt to analyze it thoroughly absent the discovery of further fragments.

### 5.2 *Works Focusing on the Pentateuch Outside of Genesis*

There is little Qumran biblical interpretation which deals with the pentateuchal narrative outside of Genesis. The stories of Exodus and the desert wanderings of the Israelites do not play a significant role in the Qumran scrolls, just as they do not in other Jewish writings of the Second Temple period. Beyond the Exodus segment of 4Q422 (Genesis–Exodus Paraphrase) we do not find exegetical or interpretive works belonging to the narrative segments of the biblical books from Exodus to Deuteronomy.<sup>20</sup> This text is the third column of the work discussed above whose first two columns dealt with creation and man's sin, and Noah and the Flood. The Exodus column contains references to the midwives of Exodus 1 and children being thrown into the Nile. There follows immediately an allusion to Moses and a poetic listing of nine of the ten plagues, basically following the order of Exodus, but apparently omitting boils and moving darkness to the sixth position like Psalm 105. There is no way to know how the text continued after the list of plagues. The known contents of 4Q422 make it very difficult to categorize since the principles of its selectivity are completely unknown. What holds together the stories of creation, the Flood and the Exodus? There is a good deal of textual material in these columns which indicate an attempt to interpret the biblical text, but the selectivity of the text reveals that goal of the composition must be seen as more than that and a wisdom context for 4Q422 has been very plausibly suggested.

141 There are other fragmentary works which touch on the period | between the exodus and the conquest, such as 4Q374, which seems to allude to Pharaoh and the entry into the land, whose context and function, however, are inaccessible, and some of the so-called Moses Apocrypha (4Q375–76)

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<sup>20</sup> Published by E. Tov, in Attridge et al., eds., *Qumran Cave 4.VIII* (DJD 13), 429–34.

which seem to be pseudepigraphic legal, rather than narrative, texts.<sup>21</sup> Other texts recently published texts, such as 4Q368 (Apocryphal Pentateuch A) and 4Q377 (Apocryphal Pentateuch B) contain rewritten biblical narrative as well as other, perhaps supplementary, material which appears not to be legal in nature.<sup>22</sup> These “newer” texts demand further study.

## 6. PENTATEUCHAL LEGAL EXEGESIS

Most of the surviving biblical interpretation associated with Exodus-Deuteronomy is concerned with legal issues. In many legal texts the understanding reflected of biblical laws is clearly rooted in the way in which the Qumran author read Scripture. But outside of the Temple Scroll whose organization and contents are related to those of the Pentateuch, it is much more difficult than in the case of the interpretation of narrative to determine whether any particular aspect of biblical law attracted Qumran interpretation.

The most substantial example of legal pentateuchal interpretation at Qumran, and, indeed the longest extant scroll surviving in the caves, is 11QT (Temple Scroll). On the one hand, it clearly belongs to the broad genre “rewritten Bible,” although it differs from virtually all other examples of the type by being almost exclusively legal. Thus *Jubilees*, pseudo-Philo’s *Liber Antiquitatum Biblicarum*, and the Genesis Apocryphon are fundamentally narratives, while the Reworked Pentateuch texts from Qumran and Josephus *Jewish Antiquities* 1–11 are combinations of both legal and narrative | material.<sup>23</sup> Modeled on the Bible in its style and composition, and with large sections, which in the Pentateuch are spoken by Moses, placed in the mouth of God as speaker, the Temple Scroll interprets the laws of the Pentateuch as it paraphrases, rewrites, and rearranges them. Because it covers a far fuller range of legal matters than any other Qumran text, its content and methodology will be discussed in greater detail below.

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<sup>21</sup> 4Q374 was published by C.A. Newsom, and 4Q375–76 by J. Strugnell in Broshi et al., *Qumran Cave 4.XIV* (DJD 19), 99–110 and 111–136, respectively.

<sup>22</sup> Published by James C. VanderKam and Monica Brady in Moshe Bernstein et al., eds., *Qumran Cave 4.XXVIII: Miscellanea, Part 2* (DJD 28; Oxford: Clarendon, 2001), 131–149 and 205–217, respectively. Other apparent Moses “apocrypha,” such as 1Q22 “Dires de Moïse,” and 2Q22 “un apocryphe de Moïse (?)” will need to be taken into consideration in drawing a full portrait of this material.

<sup>23</sup> The legal material in *Jubilees* and the Apocryphon is completely subservient to the narrative from a literary perspective, as a comparison between those works and the Reworked Pentateuch or Josephus will demonstrate.

4QMiqṣat Ma'āše ha-Torah (4Q394–399), the so-called “Halakhic Letter,” is not as thoroughly scripturally based as is the Temple Scroll. Its listing of halakhot, with few scriptural citations as support for them, is not what we might have expected from the bibliocentric Qumran milieu. Nevertheless, MMT is employing Scripture, but in a rather different way from other Qumran legal material.<sup>24</sup> The author of MMT is heavily influenced by scriptural vocabulary and employs biblical language in composing his work, both in the legal Section B and the hortatory Section C, as defined by the editors. Thus C 31–32, “it shall be reckoned for you as righteousness (צדקה) when you do that which is upright and good before Him, so that it be good for you and for Israel,” is based on a combination of Deut 6:18, “you shall do that which is upright and good in the eyes of the LORD so that it be good for you,” the only passage in the Hebrew Bible which shares with 4QMMT the word order “upright and good,” and either Gen 15:6 “he believed in the Lord and He reckoned it for him as righteousness,” or Ps 106:31 “it was reckoned for him as righteousness.”

143 | Whenever MMT uses scriptural formulation in composing a law, we might characterize it as implicit interpretation of the Pentateuch. Even though there is no citation formula and the verse is not actually quoted, the modeling of the law on the scriptural original is sufficient to indicate the relationship between them.<sup>25</sup> Thus when MMT writes “regarding the planting of fruit trees, that which is planted in the land of Israel belongs like first fruits to the priests; and the tithe of cattle and sheep belongs to the priests” (B 62–64), it is clear that these laws are based on Lev 19:23–24 and 27:32, respectively, where the biblical text says these gifts are “sanctified to the Lord,” and the Qumran exegesis assigns such sancta to the priests. In a few cases, scriptural references are introduced by the word כתוב (“written”), which in Qumran as well as in rabbinic literature usually introduces a citation. What is striking is that in MMT this is not always

<sup>24</sup> Immediately upon the publication of 4QMMT in E. Qimron and J. Strugnell, eds., *Qumran Cave 4.V: Miqṣat Ma'āše Ha-Torah* (DJD 10; Oxford: Clarendon Press, 1995), two complementary articles appeared on this theme: M.J. Bernstein, “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” in *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. J. Kampen and M.J. Bernstein; SBL Symposium Series 2; Atlanta: Scholars Press, 1996), 29–51 (below 2..554–574), and G.J. Brooke, “The Explicit Presentation of Scripture in 4QMMT,” in *Legal Texts and Legal Issues: Second Meeting of the IOQS, Cambridge 1995. Published in Honor of Joseph M. Baumgarten* (ed. M.J. Bernstein, F. García Martínez and J. Kampen; STDJ 23; Leiden: Brill, 1997), 67–88.

<sup>25</sup> This is very different from the rewriting of biblical laws in the Temple Scroll where, despite the editorial changes, the text still reads like Scripture; in these instances of MMT it does not.

followed by a direct citation, and Qimron actually asserts that “In MMT it never introduces biblical verses.”<sup>26</sup> I have argued that it can introduce either citations or paraphrases of the biblical text, while Brooke suggests more subtly that the word “is nearly always associated with scripture explicitly or in summary form.”<sup>27</sup> What we have in 4QMMT is a very flexible way of referring to the biblical text as supporting the list of laws which are at the center of this document.

In the final section of MMT as well, where the language on the whole appears to become more biblical than in the legal section, we find phraseology based on passages in the book of Deuteronomy integrated into the exhortation.<sup>28</sup> The references to the misfortunes predicted for the “end of days” are taking place (or have taken place) in contemporary times. Both the language and the tone of the final section, wherein the author of the “letter” encourages his addressee to repent and to follow the author’s interpretation of the laws, rely heavily on deuteronomic theology with its prediction of Israel’s ultimate repentance after it has acknowledged the error of its ways.

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The Damascus Document or Zadokite Fragment (CD) interprets and employs pentateuchal passages in both of its hypothetical divisions, the Admonition and the Laws.<sup>29</sup> Opposition to divorce (4:21–5:2) is grounded in two narrative passages, “male and female he created them” (Gen 1:27), and “they went into the ark two by two” (Gen 7:9), coupled with the interpretation of Deut 17:17 “he shall not multiply wives for himself,” as meaning that *even* the king may not take many wives. The laws of consanguinity operate for both males and females, so that uncle-niece marriage is to be prohibited on the same grounds as aunt-nephew marriage (Lev 18:13; CD 5:7–10). These passages occur not in the “Laws,” but in the “Admonition.”

<sup>26</sup> Qimron and Strugnell, eds., *Qumran Cave 4. V* (DJD 10), 40–41.

<sup>27</sup> Bernstein, “4QMMT,” 39 (below 2.563 and n. 23); Brooke, “4QMMT,” 71.

<sup>28</sup> Brooke, “4QMMT,” 84, notes correctly that, by contrast, Section B is dominated by Leviticus and Numbers.

<sup>29</sup> Since the publication by J.M. Baumgarten of the Cave 4 texts (*Qumran Cave 4.XIII: The Damascus Document* [4Q266–273] [DJD 18; Oxford: Clarendon Press, 1996]), it has become less easy to dismember this document into its alleged components. It is therefore perhaps unfortunate that J.G. Campbell (*The Use of Scripture in the Damascus Document 1–8, 19–20* [BZAW 228; Berlin, New York: De Gruyter, 1995]) chose to treat only the Admonition material in his comprehensive study. One of the ways in which we will be able to ascertain the degree of coherence between Laws and Admonition is by comparing the scriptural interpretation in the two parts. The present survey focuses on the legal exegesis of CD, although the famous “well-metaphor” of CD 6:3–10 (based on Num 21:18), and the “messianic” interpretation of Num 24:17, the star out of Jacob, in CD 7:19–21, must at least be mentioned in passing.

In the “Laws,” some of the newly-published material furnishes interesting examples of pentateuchal exegesis. The prohibition against defrauding (Lev 25:14) is interpreted to mean that the seller must disclose defects in his wares to the buyer (4Q271 3 4–6), and the failure to disclose the faults in a prospective bride to the potential groom (ibid. 7–10) is characterized as “leading the blind astray from the road” (Deut 27:18).

Laws of reproof are presented as interpretation of Lev 19:17–18 (CD 9:2–8), and the Sabbath code—while not pentateuchally based in its details—is framed by citations of Deut 5:12, “observe the Sabbath day to make it holy,” and Lev 23:38 “apart from your Sabbaths.” The laws of repayment or restitution (CD 9:13–16) are modeled on biblical formulations, even though we do not see direct quotation. While the laws of CD are not presented like those of 4QMMT or those of 11QTemple, each with  
 145 its unique relationship to the | Pentateuch, we can observe enough connections between some of the laws and the biblical text to realize that the ultimate framework for the legal code is pentateuchal.

## 7. THREE TYPES OF INTERPRETIVE TEXTS: A DETAILED ANALYSIS

### 7.1 *Genesis Apocryphon: A Rewritten Biblical Narrative*

The Genesis Apocryphon rewrites the book of Genesis from chapters 5 to 15, from the birth of Noah through the beginning of Abram’s vision after his defeat of the four kings. Within those boundaries, we find various modes of rewriting the Bible, ranging from an at times fairly close translation of the Hebrew into Aramaic, a virtual *targum*, to the supplementation of the biblical text with new data based on a real or perceived exegetical demand, to the introduction of completely new material, without any overt reason for its introduction. It should be noted that much of the time we can underline or bracket the biblical material around which the author of the Apocryphon has built his narrative, in the case of the Abram story even more than in the Noah section. The Hebrew original of parts of both dialogue and narrative is visible in Aramaic garb. Even when the expansion is substantial, as in the detailed extrabiblical description of Abram’s traversing the land, we find biblical virtual quotations.

It has recently become apparent that the Apocryphon is very likely not a work composed as a whole *ab initio*, but consists of parts, probably deriving from other, pre-existing works. Thus, at the end of column 5, following the recently deciphered words, “the book of the words of Noah,” the narrative shifts from a story about Noah, where the first person narrative was

spoken by his father Lamech, to a first person narrative by Noah. Later on in the Noah section, there are portions in which a narrator tells the story about Noah in the third person, and the Abraham section contains both first and third person narration about him. Many scholars have pointed to these markers as evidence for the composite nature of the Apocryphon.<sup>30</sup>

The Genesis Apocryphon is one of the classic examples which helped provoke the delineation of the genre “rewritten Bible.” | While following the biblical story, it supplements the narrative with such details as (apparently) the remarkable appearance of Noah at birth which causes alarm to his father Lamech who believes that his wife Batenosh has been unfaithful to him with one of the Watchers, those wayward angels who populate so much of Second Temple Jewish literature.<sup>31</sup> When Batenosh protests her innocence, Lamech sets off to find out from his father Methuselah and, ultimately, his grandfather Enoch, what the nature of this unusual child is to be. The narrative contained in column 2 and its fragmentary successors tells a tale which is found elsewhere in the literature of this era (*1 Enoch* and other fragmentary Qumran texts such as 1Q19), but for which there is no overt stimulus in the biblical text. It belongs to the type of traditional or free compositions which are introduced into the biblical narrative to flesh out or enliven the story. According to our loose definition, however, it falls into the category of biblical interpretation.

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Columns 10–12 apparently expand the biblical narrative of Noah’s activity after the Flood (Gen 8:4, 20–9:20) with surviving references to Noah’s atoning for the earth with his sacrifice, and to his later fulfilling the biblical injunction against drinking wine from a vineyard during the first four years of its production. God’s words to him “do not fear, Noah; I am with you and your children,” (11:15) are reminiscent of God’s words to Abram (Gen 15:1), “do not fear Abram, for I am your shield” whose translation in the Apocryphon begins with the words, “do not fear; I am with you.” Likewise, the passage as a whole, describing Noah walking “on the earth through its length and breadth” (11:11) is also reminiscent of God’s command to Abram (Gen 13:17) to “arise and walk in the land, through its length and its breadth,” which the Apocryphon renders, “arise, walk, go, and see how great its length and how great its breadth” (21:13–14). The employment of phrases from the Abram story in the Noah material

<sup>30</sup> See in particular R.C. Steiner, “The Heading of the *Book of the Words of Noah* on a Fragment of the Genesis Apocryphon,” *DSD* 2 (1995): 66–71.

<sup>31</sup> For the possibility of relating the Noah material in the Apocryphon to the other texts referring to Noah at Qumran, see Bernstein, “Noah and the Flood” (below 1.291–322).



probably points to a kind of association between the biblical figures in the mind of the interpreter, with Noah depicted as a more significant link in patriarchal tradition than he is held to be in later Judaism.

147 The Apocryphon's parallel to the biblical story of Noah breaks off | in column 12, and we cannot know how, for example, it handled the incident of Noah's drunkenness. The following columns (13–15) contain unparalleled extrabiblical accounts of Noah's visions and their interpretations. Their content is unlikely to be directly related to the biblical interpretation of the text. When the narrative returns to the biblical account, columns 16–17 describe the division of the earth among Noah's sons, narrating this in greater detail than the Pentateuch, and in parallel to the presentation *Jubilees* 8–9. The geographical interests of the Apocryphon can be observed here as well as in the detailed itinerary of Abram's trip through the land in column 21.

Since column 18 does not survive, we do not possess the transition between the Noah and Abram sections of the scroll, and the Abram material begins with him and Sarai traveling south (Gen 12:9) prior to their entry into Egypt to escape the famine in Canaan.<sup>32</sup> The tale is told by Abram in the first person, and we immediately see the exegetical artistry of the author at work. We read of a dream which Abram had wherein there were a palm tree and a cedar tree, and the cedar tree was going to be cut down, but was saved by the intercession of the palm tree. Relating the dream to Sarai, he realizes that this is an omen signaling how they must deal with their impending visit to Egypt, and Abram then asks Sarai to identify him as her brother so that he may live (19:14–20). It is quite evident that the insertion of this extrabiblical incident into the narrative is not merely decorative, but is employed to resolve a difficulty in the text which we might describe as theological. The text of Genesis does not explain why Abram suggested the deception to Sarai upon entry to Egypt. Surely the patriarch would not lie with no cause, and the Apocryphon furnishes the reason for his actions. The dream, it appears, also functions to suggest to Abram the nature of the plan, with its focus on the relationship between the cedar (Abram) and the palm (Sarai).

It is not only the introduction to the story which is expanded by | the Apocryphon; the whole episode, which in the Bible is included in the

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<sup>32</sup> We should have liked to know whether there was a marker which delineated the shift from the Noah source to the beginning of the Abraham one, like the words *כתב מלי נוח* ("the book of the words of Noah") at the end of column 5, or whether there was no explicit indication of demarcation between them as in the move from the first person Abraham story to the third person account in column 21.

eleven verses of Gen 12:10–20, covers a column and a half from 19:14 to 20:32 in the Qumran version. The terse dialogue of Genesis is developed at length in the Apocryphon which also elaborates its retelling of the biblical narrative with additional details which do not necessarily respond to difficulties in the biblical text. There is an elaborate, detailed and explicit description of Sarai's beauty, probably an expansion of "the nobles of Pharaoh saw her, and praised her to Pharaoh" (Gen 12:15). This, too, is typical of the style of rewritten Bible. Abram's prayer in response to Sarai's abduction (20:10–16), while not a response to a specific textual stimulus, is likewise an appropriate extrabiblical insertion by the author of the Apocryphon.

The final extant portion of the Apocryphon relates the story of the wars of the four and five kings of Genesis 14. Here it is likely that another source begins to be used by the author of the Apocryphon, as Abram no longer narrates the story in the first person (21:23ff.). In this section, as well, we find the narrative more closely bound to the biblical original, as the passages which are translations of the biblical text increase in number and density. But we find examples of exegesis in the rewriting here too. Genesis 14:1–3, "In the days of Amraphel king of Shinar . . . they warred against Bera, king of Sodom. . . They all came together to the valley of Siddim which is the Dead Sea" is background to the ensuing narrative and does not describe a war prior to the rebellion of Gen 14:5. For the author of the Apocryphon, however, those verses are not introductory, but describe events earlier in history. He inserts the words "Before those days" at the beginning of the sentence, treating the Hebrew *עשו מלחמה*, "they made war" as a pluperfect, "they had made war," thus making the opening verses not redundant as they speak, in this reading, about a conflict prior to the one described in the rest of chapter 14. This sort of reading maximizes the information which can be teased out of the biblical text, and is quite characteristic of the ancient reader. The title which Abram gives to Melchizedek is not "of everything" (Gen 14:20), but of all the property of the king of Elam and his allies (22:17).

One of the ways in which a work of rewritten Bible accomplishes its interpretation of the biblical text is through various types of | rearrangement of material, and the Genesis Apocryphon is no exception.<sup>33</sup> The birth of Noah's grandchildren is described in quotations or paraphrases

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<sup>33</sup> For discussion beyond the examples cited here, see M.J. Bernstein, "Rearrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon," *DSD* 3 (1996): 37–57 (below, 1175–194).

from Gen 10:1b, 11:10, 10:22, and 10:6, but is located in the Apocryphon's equivalent of Genesis 9, while Gen 9:18–19 are omitted. The goal appears to be the telling of the biblical story without the parenthetical introduction of Canaan as Ham's son and with a smoother introduction to the family celebration of the fruits of the vineyard of which we read in 12:13–19. When Abram leaves Egypt, he takes with him, in addition to great wealth, Hagar (20:32); her introduction to the narrative at this point is obviously intended to explain her presence later on (in the lost section of the manuscript) as Sarai's "Egyptian maidservant." A slight deviation from the biblical narrative in the description of the defeat of the kings of Sodom and Gomorrah has only the king of Gomorrah falling into the pit while the king of Sodom fled (21:32–33) rather than both of them suffering the same indignity. This change seems to be made in order to explain how later in the narrative (Gen 14:17; Genesis Apocryphon 22:12) the king of Sodom alone comes out to meet Abraham.

Related to rearrangement as a technique is harmonization, and there are two sorts which we find at work in the Apocryphon. One simply involves the employment in one biblical story of language which echoes another, often unconsciously, without regard for content. In the Apocryphon's retelling of the story of Abram and Sarai in Egypt, language like "he was unable to approach her" (20:17), and "tell the king to send his wife away from him to her husband, so that he may pray over him and live" (20:23) utilizes expressions which, in the Bible, are not found in Genesis 12 where the story of Sarai and Pharaoh is told, but in Genesis 20 (verses 4 and 7, respectively), where the story of Sarah and Abimelech is narrated. One wife-sister story furnishes, probably on an unconscious level, vocabulary for the other in the method of the Apocryphon.

150 The other type of harmonization which the Apocryphon exhibits is a well-known exegetical feature of texts such as the Samaritan Pentateuch and the reworked Pentateuch texts from Qumran, the | retrojection to a location early in the narrative of passages which, appearing later in the biblical text, allude to a statement or incident which occurred earlier but which appear to have been omitted from the earlier part of the story.<sup>34</sup> The Apocryphon, in an unparalleled treatment, has Abram address Sarai

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<sup>34</sup> There are many examples of such treatment in the Samaritan Pentateuch; see Bernstein, "Rearrangement," 52–54 (below 1.189–191) and E. Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress, 1992) 86–88. Both the Samaritan Pentateuch and Reworked Pentateuch (4Q364 4b–e ii 21–26) insert an account of the dream in which an angel speaks with Jacob prior to the incident where he tells his wives about that dream (Gen 31:10).

with the words “this be the whole kindness which you shall do with me, wherever we are, say regarding me that ‘he is my brother’ ” (19:19–20). Gen 20:13 records that Abraham tells Abimelech that he had said to Sarah at the time of their initial wanderings “wherever we arrive, say that he is my brother.” Although the biblical text does not indicate where Abram made this request, the Apocryphon, in order to confirm the truth of Abraham’s words later, inserts them here at the appropriate passage.

### 7.2 *Genesis Commentary A—Selective Interpretation*

A very different kind of interpretive document is 4Q252, the first and best-preserved of the “Genesis Commentaries.”<sup>35</sup> Fragments of six columns (perhaps all it ever contained) survive, with virtually all of column 1 and substantial portions of column 2 remaining. But the contents of even the far less well-preserved segments of columns 3–6 can be detected, and what is obvious is that this text represents some sort of “commentary” which offers remarks, comments or syntheses on a variety of unconnected passages in Genesis. Not all of the comments are of the same literary nature, with some resembling “rewritten Bible,” others apparently composed of biblical lemma plus explanatory addition, and still others consisting of interpretive | comment alone. What is very striking about this commentary is that only parts can be said to owe their existence to tendentious or ideological rationales, and that it seems to represent both one of the earliest examples of selective biblical commentary from antiquity and at the same time the earliest attempt to resolve exegetical dilemmas in the biblical text other than through the means of full-scale “rewritten Bible.”<sup>36</sup>

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The scope of 4Q252 is Genesis from chapter 6 to chapter 49, but it is discontinuous; we observe material deriving from Genesis 6, 7, 8, 9, 11, 15, 16 (?), 18, 22, 28, 35, and 49. Even granting the scanty remains of the columns after 2, it is clear that one of most striking features of the document on the whole is its selectivity. This must exclude it from being “rewritten

<sup>35</sup> The interpretive nature of 4Q252 was the subject of a productive debate between George J. Brooke and myself. See his articles, “The Genre of 4Q252: From Poetry to Peshet,” *DSD* 1 (1994): 160–79; “The Thematic Content of 4Q252,” *JQR* 85 (1994–95): 33–59; and “4Q252 as Early Jewish Commentary,” *RevQ* 17 (1996) [J.T. Milik Festschrift]: 385–401. Contrast my treatments, “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994) 1–27; and “4Q252: Method and Context, Genre and Sources. A Response to George J. Brooke” *JQR* 85 (1994–95) 61–79 (below 1.92–125 and 1.133–150, respectively).

<sup>36</sup> The formulation of this argument is dependent largely on my articles referred to in the previous note, although I should be inclined to modify some of my position in light of Brooke’s remarks in the Milik Festschrift.

Bible” in any ordinary fashion. In our ensuing discussion, we shall focus on the parts of 4Q252 which can be reconstructed with the greatest confidence, but shall point out certain difficulties in our overall approach which arise from the apparent contents of some of the more damaged segments.

152 Although almost the whole first column and part of the second deal, in painstaking detail, with the chronology of the biblical flood story, the opening lines of 4Q252 focus on what appears to be a less significant chronological issue, the identification of the 120 years of Gen 6:3, “his days shall be one hundred and twenty years.”<sup>37</sup> Locating the divine statement in the 480th year of Noah’s life, the commentary interprets “their days shall be fixed at one | hundred twenty years until the time of the waters of the flood” (4Q252 1–2 i 2–3). This reading of the verse is unexceptional and is shared by a variety of other early Jewish exegetical sources, despite the fact that it implies the lack of strict chronological sequence in the biblical text, since in Gen 5:32 Noah has already been described as five hundred years old. The other reading attested for this verse in antiquity, that the life-span of humankind will be limited to one hundred twenty years in the future, is not accepted by this interpreter, despite the fact that it poses no internal chronological problem within the biblical text.

The detailed chronology of the Flood which 4Q252 presents in 1–2 i 3 through 1+3 ii 5 is meant to delineate the specific days of the week and month on which the events described in the biblical flood narrative took place. The basic presentation describes virtually nothing except the chronology; it is the only aspect of the story in which the author seems to be interested. The destruction of all living things on the face of the earth seems to him of much less significance than the implicit observation that no event in the narrative took place on the Sabbath and that Noah’s stay in the ark was a perfect 364-day year (1+3 ii 3). Granted the calendrical interests of the Qumran group and their concerns, like that of *Jubilees*, for the observance of biblical law by even pre-Sinaitic figures, we can read this longest individual segment of 4Q252 as an attempt to explicate the biblical text in a straightforward sense, on the one hand, while stressing certain Qumranic values, on the other.<sup>38</sup>

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<sup>37</sup> G.J. Brooke has argued cogently, on the basis of physical evidence that the first column, despite seeming to begin mid-sentence, was indeed the first of the scroll (“4QCommentary on Genesis A,” in G. Brooke et al., eds., *Qumran Cave 4.XVII* [DJD 22], 186–87).

<sup>38</sup> The calendrical portion of 4Q252 has probably received more discussion than the rest of the text because of the importance which calendar played at Qumran in so many

There is one other chronological passage in 4Q252 at the end of column 2 where, if my reconstruction is correct, our document dates Abram's leaving Ur Kasdim with his father Terah to Abram's seventieth year, with his departure to Canaan taking place five years later and Terah's death sixty years after Abram had left Haran. The author of 4Q252 stresses the non-sequential nature of the biblical narrative by highlighting it and by explaining to the reader how to follow the sequence of events in the Bible. The way this is done is by rewriting the text in a clearer fashion. But the same rewriting also may be intended to resolve a more global pentateuchal chronological crux, by allowing us to calculate the 430 years of Israelite servitude in Egypt (Exodus 12:40–41), counting from Abraham's leaving his home in Ur Kasdim, to be the same as the 400 years predicted to Abraham in Gen 15:13. The biblical text does not record any events in Abraham's life in his seventieth year, so this Genesis commentary | comes to the rescue with its creative chronology.<sup>39</sup>

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It is not only chronology, however, which interests 4Q252. At 1+3 ii 4–6 it responds to the fairly obvious question of why Noah cursed Canaan, Ham's son, rather than Ham who had been the one to offend him. The answer furnished, in this case employing the lemma + comment form, is that God has blessed Noah's sons and therefore Noah could not curse Ham.<sup>40</sup> The text continues with what I take to be a comment on Gen 9:25, "and may he dwell in the tents of Shem" making the subject of the verb God who will dwell in "the land which He gave to Abraham His friend." Once again the ambiguity of the biblical original, where the verb could refer either to God or to Japheth, has been clarified.<sup>41</sup>

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other ways. But the authors of the texts found at Qumran were certainly capable of treating the Noah material as something more than a calendar. See Bernstein, "Noah and the Flood at Qumran" (below 1.291–322).

<sup>39</sup> For a more detailed discussion of the arithmetic in this section, see Bernstein, "From Re-written Bible to Biblical Commentary," 12–14 and nn. 41–45 (below, 1.106–109).

<sup>40</sup> The same question and answer are to be found in Genesis Rabbah 36:7 in the name of Rabbi Judah (2nd century CE).

<sup>41</sup> I have presented the interpretation of 4Q252 as a primarily exegetical document to this point according to my analysis in the articles referred to above. Brooke ("4Q252 as Early Jewish Commentary," 387) has argued that this approach does not focus sufficiently on that which might hold the disparate comments on the passages in Genesis together, and that it "underplays both whether the exegetical answers presented in the text may have some characteristic distinctiveness and whether there might be some overall purpose in the work beyond that of the clarification of exegetical difficulties." He further observes correctly (388) that my approach omits the treatment of as significant a story as the Aqedah (Gen 22) in 4Q252. Both of these criticisms are well-taken. I chose to describe and analyze those portions of 4Q252 which presented consecutive text, and it is possible

154 The nature of 4Q252 as a document whose stance is apart from that of the Hebrew Bible (i.e. that it cannot be considered “rewritten Bible”) is perhaps confirmed by the opening words of column 3, “as it is written,” a common Qumran idiom employed to introduce biblical citations within interpretive documents. Unfortunately, it is impossible to reconstruct what follows as all that survives of the column are the first and last word or two on each line. Finally, beginning in column 4 line 3, 4Q252 concludes with a section headed with the words “Blessings of Jacob.” The only substantial extant material comes from the blessings of Reuben in column 4 and of | Judah in column 5. The former, although it employs the characteristic Qumran exegetical term פשרו (“its interpretation”), seems merely to link the derogatory remarks directed at Reuben by his father to the incident with Bilhah in Gen 35:22. The exegesis is in no way unusual or characteristically Qumranic. The latter, on the other hand, interprets Gen 49:10 with “a ruler shall not depart from the tribe of Judah while Israel has dominion, and one shall not be cut off from sitting on David’s throne.” The מַחֲקֵק of the biblical verse is “the covenant of the kingdom, and the [thou]-sands of Israel are the ‘standards’<sup>42</sup> until the arrival of the righteous messiah, scion of David, for to him and his seed was given the covenant of the kingdom of his people for eternal generations.” The following fragmentary line contains a familiar idiom, אַנְשֵׁי הַיְחָד, “the men of the community.” Here we recognize ourselves as being in a thoroughly Qumranic milieu; the exegesis is eschatological and messianic, and the terminology is recognizable as shared by other interpretive documents among the scrolls.

### 7.3 11QTemple—A Different Kind of Rewritten Bible

The Temple Scroll is a very unusual form of rewritten Bible. It is a single scroll, defective at the beginning, which seems to have been compiled from a variety of sources and virtually all of whose content is legal. Beginning with the Sinaitic covenant in Exodus 34, it moves to the construction of the tabernacle in Exodus 35, and proceeds through many of the laws of the Torah. Certain laws correspond quite literally with laws in the Pentateuch, some are modifications and revisions of pentateuchal material,

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that, were we to possess more of the fragmentary portions, my conclusions would need to be modified and extended.

<sup>42</sup> Brooke, *Qumran Cave 4.XVII* (DJD 22), 205, writes that “from computer enhanced images, the *dalet* is certain,” and the word must be read as a form of דגל as in the Samaritan Pentateuch, not רגל as in MT and probably LXX.

while yet others are free compositions of the author or a non-pentateuchal source. The status intended by the author of this text, whether as a “new” book of the Bible or as a non-biblical but authoritative lawbook, has been debated by scholars. For our purpose, however, we are not concerned with the status of the scroll in the mind of its author, whether as biblical text or biblical commentary, for in either case it reflects interpretations of what we recognize as the Hebrew Bible, particularly the book of Deuteronomy. By transposing many of the elements | of Deuteronomy from commandments delivered by Moses to commandments delivered by God, the Temple Scroll asserts that much more of the Pentateuch derives directly from God than the Pentateuch itself does.

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Because the Temple Scroll is such an extensive work, this survey of its interpretive method will focus on the first section of the part of the scroll often referred to as the “Deuteronomistic Paraphrase” (columns 51:11–56:21).<sup>43</sup> We shall examine the compositional and exegetical techniques through which the pentateuchal original has been arranged and revised in order to produce the new legal text. In this section, as is frequent in the scroll, references to God in the third person are altered to the first person.

Deut 16:18–17:1 contains the command to appoint judges by tribes, followed by the prohibitions against perversion of justice, showing favoritism and taking bribes. The scroll adds to the biblical material a further reason against bribery which “causes great guilt and defiles the house with the sin of iniquity,” but then adds to the end of passage (51:16–18) a death penalty for accepting bribes, “and the man who takes a bribe and perverts righteous justice shall be put to death, and you shall not fear him (ולא תגורו ממנו) to put him to death.” This seemingly unscriptural penalty is based, according to Y. Yadin, on the author’s exegesis of Deut 1:17 “you shall not show favoritism in judgment, but listen to small and great alike; you shall not fear any man (לא תגורו מפני איש), for judgment is God’s.” That verse also deals with the laws of fair justice, and is implied here according to the method of the scroll which gathers material dealing with the same topic into one place. Since in its only other pentateuchal occurrence (Deut 18:22) [לא תגורו] is coupled with the death penalty for the false prophet, the exegetical approach of the scroll infers that the language implies the death penalty for accepting bribes as well.<sup>44</sup> This kind

<sup>43</sup> Cf. L.H. Schiffman, “The Deuteronomistic Paraphrase of the *Temple Scroll*,” *RevQ* 15 (1992): 543–67; and M.O. Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: Oriental Institute, 1990).

<sup>44</sup> Yadin, *Temple Scroll*, 2.229.



of linking of passages based on shared language resembles the rabbinic hermeneutic principle of *gezerah shavah*.

156 Where the biblical text continues in Deut 16:21–22 with a prohibition against planting sacred trees near the altar and setting up | sacred pillars, the scroll takes the opportunity to merge into one place those prohibitions, as well as the laws of Lev 26:1 against setting up figured stones to bow down upon. The formulation is “you may not do in your land that which the nations do,” followed by a list of their practices, and then a series of prohibitions against carrying out those practices. Vermes characterizes this as “grouping and collating parallel texts.”<sup>45</sup>

The single biblical verse Deut 17:1, prohibiting the sacrifice of blemished animals because it is an abomination, becomes in the scroll the springboard for a series of laws about slaughtering, including the prohibitions against the sacrifice of pregnant animals, against slaughtering mother and young on the same day, and against “smiting the mother with the children” (52:3–7).<sup>46</sup> The first prohibition is not explicitly scriptural, but derives from an interpretation of scriptural passages. The animal’s pregnant state presumably makes it “blemished,” and, furthermore, there is a prohibition against slaughtering mother and child on the same day (Lev 22:28), a law which presumably would be violated by the killing of a pregnant animal and its fetus. Finally, there is a prohibition against taking a mother bird with its fledglings (Deut 22:6), which the author of the scroll modifies (under the influence of Gen 32:12) to a prohibition against smiting the mother with the children. The thematic juxtaposition of these laws creates a rationale for the one amongst them which is not found in the biblical text.

The subject of animal slaughter becomes the focus of the scroll’s attention for the rest of column 52 and a good deal of column 53. The laws about the slaughtering of first-born animals (Deut 15:19–23) are introduced, following the biblical text fairly closely, but adding, after the equivalent of the end of the final verse “you shall pour it out [the blood] like water,” the words “and cover it with dust” which derive from Lev 17:13. Vermes calls this kind of incorporation of details from one law into another a

<sup>45</sup> G. Vermes, “Bible Interpretation at Qumran,” *Eretz Israel* 20 (1989): 185\*.

<sup>46</sup> On the series of laws regarding slaughtering animals in this and the following column, see L.H. Schiffman, “Sacral and Non-Sacral Slaughter According to the Temple Scroll,” in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls by Fellows of the Institute for Advanced Studies of the Hebrew University, Jerusalem, 1989–1990* (ed. D. Dimant and L.H. Schiffman; STDJ 10; Leiden: Brill, 1995), 69–84, to which some of the ensuing discussion is indebted.

“harmonizing | expansion.”<sup>47</sup> Such terminology appears to be literary rather than legal and does not emphasize the fact that the author of the law in the scroll seems to create a kind of *gezerah shavah* between texts which use the term “pour out the blood,” and to apply the details of one passage to the next as a result. 157

The Pentateuch contains a variety of passages about the permissibility or prohibition of animal slaughter, some of which appear to be mutually exclusive. One of the goals of the author of the Temple Scroll was to harmonize and reconcile such difficulties. The grouping of laws regarding slaughter proceeds to a rule prohibiting slaughter of pure animals within three days’ travel of the Temple, a rule which combines elements and language from Deut 17:1 (“You shall not slaughter to the Lord your God”), from Lev 17:3 (“ox or sheep or goat”), as well as from Deut 12:5–7 which stresses the requirement to sacrifice at a central location. Schiffman points out that the juxtapositions indicate “a halakhic midrash according to which the author (or his source) determined that Deut 12:5–7 deals with the prohibition of Leviticus 17, that of non-sacral slaughter.”<sup>48</sup> The Temple Scroll proceeds to create out of these and other passages a system which prohibited non-sacral slaughter within a three-day distance of the Temple, which permitted the slaughter of blemished animals outside thirty stadia from it, and the prohibition against eating within Jerusalem any flesh which was not slaughtered in the Temple. All of these laws reflect a specific legal understanding of the various passages on slaughter within the Pentateuch, as well as the interpretations of specific words and phrases which are based on other pentateuchal laws that do not pertain to animal slaughter.<sup>49</sup>

Finally, it is worth observing a broader compositional principle at work a little bit later in this section of the Temple Scroll. The passage at the beginning of column 53 is modeled on the laws of slaughter in Deut 12:20–25. The next verse in Deuteronomy proceeds to the commandment to bring holy things and vowed offerings “to the place which the Lord has chosen.” The Temple Scroll concludes | its rewriting of that verse with “You shall slaughter there before me as you have dedicated or vowed with your mouth,” a rewriting of Deut 23:24 (“as you have vowed to the Lord your 158

<sup>47</sup> G. Vermes, “Bible Interpretation,” 186\*.

<sup>48</sup> Schiffman, “Slaughter,” 76.

<sup>49</sup> This brief summary can only hint at the complexity of the creative exegesis and composition of the scroll in this section. For a much more complete treatment, see Schiffman, “Slaughter.”

God an offering which you have spoken with your mouth"). This prepares a transition to the subject of vows, beginning with Deut 23:22–24 which is rewritten in 11QT 53:11–14. At that point, the author proceeds to the lengthy pericope on the laws of vows in Numbers 30:3ff.

Having completed the section on vows, the author of the scroll (54:5–7) returns to Deut 13:1, indicating again that the framework of his composition in this passage was Deut 12. The laws of the idolatrous prophet, the enticer to idolatry and idolatrous city follow (54:8–55:14), and then the case of the individual idolater (55:15–21), bringing the composition back to Deut 17:2ff., the point from which the collections of laws on animal slaughter were initiated. We thus see how the principle of collecting laws on like themes together with the maintenance of a framework based on the biblical original combine to assist the composer of the Temple Scroll in creating a coherent structure for the work.

## CHAPTER TWO

### “REWRITTEN BIBLE”: A GENERIC CATEGORY WHICH HAS OUTLIVED ITS USEFULNESS?\*

For Géza Vermes, להגישו לנבורות, בהגישו

#### INTRODUCTION

I wished that Professor Géza Vermes had been in the audience during the presentation of the lecture on which this paper is based, so that, before proceeding with my lecture on the question whether the term “Rewritten Bible,” which he invented forty years ago, has outlived its usefulness, I could have thanked him for having given us such a useful tool for classification, one which has been employed for over four decades. There is no doubt that *Scripture and Tradition in Judaism: Haggadic Studies*, first published in 1961, has been one of the most influential works in a number of the fields which were represented at the congress at which this paper was originally read, particularly those of Qumran and early biblical interpretation. This presentation, which was originally solicited for a session which was to be entitled “The Bible and the Reworked Bible in the Qumran Scrolls,” is a further treatment of two themes which I have discussed on other occasions: (1) the impact of the Qumran discoveries on the development, one might even say the discovery, of the field of early biblical interpretation as an academic discipline, on the one hand, and (2) the importance of nomenclature, what we call the texts and genres which we are studying, on the other.<sup>1</sup> They are each necessary components of

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\* Plenary address at the 13th World Congress of Jewish Studies, Jerusalem, Israel, August 2001. I take this opportunity to thank Dr. Shani Berrin (now Tzoref), Prof. Sidnie White Crawford, and Dr. Michael Segal for reading critically and commenting on a variety of early drafts of this essay.

<sup>1</sup> For the former, see now my “The Contribution of the Qumran Discoveries to the History of Early Biblical Interpretation,” in *The Idea of Biblical Interpretation: Essays in Honor of James L. Kugel* (ed. H. Najman and J.H. Newman; JSJSup 83; Leiden/Boston: Brill, 2004), 215–238 (below 2.363–386); for the latter, “Contours of Genesis Interpretation at Qumran: Contents, Context and Nomenclature,” in *Studies in Ancient Midrash* (ed. J.L. Kugel; Cambridge: Harvard Center for Jewish Studies, 2001), 57–85 (below 1.63–91).

170 any | attempt to delineate the ways in which our picture of early biblical interpretation has developed over the last half century.

The initial employment of the term “rewritten Bible,” if Vermes was indeed the first to use it (and I have no evidence of prior usage), post-dates the Qumran discoveries, although it did not owe its inception to the Qumran corpus. Certainly, the term as employed by Vermes in *Scripture and Tradition* did not include very much in the way of texts from Qumran (as we shall see shortly). But the utilization and scope of the term “rewritten Bible” have expanded in diverse and divergent ways as the deciphered and published Qumran corpus has grown, and especially as works that had been ignored in the pre-Qumran period attracted further study. It is the development of this usage and its effectiveness that I shall discuss in this essay. In this regard, the evolution of “rewritten Bible” as a technical term and the range of its employment in description of ancient works about the Bible mirrors in a sense the way modern scholarship on early biblical interpretation developed in the wake of the Qumran discoveries.

A brief sketch of the history of that scholarship may prove valuable to our analysis. Two concomitant phenomena had prevented the recognition of the major role which biblical interpretation, defined loosely, played in Judaism in its various manifestations during the crucial late Second Temple era. The apparent scholarly neglect of the discipline of early Jewish biblical interpretation in the “pre-Qumran era,” by which I mean the first half of the twentieth century, the period before the Qumran discoveries, was due partly to the paucity of relevant material which could only be, and eventually was, remedied by the discovery of new texts. The other, and perhaps more significant, factor was the failure of scholarship to recognize the variety of generic forms which biblical interpretation could adopt. This failure then led to the classification of a variety of works that are basically exegetical or interpretive under diverse generic rubrics, thus  
 171 placing in | distinct pigeonholes material which should have been brought under a common analytical compass.

A further deterrent to scholarly interest in Jewish biblical interpretation in late antiquity was the fact that the form of biblical commentary with which we are most familiar and which is most recognizable as commentary, i.e., the lemmatized type which cites a biblical text and supplies a comment upon it, appeared to be lacking from Jewish antiquity. To be sure, such a form existed in Philo and, later on, in rabbinic midrash, but each of those ancient sources had qualities which allowed them to be further discounted or ignored. Philo fits the time frame, but his interpretations of scripture from a philosophical perspective could easily be

considered idiosyncratic and atypical because they are commentaries written with a goal other than the explication, exegesis and interpretation of the text in mind, namely Philo's dressing the pentateuchal story in the garb of Neoplatonism. Furthermore these philosophical works represent a Diaspora perspective, differing geographically (Alexandria) and linguistically (Greek) from the primary objects of our investigation which happen to be works written in Hebrew or in Aramaic in Eretz Yisrael.

The other corpus containing formal commentary, rabbinic literature, had the obvious disadvantage of being later, and often in final form much later, than the Second Temple period. Although it has much stronger links than Philo to the earlier documents of biblical interpretation from this period, as has been demonstrated by scholars ranging from Vermes to Kugel, to choose but two significant voices,<sup>2</sup> rabbinic biblical exegesis in commentary form nevertheless appeared to stand much more in isolation from other early Jewish interpretation before the Qumran discoveries. In this paper, I shall examine the definitions and descriptions of "rewritten Bible" proffered by Vermes and several subsequent scholars, in order to delineate | the variety of ways in which the term is currently employed and to make some suggestions for how we might use it more clearly and definitively in the future.<sup>3</sup>

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<sup>2</sup> Cf., for example, G. Vermes, *Scripture and Tradition in Judaism: Haggadic Studies* (SPB 4; 2nd ed.; Leiden: Brill, 1973) and J.L. Kugel, *In Potiphar's House: The Interpretive Life of Biblical Texts* (San Francisco: HarperSanFrancisco, 1990), *The Bible as It Was* (Cambridge: Belknap Press, 1997), and *Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* (Cambridge: Harvard, 1998).

<sup>3</sup> Although the thrust of my treatment in this essay will be the need to constrict the usage of the term "rewritten Bible" in response to its expansive employment by many scholars, I must note that, quite on the other hand, some scholars forbear to use the term "rewritten Bible" at all because of the implications it appears to have regarding the canonicity and authority of the "Bible" during this period. Despite their concerns, I believe that it is too useful an expression to give up provided that it is used with care. My working assumption is that any composition that appears to be based on what we now call the Bible and meets the criteria set out in this essay can be said to belong to the category "rewritten Bible." Whether or not the Bible that was being rewritten had the same textual form or canonical shape as that decided upon in Judaism or Christianity is not the point at issue. What is important is that the text being "rewritten" was sufficiently significant as to be rewritten and interpreted in the rewriting. Whether the later work might also have some significant ("biblical," "canonical") status does not at all affect its classification as "rewritten Bible." As can be observed later on in my discussion, I am fully aware of the alternate term "parabiblical" which is often used interchangeably with "rewritten Bible," and believe that it can be employed profitably to delineate a group of works whose relationship to "Bible" is less close than that of "rewritten Bible."

## GÉZA VERMES (1961)

173 Vermes saw that it was not the familiar commentary form alone which embodied biblical commentary, and with this observation I arrive at the focal point of this essay. The significant insight which perhaps generated the term under discussion in this essay was the observation that much early biblical interpretation achieved its goal by rewriting the biblical story rather than by writing lemmatized commentaries. The works which Vermes had available and used in his categorization of “rewritten Bible” must of course form the basis for any discussion of the subsequent development of the spectrum defined by the term. Vermes’s brief description and characterization of these works is well worth citing. Having examined the late medieval *Sefer HaYashar*, and arguing that, because it contains | pre-rabbinic interpretive traditions, its late date of composition should not preclude students of early Jewish exegesis from studying it, he writes,

This examination of the *Yashar* story fully illustrates what is meant by the term “rewritten Bible.” In order to anticipate questions, and to solve problems in advance, the midrashist inserts haggadic development into the biblical narrative—an exegetical process which is probably as ancient as scriptural interpretation itself. The Palestinian Targum and Jewish Antiquities, Ps.-Philo and Jubilees, and the recently discovered ‘Genesis Apocryphon’ . . ., each in their own way show how the Bible was rewritten about a millenium [*sic*] before the redaction of *Sefer ha-Yashar*.<sup>4</sup>

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<sup>4</sup> Vermes, *Scripture and Tradition*, 95. *Sefer ha-Yashar* is a medieval Jewish rewritten Bible which tells the biblical story overlaid with midrashim, i.e., it fits the most rigorous definition of “rewritten Bible.” It is interesting that Vermes did not see fit to include in his list the biblical book of Chronicles, certainly an example of rewritten Bible by his definition. P.S. Alexander, “Retelling the Old Testament,” in *It is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars, SSF* (ed. D.A. Carson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1987), 99–121 (99), furnishes a longer list of works which he believes that Vermes has categorized as “rewritten Bible” based on the section “Biblical Midrash” in the revised Schürer (E. Schürer, G. Vermes, and F. Millar, *The History of the Jewish People in the Time of Jesus Christ [175 B.C.–A.D. 135]* [Edinburgh: T&T Clark, 1986], III.1.308). It includes 4QAmram, 4QTQohat, 4QVisSam, and the Martyrdom of Isaiah. My reading of Vermes’s remarks there sees a distinction between those works and the ones he calls “rewritten Bible.” Alexander’s article is one of the few attempts to confront the issue of the genre of “rewritten Bible” head-on, and it appears to have been motivated by a frustration similar to mine with the lack of clarity in the general scholarly employment of the term. I shall return to some significant specifics in Alexander’s discussion during the course of my analysis.

I should stress the key terms "haggadic development" and "biblical narrative" in Vermes's description or definition. Let us survey rapidly the paradigmatic members of this genre according to Vermes's classification.

Josephus, in the first century CE, retells in detail in *Jewish Antiquities* 1–11 virtually the whole of the narrative of the Hebrew Bible and is probably the most extensive example of this genre of biblical "commentary" (please note the quotation marks around that last word). He introduces material that solves real or perceived exegetical difficulties, sometimes giving an ideological twist to the narrative. Material perceived as "offensive," in a like fashion, may be omitted or de-emphasized. Pseudo-Philo retells, with extensive "midrashic" additions, parts of the biblical narrative from Genesis to Samuel, although the choice to include details of particular portions of the biblical account and not others may strike us as idiosyncratic, to say the least. *Jubilees* covers Gen 1 through Exod 12, retelling the biblical story with the addition of "midrashic" details to the narrative and, of equal if not more significance, with the insertion of biblical laws whose commandment and/or observance has been retrojected to the period of the patriarchs. Some of the additional material is exegetical, while a good deal of it seems to be ideologically motivated. The Genesis Apocryphon, one of the original seven scrolls from Cave 1, contains within its fragmentary surviving 22 columns narrative material belonging to the stories of Lamech, Noah, and Abraham, some of it perhaps close enough to the biblical text to merit the appellation targum, some responding to exegetical stimuli within the biblical text and more analogous to rabbinic midrash, and some apparently constituting freely composed additions.

These works have in common their recapitulation of the *narrative* (and it is clear that Vermes focuses on biblical stories) of the whole or a large part of the biblical story. We might note that the Palestinian Targum (which to Vermes means Neofiti, Fragment Targum, Geniza fragments and pseudo-Jonathan) and Josephus contain rewriting of large amounts of legal material as well, although I do not know whether Vermes anywhere explicitly includes texts which are primarily legal in his term "rewritten Bible." This may become a significant issue when dealing with such texts as 11QT, the Temple Scroll. All of these treatments share a certain scope and comprehensiveness, and it is both of these features, I think, which impelled Vermes to confer upon them the term "rewritten Bible." It is furthermore the disregard of these features in a variety of ways which has led to the overuse of the nomenclature "rewritten Bible" and its concomitant vitiation as identifying a specific form or genre.



175 I should actually begin my own demurrals from Vermes's initial grouping on the grounds of his inclusion of the Palestinian targum in the category | "rewritten Bible," for almost any translation which is not hyperliteral could merit such an appellation. Indeed, most subsequent lists of works which should be subsumed under the classification "Rewritten Bible" do not include the Palestinian targumim.<sup>5</sup> Although it is tempting to suggest that a translation into Aramaic like that of pseudo-Jonathan contains enough non-biblical material supplementary to its translation that it might be considered rewritten Bible, I believe that we should exclude *ab initio* two groups of texts from the category "Rewritten Bible" (and it is here that I suspect that not all of my audience at the presentation of this paper agreed): (1) biblical texts (however we shall define them; I assert, if it *is* [or was intended to be] a biblical text, then it is not rewritten Bible), and (2) biblical translations. In the case of biblical texts, of course, matters of canon and audience may play a role. One group's rewritten Bible could very well be another's biblical text!

In my view, in order to achieve greater methodological precision in our work on the ways in which the Bible is transmitted, translated, retold and interpreted in early Judaism, our classifications must be as sharply drawn as we can make them. Only after marking that which distinguishes literary forms from one another can we proceed to compare those features in divergent genres which appear to draw them together. Subsequent scholarship, however, did not maintain the somewhat rigorous "definition" or "description" of "rewritten Bible" which I believe Vermes intended, and I should like to examine (roughly in chronological sequence) a range of discussions of the issue of "rewritten Bible" in order to clarify my difficulties with the current state of the question.<sup>6</sup> The reuse or redefinition | of

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<sup>5</sup> Perhaps the only exception is George J. Brooke, who, in the last sentence of the entry "Rewritten Bible" in the *Encyclopedia of the Dead Sea Scrolls* (ed. L.H. Schiffman and J.C. VanderKam; New York: Oxford University Press, 2000) 2.780b, writes "Once both the form and the content of the biblical books were fixed in Hebrew, 'rewritten Bible' continued only in the Targums."

<sup>6</sup> Philip Alexander's article referred to above (n. 4) is the one detailed attempt to lay down standards for inclusion under the rubric "rewritten Bible," rather than merely to list works which belong to the category without specifying why. His goal, like mine, was "to advance the definition of the rewritten Bible type of text—to establish criteria for admission to, or exclusion from the genre" (99), although his goal was not to examine the proliferation of works which have been subsumed under this genre due to imprecise definition. At the conclusion of his discussion, which is based on *Jubilees*, Genesis Apocryphon, *Liber Antiquitatum Biblicarum*, and *Jewish Antiquities*, he answers the question "Does our analysis of these four texts justify the conclusion that they represent a literary genre?" with "an emphatic yes" (116). Alexander then proceeds to give a detailed list of

the term "rewritten Bible" has moved in two radically different directions, as we shall see.

DANIEL J. HARRINGTON (1986) AND GEORGE W.E. NICKELSBURG (1984)

First of all, two of the standard summaries of Second Temple Jewish literature, published at about the same time, offer lists of rewritten Bible texts that do not coincide with each other, but have in common their divergence from Vermes in both theory and practice. Daniel Harrington lists as the most important examples of rewritten Bible, in addition to Vermes's four non-targumic examples, the Assumption of Moses and the Temple Scroll.<sup>7</sup> He concedes that "the restriction to Palestinian writings taking the flow of the biblical narrative as their structural principle is admittedly artificial, since there is a good deal of possible biblical interpretation in *1 Enoch*, the other Qumran writings, *4 Ezra*, *2 Baruch*, etc. Some of the writings of Philo of Alexandria could conceivably be included . . ."<sup>8</sup> "By way of postscript," he notes subsequently, "three short narratives that might qualify as examples of rewritten Bible: *Paralipomena of Jeremiah*, *Life of Adam and Eve/Apocalypse of Moses*, and *Ascension of Isaiah*. Though these documents are less obviously keyed to the structure and flow | of the biblical narrative than the other works treated here, they are in considerable debt to it."<sup>9</sup>

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I am struck by Harrington's focus on narrative, on the one hand, which seems faithful to Vermes's original classification, and by his inclusion of the Temple Scroll, on the other, since it is not a narrative, and can therefore be included under the rubric "rewritten Bible" only if we expand its boundaries from those implied by Vermes's initial remarks and seconded by Harrington's title. What is more problematic, however (and I believe that Harrington's assumptions are not at all atypical of the way in which scholarship had begun and has continued to employ the term "rewritten Bible"), is his implication that the inclusion of biblical interpretation in a work could make it automatically eligible for inclusion under our rubric if

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the characteristics of the genre "rewritten Bible" with which I am largely in agreement (116–118). I shall return again briefly to Alexander's essay when I discuss the case of the Temple Scroll later in this article.

<sup>7</sup> D.J. Harrington, "The Bible Rewritten (Narratives)," in *Early Judaism and Its Modern Interpreters* (ed. R.A. Kraft and G.W.E. Nickelsburg; Atlanta: Scholars, 1986), 239–247.

<sup>8</sup> Harrington, 239.

<sup>9</sup> Harrington, 246.

we did not adopt the artificial structural principle that it must follow the flow of the biblical narrative. I believe that all rewritten Bible is biblical interpretation, but not all biblical interpretation needs to be subsumed, or should be subsumed, under the classification “rewritten Bible.” Even the inclusion of the *Assumption of Moses*, which is based on a very brief segment of Deuteronomy (31–34) and is a narrative of future history, not really a rewriting of biblical material, is questionable if we adopt a strict sense of “rewritten Bible.”

Harrington seems fully cognizant of the issues which I am raising, and perhaps actually answers the questions which I have posed in a very important passing comment. In my view, although his response makes a very important point about Second Temple Jewish literary activity, it does not satisfy my need for more precise nomenclature of literary forms. He writes,

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In fact, it seems better to view rewriting the Bible as a kind of activity or process than to see it as a distinctive literary genre of Palestinian Judaism. . . . while taking most of their content from the Bible, *Jubilees* and *Assumption of Moses* are formally revelations or apocalypses. . . . In conclusion, it is tempting to place all these | books, as well as others, under the broad literary genre of “rewritten Bible,” but unfortunately the diversity and complexity of the materials will not allow it.<sup>10</sup>

*Pace* Harrington, when “rewritten Bible” becomes a *process* rather than a *genre*, much of the value of Vermes’s tight descriptive classification has been lost.<sup>11</sup>

<sup>10</sup> Harrington, 243

<sup>11</sup> Betsy Halpern-Amaru, *Rewriting the Bible: Land and Covenant in Postbiblical Jewish Literature* (Valley Forge: Trinity Press International, 1994), 4, summarizes nicely the divergent ways in which scholars employ the term “rewritten Bible,” “loosely as a designation for a type of literary technique, process or activity,” or “as a designation for a specific genre of literature.” She identifies, 130, nn. 7–8, those positions with Harrington and Nickelsburg, on the one side, and Alexander on the other. In her descriptive definition of the genre, she, too, emphasizes the narrative nature of the text. Kugel, *In Potiphar’s House*, 264, adds to Vermes’s list the *Testaments of the Twelve Patriarchs*, *Joseph and Aseneth* and *Paraleipomena Ieremiou* as “present[ing] a great deal of biblical interpretation . . . retell[ing] biblical stories with the ‘interpretations’ included in the retelling.” This he calls “Retold Bible,” a term clearly modeled on Vermes’s. While focusing on the narrative aspect of the term, Kugel seems willing to include works which do not contain much actual retelling of the Bible, but rather use the Bible as a springboard for the tale that they tell, which happens to include some biblical interpretation in the retelling. In my terms, although the genre of these documents is not “rewritten Bible,” rewriting of the Bible plays an important role in them.

George Nickelsburg divided his discussion of narrative literature produced by the post-exilic Jewish community into two parts, "Stories of Biblical and Early Post-Biblical Times" and "The Bible Rewritten and Expanded."<sup>12</sup> Omitting the targumim and Josephus (which are incorporated under other rubrics within the volume *Jewish Writings of the Second Temple Period* which contains these essays), Nickelsburg includes, in addition to Vermes's other examples, 1 *Enoch*, *Adam and Eve*, Philo the Epic Poet, | Theodotus the Epic Poet, Ezekiel the Tragedian, David's Compositions (a brief piece of 11QPs<sup>a</sup>), and several works belonging to the Apocrypha which supplement biblical material, such as the Additions to Esther and Daniel, and Baruch. It is clear that for Nickelsburg, as well, "rewritten Bible" is not a literary genre, since he writes,

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It is clear that these writings employ a variety of genres: running paraphrases of longer and shorter parts of the Bible, often with lengthy expansions (*Jubilees*, Genesis Apocryphon, *Biblical Antiquities*); narrative blocks in a non-narrative genre (stories about the flood in the apocalypse or testament known as 1 *Enoch*); a narrative roughly shaped by a non-narrative genre (the quasi-testamentary *Apocalypse of Moses*); poetic presentations of biblical stories in epic and dramatic form (Philo the Elder, Theodotus, Ezekiel the Tragedian).<sup>13</sup>

If "rewritten Bible" is itself not a genre, what is it? Can it be defined or described in a meaningful *and* useful fashion?

Since both Harrington and Nickelsburg are open about the fact that "rewritten Bible" has much more scope as a term for them than it had for Vermes, I cannot fault their use of the term merely on the grounds that they have modified its meaning. I do, however, suggest that the freer use of the term "rewritten Bible" has not aided in focusing scholarly attention on the unifying vs. divergent traits of some of these early interpretive works. Note further that in our analysis to this point the only substantial Qumran work to have been added to Vermes's list was 11QT, the Temple Scroll, so that these discussions do not respond to my earlier remarks about the importance of Qumran in our evaluation of the development of

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<sup>12</sup> G.W.E. Nickelsburg, "Stories of Biblical and Post-Biblical Times" and "The Bible Rewritten and Expanded" in *Jewish Writings of the Second Temple Period* (ed. M.E. Stone; Assen/Philadelphia: Van Gorcum/Fortress, 1984), 33–87 and 89–156, respectively. I note that two of the works which Harrington suggests for inclusion in his postscript, *Ascension of Isaiah* and *Paralipomena of Jeremiah*, are included by Nickelsburg in the former category, not the latter.

<sup>13</sup> Nickelsburg, 89–90. He discusses the apocryphal supplements to biblical books separately from the "rewritten" material.

early biblical interpretation. Harrington's and Nickelsburg's analyses are largely concentrated on works surviving in Greek and Latin (or daughter translations) which have some loose connection with the Bible.

180 The Qumran discoveries, and particularly works published in the last decade and a half (after the publications by Harrington and Nickelsburg), have expanded the range of what some scholars have referred to as "rewritten Bible." The texts which have been loosely described as | "parabiblical," another term that is too unspecific in my view but may provide us with a useful replacement for "rewritten Bible" in the broad sense, now occupy four volumes in the series *Discoveries in the Judean Desert*.<sup>14</sup> A broad variety of texts exemplifying many ways of interpreting, relating to, and touching upon the Hebrew Bible are included. The titles that they have been given, however, are very often not sufficiently informative regarding their content, form or scope.<sup>15</sup> They are called by names such as "pseudo-Jubilees," "Paraphrase of Genesis-Exodus," "Exposition on the Patriarchs," "Commentary on Genesis," "Admonition Based on the Flood," and, of course, "Reworked Pentateuch." Many of these have been given the nomenclature "rewritten Bible" by one scholar or another and have thus been introduced into the genre whose parameters we are examining in this essay.

#### EMANUEL TOV (1994)

181 Emanuel Tov, in an essay published in 1994 (which is a long time ago given the increased speed of Qumran scholarship in the late 1990s), turned his attention to biblical texts from Qumran which have been reworked, expanded or rephrased.<sup>16</sup> In presenting the genre question front and center at the outset of his discussion, Tov sets out his working definition, which I believe diverges radically not only from that of Vermes but also |

<sup>14</sup> H. Attridge et al., eds., *Qumran Cave 4, VIII: Parabiblical Texts, Part 1* (DJD 13; Oxford: Clarendon, 1994); M. Broshi et al., eds., *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (DJD 19; Oxford: Clarendon, 1995); G. Brooke et al., eds., *Qumran Cave 4, XVII: Parabiblical Texts, Part 3* (DJD 12; Oxford: Clarendon, 1996); D. Dimant, ed., *Qumran Cave 4, XXI: Parabiblical Texts, Part 4: Pseudo-Prophetic Texts* (DJD 30; Oxford: Clarendon, 2001).

<sup>15</sup> Cf. my discussion of these issues in "Contours of Genesis Interpretation" (above n. 1) (below, 1.63–91).

<sup>16</sup> E. Tov, "Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QparaGen-Exod," in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. E. Ulrich and J.C. VanderKam; Notre Dame: University of Notre Dame Press, 1994), 111–134.

considerably from those of Harrington and Nickelsburg discussed above. He writes,

In our terminology a distinction is made between *reworking/rewriting* which involved a limited intervention in the biblical text, and *rephrasing* involving a major intervention, often in such a way that the underlying biblical text is hardly recognizable. Adding exegetical comments to the biblical text is a form of *rewriting*.<sup>17</sup>

Note that for Tov it is *only* "biblical texts" which are reworked, rewritten and rephrased, and he thus explicitly excludes from his classification the Genesis Apocryphon because it was written in Aramaic. Although my own taxonomy might not agree with Tov's on this point, I am pleased to note that we are in agreement that manuscripts which are biblical texts cannot be considered under any of these rubrics. Of course, as we suggested earlier, one person's reworked Bible text is another's Bible. Tov is concerned with compositions which are based on the Bible, providing "a running text of one or more biblical books, with additions, omissions, rearrangements, and/or changes. . . . The organizing principle in our analysis is the degree of closeness of the exegetical composition to the biblical text."<sup>18</sup> It should be clear that when Tov speaks of rewriting the Bible he means something very different from what Vermes or Harrington or Nickelsburg described.

Tov begins his discussion with 4QReworked Pentateuch, five MSS which he asserted were copies of the same "rewriting" of the Pentateuch. The question whether 4QReworked Pentateuch should be considered rewritten Bible is indeed an interesting one (and I exclude from my own discussion here 4Q158, since I believe that it is substantially different generically from 4Q364–367). The answer is not immediately clear to me. Granting, for the sake of argument, Tov's assumption that 4QRP covered the entire Pentateuch, and thus has the scope needed to be classified as rewritten Bible, do the limited additions, omissions and slight changes, all characteristics of these texts, really put them into this category? Note that | Tov quite correctly in my view excludes from consideration as not being significant to the classification of 4QRP those deviations from MT found in 4QRP which are of the sort that is found in the Samaritan Pentateuch.<sup>19</sup>

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<sup>17</sup> Tov, 112. (The emphases are mine. MJB)

<sup>18</sup> Tov, 113. Note the repeated references to "text" and "biblical text."

<sup>19</sup> Tov, 114. One could claim that those exegetical features in the Samaritan Pentateuch should include it, too, in the category "rewritten Bible." The fact that it is a canonical biblical text for a particular social group should perhaps not exempt it from such classification. Does the second of successive editions of a biblical text constitute rewritten Bible?

If the slight differences from MT do move 4QRP into the category “rewritten Bible,” then Tov has expanded Vermes’s definition in the direction opposite to that in which Harrington and Nickelsburg did. If we include under this generic rubric a text like 4QRP which contains far less “rewriting” than any of Vermes’s examples, then we have given up almost completely on his “definition.” 4QRP does not *often*, as Vermes’s definition demands, “in order to anticipate questions, and to solve problems in advance . . . insert haggadic development into the biblical narrative.” The few significant rearrangements in 4QRP, however, do seem to have as their goal, in a limited fashion, the creation of a smoother biblical narrative which is | also the aim of rewritten Bible and I can therefore much more easily subsume 4QRP under the “classic” rewritten Bible than many of Harrington’s and Nickelsburg’s examples which are based on very different guidelines. Rearrangement with the goal of interpretation is probably an earlier stage in the development of biblical “commentary” than supplementation with the goal of interpretation.

The same may be said of the completely invented additions to the pentateuchal text found in 4QRP, like the Song of Miriam in 4Q365, and the expanded dialogue surrounding Gen 28:6 in 4Q364.<sup>20</sup> These are much more analogous to the type of rewriting we see in *Jubilees* or in the Genesis Apocryphon, and can be suitably included according to my understanding of Vermes’s criteria. I am still uncertain myself, however, of the

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Does the initial text have to be “canonical” before its reworking falls into this category? I think that it does, and perhaps the second “edition” of Jeremiah would not fall into this category, because there *may* have been no sense that it was a revision of a canonical text. On the other hand, E.C. Ulrich maintains that “it is possible that yet a third edition [other than MT and SP] of the Pentateuch was circulating within Judaism in the late Second Temple period. It is arguable that the so-called ‘4QRP’ (4Q364–367 plus 4Q158) is mislabeled and should be seen as simply another edition of the Pentateuch” (“The Qumran Biblical Scrolls: The Scriptures of Late Second Temple Judaism,” in *The Dead Sea Scrolls in Their Historical Context* [ed. T.H. Lim et al.; Edinburgh: T&T Clark, 2000], 76. See also M. Segal, “4QReworked Pentateuch or 4QPentateuch?” in *The Dead Sea Scrolls Fifty Years After Their Discovery 1947–1997* [ed. L.H. Schiffman, E. Tov, and J.C. VanderKam; Jerusalem: IES and The Shrine of the Book, Israel Museum, 2000], 391–399). Ulrich is of the opinion that the variants between MT and SP are “exactly the types of variants occurring between the MT and ‘4QRP.’” In “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” *DSD* 15 (2008): 24–49 (below 2.476–497), I show that, at least from the perspective of the way in which specifically legal material is handled, 4QRP goes well beyond the method and guidelines of SP, making it very unlikely that it, too, is to be considered as an edition of the Pentateuch.

<sup>20</sup> The material referring to the Wood and Oil Festivals in 4Q365 23 4–12 is of a legal nature, and therefore does not match Vermes’ initial guidelines. It would succeed or fail the test of inclusion in the genre roughly on the same grounds as the Temple Scroll.

genre of 4QRP as a whole, and feel virtually trapped between the Scylla of calling it a biblical text and the Charybdis of referring to it as a biblical commentary form of "rewritten Bible." I am comfortable with asserting that it is not a biblical text, but believe that further work on it is necessary before deciding in which generic pigeonhole it belongs. On the spectrum of types of rewriting the Pentateuch, it stands closer to the biblical text than any other.<sup>21</sup>

On the other hand, since I, too, have referred to the Temple Scroll in some of my earlier work as legal rewritten Bible, I should stress here that such a classification also expands Vermes's category in a direction unintended (by him), as I intimated above. Certainly, as Tov has indicated, parts of the | Temple Scroll are even closer to the biblical text than 4QRP is, while other parts contain an amalgamation of different pentateuchal treatments of the same laws. Those treatments, I believe, are the legal equivalent of what narrative rewritten Bible does according to Vermes. But there are also portions of the Temple Scroll which are completely independent of the Pentateuch, the sort of completely independent section which has caused scholars arbitrarily to separate 4Q365a, which otherwise appears to be a piece of 4Q365 Reworked Pentateuch, from 4Q365, if the latter is to be classified as Reworked Pentateuch. In other words, for them Reworked Pentateuch can only be, quite literally, "reworked Pentateuch," and anything which goes beyond the mere reworking of the Pentateuch, adding completely new material, cannot be subsumed under the heading Reworked Pentateuch. My difficulty with that position should be obvious.<sup>22</sup> Since Tov's terminology depends on the way in which the reworked text handles the biblical text, he might come to different conclusions regarding Temple Scroll than I would, since my employment of the term "rewritten" is not dependent on the literal dependence of the new composition on the Bible. I shall return to a brief discussion of 11QT at the conclusion of this essay.

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<sup>21</sup> White Crawford, in an email communication of 4 October 2002, formulated the dilemma of 4QRP as follows, "4QRP sits in a gray area between 'biblical' (for want of a better term) and 'rewritten Bible.' It is neither fish nor fowl. I am also very puzzled as to what its audience thought of it." The last observation is similar to one which has bothered me for a long time; why bother to rewrite a biblical text only to make the sorts of limited changes which RP makes from the "Pentateuch?" I am thus puzzled also by what its author intended with it.

<sup>22</sup> Brooke, "Rewritten Bible," 778b, formulates the difficulty well, "whether this is the correct editorial judgment remains to be seen, since it seems to be based on certain assumptions concerning how close the RP should be to the biblical base text."



It is interesting that Tov's spectrum moves from 4QRP and 11QT to reworkings which he describes as "paraphrasing, evidenced in the compositions in different gradations of intensity."<sup>23</sup> He does not intend to include in this category works which are often referred to as "paraphrases" such the Palestinian targumim, the Greek translations of Esther and Daniel, Josephus, the Genesis Apocryphon and the book of *Jubilees*, in other words, the very works which Vermes included under his initial rubric "rewritten Bible." Vermes's definition is no longer operative at all for Tov since the latter is avowedly concerned only with "works which either  
185 follow the | sequence of the biblical text or rearrange that text in some way."<sup>24</sup> I do not believe that the definitions of "rewritten Bible" furnished by Tov and Vermes are even remotely compatible, and we need to choose between them simply for the purposes of clarity. As may already be evident, I believe that Vermes's classification is functionally more useful.

Furthermore, since I believe that Vermes's classification is the one which is of major value for our understanding of the forms of early Jewish biblical interpretation, I think that it is essential to use it to distinguish between works which are rewritten Bible (and if it had enough scope 4Q225, "pseudo-Jubilees<sup>a</sup>," might have qualified for inclusion) and those which are commentary in form, such as 4Q252. Tov's analysis of 1994, which does not discriminate between 4Q252 Commentary on Genesis A and 4Q225 "pseudo-Jubilees," thus blurs what I believe to be a significant generic difference between those works.<sup>25</sup>

GEORGE J. BROOKE (2000)

In a more recent discussion, George J. Brooke, in the article "Rewritten Bible" in the *Encyclopedia of the Dead Sea Scrolls* employs the term for "any representation of an authoritative scriptural text that implicitly incorporates interpretive elements, large or small, in the retelling itself."<sup>26</sup>

<sup>23</sup> Tov, 116.

<sup>24</sup> Ibid.

<sup>25</sup> Tov, 117–118. On my distinction between rewritten Bible and commentary forms, see "Contours of Genesis Interpretation at Qumran," 82–84 (below 1.87–90). I also cannot agree with Tov's consideration of the possibility of texts like "pseudo-Ezekiel" being rewritten Bible. According to my view, which begins with Vermes' classification, only narrative and legal texts fit the category; it is difficult to think how a rewriting of a prophetic text would accomplish the goals which Vermes sets out for the genre, even though I am willing to include 11QT as a fundamentally legal text which satisfies the definition.

<sup>26</sup> Brooke, "Rewritten Bible," 777.

He further highlights the difference between Vermes's generic definition and Nickelsburg's looser inclusion of a variety of genres under this rubric.<sup>27</sup> | Brooke himself accepts for his article a loose definition, but it is interesting that in his opening words he writes of "retelling," a term which is quite suitable for Vermes's description of narrative texts. Brooke stresses that in rewritten Bible "the interpretation is never formally explicit," a sentiment with which I agree thoroughly, and one which highlights the difference between rewritten Bible and commentary genres. He actually raises the possibility that any inexact copy of a biblical book produces a rewritten Bible text, but concludes that "it can generally be said that Rewritten Bible texts are those which follow closely their scriptural base text and which clearly display an editorial intention that is other than or supplementary to that of the text being altered." I believe that I can subscribe to Brooke's definition, but not to his applications of it.

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Brooke further classifies "rewritten Torah" in the Qumran corpus as being of three types: (1) Reworked Pentateuchs, (2) Rewritten pentateuchal narratives, and (3) Rewritten pentateuchal laws. In the second category, Brooke includes, in addition to the Genesis Apocryphon, 4QExposition on the Patriarchs (4Q464), other texts called Apocryphon of Moses and pseudo-Moses (2Q21 and 4Q375-376), Jubilees and pseudo-Jubilees, and the Enoch material. They do not all relate to the pentateuchal narrative in the same way, with the same scope or with the same goals. Brooke is quite candid in asserting that "Not all of these were deliberate attempts to rewrite the biblical narrative; sometimes a short biblical passage is used as a springboard for an extensive work of another kind." In my view, that last half-sentence vitiates the effectiveness of the category "rewritten Bible." Once again, a legitimate looser employment of terminology makes it less meaningful and useful from a descriptive perspective.

Brooke's discussion of rewritten prophetic texts gathers together material of disparate natures, once again demonstrating what is in my view the danger of casting the definitional net too broadly. He suggests that MT Joshua might be considered rewritten Bible if 4QJosh<sup>a</sup> is more original than MT. According to both Tov's view and my own, by Brooke's definition we should refer to the Samaritan Pentateuch as rewritten Bible. The fragmentary remains of material related to the former prophets which | Brooke gathers can perhaps be said to fit his loose characterization of "Rewritten Bible," but they may not place a priority on the retelling of the

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<sup>27</sup> Ibid., 777-778.

biblical story, a feature which I believe is paramount when the biblical text being “rewritten” is a narrative. If the “Apocryphon of Joshua” is a single work represented by 4Q123, 4Q378–379, 4Q522, 5Q9 and Mas 11, as Tov has suggested, then it is quite suitable for inclusion under the rubric “rewritten Bible” as I have defined it, and it would then represent one of the new Qumran contributions to this classification.<sup>28</sup> Vis-à-vis the latter prophets, Brooke’s definition includes the so-called apocrypha of Jeremiah and pseudo-Ezekiel texts edited by Dimant under the rubric “rewritten Bible”; it should be clear now that my employment of the term cannot be so inclusive as to encompass without further rigorous definition texts whose goal is not to explicate prophetic material but to supplement it in some other fashion.

One of Brooke’s concluding remarks characterizes magnificently the position regarding “rewritten Bible” which I find unemployable,

Rewritten Bible texts come in almost as many genres as can be found in the biblical books themselves. Rewritten Bible is a label that is suitable for more than just narrative retellings of biblical stories. It is a general umbrella term describing the particular kind of intertextual activity that always gives priority to one text over another.<sup>29</sup>

If this description were to be accepted, we would turn “rewritten Bible” from a narrowly defined genre into an excessively vague all-encompassing term. We would have given up a fairly accurate definition of a single genre (for which we should now have to find a satisfactory substitute) in exchange for what is in my view a far less valuable overarching label. |

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#### SIDNIE WHITE CRAWFORD (1999 AND 2000)

Sidnie White Crawford has devoted two recent essays to “The ‘Rewritten’ Bible at Qumran.”<sup>30</sup> She, too, is sensitive to the varying definitions of

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<sup>28</sup> E. Tov, “The Rewritten Book of Joshua as Found at Qumran and at Masada,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls, Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May, 1996* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden: Brill, 1998), 233–256.

<sup>29</sup> Brooke, “Rewritten Bible,” 78ob.

<sup>30</sup> Sidnie White Crawford, “The ‘Rewritten’ Bible at Qumran: A Look at Three Texts,” *ErIsr* 26 (1999) [F.M. Cross Festschrift]: 1\*–8\* and “The Rewritten Bible at Qumran,” in *The Hebrew Bible and Qumran* (ed. J.H. Charlesworth; N. Richland Hills, TX: BIBAL, 2000), 173–195. References are to the former, unless specified otherwise.

"rewritten Bible" which have been applied to the Qumran corpus and writes,

This grouping has been rather loosely defined, but the criteria for membership in this category include a close attachment, either through narrative or themes, to some book contained in the present Jewish canon of Scripture, and some type of reworking, whether through rearrangement, conflation, or supplementation of the present canonical biblical text.<sup>31</sup>

The texts which she examines are 4QRP, 11QT, and Jubilees, all of which I have considered as possible candidates for inclusion under the "rewritten Bible" rubric with which I am working following in the footsteps of Vermes, but at least one of which, *Jubilees*, does not fit Tov's criteria as discussed above. White Crawford asserts, "All three are closely attached to the text of the Pentateuch, or Torah, and all three contain a more or less extensive reworking of the present canonical text of the Pentateuch."<sup>32</sup> She explicitly excludes from consideration, as I would, "works such as Pseudo-Ezekiel or Pseudo-Daniel . . . since, although thematically related to a biblical text . . . they do not reuse the actual biblical text."<sup>33</sup> |

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In addition, White Crawford raises the issue of how to define what is biblical at Qumran in light of the pluriformity of biblical texts, and how that question has further impact on the description of the genre "rewritten Bible." The lion's share of her discussion pertains to 4QRP. After presenting the argument in favor of Ulrich's contention that 4QRP is merely another edition of the Pentateuch (at the far end of a continuum of pentateuchal texts from "shorter, unexpanded texts such as 4QDeut<sup>s</sup>") rather than a "changed Pentateuch" or "a Pentateuch plus additions,"<sup>34</sup> she counters with the claim that "the scribal intervention in the text of 4QRP is drastic enough to call its divine authority in the Community that preserved it into question." Since 4QRP adds material which is not merely taken from

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<sup>31</sup> White Crawford, 1\*. In "The Rewritten Bible at Qumran," 174, she distinguishes "rewritten Bible" "from the 'parabiblical' texts, which may be tied to some person, event, or pericope in the present canonical text, but do not actually reuse extensively the biblical text." Her examples of the latter category include many of the works which we should also not include under the rubric "rewritten Bible."

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> White Crawford, 2\*, referring 6\* n. 11 to E. Ulrich, "The Qumran Scrolls and the Biblical Text," in *The Dead Sea Scrolls: Fifty Years After Their Discovery* (ed. L.H. Schiffman, E. Tov and J.C. VanderKam; Israel Exploration Society and Shrine of the Book, Israel Museum: Jerusalem, 2000), 51–59. Cf. also n. 19 above.

elsewhere in the biblical text, but is completely new, it forfeits its claim to be authoritative and hence “biblical.”<sup>35</sup> White Crawford concludes that

4QRP was perceived not as a biblical text, but as a commentary, an inner-biblical commentary on the text of the Torah. 4QRP took a relatively stabilized base text, in this case probably the already expansionist proto-Samaritan text, and inserted its comments and interpretations, particularly its new material, with no clear separation between text and comment.<sup>36</sup>

If her basic analysis is accepted (although I cannot accept her implication that there is inner-biblical commentary in a text which is not biblical), then those texts of 4QRP which manifest the qualities she indicates can be considered rewritten Bible according to several sets of criteria. We may still debate the question whether there is *enough* new material for this appellation to be appropriate, or, to put it differently, “how different from the biblical original need a text be before we call it ‘rewritten Bible?’”

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| It is interesting that White Crawford takes it for granted that *Jubilees* and Temple Scroll are rewritten Bible, with the former, “an extensive reworking of Genesis 1–Exodus 12,” doubtless authoritative at Qumran, and the latter, “a reworking of parts of the biblical text from Exodus through Deuteronomy with a clear theology,” perhaps not.<sup>37</sup> She does not consider whether the virtually completely legal nature of 11QT precludes its being rewritten Bible in some sense; the definition of “rewritten Bible” with which she is working, while not as loose as some we have seen, certainly would allow for the Temple Scroll to be included as rewritten Bible generically.

MICHAEL SEGAL (2005)

In an essay entitled “Between Bible and Rewritten Bible,”<sup>38</sup> Michael Segal approaches the genre “rewritten Bible” with the intention of distinguishing between works belonging to that genre and those which are “only” revisions of the biblical text, and which can therefore still be described

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<sup>35</sup> White Crawford’s argument is actually considerably more complex than my summary.

<sup>36</sup> White Crawford, 4\*–5\*.

<sup>37</sup> *Ibid.* 5\*.

<sup>38</sup> M. Segal, “Between Bible and Rewritten Bible,” in *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids: Eerdmans, 2005), 10–28. I thank Dr. Segal for sharing this essay with me in advance of its publication and allowing me to integrate it into my analysis. He also responded to an earlier version of my critique via email in order to clarify points of agreement and disagreement between us.

as "Bible."<sup>39</sup> His goal is to "identify those characteristics that distinguish 'Rewritten' biblical compositions from biblical manuscripts themselves."<sup>40</sup> He selects for his analysis works which "closely follow the biblical text, but introduce changes into their source," including Chronicles, the Temple Scroll, *Jubilees*, the Genesis Apocryphon, Josephus' *Jewish Antiquities* and pseudo-Philo's *LAB*.<sup>41</sup> All these are revisions of earlier works whose goal is the transformation of the message of the earlier work into his | 191  
own; "the rewritten texts ask the reader to accept the authority of their sources, but to understand those sources according to the rewritten text's interpretation."<sup>42</sup>

Segal's mission to distinguish revised biblical texts from rewritten Bible impels him to ask a variety of questions which may be enlightening to our inquiry. "If the category 'Bible' also includes the editions produced as a result of a process of continual scribal intervention into the biblical text, and further literary development of the compositions," what is the meaning of the term 'Rewritten Bible'?'<sup>43</sup> "Was the division between these two genres, as used by modern scholars, recognized in antiquity?"<sup>44</sup> Segal focuses on the boundary between "biblical" and "non-biblical," and thus is concerned with the same end of the spectrum of "rewritten Bible" as is Emanuel Tov, as opposed to Daniel Harrington and George Nickelsburg who extend the employment of the term in the opposite direction to include many items which could never be confused with the biblical text.<sup>45</sup> Because of Segal's emphasis on the end of the spectrum closest to the biblical text, works like *Enoch* and the *Assumption of Moses* never even enter into consideration for the rubric "rewritten Bible." Furthermore, unlike Tov, Segal excludes even 4QReworked Pentateuch as well from the rubric "rewritten Bible" because he believes that it more properly belongs to the category of "revised biblical text."<sup>46</sup> It is not necessarily that Segal's spectrum of "rewritten Bible" in general is very narrow, but that only that end

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<sup>39</sup> Examples of "revised Bible," according to Segal, are the MT version of Jeremiah, the Samaritan Pentateuch and 4QReworked Pentateuch.

<sup>40</sup> Segal, 17.

<sup>41</sup> Segal, 11. Note that this is Vermes's original list with the addition of Chronicles, which Vermes may not have considered because of its canonical nature, the Temple Scroll which was not available to him, and the omission of the Palestinian Targum.

<sup>42</sup> Segal, 12.

<sup>43</sup> Segal, 16.

<sup>44</sup> Ibid.

<sup>45</sup> In an email of 21 November 2002, he wrote, "the texts on the 'rewritten' side of the boundary are only one category of 'rewritten Bible' texts."

<sup>46</sup> He compares 4QRP with the MT (2nd) edition of Jeremiah where the textual framework of LXX is preserved, albeit rearranged, and is expanded by new material.

of the spectrum which is closest to “revised Bible” is under investigation. For Segal,

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the phenomenon of rewriting assumes that readers can identify the source text underlying the revision; otherwise the author/rewriter could just have easily composed a completely new work. The dependence upon biblical compositions in the process of creating new works is a product of the author’s desire to impute | authority to his work; by associating his composition with the holiest of texts, the new work was also granted the same sense of authority.<sup>47</sup>

Segal records a number of external criteria which revised Bible and rewritten Bible share, and argues that, despite the overlap in those areas, the two genres can be distinguished by internal criteria. One external characteristic which Segal demands of this type of “rewritten Bible” is that, like “revised Bible,” it must be in the same language as the original which is being rewritten. This criterion excludes from consideration in his discussion (although not necessarily from inclusion in the genre) at least two of Vermes’ original paradigm, the Genesis Apocryphon and Josephus’ *Jewish Antiquities* 1–11 (as well as, of course, the Aramaic targumim, which never enter into consideration for Segal).

Segal’s internal criteria which “define a rewritten composition as a new work, and not merely as a further literary edition of the source,”<sup>48</sup> include (among others) a scope which need not match exactly that of the biblical text being rewritten and therefore creates a new literary unit, a new narrative frame, a different narrative voice, the presence of expansion as well as abridgment in relation to the original, and a tendentious editorial layer. The first of those criteria is a sufficient, but not necessary, condition for exclusion of a work from being considered “revised Bible;” if the scope of the rewritten work differs from that of the biblical “original,” it cannot be considered a “revision” of that biblical book. Thus the scopes of *Jubilees*, *Chronicles*, and *Liber Antiquitatum Biblicarum* do not correspond exactly to that of “any one biblical book or to any collection of works,” although Segal agrees that there could be a rewritten Bible which adhered closely to the scope of a single biblical book, for example, a sort of book of *Jubilees* whose ending would coincide with that of the book of Genesis.<sup>49</sup>

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<sup>47</sup> Segal, 11.

<sup>48</sup> Segal, 20.

<sup>49</sup> Segal, 21.

The stipulation that rewritten Bible requires a new narrative frame and a new narrator is reasonable (providing that we recall Segal's insistence on excluding Reworked Pentateuch from this category), as is the observation that we should find in rewritten Bible both expansion and abridgment side-by-side. The composer of a rewritten Bible selects what parts of the story to include, to omit, to expand and to contract. It is debatable, however, | whether "rewritten Bible" must have a "tendentious ideological layer" which distinguishes the rewritten work from the biblical original. The fact that rewriting of the Bible was carried out in the Second Temple period largely to convey ideological messages should not make ideological novelty a necessary condition for inclusion in the genre.

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Segal's final criterion for the recognition of "rewritten Bible" is that it may contain explicit references to the source composition, such as the reference in *Jubilees* to the "first law."<sup>50</sup> This feature, of course, cannot occur in a biblical manuscript. Once again, Segal's principles indicate that he is focused on distinguishing "revised Bible" from "rewritten Bible." He does not claim that such back-referencing of the biblical original needs to be demanded of all "rewritten Bible" texts in order to be included under this generic rubric.

Even though his goal is to draw a line between "revised Bible" and "rewritten Bible," at one end of a generic spectrum, several of Segal's criteria are useful in drawing a line at the other end of the spectrum as well, between works which rewrite the Bible and those which are more loosely parabiblical and whose relationship with the Bible is much more tenuous. We are both engaged in attempting to restrict the range of the term "rewritten Bible," but whereas I am interested in delimiting both ends of the potential spectrum, Segal's parameters operate only on one end of it. As far as the boundary at that end is concerned, we are largely in agreement.

#### THE TEMPLE SCROLL: A BRIEF EXCURSUS

The Temple Scroll presents, in my view, a unique dilemma regarding its possible classification under the rubric "rewritten Bible."<sup>51</sup> On the one hand, it does not respond to Vermes's criteria, cited above, which we are

<sup>50</sup> Segal, 26.

<sup>51</sup> My perspective on the Temple Scroll and the category "rewritten Bible" was sharpened by a series of perceptive questions posed by Mr. Philip Green in a Spring 2002 course in Early Jewish Biblical Interpretation at Yeshiva College.



inclined to accept for this genre, “In order to anticipate questions, and to solve problems in advance, the midrashist inserts haggadic development into the | biblical narrative.” The Temple Scroll does not contain narrative, and, as such, might be *ab initio* disqualified from entry into this category. All of Vermes’s other examples of the genre are fundamentally narrative works, and thus the Temple Scroll is unlike them in this very significant regard.

But to exclude the Temple Scroll *a priori* from membership in the class “rewritten Bible” on these grounds is to ignore a variety of other characteristics it manifests. In fact, consideration of the candidacy of the Temple Scroll for this genre should allow us to make modifications in its definition in a way which is still faithful to Vermes’s initial guidelines (and we should recall that Vermes had nothing like 11QT available to him at the time he developed his definition). What makes the Temple Scroll look like rewritten Bible is, quite simply, the fact that it is a rewriting of portions of the Pentateuch, albeit legal, and not narrative ones. This fact allows it to be classified as “rewritten Bible” in all of the diverse systems of classification which we have discussed with the exception of Nickelsburg’s.<sup>52</sup> In fact, because its language and style are so closely modeled on that of the Pentateuch, it is more formally similar to the Pentateuch than any of the works in Vermes’s initial classification (with the possible exception of parts of *Jubilees*). Thus we are pulled in one direction by the absence of narrative material in the Temple Scroll, and in the other by its very close dependence on scriptural language. If we revise Vermes’s criteria minimally to include | legal texts, we shall observe that the juxtaposition of laws on similar topics, the clarification of missing details in the laws, and the resolution of implicit contradictions within the laws function in the same fashion in legal contexts as rearrangements, harmonizations, and interpretive additions have in narratives. It is too strict, therefore,

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<sup>52</sup> Nickelsburg, 89, writes, “the order of our treatment reflects developing ways of retelling the events of biblical history,” and the Temple Scroll is thus automatically excluded. But we should remember that the volume in which Nickelsburg’s essay appears includes an essay by Devorah Dimant on Qumran sectarian literature in which, 526–530, we find a discussion of the Temple Scroll. Some of Alexander’s nine rather strict criteria (116–118) for inclusion in the genre “rewritten Bible” might also exclude Temple Scroll, which is not narrative, might be intended to replace the Bible, and does not follow the biblical text in order. But since Alexander was deriving his criteria from the four paradigmatic examples, *Jubilees*, Genesis Apocryphon, *Liber Antiquitatum Biblicarum*, and *Jewish Antiquities*, he perforce could not have arrived at a generic description which would have included Temple Scroll. In our last brief conversation on this question (November 2003), Alexander did not adopt a firm position on the inclusion of Temple Scroll under this generic rubric.

in my opinion, to limit the employment of the term "rewritten Bible" to narratives, and I believe that the Temple Scroll and any other texts of its ilk which may be discovered need to be included under this rubric in the future.

#### CONCLUSION

So, in the end, is the term "Rewritten Bible" still a productive category? In short, I do not believe that the term in Vermes's sense has outlived its usefulness, but rather that it still furnishes a valuable classificatory device, provided that we employ it in a disciplined fashion. It is necessary to distinguish between the process "rewriting the Bible" and the genre "rewritten Bible"; the former, unlike the latter, is not a literary classification. Most important, I believe that we must all "be on the same page" in the employment of the term "rewritten Bible," keeping in mind that the more specific the implications of the term, the more valuable it is as a measuring device. The looser the definition, the less precisely it classifies those items under its rubric. It is not sufficient, in my opinion, merely to be aware of how different scholars employ the term with different nuances.

My own preference, it should be clear, is for a Vermes-like narrowness in the employment of the term, demanding comprehensive or broad scope rewriting of narrative and/or legal material with commentary woven into the fabric implicitly, but perhaps *not* merely a biblical text with some superimposed exegesis. For one end of the range, Segal has furnished some productive guidelines in the way in which we limit our classification. But the overall contribution of the Qumran texts to this genre is thus more limited than some scholars have led us to believe, although the caves have furnished us with the first exemplar of legal rewritten Bible, the Temple Scroll. Some of the 4QRP manuscripts, if, as I believe, they do not as a group | represent a single text, will qualify for the title, while others might not.<sup>53</sup> The "Apocryphon of Joshua" may preserve fragmentary remains of another narrative example. The result of re-adopting this nomenclature will be the restoration of "rewritten Bible" to its proper

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<sup>53</sup> 4Q158 appears to include enough non-biblical textual material not to be considered "revised Bible," to borrow Segal's terminology. Regarding the other exemplars of Reworked Pentateuch, one of the key questions which needs to be answered is that regarding scope. If they did not cover the entire Pentateuch, but omitted either legal or narrative material, then those changes would be sufficient for me to consider them under the rubric "rewritten Bible."

place as a subcategory of biblical interpretation in antiquity, one way of the ancient author's putting forth his reading of the Bible.

What then do we lose by returning to this narrow utilization of the term "rewritten Bible"? We shall no longer be able to use it to describe *1 Enoch* or the *Life of Adam and Eve*, or the Qumran Apocryphon of Jeremiah or pseudo-Ezekiel. I believe that that loss is far outweighed by the more precise meaning which the term will then maintain. There is then, of course, a concomitant need to find both broad and narrow typologies which work for other kinds of texts, such as finding more appropriate names for the fragmentary remains of documents from Qumran, and refining the categories which we use when we speak of the many ways in which the Bible was handled by Jewish writers in the Second Temple period. I believe that the term "parabiblical" employed by White Crawford (above n. 31) in contrast to "rewritten Bible" may be the appropriate category for many of these works which are more loosely connected to the Bible. If, on the other hand, we were to give up the category "rewritten Bible" as a genre by using it in the looser sense employed by many scholars, then we shall simply have to find another generic term to replace its narrow usage, an exercise which I do not believe to be worth the effort.

### CHAPTER THREE

#### CONTOURS OF GENESIS INTERPRETATION AT QUMRAN: CONTENTS, CONTEXT, AND NOMENCLATURE

It is an oft-stated truism that the world of Qumran (like so much of the rest of the world of Second Temple Judaism) was bibliocentric in many ways. My goal in this essay is to examine from a number of perspectives the treatments of material from the book of Genesis that are found in the so-called Qumran library.<sup>1</sup> I shall not be concerned with mere allusions to Genesis in most cases, nor with stylistic imitation of the language of that biblical book. The term “contours” in my title is meant to emphasize that my primary concern is for the outlines and boundaries of those works that comment on or discuss Genesis and their contents (regardless of genre), and not for the details of the contents or their exegetical method.<sup>2</sup> I shall examine the type | and scope of the Qumran works in which Genesis is interpreted or employed, demonstrating the range of works from Qumran that treat the book of Genesis in some way, whether they focus on Genesis, use Genesis, or mention Genesis narrative material, attempting to define the nature of each commentary or use. I shall then view the data from a different perspective and survey the distribution of the specific material from Genesis that appears in these Qumran texts, with an eye to determining which stories from Genesis seem to be particularly significant to the authors of these texts. Finally, by approaching the Qumran material in this somewhat unusual fashion, I hope to be able to focus attention on the issue of the nomenclature and taxonomy of

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<sup>1</sup> I shall refer to “Qumran” interpretations and library conventionally, even though it is quite clear that not everything found at Qumran was produced there and that uniformity and harmony should not be expected ab initio. This study is limited, more or less, to texts already published, although I do not believe that the picture will change substantially in light of unpublished material.

<sup>2</sup> For a more general survey, see my “Pentateuchal Interpretation at Qumran,” in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (ed. P.W. Flint and J.C. VanderKam; Leiden/Boston/Köln: Brill, 1998), 1.128–159 (above 1.11–38). Genesis material is treated on 135–41 and 145–54 (18–22 and 26–34). A more narrowly focused study which has recently appeared is E. Eshel, “Hermeneutical Approaches to Genesis in the Dead Sea Scrolls,” in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. J. Frishman and L. Van Rompay; Traditio Exegetica Graeca 5; Louvain: Peeters, 1997), 1–12.

the Qumran documents—what they are named and the genres to which they are assigned. This is an issue familiar to most students of the Dead Sea Scrolls, but not one that has attracted much public attention. By integrating the results of these diverse approaches to the same data, we may hope to be able to gain insight into the varying shapes of early biblical commentary, on the one hand, and into the role that portions of Genesis may have played in the thought of the Qumran group, on the other.

The texts from Qumran in which Genesis is interpreted or otherwise serves as the raw material for the late Second Temple author run the gamut of literary genres found at Qumran. The largest scale works stretch beyond the boundaries of Genesis and belong to the category “rewritten (or retold) Bible,” whether of the Reworked Pentateuch type, which consists of a rewriting of the Pentateuch with some rearrangement and minimal exegetical or explanatory supplementation, or the *Jubilees*-type, wherein the biblical work has been heavily revamped and recast as well as enlarged by a multitude of exegetical and theological expansions. I exclude *Jubilees* from consideration in my discussion for a number of reasons, primarily because it includes virtually all of Genesis and thus does not respond, *prima facie*, to my query regarding selectivity, but also because its very bulk would overshadow the rest of my treatment. I shall comment briefly, on the other hand, about the Reworked Pentateuch material not only because it is more manageable but also because its selectivity in expansion, as contrasted with *Jubilees*’ more extensive augmentation of the biblical text, aids me in posing one of my fundamental questions.

59 The Reworked Pentateuch texts, of which fragments of four or five manuscripts survive, “contained,” according to their editor, | Emanuel Tov, “a running text of the Pentateuch interspersed with exegetical additions and omissions. The greater part of the preserved fragments follows the biblical text closely, but many small exegetical elements are added, while other elements are omitted, or, in other cases, their sequence altered.”<sup>3</sup> If, as Tov believes, these documents are not “biblical” texts, then they constitute one end of the commentary spectrum, where commentary is virtually indistinguishable from original text, where “rewritten Bible” is barely rewritten.<sup>4</sup> If they are “biblical” texts, on the other hand, their position

<sup>3</sup> E. Tov, “Reworked Pentateuch,” in H. Attridge et al., *Qumran Cave 4, VIII: Parabiblical Texts, Part 1*, (DJD XIII; Oxford: Clarendon, 1994), 191.

<sup>4</sup> I enclose the term “biblical” in quotation marks because it is difficult *for us* to tell what constituted a biblical text *for the Second Temple writer, scribe, or copyist*. For some useful categorization in this area, see J.E. Sanderson, “Editorial and Scribal Processes in the

is at the end of the biblical spectrum that stands closest to commentary. Tov has written further, "It is not easy to define the different gradations of reworking, rewriting and rephrasing. In fact, as we shall see, several rewritten Bible texts found at Qumran are *sui generis*."<sup>5</sup> The RP documents are certainly unusual, and no one has yet suggested a satisfactory reason for their creation.

In terms of Genesis interpretation, or even supplementation, at Qumran, there is little to interest us in the manuscripts of Reworked Pentateuch, with the exception of an expansion in 4Q364 3 ii 1–6, which adds material to Rebecca's remarks to Jacob on his departure and Isaac's consolation of her (around Gen. 28:6).<sup>6</sup> Very little other focus on Isaac material is evident in the texts I am examining, in contrast with the prominence of Isaac in the rewritten Bible of *Jubilees*. As far as can be discerned from the surviving remains, however, the author of RP was not concerned with interpreting or embellishing the narratives of Genesis in shaping RP, regardless of the purpose of its composition.

| Whether, as Tov claims, 4Q158, initially published by Allegro as "Biblical Paraphrase: Genesis, Exodus," is another exemplar of RP text or not (and I tend to think that it is not), 4Q158 1–2 1–13 contains biblical text deriving from Gen. 32:25–32, the pericope of Jacob and "the man," plus expansion, followed (1–2 14–16) by material from Exod. 4:27–28.<sup>7</sup> The rest of the text in the manuscript appears to consist of rewritten Exodus material. I believe that, as has been suggested by others, the material from Genesis has been introduced as commentary on the incident of Moses' confrontation with God, or the angel, at the inn, where he, like Jacob, escapes from danger (Exod. 4:25–26). The location of the Genesis narrative, in this case,

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Late Second Temple Period as Exhibited in the Text of Exodus," in *An Exodus Scroll from Qumran: 4QpaleoExod<sup>m</sup> and the Samaritan Tradition* (Atlanta: Scholars, 1986), 261–306.

<sup>5</sup> E. Tov, "Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QParaGenExod," in *Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. E. Ulrich and J. VanderKam; Notre Dame: University of Notre Dame Press, 1994), 113. Michael Segal, "4QReworked Pentateuch or 4QPentateuch?" in *The Dead Sea Scrolls Fifty Years after Their Discovery* (ed. L.H. Schiffman, E. Tov and J.C. VanderKam; Jerusalem: Israel Exploration Society, 2000), 391–99, has argued against the identity of 4Q364–367 (and 4Q158), claiming that the former are fundamentally biblical texts of different sorts.

<sup>6</sup> Text in DJD XIII, 206–207.

<sup>7</sup> J.M. Allegro ed., *Qumran Cave 4, I* (4Q158–4Q186) (DJD V; Oxford: Clarendon, 1968), 1–2.

is within Exodus, and its employment, strictly speaking, is as commentary or illumination on the Exodus pericope.<sup>8</sup>

More narrowly limited to Genesis than *Jubilees* and RP are works found at Qumran such as 1 *Enoch*, the Aramaic Levi Document, and the Genesis Apocryphon, each of which contains Genesis interpretation, in some sense, and thus could be grist for our mill. The former two are rather divorced from the biblical narrative, although they might be said to indicate the particular interests that authors (whether Qumranic or pre-Qumranic) had in the antediluvian period and in the figure of Levi and the priesthood. James VanderKam has surveyed the nature of the biblical interpretation in 1 *Enoch*, indicating that the different elements that make up the composite book of *Enoch* have different degrees of relationship with the Hebrew Bible.<sup>9</sup> It is obvious that a great deal of the material in *Enoch* is connected closely or loosely with Gen. 5:21–6:4, Enoch's life and the story of the fall of the Watchers. Some references to Noah and the Flood (aside from the story of his birth, which is told in great detail in 106–107) extend  
61 the coverage of the work a bit further into Genesis.<sup>10</sup> Beyond this, | the “Animal Apocalypse” within the Book of Dreams (85–90) presents through animal imagery the history of the biblical and postbiblical periods, and in 85–89:14 we have the story of Genesis. Finally, in the Book of the Parables (unattested at Qumran), in addition to the ever-present fallen angels, there are references to the Flood and the sign of the rainbow (but without Noah; 54:7–55:2), and to the Flood (and Noah) in 65–67. *Enoch* does not retell the biblical tales so much as use them as the framework or springboard for the parts of its narratives that are not directly related to the Bible but that fill in gaps in the biblical narrative. As such, *Enoch*,

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<sup>8</sup> It is only 4Q158 3 that poses a real problem to this analysis, as it contains a reference to Jacob in a context that is unclear but appears not to belong to Genesis material introduced into Exodus. For a fuller study of 4Q158, see M. Segal, “Biblical Exegesis in 4Q158: Techniques and Genre,” *Textus* 19 (1998): 45–62.

<sup>9</sup> J.C. VanderKam, “Biblical Interpretation in 1 *Enoch* and *Jubilees*” in *The Pseudepigrapha and Early Biblical Interpretation* (ed. J.H. Charlesworth and C.A. Evans; JSPSup 14; Sheffield: Sheffield Academic Press, 1993), 95–117. Our focus is narrower than his, as we are concerned only with Genesis, while VanderKam is interested in *Enoch's* use and interpretation of all of Hebrew Scripture.

<sup>10</sup> For the birth of Noah, a topic that gets a good amount of attention in the literature of this period, see VanderKam, 112–13, and his “The Birth of Noah,” in *Intertestamental Essays in Honour of Jozef Tadeusz Milik* (ed. Z.J. Kapera; Krakow: Enigma Press, 1992), 213–31. For an extensive discussion of the Noah material from Qumran, see my “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. E. Ulrich and D. Parry; STDJ 30; Leiden/Boston/Köln, 1999), 199–231 (below 1.291–322).

in addition to being technically pre-Qumranic, is not particularly suitable for this investigation.<sup>11</sup>

Aramaic Levi, like *Enoch*, is related only loosely to the biblical text, and most of its contents cannot be said to be the products of exegesis or interpretation. This document does not even serve as *Enoch* does to flesh out the biblical story, as most of it is not even tenuously linked to the text. Although it might be said to reflect, in some sense, interpretation of Genesis, I consider it too far afield for my treatment. The fact that it highlights Levi, his accomplishments, and the levitical priesthood, however, may be taken, together with some of the other material under examination, to be an indication of the interests of Qumran authors.

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The Genesis Apocryphon, on the other hand, which, in its extant portions, is an Aramaic retelling, sometimes with elaborate embellishment, of the narratives of Genesis from Chapter 5 to Chapter 15, has much better credentials than 1 *Enoch* or Aramaic Levi for inclusion in my survey.<sup>12</sup> Based on Genesis and *Jubilees* (or *Jubilees*-like traditions), 1QapGen interprets as well as expands, using a variety of exegetical devices in its

<sup>11</sup> There is another body of literature related to *Enoch* that is found at Qumran but whose relationship to the biblical text is not close enough for us to consider it at all within this framework, and that is the Noah literature. See F. García Martínez, “4QMessAr and the *Book of Noah*” in *Qumran and Apocalyptic: Studies on the Aramaic Texts from Qumran* (STDJ 9; Leiden: Brill, 1992), 1–44, esp. 40–43, “Noachic Materials at Qumran,” and D. Dimant, “Noah in Early Jewish Literature,” in *Biblical Figures Outside the Bible* (ed. M.E. Stone and T. Bergren; Harrisburg: Trinity Press International, 1998), 123–150. Texts such as 1Q19, 4Q534–536, and 6Q8 are said to belong to this lost work, but what characterizes them is, I believe, their independence from the biblical narrative. Even the descriptions of Noah’s birth in texts such as 1 *Enoch* and 1Q19, which, it could be argued, are generated, loosely speaking, by the Bible, which interrupts its genealogical list to furnish the etymology of his name, cannot be said to be interpretation of the Bible, and the same appears true of the predictions of his future, which we see in 4Q534, if indeed it is a work about Noah. As I stress in the final section of “Noah and the Flood at Qumran,” 226–231 (below, 318–322), subtitled “Was There a ‘Book of Noah’ at Qumran?” the stories about Noah’s birth belonged to the story of *Enoch* through Lamech for the ancient writer, and, other than the Genesis Apocryphon, I do not think that we have a work that describes Noah’s birth as well as the rest of his life, so that if there existed a “Book of Noah” at Qumran, it was not a comprehensive biography.

<sup>12</sup> There is no way to be certain how far beyond that boundary the text progressed. M. Morgenstern, in “A New Clue to the Length of the Genesis Apocryphon,” *JJS* 47 (1996): 345–47, has argued that since the surviving sheets that contain columns 5–22 are marked with the consecutive letters of the Hebrew alphabet, *peh*, *sade*, and *qof*, and since *peh* is the seventeenth letter of the Hebrew alphabet, there must have been fifteen or sixteen sheets preceding the one on which column 1 is preserved. This would provide for a loss at the beginning of the Apocryphon of more than seventy columns, a length greater than that of any surviving Qumran manuscript. This suggestion, however, has yet to be evaluated thoroughly, and, at present, must be considered unproven.



retelling; harmonizing, rearranging, as well as expansions and insertions to enhance the smoothness and coherence of the narrative.<sup>13</sup> The Genesis Apocryphon, while adding to and expanding the biblical narrative, does not appear to reduce its scope by omitting major sections of Genesis as far as I can tell. It thus belongs to the “rewritten Bible” sort of commentary that, because of its consecutive, nonselective, nature, does not lend itself to discussion of the major issues in which I am interested. Because of its fragmentary nature, it is also difficult to evaluate its precise scope, a frequent obstacle in analyzing the Qumran documents.<sup>14</sup> Of particular interest to my purpose here is the fact that the surviving text of the Apocryphon deals almost exclusively with the period from Noah to Abraham, a range that coincides strikingly with the Genesis material that is prominent in the much less comprehensive texts to which I now turn.

63 Moving away from works whose remains indicate that they had substantial scope, I turn to a selection of Qumran texts whose remains | are very fragmentary—documents that, with rare exception, have no title pages, beginnings, or endings.<sup>15</sup> These texts engender questions of both scope and genre, and thus contribute to the problem of nomenclature to which I alluded earlier. The sometimes grandiose names given by scholarly editors to these works frequently imply that they possess greater literary scope than they actually do. Acknowledging the fragmentary nature of so many of these documents, we must also beware of making presuppositions that impel us to draw conclusions from a text that is not there. In stating the scope of the texts that appeared in these manuscripts, it is better to err on the side of caution and to describe manuscripts as much as possible in terms of what they do contain rather than in terms of what they might have contained.

Furthermore, even when the contents are clear, there is the additional problem of generic definition. The disparate names that have been given

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<sup>13</sup> On these exegetical devices within the Genesis Apocryphon, see my “Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *Dead Sea Discoveries* 3, no. 1 (Jonas C. Greenfield Memorial Issue) (1996): 37–57 (below, 1175–194).

<sup>14</sup> Even after the publication of the readable material from previously illegible columns in J.C. Greenfield and E. Qimron, “The Genesis Apocryphon Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77, and M. Morgenstern, et al., “The Hitherto Unpublished Columns of the Genesis Apocryphon,” *Abr-Nahrain* 33 (1995): 30–52, I do not think that my characterization of the fundamental nature of the Apocryphon needs to be changed.

<sup>15</sup> It is works like these that cause me to emphasize to my students that we too frequently deal with the “Dead Sea Fragments” and not the Dead Sea Scrolls.

to these texts since their discovery often appear to have neatly pigeon-holed them, but such classification has tended to dissuade investigators from comparing texts whose interpretation would benefit from comparative study. Of works that touch on Genesis, we have those labeled “pesher,” “pseudo-Jubilees,” “commentaries,” “paraphrase,” “admonition,” “exposition,” and so on. It appears that we should describe many of these works as points along a generic spectrum of works associated with the Bible rather than as clearly definable, independent types. By grouping the material under discussion not on the basis of specific manuscripts or genres but by identifying the contents that a variety of texts have in common, I hope to overcome dichotomization by nomenclature, which is, as has become apparent, somewhat artificial.

We first examine a group of fragmentary texts whose primary focus appears to be Genesis alone. The first collection of these texts has been classified as “pseudo-Jubilees” on the grounds that (in the words of their editor, James C. VanderKam) “the texts employ language that is familiar and to some extent characteristic of *Jubilees*, but the documents themselves are not actual copies of *Jubilees*.”<sup>16</sup> But this kind of description does not satisfy fully, as it does not characterize the genre or extent of the documents under consideration. Their link | with *Jubilees* on linguistic grounds alone does not aid us in interpreting them, except by doing us the disservice of pre-classifying them together with *Jubilees* and perhaps thereby prejudicing our analysis. *Jubilees* is a long narrative work; these texts, as far as we can tell from their contents, are not. They appear to flow at a very different pace, or very different paces, from *Jubilees*, and their unequal treatments of a variety of sections in Genesis evince principles of selectivity and arrangement that are critical to our investigation of the Genesis stories at Qumran. Omission and compression of details or other data, as well as any other type of choice, give us insight into the method of the author/compiler(s) of works such as these.

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Fragment 2 of 4Q225 is clearly located in the Genesis narrative, apparently beginning with a reference to the penalty of *karet*, in my opinion introduced as the punishment for failure to observe the commandment of circumcision (Gen. 17:14), followed by a statement that someone remained

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<sup>16</sup> James C. VanderKam, “4Q225 (Pseudo-Jubilees<sup>a</sup>),” in H. Attridge et al., *Qumran Cave 4, VIII: Parabiblical Texts, Part 1* (DJD XIII; Oxford: Clarendon, 1994), 142. I thank Professor VanderKam for sharing this material with me in advance of its publication, and for several productive conversations regarding our mutual interest in the Genesis material at Qumran.

in Haran for twenty years.<sup>17</sup> Abraham addresses God with a somewhat modified version of Gen. 15:2–3,<sup>18</sup> and God replies in three and one-half lines that represent a version of Gen. 15:5–6 exegetically expanded under the influence of Gen. 13:16. From the beginning of Gen. 15, the text leaps to the birth of Isaac (Gen. 21), summarizing it most briefly and moving on to the account of the Aqedah (Gen. 22).

It is clear that a full retelling of the biblical story is not the goal of the author of 4Q225.<sup>19</sup> If my interpretation of the first line is correct, the reference to circumcision (Gen. 17) has been shifted to a position before this passage (Gen. 15), and there is clearly no reference to Hagar and Ishmael (Gen. 16) at all. Only a bare outline of the connecting portion links the material parallel to Gen. 15 with that parallel to Gen. 22. The omission of the Hagar-Ishmael story indicates that not all portions of the narrative were of equal significance to the author of 4Q225, and that his goal is not to summarize the whole of Genesis. Simultaneously, the effect of the juxtaposition of God's promise of numerous children to Abraham with the demand to sacrifice Isaac is to highlight the apparent contradiction or  
 65 inconsistency | between the two passages, leading the reader to focus on a problem that, although implicit in the biblical text, has been stressed here by stripping away the intervening, and interfering, passages.

The conclusion of the Aqedah, of course, has Abraham passing the test, although there are some serious textual difficulties in the reconstruction of the actual details of 2 ii 8–10. The narrative then skips without a break to the births of Jacob and Levi (11–12) and the life spans of all the patriarchs in the context of the *שר המשתמה*, “the Prince of Mastemah,” and *בליעל*, “Belial” (13–14). The *stories* of Genesis in and of themselves are of no interest to the composer of this text. We see how a name like “pseudo-Jubilees” is thus both appropriate and inappropriate for this sort of document; the involvement of *משתמה* and *בליעל* indicates a similar theological framework for both works, but the selective nature of the retelling in 4Q225

<sup>17</sup> See VanderKam's commentary (148) for discussion of this point. I cannot accept his conclusion that this line, surrounded by circumcision (in my view) and the Abrahamic covenant and Aqedah, refers to Jacob's stay in Haran. Compare further my comments in “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994): 13, n. 43 (below, 1.108).

<sup>18</sup> *וירשני* represents *אותי יורש* of 15:3 as noted by VanderKam (148), but the rest of i 3–4 derives from 15:2.

<sup>19</sup> If we were to compare 4Q225 with *Jubilees*, we note that 4Q225 skips from *Jubilees* 14:7 to 16:14 and from there to 17:15.

is so different generically from *Jubilees* that I believe that this difference overrides the ideological similarity.

Fragment 1 of 4Q225, however, makes the problem more complicated. In VanderKam's edition, it contains an apparently clear reference to Abraham's circumcision, which is not only troublesome to me because of my understanding of 2 i 1 but has its own contextual difficulty because the following line reads "and God sold them," followed, after a *vacat*, by a direct address to Moses in language that recalls *Jub.* 1:29. I do not believe that the restoration וימל ("he circumcised") is certain, and without it the reference in 1 4 עִם אַבְרָהָם נִכְרְתָה, literally, "was cut with Abraham," refers to the Covenant between the Pieces, which is quite appropriately followed by a reference to the enslavement in Egypt (compare Gen. 15:13).<sup>20</sup> This is the most *Jubilees*-like fragment of this document, but still it does not justify, in my view, referring to the entire text as pseudo-*Jubilees* either in sequence or in scope.<sup>21</sup>

Turning to 4Q226, pseudo-*Jubilees*<sup>b</sup>, only fragment 7 is clearly located in Genesis, and it overlaps linguistically with 4Q225 2 ii, although VanderKam's comments on the latter text indicate that there does not seem to be room for the inclusion of all of the text of 4Q226 in the space of 4Q225. We find, once again, the faithfulness of | Abraham (נִמְצָא אַבְרָהָם), God's blessing, and the generations Abraham, Isaac, Jacob, Levi, with whom the term דּוֹר שֶׁל [יִשְׂרָאֵל], "th[ird] generation," is associated. All this occurs within four lines. The fifth line refers to the three patriarchs by name, and the sixth speaks of the "holy angels." The presence of the same subject matter in both 4Q225 and 226—which, although having material in common, are not the same text—points further to these shared themes as being significant for the authors of each, and, by extension, to the group(s) to which they belonged. But that is all that connects this text with Genesis in the surviving fragments, and there is at present no way to determine its context.<sup>22</sup>

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<sup>20</sup> Compare also 2 i 5–8 and 4Q252 ii 11–12. According to VanderKam (144), "the traces [of וימל] are difficult," and Milik's proposal differed from the final edition. Is it possible that the words ויכא אותם, "he smote them," in 13 refer to Abraham's smiting of the four kings (Gen. 14), which takes place immediately before the covenant (Gen. 15) in the biblical text?

<sup>21</sup> The reference to עוון הזנות in 1 1 also might serve to locate it in the milieu of works where the sin of fornication is emphasized, like *Jubilees* and some other Qumran writings.

<sup>22</sup> Fragment 11 1, according to VanderKam (168), reads למחשף יהיה, and he notes that the only occurrence of this word in the Bible is at Gen. 30:37 מלחשף הלבן, but there is no further context in the fragment.

The remaining six fragments of 4Q226 concentrate on post-Genesis biblical narrative. The use of השבוע “week” (1 5), הזוה “this jubilee” (1 6), and יובלים “jubilees” (2 3), furnishes a chronological focus for the text similar to that of *Jubilees*. But, although *Jubilees* itself, from 46:11 through 50, moves beyond the end of Genesis, it appears that 4Q226 extends its story even beyond the conclusion of *Jubilees*, which ends with the Exodus. Fragments 3 and 4 seem to address Moses and inform him that Joshua, and not Moses himself, will lead the Israelites across the Jordan. Fragment 6 can easily be read into such a framework as well. What might the scope and structure of this document have been? We should be wary of attempting to reconstruct a whole text that stretches across the Pentateuch out of fragments that merely include the Aqedah, on the one hand, as well as references to Moses’ not crossing the Jordan, on the other. We stress once again the selectivity of the texts that contain Genesis material. The coincidental repetition of a pericope that appeared in 4Q225 should also make us consider very carefully just how “randomly” accidental preservation has transmitted texts to us.

The third pseudo-Jubilees text (4Q227) contains only two fragments, the first containing a reference to Moses and the second to Enoch. The latter contains references to ששה יובלי שנים, “six jubilees of years,” and the עיריים, “Watchers,” and also refers to astronomical and calendrical writing by Enoch. VanderKam writes, “The contents of the fragment show close similarities with *Jub.* 4:17–23.”<sup>23</sup> But in light of the first fragment, which seems to have little to do with Jubilees, are the references to Enoch, the calendar, and the Watchers enough to call this work “pseudo-Jubilees”? Can we have any idea of what kind of material or how much appeared between the | fragments? Once again, the grand titles of these two fragments belie the very limited nature of their contents.

These pseudo-Jubilees texts thus serve as a good introduction to our problems of scope, genre, and nomenclature. We should ask, not for the last time, whether it might be appropriate to use the term “commentary” somewhat loosely for some of these documents from Qumran. Because I believe that the term “Rewritten Bible” should be restricted to works of substantial scope (and the question of how substantial is debatable) and that abbreviated or selective Rewritten Bible is the first step toward recognizable biblical commentary, the term “commentary” begins to be appropriate as soon as we move away from Rewritten Bible.

<sup>23</sup> DJD XIII, 172.

When we turn from the texts that have been called pseudo-Jubilees to the three that were once termed “pesharim on Genesis” (4Q252–54) and are now four (4Q252–254a), referred to with the more mundane name “commentaries on Genesis,” the problem of nomenclature again intersects with that of genre.<sup>24</sup> Such a neutral term as “commentary” may be too nonspecific and nondescriptive as well, although I have no better solution to offer. Commentary on Genesis A, 4Q252, the best preserved of this group, appears to be a complex text derived from a variety of sources; some of its remarks are in the form of lemma + comment, some are just comment, and others resemble Rewritten Bible.<sup>25</sup> The generic problem evident in the case of the pseudo-Jubilees texts has not been solved for these documents either, and we should ask in advance whether a more comprehensive terminology would be more efficient.

| Even if we add the subject matter of the fragmentary remains of 4Q252 to the better-preserved material, we find elements only of Gen. 6–9, 11, 15, 16(?), 18, 22, 28, 35, and 49.<sup>26</sup> However we evaluate the document, it seems clear that its goal is not to retell the biblical narrative. As a result, the first and most substantial portion of the text, i 1–ii 5, Noah and the Flood, is somewhat misleading, because it appears to be just such a retelling. A closer examination indicates that the concern of the author is to clarify certain apparent difficulties in the biblical text and to omit whatever details of the biblical story are not germane to his concerns.<sup>27</sup> 68

<sup>24</sup> These commentaries have now all been published by George J. Brooke in G. Brooke et al., *Qumran Cave 4, XVII: Parabiblical Texts, Part 3* (DJD XXII; Oxford: Clarendon, 1996), 185–212, 217–36, as “4QCommentary on Genesis A–D.” Fragment 4 of 4Q253, which is largely a citation of Mal. 3:16–18, has been designated 4Q253a “4QCommentary on Malachi” by Brooke and has been published *ibid.*, 213–15. I thank Professor Brooke for sharing his work on the Genesis Commentaries with me at the prepublication stage.

<sup>25</sup> The nature and genre of 4Q252 have been the subject of a productive debate between George J. Brooke and myself. See Professor Brooke’s articles, “The Genre of 4Q252: From Poetry to Peshet,” *DSD* 1 (1994): 160–79; “The Thematic Content of 4Q252,” *JQR* 85 (1994–95): 33–59; and “4Q252 as Early Jewish Commentary,” *RevQ* 17 (1996) [J.T. Milik Festschrift]: 385–401. Compare my treatments, “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994): 1–27 (below, 1.92–125), and “4Q252: Method and Context, Genre and Sources. A Response to George J. Brooke,” *JQR* 85 (1994–95): 61–79 (below, 1.133–150). The positions taken in that dialogue have ramifications for the characterization of 4Q252 adopted here, although I have attempted to use in this discussion a perspective that is not uniquely dependent on my own analysis of 4Q252. I am inclined now to modify some of my earlier positions in light of Brooke’s most recent treatment in the Milik Festschrift.

<sup>26</sup> The manuscript has twenty-two lines in the well-preserved first column, and no more than fourteen in any other one, so that we must admit that there may have been a limited amount of other matter in the lacunae.

<sup>27</sup> Compare my remarks, *JJS*, 7–9 (below, 99–103).

The skipping from passage to passage without connecting details indicates that coherent narrative is not the purpose of the text. We go from a lengthy summary of the Flood to Noah's curse on Canaan to Abraham's leaving Ur for Haran and then Canaan. The particular details of stories, rather than the stories themselves, concern its compiler.

The very fragmentary portions of 4Q252 ii–iii that follow take us to the Covenant (Gen. 15), the prayer for Sodom (Gen. 18), the Aqedah (Gen. 22), and the blessing of Jacob by Isaac (?) (Gen. 28). The Aqedah follows the prayer directly, without a significant space in the text, demonstrating again that in this text, as in 4Q225, there seems to be no concept of storyline or consequence. The appearance of the Aqedah in three of the first four texts examined may indeed reveal the significance of this episode to the authors or compilers at Qumran, but that must be the limit of our conclusion at present.

The remaining fragments of 4Q252 provide very brief comments on the lineage and history of Amaleq, the interpretation of Jacob's blessings of Reuben and Judah (with enough room for Simeon and Levi in the gap), and a few words from the blessings of Asher and Naphtali. The various pericopes covered in the manuscript differ in the amount of space allotted to each one, and it is difficult to establish their relative importance or the organizing principles of the composer or collector. Thus the destruction of Sodom seems to be under discussion for five and one-half lines of column iii, and the Aqedah for perhaps three. Not only is the intent of this document not to retell or interpret the whole story of Genesis, but even within the incidents that it does include, the narration or retelling does not seem to be a particular goal of the author. This commentary can be paradigmatic for our survey in a further way: Because we can reconstruct the six | (first) columns of the text, we can demonstrate, in this case at least, that it could not have covered much more of Genesis than we have described. Thus it should serve as a caution against the assignment of expansive names and the assertion of great scope in the reconstruction of other works.

Commentary on Genesis B consists of only four fragments, and it is even less clear than in the case of 4Q252 how it was assigned its former title as pGen<sup>b</sup>.<sup>28</sup> We see, once again, that the assignment of titles to fragmentary works in the early days of Qumran scholarship was at times not

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<sup>28</sup> In addition to Brooke's publication in the DJD series, see his article "4Q253: A Preliminary Edition," *JSS* 40 (1995): 227–29. It should be noted that Brooke's fragments 4 and 3 are fragments 3 and 4, respectively, in B.Z. Wacholder and M.G. Abegg, *A Preliminary Edition of*

done with great concern for the perspective of the entire corpus. There does not seem to be even one verse from Genesis actually quoted in the text: Fragment 1 refers to התבה (1 3) and perhaps to Noah (1 4); fragment 2 seems to deal with rules for sacrifice. If we are to associate them, might fragments 1 and 2 be linked to Noah's offering after the Flood?<sup>29</sup> There is no way to tell which stories of Genesis, if any, were important in this "pesher." If the passage regarding sacrifice in quasi-legal language refers to the Noah story, then it could easily have led to its classification as "pseudo-Jubilees" rather than a "pesher" (or even a "commentary"), with the striking similarity of this text to *Jubilees* being specifically the melding of law and narrative.

When we search 4Q254, Commentary on Genesis C, for allusions to the tales of Genesis, we find that fragment 1 cites the same verse from Gen. 9:24–25 about Noah's awakening as did 4Q252 ii 5–6, while fragments 5, 6, and 7 cite and interpret portions of the blessings of Issachar, Dan, and Joseph (with the single word כבודי of fragment 9 possibly being from that of Simeon and Levi, although Brooke suggests a location earlier in Genesis). Both 4Q252 and 254 thus have sections on Jacob's blessing his sons, but there is no overlap of sons between the documents. Brooke suggests that fragment 3, which contains the words חמורו, "his donkey," and perhaps זרעכה, "your seed," belongs to the wider context of the sacrifice of Isaac, noting that the same pericope leaves an extract in 4Q252 as well. It is most difficult, in my view, to ascertain the context based on those fragmentary lines, and although it is possible that Brooke has pointed us in the right direction, a legal context for these lines is not to be excluded.

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Some of the readable fragments of 4Q254, however, seem unconnected with Genesis. The commentary, whose former generic identification as "pesher" could perhaps have been accepted based on pesher-type language such as אשר אמר, "that which it says" (1 1, 10 2), is not interested in Genesis material alone. Fragment 4 clearly refers to the שני בני היצהר, "the two sons of oil," of Zech. 4:14, with a comment on it referring to אנשי הי[ח]ד, "the men of the community." Once again, we find the use of material from the Genesis narratives in a work that is not itself generically a narrative. When we evaluate the Genesis contexts of the readable material, we find

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*the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave 4* (Washington D.C.: Dead Sea Scroll Research Council/Biblical Archaeology Society, 1992), 2.217.

<sup>29</sup> Brooke, DJD XXII, 212, writes of fragment 2, "The fragment as a whole echoes with cultic terms, but it is not possible to locate it more precisely in relation to the tradition, though it would not be inappropriate to associate it with Jacob."



fragments referring to Noah and to Jacob's blessings. In this work, which is clearly not a narrative or commentary as far as we can tell, what is the organizing principle? To extend the term "pesher" or "commentary" simply because there is a combination of biblical and nonbiblical text is neither helpful nor advisable. Perhaps it would be better to describe some of these texts as "works that refer to Genesis."

Three fragments originally identified as belonging to another pesher, then assigned to 4Q254, have been reclassified by Brooke as 4Q254a (Commentary on Genesis D). These contain data on the Flood narrative, but in a peculiar order, as there appears to be a reference to the dove (היונה) before the dimensions of the Ark (fragments 1–2).<sup>30</sup> Fragment 3 refers to Noah's exit from the Ark and to the raven, which is omitted in 4Q252. It is of course impossible to evaluate a text from three fragments, but when we find a fourth reference in the four so-called Commentaries on Genesis to the Flood story, can it be mere coincidence, or are we to conclude that this Genesis narrative was more popular or significant than others for the authors of these texts?

A bit more perplexing are 4Q180–181, a pair of documents whose relationship to each other has been the subject of some dispute, particularly between J.T. Milik and D. Dimant. There is no doubt, however, that the focus of these works, at least of 4Q180, which is often referred to as the "pesher on the periods," is on a series of narratives from Genesis. The debate centers only on which stories are referred to and the purpose for which they are gathered. Milik believes that the focal point of these texts (which he holds to be two copies of the same text) is the theme of angelic intervention, while | Dimant, who denies their identity, believes that it is the exposition of the periods or ages of primeval history.<sup>31</sup> The more substantial of the two texts, 4Q180, makes its Qumran provenance clear from its first word, פשר, through its use of Qumran terminology like קק,

<sup>30</sup> I suggest, with great diffidence, that the reference to the dove before the actual Flood story is an anticipation of Noah's sending it out to seek dry land later on, as the dove is referred to with a definite article at its first appearance in Gen. 8:8.

<sup>31</sup> Originally published by J.M. Allegro, *ALUOS* 4 (1962–63): 3–5, and DJD V, 77–80, which must of course be corrected by J. Strugnell, "Notes en marge du volume V des Discoveries in the Judaean Desert of Jordan," *RevQ* 7 (1970): 252–55; J.T. Milik, "Milki-šedeq et Milki-reša' dans les anciens écrits juifs et chrétiens," *JJS* 23 (1972): 109–124; idem, *The Books of Enoch* (Oxford: Clarendon, 1976), 248–53; D. Dimant, "The 'Pesher on the Periods' (4Q180) and 4Q181," *Israel Oriental Studies* 9 (1979): 77–102. In my discussion I shall follow the most recent discussion by Dimant and allude to Milik's analysis when relevant. Unfortunately, restorations play a significant role in the debate.

“period,” and סרדך, “rule,” and deterministic ideology like בטרם בראם הכין פעולות [יהם] “before He created them, He prepared [their] tasks.”

As far as its relationship to Genesis, 4Q180 1 4–5 speaks of the birth of Isaac at the end of ten generations beginning with Shem (Dimant),<sup>32</sup> and 1 7–8, the “pesher on Azazel,” paraphrases Gen. 6:4.<sup>33</sup> The order thus appears not to be strictly chronological. Abram’s change of name to Abraham (Gen. 17:3–5) is paraphrased in 2–4 i 3–5. The following column alludes to Mount Zion and Lot (2–4 ii 1–3) and, after a *vacat*, identifies the three men who visited Abraham as angels (2–4 ii 3–4; Gen. 18), proceeding without a break into a fairly close version of Gen. 18:20–21. Dimant and Milik agree that 5–6 1–4 refer to the distance from Beersheba to Mount Zion (= Mount Moriah/Jerusalem) but disagree both about its place in the Abraham narrative and regarding the reference to Pharaoh in line 5.<sup>34</sup> Milik referred it to Sarah’s perils at the hands of Pharaoh and Abimelech, while Dimant, insisting on chronological sequence in the manuscript, believes that it “should better be understood as alluding to an episode other than the one in Gen. XII.”<sup>35</sup>

Amid these references to and commentary on the narrative of Genesis, there is interspersed other material that probably belongs to | the “pesher” or interpretive portion of the text. But the material in 4Q180 goes far beyond what we expect, based on the models of the other Qumran pesharim, not to mention the Genesis commentaries discussed earlier, and Dimant is certainly correct to point out that “we may have here a different type of Peshar which expounds subject-matters other than biblical texts.”<sup>36</sup> The theological expansions in this material are typical of Qumran theological writing in both themes and language. Both for Milik and for Dimant, it is clear that the biblical material was assembled for the larger purpose of the work and not to retell the story of Genesis or even to interpret it. Especially if we adopt Dimant’s approach rather than Milik’s,

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<sup>32</sup> I follow the reconstruction of Dimant (80), but the restoration and interpretation of this section is fraught with difficulty. The one thing of which we can be sure is that we have a reference to Isaac before the one to the fallen angels.

<sup>33</sup> [א]פסר על עוזאל והמלאכים אש[ר באו אל בנות האדם] [וילדו להם גברים [לאברהם] [עד הוליד ישחק [את עשרה הדורות עוזאל והמלאכים אשר באו אל בנות] [להמה גבורים]. It is the near identity of the reconstructed texts that leads Milik to claim that both manuscripts are copies of the same work.

<sup>34</sup> I tend to agree with Milik that the passage belongs to the context of the Aqedah (a popular theme, as we have seen, at Qumran) rather than Dimant’s vaguer geographical perspective.

<sup>35</sup> Dimant, 86.

<sup>36</sup> Dimant, 92.

although both are difficult, we understand the concern of this document with chronology in light of the importance of that theme in Qumran and in Second Temple literature on the whole. How should our knowledge of this thematic concern affect our naming of the text? Can this text serve as a model for our assignment of names and generic description to any of the documents we discussed earlier?

A very fragmentary text published in 1992 by M.E. Stone and E. Eshel, *An Exposition on the Patriarchs*, focuses, of course, on the book of Genesis.<sup>37</sup> The order of my discussion of the text is that of the editors, but a caveat suggested by them must be kept in mind: "We have arranged the fragments by biblical chronology. Because of the character of the document . . . it is not certain that in fact the fragments did occur in this order."<sup>38</sup> Fragments 1 and 3 clearly deal with Abraham; the first relates him to Haran, and the second, in its first column, associates him with "the holy tongue," citing a passage from Zeph. 3:9.<sup>39</sup> Fragment 3 ii refers to the Covenant, and apparently quotes Gen. 15:18 (3 ii 3-4). From a generic standpoint, 4Q464, like a | number of other texts I have discussed, writes about its biblical figures narratively, with dialogue omitted virtually completely. This type of writing has the effect of speeding up the action in the narrative because dialogue tends to retard it. The citation of Gen. 15:18 here is introduced with the formula **כַּאֲשֶׁר אָמַר**, "just as it says," which establishes the relationship of the *Exposition* with canonical Scripture.

Fragment 5 reflects either the Noachic Flood or the destruction of Sodom and Gomorrah,<sup>40</sup> and fragment 6 clearly portrays the Aqedah,

<sup>37</sup> M.E. Stone and E. Eshel, "An Exposition on the Patriarchs (4Q464) and Two Other Documents (4Q464<sup>a</sup> and 4Q464<sup>b</sup>)," *Le-Muséon* 105 (1992): 243-64; "464. 4QExposition on the Patriarchs," in M. Broshi et al., *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (DJD XIX; Oxford: Clarendon, 1995), 215-30.

<sup>38</sup> Stone and Eshel, "Exposition," 245; DJD XIX, 215-17. They properly raise the generic question regarding this text, stressing the presence of *vacats*, which might have structural functions. "The occurrence of the word *pešer* and the citation of a biblical verse following a formulaic introduction in *fragment 3*, as well as the possible similar citation in *fragment 7*, line 3, seem to run against the idea that this is a simple narrative apocryphon of some sort." This observation might also be applied to some of the pseudo-Jubilees and Commentary on Genesis texts discussed earlier.

<sup>39</sup> On this text, see Eshel and Stone's further discussion in *Tarbiz* 62 (1993): 169-77 and DJD, XIX, 219-21.

<sup>40</sup> Stone and Eshel in the *editio princeps* prefer Sodom and Gomorrah but seem to change their minds in the comments on the official publication, DJD XIX, 224-25. The emphasis on destruction by water sufficed to convince me that the context is the Noah story, as water plays no role in descriptions of Sodom and Gomorrah, and the editors in DJD have made an even stronger case.

including the citation of the celestial command to Abraham not to sacrifice his son. This is the fourth or fifth appearance of the Aqedah in the literary sources we are examining, and the third citation of this very verse.<sup>41</sup> Fragments 7 and 8 belong to the Jacob narrative, with as many as six incidents in his life alluded to in eight lines (one of them a *vacat!*), according to the editors. They suggest that we have here a listing of events in Jacob's life such as is found in the Testament of Levi.<sup>42</sup> Regardless, it is the most compressed retelling we have seen, omitting everything in the biblical narrative except the barest details of a very limited selection out of Gen. 25–34. Fragment 10 contains a single word on each of two consecutive lines, שׁוֹר, “ox” or “wall,” and מִכְרוּהוּ, “they sold him.” The latter plausibly comes from a Joseph context, as noted by the editors, while the former might as well.<sup>43</sup>

These limited, rather small fragments of 4Q464 contain a greater range of Genesis stories than any of the other texts I am discussing in this essay (and all of the identifiable pieces conform to the working title of the document). The surviving text is about the patriarchs, and not their predecessors, an observation I stress in light of the substantial Enoch-Watchers-Noah material we find in many other Qumran texts. The distribution of the fragments of this text coheres far better than those of any pseudo-Jubilees or Commentary on Genesis and perhaps | should help us to see the others as less comprehensive and inclusive, and ultimately as belonging to different genres.

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*Paraphrase of Genesis and Exodus* is the official title assigned to 4Q422, published by Tov and Elgvin in DJD XIII, presumably because it relates, in its own language, stories from those two pentateuchal books.<sup>44</sup> In actuality, however, the two first columns (out of three reconstructed by Elgvin and Tov) contain limited material from the end of the stories of Creation and the Garden of Eden (Gen. 1–3) and the Flood (Gen. 6–8). The other column describes the plagues of Egypt. Even granted the vagaries of random preservation of manuscripts in the Qumran caves, we must be

<sup>41</sup> There are references to the Aqedah in 4Q225, 4Q226, 4Q252, and perhaps 4Q180. Phrases from Gen. 22:12 are quoted also at 4Q225 2 ii 8–9 and 4Q252 iii 7–9.

<sup>42</sup> Stone and Eshel, “Exposition,” 257, and DJD XIX, 226–27, referring to T. *Lev.* 12:5.

<sup>43</sup> Compare Gen. 49:22 שׁוֹר עָלַי and the well-known midrashic reading of Gen. 49:6 עִקְרוֹ שׁוֹר. I have discussed the relationship of several points in 4Q464 to other sources of ancient Jewish exegesis in “Three Notes on 4Q464” (Hebrew), *Tarbiz* 65 (1996): 29–32 (translated below 1.286–290).

<sup>44</sup> T. Elgvin and E. Tov, “Paraphrase of Genesis and Exodus,” in H. Attridge et al., *Qumran Cave 4, VIII: Parabiblical Texts, Part 1* (DJD XIII; Oxford: Clarendon, 1994), 417–41.

extremely diffident in using terminology that implies great scope to this text. We must first judge the text by its own dimensions and only then posit a hypothetical range for it.

The summary description of creation in 4Q422 i, like the rest of this text, has overtones of psalmodic wisdom, perhaps undermining even further the classification “paraphrase.” Would we use such phraseology regarding Psalms 78, 105, or 106? The narrative is told in its limited fashion, one suspects, toward an objective beyond the story line, perhaps to indicate that man’s disobedience of God’s commands goes back to the very first generation of humanity, and that the sin-punishment cycle had already begun then. The focus on Noah in column ii comes as no surprise to us after we have seen a variety of references to his tale in the documents examined to this point. It is obvious that the story of Noah and Noah himself were of interest and significance to the circles that produced the literature of Qumran and its kin.<sup>45</sup> The persistent preservation of references to Noah is not likely to be random.

In both of the columns that Elgvin has reconstructed, it is clear that the genre is not even selectively Rewritten Bible, and that the term “paraphrase” is thus perhaps misleading. Column i juxtaposes sharply God’s entitling man to eat the produce of the earth except for the tree of knowledge together with Adam’s eating from the tree, described as an act of forgetfulness done with evil intention. The picture (admittedly fragmentary) is generic; the narrative is about God—“He made; He made; He gave him dominion”—it does not seem to focus on specific human individuals. In  
75 column ii, as well, | although a large part appears to be a recapitulation of the biblical narrative in biblical language, there are significant additions, primarily in the column’s second half, which indicate that a *Tendenz* is present. If my understanding of ii 9 **הגיש לפניו** 9, “he offered before Him,” is correct, we have another reference to Noah’s sacrifice after the Flood (compare 4Q253 3 ii 2), which precedes the allusion to the rainbow and the preservation of astronomical order, as it does in Genesis.<sup>46</sup>

Significant for my discussion is the fact that the reconstructed remains of 4Q422 are basically limited to Creation and man’s disobedience, the Flood, and, in the portion not discussed in this essay, the beginning of

<sup>45</sup> 1QapGen, 1Q19, 4Q252–254a, and 4Q370, in addition to the substantial Enochic literature found at Qumran, See my discussion in “Noah and the Flood at Qumran.”

<sup>46</sup> If Elgvin’s filling the lacuna in line 12 with **ל[ע]ל מאורות להאיר** is correct, we might have some sort of reference to calendrical reckoning or the like.

Exodus through the plagues.<sup>47</sup> It does not appear from the surviving material that this manuscript contained a “paraphrase” of Genesis and Exodus, but rather accounts of particular biblical pericopæ, condensed or expanded according to the objectives of the author. In what way does this text differ from some of the other texts I have discussed to this point? Once there is a process of selection, compression, and omission, our obligation to understand the thought process and focus of the composer/compiler becomes greater, and it should force us to be as limiting as possible in naming texts and in hypothesizing about their possible range. In the instance of 4Q422, the “wisdom” or didactic aspect of the retelling should be quite clear, and in fact, Elgvin and Chazon have pointed out lines of contact among this document and others with such very different kinds of title as 4Q504 (Dibre Ham<sup>a</sup>), the newly published sapiential works [4QInstruction], and the very fragmentary 4QMeditation on Creation texts.

Let us turn to texts that cannot in any way be described as retellings of or commentaries on Genesis. C.A. Newsom, the editor of 4Q370, describes it as *An Admonition Based on the Flood*, because its first column summarizes the biblical deluge, while the second “does not contain more narrative but rather homiletical or admonitory remarks.”<sup>48</sup> The cataclysmic occurrence as punishment for mankind’s sins is stressed by the author (i 3–5), and its effect on all living creatures, including הג[בור]ים, “the mighty ones,” is given a | thumbnail sketch (i 5–6). The establishment of the covenant of the rainbow and the promise of no future flood concludes the last coherent section (i 7–8).

Newsom points perceptively to the significance of Noah’s absence from the text, drawing from it the conclusion regarding genre that 4Q370 is unlikely to be a Noachic testament.<sup>49</sup> Noah’s absence also differentiates 4Q370 from 4Q422, for example, where Noah is present and acts, despite other similarities between these documents. The interest/perspective (although not the point of view) of 4Q370 is also on the divine, focusing on God’s actions before and after man’s sin. To cite Newsom once again, “The selection and omission of detail suggests that the author is interested in the flood as a story of disobedience and punishment rather than,

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<sup>47</sup> The single reconstructed Exodus column contains references to the midwives, Moses (at the bush?), and a poetic-sounding list of nine plagues.

<sup>48</sup> C.A. Newsom, “4Q370: An Admonition Based on the Flood,” *RevQ* 13 (1988): 23. The text has now been published by her in M. Broshi et al., *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (DJD XIX; Oxford: Clarendon, 1995), 85–97.

<sup>49</sup> Newsom, “Admonition,” 29; DJD XIX, 85.

e.g., a story of the deliverance of the righteous.”<sup>50</sup> The tone of 4Q370, on the other hand, is reminiscent of that of 4Q422 i, where man manifests ingratitude to divine blessing by sinning. The uses of the story of man’s first disobedience in 4Q422 and of the Flood in 4Q370 are similar and may point to a loose generic connection between them, but the didacticism of the two retellings does not appear to be identical.

Another non-narrative context in which the Genesis material makes an appearance at Qumran is in the liturgical texts known as *Dibre Hamme’orot*.<sup>51</sup> In 4Q504 8 + 9 1–22, the prayer is clearly based on the story of the creation of man in Genesis 1 and 2, and his disobedience in Genesis 3, followed by fragmentary allusions to the Flood. Chazon suggests that those fragmentary references to the Flood story were also developed along the “sin-punishment” theme. She has drawn attention to the similarities between the contents of this text and of 4Q422, which also describes man’s creation, disobedience, and the Flood, as well as those of 4Q423 2, a sapiential text that alludes to man’s placement in and expulsion from Eden.<sup>52</sup> The use of the Genesis | material in these texts, as well

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<sup>50</sup> Newsom, “Admonition,” 35; DJD XIX, 88.

<sup>51</sup> M. Baillet, *Qumran Grotte 4, III (4Q482–4Q520)* (DJD VII; Oxford: Clarendon, 1982), 162–64. This passage was drawn to my attention in connection with this essay by Esther Chazon in the summer of 1994. I am indebted to Dr. Chazon both for the reference and for her sharing with me in prepublication form her article “The Creation and Fall of Adam in the Dead Sea Scrolls,” in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. J. Frishman and L. Van Rompay; Traditio Exegetica Græca 5; Louvain: Peeters, 1997), 13–24.

<sup>52</sup> Chazon, 17, points out that both 4Q422 and 4Q504 follow the Flood with the narrative of the Exodus, and suggests that this strengthens the links between them but stresses that “Other than the lesson drawn from the historical examples, there is no further overlap in the Flood and Exodus passages.” Slightly differing texts of 4Q423 2 1–6 are presented in T. Elgvin, “Admonition Texts from Qumran Cave 4,” in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (ed. M.O. Wise, N. Golb, J.J. Collins, and D.G. Pardee; Annals of the New York Academy of Sciences 722; New York: New York Academy of Sciences, 1994), 188, and Wacholder and Abegg, 2.166. [The DJD edition of 4Q423 was subsequently published by Elgvin in *Qumran Cave 4, XXIV: Sapiential Texts Part 2. 4QInstruction (Mūsār Lē-Mēvîn): 4Q415ff.* (ed. J. Strugnell and D.J. Harrington, S.J.; DJD 34; Oxford: Clarendon, 1999), 505–533. In it, the numeration of fragments 1 and 2 is reversed from that in early editions.] Elgvin (188), followed by Chazon, calls this text “a paraphrase on Gen ch. 3 and admonition for human life.” Chazon, 18, calls it “a piece of wisdom instruction and admonition based upon the Eden story.” I choose, however, to exclude it from my discussion of Genesis interpretation at Qumran because I think that, whereas it is stylistically dependent on Gen. 3, it does not appear to do more with the biblical original. It is thus unlike 4Q370, for example, which tells the tale of the Flood and then appears to use it in a moralistic message. As far as we can tell, there is no attempt in 4Q423 to say “do not do as Adam did, for if you do you will be punished.” Instead, the reader is addressed in language borrowed from God’s

as in 4Q370, points toward a plausible category of wisdom retellings of elements of the Genesis narratives. It might be of special interest that, as Chazon writes, “according to the reconstruction of *Dibre Hamme’orot* proposed by Puech, Stegemann and myself, the Eden and Flood reminiscences were closely followed by a passage recounting the Exodus from Egypt.”<sup>53</sup> Although *Dibre Hamme’orot* is, as Chazon describes it, a series of “communal petitions motivated by historical reminiscences which progress chronologically during the course of the week,”<sup>54</sup> it appears to omit the remainder of Genesis from its historical survey. None of the incidents in the lives of the patriarchs seems to have furnished material for the composer of these prayers. |

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A fragmentary Aramaic text, surviving in two or three manuscripts, seems to have references to some of the stories of Genesis.<sup>55</sup> 4Q243 9 1 has the single word לַחֲנוּךְ, “to Enoch,” while 4Q243 10 2–3 contains the words “[up] on the tower . . . [to] examine the building.” The latter phrase appears to be interpretation of Gen. 11:5, God’s descent to view the tower of Babel. Fragment 12 seems to refer to the four hundred years of the Egyptian exile. Because it refers also to their “coming from the midst . . . [ ] their crossing the river Jordan,” I suggest that this passage comes from an account or a retelling of the prophecy to Abraham at the Covenant between the Pieces (Gen. 15:13–18), wherein the length of the exile, the successful Exodus, and the grant of the land of Canaan are all found.<sup>56</sup>

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punishment of Adam; he is the “Adam” of the passage. Whether there is an interpretation of biblical Adam’s sin hidden in the lacunae cannot be known. It appears that John Collins’s understanding of this passage approaches my own: “The garden is a metaphor for life, and the situation of Adam is that of Everyman. . . . In view of the fragmentary state of the text we cannot be sure why the garden will produce thorns and thistles, or whether it will only do so in some circumstances. It seems clear, however, that Adam’s authority over the garden is generalized, and taken to apply to Everyman, the implied addressee of the text” (“Wisdom, Apocalypticism and the Dead Sea Scrolls,” in *Jedes Ding hat seine Zeit . . .*: Studien zur israelitischen und altorientalischen Weisheit Diethelm Michel zum 65. Geburtstag, [ed. A.A. Diesel et al.; Berlin and New York: Walter de Gruyter, 1996], 26–27).

<sup>53</sup> Chazon; 16; compare E.G. Chazon, “4QDIBHAM: Liturgy or Literature?” *RevQ* 15 (1992): 449. In a communication of 27 August 1996, Chazon indicates that, at least according to Stegemann’s reconstruction, there is actually room for more Genesis material before the Exodus references. In this context, as often, our conclusions must be tempered by the large lacunae in the text.

<sup>54</sup> Chazon, 14.

<sup>55</sup> Two of the manuscripts, 4Q243–244 (4Qpseudo-Daniel A, B ar), overlap with each other; there is no evidence that 4Q245 (4Qpseudo-Daniel C ar) belongs to the same text. Partially published by J.T. Milik in RB 63 (1956): 411–415, they have now been fully edited by J. Collins and P. Flint in DJD XXII, 95–164.

<sup>56</sup> In their selection of material from this text, J.A. Fitzmyer and D.J. Harrington (*A Manual of Palestinian Aramaic Texts* [Rome: Biblical Institute Press, 1978], 4) followed



Fragment 8 of 4Q244 clearly refers to Noah's descent from Mount Lubar after the Flood, with a one-word allusion to "a city." Fragment 9 has as its only legible words "the tower [whose he]ight." The remainder of the fragments of these manuscripts seem to have no bearing on Genesis, and the appearance of the name Daniel, and probably of Nebuchadnezzar as well, might be seen to place the Genesis material at a distant point in history from the perspective of the bulk of the work.<sup>57</sup>

79 Legal material occasionally contains reference to the Genesis narratives as well. In 4Q265, which recently received preliminary | publication by Joseph M. Baumgarten, we find an incident from Genesis being introduced into a document that is fundamentally a legal text.<sup>58</sup> The creation of Adam and Eve, and God's subsequently introducing them into the Garden of Eden, becomes the link by which the laws of purification following childbirth are connected. The details of Lev. 12:1–6 are related to the respective periods of purification that Adam and Eve had to undergo before entry into the Garden. The actual biblical details are minimal, but, as Baumgarten points out, the concept of Eden as sanctuary seems to underlie this association. It is instructive, perhaps, to contrast the relationship between law and narrative in 4Q265 with that in *Jubilees*. In *Jubilees*, the narrative

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Milik and juxtaposed fragments 11 and 12 so that the word "Egypt" follows the words "from the midst of." In a preliminary presentation of some of this material at the SBL Annual Meeting in 1989, Peter Flint maintained that reconstruction, but in the DJD edition, 149, this placement is rejected on the grounds that 4Q243 11 3 "ruler in the land" refers to Joseph and belongs to an earlier stage of the narrative. My suggestion that this passage be read as predictive, rather than historical, leans heavily on the imperfect tense of the verb in 12 2, understood as a future both by the editors and by Fitzmyer and Harrington; F. García Martínez, "4Qpseudo Daniel Aramaic and the Pseudo-Danielic Literature," *Qumran and Apocalyptic: Studies on the Aramaic Texts from Qumran* (STDJ 9; Leiden: Brill, 1992), 139, renders somewhat surprisingly "he . . . brought them out."

<sup>57</sup> Fitzmyer and Harrington (192) describe the fragments of 4Qpseudo-Daniel which they publish as dealing "with (A) the flood and the tower of Babel, (B) the exodus from Egypt, (C) Israel's sin and the exile, (D) the first of the four kingdoms, (E) the Hellenistic era, and (F) the eschatological era." If my suggestion is correct, their (A) and (B) both belong to Genesis. Collins and Flint, 138–151, divide it into "Court Setting," "Primæval History," "From the Patriarchs to the Exile," "The Hellenistic Era," and "The Eschatological Period." The second and part of the third belong to Genesis.

<sup>58</sup> J.M. Baumgarten, "Purification after Childbirth and the Sacred Garden in 4Q265 and Jubilees," in *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992* (ed. G.J. Brooke with F. García Martínez; STDJ 15; Leiden: Brill, 1994), 3–10. [The DJD edition of 4Q265 is J. Baumgarten, "265. 4QMiscellaneous Rules," in *Qumran Cave 4, XXV: Halakhic Texts* (ed. J. Baumgarten et al.; DJD 35; Oxford: Clarendon, 1999), 57–78.] I thank Professor Baumgarten for calling this text to my attention when I presented an earlier version of this paper to a group of Qumran scholars at the Institute for Advanced Studies of the Hebrew University in July 1994.

furnishes the reason for the introduction of the laws, whereas in 4Q265, the narrative seems to be introduced to furnish an etiology for the law.

Two summaries of a portion of the Genesis narrative, which differ from all those I mentioned earlier, also occur in texts that are at least partly legal. In the “Admonition” of CD, surveying the history of human obedience and disobedience,<sup>59</sup> the text mentions in quick succession the Watchers who fell (עירי שמים; 2:17–18); their (?) children who perished in the Flood (2:19–21); the sons of Noah who went astray (3:1); Abraham, Isaac, and Jacob, of whom God approved (3:2–4); and the sons of Jacob who went astray (3:4–5).<sup>60</sup> There is no story told regarding any of them, and the reading audience was presumed competent enough to recognize the allusions to Scripture. The result is an inferential use of Genesis material, demonstrating God’s favor or disfavor as the result of obedience or disobedience already in hoary antiquity.

A very similar theme seems to underlie fragments 1–3 of 5Q13, “Une Règle de la Secte.”<sup>61</sup> Fragment 1 6–7 contains the phrase | בחרתה מבני | א[לי]ם, “You chose from the sons of g[od]s,” and ובנוח רציתה, “and You favored Noah”; fragment 2 5–8 reads; אל יעקוב ה[ו]דעתה; באברהם[ ] אל יעקוב ה[ו]דעתה; ובבית אל [ ] ואת לוי ה[ ] תת ותתן לו לאגוד חנוך, “Enoch.” The rest of the fragments of this document are of a legal nature, leading the editors, quite plausibly, to characterize this text as resembling CD in having a historical preface to its legal prescriptions. In 5Q13, however, as opposed to CD, the allusions to the Genesis narratives seem to be distributed a bit more broadly. We are furnished, it appears, with a theological reading of the history from Enoch and the “sons of gods” through Noah, Abraham, Jacob, and Levi. This is exactly the group of characters we might have predicted would make its appearance in a Qumran text of this kind. These are the figures from Genesis who are central to Qumranic biblical historiography and who have turned up repeatedly in our survey of these texts. Schiffman indeed suggests

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<sup>59</sup> The section begins (2:14–15) ועתה בנים שמעו לי ואגלה עיניכם לראות ולהבין במעשי (2:14–15) and concludes (3:2ff) with a transition to more proximate history, from the standpoint of the sectarian author.

<sup>60</sup> Dimant (97) actually compares this passage in CD to the “Peshier on the Periods” in terms of its scope and emphases.

<sup>61</sup> M. Baillet, J.T. Milik, and R. de Vaux, eds., *Les “Petite Grottes” de Qumran: Exploration de la falaise, Les grottes 2Q, 3Q, 5Q, 6Q, 7Q a 10Q, Le rouleau de cuivre* (DJD III; Oxford: Clarendon, 1962), 181–83. This text has recently appeared in a new edition by L.H. Schiffman in J.H. Charlesworth et al., *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*, vol. 1, *Rule of the Community and Related Documents* (Tübingen and Louisville: J.C.B. Mohr and Westminster John Knox Press, 1994), 132–43.

that “a retrospective review of the relationship of God to the biblical heroes . . . may have been connected with the confession” that was part of the annual ritual of the sect.<sup>62</sup>

For the sake of completeness, I shall refer to a group of texts whose given names might have implied that they were appropriate for our investigation of Qumran references to Genesis narratives, but that are not. The text entitled by its editors, *Prayer of Enosh* (4Q369), which has in 1 i 9–10 a listing of Mahalalel, Jared, and Enoch as the fifth, sixth, and seventh generations, respectively, seems unrelated in any other surviving fragment, including 1 ii, which is not too distant, to any Genesis-like material.<sup>63</sup> It is possible that the third-person referents in 1 ii 1–11 could refer to a figure from Genesis, but no character seems appropriate to the context. Called “Narrative C,” 4Q462, which has references to the sons of Noah by name (2), to Jacob (3, 6, and probably 11), and Israel (4), cannot be said to be using the narratives of Genesis.<sup>64</sup> In 4Q458 we find bare references to Judah | and Reuben in fragment 14, but no context at all.<sup>65</sup> Finally, I tend to agree with my co-editor of 4Q372, Eileen Schuller, that the Joseph referred to there is not the patriarch but the tribe, and there is no need to try to see a Genesis context in that text.<sup>66</sup>

What preliminary conclusions, if any, can we draw after this initial survey of the Genesis narrative material at Qumran? It is quite clear that the stories of Genesis that were popular and utilized at Qumran constitute only a small portion of the narratives of the biblical book. This appears to be true regardless of the genre of the sectarian text. The heavy emphasis

<sup>62</sup> Schiffman, 133.

<sup>63</sup> H. Attridge and J. Strugnell, eds., “369. 4QPrayer of Enosh,” in H. Attridge et al., *Qumran Cave 4, VIII: Parabiblical Texts, Part 1* (DJD XIII; Oxford: Clarendon, 1994), 353–62; for fragment 1, see 354–59. J.L. Kugel recently presented a convincing reading of 4Q369 which detaches it from a Genesis context. See now J. Kugel, “4Q369 ‘Prayer of Enosh’ and Ancient Biblical Interpretation,” *DSD* 5 (1998): 119–148.

<sup>64</sup> First published by M.S. Smith, “4Q462 (Narrative), Frg. 1: A Preliminary Edition,” *RevQ* 15 (1991): 55–77, and then in “462. 4QNarrative C,” in M. Broshi et al., *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (DJD XIX; Oxford: Clarendon, 1995), 195–209. Smith (205) characterizes the text as announcing “the imminent restoration of the people of God.” There is nothing in it that would point to the names being associated with the stories of Genesis.

<sup>65</sup> Text in Wacholder-Abegg, 2.291. [DJD edition: E. Larson, “458. 4QNarrative A,” in *Qumran Cave 4, XXVI: Miscellanea, Part I* (ed. P. Alexander et al.; DJD 36; Oxford: Clarendon, 2000), 353–368.]

<sup>66</sup> “4Q372 1 is not an exegetical reflection on *Genesis*, but rather a text in which the figure of Joseph stands for the northern tribes” (“4Q372 1: A Text about Joseph,” *RevQ* 14 [1990]: 368).

of most of the texts, almost regardless of type, is on the material from the Creation and the Garden of Eden, Enoch, the Watchers, and the Flood through the Covenant with Abraham and the Aqedah. It is by now obvious that Noah and Abraham are the characters most frequently alluded to, and that the Flood and the Aqedah are the most commonly cited incidents. Can it be mere random selection that preserved very few fragments dealing with subsequent Genesis material? Or were the antediluvian and earliest patriarchal periods particularly attractive, interesting, or significant to the authors of these texts for some unexpressed reason? I believe that the latter is the correct answer, and that the pattern of the material from Qumran conforms to what we should expect based on other Second Temple literature. We should therefore be very reluctant to view the remains of these documents as if they survive from works of great scope, both in terms of the breadth of the biblical book covered and in terms of the number of pericopes any given document included.

What stories from Genesis are virtually ignored in these Qumran texts? Creation and the Garden of Eden appear only in the liturgical, didactic, or legal material and are alluded to more than retold; Cain and Abel are omitted; the Tower of Babel appears only in pseudo-Daniel. Isaac exists only for the Aqedah (except for the allusion to his blessing of Jacob in RP and perhaps in 4Q252); contrast this with the expanded role of Isaac in Jubilees over and above the pentateuchal | story. The Jacob narratives play no role other than references to his birth followed by that of Levi in 4Q225–226 and 5Q13, and the blessings of his children in 4Q252 and 4Q254. Exceptional once again is 4Q158, perhaps Reworked Pentateuch, perhaps commentary, with its story of his fight with “the man.” Strikingly, there is no Joseph material.<sup>67</sup> The very fragmentary “*Exposition*” of 4Q464 is the noticeable exception to this entire characterization, for it has several allusions to Jacob’s life and probably to Joseph also. Its scope, although summary in details, has a broader range than that of the other texts. There is a fullness about it, even in its schematic form and very fragmentary state, which contrasts with the delimited Genesis material in the other texts. Clearly, then, homogeneity in this regard is not a feature of the Qumran library.

When we consider the scope and detail of the retellings found in these various works, it becomes clear that, once we move away from longer

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<sup>67</sup> I exclude the very fragmentary material from Masada published by Talmon in *Erez Israel* 20.

works of the Rewritten Bible such as Genesis Apocryphon, the telling of the story per se is rarely the motivating factor behind the choice of the topic. A notable exception seems to be 4Q225, pseudo-Jubilees<sup>a</sup>, which does provide narrative with dialogue, although it is possible that we cannot sense the narrative breadth of other works because of their very fragmentary nature.<sup>68</sup> Although its focus seems to be didactic, 4Q422, at least in column 2, also appears to relate the narrative in greater detail than most of the other works under our investigation. Thus 4Q370, which perhaps has certain generic connections with 4Q422, tells its story in much sketchier terms. Of course, we should not expect much in the way of consecutive narrative from works that have been categorized as “commentary” or “pesher.” The allusions to Genesis history in CD and 5Q13 are more schematic even than those in 4Q464, as the argument is buttressed by a mere summary (at least in CD where we have a coherent text).

83 Treatment of the same subject matter does not necessarily link texts. The Flood is treated in all four of the “Genesis commentaries” and works like 4Q370, 4Q422, and perhaps 4Q504, but the former group addresses the material via commentary or selectively rewritten Bible or whatever else we may call it, while the latter one belongs to a didactic or wisdom genre. Nevertheless, it may very well have been the importance, to the authors of these works, of the biblical story of the Flood that raised it to prominence in both groups. Distributions, on the other hand, can at times give us reason to wonder: All of the so-called Genesis commentaries have references to Noah or the Flood, yet none of the pseudo-Jubilees material does in the surviving fragments. Why? Is this a product of the nature of the works and interests of their authors or the vagaries of preservation?

Why, then, do these texts tell or allude to the stories of Genesis? Probably the clearest grouping among these texts in terms of their employment of Genesis material consists of 4Q370, 4Q422, and 4Q504 which seem to be fragments of texts of a didactic, wisdom nature and use some of the same narrative sources in their presentations. CD and 5Q13, which recount a series of biblical events more rapidly and in less detail, might be adjudged to have similar triggers. Primeval history, or history through the patriarchs, is held up as example, depicting the sin-punishment or observance-reward cycle, or both. The story or the list is recounted not

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<sup>68</sup> 4Q226 7, which seems to overlap with 4Q225, might be such a text, and I can imagine that if we had more of 4Q243–244 (pseudo-Daniel) some coherent narrative might appear.

for itself but for the lesson it contains. The introduction of the story of the Garden of Eden in order to furnish an etiology for a biblical law in 4Q265 also leaves us no doubt as to the function of the tale. It is likely that the purpose of the retelling in 4Q180 still eludes us, although we have the choice of the options presented by Milik and Dimant. It appears that in some sense, the story line is part of the theological, “peshet” reading of the text, but the fragmentary remains prevent us from saying any more than that. What is very clear is that, as a commentary on Genesis, it has nothing in common with the four texts we now label “Commentary on Genesis A–D.”

It is more difficult to characterize the function of the Genesis narrative in the three pseudo-Jubilees and four Genesis commentary texts. To be sure, 4Q252 is undoubtedly a commentary, and I have discussed elsewhere the sorts of problems it chooses to confront. On the other hand, the three pseudo-Jubilees texts appear to be narratives, not commentaries, and their choice of language, if it does not fully justify the title “pseudo-Jubilees,” does put them into the larger family of Second Temple texts to which *Jubilees* belongs. My objection to the term “pseudo-Jubilees” is that it makes the link specifically with *Jubilees* (and among these texts as well) too strong. Among the “commentaries,” 4Q254a could as easily be denoted a narrative as a commentary, while 4Q253 and 4Q254 do not lend themselves as easily to classification; they seem not to be narrative, but they are certainly not as clearly commentary as is 4Q252. These seven texts seem to stand between 4Q370 and 4Q422, on the one hand, and the examples of Rewritten Bible on the other. They seem more intimately connected with the Bible than the former, but lack the scope of the latter. Their selectivity combined with their fragmentary state makes it that much more difficult to specify the function of the Genesis narratives within them.

| This shared intermediate status leads me to some tentative remarks on what the pseudo-Jubilees/Genesis commentary texts have in common. An examination of this group of texts may offer us some insight into the development and shape of early biblical commentary by virtue of their generic variety, despite their divergent nomenclature and our overall problem of taxonomy. They have in common a movement away from the large-scale Rewritten Bible commentary exemplified by *Jubilees*, the Reworked Pentateuch, and the Genesis Apocryphon. As I remarked earlier, the genre of commentary begins when the author/commentator becomes selective, and when every detail of the original no longer demands inclusion. The further away these texts deviate from the shape of the biblical text, as do 4Q252 and its relatives, the more easily we can recognize

them as the beginning of commentary. On the other hand, the more they resemble the biblical text in shape, even though they tell only part of the story (even when the narrative includes exegetical supplementation, as in 4Q225), the easier it is for us to give them names that do not acknowledge their fundamental nature as proto-commentaries. These documents represent two ways of treating the biblical text without resorting to the cumbersome form of the Rewritten Bible.<sup>69</sup> These texts constitute two, or perhaps seven, pieces of the small puzzle that is biblical interpretation at Qumran, and of the larger one that is the development of ancient biblical interpretation. It will take further discoveries and further analysis to fill in the rest of the missing pieces.

85 Finally, as we look back over what I have called the contours of Genesis interpretation at Qumran, we see that the metaphorical surface is not a smooth one, and the boundaries between adjoining areas are not clearly demarcated. The outlines change as we change the lens through which we are looking—that is, depending on the spectrum along which we arrange the Qumran material. We can orient the texts by their position vis-à-vis Genesis, ranging from works whose focus is on Genesis (like Rewritten Bible) to those that are not focused on Genesis per se but introduce it substantively for some purpose (like 4Q370 or 4Q422, to varying degrees) to those that merely allude to Genesis in passing (like CD), with a variety of points in between; we can examine a formal or generic spectrum, which ranges from narrative in the shape of the canonical text to commentary to liturgy to wisdom; | we can align the Qumran works according to their overall scope, ranging from single incidents to surveys of all Genesis; we can differentiate them by the subtlety of the retelling, ranging from allusive references to elaborate supplementation; we can discriminate among the functions of the references to Genesis, from explanatory (4Q252; Genesis Apocryphon) to didactic (4Q370) to tendentiously theological (4Q180[?]).

At the same time, we have discerned in the Genesis material at Qumran those segments that were attractive to the authors of the various documents I have examined and those that were regularly ignored in retelling and commentary. We have seen the ways in which the very same portions

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<sup>69</sup> The development I suggest is theoretical and is not meant to suggest a chronology of the texts I have analyzed. I do not claim that those of our actual texts that are closer to the shape of the biblical text are earlier than the ones that look more like commentaries. The form that I think developed earlier in theory might have continued to be used side by side with the ones that developed later.

of Genesis were handled in different ways by the Qumran authors. In the final analysis, then, variety and diversity characterize the Qumran treatments of Genesis, perhaps illustrating, by the many uses to which Scripture was put, one aspect of the non-uniform nature of the Qumran “library” even within this fairly narrow selection of material. We have learned to be wary of the taxonomy imposed on these documents by the early scholars of Qumran and to think in terms of a nomenclature that is more flexible, thereby allowing us to compare and contrast documents whose “official” names would tend to dichotomize them. Having recognized and outlined some of the similarities and differences among this large and somewhat amorphous group of Qumran works referring to Genesis, an analogous method should be applied to our analysis of other similar collections of texts in the hope that, by ignoring the artificial distinctions imposed by nomenclature, we can obtain a better, more integrated picture, not only of Qumran interpretation of Genesis but of Qumran biblical exegesis as a whole.



## CHAPTER FOUR

### 4Q252: FROM RE-WRITTEN BIBLE TO BIBLICAL COMMENTARY\*<sup>1</sup>

#### I. INTRODUCTION: SIMPLE-SENSE INTERPRETATION IN ANTIQUITY

The Hebrew Bible has always presented to its readers and interpreters a broad spectrum of exegetical problems of varying degrees of difficulty. The canonical form of Scripture demands interpretation of linguistic difficulties, of real or perceived gaps in the text, of contradictory legal or narrative material, and of archaic or anachronistic ideas or customs.<sup>2</sup> Simple-sense (or *sensus literalis* or *peshat* or *ad litteram*) exegesis focuses on issues generated by difficulties in language, grammar, context, issues

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\* This article was written before the publication of the DJD edition by George J. Brooke in "4Q Commentaries on Genesis A–D," in G. Brooke et al. eds., *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (DJD 22; Oxford: Clarendon Press, 1996), 185–236 (185–207). Although its revision does not involve full replacement of references by those in DJD, the text of the more recent edition has been checked, and appropriate corrections made.

<sup>1</sup> 4Q252 was the subject of the following publications before the publication of this essay: J.M. Allegro, "Further Messianic References," *JBL* 75 (1956): 174–76 (column v); H. Stegemann, "Weitere Stücke von 4QpPsalm37, von 4Qpatriarchal Blessings und Hinweis auf eine unedierte Handschrift aus Höhle 4Q mit Exzerpten aus dem Deuteronomium," *RevQ* 6 (1967–69): 211–217; B.Z. Wacholder and M.G. Abegg, *A Preliminary Edition of the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave Four: Fascicle Two* (Washington, D.C.: Biblical Archaeology Society, 1992) (hereafter *PE*), 212–15; R.H. Eisenman and J.M. Robinson, *A Facsimile Edition of the Dead Sea Scrolls* (Washington, D.C.: Biblical Archaeology Society, 1991) (hereafter *FE*) (particularly Plates 1289 and 1375); T.H. Lim, "The Chronology of the Flood Story in a Qumran Text (4Q252)," *JJS* 43 (1992): 288–298 (columns i–ii); R.H. Eisenman and M. Wise, *The Dead Sea Scrolls Uncovered* (Rockport: Element, 1992), "14. A Genesis Florilegium," 77–89 (hereafter Eisenman-Wise). (The Spring 1993 issue of *JJS* which includes a number of articles touching on 4Q252 arrived too late for me to refer to them in my discussion.) Dr Brooke, who is now the official editor of this text in the DJD series, was most forthcoming in conversations about it and in his willingness to furnish me with genuine open access to the material. In addition to supplying me with superior photocopies of the document, he carefully annotated an earlier draft of this article. For all of this exemplary co-operation he has my sincere thanks. I am also grateful to Professor James VanderKam of the University of Notre Dame for commenting on an earlier draft, and to Ms Marilyn J. Lundberg, Project Director at the Ancient Biblical Manuscript Center, Claremont, CA, for furnishing me with enhanced photographs of PAM 43.381, particularly the dark fragment, which contains the left side of several lines of column ii, and which is almost completely unreadable in the other photographs available to me.

<sup>2</sup> For this selection, cf. G. Vermes, "Bible and Midrash: Early Old Testament Exegesis," *Post-Biblical Jewish Studies* (Leiden: Brill, 1975), 62.

which could confront any (rationalist) reader of a given text (as opposed to those which would affect only an ideologically oriented reader) and then attempts to solve them more or less within the parameters and boundaries of the biblical text alone.<sup>3</sup> When | we evaluate a commentary 2 which aims at performing such interpretation, the goals of the interpreter are what we must consider, not the quality of his exegesis. The issue is not whether his interpretation is right or not according to the canons of modern exegesis, but only whether it attempts to solve exegetical difficulties solely within the parameters of the text or texts under consideration, without the superimposition or introduction of external considerations, such as ideology, pre-conceived historical patterns, etc.

Biblical commentary on the Hebrew Bible in the ancient world begins, of course, with the ancient versions.<sup>4</sup> All translations are perforce commentaries, because they must respond to obscurities and ambiguities in the original language text by clarifying them in the target language. In general, the readings of translations are attempts at simple-sense readings.<sup>5</sup>

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<sup>3</sup> R. Loewe, "The 'Plain' Meaning of Scripture in Early Jewish Exegesis," *Papers of the Institute for Jewish Studies London* (ed. J.G. Weiss; Jerusalem: Magnes, 1964), I, 141–42, writes sharply, "That only is to be regarded as plain, straightforward, or simple exegesis which corresponds to the totality of the meaning(s) intended by the writer; any further significance(s), however emotionally charged, discovered in his message by readers in the light of subsequent events, lie beyond the purview of 'plain' exegesis." Vermes, *ibid.* and "Interpretation, History of: B. At Qumran, and in the Targums," *IDB Supplement* (ed. K. Crim et al.; Nashville: Abingdon, 1976), 440, stresses that "ancient Jewish Bible interpretation had a dual purpose: on the one hand, it aimed at rendering the message of the text intelligible, coherent, and acceptable (pure exegesis); on the other, it sought to discover in Scripture answers to nonbiblical questions by searching for hidden general principles which could be applied to new situations and fresh problems (applied exegesis)." Whereas "pure" exegesis and "simple-sense" exegesis coincide, to a certain degree, Vermes allows "pure" exegesis to range further than I would allow simple-sense exegesis. James Kugel, *In Potiphar's House: The Interpretive Life of Biblical Texts* (San Francisco: HarperSanFrancisco, 1990), in his concluding, programmatic, discussion of early biblical interpretation, adopts a position which might be viewed as intermediate between that of Vermes and that of Loewe. He writes, 247: "Most of the narrative expansions found in rabbinic midrash and other early texts have as their point of departure some peculiarity in the biblical text itself. That is to say, these expansions, whatever other motives and concerns may be evidenced in them, are formally a kind of biblical exegesis." But when asking, 248, whether these narrative expansions constitute "pure" exegesis, deriving "solely from the efforts of early exegetes to explain the meaning of biblical passages," his answer is: "Hardly. *The early exegete is an expositor with an axe to grind* [emphasis in the original]." My own position, argued in the course of this essay, is that even an ideologically biased exegete can produce simple-sense exegesis, and that this is what we shall discover in 4Q252.

<sup>4</sup> Inner biblical interpretation, as depicted in M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985) is, of course, not in commentary form.

<sup>5</sup> There are, of course, "midrashic" renditions in the targumim, and occasionally in LXX, which we would exclude from "simple-sense". Loewe, 142, is unwilling to include the early

The other ancient literary form which frequently contains simple-sense interpretations is the one which is generally called, following Vermes, “rewritten Bible.” Such works as *Jubilees* or the Genesis Apocryphon often present inferential simple-sense interpretation to their reader who is aware of the scriptural text. For whenever a narrative retelling chooses between two options in re-reading the original, or smooths out an awkward construction, or harmonizes an apparent contradiction, it performs exegesis.<sup>6</sup> In his brief survey, Vermes furnishes | examples from the Genesis Apocryphon of clarifying and embellishing additions and apologetical transpositions, concluding that their “aim is expository, not historical or theological.”<sup>7</sup>

Commentaries differ from translations and rewritten narratives in several ways: they are not bound to the words and sentences of a text as translations are; they are not as closely attached to the narrative or other coherent structure of the original as rewritten Bible is; they need not remark on the entire text, but must deal only with such passages as are problematical or particularly interesting to the commentator, and may pass selectively from one passage to another, as if not conscious of that which is being omitted.<sup>8</sup> The systematic commentary form is, indeed, rather rare in antiquity, with the two obvious surviving commentary types being the allegorical writings of Philo and the pesharim of Qumran.<sup>9</sup>

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versions in his search for “the plain meaning of Scripture” because “we cannot properly say whether the translators had convinced themselves that they were invariably expressing the primary meaning of their original as closely as they might, or were consciously rendering the words in accordance with that sense which, in their opinion, conveyed the ultimate value of the text.”

<sup>6</sup> G. Vermes, “Biblical Interpretation at Qumran,” *Eretz Israel* 20 (ed. A. Bentor, et al.; 1989), 187\*, refers to their retelling as seeking “to incorporate various explanatory devices into the biblical narrative with a view to clarifying, embellishing, completing or updating it.” It could be argued that embellishing and updating are not, strictly speaking, exegesis, but the other two categories belong to the basic level of reading the biblical text. Kugel, in the remarks cited above (n. 3) and throughout the cited book, has attempted to demonstrate how many motifs in rabbinic and other retellings of the biblical narrative relate to formal exegetical stimuli.

<sup>7</sup> *Ibid.*, 187\*–188\*. On. 190\*, nn. 1–9, Vermes supplies a substantial list of earlier treatments of Qumran biblical exegesis as a whole which should be consulted for comprehensiveness. I should add to his list D. Patte, *Early Jewish Hermeneutic In Palestine* (SBLDS 22; Missoula: Scholars, 1975), 209–314, and E. Slomovic, “Toward an Understanding of the Exegesis in the Dead Sea Scrolls,” *RevQ* 7 (1969–71): 3–15.

<sup>8</sup> Omissions also exist in “rewritten Bible” and may be significant by their absence. The omission of a passage in a commentary frequently points in the opposite direction, lack of interest or importance.

<sup>9</sup> Kugel makes the same observation, 264, but, since he is not concerned solely with “simple-sense” commentary, does not stress how both of them differ significantly from

Neither of them is concerned to present in a methodological fashion the simple-sense interpretation of a biblical text and the difficulties which it presents to its reader. Philo's primary goal, for example, is an exposition of an allegorical reading beyond the simple sense of the text, so that any simple-sense interpretation which his commentaries may be said to contain are almost incidental.

Vermes has written, "The exegesis of individual books [at Qumran] may be subdivided into two groups: 1) the REWRITTEN BIBLE type, or a paraphrastic retelling of the text of Scripture, and 2) the QUMRAN PESHER."<sup>10</sup> Simple-sense interpretation at Qumran has heretofore been limited to the first group and to the presence in certain halakhic works at Qumran of several forms of reading which might be categorized as simple-sense interpretation, whether by grouping, harmonizing, adding to or recasting texts.<sup>11</sup> But these halakhic works, too, do not take the form of commentary.

When we turn to the commentaries found at Qumran, primarily the pesharim of various sorts, we see that their exegesis does not strive at all to achieve a contextual and literal understanding of the biblical text, but rather its historical or eschatological actualization.<sup>12</sup> They seek "to

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that type. He also includes rabbinic midrash readily as the first "sustained straightforward commentaries to follow Philo and the pesharim." In my view, the latter compilations, in addition to being of somewhat later date, are only occasionally "sustained straightforward commentaries" on the biblical text. The commentary portions, some of which do address simple-sense issues and should not be ignored as sources of "pure" exegesis in antiquity, are interspersed among homiletical remarks, aggadic stories about biblical figures, and tales about various sages.

<sup>10</sup> Vermes, "Biblical Interpretation at Qumran," *ibid.*

<sup>11</sup> Vermes, *ibid.*, 185\*–187\*.

<sup>12</sup> The relationship of the peshar to the biblical text, and the process of achieving that relationship, has been the subject of much discussion. For example, I. Fröhlich, "Le Genre Littéraire des *Pesharim* de Qumran," *RevQ* 12 (1986): 385, makes the rather bold assertion: "Le *peshar* n'est pas un commentaire; il est une sorte d'identification." E. Slomovic writes, 4, "The commentator of the Scrolls attempts to find in the Biblical text a basis for his theology and a statement of the principles underlying historical events. Just as the rabbis in the *Talmud* and *Midrash*, the exegete of the Scrolls applies hermeneutics to the text in order to find therein confirmation for his ideas and oftentimes disregards the *peshat* for the sake of the *derash*." On the other hand, G.J. Brooke has stressed the fact that "there is nothing in the peshar that cannot be derived somehow from the scriptural text, either directly, or through the proper appreciation of the exegetical technique being used, or through appreciation of other related biblical passages which may have informed the author's choice of words" ("The Kittim in the Qumran Pesharim," *Images of Empire* [ed. L. Alexander; JSOTSup 122; Sheffield: Sheffield Academic Press, 1991], 144). Brooke's remarks are a useful corrective to excessively zealous historical reconstructions of the pesharim, but his assertion does not make them into simple-sense commentaries. While the comments

- 4 associate a | biblical text, understood as prophecy with a contemporary or near-contemporary event whenever possible . . . Hence the common designation of the genre as fulfillment interpretation.”<sup>13</sup> Vermes breaks pesher exegesis down further into cryptic historical, plain historical, theological and neutral. The latter form, he claims, is “totally non-specific interpretation without any historical or doctrinal allusion . . . where the commentator seems to have nothing to add.”<sup>14</sup> This rarely confronted aspect of pesher-exegesis may contain the germ of simple-sense interpretation.

## II. 4Q252: A COMMENTARY ON THE COMMENTARY

The text to be discussed in this essay, 4Q252, a work formerly known as 4QpGen<sup>a</sup>, but now [2012] designated “Commentary on Genesis A,” is, in my view, generically and typologically different from any Qumran text yet published, and represents the first steps taken in the direction of non-esoteric and non-tendentious simple-sense expository biblical *commentary*.<sup>15</sup> The relatively well-preserved portions of this document

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in the pesharim find their triggers in the biblical texts far more frequently than is usually admitted, they are not intended to solve ordinary problems of exegesis in those texts.

<sup>13</sup> Vermes, *ibid.*, 188\*–189\*.

<sup>14</sup> Vermes, *ibid.*, 189\*. George Brooke suggested in a comment on an earlier draft of this section that “this is something of a false dichotomy, since it is clear that the interpreter has some understanding of the text’s original content and structure which he does not completely ignore but builds on for historical and eschatological (often typological) actualization.” It is true that the exegesis or eisegesis of the pesharim is not completely removed from its structure and even its literal sense at times, but the goal of the commentary is certainly not to clarify or explicate that original sense. Loewe, 141, n. 1, is perhaps a bit more extreme, writing, “even had their [the Dead Sea sect’s] interpretation been straightforward rather than eschatological, the method by which it was achieved would have rendered the description ‘plain’ exegesis scarcely apposite.” I believe that the commentary in 4Q252 might satisfy even Loewe’s demands on simple-sense interpretation.

<sup>15</sup> I have adopted here this somewhat overstated description for heuristic purposes, and, for simplicity’s sake, operate with the notion that there is one author for all of the comments in the MS and examine the text as it stands without attempting to go behind it. The question of the “sources” of 4Q252 will be touched upon later. 4Q252 is certainly not a full-fledged commentary in its present form, since there are many problems in Genesis which it does not address, and there are also portions of it which seem to respond to the difficulties in the biblical text in the manner of rewritten Bible. It could also be called “selectively rewritten Bible,” except for the fact that the very selectivity effectively removes it from the class of retold narrative. We could designate it as “proto-commentary,” were it not for the fact that the proliferation of such terminology is to be avoided. We shall later

| consist of a series of exegetical remarks, some with lemmas, and some without, situated sequentially and covering Genesis 6–49, but with no overt principle governing its choice of passages on which to comment.<sup>16</sup> What is striking, at first glance, is the very un-peshet-like exegesis which it contains.<sup>17</sup> Both formally and conceptually, there is no text analogous to it in antiquity. In this essay, we shall first attempt to examine and analyze the manuscript's exegetical remarks in isolation from one another with an eye toward substantiating these claims, proceed to discuss earlier attempts at its classification, and, finally, return to the document to confirm our conclusions about its approach and genre.

consider whether such a fundamentally simple-sense commentary can be said to contain tendentious or ideological interpretation.

<sup>16</sup> Eisenman-Wise's characterization of the text as a "Genesis Florilegium" because of its non-continuous, selective, nature, is an attractive one, on a certain level, and I believe that it is more suitable for the document than "peshet." My only reservation is that "Florilegium" tends to be employed for a collection made with a particular goal in mind, and I do not believe that 4Q252 is such a text, although Eisenman-Wise would claim that the collection was made with ideological goals in mind. I agree with George Brooke (private communication) that the more mundane "commentary" is probably the right descriptive term at this point. Despite our reference to the text as "commentary" or "peshet," it appears that there are also portions of the text, like column iii 6–8 (the Aqedah), which seem to be straight "rewritten Bible," adapting the biblical text with no comments (Gen. 22:10–12). I should restore there as follows (after the readings in *PE* and *A Preliminary Concordance to the Hebrew and Aramaic Fragments from Qumran Caves II–X* (printed from index cards compiled by R.E. Brown, J.A. Fitzmyer, W.G. Oxtoby and J. Teixidor; prepared and arranged for printing by H.P. Richter; Gottingen, 1988; referred to hereafter as *Preliminary Concordance* or *PC*):

וישלה  
 אברהם את ידו [לשחוט את בנו ויקרא אליו מלאך ה' מן השמים]  
 ויומר אליו עתה ידעתי כי ירא אלהים אתה ולא חשכתה את בנכה את  
 יחידכה מ[מני]

And Abraham stretched out his hand [to slaughter his son and an angel of the Lord cried out to him from the heavens and said to him no[w I know that you are a God-fearer, and that you did not withhold your son,] your only one from [me].

But in light of the fragmentary nature of the material, it is difficult to be certain what is being included and what excluded in those passages for which the remains are limited. We note that 4Q225 (called Pseudo-Jubilees<sup>a</sup>) 2 i 12–ii 9 (*PE*, 205; official publication by J.C. VanderKam in H. Attridge et al., eds., *Qumran Cave 4.VIII: Parabiblical Texts, Part 1* [D]D 13; Oxford: Clarendon, 1994), 140–155) contains a paraphrase of the Aqedah whose last line overlaps with, but differs from, the language of 4Q252. In our ongoing discussion we shall focus on the commentary aspect of the document because therein lies its novelty.

<sup>17</sup> Lim, 298, correctly notes that the use of the term "peshet" for this text or 4Q253 or 4Q254 is tenuous unless applied rather loosely.

A. Column i 1–3 (*Genesis 6:3*)

The first column of the manuscript begins apparently in mid-sentence:<sup>18</sup>

[ב]שנת ארבע מאות ושמנים לחיי נוח בא קצם לנוח ואלוהים  
אמר לא ידור רוחי באדם לעולם ויחתכו ימיהם מאה ועשרים שנה עד קץ  
מי מבול

- 6 |... in the four hundred eightieth year of Noah's life their time came to Noah<sup>19</sup> seeing that God had said, "my spirit shall not dwell forever in man, and their days shall be determined at one hundred and twenty years until the time of the waters of the flood."

By locating this divine communication in the four hundred eightieth year of Noah, and by adding the modifier **מי מבול** עד קץ, 4Q252 takes a position on the ancient dispute regarding the allusion in "one hundred twenty years" (*Gen. 6:3*). According to our commentary, it does not refer to the maximum life-span of man, but to the amount of time which is given to man (usually to repent) before the flood.<sup>20</sup> It is perhaps noteworthy that

<sup>18</sup> The transcriptions in Wacholder-Abegg, *PE*, 213, have been checked wherever possible against the photocopies which Dr Brooke provided, the enhanced photographs of PAM 43.381 from the Ancient Biblical Manuscript Center, the plates in *FE* and against *PC* from which *PE* was reconstructed. In a number of cases, Dr Brooke suggested readings based on his examination of the text which we accept, and in one or two cases we suggest alternative readings.

<sup>19</sup> Although it is not difficult to translate **בא קצם לנוח** literally, the phrase is somewhat hard to construe in context (beyond the standard Qumran difficulty with rendering קץ as "time" or "end"). Lim, 291, believes that the words correspond to **קץ כל בשר בא לפני** of 6:13. But there is no way in 6:13 for Noah to be the object of a preposition replacing לפני of MT. Therefore, whereas it appears that the Qumran phrase certainly corresponds to that biblical text stylistically, its meaning cannot be closely related to the meaning of that verse. If we take the *vav* of **ואלהים אמר** as explicative, "seeing that God had said . . ." and the order subject + verb as perhaps indicating the pluperfect, the rest of the comment explains what Noah found out about man's time/end from God. See Final Note.

<sup>20</sup> *Life span of man*: *Genesis Rabbah* 26:3 to *Gen 6:3*: **אלהם מיעוט שנים** להם מביא אלהים עליהם בעולם הזה, שקצבתי עליהם בעולם הזה, "But I shall bring upon them the diminution of years which I have decreed regarding them in this world" (text according to the commentary of J. Theodor and C. Albeck, eds., *Midrash Bereshit Rabbah* [Jerusalem: Wahrmann, 1965], 251–52). Pseudo-Philo, *Liber Antiquitatum Biblicarum* 3; Josephus, *Ant. Jud.* I 75; as well as C. Westermann, *Genesis 1–11: A Commentary* (tr. J.J. Scullion, S.J.; Minneapolis: Augsburg, 1984), 376, among the moderns. *Time to repent*: Targumim Onqelos, Neofiti, Fragment, and pseudo-Jonathan; *Mekhilta de-Rabbi Yishmael Shirta* 5 (ed. H.S. Horovitz and I.A. Rabin; Frankfurt, 1931), 133, (=J. Goldin, *The Song at the Sea* [New Haven: Yale, 1971], 147); *Genesis Rabbah* 30:7; *bSanh* 108a; Avot deRabbi Nathan A 32. In some of these sources, the exegesis is implicit, inferred from the fact that Noah spent the 120 years exhorting the rest of the world to repent. Cf. also S.P. Brock, "Translating the Old Testament," *It is Written: Scripture Citing Scripture, Essays in Honour of Barnabas Lindars, SSF* (ed. D.A. Carlson and H.G.M. Williamson; Cambridge: University Press, 1988), 93–94.

although our document coincides with many other ancient sources in its understanding of the one hundred and twenty years as the time remaining until the flood, it stands out from almost all of them in not assigning this span as a period within which mankind could repent. In fact, the employment of *ויהתבו*, which in later Hebrew clearly takes on the sense “to decide, render judgment,” in place of the biblical *והיו* might be said to emphasize the nature of this decree as immutable as opposed to its being an opportunity to repent.<sup>21</sup> A “deterministic” statement of this sort would not be surprising at Qumran.<sup>22</sup>

This reading, which certainly seems preferable in the context of the biblical verse, is adopted by 4Q252 despite the fact that it forces the biblical verses out of chronological sequence, since in Gen. 5:32, Noah has already been referred to as five hundred years old, and this remark is found in 6:3. Although 4Q252 | is, as we shall see, quite sensitive to the chronological sequence of Scripture, it is willing to highlight situations in its re-writing or commentary where Scripture itself implies disorder. We shall observe that this mode, which might be seen as analogous to the rabbis' *אין מוקדם* *בתורה* *ומאוחר*, “there is no chronological order in Scripture,”<sup>23</sup> is attested elsewhere in this document as well. It is apparently only *implicit* disorder which is misleading, and hence difficult; when disorder is explicit, it is untroubling.

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### B. Columns i 3–ii 5 (Genesis 7:11–8:15)

The lion's share of column i and the first five lines of column ii are devoted to a lengthy recapitulation of those verses in Genesis 7:11 through 8:15,

<sup>21</sup> For examples of *התב* with this meaning from talmudic and midrashic literature, cf. M. Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature*, s.v., 513a–b, and E. Ben-Yehudah, *A Complete Dictionary of Ancient and Modern Hebrew* (repr. New York: T. Yoseloff, 1960), s.v., III, 1822a. Many commentators on Daniel 9:24 interpret the biblical *hapax legomenon* *נהתב* with some reference to the later rabbinic Hebrew usage.

<sup>22</sup> The fact that the commentary chooses a simple-sense reading which coincides with Qumran theology does not make the comment non-simple-sense.

<sup>23</sup> E.g. *Mekhilta Shirta* 7; *Sifre Numbers* 64; *Ecclesiastes Rabbah* 1:2; *bPesahim* 6b; 32nd rule of the 32 *middot* of R. Eliezer b. R. Yose ha-Gelili. For brief comment, see the remarks of J. Goldin, *Song at the Sea* (above, n. 20), 174–76. This principle is utilized considerably by later Jewish biblical commentators such as Rashi (e.g. in our passage, Gen 6:3) and Ibn Ezra (cf. his remarks at Num. 16:1).



which pertain to the chronology of the flood.<sup>24</sup> The passage concludes (ii 1–5) with:

ובשבעה עשר יום לחודש השני  
 יבשה הארץ באחד בשבת ביום ההוא יצא נוח מן התבה לקץ שנה  
 תמימה לימים שלוש מאות ששים וארבעה באחד בשבת בשבעה  
 [ ] אחת ושש [ ] נוח מן התבה למועד שנה  
 תמימה

On the seventeenth day of the second month on Sunday, the earth dried; upon that day Noah left the ark at the end of a whole year by days, three hundred and sixty-four days, on Sunday, on the seventeenth], in [Noah's] six [hundred] and first year, Noah [left] the ark on the anniversary of a full year.

In light of the importance which the solar calendar had at Qumran, one could very easily presume that the goal of the author of this lengthy exegesis was to highlight the calendar which he espoused, showing how Noah's stay in the ark was exactly the length of a solar year. Lim seems to follow this approach, claiming, "The chronology in fragment 1 is striking in its *application* [my italics, MJB] of the solar calendar to the flood story."<sup>25</sup>

8 But the chronological material in Genesis 7–8 has long vexed commentators and exegetes, regardless of the calendrical system which they employed.<sup>26</sup> It | has often been remarked that the chronology within the biblical text, where the flood begins on 2/17 (Gen. 7:11) and ends on 2/27 (8:14), presents the reader with a full solar year of 364 days calculated on the lunar calendar of 354 or 355 days.<sup>27</sup> The Septuagint version begins the flood ten days later, on 2/27, with the total stay in the ark being exactly one calendar year. *Enoch* 106:15 refers to "a deluge and a great destruction

<sup>24</sup> Since this passage has been discussed at some length by both Lim and Eisenman-Wise, I shall not engage in a full analysis of all aspects of the text.

<sup>25</sup> Lim, 295. Lim's choice of language is reminiscent of Vermes's term "applied exegesis" ("Bible and Midrash," 62 and 80 ff.), if the goal of the exegete is to make the biblical text conform to his calendrical preconceptions. My own preference in this passage, as will become clear, is to treat it as "pure exegesis" despite its conveniently sectarian conclusion because I choose to focus on the mode of interpretation rather than its results. Eisenman-Wise, 78, employ more ambiguous phraseology, suggesting that the author "attempts to set forth a proper chronology of the flood story, coming up with a 364-day calendar of the Jubilees type".

<sup>26</sup> For a brief survey of some of the ancient sources on this issue, see J.P. Lewis, *A Study of the Interpretation of Noah and the Flood in Jewish and Christian Literature* (Leiden: Brill, 1968), "Appendix C: The Chronology of the Flood," 190–92. Some of my remarks in the remainder of this paragraph and the succeeding ones are derived from his data.

<sup>27</sup> Cf. Lim, 294 and n. 22. See also R. de Vaux, *Ancient Israel: Its Life and Institutions* (tr. J. McHugh; New York: McGraw-Hill, 1961), 188–189.

for one year". It appears, then, that the Qumran commentary's analysis of the chronology as reflecting a whole year is not at all surprising in the context of other ancient sources.

If we begin with the notion that the passage as a whole presents difficulties, we can follow the exegetical process of the author more clearly than we would if we began with the presumption that he has a pre-existent chronological schema which he must impose on the text. What is essential is to distinguish between the problem and the solution. The former is common to almost any interpreter of our passage in Genesis; the latter, while coinciding with the calendar of Qumran, shares the idea of a year-long flood with a number of other sources.

Beginning with a text similar to MT of Gen. 7:11–12, the commentary gives the date of the initial cataclysm and the length of its first segment (2/17/600 and 40 days, ending on 3/26/600; i 4–7). Omitting the details of the biblical narrative which are of no import to his problem or solution, he has no need to include the forty days of 7:17, which he clearly would have considered to be resumptive of the number in 7:12. The 150 days of 7:24 include the first 40 days for our commentator, because the date for their end is 7/14/600 (i 8). Since he viewed the 150 days of 8:4 as resumptive of 7:24, the author of our text had to get the ark to the mountains of Ararat on 7/17/600 as stated in his biblical text. He therefore contrives to interpret "the waters grew less at the end of 150 days (8:3)" as preceding the ark's resting on 7/17/600 by the two days which he then introduces into his account (i 9–10).<sup>28</sup>

The rest of the chronology is considerably simpler. Continuing with 10/1/600 (i 11) on the basis of Gen. 8:5 and adding to it the forty days of 8:6, our text arrives at 11/10/600 (i 13–14).<sup>29</sup> The dove is sent out on 11/17/600

<sup>28</sup> Both Lim, 292 and n. 11, and Eisenman-Wise, 104, have already explained the chronology in this fashion. It is striking, however, to compare their remarks on the 150 days. Lim, n. 11, writes, "As 4Q252 demonstrates, the 150 days do not fit the five months of the solar calendar any better than those of the lunar calendar." Eisenman-Wise comment, "Note that the dates given in the Biblical text work only on the basis of a calendar of 30 days per month; they also allow the intercalation of two days between 17.2 and 14.7—precisely the calendar of Jubilees and many Qumran texts." (Should we really speak of the 31-day third and sixth months as being "intercalated"? MJB) The author of the commentary did not worry about months, but merely counted the days from one biblical date to the next according to his own calendar and made the exegetical addition between 8:3 and 8:4.

<sup>29</sup> I think that it is reasonable to assume that the sending forth of the raven, which, for whatever reason, is lacking in our text, should be associated with this date (with G.J. Wenham, *Genesis 1–15* [Waco: Word, 1987], 180, cited by Lim, 293, n. 19). The עור of i 15 reaching 11/24/600 and the ימרי of i 18 reaching 12/1/600 imply that the first sending

(implicit), 11/24/600 (i 16–17), and 12/1/600 (i 19), for none of which dates  
 9 | there is a chronological reference in the biblical text. One month later  
 (i 20), Noah opens the ark to see that the land is dry (1/1/601 = Gen. 8:13).  
 Finally, on 2/17/601 (ii 1–2 and, probably, 3–4 as well) Noah leaves the  
 ark. Since we have seen our commentator adhering fairly closely to an  
 MT-like text to this point, is it right to assume that he has here a different  
*Vorlage* since MT has Noah leave on 2/27/601 (Gen. 8:14–16)? Lim assumes  
 that there is indeed a dispute between this text and MT, just as there is  
 between LXX and MT.<sup>30</sup>

But Wise's solution is here more elegant, since it both conforms to  
 Qumran practice and explains how the commentary continues to follow  
 MT. He writes:

The date of the Masoretic Text—which the author of the text almost certainly must have had in his scroll of Genesis—was read as a lunisolar date. For Gen. 8:14 to be read this way, it was necessary to presuppose that the flood began in the first year of a three-year cycle, at which point both the solar and the lunisolar calendars agree on the date 17.2. After one year, the two will disagree on the date: solar 17.2=lunisolar 27.2 . . . Thus, only if the flood ended in the second year of the cycle would it be possible to understand Gen. 8:14 as the author did.<sup>31</sup>

The issue is, once again, exegetical: how to make sense of the confusing chronology of the flood? The solutions of our author are based on a calendar with which he is familiar, but are not an attempt to coerce the biblical text to conform with that calendrical scheme.

I should not, however, go as far as Eisenman-Wise in their characterization of the author's pursuit of his exegetical goal. They believe that "the rest of the narrative is subordinated to this [chronology]. Colorful detail like the size of the ark, the kinds of animals and the raven are discarded."<sup>32</sup> If 4Q252 were "standard rewritten Bible", their remarks would be in place, but it is not. As a selective *biblical commentator*, focused on the interpretation of a difficult text, our author strips out those details of the narrative because they are not part of the exegetical problem whose solution he is attempting. The focus is on the chronology of the flood alone, so to

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of the dove was on 11/17/600, and the previous Sunday, 11/10/600, would thus have been available for the raven.

<sup>30</sup> Lim, 294, has LXX and 4Q252 agreeing on the year-long flood vs. MT's year and ten days.

<sup>31</sup> Eisenman-Wise, 105.

<sup>32</sup> Eisenman-Wise, 79.

speak of “subordination” or “discarding of details” is inappropriate. What the author of the commentary has done is to write a chronological commentary on the biblical text of the flood story, taking into account both textual difficulties in the Bible and the calendar framework with which he is familiar. Once again, the result may appear Qumranic, and perhaps some of the impetus for the discussion as well, but *its methods are not uniquely sectarian*.

### C. Column ii 5–8 (Genesis 9:24–27)

After the discussion of the chronology of the flood, we read at 4Q252 ii 5–8: |

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ויקץ נוח מיינו וידע את אשר עשה  
 לו בנו הקטן ויאמר ארור כנען עבד עבדים יהייה לאחיו ולוא  
 קלל את חם כי אם בנו כי ברך אל את בני נוח. ובאהלי שם ישכון  
 ארץ נתן לאברהם אהבו

“Noah woke from his sleep, and he knew what his younger son had done to him. And he said, ‘Cursed be Canaan, a lowly slave shall he be to his brethren.’” *But he did not curse Ham, rather his son, for God had blessed the sons of Noah.* “And may He dwell in the tents of Shem,” *the land which He gave to Abraham His friend.*<sup>33</sup>

This is a virtually undamaged lemma+comment. The commentary on these two verses (Genesis 9:24–25) is structured like that of the pesharim, but the interpretation of each of these citations follows immediately upon its lemma, with no technical term (such as *פשוו על* or *הוא אשר*, to mention but two which are found elsewhere at Qumran) standing between text and comment. This is the sort of structure which is to be found in rabbinic literature and more frequently in medieval Jewish biblical commentary, and appears unlike that in most other Qumran commentaries.

<sup>33</sup> Eisenman-Wise, 89, translate rather strangely, “And in the tents of Shem they will dwell,” as if *וישכנו*, although their text (86; column 2 line 7) reads *וישכון*. Their rendition (as well as that of George J. Brooke, “The Thematic Content of 4Q252,” *JQR* 85 [1994]: 42) continues, “He gave the land to Abraham His friend” (89). Their connection, if any, between lemma and comment is not clear to me, and I believe that such a rendering would demand *ואת הארץ נתן לאברהם אהבו* or *נתן את הארץ לאברהם אהבו* (with implied doubt), presumably parsing it as a passive participle, but Brooke writes (DJD 22, 199), “Though the manuscript is badly creased at this point there is no ink to support reading *אהובו*, even if there might just have been space for it.” Lim’s faulty *בן* *את* points in the same direction.

In the first case, the implicit question is: why did Noah curse Canaan, his grandson, rather than Ham his son who had actually offended him?<sup>34</sup> The answer which our commentary supplies is that Noah's curse could not be superimposed upon the blessing which God had already proclaimed for the children of Noah, including Ham (Gen. 9:1 ויברך אלהים את נח ואת בניו). The reasoning is certainly plausible within the context of a straightforward reading of the biblical text, and is coherent with all the parameters of literal exegesis. What makes this example even more noteworthy, however, is its remarkable coincidence with a rabbinic parallel found in Genesis Rabbah 36:7:<sup>35</sup>

וַיֹּאמֶר אֲרוּר כְּנַעַן וְגו': חָם חוּטֵא וּכְנַעַן מִתְקַלֵּל. אֵתְמָהָא? ר' יְהוּדָה וְר' נַחֲמִיָּה: ר' יְהוּדָה אָמַר לְפִי שְׂכָתוּב וַיִּבְרַךְ אֱלֹהִים אֶת נֹחַ וְאֵת בְּנָיו וְאֵין קָלִילָה בְּמִקוּם בְּרַכָּה לְפִיכֵךְ וַיֹּאמֶר אֲרוּר כְּנַעַן וְגו'

- 11 | And he said, “Cursed be Canaan etc.,” Ham sins and Canaan is cursed? [A dispute between] Rabbi Judah and Rabbi Nehemiah; Rabbi Judah says, “Because it is written, ‘And God blessed Noah and his sons,’ and there is no curse in the place of blessing, therefore, ‘And he said cursed be Canaan, etc.’”

Rabbi Judah seems to read Genesis in the very same way in which the pesher did. Observe, however, the very different ways of formulating the interpretation, the midrashic and the Qumranic. There is no need, of course, to suggest a genetic relationship between these two documents, since the exegesis is one which any careful and close reading of the simple sense of the verses could have produced.<sup>36</sup>

<sup>34</sup> Eisenman-Wise write, 79, that there is “an inherent contradiction in the narrative as it has come down to us, namely why God cursed Canaan, son of Ham, . . .”. *God* does not curse Canaan, either in the Hebrew Bible or in 4Q252; *Noah* does, and the issue is not the retraction of a blessing, as Eisenman-Wise would have it. The answer does not show “that people of this school of thought in the Qumran period (as opposed to some others) were already doing elementary textual criticism”. It shows that they were performing *biblical exegesis*, which is a very different matter.

<sup>35</sup> Text according to J. Theodor and Ch. Albeck (above, n. 20), 340–41. Lim, 294 has also noted the rabbinic parallel, and George Brooke pointed out to me some further patristic parallels.

<sup>36</sup> When ancient sources coincide in allegorical, symbolic or other non-obvious and non-literal readings of a biblical text, we are on reasonably sound footing in attributing them, with G. Vermes, “The Qumran Interpretation of Scripture in its Historical Setting,” *Post-Biblical Jewish Studies*, 46–47, to common traditions. Kugel, 266–67, has argued that “evidence of shared exegetical motifs suggests the existence of precisely what we do not have, an ancient Jewish *Glossa Ordinaria*.” Despite the fact that some of our discussion in this essay would seem to add to his examples of exegesis shared between rabbinic and

The second lemma, **ובאהלי שם ישכון**, is a near-verbatim citation of Genesis 9:27 (MT **וישכון באהלי שם**), and its comment **נתן לאברהם ארץ** is an asyndetic relative clause which appears to stand in apposition to and explain the poetic idiom **שם אהלי**.<sup>37</sup> The language of the comment is clearly based on II Chron. 20:7 **וזתנה לזרע אברהם אהבך**, where the suffix of **וזתנה** refers to **הארץ הזאת** in the previous clause.<sup>38</sup> The commentary believes “the tents of Shem” to be “the land which He gave to his friend Abraham,” presumably the | Land of Israel, and Abraham, of course, is the most distinguished scion of Shem. Whereas it is not clear in the biblical text whether the subject of **ישכון** is God (the subject of the previous clause **יפת אלהים ליפת**) or Japheth (the proximate noun), once the “tents” become the Land of Israel (as opposed to some edifice or other), and Abraham is *His* friend, it is more likely that God is understood as the

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early Christian interpreters and an exegetical document from Qumran, I believe that the simple-sense nature of the readings makes such hypotheses tenuous. If documents were to share such simple-sense readings, as well as others which are more likely to be attributable to common sources, we might be able to venture, with some diffidence, a claim of commonality for the simple-sense examples as well.

<sup>37</sup> For the construction and other examples of the construct governing independent sentences, cf. *Gesenius' Hebrew Grammar* (ed. E. Kautzsch; tr. A.E. Cowley; Oxford: Clarendon, 1910), 422, ¶130d. The form of this citation, differing from MT, once again raises the question about the *Vorlage* of the author of 4Q252. There seems to be no support in the versions (LXX, Peshitta, Vulgate, Jewish targumim, Samaritan targum) or biblical MSS for such a textual transposition, and it is therefore likely that it is a paraphrase of the text which is the subject of comment. The idea that a paraphrase can be cited for comment is a bit strange at first glance, and ought to be kept in mind as another unusual feature of Qumran exegesis. See Final Note.

<sup>38</sup> I had initially presumed that the allusion is to the well-known verse Isaiah 41:8, **זרע יי אברהם אהבי** (vocalized as an active participle in MT), but Brooke (DJD 22, 200) is certainly correct that the reference to the land in 4Q252 and in II Chronicles makes that text much more likely to be the source. Since **אהבו** is written defectively in our commentary, as well as in MT of the Isaiah and Chronicles passages, it could conceivably be parsed as an active or a passive participle. Eisenman-Wise, 80, render ii 8 literally as “*beloved* [my italics, MJB] of God,” claiming, “this is *precisely* [my italics, MJB] the language the Damascus Document uses to describe Abraham.” But that text, CD 3:2, has a plene active reading **לא הלך אברהם** to describe Abraham. “Abraham did not walk in it and was considered a lover by his keeping God’s commandment.” It is worth noting that 4Q225 2 ii 10, in a line following a paraphrase of the Aqedah, has **לא יהיה אוהב** (PE, 205). It is not unreasonable to assume that the active participle there refers, in some way, to Abraham. Brooke, “Thematic Content,” 44, is of the opinion that the author of our commentary is integrating into his exegetical language a citation from an otherwise unknown epic poem. In my opinion, that case is not yet sufficiently proven, although the idea is intriguing, and, if he is correct, my remarks on paraphrase and exegesis in this passage will have to be seriously amended.

subject by the commentary, and the interpretation of the verse is that *He* will dwell in that land.<sup>39</sup>

D. Column ii 8–10 (No lemma [Genesis 11:26–12:4])

Although the last two examples involved the form lemma+comment (which is a possible framework for the opening lines of the fragment as well), the commentary is not uniform in that regard. Both the previous section (the flood chronology) and the following one are rewritings of the biblical text with the exegesis built in to the flow of the narrative. Thus in ii 8–10, the comment begins with a chronological statement:

בן מאה וארבעים שנה תרח בצאתו  
מאור כשדיים ויבוא חרן ואב[רם] בן ש[בעים] שנה. וחמש שנים ישב  
אברם בחרן ואחרי צאת אברם אל [ארץ כנען ששי]ם שנה מת תרח

Terah was one hundred and fo[r]ty years old when he left Ur Kasdim and came to Haran, and Abra[m was se]venty years old. And Abram lived five years in Haran. And sixty years after [Abram's] leaving [for] the land of Canaan [Terah died].<sup>40</sup>

<sup>39</sup> Here, too, there is a variety of opinions in rabbinic literature, with the anonymous first view in Genesis Rabbah 36:8 claiming that the subject of וישכן is God, writing אף על יפת אלהים שם, "Nevertheless (despite יפת אלהים שם אין שכניה שורה אלא באהלי שם (ליפת בר), the Divine Presence resides only in the tents of Shem." The second opinion, בר קפרא א' יהיו דברי תורה נאמרים בלשונו שליפת בתוך אהלי שם, "Bar Qappara says, 'Words of Torah will be spoken in the language of Japheth within the tents of Shem,'" has Japheth as the subject. The targumim are likewise divided on the issue: In favor of God as the subject are Onqelos and Neofiti, while Neofiti margin and pseudo-Jonathan imply that Japheth is the subject. The parallel between the Qumran text and the rabbinic midrash is not quite as striking as it was in the first instance, and, once again, the exegesis is quite natural within a straightforward reading of the passage. It is of course valuable to note that here the analysis chosen by the commentary coincides with the reading of *Jubilees* (7:12), "and may the Lord dwell in the dwelling place of Shem" (tr. O.S. Wintermute in *The Old Testament Pseudepigrapha* [ed. J.H. Charlesworth; Garden City: Doubleday, 1985], I, 69). In light of the appearance of this interpretation in rabbinic literature as well, Brooke's emphasis ("Thematic Content," 42) on the tendentious "anti-Japheth = anti-Greek" nature of the reading in *Jub.* and 4Q252 is perhaps overstated.

<sup>40</sup> The emphases indicate reconstructions which differ from those in PE (Brooke in DJD 22, 198, agrees with the first, but does not restore as I do in the latter two instances). There is a difficulty in restoring the end of line 10 in any case. The text, but not the leather, breaks off after ששי; I presume that the now un-inscribed leather once had writing on it. There is sufficient space remaining relative to line 9 for my suggested reading to fit. The reading ויבוא חרן ואחרי צאת אברם is not critical to my reconstruction, since there are cases even in Biblical Hebrew of אחר before finite verbs (although usually with the sense "afterward" rather than "after"); thus Job 42:7: אל אליפו: ויחבר ה' את הדברים האלה אל איוב ויאמר ה' אל אליפו: "It happened after the Lord spoke these words to Job that the Lord spoke to Eliphaz." If we read ויבוא חרן, I should prefer to restore the lacuna following with וימת תרח rather than

| This section reads like rewritten Bible of the Jubilees sort, but there is little doubt that one goal of these lines is a response to a well-known problem in the verses at the end of Genesis 11 and the beginning of 12. According to MT, Terah begets Abram when he is 70 (11:26), and Abram arrives in Canaan when he is 75 (12:4). Terah is thus 145 when Abram leaves Haran for Canaan. Yet Terah's death at age 205 is recorded in 11:32!<sup>41</sup> This text as I have reconstructed it does not remove the difficulty from the biblical text in the way in which SP does, but it rather disposes of it by highlighting it (as we saw in i 1 ff.). We are told explicitly that Terah's death occurs years later, after Abram has long been in Canaan.<sup>42</sup> Once again, we see that the author of 4Q252 is willing to explain the text straightforwardly on the principle that events in the Torah are not always narrated chronologically. The final comment, according to our emended reading, stresses the out-of-order nature of the narrative. Once the disorder is highlighted, then, in a sense, Scripture has drawn attention to it, and the mere absence of chronological sequence itself is no problem.

The question is, once again, on the level of simple sense exegesis, although the answer goes slightly beyond the boundaries of the text in order to answer it. That addition is in the assertion of when Terah and Abram went to Canaan, and, consequently, on the amount of time Abram spent in Haran. The final comment, that Terah died 60 years after Abram

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מת תרה (cf. the sequence of tenses in the Job passage). Wise's reconstruction, 80 and 89, and understanding of *בן שבעים שנה* in line 9, agrees with mine.

<sup>41</sup> The Samaritan Pentateuch, concerned for this sequential and chronological inconsistency, reads 145 years for the age of Terah at his death. Abram's leaving for Canaan and Terah's death thus occur in the same year, the year in which they reach Haran, and there is no further problem. Philo, *de migr. Abr.* 177, and Acts 7:4 likewise imply that Terah's death preceded Abram's journey to Canaan (as noted already by Eisenman-Wise, 80). See further the sources cited in the articles by Brock and Adler (below, n. 43). Eisenman-Wise fail to point out that the "solutions" of SP and Philo-Acts are basically the same, writing that the former "add[s] the number 75 after these two passages to denote Terah's age at the time of *his death*—thereby adding to the conundrum." That number is not invented by SP, but is based on Abram's age when he leaves according to Gen. 12:4.

<sup>42</sup> Eisenman-Wise, although having solved the difficult reading of line 9, do not see the impact that this passage makes on the chronology of Abram's life. 4Q252 does not think that Gen. 12:4 records an event which happened after Gen 11:32 (as per Eisenman-Wise, 80). On the contrary, according to our reading the commentary highlights and emphasizes this out-of-order nature of the biblical text. What Eisenman-Wise, 80, call the "key piece of numerical data not found in the Bible, *that Terah was 140 years of age when he migrated to Haran*, i.e. that he had lived 70 more years in Ur before migrating to Haran [their emphasis]," has nothing to do with the resolution of the relationship between Gen. 11:32 and 12:4, since Abram's age and Terah's age are explicitly linked in the biblical text. It pertains, rather, to the second chronological problem addressed by this section as we shall show below.



left, is the sense of the biblical text itself. But why does 4Q252 suggest that Terah was 140 and Abram 70 when they left Ur Kasdim for Haran? Is the number chosen at random or is it part of the interpretive framework of the author?<sup>43</sup>

- 14 | In addition to the chronological disorder vis-à-vis the death of Terah, rabbinic exegesis sees in Abram's age of 75 at 12:4 another crux, which it solves in such a fashion as to correspond partially, coincidentally or otherwise, with the Qumran text. The question begins with the years of Egyptian servitude which are predicted to be 400 (Gen. 15:13), yet stated to be 430 (Ex. 12:40–41). The classic rabbinic chronological reconciliation responding to this ostensible contradiction claims that the servitude of the Israelites lasts 400 years counting from the birth of Isaac, when Abraham was 100, and 430 years from some other point in Abraham's life, generally assumed to be the Covenant between the Pieces. This chronology demands that the Covenant (Gen. 15) take place when Abram was 70, before his leaving for Canaan (Gen. 12).<sup>44</sup>

It is not coincidence or happenstance, but conscious exegesis, then, that the Qumran text chooses the age of seventy for Abram's leaving Ur Kasdim. Age seventy is chosen to locate the beginning of the wanderings

<sup>43</sup> We should stress that the number in 4Q252 differs from the tradition found in *Jubilees* 12:15 which indicates that Abram and Terah lived in Haran for 14 years. For a discussion of that and related traditions, see S.P. Brock, "Abraham and the Ravens: A Syriac Counterpart to Jubilees 11–12 and Its Implications," *JSt* 9 (1978): 135–152, and W. Adler, "Abraham and the Burning of the Temple of Idols: *Jubilees*' Traditions in Christian Chronography," *JQR* 77 (1986–87): 95–117. 4Q225 (Pseudo Jubilees<sup>a</sup>) 2 i 2 (PE, 204; VanderKam, DJD 13, 145) reads גנה [ש]נה בחרן עשר [י]ם [י]ש, "he lived in Haran for twenty years," followed by a line implying Abraham's addressing God, ויאמר אל אלוהים אדני הנני בא עררי, "I say, O God, I am here." If this reading is correct, it apparently furnishes yet another chronology for Abram's stay in Haran. As James VanderKam pointed out to me, it equates the length of Abram's stay in Haran with that of his grandson Jacob. The context, with the following line based on Gen. 15:2, makes it fairly certain that the text is referring to Abraham and not to Jacob.

<sup>44</sup> *Midrash Seder Olam* 1 (ed. D.B. Ratner [repr. New York: Tal Orot, 1966], 4–5; ed. C.J. Milikowsky, "Seder Olam, A Rabbinic Chronography: Introduction, Text and Translation" [Ph.D. dissertation, Yale University, 1981], 210) reads (with insignificant differences between the editions): "Abraham our patriarch was 70 years old when He spoke with him between the pieces, as it states, 'And it was at the end of 430 years, etc.' [Exodus 12:41]. After He spoke with him, he went down to Haran and spent there five years, as it states 'And Abram was 75 years old when he left Haran' [Gen 12:4]." This is the most common rabbinic resolution of the contradiction. The two-trip-to-Canaan version of Abraham's life in rabbinic literature, geared to resolving the contradiction between Abraham's age at the Covenant and his age at leaving Haran for Canaan, seems to have nothing to do with the two-trip-to-Canaan version in Christian sources which resorts to this device in order to avoid a different conundrum, to allow Abraham to go to Canaan at the age specified at Gen. 12:4, and still not to abandon his father Terah before he died. (Cf. the citation from Barhebraeus quoted by Brock, "Ravens," 143.)

of Abram and his descendants thirty years before the birth of Isaac, and, hence, 430 years before the Exodus. It appears that the five-year stay in Haran, like that in *Seder Olam* and other rabbinic sources, is to cover the gap between some event in Abram's seventieth year (four hundred and thirty years prior to the Exodus), however we understand it, and the departure for Canaan in his seventy-fifth.<sup>45</sup>

| E. Column iv 1–3 (*Genesis 36:12*)

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There are further examples of what we call literal, or simple-sense, interpretation in this text in the lemma + comment form.<sup>46</sup> At iv 1–3 the commentary writes:

תמנע היתה פילגש לאלפיזו בן עשיו ותלד לו את עמלק. הוא אשר הכה שאול  
כאשר דבר למושה באחרית הימים תמחה את זכר עמלק מתחת השמים

<sup>45</sup> Rabbi Elijah b. Solomon Zalman of Vilna (1720–1797; known as HaGRA = Ha-Gaon Rabbi Elijah or Vilna Gaon), in his notes to *Seder Olam* (*Seder Olam Rabbah* with commentary and notes by . . . Elijah of Vilna [ed. M.D. Yerushalmi; (Jerusalem: Gil, 1955)], 3) rejects the two-trip-to-Canaan theory and the disorder of biblical chronology that goes with it, claiming that the proper interpretation is: “as it states in the midrash that the thirty years begin when He saved him from Ur Kasdim and from then began the sojourning, and he went to Haran and stayed there five years and went to Erez Yisrael.” I have unfortunately not been able to locate such a midrash, and H.Y.I. Gad, referring to this comment of R. Elijah in his edition of the commentary of R. Yosef Bekhor Shor (twelfth-century Franco-German exegete) to *Genesis-Exodus* (Jerusalem, 1956), 78, writes likewise, “and I have not found the midrash”. But other than this unknown midrash, the Qumran text's implicit solution to the difficulty does not appear to the best of my knowledge before the Middle Ages. J. Heinemann, “210 Years of Egyptian Exile: A Study in Midrashic Chronology,” *JJS* 21 (1971): 21–22, does not know of the reading typified by the Qumran text and the unavailable midrash. *Jubilees*, as Heinemann calculates, 23, reckons 431 years from the birth of Isaac to the Exodus. In the medieval period, R. Saadia Gaon (882–942) alludes to a Qumran-type interpretation in his commentary on Gen. 15, as do Ibn Ezra (1092?–1167) and Bekhor Shor on Ex. 12:40. (Atar Livneh, “How Many Years Did Abraham Remain in Haran? Traditions on the Patriarch in Compositions from Qumran,” *Meghillot* 8–9 [2010]: 193–209 [Hebrew], has suggested that the chronology in 4Q225 [above n. 43], like that in 4Q252, is intended to resolve the 430–400 year conundrum by creating a starting point thirty years before the Covenant.)

<sup>46</sup> The passages at the end of column ii and on column iii move to Gen. 15 (the Covenant), Gen. 18 (the prayer for Sodom), Gen. 22 (the Aqedah) and Gen. 28:4 (+eight lines), but it is difficult to ascertain much of the interpretation or exegesis contained therein. One brief observation can, however, be made. Although no complete line survives from column iii, with Wise's reconstruction of iii 5 being possible, it appears that the condemnation of Sodom and Gomorrah by God in the face of Abraham's prayer is phrased in language reminiscent of the idolatrous city (Deut. 13:13–19). Thus iii 4 יחרמו recalls 13:16 אתה החרם עולם, and iii 6 ואת כל שללה תקבץ אל תוך רחבה recalls 13:17 ואת כל אשר בה עולם, and iii 6 ויהיה תל עולם. Whether it is merely the language which is associative, or whether the author of 4Q252 felt that it was under the law of the idolatrous city that Sodom was being condemned, cannot, of course, be determined.

Timna was a concubine of Eliphaz son of Esau and she bore him Amalek (Gen. 36:12). *He is the one whom Saul sm[ote].*<sup>47</sup> *As He spoke to Moses, "In the end of days 'you shall wipe out the memory of Amalek from under the heavens' (Deut. 25:19)."*

This comment is slightly unusual, and there are at least two ways to address it. Are we dealing with one remark or two? If the former, the *vacat* after שָׂאוֹל ought to be disregarded, and, although the prooftext formula makes sense, the allusion to "the end of days" is surprising.<sup>48</sup> If the latter, we must view the allusion to Saul as purely historical, and the prooftext formula does not make sense, since Saul's action is unrelated to the end of days.

Regardless of the answer to that question, we ask why the commentator saw fit to make a remark on Gen. 36:12 which has no immediately apparent contextual significance. It is likely that the comment in the text here is directed at the fact that Amalek does not play a role in the Hebrew Bible until much later (Exodus 17), and that the detail of his birth appears superfluous in Genesis. For the reader who is puzzled by this irrelevant fact in the genealogy, the commentary points out that the scriptural reference here is anticipatory of Amalek's later importance.<sup>49</sup> It is interesting that, in the context of that | later importance, the commentary omits any allusion to Amalek's attack on Israel in the wilderness (Exodus 17), and that it construes Saul's battle with them as a positive event, a victory, with no hint of Saul's failure to carry out God's command via Samuel to eradicate Amalek utterly.<sup>50</sup>

<sup>47</sup> Wacholder and Abegg restore [הכ]הו, but I believe there is no demand for the suffix (Wise, 87, and Brooke, DJD 22, 203, restore as I do). There is a space about four letters wide in the MS at this point. The function of the space may possibly be to separate two comments about Amalek, one regarding their historical defeat by Saul, and one pertaining to the eschatological commandment to wipe them out.

<sup>48</sup> The term כֹּאשֶׁר דָּבַר is rarely employed as a citation formula for a prooftext elsewhere in Qumran literature (cf. CD 4:14 and 19:15); the more common idioms are כֹּאשֶׁר כְּתוּב and כֹּאשֶׁר אָמַר and the like. Here the emphasis appears to be on God's speaking to, i.e. commanding, Moses, and that may engender the unusual usage.

<sup>49</sup> This sort of comment is often associated in the history of Jewish biblical interpretation with the medieval exegete Rabbi Samuel ben Meir (1080?–1160?, grandson of Rashi) in light of his comments on Genesis 1:1. There Rashbam writes, "It is the style of Scripture to anticipate and to clarify a matter which it does not need to for the sake of something to be mentioned later in another place."

<sup>50</sup> Eisenman-Wise, 82, strain to discover illicit sexuality lurking beneath the commentary throughout the text, including this passage, because "Column 4.1 distinctly designates them [the Amalekites] as the issue of another questionable relationship with a concubine, i.e. 'fornication' again." We shall consider their overall reading after our analysis of the entire document. But they write here:

There is also an interesting implicit exegesis of Deuteronomy 25:19 (which, however, may not be simple-sense) in this passage. MT there states *והיה בהניח ה' אלהיך לך מכל איביך מסביב בארץ אשר ה' אלהיך נותן* (*when the Lord your God grants you rest from all your enemies roundabout in the land which the Lord your God gives you as an inheritance to possess it, then shall you wipe out the memory of Amalek from under the heavens*). The commentary seems to replace the underlined temporal clause from Deuteronomy ("When . . . roundabout") with "at the end of days", as if to imply that full respite does not come until then. It may be that this exegesis is intended to justify why Saul defeats the Amalekites but does not wipe them out, seeing as there still are Amalekites surviving later on in the Book of Samuel, and there is no other concerted attempt to eradicate them subsequently.<sup>51</sup>

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4.2–3's almost word-for-word evocation of a speech of Moses from Exod. 17:14 shows the *modus operandi* of the author, i.e. 1. he knows the entire Bible text (at least those books mentioned above), and 2. he is doing Biblical commentary on or exegesis of it. The addition of the eschatological phrase "the last days" in the same line, which our text deliberately adds to the speech attributed to Moses in Exod. 17:14, is also instructive. Otherwise both speeches are identical.

The citation, which Eisenman and Wise attribute to Ex. 17:14 other than the eschatological phrase, actually comes from Deut. 25:19 with the substitution of the eschatological idiom for the biblical phrase as discussed in the next paragraph. Furthermore, their contention, 83, that the allusion to Saul is to be understood as negative and anticipatory of his rejection and replacement by David, is once again a counter-reading of the text. The description of Saul's action by the commentary can in no way be seen as negative, and our first evidence for the meaning of the text must be the text itself.

<sup>51</sup> Based on the frequent employment of the phrase *אחרית הימים* elsewhere in Qumran literature, the term cannot refer to the period of Saul. It is interesting that in postponing the commandment of the eradication of Amalek to the eschaton, the commentary is here in strong disagreement with rabbinic tradition which asserts that the eradication of Amalek was one of the three commandments incumbent upon the Israelites immediately upon entry into Canaan. E.g. Sifre Deuteronomy 67 (to Deut 12:10; ed. Finklestein, 132, where parallels in rabbinic literature are listed): "Rabbi Judah says, 'Three commandments was Israel commanded at the time of their entry into the land: to appoint for themselves a king, to build for themselves the Temple, and to wipe out the seed of Amalek.'" Eisenman-Wise, 83, call "the addition of 'the last days' or 'end of days' to Moses' speech . . . purposeful and clearly eschatological . . . Who will [eradicate Amalek]? Clearly the Messiah, with whom the text closes." Since we have shown that the phrase *אחרית הימים* substitutes for the biblical idiom in a passage other than the one claimed by Eisenman-Wise, and since there is no evidence that the distinct pieces of exegesis in our text are connected, their interpretation is, once more, fanciful.

| F. Column iv 3–6 (*Genesis 49:3*)

The commentary proceeds from Genesis 36 to Genesis 49 after a space of about eleven letters, and, unlike earlier transitions, furnishes the heading ברכות יעקוב (“Blessings of Jacob”) in the middle of a line for the new section. It begins by citing, or paraphrasing, Genesis 49:3 at iv 3–6:

ראובן בכורי אתה  
ורישית אוני יתר שאת ויתר עז פחזתה כמים אל תותר עליה  
משכבי אביכה אז חללתה יצועיו עלה פשרו אשר הוכיחו אשר  
שכב עם בלהה פילגשו

Reuben, you are my first born<sup>52</sup> [ ] and the first of my strength, exceeding in stature and exceeding in strength. You acted hastily,<sup>53</sup> like water; you shall not succeed; you mounted your father’s bed, then you defiled, he mounted his couch. Its interpretation is that he rebuked him because he had lain with Bilhah his concubine.

Aside from textual issues and the missing continuation of the exegesis of the “peshet”, the text supplies the (to us) rather obvious reference for Jacob’s rebuke of Reuben as being because of the incident with Bilhah (Gen. 35:22), “Its interpretation is that he rebuked him because he lay with Bilhah his concubine.”<sup>54</sup> For whom does our commentary furnish

<sup>52</sup> It is not clear from the photograph that the left margin is at this point (although re-examination of the plate in DJD 22 does point in that direction, unless there was an erasure at the end of the line), and the presence of כחי as found in MT is all but implied by the ך of ורישית, unless we should choose to read ראובן בכורי אתה ורישית אוני, which seems a bit awkward and is unsupported by any other witness. This raises the question whether the omission reflects a textual tradition or a scribal error. 4QGenEx<sup>a</sup> 15–16 3 has ] ראובן בכורי אתה ורישית אוני according to J.R. Davila, “Unpublished Pentateuchal manuscripts from Cave IV, Qumran: 4QGenEx<sup>a</sup>, 4QGen<sup>b-h, j-k</sup> (Ph.D. dissertation, Harvard University, 1988), 24 [= J.R. Davila, “4QGenEx<sup>a</sup>” in *Qumran Cave 4.VII: Genesis to Numbers* (ed. E. Ulrich et al.; DJD 12; Oxford: Clarendon, 1994), 17]. This is the only passage in the Genesis material which Davila edited which is germane to our text. There is no reason, of course, to insist that the Qumran MS of Genesis and the Qumran commentary share readings.

<sup>53</sup> According to BHS, the reading פחזת rather than MT פחז is shared also by the Samaritan Pentateuch, LXX, Peshitta and Targumim.

<sup>54</sup> Eisenman-Wise, 82, believe that the author of our text, like the one of *Jub.* 33:10 ff, is concerned with the nature of “Reuben’s supposed transgression”. But all the commentary does is explain the reference in Jacob’s “blessing” to Reuben’s misdeed earlier in Genesis in the most unexpanded fashion. They continue: “Here the Genesis Florilegium somewhat laconically adds the words, ‘and he reproved him’ (line 5). In other words, it makes it clear that this was all Reuben did.” Assuming that “Reuben” is an error for “Jacob” (confirmed orally by Wise), they imply that there is something significant about the absence of other activity by Jacob. But almost the same language is employed about Jacob’s remarks to Reuben by the medieval exegete R. Samuel ben Meir in his commentary to Gen. 1: “He lay with Bilhah the concubine of his father and Israel heard.’ Why is it written here ‘and

this information? Although it is hard to imagine a reader of the whole text of Genesis who would not understand the reference, what of the reader of the blessings of Jacob who had not read Genesis 35? It is perhaps for such an unlikely individual that the pesher furnishes the “obvious” data.

We should also observe that it is quite strange, at first glance, that the text employs the technical term פֶּשֶׁר here, one which we generally associate with | sectarian exegesis.<sup>55</sup> If the text is merely clarifying the allusion in Genesis 49:3 to an event earlier in the book, why does it use this idiom? The obvious possibility is that our preconceptions about Qumran exegetical terminology need revision, but there is a less obvious one as well. Perhaps the interpretation of a poetic or prophetic text is automatically “pesher” regardless of the type of interpretation involved. Such texts are deemed always to be opaque and in need of the pesher process in order to be understood properly. This suggestion furnishes a different reason for the same re-evaluation of exegetical terminology. 18

#### G. Column v 1–7 (Genesis 49:10)

The following piece of surviving text is the one which Allegro published initially in 1956 and called “patriarchal blessings.”<sup>56</sup> Unlike any of the texts which we have seen so far in 4Q252, including the calendar exegesis which, although it coincides with the sect’s ideology, can be described as an attempt at simple-sense exegesis, this one contains indubitably sectarian language. In the words of Eisenman-Wise, “Nor are we any longer in the realm of Biblical rewrite or condensation, but exegesis pure and

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Israel heard? For it is not written here that Jacob said anything to Reuben! But because at the time of his death he said . . . (Gen. 49:4), therefore it set forth earlier ‘and Israel heard’, so that one should not be surprised when you see that he rebuked him for this at the end of his life.” Eisenman-Wise’s comment is really directed against the Jacob of the biblical text and not at the author of the commentary.

<sup>55</sup> The possibility that פֶּשֶׁר refers to the missing interpretation which followed in the MS and might have been sectarian is somewhat vitiated by the employment of וְאָמַר in line 6 to introduce the requotation, if that is what we should term it, of the biblical text beginning בְּכוֹרֵי אֶתֶּה. If we render “and he [Jacob] said . . .,” it is not exactly a requotation formula any longer. It is interesting that 4Q252 does not employ וְאָמַר, which is found elsewhere in quotations and requotations. The more common citation formula כְּאִשֶּׁר כְּתוּב does occur at the beginning of iii 1, but the text breaks off immediately.

<sup>56</sup> J.M. Allegro, “Further Messianic References,” *JBL* 75 (1956): 174–76. We may presume that about fifteen lines are missing in column iv regarding Reuben, Simeon and Levi, as well as the beginning of the blessing of Judah. The reconstruction of v 1 in both *PE* and Eisenman-Wise should perhaps be corrected to indicate that יָסוּר אֵל [לִי] might not be the beginning of the column. The relative lengths of v 1 and v 2 leave room for another word or so before לִיָּא in v 1 (this view is supported by Brooke in *DJD* 22, 205).

simple.”<sup>57</sup> They are certainly correct to distinguish between this passage and all of the preceding material in the scroll, but their choice of terminology is unfortunate. It is in the texts to this point in the commentary that we have witnessed “exegesis”; here we may be observing a sort of eisegesis or imposition of sectarian thinking on the biblical text.

But more careful examination is necessary before we can dismiss even this column as not being simple-sense exegesis. The fairly continuous portion of the text reads:

[ל]א יסור שליט משיבט יהודה בהיות לישראל ממשל  
[ולוא י]כרת יושב כסא לדויד כי המחקה היא ברית המלכות  
[ואל]פי ישראל המה הרגלים עד בוא משיח הצדק צמח  
דויד כי לו ולורעו נתנה ברית מלכות עמו עד דורות עולם

19 A scepter shall n[ot] depart from Judah while there is dominion to Israel, [and there shall not be c]ut off one sitting on David’s throne. For the מחקה is the covenant of the kingdom, [and the th]ousands of Israel are the “feet” until the arrival of the righteous messiah, scion of David, for to him and his seed was | given the covenant of the kingdom of his people for eternal generations.<sup>58</sup>

It would appear that this citation contains only commentary, and no biblical text, with the biblical verse being commented upon (whether or not it resembled MT) having been cited at the end of the previous column.<sup>59</sup>

<sup>57</sup> Eisenman-Wise, 83.

<sup>58</sup> The scriptural origins of some of the phraseology of v 1–4 should be stressed in any study of the art of composition at Qumran. Line 1 begins in Gen. 49:10, לא יסור שבט, מיהודה, but continues with an echo of Psalms 114:2, ממשלותיו, ויהיה יהודה לקדשו ישראל. Line 2, לא יכרת יושב כסא לדויד, finds its sources in such verses as Jeremiah 33:17, לא יכרת יושב כסא לדוד, and Jeremiah 33:15, לא יכרת יושב כסא לדוד. It is striking that two verses before the latter passage, we read in Jeremiah 33:15, אצמיח לדוד צמח צדקה, which could, in this context, be said to be the source for דויד צמח דויד in line 4. It is also perhaps worthy of note, in light of Brooke’s idea of this document having borrowed from a poetic text, that there is a somewhat poetic rhythm to the opening line and a half of column v. [Although in the original version of the article I read הרגלים, “the feet,” Brooke has since argued convincingly (DJD 22, 205) that the reading is הדגלים, “the standards,” as in SP.]

<sup>59</sup> This point has already been made by A. Dupont-Sommer, *The Essene Writings from Qumran* (tr. G. Vermes; repr. Gloucester: Peter Smith, 1973), 314: “This biblical quotation does not appear in our fragment but must have been given at the end of the preceding column where it was probably followed by the usual introduction, ‘The explanation of this is that . . .’” Needless to say, it is far from certain that פשרו was employed in this text. I agree with Dupont-Sommer likewise in the reading of a conjunction at the beginning of line 2, ולוא, for the purpose of smoothing out the syntax. But we are in a minority on both of these points. Allegro, in his initial publication, 174, treats the opening half-line as a citation of Gen. 49:10, referring, n. 2, to Onqelos’ שולטן עביד שבט as parallel to שליט משיבט. J. Carmignac, *Les Textes de Qumran Traduits et Annotés* (Paris: Letouzey et Ané, 1963), I, 287, n. 1, seems to agree with Allegro, “l’auteur paraphrase Genèse 49.10.” Vermes,

The language of the comment employs the vocabulary of Gen. 49:10 **לֹא יִסּוּר שְׁבֵט מִיְהוּדָה וּמַחֲקֵק מִבֵּין רִגְלָיו עַד כִּי יָבֵא שִׁילָה וְלוֹ יִקְהַת עַמִּים**, while commenting on it, as can be seen from the emphasized words and phrases in the citation above.

There is an ambiguity in the syntax of the interpretation here. If we read **יִכְרַת [לֹא]** with earlier restorations (as well as that of Brooke in DJD 22, 205), is **לֹא יִסּוּר שְׁבֵט מִיְהוּדָה** subordinate to **יִכְרַת יוֹשֵׁב כֶּסֶף לְדוּד** which precedes it, or to **לֹא יִכְרַת יוֹשֵׁב כֶּסֶף לְדוּד** which follows? The echo of Psalm 114:2 noted above pulls in the former direction, but the latter is attractive because **לֹא יִכְרַת יוֹשֵׁב כֶּסֶף לְדוּד** does not seem well placed if the two clauses of line 1 form a sentence.<sup>60</sup> If we read a conjunction at the beginning of line 2, the three clauses—modeled on Genesis, Psalms and Jeremiah as noted above—stand together, interpreting the biblical **לֹא יִכְרַת יוֹשֵׁב כֶּסֶף לְדוּד**, and preceding the interpretation of **יִסּוּר שְׁבֵט מִיְהוּדָה**.

Is there anything explicitly sectarian about the reading of Gen. 49:10 in 4Q252? Nothing, until line 5. Why then is the interpretation so clearly messianic/eschatological, if not sectarian? The answer again may lie in the nature of the biblical passage; messianism and eschatology are not inherently sectarian. The author of 4Q252 is of the opinion that the *sensus literalis* of | a prophetic blessing like that of Jacob is by definition eschatological (recall Jacob's words in Gen. 49:1, **הֲאִסְפוּ וְאִגִּידָה לָכֶם אֵת אֲשֶׁר יִקְרָא**, "gather round and I shall tell you what shall befall you in *the end of days*"), and it is only because of our modern notions about *sensus literalis* that we fail to see this. The simple sense of such a text, certainly to the ancient reader, is the predictive meaning of the words. Until line 5, where we confront the Qumranic term **אֲנָשֵׁי הַיְחִיד**, 4Q252's interpretation is eschatological (cf. **עַד בּוֹא מְשִׁיחַ הַצַּדֵּק צִמַּח דּוּד**, lines 3–4), but remains within the boundaries of the biblical text.<sup>61</sup> The

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*Dead Sea Scrolls in English* (Sheffield: JSOT Press, 1987), 260, restores a full citation of all of 49:10 before the interpretation which begins, "Whenever Israel rules . . ." ignoring the fact that 4Q252 actually "paraphrases" the biblical text. Eisenman-Wise, 89, place quotation marks around the first half-line as well. The possibility that we are dealing with some sort of rewritten Bible and that no quotation preceded is more unlikely in this poetic passage than it would be in narrative.

<sup>60</sup> Carmignac, 287, Allegro, and Vermes, 260, (and Brooke, 205) adopt the latter reading, taking the second and third clauses together, probably because all of them treat the opening words of line 1 as citation or paraphrase rather than commentary, against Dupont-Sommer who treats all three clauses as interpretation.

<sup>61</sup> Since my focus in this document is its contribution to the history of simple-sense interpretation, I demur, beyond remarking on its very different nature, from offering interpretive remarks on the very last section. It is the most "typically Qumranic" and, unlike



references to the Davidic house and messiah, historical and eschatological, are for the ancient exegete the intended simple sense of the blessing of Judah. They may coincide smoothly with the sectarian emphasis on messianism which we witness elsewhere, and appear in the same text with more overtly sectarian material, but the reading of 4Q252 v 1–4 remains the prophetic simple sense of the text. This is generically different from the contemporaneous actualizing reading of prophetic texts which we find in the pesharim.

### III. EARLIER APPROACHES: LIM AND EISENMAN-WISE

It should be quite clear that the interpretations which we have suggested and the sketch which we have drawn of the commentary as a whole differs sharply from the two recently published treatments of it by Lim and Eisenman-Wise. Before proceeding to our brief attempt to characterize the entire text and its biblical exegesis, we must first establish the ways in which these first efforts to interpret 4Q252 have gone awry. In the first case, Lim examined too brief a segment of the document which, together with the passage already published by Allegro, gave a false impression of the document as a whole. In the latter, Eisenman-Wise approached the text with a number of preconceived notions about the provenance and context of the text, in much the same fashion as they claim that other scholars whom they criticize subject all texts to a procrustean Essene reading. Both of these approaches frequently overlook the fact that the document with which they are dealing is selective biblical interpretation and not rewritten Bible.

#### A. *Lim*

Lim's division of the first two columns into "a section about Noah and the flood and another concerning Abraham's covenant with God" is simply unsound.<sup>62</sup> He asserts: "the flood narrative begins with God's declaration in Gen. 6.3 that His spirit will not remain in man forever and ends with

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almost anything else in the manuscript, must be read against the background of a variety of other passages in Qumran literature as has been suggested by Allegro and Eisenman-Wise, 83–85. The issue of significantly Qumranic terminology, like צמח דוד, being employed in a non-sectarian piece of exegesis is worthy of further discussion.

<sup>62</sup> Lim, 289.

the curse | of Canaan in 9.25.”<sup>63</sup> But, as we have noticed, the opening line of column i seems to complete an earlier statement, needing an antecedent for the suffix of קצם. To speak of an *inclusio* in this section, as Lim does, is more than speculative.

We have seen above that Lim asserts that the chronology of the flood story applies the solar calendar to the narrative. He then writes: “From the previously published fragment of Gen. 49:10 alone, it is clear that this sectarian text (cf. the technical term היחוד in line 5) is eschatological and messianic (cf. בוא משיח הצדק צמח דויד, lines 3–4).”<sup>64</sup> Having argued that even the flood chronology is primarily a piece of exegesis which is not sectarian in its motivation (and, less confidently, that part of the interpretation of the blessing of Judah is not as well), we see the danger of characterizing the whole by the part. The omission of the details such as God’s promise not to destroy the earth by flood in the future is not because the dating is the focus of the flood *story*, but because it is the exegetical problem with which the author is concerned.<sup>65</sup>

Lim characterizes the exegesis of 4Q252 as “inferential”, noting correctly that this type of reading is not paralleled in any kind of peshet, because prophecies (on which pesharim are written) are revelatory, while the flood story lends itself to a different mode of analysis.<sup>66</sup> He has actually marshaled some of the evidence for the very different nature of the biblical interpretation in this document from that elsewhere at Qumran, without, however, following it to its logical conclusion.

### B. Eisenman-Wise

Eisenman-Wise correctly stress the selective nature of 4Q252, noting that it “skims over the main Genesis narrative, alighting only on points and issues it wishes for some reason to clarify or re-present”.<sup>67</sup> They are also

<sup>63</sup> Ibid.

<sup>64</sup> Lim, 295. Patte, 236, refers to the genre of “4QPatriarchal Blessings” as “Apocalyptic re-writings!”. Stegemann, 214, believed our text was a “thematischen Midrasch zu bestimmten Fragen der Eschatologie”.

<sup>65</sup> Lim, 295–96. His claim that “in this respect, the interpretation of the flood story resembles Chapter 5 of the Book of Jubilees much more than it does any of the thematic or continuous pesharim,” is strange. Some details, such as the numbers of the animals, are omitted from *Jubilees* as well as 4Q252, but *Jubilees*’ account is still fuller because it is, after all, rewritten biblical narrative, not a selective commentary. Furthermore, *Jubilees* records God’s promise at 6:16.

<sup>66</sup> Lim, 297. “Inferential” exegesis is, or at least can be, fundamentally a simple-sense approach, and, as such, we should not expect to find it in the pesharim.

<sup>67</sup> Eisenman-Wise, 77.

quite correct that, “In the process, the author picks up some of the major modern scholarly problems in Genesis textual analysis and attempts what in his terms is clearly a resolution.”<sup>68</sup> If they had followed their own lead, they might have allowed the nature of the problems presented by 4Q252, rather than their own agenda, to determine its essential quality.

We have shown in our running discussion of the text above that, although the calendar is a significant issue in the commentary, its treatment is as an | exegetical difficulty, not as a dogmatic or theologically sensitive issue.<sup>69</sup> As in most of the passages dealt with by 4Q252, the textual problem is the stimulus for the interpretation. Although the *Jubilees*-type solar year is stressed, the emphasis is not polemical. The tone of our document is not that of one engaged in inter-sectarian debate, and lacks the “polemical point-counterpoint”<sup>70</sup> which pervades other Qumran biblical interpretations. We are in the presence of a commentator dealing with issues within the framework of the biblical text, occasionally with sectarian interest.

The treatment of the Ham material by Eisenman-Wise fails to locate the discussion by our text in the context of other early biblical interpretation, some of which, as we have noted, asks the very same question, and gives the very same answer as 4Q252. Likewise, the analysis of the material at the end of Gen. 11 (ii 8–10) is called “another mathematical rationalization”, and we are told that the fact that the author’s “concerns are mathematical could not be more apparent”.<sup>71</sup> Both of the issues confronted in this portion—the age of Terah when Abram left for Canaan, and the chronology of key events in Abram’s life—happen to be chronological, but the basic concern is not for numbers, but for straightforward biblical exegesis of those numbers. The mathematical facet certainly need not be primary, as both of these problems vex exegetes far less mathematically oriented.

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<sup>68</sup> Ibid., 78.

<sup>69</sup> Eisenman-Wise, 79, write of the calendar of the flood passage: “Because the polemic is so emphatic, it would appear that the author of the text is familiar with the traditional text, which is probably the Pharisaic one.” But they also argue, 105, regarding the same text: “The date of the Masoretic Text—which the author of the text almost certainly must have had in his scroll of Genesis—was read as a lunisolar date.” I hesitate to perform source criticism on a modern text, but I suspect that the authors do not agree on this matter. The latter solution sees the text as exegetical, the former as polemical.

<sup>70</sup> M. Fishbane, “Use, Authority and Interpretation of Mikra at Qumran,” *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. M.J. Mulder; Minneapolis: Fortress, 1990), 366.

<sup>71</sup> Eisenman-Wise, 80.

At times, Eisenman-Wise characterize the material which the Genesis Florilegium has selected very strangely. Asserting that there are two “salvation of the Righteous” or “escape and salvation” stories in Genesis—those of Noah and Lot—they claim that our commentary deals with both of them.<sup>72</sup> Of course, the key terms צדיק and תמים used in Gen. 6:9 happen not to occur in this document, and there is *no* reference to Lot in the fragmentary remains of our text, despite the presence of Abraham’s prayer over Sodom and Gomorrah in column iii. Nor is Lot referred to explicitly anywhere in Scripture as “Righteous.” Any inference, therefore, on “the pre-eminent position ‘the Righteous’ play in Qumran ideology in general”<sup>73</sup> based on the inclusion of these incidents in 4Q252 is inappropriate. It is particularly unsafe methodologically to extrapolate anything from a fragmentary text (like column iii) *without even trying to reconstruct it*.<sup>74</sup>

| Eisenman-Wise claim: “In the Genesis Florilegium, there is a collateral interest in sexual matters reflecting the condemnation of ‘fornication’ which one finds in other Qumran documents like that in the ‘three nets of Belial’ section of the Damascus Document.”<sup>75</sup> This is argued from the fact that our text includes the Ham/Canaan and Sodom/Gomorrah episodes and stories about eradicating Amalek and the disqualification of Reuben from his position as first-born. But, once again, we search the actual text in vain for any sexual allusions, other than the narrative one in the case of Reuben. We must concentrate on what the text does: the cursing of Canaan rather than Ham, the prayer of Abraham on behalf of Sodom and Gomorrah (?), the historical and eschatological conflict between Israel

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<sup>72</sup> Eisenman-Wise, 80–81.

<sup>73</sup> *Ibid.*, 81. One cannot, of course, proceed to search for “parallel interest” to such fiction.

<sup>74</sup> G.J. Brooke, “The Pesharim and the Origin of the Dead Sea Scrolls,” in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (ed. Michael O. Wise et al.; Annals of the New York Academy of Sciences 722; New York: New York Academy of Sciences, 1994), 339–352 (340–341), criticizing some of Eisenman’s historical reconstructions, points out that, despite the significance of the הצדק in certain Qumran documents, “apart from this title or epithet, no form of the root צדק (צדוק, צדיק, צדקה, צדק, צדק) is anywhere definitely used in the continuous pesharim, even when it features in the scriptural citation . . . and some kind of elaborate exegesis on the term might have been expected.” He argues further that the placement of pesharim as part of such reconstructions “must account for the presence *and* absence of the relevant terminology in all the texts that are discussed.”

<sup>75</sup> Eisenman-Wise, 81. Brooke, “Thematic Content,” 43, similarly suggests that CD 2:15–3:2 may furnish a parallel for 4Q252, since the former’s “call to avoid following a guilty inclination and eyes of lust” may be echoed in the latter’s “curse of Canaan, the destruction of Sodom, . . . and Reuben’s sleeping with Bilhah.”

and Amalek, and the literal exegesis of Gen. 49:3–4 (and 10?). Our analytical agenda must be set first by the commentator. If the commentary's intent was to stress the punishment for certain kinds of sins, it has certainly chosen a peculiar way of doing so, one which demands that the reader ignore its words and read only behind them.

For Eisenman-Wise "the climax of the work and for our purposes, exegesis generally at Qumran" is the exegesis of the blessing of Judah in Genesis 49 found in column v.<sup>76</sup> It is interesting that in the two and one-half pages which they devote to the interpretation of this segment of the commentary there are no references to texts from the earlier portions. It is as different in its content as it is in its exegetical methodology. There is no doubt about the significance of this passage *among other messianic texts from Qumran*, but since, as we have seen, there is no perceptible connection between the various sections of 4Q252, to speak of this portion as the *climax of this document* is an overstatement. It is climactic only to a scholar whose interest in this exegetical document revolves about the search for messianic data.

For both Lim and Eisenman-Wise, then, a commitment to or presupposition about this document as a sectarian work has interfered with its interpretation. We have stressed from the beginning of our discussion the need to allow the text to define itself through the issues which it treats and the methods with which it treats them. We return now to the commentary for a survey and description of its exegetical principles.

#### | IV. AN "EXEGETICAL" APPROACH

This manuscript, then, is highly unusual in terms of the breadth of its exegetical methodology as well as in the range and sparseness of the texts which it treats. In the six columns which we can identify, we find comments on Genesis 6, 7, 8, 9, 11, 15, 16?, 18, 22, 28, 35, and 49.<sup>77</sup> The length of

<sup>76</sup> Ibid., 83. The remark is somewhat disingenuous, as their final comment on this document, 86, states: "The text ends in Column 6, *a little anticlimactically* [my italics, MJB], with portions from Gen. 49:20–21 about blessings on Asher and Naphtali . . ." 4Q252 does not aim to culminate in the messianic or eschatological prophecies associated with the blessing of Judah, but rather follows Jacob's blessings in sequence. If my suggestion about dividing the interpretation of Judah's blessing into two parts, simple-sense and sectarian, is accepted, then there is even less foundation for Eisenman-Wise's remarks.

<sup>77</sup> To be sure, the first column sets a length of about 22 lines, and the most that we have for any of the others is 13 or 14. But although some material is missing from our text, it must still have been a very selective commentary.

the comments ranges from the four words on Genesis 9:27 (if, as I think, that text is represented in our document) to the extensive exegesis of the chronology of the flood in columns i–ii.

It is perhaps easier to describe what this text is not than what it is. It is not sectarian/eschatological pesher exegesis, with the exception of some of the remains of column v. Unlike a pesher, 4Q252 is not allusive; it does not reflect contemporary events or recent history; it does not (with the exception of some of the blessing of Jacob in the last portion) read Scripture as prophetic. Nor is it neutral, contextualizing exegesis as is occasionally found in the pesharim. On the whole, it is not “rewritten Bible”, because it is partially *commentary*, explaining the text rather than restating it; because it occasionally takes the form of lemma + comment; and, perhaps most significantly, because it re-writes very selectively, and seems to skip *ad libitum* from one section of Genesis to another without any overt cause. It is a text which has chosen certain issues, *and only those issues*, as the objects of its comments, whether those remarks take the form of rewriting or formal commentary. The fact that certain passages in our document present the scriptural text in the form of rewritten Bible does not define or characterize it generically. The presence of rewriting and “commentary” side-by-side presumably indicates the transitional and tentative nature of this new genre, whatever we are to term it.

Let us summarize the exegetical issues which the commentary confronts in its surviving portions:

- (1) The identification of the 120 years of Gen. 6:3, and their location within Noah’s life.
- (2) The chronology of the flood story.
- (3) Noah’s curse and blessing:
  - a. The object of Noah’s curse;
  - b. The subject of the verb יִשְׁכֹּן in Gen. 9:27, and the identification of בַּאֲהֲלֵי שָׁם.
- (4) The chronology of Abraham’s life:
  - The reconciliation of Gen. 11:26 and 12:4;
  - The reconciliation of Gen. 15:13 and Ex. 12:41.
- (5) The superfluous reference to Amalek in Gen. 36:12.
- (6) Jacob’s blessings:
  - a. The rebuke of Reuben;
  - b. The interpretation of Gen. 49:10.

25 | Upon examining this list, we note that all of the surviving passages dealt with by 4Q252 contain problems, ranging from fundamental to peripheral, in interpreting the book of Genesis. Whether they involve chronology or the sequence of the biblical narrative, the meaning of a word or the subject of a verb, the explanation of an extraneous detail or the clarification of a prophetic blessing or the reconciliation of seeming contradictions in the text, they are matters which could concern any exegete, not only a sectarian one. This phenomenon ought to be paramount in our consideration of generic issues for such a text.

Indeed, when we come to analyze a document of this type from the ancient world we should be mindful of a judicious statement by E.D. Hirsch:

Without helpful orientations like titles and attributions, readers are likely to gain widely different generic conceptions of a text, and these conceptions will be constitutive of their subsequent understanding.<sup>78</sup>

When the document is fragmentary and we possess neither beginning nor end as well as no title or author, our own predispositions often become more significant in the way in which we evaluate a text. As a student of biblical interpretation, I prefer to place greater emphasis on the problems faced by the exegete and the stimuli in the text which trigger his comments. If the focus of the commentary is on difficulties which any non-sectarian reader of the text might have, then the author cannot be accused broadly of tendentiousness. If the answers given are, or could be, supplied by non-sectarian exegetes as well, the overall interpretation should be categorized as simple-sense interpretation.

This analysis derives from the nature of the discrete exegetical comments found in 4Q252. At the same time, however, it appears that the interest of our commentator in certain kinds of questions may indeed be loosely influenced by sectarian predilections. There is no doubt that the calendar was central to Qumran life and thought, and that messianism was an issue which concerned the sect, and we might tend to attribute our commentator's concern with those themes to personal ideology. But these were matters which probably concerned, to a greater or lesser degree, all Jews in the Second Commonwealth.

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<sup>78</sup> *Validity in Interpretation* (New Haven, 1967), 75, cited by G.J. Brooke, "Qumran Peshet: Towards the Redefinition of a Genre," *RevQ* 10 (1979–81): 492.

There are no sectarian “messages” in any of the individual comments in 4Q252; its text responds to exegetical issues in the Hebrew Bible. If 4Q252 (minus its one overtly Qumranic passage) had not been found at Qumran, we might have speculated about its possible Qumranic origins, but simultaneously wondered about its lacking “typically” Qumranic themes and messages. As long as the method of response to the textual problems is not tendentious, we cannot even fault the exegete for being concerned with details of the biblical text which were particularly interesting to sectarians. Furthermore, we should not “condemn” a piece of interpretation as “sectarian” because of a tendency to certain kinds of answers, if those answers could also have been given by non-sectarian interpreters.

Is there anything which connects the various lemmas or comments of this document with one another? Should we attempt to read it as an integrated | whole? I should suggest that since the kinds of exegetical issues which are confronted are really so different from one another, that there is not and that we should not. If 4Q252 is a commentary, addressing only whatever problematic issues its author saw fit, then it is unproductive and inappropriate to search for artificial unifiers. It is true that we then have to explain the genesis of a disjointed text, but it is more important to understand the document as it stands than to assert forced and contrived integrating features.<sup>79</sup> 26

Perhaps, in the final analysis, there is too little left of this commentary to do anything but theorize. We can eliminate a variety of other possibilities, and determine what this text is not, but we cannot argue absolutely from silence regarding a *Tendenz* which the work does not exhibit. But since the simple sense comments are still unique among examples of ancient biblical interpretation, our only possible conclusion is that we

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<sup>79</sup> One possibility which comes to mind, admittedly *obscurum per obscurius*, to explain the admittedly diffuse nature of this commentary, is that this text might be an excerpted one, based on an earlier work or works on Genesis, containing rewritten Bible and simple sense comments, from which someone copied a series of passages whose problems, solutions, or both, appealed to his interests. This would explain the range and somewhat random nature of the comments. But there is, of course, no indication that such is the case, and we should have to postulate the existence of an even fuller commentary of this type in order to support our suggestion. In any event, I believe our focus on individual passages and their exegetical method needs to precede discussions of the document as a whole and its sources. I deal further with this issue in “4Q252: Method and Context, Genre and Sources: A Response to George J. Brooke, ‘The Thematic Content of 4Q252,’” which was presented at the Annenberg Research Institute’s Colloquium on the Dead Sea Scrolls in May 1993, and which appeared in *JQR* 85:1–2 (1994): 61–79 (below 133–150). See Final Note.



have here some “new” genre which fills a gap on the historical spectrum.<sup>80</sup> We cannot know who wrote this first “simple-sense” type commentary or what impelled him to adopt such a form. We cannot even be certain that its author would have recognized our classification of it.

#### V. APPENDIX: 4Q252 AND JUBILEES

In light of the apparent significance of *Jubilees* at Qumran and to the Qumran community, I believe that it is worth comparing 4Q252 and *Jubilees* wherever a positive or negative correlation between them can be discerned, and there appear to be four such points of contact.<sup>81</sup> Regarding the 120 | years of Gen. 6:3, our commentary, reading it as the time remaining until the flood, disagrees with *Jubilees* which seems to understand it as the life-span of man (*Jub.* 5:8). It is interesting that in *Jubilees* this equivalent of Gen. 6:3 is dislocated from its context in Genesis (*Jub.* 5:1) to a position following texts parallel to Gen. 6:12, 7–8. Whether this relates to the juxtaposition in 4Q252 of 6:3 with language reminiscent of 6:13 is, of course, unclear.

As for the chronology of the flood, it appears that the new commentary adopts a different reconstruction from that found in *Jubilees*.<sup>82</sup> On the exegesis of יִשְׁכּוֹן (Gen. 9:27), 4Q252 and *Jubilees* are in agreement, taking God as its subject. Finally, as we noted earlier, *Jubilees* and our commentary differ on the date of Terah and Abram’s journey to Haran, and the length of Abram’s stay there. It is clear, then, that despite the significance of *Jubilees* in the Qumran community, its readings of the biblical text were

<sup>80</sup> M. Fishbane introduces his remarks on “Interpretation etc. of Mikra at Qumran,” 339, with the important observation that “the evidence of the Dead Sea scrolls offers . . . primary and hitherto unknown documentation from [the] milieu of ancient Jewish exegesis.” If our above analysis is correct, then the history of Jewish biblical interpretation has been enriched by an exemplar of a type of interpretation which has not been recognized elsewhere in the ancient world.

<sup>81</sup> The importance of *Jubilees* at Qumran seems fairly well agreed upon. *Jubilees*’ calendar is parallel to Qumran’s; *Jubilees* is cited in CD 16:3–4; and the “library” at Qumran possessed 14 or 15 manuscripts of *Jubilees*. James VanderKam has recently written: “The sheer number of copies of a book perhaps does not have a direct correlation with the status that it enjoyed at Qumran; but it could have such a correlation and probably did” (“The Jubilees Fragments from Qumran Cave 4,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* [ed. J. Trebolle Barrera and L. Vegas Montaner; STDJ 11; Brill, Leiden, 1992], II, 648).

<sup>82</sup> Cf. Lim, 296–97, with an elaborate comparative chronological table, who makes the interesting observation that our commentary is more concerned for specific dates than is *Jubilees*.

not authoritatively binding on our commentator. When it came to matters of simple-sense interpretation, the author of the commentary seems to have followed his analysis of the biblical text even where it led him to disagree with a “Qumranically significant” work like *Jubilees*.<sup>83</sup>

#### *Final Note*

Subsequent to this paper’s being set in print, and while I was writing the paper referred to in note 79 above, George Brooke informed me that, based on examination of the actual manuscript, he is “virtually certain that 252 col. 1 is indeed the start of the text” (communication, 15 Oct. 1993). In that case, we cannot interpret the opening line as being dependent on a biblical citation in the previous column as we did in this article. This fact led me to an interesting tentative hypothesis about the sources of 4Q252. Perhaps the compiler selected from a variety of earlier documents (whether re-written Bible, commentaries or poems) passages which interested him because they explained difficult biblical texts in Genesis. Whereas they need not have been “commentary” in their original contexts, they became a commentary when he put them together in a single manuscript without connections between them. If something like this be the case, then perhaps i 1 ff. contains a quotation from some sort of “re-written Bible”, taken out of context. Similarly, Brooke’s lost poetic work could have been the source for the paraphrase of Gen. 9:27, וישכון באהלי שם. In both cases, the function of the citation would still be to explain an exegetical difficulty in the biblical text. I explore this possibility a bit further in the article referred to in n. 79.

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<sup>83</sup> This brief comment opens up the question of whether there existed a canon or canons, textual or interpretive, at Qumran. How “canonical” was *Jubilees*? James VanderKam concludes his survey of the MSS of *Jubilees* from Cave 4 (above, n. 81, 648), with the remark: “All of these points combine to make a strong case that *Jubilees* was among the most important books at Qumran—part of the collection that would, in later times, be called the canon of scripture.” My observations cannot confute this assertion, but merely indicate one direction in which the discussion can be carried further.

CHAPTER FIVE

לא ידור רוחי באדם לעולם I 2 4Q252  
BIBLICAL TEXT OR BIBLICAL INTERPRETATION?\*

A recently published Qumran text, 4Q252, can probably best be described as a sort of commentary on the book of *Genesis*.<sup>2</sup> The opening lines of this text, which revolve around *Gen* 6:3, furnish an instructive paradigm for the evaluation of a characteristic type of textual/exegetical biblical material from the classical period. The question which it poses is a familiar one: when is the reflection of a biblical text which does not conform to MT, and which appears in a “non-textual” source, to be viewed as a variant text, and when may treat it as a paraphrastic interpretation of an underlying text which may have resembled MT?<sup>3</sup>

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\* This article, like the other two on 4Q252 in this collection, was written before the publication of the DJD edition by George J. Brooke in “4Q Commentaries on Genesis A–D,” in G. Brooke et al. eds., *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (DJD 22; Oxford: Clarendon Press, 1996), 185–236 (185–207). There are no issues in the portion of the text discussed in this article where the more accurate recent edition makes a difference.

<sup>1</sup> My thanks to Professor James C. VanderKam of the University of Notre Dame for reading earlier drafts of this article, clarifying issues of Ethiopic usage, and asking some pointed questions which led to more nuanced formulations on my part.

<sup>2</sup> The relevant portion of 4Q252 has appeared in B.Z. Wacholder and M.G. Abegg, *A Preliminary Edition of the Unpublished Dead Sea Scrolls. The Hebrew and Aramaic Texts from Cave Four: Fascicle Two* (Washington, D.C.: Biblical Archaeology Society, 1992), 212 (= PE); R.H. Eisenman and J.M. Robinson, *A Facsimile Edition of the Dead Sea Scrolls* (Washington, D. C.: Biblical Archaeology Society, 1991), plate 1289 (= FE); T.H. Lim, “The Chronology of the Flood Story in a Qumran Text (4Q252),” *JJS* 43 (1992): 288–98; R.H. Eisenman and M.O. Wise, “14. A Genesis Florilegium,” in *The Dead Sea Scrolls Uncovered* (Rockport: Element, 1992), 77–89; M.J. Bernstein, “4Q252: From Re-written Bible to Biblical Commentary,” *JJS* 45 (1994): 1–27 (above 92–125); and G.J. Brooke, “The Genre of 4Q252: From Poetry to Peshet,” *DSD* 1 (1994): 160–179. Brooke discussed “The Thematic Content of 4Q252,” at the Annenberg Research Institute conference (May 1993) on the scrolls, to which Bernstein responded in “4Q252: Method and Context, Genre and Sources”. These papers appeared in *JQR* 85:1–2 (1994): 33–59 and 61–79 (below 133–150), respectively. The precise nature of the commentary that 4Q252 in fact is has been the subject of some dispute between Professor Brooke and myself, but we both agree that the document is best described with the neutral term “commentary.”

<sup>3</sup> Lim writes correctly, 289, “There is no straightforward way of distinguishing between a quotation and a rewriting of the biblical verse.” Another approach, which might come to conclusions similar to those reached below, is suggested by the title of G.J. Brooke’s article, “The Biblical Texts in the Qumran Commentaries: Scribal Errors or Exegetical Variants” in *Early Jewish and Christian Exegesis: Studies in Memory of William Hugh Brownlee*

| After the description of the *benei 'Elohim's* consorting with the daughters of man, the Lord asserts, according to Gen 6:3 (MT), **לֹא יִדּוֹן רוּחִי בָאָדָם**, *“My spirit shall not abide (?) in man forever inasmuch as (?) he is flesh, and his days shall be one hundred and twenty years.”* This passage is a well-known *crux interpretum*, both lexically and exegetically, as is admitted by most commentators to Genesis regardless of their ultimate solution to its difficulties, with the two difficulties from a lexical standpoint being the terms **יָדוֹן** and **בִּשְׂגָם**.<sup>4</sup> 4Q252 begins its first column:<sup>5</sup>

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[ב]שנת ארבע מאות ושמונים לחיי נוח בא קצם לנוח ואלוהים  
אמר **לֹא יִדּוֹן רוּחִי בָאָדָם לְעוֹלָם** ויחתכו ימיהם מאה ועשרים שנה עד קץ  
מי מבול

In the four hundred eightieth year of Noah's life, their time came to Noah, seeing that God had said, *“my spirit shall not dwell forever in man, and their days shall be determined at one hundred and twenty years until the time of the waters of the flood.”*<sup>6</sup>

The most striking “variant” in the Qumran text is, of course, **יָדוֹן** for MT's *hapax legomenon* **יָדוֹן**. In fact, this reading had already been considered as an emendation of MT **יָדוֹן** long before the discovery of 4Q252.

| I believe that Lim is alone to date among scholars who have addressed 4Q252 in insisting that “**יָדוֹן** (MT **יָדוֹן**) is a variant attested by the LXX (ὁὐ ἀταραμείνει τὸ πνεῦμά μου),”<sup>7</sup> but his minority conclusion is not without

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(ed. C.A. Evans and W.F. Stinespring; Atlanta: Scholars Press, 1986), 85–100. Towards the end of that essay, 99, he cautions scholars “in their use of the variants in the biblical quotations in the commentaries in any reconstruction of the overall history of traditions.” Of course, his comments are directed at the texts in the pesharim, and there may be a significant generic difference between them and our commentary.

<sup>4</sup> E.g., S.R. Driver, *The Book of Genesis* (Westminster Commentaries; Methuen: London, 1911), 83–4, states, “A very difficult and uncertain verse . . . It is wisest to acknowledge the simple truth, which is that both textually and exegetically the verse is very uncertain, and that it is impossible to feel any confidence as to its meaning.” G.J. Wenham, *Genesis 1–15* (Word Biblical Commentary; Word: Waco, 1987), 141, admits “Almost every word in this statement has been the subject of controversy.” J. Skinner, *A Critical and Exegetical Commentary on Genesis* (ICC; Edinburgh: T. & T. Clark, 1930), 143, writes of **יָדוֹן**, “There are two traditional interpretations: (a) ‘abide’ . . . (b) ‘judge’ . . . The former is perhaps nothing more than a plausible guess of the meaning although a variant text has been suspected (יָבוֹן, יָדוֹן, יָלוֹן, etc.).”

<sup>5</sup> The transcriptions in Wacholder-Abegg, PE, 213, have been checked against the photocopies which Dr. Brooke provided and against the plates in FE.

<sup>6</sup> For my exegesis of this passage and 4Q252 generally, see my *JJS* article (above, n. 2). In this note, I am concerned only with the text-critical value of **יָדוֹן**.

<sup>7</sup> Lim, 292.

supporting data. In favor, *prima facie*, of this treatment of יָדוּר as a textual variant appear to be the renditions of Targum Onqelos יִתְקִיִּם (“exist”), Vulgate *permanebit*, and perhaps that of *Jubilees* 5:8 “dwell, remain,” in addition to LXX.<sup>8</sup> We must therefore examine the significance of the evidence generated by the coincidence of these ancient versions as well as evaluate the “reading” of 4Q252.

We begin with the somewhat obvious fact that “shall dwell, shall remain” is perhaps the most obvious contextual interpretation of יָדוּן.<sup>9</sup> As such, the appearance of similar interpretations in four (or five) ancient sources cannot be claimed with certitude to indicate textual interdependence, since such a reading could very easily have arisen in each of them independently.<sup>10</sup> | Furthermore, although the renderings in LXX/Onqelos/Vulgate and the phraseology of *Jubilees* seem quite similar, at first glance, to the word in 4Q252, they differ semantically from one another

<sup>8</sup> BHK records in its upper apparatus (slight variants) the reading of LXX, noting “G οὐ καὶ ἀναμείβεται = יָדוּר ? (simil T<sup>o</sup> S).” BHS has no such annotation. The reading of the Peshitta, תַּעֲמֹר (“shall dwell”), may be an additional independent witness to this rendition, but it also could be dependent on either Onqelos, LXX, or both. Ch. Heller, *Peshitta in Hebrew Characters with Elucidatory Notes. Part I: Genesis* [Hebrew] (Berlin, 1927), 8 n. 2, writes that the Peshitta “translates יָדוּן as if יָדוּר and it is thus in many versions, because of the interchange of liquid consonants לִמְנִ” which is quite frequent in Semitic and other languages.”

<sup>9</sup> C. Westermann, *Genesis 1–11: A Commentary* (tr. J.J. Scullion, S.J.; Minneapolis: Augsburg, 1984), 375, writes, “The most likely reading from the context is ‘remain’.” Likewise, N.M. Sarna, *The JPS Torah Commentary: Genesis* (Philadelphia: Jewish Publication Society, 1989), 46, “[S]hall not abide’: This rendering of the otherwise unexampled Hebrew *yadon* best suits the context.” A number of modern commentators, including U. Cassuto, *A Commentary on the Book of Genesis. Part One: From Adam to Noah*, (tr. I. Abrahams; Jerusalem: Magnes, 1961), 295–96; Westermann, *ibid.*; and Wenham, 142; following A. Guillaume, “A Note on the Meaning of Gen VI 3,” *ASJL* 56 (1939): 415–416, conclude that “remain, abide permanently” is the actual meaning of the יָדוּן of MT. Westermann writes, “The translation ‘remain’ seems to have sufficient basis.”

<sup>10</sup> M.H. Goshen-Gottstein, “Biblical Philology and the Concordance,” *JJS* 8 (1957): 7, writes, “wherever a reading in any witness—version or manuscript—can be explained by misreading, parallelism in the widest sense, syntactical or grammatical normalisation or simplification, inversion of adjacent parts within a phrase, lexical or grammatical alternation or influence of verses of similar content, we have to suspect spontaneous creation (without any traditional connection), unless the opposite is proved . . . [italics in the original].” Elsewhere, “The History of the Bible-Text and Comparative Semitics—A Methodological Problem,” *VT* 7 (1957): 198 n. 3, he refers to this principle as the “law of scribes.” S.R. Isenberg, “Studies in the Jewish Aramaic Translations of the Pentateuch” (Ph. D. dissertation; Harvard University, 1968), 55, clarifies some of the reasoning underlying this position well, “Often exegetical problems in the Hebrew Text gave rise to related interpretive traditions which are appropriated by the Tgs, and indeed sometimes by LXX, Philo, Pseudo-Philo, Josephus, etc. Such interpretive agreements . . . seldom imply textual relation.” Cf. also the remarks of E. Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress, 1992), 300–301, on the issue of “broad attestation” of readings, and see further the following note.

sufficiently (other than *καταμείνει* and *permanebit*) to indicate that they need not represent a single *textual* tradition.<sup>11</sup> If, for argument's sake, we were to attempt a retroversion to biblical Hebrew of each of these various "translations," it is highly unlikely that we would come up with the same "original" for all of them. In LXX, *καταμείνω* does not represent דור in its only appearance in the Hebrew portions of the Bible (*Ps* 84:11), but stands for ישב in most of its few appearances.<sup>12</sup> It is rather likely that *καταμείνει* is a good contextual guess. A substantial majority of the occurrences of אֶתְקִיִּי in Onqelos represent Hebrew חיה.<sup>13</sup> *Jubilees* employs here the rather neutral *nabara* which is used heavily for ישב in the Ethiopic translation of the Hebrew Bible.<sup>14</sup> Each of these readings or interpretations could have arisen from ידון without knowledge of any of the others, and there is nothing which would link any of the versional evidence uniquely with the root דור.

How then are we to account for the reading in 4Q252, not a version, but also not a biblical text? Can it be said to add to the versional evidence for the existence of a variant text especially since its language is indubitably Hebrew and we cannot claim that it is a "loose translation"? I have argued elsewhere that 4Q252 is derived from a variety of sources which its composer compiled into a commentary; certain portions of 4Q252 are clearly commentary, with or without lemmata, while others are more akin to "re-written Bible."<sup>15</sup> This feature complicates our analysis. At first glance, there appear to be two alternatives for evaluating this | passage, either that it is part of a comment on the biblical text or that it represents the biblical

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<sup>11</sup> The slight differences between them are much less likely to preclude their belonging to a common *exegetical* tradition. Cf. the remarks of D. Barthélemy, *Preliminary and Interim Report on the OT Text Project* (New York: United Bible Societies, 1979–80), vol. 1, ix–x, cited with approval by Tov, *Textual Criticism*, 300, "In certain instances a variant form of the text may appear to have a broad base, in that it is represented in a number of different textual traditions, but a closer examination of the situation may reveal that these traditions have all followed the same interpretive tendency." Barthélemy acknowledges the independent following of exegetical traditions, as did Goshen, cited above, but the possibility of common ancient Jewish exegetical tradition should not be discounted especially in the case of difficult passages.

<sup>12</sup> *Num* 20:1; 22:8 and *Josh* 2:23. At *II Kings* 12:20 (21) it stands for הוֹאֲלֵנוּ in the expression הוֹאֲלֵנוּ וְנִשְׁבַּח. In Symmachus to *Ps* 138:9, it stands for שָׁכַן.

<sup>13</sup> Of the other 23 occurrences listed in C.J. Kasowski, *Thesaurus Aquilae Versionis* (Jerusalem: Mosad haRav Kuk, 1940) 445a, seventeen stand for some form of חיה; there are two for forms of קום, בוא, and עמד, and one without a verbal parallel in the Hebrew text.

<sup>14</sup> My thanks to Professor VanderKam for clarifying the Ethiopic usage for me. As far as I can tell, *nabara* is not used for דור in *Ps* 84:11, but cf. n. 18 below.

<sup>15</sup> "4Q252: Method and Context, Genre and Sources," 74–76 (below, 144–146).

text, either verbatim or via rephrasing. The first possibility, however, can be excluded. Since George Brooke has demonstrated fairly cogently on physical grounds the fact that the first column of 4Q252 is also the first column of the original whole scroll, we cannot argue that the words of i 1–2 are a comment on a citation which appeared in a preceding, lost, column, a solution which could easily have commended itself otherwise.<sup>16</sup> We therefore have to decide whether i 1–2 is a citation of biblical text or is a paraphrase of such a text. If our disposal of the versional “evidence” above is accepted, it appears that there is only one other factor (discussion of which will be deferred until later) that might confirm the textual citation alternative. Support for the paraphrase position, however, is more substantial. Arguing against the primary textual nature of the Qumran reading ידור is the fact that דור is almost as rare a word in biblical Hebrew as the root of ידון (whatever that is), appearing in the Hebrew portion of the Bible only at Psalms 84:11.<sup>17</sup> The ordinary way to say “remain, dwell” in biblical Hebrew is שכן (frequently used of God, although not of his רווח), and not דור.<sup>18</sup> Furthermore, the presence of the root דור (participle) in the Hebrew of Ben Sira 33:11 (MS E) and 50:26 (MS B), and a number of times in the Aramaic portions of Daniel may combine to point to a late or post-biblical origin for the Qumran usage.<sup>19</sup>

426 | To counter our arguments that the phrase in 4Q252 is not a biblical quotation, it might be suggested that the words ואלהים אמר, “God having

<sup>16</sup> Brooke, “Genre”, (above n. 2), 162–163.

<sup>17</sup> LXX renders there *οἰκέω*, while the Aramaic targum employs the infinitive of דור, a root employed in Onqelos almost exclusively for Hebrew דור.

<sup>18</sup> For the hypothetical דור = “remain, dwell,” we should have expected in Onqelos a form of שרא which is its normal translation of Hebrew שכן. Kasowski’s concordance records 33 occurrences of שרא representing forms of שכן in Qal, Piel and Hiphil, out of 35 occurrences of the verbal root in the Pentateuch (*Num* 23:9 and *Deut* 33:16 are the only exceptions). As is well-known, when God is the subject of the verb, the targum renders (אשרי/שכניתי) “I/He will cause My/His Shekhinah to dwell.” This deviation from a fairly invariable pattern in Onqelos to *Gen* 6:3 adds to the doubt that his Hebrew *Vorlage* was ידור. LXX is far more nuanced and varied than Onqelos in rendering שכן, and the 35 examples of שכן are translated by about 13 verbs according to my count, but καταμένω, noticeably, is not one of them. A survey of passages in the Ethiopic Bible which Professor VanderKam supplied me where *nabara* is used according to C.F. Dillmann, *Lexicon Linguae Aethiopicæ* (repr. Osnabruck: Biblio Verlag, 1970), cols. 650–51, indicates that is employed for שכן in a few instances, so that no inference from non-usage can be drawn regarding its appropriateness for hypothetical דור.

<sup>19</sup> The Greek of *Ben Sira* 50:26 is καταμένω (there is no Greek equivalent for the Hebrew text of *Ben Sira* 33:11). There is, of course, no Jewish Aramaic version of *Daniel*; Theodotion uses καταμένω for דור in Chapters 2–4, but it is difficult to determine the LXX equivalents; at *Dan* 6:26 both Greek versions use *οἰκέω*. Note, once again, the complete absence of καταμένω.

said,” should introduce a direct quotation.<sup>20</sup> But in a work like 4Q252, which does not contain only running biblical text, there is no reason to assume that the verb אמר must introduce direct rather than indirect quotation, or even that its direct quotation must cite the biblical text rather than a paraphrase of it.<sup>21</sup> Especially in light of the fact that the middle part of 6:3 (בשגם הוא בשר) is omitted in the “quotation” and that the latter portion (והיו ימיו מאה ועשרים שנה) is substantially rewritten, there is little reason for us to assert, based only on ואלהים אמר, that the first segment of 6:3 is direct quotation rather than paraphrase. The omission of the middle of the verse, and the very fact that the second half of 6:3 is “quoted” in non-Masoretic form by 4Q252, ויחתכו ימיהם מאה ועשרים שנה, “let their days be determined at one hundred twenty years,” can be said to point in the opposite direction, that is towards 4Q252 containing a rewording of 6:3, rather than its citation.<sup>22</sup> The absence of a comment following these words also makes it unlikely that what we have here is a lemma from the biblical text plus an interpretation.

It appears that the Qumran commentary interprets the biblical verse by paraphrasing it, furnishing a straightforward reading of its first and last portions (while omitting, it should be stressed, its very difficult middle). In the first half, it “translates” the rare ידון as ידור, and in the second, it stresses the decretal force of ויהיו ימיו by “rendering” ויחתכו. This second “translation,” emphasizing the decisive aspect of God’s statement, employs a root which also appears only once in the Hebrew Bible (*Daniel* 9:24 שבעים שבועים נחתך על עמך ועל עיר קדשך; “seventy weeks is decreed against your people and your holy city”) and only here at Qumran.<sup>23</sup> The

<sup>20</sup> VanderKam emphasized this point in commenting on an earlier draft.

<sup>21</sup> There is no other similar usage elsewhere in the surviving fragments of 4Q252. The fragmentary lines, iii 8–9 מני מ[ יחידך את] ידעת...בנכה את] need not introduce a literal quotation of Gen 22:12 since the beginning of that verse is clearly omitted in 4Q252.

<sup>22</sup> Lim, 290, in fact, treats these words as standing outside the quotation. His treatment therefore implies either that לא ידור רוחי באדם לעולם is the lemma for ויחתכו ימיהם מאה ועשרים שנה which is extremely unlikely based on content, or that we here have an account composed of text + paraphrase. If the latter, is it not just as likely that we have an account which is completely paraphrastic?

<sup>23</sup> It is common in later Hebrew, but the instances in *Daniel* and 4Q252 are the only two pre-tannaitic usages according to *The Historical Dictionary of the Hebrew Language* [המילון ההיסטורי ללשון העברית: חומרים = למילון—סדרה א': מן 200 לפה"ס עד 300 לספירה] (Jerusalem: Academy of the Hebrew Language in Israel, 1988). [A check of the online *Ma'agarim* (<http://hebrew-treasures.huji.ac.il/>), the continuation of the aforementioned work, on 12 July 2012 confirms those data.] It is presumably to be vocalized as a Niph'al, as in *Daniel*, and its employment in 4Q252 seems syntactically close to the biblical usage. It is



427 | choice of this paraphrase clarifies the ambiguity present in the biblical text which gives rise to the exegetical dispute regarding the identification of the 120 years, human lifespan or time to repent until the flood.

In sum, then, this rewriting of the biblical text at the beginning of column i cannot be employed as textual evidence since it is not a literal representation of the text, but rather its paraphrase, a “rewritten Bible” summary of this verse. Despite the fact that 4Q252 seems to confirm a reading of the Hebrew text which was already postulated on the basis of ancient versional evidence, it is more likely that the different pieces of evidence in the various ancient sources are textually independent of one another, and that 4Q252 is yet another example of the way in which exegesis of the biblical text can at times manifest itself in textual guise.

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possible that the juxtaposition of דור, the late usage of which we have seen in Ben Sira and in the Aramaic of Daniel, and חתך, which appears in the Hebrew portion of Daniel should focus our attention on the late nature of the language in this line of the commentary.

## CHAPTER SIX

### 4Q252: METHOD AND CONTEXT, GENRE AND SOURCES<sup>1</sup>

#### A Response to George J. Brooke, "The Thematic Content of 4Q252"

In his paper, "The Thematic Content of 4Q252," George Brooke sets out a broad agenda for dealing with Qumran texts of this sort which stresses the appropriate contextual interpretation of the texts within the framework of Second Temple literature. Such an approach is two-edged: on the one hand, it correctly prevents inaccurate acontextual readings of the document, but on the other, it ties the text too closely to the larger intellectual world within which it was created before giving it the opportunity to speak for itself. Brooke emphasizes the externally focused point of view, at the cost, in my view, of the closer study of the document itself. But although I shall take issue strongly with his methodological priorities, the supporting material which he has gathered for his approach and the integrated interpretation which he has furnished still supply a valuable framework for those of us who choose to attack the text from the opposite, internally focused, vantage point.

In an earlier article dealing with the problem of genre in the study of Qumran documents, Brooke drew attention to a perceptive statement by E.D. Hirsch:

Without helpful orientations like titles and attributions, readers are likely to gain widely different generic conceptions of a text, | and these conceptions will be constitutive of their subsequent understanding.<sup>2</sup>

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<sup>1</sup> This paper is a synthesis of portions of the response to George Brooke's paper (published as "The Thematic Content of 4Q252," *JQR* 85 [1994]: 33–59), which I delivered at the colloquium on the Dead Sea Scrolls held at the Center for Judaic Studies of the University of Pennsylvania in May 1993, plus further reflections generated by the general discussion after the presentations. In order to save space, references to Brooke's paper are embedded in parentheses within my text. Other aspects of my original response appear in my article, "4Q252: From Re-Written Bible to Biblical Commentary," *JJS* 45 (1994): 1–27 (above 92–125). While taking the opportunity to summarize my treatment there, and in a couple of cases to correct and improve upon it, I shall focus in this paper on Brooke's method and analysis. I take this opportunity to thank Professor Brooke, the official editor of 4Q252, for the collegial fashion in which he has both shared material with me and read critically my earlier work on this text. I am grateful to Lawrence H. Schiffman and James C. VanderKam for commenting critically on an earlier version of this response.

<sup>2</sup> *Validity in Interpretation* (New Haven: Yale, 1967), 75, cited by G.J. Brooke, "Qumran Peshet: Towards the Redefinition of a Genre," *RQ* 10 (1979–81): 492.

4Q252, once hastily named “peshar Genesis” although its resemblance to other pesharim is minimal, is just such a text, lacking not only title and attribution, but beginning and end as well. The differences between Brooke and myself in our approaches to 4Q252 are generated substantially by our “widely different generic conceptions” of this truncated work, but also by what I believe to be significant differences in the presuppositions to be adduced and the methodology to be employed in approaching and analyzing such a document. Since some of Brooke’s methodology is implicit rather than explicit, I shall attempt to delineate clearly those points on which we differ. Brooke begins with a clear statement of purpose (35):

The aim of this paper is to consider the content and organization of what remains of 4Q252 to see whether it is possible to determine what may have been the purpose behind the collecting of the passages contained in the manuscript. Does 4Q252 contain a more or less arbitrary collection of materials, mostly related to Genesis in some way, or is there some kind of overarching principle behind what is included and in what order?

Whereas the goal of Brooke’s paper is eventually to determine purpose through a consideration of content and organization, an objective which I certainly share, there are essential earlier stages in the analytical process which are not reflected in his discussion.<sup>3</sup> The major initial difference between my approach and Brooke’s is thus methodological and contextual. The very first step we must take in dealing with a document of this kind in my view is to read it *on its own terms* and not those of Second Temple literature generally, focusing on what is in it, and not on what is not in it, analyzing closely its substance and not its purpose. We must make sure to | avoid the preconceptions which mar the work on this text of both Lim and, of course, Eisenman-Wise.<sup>4</sup> Premature speculation on issues like purpose, guiding principles and, for that matter, structure, runs the risk of confusing hypothesis and fact in later stages of the analysis.

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<sup>3</sup> I do not mean to suggest, of course, that Brooke’s synthesis was not preceded by his own step-by-step analysis of the extant units of 4Q252, but that analysis is not shared with the reader of “The Thematic Content of 4Q252,” and can only be inferred. It will become obvious that our readings of this document differ radically.

<sup>4</sup> T.H. Lim, “The Chronology of the Flood Story in a Qumran Text (4Q252),” *JJS* 43 (1992): 288–98; R.H. Eisenman and M. Wise, *The Dead Sea Scrolls Uncovered* (Rockport, 1992), 77–89 (“A Genesis Florilegium”). My *JJS* article (above 116–120) contains detailed critiques of each of these approaches.

The broader type of synthesis which Brooke performs must follow, not precede, a careful reading of the specific texts, passage by passage, and an integrated rereading of the whole. We need to understand, as well as we can, each *isolated* piece of this document before venturing structural, thematic or generic analysis on a larger scale. Furthermore, I do not think that we have to choose between “a more or less arbitrary collection of materials, mostly related to Genesis in some way,” and “some kind of overarching principle.” There may be a *via media* which avoids these extremes.

My suggestion is that we read 4Q252 initially not as a Qumran text, but as a(n) exegetical) text found at Qumran.<sup>5</sup> Our first responsibility in approaching any ancient text deriving from, or otherwise related to, the Hebrew Bible is to clarify the manner in which the later text is connected (to employ a neutral term) to the earlier. If the contents of a document can be explained reasonably on the basis of its relationship with the Hebrew Bible, other theoretical approaches are much less likely to be correct. My approach to 4Q252, which I characterize as “exegetical,” is an attempt to understand the text as much as possible on its own terms, in relation to the Hebrew Bible which underlies it, without resorting to issues which are unmentioned, and even unalluded to, in the document. To postulate Qumranic, or even broader, literary or ideological connections prior to our exegetical/analytical study would be to prejudice the results of that study.

Between the oral presentation and final form of this paper, Brooke has changed his view on a significant issue: do we possess | the beginning of this manuscript? He is now of the opinion “that column 1 is properly numbered as such . . . because of the probable traces of the scroll’s fastening which survive to the right of the column and because the discoloration of merely the first five to six centimeters of the reverse of the leather makes it highly likely that these first centimeters formed the outside of the scroll when it was rolled up” (36).<sup>6</sup> Brooke accepts the implications of this physical evidence against the literary argument that, if column 1 was the first

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<sup>5</sup> It has become a platitude that not all texts found at Qumran are Qumranic. We might be better off reading 4Q252 without thinking about Qumran at all. The assertion that this text is exegetical also should not be made *ab initio*, but is claimed here as the result of the analysis of all the passages in 4Q252. My fuller “Commentary on the Commentary” is to be found in the *JJS* article (above 96–116).

<sup>6</sup> In a private communication on October 15, 1993, Brooke reiterated this view, “I am virtually certain that 252 col. 1 is indeed the start of the text for physical reasons.”

column of the original manuscript, the suffix of קצם in line 1 has no antecedent. He suggests that the *in medias res* form of the text is due to the fact that “the compiler assumed that his readers had knowledge of the text of Genesis; he did not have to spell everything out” (ibid.).

The correctness of this assertion can be a very important feature in our determination of the genre and sources of this document. If 4Q252 is a “commentary,” it is a very unusual commentary which plunges into its first remarks without a lemma or any other allusive remark. Brooke’s claim, that the reader’s knowledge of Genesis allows for allusiveness, does not really help understand the suffix of קצם because the text begins acontextually. Especially since the opening text of 4Q252 appears to contain exegesis of a biblical verse and its harmonization with an apparently “contradictory” one, a citation was to be expected.

Brooke is doubtless correct that “given the way that the sections of the text do not cover the whole of the extant text of Genesis, there is no reason to suppose that Genesis 1–5 must also have been considered” (37). I had been compelled, as was Brooke in his original treatment, by the linguistic/literary argument from the “mid-sentence” nature of 1:1 to predicate the existence of a preceding column or columns which would have contained comments on some aspects of Genesis 1–5. His certainty about the physical evidence has forced me to revise my earlier position and to reconsider what implications it has for the interpretation of the first column which I proposed in my *JJS* article. Whereas I had presumed that what appears on column 1 is the end of a comment which began on the previous column,  
 65 I now think that we must judge 1:1–3 as an | integral whole. I shall return to this passage and my revised understanding of it in my discussion of the “sources” of 4Q252 below.

Brooke divides the contents of 4Q252 into eight parts: chronology of the flood, Noah to Abraham, Abram chronology, Sodom and Gomorrah and the cleansing of the land, the binding of Isaac, Isaac’s blessing of Jacob, Amalek, and the blessings of Jacob (38–54). I prefer to divide it into exegetical units, focusing on the underlying passages of the Hebrew Bible, the difficulties of which the commentary attempts to resolve.

What Brooke describes as the flood chronology consists, in my view, of two separate pieces, the first of which, 1:1–3, pertains to the interpretation of the 120 years of Gen 6:3 rather than to the chronology of the flood. It is straightforward exegesis of a biblical passage which is ambiguous and has been treated variously by exegetes through the ages. Do the 120 years refer to the lifespan of man or to the time remaining to him until the flood? 4Q252 adopts the latter view and highlights the non-sequential nature of

the biblical narrative by stressing that 6:3 occurs in Noah's 480th year, while 5:32 already has his age as 500.<sup>7</sup>

I concur fundamentally with Brooke's analysis of the second, longer portion of the chronology, but there seems to be an unexpressed principle with which he is operating, i.e., that all of the passages in this text have a theological agenda in which points are implied rather than made explicitly. My methodological objection to this presumption is twofold. First, the generally theological approach which is appropriate to much Second Temple literature has affected even the reading of literature, the goals and methods of which are different, and has obscured the fact that some Second Temple texts may have agendas which are not theological. Second, if the agenda of a literary work is theological, I expect to see some explicit support for it; to claim, in effect, that the entire agenda is hidden is a weak defense.

Brooke thus goes too far when he writes, "Noah and his family reflect God's favoring them by keeping his times and seasons, or at | least, by not interrupting the sacred calendar" (40). It is true that 4Q252 2:2-4 speaks of לקץ שנה תמימה לימים שלוש מאות ששים וארבעה, a 364-day year, but there is nothing in the text which speaks of observance of the calendar. Noah does not choose the length of the flood, so that the 364-day year is associated with him and his family perforce. (God may be showing the correctness of the 364-day calendar, but not Noah.) If the compiler does not refer to Noah's observance, then we ought not to either, and we should analyze what he chooses to stress rather than drawing inferences from his omissions as if they were present. Brooke's remarks (*ibid.*) describing the keeping of the calendar as "the act of righteousness par excellence," and claiming that "texts like 4Q252 which are concerned with calendrical matters are at the same time offering moral exhortation" are to me overreadings of a document such as 4Q252. The assertion that "Noah and the flood" constitute "types of obedience and judgment" based on "their widespread use and adaptation in many texts from the Second Temple period and later" (*ibid.*) is simply not relevant to our understanding 4Q252.<sup>8</sup>

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<sup>7</sup> Both interpretations, that 120 years is the lifespan of man and that it is the time left until the flood, occur in Genesis Rabbah (26.3 and 30.7 respectively). The former is the view of pseudo-Philo, *Lib. Ant. Bib.* 3 and Josephus, *Ant. Jud.* 1.75; the latter is uniformly held by the Aramaic targumim.

<sup>8</sup> To hypothesize about what might have filled the spaces in 2:4-5, as Brooke does, is hazardous, especially since the context which he suggests, "Noah's atoning for the land," is not found anywhere in 4Q252 despite its appearance in *Jubilees*. 4Q252 should not be read or reconstructed in the light of *Jubilees* or any other text without positive evidence.

Brooke describes 2:5–8 (“Noah to Abraham”) as “a bridging passage, contained between two *vacats*. . . a very tightly argued section of material containing recollection of both curse and blessing” (41). Here his unproven assertion is structural rather than theological. The structure of 4Q252 is far from clear, but it is fairly obvious that it does not have an integrated form. To speak, therefore, of “bridging passages” is to commit a generic error of sorts, to assign function to a particular passage when the type and structure of the work as a whole are unknown. Furthermore, “recollection of both curse and blessing” is not a very focused thematic term. I have attempted to show in my fuller treatment of 4Q252 that there are two exegetical questions at issue in these remarks: (1) why Canaan and not Ham is the object of Noah’s curse and (2) who (God or Japheth) is the subject of the verb *שכח* in Gen 9:27, and what are the *אֱהָרִי שָׁם*? 4Q252’s treatment of each finds similarities in other ancient exegesis, including rabbinic, and to search for an anti-Greek bias in the latter case, as Brooke does, is thus probably not appropriate.

Although proper analysis of 4Q252 should not be accomplished without reference to its possible sources, the appeal to sources should not frame the analysis. Brooke claims that “4Q252 2:5–8 is a bridging passage, ending with three poetic half-lines that may well come from a source. It is the sequence of the characters in such a source that has appealed to the compiler of the Genesis commentary, so that he can jump from Noah and his sons to his treatment of Terah and Abram” (43).<sup>9</sup> But why should our commentator/compiler need a reason for “jumping”? The genre of our text is most clearly *not* “rewritten Bible,” so the choice of passages on which to comment is not mandated. Brooke further associates this passage with CD 2:15–3:2, calling it “a significant sequential parallel,” and arguing that CD moves from the antediluvian period through Noah’s sons to Abraham who is called *אֱהָרִי* just as he is in 4Q252. While this point is grounded in the apparent parallel structure of the texts, I do not see a sufficiently tight linguistic connection which would confirm it.

The subtext of the association, however, is “the call to avoid following a guilty inclination and eyes of lust” which precedes the passage in CD

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I discuss four points of contact between 4Q252 and *Jubilees* in a brief appendix to my *JJS* article, 26–27 (above, 124–125).

<sup>9</sup> I omit here any comment on “source” vs. “sources” in the lineage of 4Q252, and shall return to this matter later on in my discussion. I only ask, in passing, whether Brooke’s assertion that these lines come from a “source” implies that the rest of the text does not. His comments about “the compiler” seem to imply that the entire text is derivative.

and which Brooke sees as possibly important in 4Q252 which “speaks of the curse of Canaan, the destruction of Sodom, the destruction of Amalek, and Reuben’s sleeping with Bilhah” (ibid.). This emphasis on sexual transgressions in 4Q252 is found also in the analysis of Eisenman-Wise,<sup>10</sup> but we search the actual text in vain for any sexual allusions, other than the narrative one in the case of Reuben. None of the other stories to which Brooke refers stresses its sexual aspect which he claims to be of thematic import. If the commentary’s intent was to stress the punishment for certain | kinds of sins, it has certainly chosen a peculiar way of doing so, one which demands that the reader ignore its words and read only behind them. Once again, the “theological agenda” is excessively concealed.

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Finally, Brooke demands too much of the text when he claims that the “overall content of this bridge concerns the gift of the land and who will inhabit it. It belongs to Shem with whom God dwells, not to Japheth, and its gift is characteristically associated with the description of Abraham as the friend of God” (44). The gift of the land is indeed explicit in the text, but my claim that an exegetical interpretation of this sort of document takes precedence over a theological one still obtains. 4Q252’s interpretation of Gen 9:25–27 is fairly straightforward and therefore much less momentous theologically than Brooke would have it. There is no critique of Japheth in the words of 4Q252, only a definition of “the tents of Shem”.

According to Brooke, the Abram chronology “describe[s] certain dates concerning Abram,” but “it seems likely that its intention is to clarify the chronology of Abram’s entry into the land (2:13), and thus to provide the time frame for the demonstration of how God himself keeps his promises” (ibid.). In his search for purpose, Brooke has once again bypassed the fundamentally exegetical nature of the text. There are two distinct exegetical issues which are confronted by 4Q252 in the chronology of Abraham’s life: (1) the reconciliation of the surface contradiction of Gen 11:26 and 12:4 (which are not really contradictory because the sequence of the biblical text is clearly overridden by the chronological arithmetic as is highlighted by 4Q252) and (2) the reconciliation of Gen 15:13 and Ex 12:41 regarding the length of the Israelites’ stay in Egypt. The second is the more interesting of the two. I have shown in detail in my longer treatment that 4Q252 resolves this well-known biblical crux without mentioning it. By fixing Abram’s departure from Ur Kasdim at age seventy, our document establishes a date from which the Israelite servitude can be counted for

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<sup>10</sup> *The Dead Sea Scrolls Uncovered*, 81.



430 years (Ex 12:41), a date which is at the same time in harmony with the calculation of 400 years from the birth of Isaac when Abraham was 100 (Gen 15:13). God's keeping his promises, a theological theme, is nowhere mentioned in 4Q252. If we examine the text without preconceived notions, the "purpose" of the exegesis is usually revealed to be the resolution of textual difficulties, and nothing more.

69 I find it even more perplexing that Brooke argues the purpose of the document unequivocally even when dealing with the | fragmentary remains of the rest of column 2 and column 3. There is nothing in 2:11–13 that does not seem fairly closely derived from the biblical text, so that any inferences derived from that material are really coming from Genesis, not from 4Q252.<sup>11</sup> It is difficult enough to demonstrate theological stances in non-fragmentary texts, and we certainly should avoid overreading fragmentary ones. In short, I do not believe that it can be proven that "the overall concern of the text in 2:8–13 is with Abram's entry to the land and the divine promise concerning its gift to his descendants" (45).

Likewise, I am even less sanguine about extrapolating meaningful conclusions from column 3 than from column 2, and certainly can see no valid reason for characterizing the segment as "Sodom and Gomorrah and the cleansing of the land" (46). While Brooke has shown that subtle differences between 4Q252 and MT in this section may have important theological overtones, there is nothing in the extant portions of this column that talks about the land, much less its purification, and Brooke's statement that "the land's purification is expounded" (47) is not supported by the text. Furthermore, as noted above, there is nothing in the remains of 4Q252 which could generate an allusion to the sin of Sodom and Gomorrah being sexual, and it is difficult to see how such a reference could be included in the lacunae which remain.<sup>12</sup> Once again, I stress

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<sup>11</sup> The surviving text of the fragmentary 2:11–12 which seem to be parallel to Gen 15:9 and 17 does not appear to support Brooke's claim of expounding the entry to the land (45). Land is not even mentioned in the text. Perhaps we can restore in line 11 "the heifer and the ram and the goa[t which] Abram [set aside/offered] to God." It is noteworthy that Abram's question about his inheritance of the land (Gen 15:8) is quite clearly omitted by the compiler of 4Q252, and the offering of the animals, whatever we call it, thus seems unrelated to land.

<sup>12</sup> Brooke writes here, "Thus as with the Watchers, whose sexual exploits trigger the flood . . . so too the concern with Sodom and Gomorrah may highlight an interest of 4Q252 in the land and its people being purified from sexual misbehavior" (47, and cf. his discussion of the opening of the document, 37). He seems not to have drawn the inference that if column 1 is the first passage in 4Q252, as he now believes certain, references to the Watchers are completely extraneous to our commentary.

that our judgment of this text ought to be based only on what is explicit, or near explicit, in it and not on the hidden theological agenda of the “compiler.”

| The fragmentary lines about the binding of Isaac are nearly all derived from the biblical text of Genesis 22.<sup>13</sup> By suggesting that “the mention of the destruction of the children [וּטְפִיָּה of line 6] may have been the trigger . . . to his next subject, the binding of Isaac,” Brooke implies a unity of structure for 4Q252 which I feel has not been demonstrated. If we can derive anything from this section which appears to resemble rewritten Bible rather than exegetical commentary, it is that parts of 4Q252 will remain enigmatic until and unless we discover further fragments. Brooke’s claim that the Aqedah passage has something to do with land is once again ungrounded in the text, and further speculation along these lines should probably be avoided. A land reference probably does exist in fragment 4, line 2 (although it is found in a lacuna) which probably belongs somewhere on column 3 as Brooke suggests. But it occurs in a biblical quotation or paraphrase, and there is no evidence of any sort *why* this fragmentary passage was included by the compiler or whether it was commented upon or expanded in any way. To assert “it is almost as if the compiler of this commentary considers himself or his readership as the particular heirs to this promise of the land” (49) is to build on conclusions established on an inferential theological reading and not on the plain textual evidence of 4Q252.

Brooke spends a great deal of space on the two and a fraction lines of the Amalek passage (49–52), more than on any other passage in 4Q252. He stresses the significance of the quotation from Deut 25:19, claiming that we are to read it together with the following verse, 26:1, which begins (in Brooke’s rendering), “When you have come into the land that the Lord your God is giving you as an inheritance to possess.” Once again, land is said to be the theme of 4Q252. But, aside from the facts that 26:1 is *not* quoted in 4Q252, and that in its original context in Deuteronomy it begins a new pericope which is in no way connected to 25:19, the very citation from 25:19 omits its own crucial reference to the land which should have been expected according to Brooke’s theory. Deut 25:19 reads והיה בהניח ה' אלהיך לך מכל איביך מסביב בארץ אשר ה' אלהיך נותן לך נחלה לרשתה

<sup>13</sup> Regarding 3:10 עולם, while I still maintain that it represents Deut 13:17 והיתה תל עולם, Brooke’s suggestion that it derives from אל עולם of Gen 21:33 is also worthy of serious consideration.

- 71 in which the emphasized words are to | be rendered “in the land which the Lord your God grants you as an inheritance to possess it.” 4Q252 does not quote this clause, but replaces the entire temporal clause with באחרית הימים. The composer of 4Q252 thus consciously avoids the inclusion of a citation referring to the inheritance of the land!

Brooke suggests that the shift in language made by the composer of 4Q252, replacing the temporal clause with באחרית הימים, “signals a connection with Balaam’s oracle in Numbers 24” (50), where Balaam speaks in 24:14 of what will happen באחרית הימים. In light of the appearance of Amalek in that oracle, we should consider this possibility seriously, but we should also note that the reference to Amalek there is in 24:20, so that a striking juxtaposition is lacking. Brooke claims further that “for the compiler of 4Q252 the mention of Amalek in the genealogical material of Genesis 36 demands a comment. This seems to be primarily because Amalek signifies a divine command that has not been fully obeyed” (ibid.). The compiler expects us, once again, to read unexpressed theological axioms between and behind the lines. If we can understand the reason for the inclusion of a particular pericope as the response to exegetical problems, that should take priority, at the first level of analysis, over other suggestions, especially those not based on explicit statements in the text. The overt must take precedence over the implicit. 4Q252, if I am correct, identifies Amalek more fully in light of his/its later biblical importance because there seems to be no ostensible reason to introduce the name of Eliphaz’s concubine’s child at this point and the reader might well be perplexed by it.<sup>14</sup> References to incompletely fulfilled divine commands, on the other hand, seem out of place in the flow of 4Q252.<sup>15</sup>

<sup>14</sup> This foreshadowing or anticipation through the offering of apparently unnecessary information is often referred to in discussions of medieval Jewish exegesis as the “Ham principle” based on Genesis 9:18 “And Ham was the father of Canaan,” because the information supplied there is unneeded until 9:25 “Cursed be Canaan.” Rashi already makes this observation, although it is associated more frequently with the name of his grandson R. Samuel b. Meir (Rashbam). Cf. Rashbam’s comments to Genesis 1:1. If my understanding of 4Q252 is correct, the ancient exegete also felt the need to explain the phenomenon of foreshadowing.

<sup>15</sup> Brooke builds further on the hypothetical foundation which he laid earlier, suggesting that, “As with the ongoing typological force of the flood and the destruction of Sodom and Gomorrah, and as with the continuing significance of the curse of Canaan, so Amalek represented an aspect of Genesis with continuing implications” (50). If one denies the earlier classifications, the most recent has no leg to stand on. This is just the situation I noted in my opening remarks when I pointed out the danger of hypothesizing prematurely about early parts of 4Q252 because of the effect it would have on the analysis of later portions.

| Brooke further argues that “perhaps by mentioning Saul the compiler intended the reader to appreciate that Saul’s crime and loss of divine favor was the direct result of his greed” (51). This emphasis on the negative side of Saul constitutes a counterreading of the text of 4Q252. For after citing Gen 36:12, it defines Amalek as “the one whom Saul smote, as He spoke to Moses, ‘in the end of days you shall eradicate the memory of Amalek from beneath the heavens (4:1–3).’” The reference to Saul clearly construes his battle with Amalek positively as a victory, with no hint of his failure to carry out the divine command. It is even possible that by postponing the commandment to eradicate the Amalekites until the eschaton, 4Q252 vindicates, in a sense, Saul’s failure to destroy them utterly.<sup>16</sup>

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T. Simeon and pseudo-Philo should therefore not have been adduced by Brooke in an attempt to understand 4Q252. The curse of Canaan and the commandment to destroy Amalek are indeed mentioned in 4Q252, but the references to them are strictly within the confines of remarks on difficult biblical texts. The creative allusions to Simeon and the Amalekites and the glorification of Shem have no peg in our text on which they might be hung. To further connect the Amalekites with promiscuity based on a passing reference in pseudo-Philo is to stretch the imagination of the reader of 4Q252 far beyond the likely.

Brooke’s conclusion to his section on Amalek reads (52):

4Q252 seems to mention the Amalekites for several reasons. Primarily their annihilation will be a feature of the promised | eschatological rest for those who possess the land. Their destruction, when put alongside that of Noah’s generation, Sodom and Gomorrah, and Canaan is part of the purification of the land from the pollution of sexual misbehavior. The blotting out of the offspring of Esau emphasizes that the inheritance belongs to Jacob and his descendants.

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<sup>16</sup> It is interesting that although Saul’s failure to destroy the Amalekites is viewed in the Bible as a serious error which eventually costs him the kingship, subsequent tradition does not always focus on his imperfect obedience to God’s command. E.g., in a targumic treatment of Ex 17:16 *דר בעמלק מדר לה’ מלחמה* (“the Lord has a war against Amalek throughout the generations”), the Fragment Targum and three Genizah manuscripts of Palestinian provenance make mention of Saul positively, writing (with slight variations among the texts), *מלכה קדמיה דעתיד למקום מן דלביית ישראל הוא שאול בן קיש הוא יסדר*, “The first king, Saul son of Kish, who will arise from the house of Israel will wage war with the house of Amalek and kill from among them kings and rulers” (text according to M.L. Klein, *Genizah Manuscripts of Palestinian Targum to the Pentateuch* [Cincinnati: Hebrew Union College, 1986], 1.253, from his MS AA which is dated by M. Beit-Arié to the 9th/10th-mid 11th century). If I am correct, 4Q252 has adopted a similar treatment, one which focuses on the positive aspect of Saul’s victory.

The eschatological rest is not mentioned in 4Q252, but is overtly omitted from the rewritten Deut 25:19; the possessors of the land are omitted from the same verse. There is no reference to the purification of the land anywhere in 4Q252, nor is there any allusion in its extant portions to the particular sins of the generation of Noah, Sodom and Gomorrah, or Canaan. Amalek, too, is not associated with sexual misbehavior in our document. Finally, the eradication of Esau's descendants other than Amalek is unmentioned, and the text of 4Q252 makes no connection between that and the inheritance of the land by Jacob's descendants. In many other writings of the Second Temple period, these themes might indeed be significant, but they are not present in 4Q252. Brooke is too prone to presuming that this text must conform, in some sense, to "standard" Second Temple literary motifs.

Although Brooke's suggestion that the connection between the Amalek section and the blessings of Jacob is the use of **אחרית הימים** in both of them (as well as in 4:2) is not unreasonable, there are two kinds of objections to it. First, the term does not occur in the section headed in the manuscript **ברכות יעקב**; second, the presumption of structural unity in a document like 4Q252 is premature before the dynamics of each section are worked out (and the individual pericopes are likely to be independent). It is therefore likely that neither **אחרית הימים** nor the term **פילגש** which occurs in both the Amalek and Reuben sections is what generates the connection or the selection of the Reuben passage for commentary after the Amalek one. I believe that the pesher of Reuben's blessing is its interpretation in light of Genesis 35:22, the meaning of the allusive poetic text in prose.<sup>17</sup>

74 | Brooke concludes with a discussion of "Overall Structure and Themes" which begins with the following admission (54):

It is not possible to present a systematically argued structural analysis of 4Q252. . . . What remains provides exegetical clarification of passages involving Noah (and his sons), Abraham, Isaac, and Jacob. This selective exegetical clarification highlights passages which are of significance in some way for the text's compiler.

<sup>17</sup> It is interesting that one of Rashbam's examples of foreshadowing in his remarks to Gen 11 is Gen 35:22 **וישמע ישראל**. He writes, "He lay with Bilhah the concubine of his father and Israel heard.' Why is it written here 'and Israel heard'? For it is not written here that Jacob said anything to Reuben! But because at the time of his death he said. . . (Gen 49:4), therefore it set forth earlier 'and Israel heard,' so that one should not be surprised when you see that he rebuked him for this at the end of his life."

Whereas it should be obvious that I agree enthusiastically with the focus on exegetical clarification, the principle of selectivity and the highlighting are far from clear. I do not believe that they can be proven, as Brooke claims, to “involve unfulfilled or unresolved blessings and curses.” In particular, the curses are unexpressed in the text, and can only be inferred with the subtlest reading between and under the lines. The flood pericope focuses on chronology only and cannot be read as “typologically threatening”; the narrative of Sodom and Gomorrah is too fragmentary to be put in that category (and they are not called “cities of Canaan” in 4Q252 or anywhere else); Abraham’s blessing is referred to only in passing in a biblical paraphrase. Moreover, the very structure of the work, its discrete “exegetical” pattern, would preclude most of these themes from being recognized as related to each other even if they were present. The focus on the interpretation of difficult passages would draw the reader’s attention away from theological issues.

Brooke’s summation also reflects his preoccupation with land theology and the promise of the land. In my view, it is forced to describe “the curse of Canaan, the exclusivity of the tents of Shem, the chronology of Abraham’s entry, the destruction of Sodom and Gomorrah, Isaac’s transmission of the blessing to Jacob, the ultimate annihilation of the Amalekites” (55) as concerning the promise of the land. There are two weaknesses inherent in Brooke’s theory: the pericopes do not share any overt commonality, and the presumed linking factor, the “promise of the land,” is unmentioned *anywhere* in the text. And the further association of land inheritance with sexual propriety is simply not reflected in the document. In each case (except, perhaps, Reuben’s), the sexual peccadillo which causes | cursing or disinheritance has to be read into the text. 4Q252 does *not* focus on those issues by virtue of the simple fact that it does not mention them, and it is inappropriate to construct a thematic analysis around them. In sum, I believe that Brooke’s structural and thematic discussion is premature. If theological patterns are presupposed, the necessary thorough analysis of each piece of the document cannot be carried out objectively. Brooke seems too eager to have 4Q252 conform loosely to the broader concerns of Second Temple or Qumran literature. The assertion that “this mixture of interpretative nuggets is the exegetical background to just such an ideological perspective as proclaims itself through the opening pages of the Damascus Document” (57) is a denial to 4Q252 of the right to be read on its own, in my view the most serious methodological failing in dealing with this sort of text.

In my lengthy treatment of 4Q252 which focuses on its relationship to the text of the Hebrew Bible, after completing my “exegetical” analysis I arrive more or less at the point where Brooke begins. I stress there the nature of 4Q252 as proto-biblical commentary of a type unrepresented hitherto, one that addresses basic exegetical questions selectively, commenting on them, and *not* supplying, on the whole, any ideological or theological identifying remarks which might enable us to recognize this text as Qumranic even if it had been discovered or preserved elsewhere.<sup>18</sup>

76 Stressing the difference in | the nature of the exegesis from that in such Qumran texts as the pesharim, I claim that 4Q252 lies somewhere between rewritten Bible and biblical commentary.<sup>19</sup> The text is almost too neutral to establish *Sitz im Leben* or discuss authorship. I do not believe that we can progress beyond this point in a discussion of genre on the basis of the currently available textual evidence.

In drawing my conclusions in that earlier article, I consciously left over a treatment of the question of 4Q252 and its “source(s)” to this paper.

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<sup>18</sup> The following are the exegetical issues which the commentary confronts in its surviving substantial portions:

- 1) The identification of the 120 years of Gen 6:3, and their location within Noah's life
- 2) The chronology of the flood story
- 3) Noah's curse and blessing:
  - a. The object of Noah's curse
  - b. The subject of the verb יִשְׁכֹּן in Gen 9:27, and the identification of שֵׁם בְּאֵהֱלִי
- 4) The chronology of Abraham's life:
  - a. The reconciliation of Gen 11:26 and 12:4
  - b. The reconciliation of Gen 15:13 and Ex 12:41
- 5) The superfluous reference to Amalek in Gen 36:12
- 6) Jacob's blessings:
  - a. The rebuke of Reuben
  - b. The interpretation of Gen 49:10

It is interesting that three of these issues, (1), (2), and (4) a., deal in particular with problems of sequentiality, the ordering of events in biblical narrative, which is not exactly synonymous with chronology. I have not attempted exegetical analysis of exceptionally fragmentary material, and it is possible that slight modifications of my position would be necessary if further textual material were available. But all of the surviving major passages dealt with by 4Q252 contain problems, ranging from fundamental to peripheral, in interpreting the book of Genesis. They are all matters which could concern any exegete, not only a sectarian one. This phenomenon ought to be paramount in our consideration of generic issues for such a text. Despite the fact that the calendar is a topic of interest at Qumran and the blessing of Judah employs sectarian-type terminology, 4Q252, as a whole, is *not* a theological document.

<sup>19</sup> I do not have another work like 4Q252 available for comparison or contrast, but it is possible that works like 4Q225 pseudo-Jubilees<sup>a</sup> which seem to treat or list historical events schematically and sporadically may be loosely related to our text.

Although we do not have sufficient information to answer the series of questions that must be proposed, we must set out the options as clearly as possible. If 4Q252 is a product of an author rather than a compiler or composer, then our investigation comes to an abrupt halt. There is no overt connection, in my view, between the pericopes, and the author does not tell us why he chose to comment on some passages and not others. The exegetical issues on which he touches find treatment (occasionally similar) in other ancient sources as well. Although the interests of a Qumranic commentator might well be turned toward calendar or messianism, there is nothing sectarian in the nature of the commentary (except, perhaps, for the blessing of Judah), and we need to recall that these issues were of general interest during the Second Temple period. But we can know nothing more about 4Q252, its composer or its purpose. We may not fully understand the genesis of this somewhat disjointed text, but that admission is superior to the assertion of forced and contrived integrating features.

If, on the other hand, 4Q252 is not an original composition, but is derived by a compiler/composer from earlier texts, we must ask (1) was it derived from one source or more? (2) what was/were the genre(s) of its source(s), rewritten Bible or biblical commentary or something else? (3) what was the nature of its source(s), sectarian | or non-sectarian? Any questions regarding the purpose of 4Q252 must be asked twice, once about the source text and once about 4Q252, and the answers we receive, if answers are available, may very well differ. The structure and selection of 4Q252 may be that of the compiler, while the exegetical comments are those of an earlier exegete or exegetes. In addition to studying the exegesis, we can ask why these comments were excerpted by the compiler, and perhaps hope for a different type of answer than the one we would have received to the questions posed in the last paragraph.<sup>20</sup>

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Based on the available evidence, I do not think that we can answer the question about the number of sources with any confidence, although it appears that some of the comments in 4Q252, such as those regarding Amalek and Reuben, derive from a “commentary” type source (cf. the use of פֶּשֶׁר and הוּא אֲשֶׁר), while others, like the flood or Abram look more like “rewritten Bible.” This would imply more than one source for the entire text. How and why did a text like 4Q252 come into being? Although

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<sup>20</sup> The same sort of questions should perhaps be asked of works like 4Q225 (see previous note).



it is certainly hazardous to speculate, I venture a suggestion, with a good deal of diffidence, regarding the genesis of a composition of this kind.

The first selective biblical commentary of which we know, 4Q252 may have been created by its composer through the selection from earlier works of passages which interested him, whether they were “rewritten Bible” or continuous biblical commentary (were it to have existed) or peshet. This first commentary may thus be an anthology of passages from earlier works which were not themselves commentaries, passages, which, taken as a group, by virtue of their non-continuity constitute a new genre. The compiler thus becomes a commentator through his act of synthesis. In my opinion, what connects these disparate texts is the light that they shed, in the view of the compiler, on exegetical difficulties in the Hebrew Bible.

If this scenario is accepted, we may be able to integrate into it two significant aspects of Brooke’s analysis. First, we may now understand the abrupt opening lines of column 1 which are apparently the beginning of the document. If the citation **בשנת ארבע מאות ושמנים שנה לחיי נוח בא קצם לנח** was lifted mid-sentence from some earlier “rewritten Bible” sort of text, the antecedent of **קצם** may have been left behind. There was no preceding column which contained the earlier portion of the text. While the meaning of **בא קצם לנח** remains rather unclear (partially because it is cited out of context), the goal of the citation is “exegetical,” the clarification of the intent of the 120 years of Gen 6:3.

Similarly, if Brooke (41, n. 10) is correct about 2:5–8 being a citation from an unknown poem, we need to add the poetic genre to the list of possible sources of 4Q252 as well. The fact that it derives verbatim from a “source” might explain why the “lemma” **שם ישכון** is not, strictly speaking, a citation of Genesis.<sup>21</sup> But even so, the rendition of **נתן ארץ נתן** **לאברהם**, “He gave the land to Abraham his friend,” accepted by both Brooke and Eisenman-Wise, remains unacceptable. The quotation should still be explained as an asyndetic relative clause (“the land which he gave . . .”) which defines **שם אהלי**. The function of the “poetic” citation is also “exegetical.”

Finally, regarding the last question posed above, I incline toward the likelihood that the sources of 4Q252 were primarily non-sectarian, since a

<sup>21</sup> The suggestion for its origin which I reluctantly made in my *JJS* article (above 105, n. 37), the notion that paraphrases can substitute for quotations of the biblical text in this kind of commentary, can then happily be discarded.

review of the exegetical issues and solutions confronted in the document shows nothing uniquely Qumranic. This then leads us back to the intention of the compiler or redactor who could very well have been Qumranic. Did he, in excerpting these pre-existing non-tendentious sources, do anything to “Qumranize” his commentary? In other words, while insisting on the application of my “exegetical” approach to the individual comments as they probably stood in their original authorial contexts, can I simultaneously accept some form of Brooke’s analysis of purpose and structure on the redactional or compositional level of 4Q252? The answer to this question is a qualified “no.”

While it may be true, as intimated earlier, that the interests of a compiler at Qumran may have governed some of the selection of comments in 4Q252, it is also true that the structure of the work precludes an understanding of its overall purpose on any obvious level. We can read and analyze the individual comments, but there is no coherent reason or method to connect successive lemmas with one another. What unifies the document is its connection with the text of the Hebrew Bible. Since I do not accept Brooke’s theologically-oriented interpretation of this document, the reading-in of | non-overt themes like land, blessings and curses, and promiscuity, I can find little uniquely Qumranic in this text other than, perhaps, the blessing of Judah where sectarian interests and terminology dovetail. Even in the discussion of calendar, whereas the solution to the question of flood chronology falls in line with what we expect at Qumran, it does so without any hint of tendentiousness.

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There are no sectarian “messages” in 4Q252. The tone of the commentary, too, which lacks the “polemical point-counterpoint”<sup>22</sup> which pervades other Qumran biblical interpretations, makes it atypical of that kind of composition. If that be the case, we must ask why a sectarian compiler should have gathered exegetical remarks which, taken together, do little to enhance a Qumranic exegetical or theological agenda. The answer must be, then, that 4Q252 is not a particularly Qumranic text even on the redactional level. Brooke may be correct that several of the characters or topics referred to in this document are of particular concern at Qumran, and that, in some unknown way, may have been what impelled the compiler

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<sup>22</sup> M. Fishbane, “Use, Authority and Interpretation of Mikra at Qumran” in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. M.J. Mulder; Minneapolis, 1990), 366.

to gather these texts. But 4Q252, in the form in which we have it, does not go farther than a non-ideological interpretation of biblical passages.

If my analysis is correct, an “exegetical” approach can explain the genesis of the individual comments in 4Q252 as responses to various difficulties in the text of the Hebrew Bible. To know anything further about its structure and purpose will require information which we do not currently possess. And, if this text is a primitive form of biblical commentary, that search for structure is likely to be in vain. In any case, a variety of questions regarding 4Q252 remain unanswered, and a good deal more effort will have to be expended before we shall be able to answer them.

CHAPTER SEVEN

FROM THE WATCHERS TO THE FLOOD:  
STORY AND EXEGESIS IN THE EARLY COLUMNS OF THE  
*GENESIS APOCRYPHON*<sup>1</sup>

*The Genesis Apocryphon*, or מגילה חיצונית לבראשית, or, more formally, 1QapGen ar, was for many years one of the most frustrating texts from Qumran. The last of the original seven scrolls to be unrolled, and the only one of them not to have been composed in the Hebrew language, it was published incompletely by Nahman Avigad and Yigael Yadin in 1956.<sup>2</sup> They presented the Aramaic text of only five | columns (2 and 19–22) with translations into Hebrew and English, while the other columns were summarized minimally.<sup>3</sup> Joseph A. Fitzmyer produced two successive editions

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<sup>1</sup> The initial research on which this paper is based was carried out during my tenure as a Fellow of the group studying “Qumran and Related Second Temple Literature,” at the Institute for Advanced Studies at the Hebrew University during the Fall 2001 semester. I take this opportunity to thank the Institute for affording me the hospitality and collegiality that enabled me to advance my research in several areas of Qumran studies at that time. The final writing took place while I was Lady Davis Visiting Professor in the Department of Bible at the Hebrew University of Jerusalem in the Spring 2004 semester. A significant portion of my research on the *Apocryphon* at the Institute and at the University was carried out in weekly study sessions with Dr. Esther Eshel, now of Bar-Ilan University, and many of the observations in this paper are based on ideas developed during our joint efforts. I should also like to express our joint appreciation here to two other scholars who have made working on this document much easier for Dr. Eshel and myself. Professor Elisha Qimron has earned the thanks of all of us in the field of Qumran studies for his work on the language of Qumran and his uncovering of improved and corrected readings in so many Qumran texts. As an editor of the “new” material from the *Apocryphon* (see n. 8 below), he encouraged our work on the *Apocryphon*, allowed us to use the photographs which were the basis of the editions of the “new” columns, and was always more than ready to answer queries regarding other possible readings in the manuscript, as well as about the Aramaic language in which it is written. Dr. Matthew Morgenstern also co-edited some of the “new” *Apocryphon* material (n. 8 below), and produced a master’s thesis on the language of this text (“העמודות שטרם נתפרסמו מן המגילה החיצונית לבראשית,” [M.A. thesis, The Hebrew University of Jerusalem, 1997], hereafter Morgenstern, “MA”). He, too, was most helpful to us in our early work on the *Apocryphon*, sharing his thoughts in discussions of both language and content.

<sup>2</sup> *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: The Hebrew University Magnes Press and The Shrine of the Book, Israel Museum, 1956).

<sup>3</sup> The “minimal summary” to which I refer includes some brief verbal citations from the texts of the other columns, as well as some pertinent observations on the nature of the story line.

of the scroll, in 1967 and 1971, with an important and valuable, primarily philological, commentary, which has become the standard reference text for the scroll.<sup>4</sup> Virtually from its initial date of publication the genre of the *Apocryphon* was the subject of discussion, framed by the almost universal agreement that the *Apocryphon* belongs to, and is indeed one of the paradigmatic examples of, what has become in recent decades the ever-expanding genre, which is termed “rewritten Bible.”<sup>5</sup> The initially published material, column 2 covering the actions of Lamech, father of Noah, after the birth of an apparently wondrous child, and columns 19–22 encompassing the story of Abram’s adventures, which run parallel to the narratives from Genesis 12 through the beginning of Genesis 15, differ in their relationship to the Bible. The Lamech material is virtually freestanding and unconnected to the biblical text, while the Abram story adheres to the biblical story line, and, at times, even to the language of the text itself. Because of these varying ways in which the *Apocryphon* retold the portions of the biblical narrative covered in the published columns, a debate ensued as to whether to refer to it as midrash, targum, or something else completely.<sup>6</sup>

41 | It was also clear almost immediately upon its publication that the *Apocryphon* was related to traditions reflected in other Second Temple

<sup>4</sup> *The Genesis Apocryphon of Qumran Cave I: A Commentary* (Rome: Biblical Institute Press, 1967; 2nd ed.: BibOr 18.a; 1971). During the final revisions of this article Fitzmyer’s third edition (BibOr 18.b; 2004) appeared, unfortunately too late to be taken into consideration systematically in my discussion. Note that a definite article was added to the title of the work between Avigad/Yadin and Fitzmyer.

<sup>5</sup> The term was introduced by G. Vermes, *Scripture and Tradition in Judaism: Haggadic Studies* (2nd ed.; Leiden: Brill, 1973), 95. See further, P.S. Alexander, “Retelling the Old Testament,” in *It is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars, SSF* (ed. D.A. Carson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1987), 99–121; and C.A. Evans, “1QapGen and the Rewritten Bible,” *RevQ* 13 ([Memorial Jean Carmignac] 1988): 153–65. Regarding the problems involved in employing “rewritten Bible” too loosely, see my article, “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–96 (above 39–62), based on remarks delivered at the Thirteenth World Congress of Jewish Studies, Jerusalem 2001.

<sup>6</sup> Evans, “1QapGen and the Rewritten Bible,” 153, collects a range of scholarly opinions on the genre of the *Apocryphon*: “apocryphal version of stories from Genesis,” “Targum” “a kind of midrash on Genesis,” “un midrash haggadique d’un genre special,” “precieux specimen de midrash essenien,” and “the most ancient midrash of all.” Others have referred to it as “haggada,” “parabiblical” and “paraphrase of biblical text.” Cf. also the remarks of A. Lange, “1QGenAp XIX<sub>10</sub>–XX<sub>32</sub> as Paradigm of the Wisdom Didactic Narrative,” in *Qumranstudien: Vorträge und Beiträge der Teilnehmer des Qumranseminars auf dem internationalen Treffen der Society of Biblical Literature, Münster, 25.–26. Juli 1993* (ed. H.J. Fabry, et al.; Göttingen: Vandenhoeck & Ruprecht, 1996), 191–204 (197, n. 44). [See now my “The Genre(s) of the Genesis Apocryphon” (below 1.217–238).]

texts that were just beginning to be restudied carefully, as interest in the so-called pseudepigrapha was revived in the aftermath of the discovery of the Dead Sea Scrolls. Works such as *Jubilees* and *1 Enoch* were clearly part of the background against which the *Apocryphon* had to be discussed, although the precise relationship among these works was not, and indeed still is not, obvious to all.<sup>7</sup> As the corpus of published literature related to the stories of the Bible in the Dead Sea Scrolls grew, the *Apocryphon* should have attracted further attention, but a survey of the available bibliographies indicates that, on the whole, it did not. In fact, discussions of specific points in the text, usually with a view to comparing it with other ancient exegetical literature, still focused primarily on the rabbinic material rather than on the earlier Second Temple works to which the *Apocryphon* is more closely related.

The 1992 publication of column 12 of the *Apocryphon* by Jonas Greenfield ז"ל and יב"ל ח"ל Elisha Qimron, followed in 1995 by that of the rest of the readable material from the other hitherto unpublished columns by Matthew Morgenstern, Elisha Qimron and Daniel Sivan, should have produced an additional impetus to work on the *Genesis Apocryphon*.<sup>8</sup> Despite the additional textual material now available, there has *not* been a flurry of scholarly activity in this area, a fact that I have found rather surprising. This paper is the first of a series devoted to the *Apocryphon* as a whole, beginning with the "new" columns.<sup>9</sup>

| On the basis of the more recently published material we are discussing, it appears that the dichotomy which has been perceived in the

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<sup>7</sup> To take but one significant question, did the author of the *Apocryphon* use *Jubilees*, did the author of *Jubilees* use the *Apocryphon*, or did both of them draw from common (written or oral) sources?

<sup>8</sup> J.C. Greenfield and E. Qimron, "The *Genesis Apocryphon* Col. XII," in *Studies in Qumran Aramaic*, (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77; M. Morgenstern, E. Qimron, and D. Sivan, "The Hitherto Unpublished Columns of the *Genesis Apocryphon*," *Abr-Nahrain* 33 (1995): 30–54 (hereafter, MQS).

<sup>9</sup> Subsequent to this, but prior to the publication of this article, I delivered the following papers on the *Apocryphon*: "The Structure of the Early Columns of the *Genesis Apocryphon*," Society of Biblical literature Annual Meeting, Toronto, Canada, November, 2002; "The Genre(s) of the *Genesis Apocryphon*" Association for Jewish Studies Annual Conference, Los Angeles, CA, December, 2002; "The *Genesis Apocryphon*: Some 'New' Questions About an 'Old' Text," Columbia University Seminar on the Study of the Hebrew Bible, New York, NY, February 2003, and New York University Conference "New Research into the Dead Sea Scrolls," New York NY, March 2003; and "קשט" in the *Genesis Apocryphon* and the Remainder of the Qumran Aramaic Corpus," Society of Biblical Literature Annual Meeting, Atlanta, GA, December 2003. [For my further work on the *Apocryphon*, see essays 9–12 in this collection, and my remarks in the Introduction to Volume 1.]

relationship of the *Apocryphon* to the biblical text based on the first published material, can be maintained to a limited degree. One of the issues to which we must be sensitive is that as the story of the *Apocryphon* moves further and further away from the biblical version, it becomes less and less “rewritten Bible” (according to my preferred employment of the term), and more and more something else, or, to put it in less formal, but more recognizable terms, it begins to resemble the *Book of Enoch* more than the *Book of Jubilees*. Thus the whole story of Noah, as related by this author on the basis of whatever sources he includes,<sup>10</sup> and not just the initially published “Lamech material,” is not as tightly bound to the Hebrew text as the Abram columns are. In this instance, we may certainly be justified in hypothesizing that this unevenness, or lack of consistency, in the way that the biblical text is treated, is predicated on the differing approaches to the biblical story taken by the sources of the *Apocryphon*, rather than by any divergences in method on the part of the author of the *Apocryphon* himself. This does not mean that a single author could not have treated different portions of the pentateuchal narrative differently, but that since a variety of sources appear to underlie the work as a whole, some of the divergences in these treatments should | probably be attributed to those sources rather than to the “author” or “compiler” of the *Apocryphon*.

Neither of the terms in the title of this paper should be taken at face value; in the early columns of the *Apocryphon*, even the fragments that do tell a story are usually too unconnected to tell much of one, and the relationship of this portion of the scroll to the biblical text, what we might describe as its exegesis, is, as we shall see, somewhat loose. But I believe that the theory behind the title is sound, as it sketches two significant

<sup>10</sup> I shall not rehash in this essay the meaning of כֹּתֵב מֹלִי נֹחַ (5:29), discussed several years ago by my colleague at Yeshiva University, Richard Steiner, in “The Heading of the *Book of the Words of Noah* on a Fragment of the *Genesis Apocryphon*,” *DSD* 2 (1995): 69, which may indicate a shift in sources, or the purported existence in antiquity of a “Book of Noah.” Deborah Dimant, Cana Werman and I, among the participants in the January 2002 Orion Symposium at which this paper was delivered, have all written on this topic. Cf. D. Dimant, “Noah in Early Jewish Literature,” in *Biblical Figures Outside the Bible* (ed. M.E. Stone and T.A. Bergren; Harrisburg: Trinity Press International, 1998), 123–50; M.J. Bernstein, “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. E. Ulrich and D. Parry; STDJ 30; Leiden: Brill, 1998), 199–231 (below, 1.291–322); and C. Werman, “Qumran and the Book of Noah,” in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls. Proceedings of the Second International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 January, 1997* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden: Brill, 1998), 171–81.

trajectories for the study of the *Apocryphon* as a whole: the way it deals with the underlying biblical text and the way it presents the more complex story that it comprises.

This paper thus examines two related issues in the first part of the *Apocryphon* the columns from 0 through 11: the narrative elements of the preserved columns, the “story,” and the way in which it is related to the biblical text, the “exegesis.” I do not give equal time to both aspects, simply because the *Apocryphon* does not either; as we shall see, “story” is far more prominent in this section than is “exegesis.” Furthermore, from a methodological perspective, my reconstruction of the “story” section will be more aggressive than my comments in the exegesis portion. I shall attempt, relying even on very faint inferences, to elicit from the surviving text as much as is possible of the outline of the story it contained. My remarks on the exegesis of the text will be more conservative.

By column 0 of the *Apocryphon* I refer to the textual material that appears to have preceded column 1. Michael O. Wise and Bruce Zuckerman presented their reconstruction of the 1Q20 fragments of the *Genesis Apocryphon*, which had been published in DJD 1, at the 1991 meeting of the Society of Biblical Literature. Aligning the fragments in such a way that it was clear that “column 1” was not the first column of the work, they clearly demonstrated that there was at least one column, designated “column 0,” to the right of column 1. The existence of this column should actually have been clear even before their research, since the second of the two columns that are preserved in 1Q20 fragment 1 cannot be the right edge of column 2 and therefore must be the right edge of column 1. Hence the right-hand column preserved on that fragment must precede column 1 and be what we have called “column 0.”<sup>11</sup>

| What we cannot tell is how close to the beginning of the *Apocryphon* our material stood originally. Despite Morgenstern’s claims based on the letter-numbers on the surviving sheets, it is hard to imagine a document of the length he presupposes.<sup>12</sup> But, on the other hand, it is also unwise

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<sup>11</sup> The column 0–1 material has just been published by Fitzmyer in his third edition; on 64–67 he presents the text and translation of columns 0 and 1 and on 115 offers a copy of Zuckerman-Wise’s 1991 drawing. It was that drawing on which I based my original presentation of this paper. In Spring 2002, however, Dr. Eshel and Professor Zuckerman modified some of the arrangements of those fragments, and the published version of this paper thus differs somewhat in that regard from the oral presentation.

<sup>12</sup> M. Morgenstern, “A New Clue to the Original Length of the *Genesis Apocryphon*,” *JJS* 47 (1996): 345–47. Noting that the sheets on which columns 5, 10, and 17 began are marked with the Hebrew characters ם, ז, and ן, respectively, Morgenstern suggests that



to presume that the *Apocryphon* began with column 1 or even column 0. This uncertainty, although ultimately insoluble based on the available evidence, is quite significant, because it goes to the heart of the elusive question of the total scope of the *Apocryphon*. This question must be resolved in order for us to have a complete picture of the work. How far back in the narratives of Genesis did it begin? And, concomitantly (although not relevant to our early columns), how far forward did it extend?

The early columns of the *Apocryphon* appear, as I noted earlier, to contain much more “story” than exegesis. The narrative, as far as we can follow it, seems to involve (aside from the related story of Noah’s birth) the story of the angels who behaved badly and incurred divine displeasure. This story, as everyone who works in the area of Qumran and related literature knows, was very prominent in the pseudepigraphic literature of the Second Temple era. It finds its most significant expression in works such as *Jubilees* and 1 *Enoch*, although we should also note its appearance in a variety of other texts preserved at Qumran.<sup>13</sup> What can we discern about the telling of this story in the *Genesis Apocryphon*?

45 In column 0, references to “your anger” and “your fierce anger” are most likely addressed to God by a group, probably the fallen angels who have been imprisoned, who say **וּכְעַן הָאֵל אֲנַחְנָא אֲסִירִין**, | “and now we are bound.”<sup>14</sup> Unfortunately, although several more words can be read, they do not really help us reconstruct the narrative. The hypothetical focus on these angels continues into column 1, where the words “and with women” very likely refer to the behavior of the Watchers with the “daughters of men,” known from Genesis 6 and, in greater detail, from the *Book of Enoch*. Also prominent here are two references to **רִז** “secret” or “mystery,” a term well known from the Hebrew writings of Qumran, and one which also appears to play a significant role in the early (antediluvian) portion of the *Apocryphon*, where it occurs about half a dozen times. The combination **רִז**

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if column 5 began on the sheet marked with the 17th letter of the alphabet, as many as 70–105 columns may have preceded it, depending on the number of columns per sheet. This would posit an exceptional original length to the *Apocryphon*. But is there any guarantee that all of the sheets numbered 7–8 were employed for *this* work?

<sup>13</sup> Most notably in the texts which have been given the name “Book of Giants” and which may have been a part of the *Book of Enoch* at Qumran. Cf. L.T. Stuckenbruck, *The Book of Giants from Qumran: Texts, Translation, and Commentary* (Tübingen: Mohr Siebeck, 1997).

<sup>14</sup> There are also references to **רַגְזָךְ**, “your anger” (presumably God’s) in these fragments. Because of the absence of a standard edition of columns 0 and 1, I cannot employ line numbers in references. The binding of the “fallen angels” is a theme found also in *Jub.* 5:6 and 10:1–9, and in 1 *Enoch* 10.

רשעא, “secret (mystery) of wickedness,” is a bit surprising, however, since רז is generally a “positive” term, not associated with characters like the Watchers.<sup>15</sup> The fragmentary expression אסור תקיף probably belongs to the story of the Watchers as well, regardless of how it is read (i.e., whether the first word is noun or verb), and most likely refers to the binding of the fallen Watchers.<sup>16</sup>

One of the fragments of the *Apocryphon* which was recently published has been referred to as the “Trever fragment,” because it had remained unstudied in the possession of John Trever until about 1990. According to the reconstruction by Zuckerman, which is apparently accepted by MQS, it belongs toward the end of column 1 and contains vocabulary which reminds us of the language of Genesis used to describe the antediluvian period: כול בשרא, “all flesh,” appears twice as does ארעא; the equivalent Hebrew terms appear (the latter frequently) in Genesis 6 in the context of the depravity of man.<sup>17</sup> On the other hand, the idiom לקלל לכול בשרא, “cursing all flesh,” | is not found explicitly in Genesis although we can easily understand the context to which it belongs.<sup>18</sup>

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Since column 2 is probably familiar to most readers of this essay, I shall discuss it only as necessary background to the following columns. We must assume for the purpose of a coherent story that the birth of Noah was reported between the end of column 1 (the Trever fragment is situated at approximately lines 25–29 of a column which probably was about 34 lines) and the discussion between Lamech and his wife Bitenosh in column 2.<sup>19</sup> The opening of column 2 takes us directly into the dialogue

<sup>15</sup> Cf., however, רזי פשע in 1QH<sup>a</sup> 13 [Sukenik 5]:36 and 1Q27 1 i 2. It is possible that in the case of the Watchers it refers to prohibited forms of esoteric knowledge which they shared with humankind. Philip Alexander directed my attention to the *mystērion tēs anomias* in 2 Thess 2:7, which bears a resemblance to these Hebrew and Aramaic idioms at Qumran, a passage noted also by Fitzmyer (2004), 120.

<sup>16</sup> The phrase אסור תקיף also occurs in 4Q532 2 14. That text, edited under the name 4QLivre des Géants<sup>d</sup> ar, perhaps unsurprisingly bears other similarities in vocabulary to this column of the *Apocryphon*: 4Q532 1 i 9 (11); נקבן; 1 i 10 (12); כל בשר; see also 2 9 חבל רב חנבלו בארעא.

<sup>17</sup> For בשר, cf. Gen 6:13–14; for ארץ, cf. Gen 6:5 and 11–12 where the term appears five times, all of them accompanied by רע, חמס, or שחת.

<sup>18</sup> It is possible that לקלל is a Hebraism in the Aramaic of the *Apocryphon* both in root and in form. On the issue of Hebraisms, see further, Morgenstern, “MA,” 42–45 and S. Fassberg, “Hebraisms in the Aramaic Documents from Qumran,” in *Studies in Qumran Aramaic* (above n. 8), 48–69. In this case, however, Morgenstern, “MA,” 41–42 (followed by Fitzmyer [2004], 121), justifies rendering קלל as a noun, “as a shame for all flesh,” based on its appearance in Syriac and because the form cannot be an infinitive in Aramaic.

<sup>19</sup> The reference in 2:2 to עולימא דנא, “this child,” implies that the child has already been born, although the conversation between Lamech and Bitenosh deals with the source

between Lamech and his wife regarding the parentage of the child she has borne. From the standpoint of the narrative, it is significant that there is not a great deal of space within which Lamech could be introduced (unless he was mentioned in the fragmentary portions of column 0, 1, or earlier, lost material), and for the birth and marvelous nature of the child to be described. That is the minimum material necessary to justify Lamech's reaction to the birth of the child and his accusation against his wife of going astray (apparently) with one of the sinful Watchers.

This plausible disposition of the material may actually allow us safely to make two inferences regarding the issue of the length of the *Apocryphon*, to which I alluded above. The presence of Lamech as well as Enoch and Methuselah in column 2 indicates that at least the latter two, and probably all three, must have been introduced at some earlier point in the narrative. This implies that there was some amount of genealogical material prior to the section of the *Apocryphon* that presents its elaboration of the story of the Watchers. This is perhaps unsurprising, but it also indicates a slight deviation in order | from the narrative of Genesis. In Genesis, the birth of Noah is described at the end of chapter 5, just before the verses that give rise to the stories of the "fallen angels." The *Apocryphon* locates the story of the Watchers *before* the birth of Noah, an arrangement which is found elsewhere in the works from the Second Temple period that expand the story of the Watchers.<sup>20</sup> The narrative logic of the presentation in the *Apocryphon* does not introduce Noah, who will be the savior of mankind, until after the Watchers, who are the threat to man, have appeared on the scene. The effect of this is to highlight Noah even more strongly than is done in the biblical story.

In response to the protestations of Bitenosh as to her innocence, Lamech goes to his father Methuselah and asks him to ask his father Enoch to clarify the situation. I should note that the vivid dialogue we see in the relatively well-preserved portion of column 2 is a characteristic

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of her pregnancy. There is nothing in the surviving material of the whole column which describes the unusual appearance of the child which disturbs Lamech, although such descriptions are to be found in 1 *Enoch* 106 and 1Q19, for example. The only reasonable location for the depiction in the *Apocryphon* is at the bottom of column 1. We can infer the presence of such a description from the fragments of the exchanges between Enoch and Methuselah later on.

<sup>20</sup> *Jub.* 4:15 has the Watchers descending in the days of Jared (albeit for positive reasons); so do 1 *Enoch* 6:6 (= 4QEn<sup>a</sup> ar 1 iii 4) and 106:13 (= 4QEn<sup>c</sup> 5 ii 17–18). Is it possible that, in addition to the pun on the name Jared (see below, n. 21), this reordering could be "supported" by the reading of the verb of Gen 6:2, ההם בימים הזהם, as a pluperfect?

that seems to have been pervasive in the *Apocryphon*, regardless of the various sources which may underlie the rewritten story. We can observe this in many passages where we clearly have at least two interlocutors in a dialogue, and we find either first or second person forms in other passages which imply a dialogue, even though we do not hear both sides in the surviving text. Methuselah departs and greets Enoch, and with that we revert from the poorly preserved text at the end of column 2 to the even more poorly preserved fragments in the next columns.

In column 3, after Methuselah has gone to ask his father about the nature of the unusual birth to Lamech and his wife, we find Enoch as the speaker, since 3:3 reads “in the days of my father Jared.” He apparently continues to speak for the next two and a half columns, and some of his remarks appear to be repetitive, even granted the scanty remains of the manuscript. The reply Methuselah gets is prophetic, and it is linked to the corruption of the Watchers and the impending destruction of the earth (as is also, perhaps, the reference to Jared, playing on the meaning “descent”).<sup>21</sup> The surviving | language of 3:9–13 also contains a dense concentration of the word ארעא (four times in thirteen words or partial words); we may very easily reconstruct a scene wherein Enoch tells Methuselah that there will be water or rain on the whole earth and perhaps the earth will become sea. Immediately upon the birth of Noah, then, we know that a flood is coming upon the earth.

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At first glance, it appears that the vision of Enoch here is similar to those in *1 Enoch* 83–88, where Enoch also addresses Methuselah. But there is a significant difference, I believe, between the visions in *1 Enoch* (and this is especially true regarding the visions in 85–88), which are not an element in a narrative account, and the visions in the *Apocryphon*, which are an integral part of the narrative. That integration seems to characterize not only the visions in the portion of the *Apocryphon* where Enoch appears, but later sections as well, where there are several visions involving Noah. Like the rearrangement I noted just above, the sequence of events in the *Apocryphon* creates a very different feel to the narrative from that which is found in the Pentateuch, where the sins of the “fallen angels” (Gen 6:1–4) are not described until after the birth of Noah (5:29), God’s decision to

<sup>21</sup> Cf. previous note. We might be able to restore in 3:3–4 [שמיא] בני [נפיל]ין בני [אלהא]. A rather late rabbinic source (*Midrash Aggadah* [ed. S. Buber; Vienna: Panto, 1894], 14) has, “why was his name Jared? Because in his days the angels descended from heaven and were teaching humans how to worship the Holy One Blessed be He.” As noted by M.M. Kasher, *Torah Shelemah* 2.355, this formulation resembles that of *Jubilees*.

destroy mankind is first alluded to in Gen 6:7, and the flood itself is not mentioned there until 6:17. In the *Apocryphon*, the flood is likely to have been predicted while Noah was still an infant.

It is left to Methuselah to communicate this message, presumably to Lamech, and the language used (presumably by Enoch) echoes the language used by Bitenosh to Lamech earlier, “in truth, not in lies” (3:15).<sup>22</sup> The reference to splitting the earth (3:17) may refer either to Noah’s distribution of the earth among his sons or to the division of the nations in the time of Peleg. The former is more likely, since in the *Apocryphon* these actions by Noah actually occupy a prominent place and a substantial amount of text (columns 16–17). Note how Methuselah is commanded to repeat the prophecy of Enoch to Lamech, and how this technique of repeating the language of prophecies and commands is also characteristic of the *Apocryphon* and as a result can help us to reconstruct missing portions of the text.<sup>23</sup>

- 49 | Far less remains of column 4 than of 2, 3 or 5, but the one cluster of the surviving phrases is of interest for the hypothetical story line we are reconstructing. 4:11 reads (and whenever we say “reads” regarding this manuscript, that may be an adventure in itself), חזית למעבד דין, “I/you have seen fit to exercise judgment;”<sup>24</sup> and 4:12 has וקץ . . . [ע]ל אנפי ארעא, “an end . . . [o]n the face of the earth.”<sup>25</sup> The key issue is who is speaking: if it is God (or Enoch quoting God), then the verb is first person; if it is Enoch addressing God, then it is second person. Was there a passage in the *Apocryphon* wherein God “visited” the earth to see the wickedness of its inhabitants before executing judgment? Such a situation occurs twice in Genesis: in the narrative of the Tower of Babel, Gen 11:5, וירד ה' לראות, “the Lord descended to see the tower and city which the humans had built;” and in the story of Sodom and Gomorrah, Gen 18:21, וארדה נא ואראה, “Let me now descend and see” whether the inhabitants of the city are worthy of punishment. It is

<sup>22</sup> Cf. 2:7 בודבין ולא במדבין. I have discussed the significance of the root קשט in the Aramaic corpus at Qumran in a recent paper (above note 9).

<sup>23</sup> It is tempting to see the very repetitious language, which is clear even in the fragmentary remains of the *Apocryphon* that we have, and which is reminiscent of Homeric style, as pointing to an oral level in the composition of the text. But there are insufficient data to make any serious claims along these lines.

<sup>24</sup> I take the Aramaic דין למעבד as the equivalent of Hebrew משפט, rather than understanding דין as the demonstrative pronoun “this.” The same idiom, עבד לי דין מנה, occurs in the *Apocryphon* at 20:14 in Abram’s prayer to God that He should act on his behalf against Pharaoh.

<sup>25</sup> קץ כל בשר בא לפני 6:3 Gen, of course, recalls

tempting to see a possible narrative parallel in the חזית of the *Apocryphon*, if, indeed, its meaning is not merely “to see fit,”<sup>26</sup> and the purpose of such a passage would be to provide divine witness in order to justify God’s harsh verdict on mankind. There are other instances where phrases and sentences from later portions of Genesis are employed in these early sections of the *Apocryphon* sometimes merely for stylistic reasons, but occasionally to draw connections and create similarities among diverse portions of the pentateuchal narrative.<sup>27</sup>

Column 5 finds Enoch (הא כדי אנה חנוך 5:3) speaking to his son Methuselah explicitly (ולך מתושלה ב[רי] 5:2) and telling him (5:3–4) that the child about whom he came to inquire שמין להן [לא מן עירין ולא] מן בני שמיין להן [לא מן עירין ולא] | “is not from the Watchers, nor from the sons of Heaven, but rather from your son Lamech.”<sup>28</sup> It is somewhat difficult to understand what has been happening in the narrative during the last two columns. Can this be the first place where Enoch mentions the legitimate parentage of Noah to Methuselah? Even granting what we believe to be the repetitious style of the text, this seems rather strange. Nonetheless, Enoch continues (5:5–7) with an indication of what Lamech’s fear was. This does not survive in the earlier portion of the text, but can perhaps be restored from the fragmentary context here, ומדמא לא הווא . . . [מן] חזוה דחל למך ברך, “he did not appear like [a human being but rather like a celestial one, and from] his appearance Lamech your son feared.”<sup>29</sup> This assertion is made emphatically בקושט מהימן (5:8).

After a *vacat* which was likely employed within the long speech of a single speaker to indicate a slight change of subject,<sup>30</sup> Enoch continues “And now I tell you and relate to you my son” (5:9),<sup>31</sup> with another reference to truth (קושט) later in the line, and then אול אמר ללמך ברך, “go tell

<sup>26</sup> Of course, the phrase could simply reflect, or be exegesis of, Gen 6:5 וירא ה' כי רבה האדם בראי רעת האדם בארץ.

<sup>27</sup> This feature may be a result of the author(s) of the *Apocryphon* employing the pentateuchal text as a model even unconsciously. Cf. my “Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the *Genesis Apocryphon*,” *DSD* 3 (1996): 37–57 (48–50) (below 1.185–188).

<sup>28</sup> The restoration takes advantage of the repetitious idiom of the *Apocryphon*; cf. the words of Bitenosh (2:15–16) די מנך זרעא דן . . . ולא מן כול עירין ולא מן כול בני שמיין (2:15–16).

<sup>29</sup> Cf. 1Q19 and later this column.

<sup>30</sup> The functions of the *vacats* in the *Apocryphon* is another subject which needs to be analyzed as fully as possible. It appears that, despite the fragmentary nature of the MS, we shall be able to draw some limited conclusions regarding the relationship between the story and the way it is laid out in the text.

<sup>31</sup> Another feature of the *Apocryphon* is the employment of pairs of words where one alone would suffice. Cf. Morgenstern’s remarks, “MA,” 45–47 on צמדי מלים (word-pairs).

Lamech your son.” Either the idiom of the narrative is exceptionally repetitious or each piece of the story needed to be introduced in this fashion. Then, after an apparently parenthetical comment about the “action [of the sons of heaven]” (cf. 6:11), Enoch proceeds once again to speak of the child whose “eyes shone like the su[n],” and who is “fire” (or “something of whom is fire;” 5:12–13). This matches descriptions of Noah’s birth which we know from other sources (1 *Enoch* 106 and 1Q19). The focus of Enoch’s ensuing remarks, however, is not Noah, but the depravity of humankind (or of the Watchers; it is not clear). It is clear that Enoch continues to speak in lines 16ff. of the column, where we read: “. . . they are doing; they will do much violence until . . .” There | unfortunately does not even appear to be enough evidence to tell whether his indictment involves human or celestial beings.

Enoch, furthermore, proceeds to describe what he has just told Methuselah as a רז (5:20), which he, in turn, is to convey to Lamech, his son, in whose days (or perhaps in the days of whose son) the events of this secret will take place (5:22). The section seems to conclude with a statement that Enoch praised (5:23; מברך) the Lord. This statement and the next two lines (5:24–25) indicate that the framework of the narrative at this point is clearly third person, and this phenomenon focuses our attention on the way in which different sorts of narrative are juxtaposed in the telling of the *Apocryphon*. Much of the story is told in vivid dialogue or monologue, and the conversation between Lamech and Bitenosh in column 2 is perhaps the lengthiest example, but there are also traces of more conventional third person story telling.

The lines begin “And when Methuselah heard . . . and he spoke secretly with Lamech his son . . .,” but the following line continues “And when I Lamech . . .” The movement from Enoch’s final words to Methuselah’s telling Lamech to Lamech’s speech appears to be accomplished in under three lines. And those lines are followed by Lamech speaking fewer than two lines, of which the only clearly meaningful words are “that he has brought forth from me,” which might be an expression of thanks to God for the son of whose significant and wondrous future he has just heard. There is manifest disproportion in the allocation of space to different parts of the story, and these few lines stand in sharp contrast to the very lengthy prophetic monologue of Enoch that preceded them.

Following a full-line *vacat* we read the by-now-famous words כתב מלי נוח, “the book of the words of Noah,” which may or may not have been preceded by the word פרשגן, “copy.” There is actually even more text, not yet deciphered, in the last four or five lines of column 5, which must have

furnished both some sort of introduction of Noah as a character in the story, and a transition to the opening words of his speech, which we pick up mid-sentence in column 6.

Even though Noah's first speech is lacking its opening, we can see in it another stylistic characteristic of the *Apocryphon* the use of balanced clauses that makes the prose almost into poetry. This goes beyond the tendency of the *Apocryphon* which we observed earlier to employ pairs of synonyms like *ואמר ואחוי*, "he said and told," even in passages which lack a balanced clause structure. This allows us to interpret the first words of the column *מן עול*, if the reading is correct, as "from childhood," with the clauses aligning as follows:

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... from childhood.

And in the furnace of my gestation I flourished toward truth (לקושט);

And when I left my mother's womb, I was rooted in truth (לקושט).

And I acted truthfully (קושטא) all my days.

And would walk in paths of eternal truth (אמת).<sup>32</sup>

And with me (were) the holy ones on the paths<sup>33</sup> of the way of truth . . .

And to warn me from the path(s) of falsehood which lead to eternal darkness . . .<sup>34</sup>

And I girded my loins with a vision of truth and wisdom<sup>35</sup> . . . all the paths of violence, (vi 1–5)

The constant emphasis on *קושט* in these lines is clearly "exegetical," and presumably indicates an expansion and highlighting of the word *צדיק* used to characterize Noah in Gen 6:9. If *תולדת נח* of that sentence is interpreted to mean "life story," the poetic lines express the view that throughout his life Noah maintained the ideal of *קושט=צדק*. In addition to the repetitions

<sup>32</sup> With these two lines compare Tobit 1:3. The question of the relationship of these two texts or their respective sources is a very interesting one. (George Nickelsburg was, I believe, the first to point out this parallel in language between the *Apocryphon* and Tobit in an oral comment on Matthew Morgenstern's presentation of this text at the first Orion Symposium in 1996.)

<sup>33</sup> MQS read *אוהת*, which would normally mean "I hurried," but they translate "on my way truth sped," which indeed avoids the apparent separation of the construct *במסלי* from its *nomen rectum* *קושט*, but there is no reason for *קושט* to govern a feminine verb. With a little reluctance, I therefore prefer the emended reading *או>ר<הת* which produces a far more coherent reading.

<sup>34</sup> The reading *אזלן* published by MQS is feminine plural, but there seems to be a crack in the MS which appears to be the final *nun*. All readings, however, are difficult since *נת* [נת] is singular, while *אזלי* cannot be correct as it stands and *even if emended to אזלון* is plural.

<sup>35</sup> The imagery is presumably borrowed from Isa 11:5: *והיה צדק אזור מתניו והאמונה* *והיה צדק אזור חכמתא* in place of *אמונה*, a point noted already by Morgenstern in his discussion of this passage at the 1996 Orion conference.



of “truth,” the image of the path, *שביל*, *מסל*, and *אורחא*, dominates the language of this brief passage, and, although it is brief and fragmentary, there can be no doubt that its structure is fundamentally poetic. It should be noted further that within this brief piece there is an implicit introduction of the theme of dualism, which is so well known from the so-called sectarian documents found in the Qumran caves.<sup>36</sup> The appearance of | this theme does not imply that the *Apocryphon* is necessarily a “sectarian” document, but it indicates that such dualistic ideas could be found widely in Second Temple literature, and that the narrator of the Noah story, or at least the composer of this piece, felt that they could and should be introduced here.

These poetic words, however, despite first impressions, do not represent what I should call the *Apocryphon*’s primary exegesis of the biblical verse Gen 6:9, *נח איש צדיק תמים היה בדרתיו*; that interpretation occurs in Noah’s continuing autobiography in 6:6–9 *גבר נוח אנה הויה אנה באדין הויה אנה גבר* 6:6–9, “Then I, Noah, became a man and held on to truth and held strongly . . .” Whether we judge that *תולדת* means “biography” or “family story” for the author of the *Apocryphon*, 6:6–9 continues to describe the growth of Noah’s family, interpreting and expanding the words of Gen 6:9.

In order to gain further insight into the discrete elements that comprise the *Apocryphon*, it is certainly worth asking the following question: to what do the words *מלי נוח כתב* toward the end of column 5 refer? Are the “words of Noah” his poetic soliloquy or his prose autobiography, both of which appear to go over the same ground and might very well belong to different sources of the *Apocryphon*? Or does it actually refer to both, i.e., from this perspective no distinction should be drawn between the prose and the poetry? The latter, I believe, is the more likely possibility, with the *באדין* that opens 6:6 plausibly serving as proof of the connection. What is striking, then, is the fact that we find “ordinary” narrative and near poetry side-by-side in our passage.

The *Apocryphon* expands the undetailed biblical reference to the birth of Noah’s sons (Gen 6:10) to include the name of his wife Amzara (and the now missing name of her father, who undoubtedly was a relative of Noah) and the fact that she bore three sons and an undisclosed number of daughters. Noah arranges endogamous marriages for them with

<sup>36</sup> For the parallelism which appears here, cf. the doctrine of the “Two Ways” in 1QS 3:13–4:26, and see further J. Duhaime, “Dualism,” *EDSS* 1.215–220.

the sons and daughters of his brother (or perhaps brothers; אָחֵי can be either), “according to the law of the eternal statute which [the Lord] Most High [ordained] for man” (6:8–9).<sup>37</sup> | Here we have one of the examples of the *Apocryphon* narrative being affected by halakhic positions held by its author or his sources, since endogamous marriage is stressed in a number of Second Temple literary works, notably Tobit and *Jubilees*.<sup>38</sup> Once again, this allusion should not be taken to imply that the *Apocryphon* is “sectarian,” in the sense of deriving from the circles that produced texts such as CD, 1QS and the *pesharim*. It is more accurate to describe it as belonging to the likely wider circle of literary works in the Second Temple period that share a halakhah different from that which we know from rabbinic literature.

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For a short while, then, column 6 of the *Apocryphon* has brought its story line more into proximity with the narrative of Genesis 6 than the earlier columns had done, but only for a moment. After a brief *vacat*, the story of the *Apocryphon* turns away again from this brief coincidence with the biblical narrative, and on the surface appears to contradict it. There are actually two independently generated difficulties involved, one of which may be more easily soluble than the other. If we follow the reconstruction of the editors, the reference to ten jubilees in 6:9 of the *Apocryphon* refers to Noah being 500 years old, and is coupled with the words, “then my sons finished taking wives for themselves.”<sup>39</sup> First of all, the birth of Noah’s children, according to Gen 5:32 (as well as *Jub.* 4:33), takes place when he is 500 years old; second, leaving the chronological quandary aside, did the *Apocryphon* not just finish telling us that Noah had already taken wives and husbands for his sons and daughters? The answer to the former question, I suspect, is that the ten jubilees have nothing to do with Noah’s

<sup>37</sup> I believe that the term חוק עלמא, with the Hebraism חוק (only here in the Aramaic of Qumran, and according to Morgenstern, “MA,” 43, virtually nowhere else in Aramaic) is an allusion to this regulation being inscribed (חקק) on the heavenly tablets. For the significance of this and related idioms as applied to marriage in a range of texts from antiquity see M. Kister, “תולדותיה של נוסחה משפטית דתית,” in *עטרה* 10, “כדת משה ויהודאי: מחקרים בספרות התלמודית והרבנית לכבוד פרופסור חיים זלמן דימיטרובסקי לחיים: (ed. D. Boyarin et al.; Jerusalem: Magnes, 2000), 202–8, especially 206 and nn. 33–35.

<sup>38</sup> As Elisha Qimron has already noted, “Toward a New Edition of 1QGenesis *Apocryphon*,” in Ulrich and Parry, *The Provo International Conference* (above, n. 10), 108 n. 7, Tobit 4:12–13 also refers to Noah as having made an endogamous marriage. On Noah’s marriage, cf. further *Jub.* 4:33, and on endogamy in Qumran see 4QMMT B75–82 and the discussion in E. Qimron and J. Strugnell eds., *Qumran Cave 4.V: Miqsat Ma’ase Ha-Torah* (DJD 10; Oxford: Clarendon, 1994), 171–75.

<sup>39</sup> They translate “when ten jubilees—according to the calculation that I calculated—had been completed for me (i.e. I was 500 years old)” (MQS, 41).

lifetime, but are a part of Noah's (apparent) chronological calculation of significant dates. The answer to the latter question may lie in the narrative style of the *Apocryphon*, which allows for repetitions of information within close proximity that our own narrative sensibilities would not allow.

55 | As we indicated earlier, one of the characteristic features of the *Apocryphon* is the presence and employment of visions, usually extrabiblical, within the story. In 6:11 and 14 there are allusions to visions that Noah saw at this time, and it is not completely clear whether we are dealing with two different visions, or whether the "first" is a general statement which is then expanded and explained in the "second." In the first case, we are told that Noah saw something "of the heavens," and "was told and informed about the action of the 'sons of heaven'," something which he describes as רזא דן, "this secret" or "mystery." He asserts that he hid the secret within him and informed no one of it. (This might imply that the following vision differs from the "concealed" one, but that argument is tenuous.) This reappearance of רז, earlier found both in the "Lamech" section as well as in that which began מלי נוח, כתב מלי נוח, may indicate the importance of the term to the author of the *Apocryphon* and his sources. These appear not to be the only references in Second Temple, and particularly in Qumran, literature to Noah as the recipient of "esoteric" knowledge.<sup>40</sup>

The brief comment about a vision ends with a *vacat* in 6:12, and in the next line, albeit fragmentary, someone seems to appear to Noah, and then Noah says "the great Watcher upon me in the embassy and mission of the Holy One . . . and spoke to me in a vision and stood before me" (6:13–14). Noah is directly addressed by the heavenly speaker,<sup>41</sup> and it appears that he is told about the conduct of mortals (בני ארעא, as opposed, perhaps, to בני שמיין). There are allusions to "the blood which the Nephilim spilled" (6:19) and "the holy ones with the daughters of ma[n]" (6:20). The sins of the fallen angels thus involve both murder and immorality. All this seems  
56 | to be within the telling of a single vision, although, if it is, there are |

<sup>40</sup> Thus, for example, 4Q534 Naissance de Noé<sup>a</sup> ar 1 i 7–8 [עמה להוון מלכה וערמומ]תה 1 i 7–8 and 4Q536 Naissance de Noé<sup>c</sup> 2 i 8–9 [ידע רזי אנשא וחוכמתה לכול עממיא תהך וידע רזי כול חייא ובטעם רזי . . . בעליונין . . . יגלא רזין בעליונין . . .] (with a further occurrence in line 12). Granted that the subject of these passages is debated, if they indeed refer to Noah, then their characterization of him as one who knows רזין dovetails with that of the *Apocryphon*. The density of the occurrence of רז in Enoch-Lamech-Noah contexts—15 out of a total of 17 in the Aramaic of Qumran according to *The Dead Sea Scrolls Concordance: The Non-Biblical Texts from Qumran* (ed. M. Abegg et al.; Leiden: Brill, 2003), 1:923b—is not fortuitous.

<sup>41</sup> I should reconstruct in 6:15 "[and the messenger at the se]nding of the great holy one made me hear a voice 'O Noah'."

a couple of first person verbs which must have the celestial messenger as their speaker and not Noah. The thrust of the vision beyond this is not clear.

We next find Noah speaking of himself as “finding favor, greatness, and truth/righteousness” (6:23 רבו וקשוט חן), which may be an exegetical expansion of Gen 6:8 ונה מצא חן בעיני ה' "Noah found favor in the eyes of the Lord." We have observed that one of the *Apocryphon's* stylistic tendencies is to multiply synonymous terms, and this may be another example of that phenomenon, where the biblical חן is supplemented by רבו וקשוט. The few surviving lines of the end of the column (which preserves only 26 out of a likely 34 lines) refer to “the gates of Heaven” and to “men and animals, wild beasts and birds.”

The opening lines of column 7 speak of “the earth and all that is upon it in the seas and the mountains . . . all the constellations of the heavens, the sun, the moon, the stars and the Watchers” (or “angels”; מלאך, which occurs nineteen times in other Aramaic texts from Qumran, appears in the *Apocryphon* only at 15:14). The line before a *vacat* (7:5) ends with “glory and reward (?) I shall pay to you.” Noah then reacts to his being addressed from the heavens (7:7) by saying, “I rejoiced at the words of the Lord of Heaven.” In the second half of column 6 and the opening of column 7, Noah may have had three separate divine communications. Unfortunately, at this critical point in the narrative, shortly before the preparations for the flood and the flood itself, the manuscript becomes particularly fragmentary and the remains are not terribly enlightening. We do find Noah speaking again in 7:19, להעדיתני ולמבנה, “to remove me and to build,” which might refer to the divine plan to save Noah via the building of the ark, and the two words “his wife after him” in the first line of column 8, but the rest of the introduction to the flood story and the actual narrative of the flood have not survived.<sup>42</sup> We next meet Noah in column 10 after the flood is apparently over.

The first “meaningful” words are 10:8, והללו ושבחו, which can be read either as 3rd masculine plural perfects, “they praised and sang,” | or 2nd masculine plural imperatives, “praise and sing.”<sup>43</sup> In either case, it is likely that the subjects of the verb are Noah’s sons, who are probably also the כולכון, “all of you” who are addressed in the next line, apparently with an

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<sup>42</sup> It is possible that further technical manipulation with the photographs of the *Apocryphon* will yield more readable material in both columns 8 and 9 as well as elsewhere.

<sup>43</sup> The latter suggestion appears more likely because of the reference to כולכון in the next line.

exhortation to praise or sing or pray (no verb survives) “to your Lord, the king of all the worlds (or “eternal king”) forever and ever until the end of time” (10:9–10). The section is concluded by a *vacat*. This little vignette, however we are to understand it, is, of course extrabiblical; before the ark has come to rest, Noah and his family sing praises to God.

In the lines immediately following the *vacat*, we can be sure that the flood has ended, as we read תבותא נחת חד מן טורי הוררט (10:12), “The ark rested [on] one of the mountains of Horarat,” a virtual targum of Gen 8:4 על הרי אררט . . . ותנח התבה, omitting only the date formula which is found in the biblical text. This is rather significant because we have had very few opportunities up to this point to refer to passages in the *Apocryphon* that have strong parallels in the Bible. If the reading נור עלמא is correct, a tantalizing allusion to “the eternal fire” follows, but its meaning remains completely mysterious.

The narrator is now clearly Noah once again, as he describes, in one of the few passages in this portion of the *Apocryphon* to have been discussed in recent scholarship, how he “atoned (כפרת) for the whole earth,” with a series of sacrifices.<sup>44</sup> This, too, is one of the few passages in this section that has, at least at first glance, a biblical foundation. The parallel biblical text to this portion of the *Apocryphon* is Gen 8:20 ויבן נח מזבח לה' ויקח מכל הבהמה הטהורה ומכל העוף הטהור ויעל עלת במזבח, “Noah then built an altar to the Lord and, taking from all the clean animals and all the clean birds, he offered burnt offerings on the altar.” The list of offerings by Noah in the *Apocryphon*, on the other hand, appears to consist of a sequence  
58 | of three (cf. 10:14 ותניאנא . . . לקדמין and 10:15 ותליתי), and, although the specific references to the animals in the list are almost all unfortunately missing, it would appear to be an expansion, i.e., an interpretation, of the biblical “clean animals and clean birds.” Further details in the description also are directly linked to the Pentateuch. The placing of salt בכולהון, “on all of them [the offerings],” coincides with the commandment in Lev 2:13 (“You shall not omit from your grain-offerings the salt of your God’s covenant; on all your sacrifices shall you offer salt”). ורח מקטורתי לשמיא סלק, “the

<sup>44</sup> See J.C. Reeves, “What Does Noah Offer in I QApGen X, 15,” *RevQ* 12 (1986): 415–19; C. Werman, “Qumran and the Book of Noah,” 175–76; and J.C. VanderKam, “The Angel Story in the *Book of Jubilees*,” in Stone and Chazon, *Pseudepigraphic Perspectives*, 163–67. Reeves’ insight, 417–18, made without the benefit of the “new” textual material, that the verb אקטרת in 10:15 refers to the offering of fat and not incense, was confirmed by the reading ותרבה על נורא אקטרת, “I burned the fat on the fire.”

scent of my offering rose to the heavens,” is the equivalent of Gen 8:21 וַיִּרַח ה' אֶת רִיחַ הַנִּיחֹחַ, “the Lord smelled the sweet scent.” This “rendering” might be described as a proto-targumic kind of avoidance of the overt anthropomorphism found in the biblical text.

The description of the details of the offerings themselves, however, presents a problem. While Noah’s sacrifices in the Bible are only burnt offerings, those he brings in the *Apocryphon* are not. The burning of the fat of the first sacrifice on the altar (10:14) is not the custom for a burnt offering, all of which is immolated, and, although the second offering has all of its flesh burnt (10:15), Noah spills its blood on the base of the altar (10:15) (as prescribed by Lev 4:7, 18, 25, 30, and 34, all passages dealing with חֲטָאָה, sin-offering), whereas the blood of burnt offerings is only sprinkled and not subsequently spilled out, according to Lev 1:5 and 11,<sup>45</sup> *Jubilees*, like the *Apocryphon*, does not restrict Noah’s offerings after the flood to burnt offerings. In *Jub.* 6:2 Noah “made atonement for the earth, and took a kid and made atonement by its blood for all the guilt of the earth,”<sup>46</sup> offering its fat on the altar as in the *Apocryphon*, and then a series of other animals and birds as burnt offerings, followed by a grain offering, wine and frankincense. Like the *Apocryphon*, *Jubilees* also appears to see the need for a sacrifice “to atone for the earth.”

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Despite these connections to the biblical story and to the Pentateuch more generally, if my reading of the narrative is correct, there appear to be two very significant deviations from the pentateuchal story in the *Apocryphon*’s record of these events. In the biblical narrative, Gen 8:15–19, which describes God’s command to Noah and his exit from the ark with the rest of the survivors of the flood, precedes the description of the offering in 8:20–21. This does not seem to have been the case in the *Apocryphon* where it appears that the resting of the ark (= Gen 8:4) is narrated in 10:12, and Noah’s sacrifice follows immediately in 10:13. The very likely inference is that Noah makes these offerings while he is still on the ark! The

<sup>45</sup> It is very possible that the assimilation of the handling of the blood of the burnt offering to that of the sin offering is due to an inclination to include the burnt offering in the atonement process, or, as Werman suggests (“Qumran and the Book of Noah,” 175 n. 8), merely to the proximity of the two offerings in this passage.

<sup>46</sup> I accept VanderKam’s judgment, “Angel Story,” 164, that the original reading of 6:2 is “he atoned for the earth,” against Werman (“Qumran and the Book of Noah” 176–77), who accepts the reading of the better mss of *Jubilees*, “he appeared on the earth.” According to VanderKam, this reading is based on an inner-Ethiopic corruption. Werman’s subsequent claim, based on her reading, of a different motivation in *Jubilees* from that in the *Apocryphon* for the sacrifices of Noah thus loses some substantial support.

alternative, that he has already gone out of the ark somewhere in column 9 or in the earlier portion of column 10, is made very unlikely by the opening surviving words of 11:1, אָנָה נוֹחַ הוּיָת בַּתְּרַע תִּיבוֹתָא, “I, Noah, was at the entrance of the ark,” which would seem to imply that he has not yet left the ark. I suggest that perhaps, from the perspective of the *Apocryphon*'s author, the purification of the earth accomplished by Noah's sin-offerings had to be completed before Noah and the others descended from the ark. It would do no good for the survivors of the flood to be rendered impure immediately by their descent onto an impure earth. This rearrangement would constitute a major displacement in the *Apocryphon*'s version of the biblical narrative.<sup>47</sup>

If my reading is correct, and the resting of the ark on the mountains occurs for the first time in 10:12, then the *Apocryphon* has also omitted, or has displaced to someplace later in column 10, the contents of Gen 8:5–14, including the sending out of the birds to discover whether the earth had dried up.<sup>48</sup> Despite these two apparent deviations from the story as it appears in Genesis, it is very likely that the offerings described in this column are indeed the equivalent of those in Gen. 8:20–21. The only alternative is to assume that in addition to these, extrabiblical, sacrifices, the author of the *Apocryphon* included the sacrifices of Genesis 8 at a later point in his narrative. | This, however, is unlikely, since when Noah leaves  
60 the ark in column 11, which clearly relates to the beginning of Genesis 9, there is no room for the introduction of the Genesis 8 sacrifices. Regarding the sending out of the birds, there remains the possibility of its having been recorded in the latter portion of column 10 or, less likely, in the first one of column 11. Whether we choose the view that the *Apocryphon* needs to include all the details of the biblical story, while allowing nonbiblical details to be inserted into the narrative, or that which says that the recounting in the *Apocryphon* need not contain all the details of the Bible, depends perhaps on our preconceptions of the freedom of the reteller of the biblical narrative. Is his tale the whole biblical story with supplementation, or a story that happens to follow the line of the biblical story but need not include every detail found in the Bible?

<sup>47</sup> Once again, I accept VanderKam's argument, “Angel Story,” 165–67, especially 167, rather than Werman's, in order to understand how murder can be atoned for by sacrifice.

<sup>48</sup> In light of the fact that *Jubilees* omits the incidents with the birds, it is possible that the *Apocryphon* did as well. Note that 4Q252 Commentary on Genesis A includes the dove, but omits the raven.

At what point in the *Apocryphon* Noah is given the command by God to leave the ark is unclear, although it probably occurs in the second, illegible, portion of column 10, perhaps even beginning with the words באדין עליא, “then the Most High,” in 10:8. But there is a great deal of space between the last readable material in column 10 and the text in column 11:11 where Noah says that he left the ark. What is also not clear is the nature of that divine command, which in Gen 8:16 consists merely of a straightforward instruction for Noah to leave the ark with his family: צא אתך בזאת אתה ואשתך ובניך ונשי בניך אתך, but is unattested in the surviving text of the *Apocryphon*. In the *Apocryphon* 11:11–14 we find Noah doing several things which have no scriptural antecedent whatsoever, or almost no antecedent, as we shall see. There we read “Then I, Noah, went out and walked through the earth by its length and by its breadth.” These words, of course, with the change making Noah the speaker, are a virtual citation of God’s words to Abram in Gen 13:17: קום התהלך בארץ לארכה ולרחבה: כי לך אתננה, “Arise and walk through the land by its length and by its breadth, for I shall give it to you.”<sup>49</sup> In the *Genesis Apocryphon*, no explicit divine command to Noah to do this survives, but it is quite reasonable to assume that Noah is here carrying out divine bidding. If so, we have here an explicit link between the Abram narrative and the Noah material, with an attempt | being made to cast Noah in the model of the later patriarch. 61  
As we shall see, this is not the only such occurrence in the *Apocryphon*, and indeed it has other parallels in Qumran literature, in which Noah, as well as Adam and Enoch, are viewed by the writers of these texts as belonging to same chain of tradition, as it were, as the direct ancestors of the Jewish people, Abraham, Isaac and Jacob.<sup>50</sup>

Noah presents an idyllic description of the earth after the flood, and if עדין in 11:12 is to be understood with MQS as “luxuriance,” it is perhaps meant to recall the antediluvian period in the Garden of Eden; “there was luxuriance in their leaves and fruit, and the whole earth was filled with grass and herbage and grain.”<sup>51</sup> He realizes that the flood has not

<sup>49</sup> Context demands that ארעא in the Noah passage mean “earth,” while ארץ in the Abram passage means “land.”

<sup>50</sup> See my remarks in “Noah and the Flood at Qumran,” 220–221 (below 1.311–312); my tentative remarks there on the role of Noah as part of “Jewish” history in 5Q13 must be supplemented by M. Kister, “5Q13 and the *Avodah*: A Historical Survey and Its Significance,” *DSD* 8 (2001): 136–48 (137–39 and 144).

<sup>51</sup> MQS, 47. Cf. J.C. Greenfield, “A Touch of Eden,” *Orientalia J. Duchesne-Guillemin emerito oblata* (Acta Iranica 23; Leiden: Brill, 1984), 219–24 = *‘Al Karfeī Yonah: Collected Studies of Jonas C. Greenfield on Semitic Philology* (ed. S.M. Paul et al.; Leiden: Brill; Jerusalem: The



destroyed the earth's capability to be fruitful, and thanks God for that. He then, a little surprisingly, further thanks (ותבת וברכת) God for having "destroyed doers of violence, wickedness and falsehood, while saving the righteous man," a reference, of course, to himself as צדיק.

The last readable material in column 11 begins with a heavenly proclamation to Noah: "Do not fear, Noah; I am with you and with your children who will be like you forever"; this seems (the reading is not fully clear) to give him dominion over the earth and what is in it (11:15–16). The opening words are parallel to those in the Abram narrative (Gen 15:1), "Do not fear, Abram; I am your shield," another application to Noah of pentateuchal terminology borrowed from one of the patriarchs.<sup>52</sup> This line also contains a subtle limitation of God's promise to be on the side of Noah's descendants, wherein only those like Noah will deserve such assistance.

62 | In the line following that exhortation, however, the issue of how the *Apocryphon* handles the biblical text, its "exegesis," comes to the fore once again. The description of Noah's walk through the earth and his accompanying praise of God have no pentateuchal link. Neither do the opening lines following the *vacat* of line 14 which we have cited, although if the sense of 11:15 is to grant Noah and his descendants dominion over the earth, they echo God's words to Adam in Gen 1:28 ורדו "and rule."<sup>53</sup> Is the author of the *Apocryphon* merely employing imitative language, or does he mean consciously to link the passages?

The non-scriptural divine address to Noah is followed by a series of statements which appear to be based on biblical texts. First, 11:16–17, והא ונה ירה לך ולבניך כולא למאכל כירקא ועשבא די ארעא, "I give you and your children everything to eat like the greenery and herbage of the earth,"<sup>54</sup> is a virtual targum of the underlined words in Gen 9:3 כל רמש אשר הוא חיי לכם יהיה לאכלה כירק עשב נתתי לכם את כל. This is followed by a

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Hebrew University Magnes Press, 2001), 750–55. It appears that this description contradicts 12:9 where Noah describes the earth after the flood, "for there was great desolation in the land." Perhaps the passages are describing two different geographical areas, but there is nothing to imply that in the surviving material.

<sup>52</sup> At the end of the final surviving column of the *Apocryphon* we read in God's speech to Abram (22:30): אל תדחל אנה עמך, virtually the same words as are spoken to Noah, אל תדחל יא נוח עמך אנה.

<sup>53</sup> It is interesting that *BHS* suggests the reading ורדו בה in place of MT ורבו בה at Gen 9:7. It should, however, be noted that in Gen 1:28 כבש is used of the earth, and רדה of its animal kingdoms.

<sup>54</sup> [2012 addition: Despite its syntactical awkwardness and divergence from כירק עשב of MT, the reading is almost certainly בירקא, and not כירקא as confirmed by Daniel Machiela's examination of all the photographs.]

prohibition against consuming blood, ברם כול דם לא תאכלון, which at first glance appears to derive from Gen 9:4 אך בשר בנפשו דמו לא תאכלו, but, beyond ברם which represents אך, actually uses the language of Lev 3:17 דם כל בשר לא תאכלו or 17:14 כל חלב וכל דם לא תאכלו (more likely the former). Did the author of the *Apocryphon* consciously introduce the language of Leviticus into Genesis, or was he perhaps composing from memory without a biblical text before him, and unconsciously harmonized the verses? Finally, 11:17 concludes with ודחלתכון ואימתכון which can only represent Gen 9:2, ומוראכם וחתכם (יהיה). Note how the author of this section of the *Apocryphon* has handled three consecutive verses, Gen 9:2–4. He starts with 9:3, and virtually translates it; proceeds to 9:4, begins with its first word and then substitutes another verse for it; and only then does he begin with the subject of 9:2. The text unfortunately breaks off at this point before we hear more about God's covenant with Noah, of which only a reference to the rainbow survives in 12:1 (parallel to Gen 9:13).

| In this survey of *Genesis Apocryphon* 1–11, I have attempted to draw attention to a variety of the prominent features of this very fragmentary document, while presenting as much of the outline of the narrative as the fragments currently allow us. I have described a variety of compositional features such as vivid dialogue, repetitive language, shifts in narrator and frequent occurrence of visions. A limited number of tentative inferences regarding the broader storytelling technique of the composer have also been discussed. I have also noted certain aspects of the kinship of the *Apocryphon* to other Second Temple works such as *Jubilees*, *1 Enoch* and the Book of the Giants, although we cannot yet determine any genetic relationship among them.

It should be clear that this entire section (as well as the remainder of the Noah section, columns 12–17) is heavily “nonbiblical,” as the composer of the *Apocryphon* tells a story related to the Bible, but draws on narrative material *not* found in the Bible. In this manner, the Lamech-Noah material (and not just the originally published Lamech material) differs considerably in its handling from the Abram portion of the document in columns 19–22. Despite the fact that the Lamech and Noah materials may themselves very well derive from two different sources, these two narratives are similar in their highly expanded and non-exegetical approach to the biblical text (although there appears to be more biblical interpretation in the fragmentary remains of the Noah portion than in the Lamech material, but that may be proportional to the presence of each in the biblical text itself). Is the difference between the early portions of the *Apocryphon* and the Abram material due merely to the fact that they drew on sources

of different sorts? Was there simply more “midrashic” material available to the composer about Noah and his forbears than there was about Genesis 12–14, which tells the story of Abram covered in columns 19–22? Or, was the antediluvian section of the Pentateuch particularly significant to the *Weltanschauung* of the author? This issue, like others, which are not bounded by the limits of columns 1–11 and were not touched upon in this paper, will be addressed in my subsequent work on the *Genesis Apocryphon*.

## CHAPTER EIGHT

### REARRANGEMENT, ANTICIPATION AND HARMONIZATION AS EXEGETICAL FEATURES IN THE GENESIS APOCRYPHON\*

#### I. INTRODUCTION

Daniel J. Harrington concludes his discussion of the genre often called “Rewritten Bible” with an important, if obvious, historical observation: “The discovery of the Dead Sea Scrolls has revived or begun research on these adaptations of biblical narratives to a considerable extent.”<sup>1</sup> This statement was true when applied to texts like the Genesis Apocryphon and 11QTemple, and even truer now that we have material like Reworked Pentateuch (4QRP), pseudo-Jubilees (4Q225–27), Genesis commentaries (4Q252–54), and other fragmentary works. The renewed analysis of all of these diverse texts, whether recently published or known for a long time, has proceeded along a variety of paths, from discussions of the nature of the biblical text which underlies the rewriting, to the formal aspects of rewriting, to debates about targum-type vs. midrash-type, to the theology which generates and shapes the retelling.<sup>2</sup> Occasionally lost amid these larger issues is one of the fundamental questions in the study of “Rewritten Bible”: the identification of the exegetical technique of each of

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\* An earlier version of this paper, focusing on the passages in 1QapGen 19:19–20 and the Arnem, Eshkol, and Mamre material, was read at the Aramaic Studies Section of the Annual Meeting of the SBL, November, 1986, under the title “An Exegetical Feature in the Genesis Apocryphon.”

<sup>1</sup> D.J. Harrington, “The Bible Rewritten (Narratives),” in *Early Judaism and Its Modern Interpreters* (ed. R.A. Kraft and G.W.E. Nickelsburg; Atlanta: Scholars, 1986), 246.

<sup>2</sup> There are discussions of “Rewritten Bible” in most discussions of Jewish literature of the Second Temple era. Cf. Harrington “The Bible Rewritten,” 239–47; G.W.E. Nickelsburg, “Stories of Biblical and Early Post-Biblical Times,” and “The Bible Rewritten and Expanded,” in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (ed. Michael Stone; CRINT 2.2; Assen/Philadelphia: Van Gorcum/Fortress, 1984), 33–156; P.S. Alexander, “Re-telling the Old Testament,” in *It is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars, SSF*, (ed. D.A. Carson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1988), 99–121. J.L. Kugel’s *In Potiphar’s House: The Interpretive Life of Biblical Texts* (San Francisco: HarperSanFrancisco, 1990) is a valuable study of certain of the exegetical aspects of the genre (which Kugel, 264, calls “Retold Bible”). Editions and translations of the various works which are generally characterized as “Rewritten Bible” often have discussions of the ways in which they relate to and operate upon the biblical text.

these documents, the ways in which they operate with and on the Hebrew biblical text on the most fundamental level.

38 | One of the means by which “Rewritten Bible” “improves” on the Bible is by attempting to create a more seamless narrative than the biblical original through the removal of slight irregularities and inconsistencies in the story by the furnishing of useful details in advance of their occurrence in the biblical narrative. There are a number of ways in which this can be done, and we shall see in this paper how the Genesis Apocryphon employs several of them. The techniques which we call “anticipation,” “rearrangement” and “constructive harmonization” are related devices whose goal is the production of the smoother narrative of which we speak. We shall describe these phenomena in this paper in some detail in order to highlight the nuances which distinguish them and in order to show more clearly how they function in relation to their biblical original. Some of the dichotomization will be done with the intention of sharpening our sense of the distinctions between them, possibly creating the impression that they are more different than they really are.

By rearrangement we mean the moving around of information already contained within the biblical text. There need not be a serious difficulty with the text as it stands in the Bible, but the redistribution of the data improves the flow of the story in some way. Rearrangement puts the material of the biblical text into an order which the author of the “Rewritten Bible” thinks is more logical or easier to understand. “Anticipation” is similar to rearrangement, although it does not merely rearrange the data in the Bible, but adds to it details whose goal is the same as that of a rearrangement, the creation of a more perfect narrative. At times, indeed, one might ask whether rearrangement and anticipation are not really the same device, but for the purposes of our discussion I prefer to differentiate them in this fashion.

39 Constructive harmonization stands next to anticipation on the spectrum of exegetical devices. This technique, known best from the tendencies of the Samaritan Pentateuch which will be discussed below, involves the insertion into the narrative of an event or a speech which does not appear in the biblical text, but which seems to be demanded | by the biblical text itself by virtue of a subsequent allusion. As in the case of “anticipation,” the information is added to the text, but, unlike the situation with anticipation, its supplementation is virtually demanded by the later narrative. Once again, it is possible to suggest that the difference between anticipation and constructive harmonization is one of scope rather than

technique, but for the purpose of evaluating how exegetical technique works they should be distinguished in our analysis.

These techniques are not unique to “Rewritten Bible,” but are also found in biblical texts known to us from late antiquity. In fact, one of the persistently troublesome issues which has not been fully worked out in dealing with biblical and para-biblical texts from Jewish late antiquity is the question of the point where a reworking of biblical material ceases being a copy of a biblical book and starts being “Rewritten Bible.”<sup>3</sup> In the case of the Genesis Apocryphon, we are in no danger of erring and defining it as a biblical text, if for no other reason than that it was composed in Aramaic rather than Hebrew. It is one of the works which appears in all lists of that somewhat undefined genre, the Rewritten Bible. Our discussion of the three related features, rearrangement, anticipation, and harmonization, will therefore focus on the way that they are employed in “Rewritten Bible,” although our conclusions may have ramifications for their utilization in biblical texts as well.<sup>4</sup>

## II. RE-ARRANGEMENT

The rearrangements which we shall discuss in this section involve the disposition of the information in a biblical narrative in a manner differing from the biblical original.<sup>5</sup> These fairly small-scope | rearrangements are directed at making the biblical narrative flow more smoothly. As an example of a minor rearrangement in the Genesis Apocryphon, we point to the statements about Abram’s wealth (Gen. 13:2 = 1QapGen 20:33) as well as Lot’s (Gen. 13:5 = 1QapGen 20:34) which are displaced from their locations, and set after the end of Genesis 12 (12:20 = 1QapGen 20:32) and

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<sup>3</sup> E. Tov (“Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QParaGen–Exod,” in *The Community of the Renewed Covenant* [ed. E. Ulrich and J.C. VanderKam; Notre Dame, IN: University of Notre Dame Press, 1994], 111–34) discusses the issue, but does not furnish definitions of what specific parameters are to be employed to distinguish one genre from the other.

<sup>4</sup> Tov has studied quite fully the many aspects of textual harmonization to be found within MT (e.g. Samuel-Kings vs. Chronicles), as well as between or among MT, the Samaritan Pentateuch, and Qumran biblical material in “The Nature and Background of Harmonizations in Biblical Manuscripts,” *JSTOT* 31 (1985): 3–29. Cf. also his remarks in *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress, 1992), 85–89, 241–42, 261–62.

<sup>5</sup> Discussions of arrangement or order in biblical texts usually focus on sections or chapters of biblical books. See, e.g., Tov, *Textual Criticism*, 320–21, on the different sequence of chapters in Jeremiah in MT and LXX.

sandwiched around the beginning of Genesis 13 (Gen. 13:1 = 1QapGen 20:33). This rearrangement can perhaps not be attributed to the author of the Apocryphon because it appears in *Jubilees* as well. *Jubilees* (13:14–15) sets these statements before the return of Sarai and Abram's expulsion from Egypt. In both *Jubilees* and the Apocryphon, the comments about the wealth of Abram and Lot no longer interrupt the narrative as they do in Genesis, and the story of their return and subsequent separation can be told without a break.

In col. 12 of the Genesis Apocryphon we find a more interesting rearrangement of broader scope, for which the impulse is likely to have been exegetical.<sup>6</sup> J. Fitzmyer, in remarking on the few lines of this column which he was able to publish in his edition of the Apocryphon, comments

It is not easy to get a good impression of the contents of this column, because it apparently did not follow the order of Gn itself, at least if the phrases preserved have been correctly identified with elements of the Genesis story. For these seem to come from Gn 9, 10, 11 rather indiscriminately.<sup>7</sup>

He suggests that line 10, of which he reads only בתר שנין תרתין שנין בטר, is related to Gen. 11:10 מבוול אחר המבול, while כול בול ויולד את ארפכשד שנתים אחר המבול, and (10) בני שם ושרית . . . למפלח and (11) פוט וכנען come from Genesis 10, and (13) בארעא ונצבת כרם is “a modification of Gn 9.20.”

The further reconstruction of these lines by Greenfield and Qimron, however, enables us to understand the relationship of these lines to the biblical text, as well as their arrangement in the Apocryphon. In | their  
41 reading, the birth of Noah's grandchildren, the children of Shem, Ham and Japhet, is described in lines 9–12.<sup>8</sup> There follows, on line 13, Noah and his sons working the land and planting a large vineyard on Mt. Lubar. These two passages which are based on the biblical text of Genesis are

<sup>6</sup> Col. 12, which J. Greenfield presented at a session devoted to the Genesis Apocryphon at the SBL in Kansas City in November 1991, was published by him and E. Qimron in “The Genesis Apocryphon Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77. A facsimile of the column appears on 71, and text and translation on 72–73.

<sup>7</sup> J.A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave I: A Commentary* [= GAQ] (Rome: Biblical Institute Press, 1971), 100. For our citations of the text of the Apocryphon, we utilize this edition, unless otherwise noted.

<sup>8</sup> The fact that the Apocryphon adds daughters to each of Noah's sons' families is not of concern to us in this context. On that topic, see J.C. VanderKam, “The Granddaughters and Grandsons of Noah,” *RevQ* 16 (1994): 457–61.

followed by a non-biblical supplement which describes the celebration of the drinking of the first wine from the vineyard in the fifth year (13–19).<sup>9</sup>

One textual comment on the Greenfield-Qimron text is necessary before we can proceed to demonstrate the nature of the rearrangement. They read (with suitable reservation), in line 9, מן [בנ]ן [ ] וילידו ל[י בני]ן [ ] rendering “and [son]s were born to me [ . . . dau]ghters after the flood.” Their comment on these words is “‘Sons and daughters’ means progeny, that is grandchildren as listed in the following lines.”<sup>10</sup> Their confidence in the restoration [י]ל, to the degree that it is not bracketed in the translation, is a bit surprising. It would appear to me more likely that the referent of the missing pronominal suffix attached to ל is בני ובני ( “and my children and grandchildren”) of line 8, and that the reading ought to be ל[הון] (“to them”). This restoration makes the line into a translation (targum?) of Gen. 10:1ב אחר המבול להם בנים אחר המבול, “children were born to them after the flood.” This is the beginning of the rearrangement in this section, as the author of the Apocryphon goes to the later verse to begin the genealogies of Noah’s children. To introduce the progeny of Shem, however, the Apocryphon proceeds first to Gen. 11:10 וילוד את ארפכשד [לשם] ברי רבא יליד לה בר לקדמין ארפכשד תרתין שנתים אחר המבול [לשם] ברי רבא יליד לה בר לקדמין ארפכשד תרתין שנתים אחר המבול, and then returns to Gen. 10:22 for the order of listing of Shem’s sons [עיל]ם ואשור ארפכשד לוד וארם.<sup>11</sup>

The Apocryphon then proceeds to list the sons of Ham in line 11 בני 11 ופוט וכנען חם כוש ומצרי]ן ופוט וכנען, a verbatim citation of Gen. 10:6, and of Japhet in line 12 יפת גומר ומגוג ומדי ויואן ותובל ומשוך ותירס [י] ובנ]י, a quotation (except for spelling) of Genesis 10:2. The sons of Noah are thus listed completely out of order: Shem, Ham, Japhet in the Apocryphon vs. Japhet, Ham, Shem in the Bible. But can we agree with | Fitzmyer’s judgment that the arrangement of the biblical material is indiscriminate? If only Shem had been displaced, moved to the head of the list, we should not be surprised, because he is, after all, the most prominent of Noah’s sons. But how can we explain the further dislocation?

I believe that the slight rearrangement is a product of a larger one. What is it which engenders the shift of the families of the sons of Noah from their

<sup>9</sup> Although non-pentateuchal, this passage has a parallel at *Jub.* 7:1–6.

<sup>10</sup> Greenfield and Qimron, “Col. XII,” 75. [The restoration, חם כוש ומצרי]ן ופוט וכנען at the end of line 8. Daniel Machiela, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ, 79; Leiden: Brill, 2009), 57–58, however, has shown that the reading at the end of line 8 is ובני ובני, rendering my suggestion superfluous.]

<sup>11</sup> It is possible that רבא, as Greenfield and Qimron note, may reflect אחי יפת הגדול.



location in Genesis 10 to a position within the Apocryphon's equivalent of Genesis 9? Granted the extremely fragmentary state of the manuscript beyond line 17, it is very difficult to be certain, but if we may presume that the text of the Apocryphon in col. 12 or col. 13 contained material equivalent to Gen. 9:21–27, a reasonable hypothesis can be offered. It is well known that there is an awkwardness in the biblical text at Gen. 9:18–19 where, following the covenant which God makes with Noah and the sign of the rainbow, Noah's sons are listed, ויהיו בני נח היצאים מן התבה שם, וחרם ויפת ("the sons of Noah leaving the ark were Shem, Ham and Japhet") followed by וחרם הוא אבי כנען ("Ham was the father of Canaan")—a statement which itself is an anticipation of the entry of Canaan to the scene in 9:22—and then by an unconnected statement that שלשה אלה בני נח ("These three were Noah's sons, and from them the whole earth dispersed"). Since the opening lines of col. 12 apparently reflect Gen. 9:16–17, with ארעא of line 2 probably representing the final word of one of those two verses in the Hebrew, the following lines until line 9 probably had no biblical source. But the author of the Genesis Apocryphon apparently felt that there could not be a scene involving Noah's grandson until he had been introduced to the reader, but that the way in which Canaan was inserted into the biblical narrative was not effective. He therefore moved the list of all of Noah's grandchildren (but not their children) before Gen. 9:20 (= 1QapGen 12:13) and the (presumed) equivalent of Gen. 9:21–27. The genealogy is led by Shem, as we noted, but Ham is moved ahead of Japhet because his son Canaan is to be mentioned in the ensuing narrative.

The rearrangement in this portion of the Apocryphon is thus conditioned by the desire to create a smoother and more coherent narrative. Its following the language of the biblical text as closely as it does demonstrates clearly to us the building blocks of its structure. If we compare the Apocryphon with *Jubilees* in this context, we can see the tendencies of  
 43 the Apocryphon more clearly. *Jubilees* 6 describes | the debarking of Noah and his family from the ark, the covenant and the sign of the rainbow, and the establishment of the festival of *Shavuot* with the importance of a 364-day calendar. Any equivalent of Gen. 9:18–19 is omitted, and *Jubilees* 7 begins with the planting of the vineyard of Gen. 9:20. The story of the celebration over the production of the first wine, parallel to the account in the Apocryphon, is told in 7:2–6. There is no allusion to the offspring of Ham, and Canaan is cursed without our being told who he is (*Jub.* 7:10–11). It is only in 7:13 that Canaan is identified as Ham's son. It is there, too, that all of Ham's children are listed, while Shem's children and Japhet's

are enumerated in 7:18–19. The author of *Jubilees*, we observe, makes no attempt to smooth out the biblical narrative, other than the omission of 9:18–19.

By way of contrast, in the Apocryphon's rewriting, after the supplement following the equivalent of Gen. 9:17, the families of Noah's children are listed, introduced by the equivalent of Gen. 10:1, and the genealogies taken from Genesis 10 are presented in the order Shem, Ham, Japheth. Gen. 9:18–19 are omitted from the retelling. The story of Noah and his vineyard is introduced with a slightly rewritten Gen. 9:20, followed by a description of the thanksgiving over its first production of wine (as in *Jubilees*). We hypothesize that somewhere in the succeeding lines the Apocryphon contained its equivalent of Noah's drunkenness and its ensuing embarrassment.<sup>12</sup>

The rearrangement of the biblical material in this passage is indicative of a close reading of the biblical text, and a sensitivity to | matters of apparent disorganization of the subject matter therein. Nothing has been added to the biblical account in the course of the rearrangement. The non-biblical material in the passage, the story of the celebration of the first-fruits of the vine which the Genesis Apocryphon shares with *Jubilees*, is not exegesis in the strict sense, since it comes not to interpret the biblical material but to supplement it. If we focus our attention only on the material in the Apocryphon which has a biblical equivalent, the motivation for and function of the rearrangement becomes fairly clear.

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<sup>12</sup> I believe that an alternative argument can be offered for the rearrangement even if there was no equivalent of Gen. 9:21–27 in the Apocryphon. The shift of Noah's sons' families to before the celebration of the first vintage would then be made simply to introduce Noah's whole family before the scene when they come together to celebrate. The equivalent of Gen. 9:18–19 is omitted because neither portion is absolutely necessary for the narrative. It is perhaps noteworthy that Josephus also rearranges the biblical material when including this narrative in the *Jewish Antiquities*, although the rearrangements differ. In 1:101–103, he summarizes Gen. 9:1–17, and continues in 104 with a remark about the length of Noah's life, parallel with Gen. 9:28–29. The story (excluding Josephus' digressions) continues with the tale of the Tower of Babel (1:109–19; it is possible that the first line of 109 represents Gen. 9:18 or 9:19). It is only after the Tower of Babel that Josephus presents the list of Noah's children and their descendants: Japheth (1:122–29), Ham (1:130–39) and Shem (1:143–47). The story of Noah's planting and drunkenness (1:140–42) is placed after the list of the children of Ham and before that of Shem's, presumably because of the curse on Ham's descendants. For a fuller discussion of Josephus' treatment of this section, see T.W. Franxman, *Genesis and the "Jewish Antiquities" of Flavius Josephus* (Rome: Biblical Institute Press, 1979), 89–91 and 100–13. [Machiela, *Genesis Apocryphon*, 102–104, has now suggested a more likely explanation of the Apocryphon's handling of Gen 9:21ff., based on the exegesis of ויִתְגַּל as "it was revealed," referring to the vision that Noah sees in cols. 13–15.]

## III. ANTICIPATION

Anticipation operates very much like rearrangement, but it involves the supplementation of additional material to the biblical text; it does not only reposition the material. Once again, let us begin with a small-scale example. At 20:31–32, Abraham narrates that ויהב לי מלכא [כסף וד] הב [ש]גיא ולבוש שני די בוץ וארגואן [ושם אנון] קודמיהא ואף להגר ואשלמה לי; “the king gave me much gold and silver . . . and also Hagar. And he handed her over to me.” It is quite clear, and has been observed by others, that the insertion of Hagar into the narrative at this point is anticipatory (to employ my term) of her appearance at Gen. 16:1 where she is described as שפחה מצרית, “an Egyptian maidservant.” Although Fitzmyer calls this “a midrashic development of Gn 16.1,”<sup>13</sup> and at first glance the expansion is not, strictly speaking, textually generated, I prefer not employing a term derived from “midrash” to describe this sort of phenomenon. From the standpoint of the author of the Apocryphon, this is not merely a superimposed, eisegetical attempt to explain Hagar’s presence in a fashion which allows the biblical narrative to proceed smoothly and straightforwardly. It is more likely that Hagar’s presence at 16:1 *implies* to him that she was given to Sarai by Pharaoh at the time that she and Abram left Egypt.<sup>14</sup>

45 The possibility that the anticipation is inferred from the | text makes me reluctant to call it “midrashic,” a term often used for more fanciful supplements. This is a fairly unexceptional utilization of anticipation as a kind of exegetical tool. Likewise, the reference (19:9) to the building of Hebron, and to Abram’s spending two years there, coupled with the five years which he spends in Egypt before Pharaoh’s men take Sarai (19:23–24) is an

<sup>13</sup> Fitzmyer, *GAQ*, 143.

<sup>14</sup> G.B.A. Sarfatti (“Notes on the Genesis Apocryphon,” *Tarbiz* 28 [1959]: 256–57 [Hebrew]) writes [my translation from the Hebrew, MJB]: “One cannot understand what the relevance of Hagar is in this context if we do not take as a basis the *derashah* of *Hazal* which derives that Hagar was given as a gift by Pharaoh to Abraham and Sarah from the description ‘Egyptian maid’ used of her (Gen. 16:1) or the *derashah* on the name Hagar [= (Aramaic) *agar*] = “reward,” that reward which Pharaoh gave to Sarah.” Writing shortly after the publication of the Apocryphon and at a fairly early stage of Qumran research, Sarfatti was attempting to locate the Apocryphon between what he perceived as the poles of rabbinic and apocryphal literature. But, while I certainly agree with his first option for the source of the allusion in the Apocryphon, I believe that his choice of terminology could be improved upon. The selection of language appropriate to rabbinic midrash, like Fitzmyer’s choice of that term, suggests a different frame of reference for this text from that which I think should be emphasized. I therefore prefer a more nuanced vocabulary which is suitable for discussion of the technique of “Rewritten Bible” in any of its forms.

anticipation of the statement in Num. 13:22 that Hebron was built seven years before Zoan, the residence of the Pharaoh of this story (19:24).<sup>15</sup> But, like the rearrangement of Abram's and Lot's wealth, this anticipation is already found in *Jub.* 13:10–12.<sup>16</sup>

A somewhat more complex, if not more significant, anticipation is to be found in cols. 21–22 of the Apocryphon. The Bible indicates Abram's dwelling at the time of the war of the five kings vs. the four as being באלני בממרה האמרי אחי אשכול ואחי ענר והם בעלי ברית אברם, "Among the oak trees of Mamre the Amorite, brother of Eshkol and brother of Aner, all of whom were confederates of Abram" (Gen. 14:13). Subsequent to Abram's victory over the four kings, he declines the material rewards offered to him by the king of Sodom, claiming, *inter alia*, וחלק האנשים אשר הלכו אתי ענר אשכול וממרה הם יקחו חלקם, "as for the portion of the men who went with me, Aner, Eshkol and Mamre, let them take their portion" (Gen. 14:24). But the Bible has not told us prior to this disclosure that Aner, Eshkol and Mamre participated in Abram's military exploit. Abram took to war with him מאות עשר ושלוש מאות עשר ילדי ביתו שמנה עשר ושלוש מאות עשר ילדי ביתו שמנה עשר ושלוש מאות עשר (עבדי). The difficulty this posed to the author of our rewritten Bible is obvious.

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Once again, the Apocryphon has smoothed out the irregularity, this time via anticipation. We are first introduced to Mamre, Arnem and Eshkol in 21:21–22 as participants in a banquet with Abram. ושלחת קרית לממרה ולענרם ולאשכול תלת אחיא אמוראא רחמי ואכלו כחדא עמי ואשתיו עמי; "I summoned Mamre, Arnem and Eshkol, the trio of brothers, . . . and they joined me in eating and drank with me." This text has no overt scriptural antecedent (as it is located where Genesis 13 ends in Scripture), and its function seems to be to identify the three brothers as Abram's colleagues

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<sup>15</sup> D. Patte (*Early Jewish Hermeneutic in Palestine* [SBLDS 22; Missoula: Scholars Press, 1975], 234) follows N. Avigad and Y. Yadin (*A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* [Jerusalem: Magnes and Heikhal Ha-Sefer, 1956], 25) in referring to this combination as "a harmonizing of the Genesis text with Num. 13:22." According to our distinctions among these devices, this is an anticipation rather than a harmonization because the statement neither echoes the other biblical text, nor is it demanded by it. But we can also see from it how similar these devices can be to one another.

<sup>16</sup> Fitzmyer, (*GAQ*, 116–17) points out the difficulty in the Apocryphon's sequence vs. *Jubilees*'s in Abram's going toward Zoan (19:22) which has not yet been built according to its chronology. He suggests that Zoan had already been built, an assumption which destroys the anticipation; I prefer to assume either an anachronism or a slight awkwardness in the Apocryphon's adaptation of *Jubilees*.

without intruding upon the later narrative of the war.<sup>17</sup> But this is not the only anticipatory smoothing of the flow of the narrative which the Apocryphon performs in this section, and the second component of the rewriting is more significant than the first. The Apocryphon, to anticipate the presence of Aner, Eshkol and Mamre at the return from battle, writes that Abram took with him “three hundred and eighteen men, and Arnem, Eshkol and Mamre” (22:6–7). We now understand their right to share in the spoils of war on the basis of their participation. In fact, the text of the Apocryphon merely alludes to them after the battle as *תלתת גבריא די אזלו עמי* (“the three men who went with me” 22:23–24), where MT names them explicitly.

This anticipation is not as striking as the one above, although it is exegetically sounder. It ranges over a few verses rather than over chapters. Here we have an anticipatory rearrangement on a smaller scale than our first one to locate Arnem, Eshkol and Mamre with Abram at the outset of the battle so that their meriting a reward at the end does not appear out of place.<sup>18</sup>

<sup>17</sup> This point has been made independently by P.S. Alexander, “Retelling the Old Testament,” 107. Fitzmyer’s suggestion, (*GAQ*, 156) that “It is a covenant meal that Abram takes with them,” is a reasonable interpretation of the Apocryphon’s exegesis of the phrase *בעלי ברית אברם*.

<sup>18</sup> The statement in 21:6–7 that Lot bought a house in Sodom and dwelled there (*וזבן בר* *לה בסודם בי ויתב בה*) where the biblical text merely states he lived in the cities of the plain and pitched his tents until Sodom (*עד סדום*) [Gen. 13:12] is probably not made only in anticipation of the presence of Lot’s home in Gen. 19:2–3, as Fitzmyer suggests. More likely, it is also an anticipation of Gen. 14:12 which describes Lot’s being taken captive which in Scripture is followed by a comment *ישב בסדם*, “and he had been living in Sodom.” That phrase interrupts the flow of the narrative slightly, and the author of the Apocryphon employs the familiar technique of slight rearrangement in order to prepare us for the statement in 21:34–22:1 *והוא די אברם די אחוי בר* *אחוי די אברם די הוא* *ושבו לוט בר אחוי די אברם די הוא*, “they captured Lot the nephew of Abram who had been living in Sodom together with them.” This is a rather trivial anticipation. Alexander (“Retelling the Old Testament,” 107) suggests perceptively that the statement “[Abram] added very much to Lot’s property” in 1QapGen 21:6 “anticipates a detail introduced later, to the effect that the ‘one who escaped’ and told Abram about Lot’s capture (Gen. 14:13) was ‘one of the herdsmen of the flock which Abram gave to Lot’ (1QGenAp 22:1–2).” This is probably another good example of the kind of anticipation we are discussing, as it creates a context for the “one who escaped.” My only reservation might be the fact that there is no explicit statement that Abram left herdsmen with Lot in the earlier passage, but such an objection might very well be nitpicking.

## | IV. HARMONIZATION

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A. *Non-Constructive Harmonization*

Although our focus in this paper is on what I term “constructive harmonization,” one related to the rearrangement and anticipation which we have discussed above, the phenomenon of harmonization in a general sense belongs to a different broad category of textual-exegetical features. In his discussion of harmonization, Tov refers to non-biblical compositions which may have “influenced the tradition of the biblical MSS with regard to the combinations of certain biblical texts and even the insertion of the same exegetical remarks.” He stresses that we know such material from Qumran and proceeds to list Qumran texts which combine biblical passages, such as 11QTemple and others, although he does not cite the Genesis Apocryphon as furnishing evidence of such harmonization. He continues: “Further discoveries of literary compositions like the ones mentioned . . . with further studies of extant MSS will help in refining our knowledge on the issues treated in this article.”<sup>19</sup>

What is harmonization in this broader sense? We can begin with Tov’s characterization: “Scribes adapted many elements in the text to other details in the same verse, in the immediate context or in a similar one, in the same book and in parallel sections elsewhere in the Bible.”<sup>20</sup> The nature of that adaptation can be of several types, and for the purpose of our discussion it is profitable to distinguish among them. One of the most important lines of discrimination is the issue of intention, i.e., is the harmonization conscious or not (as far as we can tell)? In a work such as the Apocryphon, a re-worked biblical | narrative, at least two types of harmonization can occur (with one possibly having two subcategories), but they do not derive from the same source, nor do they function in the same fashion.

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Beginning with the simplest and least conscious type of harmonization, we have the sort which has been described by Luijken as “associative.”<sup>21</sup>

<sup>19</sup> “Harmonizations,” 19.

<sup>20</sup> Tov, *Textual Criticism*, 261.

<sup>21</sup> M. Luijken, “A Striking Case of Harmonization in the Genesis Apocryphon (1QapGen Col. xxii:2–3),” delivered at the International Meeting of the SBL in Amsterdam, August 1985. She borrows the term “associative” from M. Klein’s important study of the targumic phenomenon which he calls “associative translation.” Klein uses the term to refer to a tendency found occasionally in the Aramaic versions wherein parallel and similar verses influence the translator to render not the verse before him, but a passage which sounds

In it, the translation or adaptation of a biblical text is affected linguistically by another passage which is analogous to it or with which it shares common elements.<sup>22</sup> An example of this sort of harmonization in the Apocryphon might be the expression [ע]בו[ר]א ה[ו]א [במצרין] ושמעתי די ע[בו]ר א ה[ו]א, “I heard that there was grain in Egypt” (19:10), which, by its usage of language reminiscent of Gen. 42:2 *הנה שמעתי כי יש שבר במצרים*, “indeed I have heard that there is grain in Egypt,” associates the famine in Canaan in the days of Abram when there was plenty in Egypt with the famine in Canaan in the days of Joseph when there was plenty in Egypt. This influence of the other passage is most likely to take place unconsciously, although it is possible that a scribe or editor could associate two passages or stories intentionally.<sup>23</sup>

Another form of harmonization is described by Zakovitch as “assimilationist.”<sup>24</sup> It occurs when “two separate but *somewhat* similar events have come to resemble each other more in the course of |  
49 transmission.”<sup>25</sup> This type, I believe, is analogous to the “associative,” but is perhaps to be distinguished from it in both scale and quality. The more removed from one another two passages are, and the less narrow the nature of their resemblance, the more we have to consider the possibility that the harmonization is a conscious one, although assimilationist harmonizations may certainly also take place unconsciously. The difference between “associative” and “assimilationist” harmonizations may be, in the final analysis, one of degree, and I should categorize them in the same

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like it or is similar to it in some other way (cf. *Eretz Israel* 16 [H.M. Orlinsky Festschrift; Jerusalem, 1982]: \*134–40).

<sup>22</sup> There exist “harmonizations” of an even lower level than this, stylistic imitations within Scripture of other passages in the Bible, or in rewritten Bible of *unrelated and unconnected* passages in the Bible. Scholars have occasionally pointed out such phenomena and called them harmonizations when actually they are only the imitation of scriptural language as a model.

<sup>23</sup> Tov (*Textual Criticism*, 261) claims that most of the harmonizations in medieval biblical manuscripts “were apparently made unconsciously,” while those of the pre-Samaritan and Samaritan texts “were made consciously.” When we are talking about the composition of rewritten Bible, as opposed to the copying of a biblical text, there is much greater opportunity for unconscious harmonization of several types.

<sup>24</sup> Y. Zakovitch, “Assimilation in Biblical Narratives,” in *Empirical Models for Biblical Criticism* (ed. J. Tigay; Philadelphia: University of Pennsylvania, 1986), 176–77. He refers to traditions which start out as parallel whose “similarity . . . has been secondarily augmented with borrowed motifs.” Language and idiom may operate on a lower level than motifs, but the same principle of assimilation applies. Zakovitch introduces his discussion of assimilation in biblical narratives with examples of the same phenomenon in extra-biblical paraphrases (177–80).

<sup>25</sup> J. Tigay, “Editor’s Note,” introducing Zakovitch’s essay, 175.

class in contrast with the quite different type which we shall examine shortly.

In the Apocryphon, the following two examples, in which details of the Sarah-Abimelech episode appear in its version of the Sarah-Pharaoh episode, may be categorized as assimilationist harmonizations.<sup>26</sup> Pharaoh's inability to approach Sarai, which is not mentioned explicitly in the biblical text of Genesis 12, is described with the words *ולא יכל למקרר בהא*, "he was unable to approach her" (20:17) which echo *ואבימלך לא קרב אליה* (Gen. 20:4), "and Abimelech did not approach her."<sup>27</sup> Later, Lot's words to Hirqanos, *וכען אזל אמר למלכא וישלח אנתתה מנה לבעלה ויצלה עלוהי* | *ויחה*, "go now and tell the king to send his wife away from him to her husband, so that he may pray over him and he may live" (20:23) correspond to God's words to Abimelech *ועתה השב אשת האיש כי נביא הוא ויתפלל* "now return the wife of the man since he is a prophet, so that he will pray for you, and [you will] stay alive" (Gen. 20:7). Both of these harmonizations are more substantive, in my view, than the one in 19:10 described earlier, and this is what leads me to consider them in a different subcategory.

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If the author of the Apocryphon included both of the Abraham/Sarah wife-sister stories of MT in his narrative, then these assimilationist harmonizations function like the associative ones, but thematically, and not

<sup>26</sup> Avigad-Yadin, (*A Genesis Apocryphon*, 26) remark that "the story in the scroll about the plagues that afflicted Pharaoh and the manner in which he was finally healed by Abram's prayers is based only partly upon *Genesis* xii and is actually much closer to *Genesis* xx, dealing with Sarah and Abimelech." Sarfatti ("Notes on the Genesis Apocryphon," 256) categorizes these two examples, as well as the very different one which we shall discuss below under "B. Constructive Harmonization," as "transfer of details from one pericope to another." In addition to these, he includes other cases which are linguistically less convincing, calling this technique "the basis of the [rabbinic hermeneutical] rules *gezerah shavah* and *binyan ab*." Sarfatti sees in this sharing of details in the Apocryphon an antecedent of the rabbinic technique which harmonizes biblical as well as midrashic details of the two wife-sister episodes (Gen. Rab. 41:2 and 45:1). But the failure to acknowledge the "exegetical" function of some of this material in the Apocryphon blurs the distinctions which should be drawn between it and the rabbinic material. Furthermore, it is far from clear whether the sharing of details between episodes functions the same way in a work like the Apocryphon and in rabbinic midrash.

<sup>27</sup> It is quite possible that in this instance the assimilation may be conscious, but for a theological, as opposed to an exegetical reason. (Drawing a fine line between exegetical and theological may not find favor in all eyes, but it is a distinction which I believe is critical in our attempts to analyze exegetical documents from antiquity.) It may be employed to avoid the theological difficulty implicit in the Genesis 12 passage which does not assert explicitly that Sarai remained untouched by Pharaoh. Cf. the discussion in J. Kugel, *Early Biblical Interpretation* (Philadelphia: Westminster, 1986), 76. He writes that Abram's "lie" about Sarah is both justified and harmonized with Genesis 20."



merely verbally. It should be stressed that this sort of associative/assimilationist harmonization, whether conscious or not, is not an exegetical device; it is not a composer or compiler's response to a difficulty in the biblical text. It is very unlikely that what appear to be harmonizations are the result of the author of the Apocryphon's having had but one wife-sister story in his *Vorlage*, although assimilation could result from a conscious reduction of the two wife-sister episodes in the Abraham story to a single one. In that case we have a special sort of assimilation which I should term "reductionist," where combining two episodes produces a single one with traits of both. That kind of harmonization would be exegetical, in a sense, and would then actually function in a textual direction, namely the compression of a text rather than its expansion, opposite to that of most others.

### B. *Constructive Harmonization*

The other category of harmonization, for which I suggest the term "constructive," refers to the smoothing out of the narrative by means of such devices as the secondary, anticipatory, filling-in of information not found at that location in the biblical text, but which is referred to later. This sort of harmonization is virtually certainly conscious, and is a product of the exegetical view of the author. When we recognize this sort of harmonization as an exegetical, i.e., an interpretive, device, it is not difficult to see  
 51 how it is related to rearrangement or | anticipation of details in a text by the composer of "Rewritten Bible," e.g., the supplying of particulars in advance of the place where reference is made to them in the biblical narrative. Every rearrangement for exegetical purposes is a harmonization of a sort.

In col. 19 of the Apocryphon, after Abram describes his dream and its meaning to Sarai, he proceeds (19:19–20)

ברם דא כול טבותא  
 [די תעבדין עמי] בכול [אתר] די [נהוה בה אמרי] עלי די אחי הוא ואחי בטליכי  
 ותפלט נפשי בדיליכי

This be the whole kindness [which you shall do with me], [wher]ever [we are, say] regarding me that "he is my brother." And I shall live because of you and my soul shall escape for your sake.<sup>28</sup>

<sup>28</sup> The reading ברם, where Fitzmyer reads רם[ ], follows E. Qimron, "Towards a New Edition of the Genesis Apocryphon," *JSP* 10 (1992): 15–16. He cites with approval the reading of B. Jongeling, C.J. Labuschagne, A.S. van der Woude, *Aramaic Texts From Qumran, I*

It has been duly noted by others that the words from **דא כול טבותא** are a translation (one would almost say “a targum”) of Gen. 20:13 **זה חסדך אשר** and have been integrated into the context of Genesis 12:12–13 **והיה כי יראו אתך המצרים** and **ואמרו אשתו זאת והרגו אתי ואתך יחיו אמרי נא אחתי את למען ייטב לי** **בעבורך וחיתה נפשי בגללך**.<sup>29</sup> Ginsberg, for example, commented that “The author of GA . . . in his account of that episode [Abram in Egypt] combines both abridged versions into what he believes to be the full text of what Abram said at that time.”<sup>30</sup>

| What I believe has not been noticed regarding this passage is its full harmonistic nature. Abraham tells Abimelech in Gen. 20:13 that he had said to Sarah (**ואמר לה**) at the time of their initial wandering (**כאשר התעו**) **אתי אלהים מבית אבי** that “wherever we arrive, say that he is my brother.” Yet nowhere in Genesis do we find such a general favor requested by Abraham. We are not surprised that the biblical text does not preserve such an allusion, because not every detail of the earlier narrative which is alluded to later in the Pentateuch is found in its chronologically proper location. The Apocryphon creates a reference to this earlier statement in the framework of Genesis 12. Abraham’s statement to Abimelech in chap. 20 is now vindicated by the text.

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This type of inserted anticipation of a passage occurring later has long been known as a stylistic characteristic of the Samaritan Pentateuch (= SP)

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(Leiden: Brill, 1976), noting that it was confirmed by E. Puech in *RevQ* 9 (1978): 590. A literal targum might read **נאתה לתם** with Ginsberg (see the next note), but, as Fitzmyer notes, there are no remains of the *lamed* as we should have expected. Either the scribe wrote a very short ל, which would be atypical of the script of the Apocryphon, or our translator is not as literal as we should prefer. There is perhaps another slight indication in favor of Fitzmyer’s reading, the preposition *bet* before the word for “all.” The biblical **אל**, which suits a verb meaning “come,” has been modified, and the resultant phrase means “wherever we are,” rather than “wherever we arrive.”

<sup>29</sup> H.L. Ginsberg, “Notes on Some Old Aramaic Documents,” *JNES* 18 (1959): 147; Fitzmyer, *GAQ*, 114–15. On this section in the Genesis Apocryphon see H.P. Rueger, “1Q Genesis Apocryphon XIX 19f. im Lichte der Targumim,” *ZNW* 55 (1964): 129–31 and E. Osswald, “Beobachtungen zur Erzählung von Abrahams Aufenthalt in Ägypten in Genesis Apokryphon,” *ZAW* 72 (1960): 7–25. J.C. VanderKam, (“The Textual Affinities of the Biblical Citations in the Genesis Apocryphon,” *JBL* 97 [1978]: 51) points out that the Apocryphon, like LXX, lacks the 2nd feminine suffix on the word for favor (MT **חסדך**; LXX **δικαιοσύνη**; GA **טבותא** as if **החסד**), but that issue is not germane to our discussion; neither is the presence of **כול** (“whole”) before the word for “kindness” in the Apocryphon.

<sup>30</sup> Ginsberg, *ibid.* Fitzmyer (*GAQ*, 115) speaks of the “author of the scroll [introducing] an element...of Abram’s encounter with Abimelech into the account that he is otherwise following, derived from Gn 12.” Both of these scholars consider the author’s action only at the most mechanical level.

which frequently expands the Hebrew text at an early point in the narrative in order to corroborate a statement occurring at a later point in the Pentateuch to the effect that something has already been done or said.<sup>31</sup> For example, Jacob tells his wives in Gen. 31:11–13 of a dream in which an angel had spoken to him. The SP adds an account of the dream in 30:36.<sup>32</sup> Moses' account of the instructions which the Lord had given the Israelites to leave Mount Sinai (Deut. 1:6–8) is interpolated into the biblical narrative in Num. 10:10. The Israelites' complaint to Moses before crossing the Red Sea refers to an earlier incident when they had said "Leave us alone and let us serve the Egyptians" (Exod. 14:12). Although there is no such reference in MT, SP inserts it after Exod. 6:9: "They listened not unto Moses, and said 'leave us alone . . .'"<sup>33</sup>

53 | It is generally acknowledged that these harmonizing expansions in SP are secondary textual developments rather than reflections of genuinely varying textual traditions. Purvis speaks of "a strong *pleonastic* tendency in the text of SP, seen in the number of *redundancies of expansion or supplementation*." Skehan identifies "the fullest instance of the *expansionist technique*" as "the 'Samaritan' recension of the Torah."<sup>34</sup> Tov considers harmonization which involves assimilation to parallel passages "as a

<sup>31</sup> Cf. J. Purvis, *The Samaritan Pentateuch and the Origin of the Samaritan Sect* (Cambridge: Harvard University Press, 1968), 72: "There are also portions of the narratives of the Pentateuch which presuppose certain incidents or speeches unrecorded in MT." The Samaritan text responds by providing the earlier incident.

<sup>32</sup> This harmonization is also found in one of the so-called Reworked Pentateuch texts from Qumran (4Q364 4b–e ii 21–26). Cf. E. Tov and S.A. White, "Reworked Pentateuch," in H. Attridge et al. eds., *Qumran Cave 4, VIII: Parabiblical Texts, Part I* (DJD XIII; Oxford: Clarendon, 1994), 209–10.

<sup>33</sup> Further examples can be found in any treatment of the Samaritan text, as well as in Tov, *Textual Criticism*, 86–89. He treats, "The Addition of a 'Source' for a Quotation" as a separate category from "Changes on the Basis of Parallel Texts, Remote or Close."

<sup>34</sup> Purvis, *The Samaritan Pentateuch*, 71; P.W. Skehan, "Biblical Scrolls from Qumran and the Text of the Old Testament," *BA* 28 (1965): 99 (the emphases are mine, MJB). The latter continues: "The Qumran caves have yielded manuscripts of the expanded Samaritan sort (but not fully Samaritan)." Cf. Skehan, "Exodus in the Samaritan Recension from Qumran," *JBL* 74 (1965): 182–87 and "The Scrolls and the Old Testament Text" in *New Directions in Biblical Archaeology* (ed. D.N. Freedman and J.C. Greenfield; New York: Doubleday, 1971), 101–103; and, more recently, J. Sanderson, *An Exodus Scroll from Qumran* (Atlanta: Scholars Press, 1986) and Tov, *Textual Criticism*, 80–100. Our understanding of the nature of "Samaritan" and "proto-Samaritan" texts has developed considerably since those articles from the 1960's and 1970's. Some of Sanderson's remarks regarding "editorial and scribal processes" in the copying of biblical texts may have implications for our definition and understanding of the genre which Vermes has aptly termed "Rewritten Bible." The question of any relationship between the Apocryphon and the Samaritan-like material at Qumran is, of course, open.

subcategory of the *lectio difficilior*, for the assimilated reading is the ‘easier’ one, and the other reading the more ‘difficult’ one.”<sup>35</sup> He writes of the harmonizations in SP: “The harmonizations in [SP] reflect a tendency not to leave in the Pentateuchal text any internal contradiction or irregularity which could be taken as harmful to the sanctity of the text.”<sup>36</sup>

Rabbinic exegetical literature responds, on occasion, to the same sort of formal stimulus in the biblical text, namely a reference to an earlier statement which is missing in the text, by demonstrating that the statement referred to is implicitly affirmed by a passage earlier in the Pentateuch. The rabbis often ask regarding such idioms as *באשר דבר*, “As He has spoken,” *והיכן דבר* “where, then, did He speak?”<sup>37</sup> The Midrash then supplies an earlier text which, while not a verbatim anticipation of the *באשר דבר* passage, contains its germ sufficiently, in the view of the rabbis, to be reckoned as its antecedent. The | earlier complaint of the Israelites against Moses which is referred to at Exod. 14:12 and is located by SP at Exod. 6:9, is connected by the rabbis, equally plausibly, with Exod. 5:21 where Moses and Aaron have left Pharaoh following his initial rejection of their pleas (Mek. Vayhi Be-shallah 2 and Tg. Ps.-J. Ex. 14:12). The fact that different locations are found by different traditions, textual and exegetical, for the same anticipatory harmonization is further evidence of its secondary nature.

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It is quite interesting that SP has no such expansion, here or elsewhere (as far as I can tell), to corroborate Abraham’s reference in Genesis 20 to what he had said in the past, despite the explicit verb *ואמר*, nor (as far as I can trace) is there any effort in rabbinic literature to find an earlier “site” for Gen. 20:13.<sup>38</sup> This passage in the Genesis Apocryphon, however, is responding to the same sort of stimulus in the biblical verse which compels the Samaritan text and the rabbis’ comments elsewhere. Tov speaks of “texts which allowed for the insertion of changes, while other texts did not.”<sup>39</sup> SP is a text of the former sort, whereas the rabbis certainly never

<sup>35</sup> *Textual Criticism*, 307.

<sup>36</sup> *Ibid.*, 85–86.

<sup>37</sup> For example, Mek. Pisha 12 (ed. Horovitz-Rabin, 39, line 17): “The land which the Lord shall give to you as He has spoken (Ex. 12:24).’ Where did He speak? ‘I shall bring you to the land (Ex. 6:8).’” Further listing may be found in Sifre Numbers 46 and 91 (ed. Horovitz, 52 and 91, respectively).

<sup>38</sup> Tov (*Textual Criticism*, 86) stresses that harmonization in the Samaritan and pre-Samaritan texts is “neither thorough nor consistent,” but “reflect[s] a mere tendency.”

<sup>39</sup> Tov, “Harmonizations,” 15.

envisioned such a text and therefore had to resolve the difficulty through hyper-close reading of the only text they had.

The Apocryphon, since it is “Rewritten” Bible, can introduce the harmonization where it belongs, but it is not clear whether its author would have considered the absence of such a detail from his Torah text a “flaw” which needed to be repaired. It is unlikely that we can learn anything definitive about the textual affiliations of the Apocryphon from the harmonizing in its re-writing. Even if we had another ancient source which harmonized here as the Apocryphon does, we could not claim for certain that the textual or exegetical resemblance between them was due to a genetic connection, since the exegesis demanded by MT is quite logical and could have been carried out by independent exegetes. On the other hand, the connection between the tendency to harmonize in biblical texts and in “Rewritten Bible” may very well be related, and if we were to find a biblical text which had harmonized in the way in which the Apocryphon has, we should not be surprised to hear it pronounced “Samaritan.”

55 Indeed VanderKam | has shown that the Hebrew text underlying the Genesis Apocryphon is a “Palestinian” type.<sup>40</sup>

Constructive harmonizations also are thus intended to resolve difficulties or inconsistencies which appeared in the text that lay before the composer or copyist of the harmonized version. They differ from associative and assimilationist harmonizations in that they are very unlikely to be unconscious, and they fulfill the task of removing from the later version a difficulty which was present in the earlier one. This harmonization in the Apocryphon can only be attributed to such an exegetical intent.

## V. CONCLUDING REMARKS

Until now, we have stressed the sometimes subtle ways in which rearrangement, anticipation and constructive harmonization differ from one another. It is time to acknowledge, once again, how they are really variations on a single theme. All three respond to the perception of the narrator that information is missing in the biblical narrative at a point where it ought to have been furnished. In the case of rearrangement, once the information has been supplied, it no longer has to be restated later. The reason for the apparent deficiency in the biblical text may be fairly

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<sup>40</sup> VanderKam, “The Textual Affinities,” *passim*, particularly his conclusion, 55.

trivial as in the case of the wealth of Abram and Lot where the rearrangement merely allows the narrative to proceed without parenthetical interruption, or more serious as in the case of the genealogy of the family of Noah where the same information in a new location is presented more effectively than in the biblical text. But the latter, wholesale rearrangement is directed at the same type of perceived difficulty as the narrow one, the failure of the pentateuchal narrative to offer the genealogy at the location where it seems to be demanded.

In the case of anticipation, the necessary material is introduced at an earlier point in the narrative than it is in the biblical story, but it is not removed from its original location as in the case of rearrangement. It still belongs where it appeared in the biblical narrative, but its appearance there is unexpected, or unexplained, without the earlier reference. The advance information about Hagar, Zoan/Hebron, and Arnem, Eshkol and Mamre prevents the reader of the later passage | from asking: “Where did this character, or fact, come from”? The question responded to is very much like the one precluded by the rearrangement of Noah’s genealogy, and underlines the similarity between what we call rearrangement and what we term anticipation. On the other hand, we could almost have described what the author of the Apocryphon does with the Arnem, Eshkol, and Mamre material as a rearrangement, rather than an anticipation.

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Anticipation and constructive harmonization are the most alike of these techniques; both fill a perceived gap in the biblical text.<sup>41</sup> The problem resolved by the technique is more pronounced in the case of the harmonization because the difficulty is implied, and the information demanded, by the biblical text itself. Gen. 20:13 provokes the question, “Where did Abram say this?” while the stimulus for the questions in the instances of anticipation is not as sharp. Nevertheless, we could easily have included constructive harmonization as a subcategory of anticipation.

A few examples of this kind do not establish a grand pattern of rearrangement, anticipation and harmonization, but they certainly reaffirm the presence of these sorts of exegetical methodology which have been observed in other material from this period. Alexander characterizes the Genesis Apocryphon’s approach to the biblical text as “holistic,” wherein “the author thinks ahead, and does not (as often happens in rabbinic

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<sup>41</sup> In the case of rearrangement, it is more difficult to speak of gap-filling, since the problem it addresses is not always lack of information as much as a different disposition of the information already there. But when the rearrangement’s goal is to supply information at a different point, we can speak of it, too, as gap-filling.

midrash) treat the Bible atomistically as a series of discrete statements.”<sup>42</sup> Although the statement was made in the context of “anticipations,” it applies equally well to the other devices we have discussed in this paper. This “exegetical foresight” indicates to us that the author of the Apocryphon was a careful reader | as well as a careful composer, and that he did not feel bound to maintain the form of the biblical original if he felt that it presented any obstacle to his reader. He employed the techniques which we have examined to produce a “Rewritten Bible” which would be a more coherent and consistent narrative than its original.

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<sup>42</sup> Alexander, “Retelling the Old Testament,” 107. One of his examples there is the Aram, Eshkol and Mamre treatment. Sarfatti (“Notes on the Genesis Apocryphon,” 257) although he stresses that which the Apocryphon has in common with rabbinic midrash, draws another significant distinction between Qumranic and rabbinic “creative interpretation” which bears repetition. Whereas rabbinic midrash consciously shows its exegetical process overtly and formally, a work such as the Apocryphon (and other “Rewritten Bible” texts) hides it and presents only the finished results of its recasting of the biblical text. It is that very concealing by the “Rewritten Bible” of its interpretive methodology which stimulates studies like this one to attempt to expose the exegesis concealed within the narrative.

DIVINE TITLES AND EPITHETS AND THE SOURCES OF THE  
*GENESIS APOCRYPHON*\*

Already from the time of the initial publication of the *Genesis Apocryphon*, it was clear that the entire composition was not cut from one cloth. The editors of the *editio princeps* wrote a half century ago, “The work is evidently a literary unit in style and structure, though . . . it may perhaps be divisible into books—a Book of Lamech, a Book of Enoch, a Book of Noah, a Book of Abraham.”<sup>1</sup> Column 2, | describing the reaction of Lamech to the (apparently) miraculous birth and/or appearance of his son Noah, was related to the biblical narrative of Genesis differently from the way that cols. 19–22 that describe the adventures of Abram from Gen 12:8–15:4 were. The Abram material adhered much more closely to the biblical story line, while the earlier section presented considerably freer composition. With

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\* Presented at the New York University-University of Notre Dame Joint Program: Jewish and Christian Scholars on Judaism and Christianity in Antiquity, held at New York University, New York, New York, May 29–31, 2007. Several colleagues from both near and far were kind enough to read this paper during the various phases of its development (some of them more than once) and to offer constructive criticism. Among them are Dr. Shani [Berrin] Tzoref, Professor George J. Brooke, Dr. Alex Jassen, Dr. Aaron Koller, Dr. Daniel Machiela, Professor George W.E. Nickelsburg, Dr. Michael Segal, and Professors Mark S. Smith and James C. VanderKam. Professor Smith deserves particular thanks for subjecting the penultimate version of the essay to a meticulously detailed and careful critique, above and beyond that which could be expected from any colleague, which made a significant impact on the final version. Since I have not accepted all of their suggestions for improving the essay, I alone remain responsible for whatever errors in fact or judgment remain. My readings of the *Apocryphon* are based on all the images that have been available to me over the past several years, during which period I had several opportunities to study them and read the text together with Dr. Esther Eshel of Bar Ilan University, who is not, however, responsible for the conclusions of this essay. As I approached the final stages of my rewriting, Dr. Machiela was kind enough to furnish me with a copy of his recently completed Ph.D. dissertation, “The Genesis Apocryphon (1Q20): A Reevaluation of Its Text, Interpretive Character, and Relationship to the Book of Jubilees” (University of Notre Dame, 2007), which was of significant value to me, although I was not able to assimilate all of his new textual data (some of which remain speculative in my view) into my tabulation and conclusions.

<sup>1</sup> Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes Press of the Hebrew University and Heikhal Ha-Sefer, 1956), 38. We are less ready today to claim the literary unity that they asserted, and more ready to divide the work into sources, perhaps for better reasons. The presentation of further arguments for one such division is the aim of this study.



the publication of the remains of the other columns in the early 1990s, the dichotomy between the two major sections of the *Apocryphon* appeared even sharper.<sup>2</sup> Even in places in cols. 3–17 where the *Apocryphon* comes closer to the biblical story than in col. 2, the narrative never seems to be as closely linked to the Bible as some of the Abram material. The decipherment of the words *כתב מלי נוח* [פרשגן], “[copy] of the book of the words of Noah,” toward the end of col. 5 of the *Apocryphon*, shortly before Noah’s appearance on the scene in the midst of delivering a speech at the beginning of col. 6, raised further qualms among scholars that the *Apocryphon* was not an integral whole.<sup>3</sup> The suspicions of the initial editors that it had been put together by its “author” out of the “Book of Lamech,” “Book of Noah,” and “Book of Abram” seemed to have been vindicated.<sup>4</sup>

293 | Regardless of whether we can identify the sources upon which the author/composer of the *Apocryphon* drew, and from which he apparently stitched together or integrated the composite document into a whole, both the early and later observations about its somewhat disjointed nature still ring true. I believe that I have discovered a pattern, in the course of my current work on the *Apocryphon*, that supports the broadly impressionistic view that the work does not stem from a single hand. The goal of this

<sup>2</sup> Jonas C. Greenfield and Elisha Qimron, “The *Genesis Apocryphon* Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77; and Matthew Morgenstern, Elisha Qimron, and Daniel Sivan, “The Hitherto Unpublished Columns of the *Genesis Apocryphon*,” *AbrN* 33 (1995): 30–54. The most extensive study of these columns to date is Moshe (Matthew) Morgenstern, “העמודות שטרם נתפרסמו מן” (“The Hitherto Unpublished Columns of the *Genesis Apocryphon*” [M.A. thesis, Department of Hebrew Language, The Hebrew University of Jerusalem, 1996], hereafter, Morgenstern, “MA”).

<sup>3</sup> For a discussion of that phrase, see Richard C. Steiner, “The Heading of the *Book of the Words of Noah* on a Fragment of the *Genesis Apocryphon*: New Light on a ‘Lost’ Work,” *DSD* 2 (1995): 66–71.

<sup>4</sup> Regarding the hypothetical “Book of Noah,” see Devorah Dimant, “Noah in Early Jewish Literature,” in *Biblical Figures Outside the Bible* (ed. Michael E. Stone and Theodore A. Bergren; Harrisburg, PA: Trinity Press International, 1998), 123–50; Michael E. Stone, “The Axis of History at Qumran,” in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls: Proceedings of the Second International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 January, 1997* (ed. Esther G. Chazon and Michael E. Stone; STDJ 31; Leiden: Brill, 1999), 133–47; Cana Werman, “Qumran and the Book of Noah,” *ibid.*, 171–81; Moshe J. Bernstein, “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. Eugene Ulrich and Donald Parry; STDJ 30; Leiden: Brill, 1999), 199–231 (below 1.291–322); Michael E. Stone, “The Book(s) Attributed to Noah” *DSD* 13 (2006): 4–23; and Devorah Dimant, “Two Scientific Fictions: The So-called *Book of Noah* and the Alleged Quotation of *Jubilees* in CD 16:3–4,” in *Studies in the Hebrew Bible, Qumran, and the Septuagint Presented to Eugene Ulrich* (ed. Peter W. Flint et al.; VTSup 101; Leiden/Boston: Brill, 2006), 230–49, esp. 231–42.

article is to present that evidence. In light of the very fragmented nature of many sections of the *Apocryphon* in the pre-Abram section, cols. 0–17,<sup>5</sup> some of these observations and their analysis could be questioned, but I feel that it is methodologically sounder to proceed from the position that the surviving material is representative than to argue that it is anomalous and atypical of the whole.

In the same ways that God participates in the narratives of the Hebrew Bible, he plays roles in the stories of the “rewritten Bible” as well. He may be a character in the narrative; other characters may address God or pray to him; they may swear oaths by God or refer to him in other ways in their dialogue. Sometimes those references to God are made by replacing or supplementing the divine name with titles or epithets, while on other occasions characters may string together in a series various divine titles or epithets. Even if the *Genesis Apocryphon* were an indubitably integral work, it would be valuable to investigate the pattern revealed by the different ways in which it refers to God. The possibility that this examination can contribute to our understanding of the *Apocryphon*’s composition makes the undertaking of such a study mandatory.<sup>6</sup> Since most of the *Apocryphon* is first-person narration by one character or another, we should like to know whether different characters employ the same terminology in addressing or referring to God. It is also important to observe how the *Apocryphon* handles, in its Aramaic | adaptation, names of or epithets for God whose equivalents appear already in the Hebrew biblical text as compared with those that are elements of its free composition.

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What will immediately become clear from our examination is that not all sections of the *Apocryphon* use the same set of titles and epithets. In particular, there is a fairly clear dichotomy between all of the material

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<sup>5</sup> The rather unusual designation col. 0 is employed for the fragments of the first extant column of the *Apocryphon*, which extends to the right of what had been referred to as col. 1 since the initial publication. The term, which has been adopted by all current students of the *Apocryphon*, was suggested by Michael Wise and Bruce Zuckerman when they presented these data at the 1991 SBL Annual Meeting.

<sup>6</sup> Jonas C. Greenfield and Michael Sokoloff discuss “Divine Names and Epithets” in Qumran Aramaic (based almost exclusively on the *Genesis Apocryphon*) (“The Contribution of Qumran Aramaic to the Aramaic Vocabulary” in *Studies in Qumran Aramaic*, ed. Muraoka, 92–94). From their list (93–94), which makes no claim to exhaustiveness, it appears that they did not yet have available cols. 0–1, 3–6, 8–11, or 13–17. For that reason, and since the focus of the article is on vocabulary, we should not be surprised that the distribution of epithets within the *Apocryphon* is not of interest to the authors. The following observation is quite telling, in my view: אלהא is said by Greenfield and Sokoloff to be found “*passim*” (93), but it actually is not found in the surviving material of cols. 0–17, rather only in 19–22.

up to the Abram narrative, namely, the Lamech-Noah portion in cols. 0–17 (hereafter Part I), and the story of Abram told in cols. 19–22 (hereafter Part II). This distinction points to yet another difference between these two parts of the story, beyond the divergent ways in which they relate to the biblical text. Anticipating our results in this fashion, we shall therefore present the evidence from cols. 0–17 and 19–22 separately.<sup>7</sup>

This study will be a strictly formal one, listing and classifying the names and epithets of God employed throughout the *Genesis Apocryphon*. Other Second Temple texts will serve for comparison or contrast with the *Apocryphon*. Since the goal of this presentation is its implications for the sources of the *Genesis Apocryphon*, we must defer, for the present, any discussion of what we can learn about the mind-set of the authors or compilers of any portion of these texts from the ways in which they refer to God. The “theological” implications of the distribution of divine titles in these works are undoubtedly significant, but must be deemed to lie beyond the boundaries of this article. A further study of that topic should probably not be limited to the *Apocryphon* but should be a part of a much-needed comprehensive study of divine titles and epithets in Second Temple literature.<sup>8</sup>

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<sup>7</sup> This essay, unsurprisingly, began not as an exercise in source criticism but as a study of the epithets for God in conjunction with my ongoing research on the *Genesis Apocryphon*. When I listed the epithets and plotted their distribution, the source-critical issue emerged immediately.

<sup>8</sup> In “The God of the pre-Maccabees: Designations of the Divine in the Early Hellenistic Period,” in *The God of Israel* (ed. Robert P. Gordon; University of Cambridge Oriental Publications 64; Cambridge: Cambridge University Press, 2007), 246–66, James K. Aitken provides preliminary data that may prove valuable to such a study, although he examines very few terms and limits his study, as the title indicates, to pre-Maccabean material. One of the difficulties in the broad treatment of Second Temple texts is that we do not have most of the texts in their original languages. We therefore shall limit ourselves, for the most part, in this discussion to parallels from the Aramaic material at Qumran. Significant conclusions can be drawn for our limited goals from even this restricted corpus of texts. I note here that my treatment of *Enoch* is based on George W.E. Nickelsburg’s magisterial translation and commentary, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36; 81–108* (ed. Klaus Baltzer; Hermeneia; Minneapolis: Fortress, 2001), and on Josef T. Milik, ed., *The Books of Enoch: Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon, 1976), as well as on the earlier translations of Robert H. Charles in *APOT*, and of Matthew Black in *idem, The Book of Enoch or 1 Enoch: A New English Edition* (SVTP 7; Leiden: Brill, 1985). Black’s index, s.v. “God, names of” (461a–b) was a particularly useful tool in my investigation. Because of the choices from the different ancient versions and manuscripts thereof made by different editors and translators in their translations of *Enoch*, it is difficult to present an indisputable picture of the divine epithets employed in *1 Enoch*, and some of my specific remarks may require minor modification. Furthermore, there appears to have been some fluidity in the way that epithets for God were reflected among the different ancient versions of *Enoch*, as there were in the Greek recensions of Tobit, and this is another obstacle to sketching

| The Distribution of Divine Titles and Epithets in the *Genesis Apocryphon*<sup>9</sup>

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Divine Epithet or Title	Part I (columns 0–17)	Part II (columns 19–22)
קדישא רבא	0:11; 2:14; 6:[13]; 6:15; 7:7; 7:20; 12:17	
קדישא	6:[2]	
עליא	2:4; [2:6]; 6:9; 6:24; 10:18	
מרה רבותא	2:4; [2:6]; 15:11	
מלך כול עלמים	2:[4]; 2:7; 10:10 (מלך כול עלמיה לעלם ולעד עד כול עלמים)	
מרה עלמא	0:18	21:2 מרה עלמיה (cf. 20:12– 13 מרי לכול עלמים)
מלך ש[מיה]	2:[14]	
מרה שמיה	7:7; 11:12–[13], 15; 12:17	(cf. 22:16, 21 מרה שמיה וארעא)
מרה כולא	5:23	מרה ושליט על 20:13 מרה 20:15–16 and כולא (לכול מלכי ארעא)
אל עליון	12:17	20:12, 16; 21:2, 20; 22:15; 22:16 ( <i>bis</i> ); 22:20–21
אלהא		19:[7]; 19:[7–8?]; 21:2–3 ( <i>ter</i> ); 21:8; 22:27; 22:32
מרי	(cf. 10:9 למרכון)	20:12–13; 20:14; 20:15; 22:32

| I. PART I (COLUMNS 0–17)

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Part I shows an extremely strong tendency to avoid the terms **אל** and **אלהא** for God in the narrative, so strong that in all the text that survives from these columns there is only one example of **אל**, in 12:17 והוית מברך **אל**, and none of **אלהא**.<sup>11</sup> This passage

systematically the broader picture of divine epithets in Second Temple literature. Thus, in Tob 10:11 the texts vary between “God of Heaven” and “Lord of Heaven,” and in 13:10 between “Lord of eternity” and “King of eternity.” I believe, however, that the overall picture that I have drawn is accurate and will stand up to scrutiny.

<sup>9</sup> I acknowledge the tenuousness of many of the readings in this manuscript, but shall not be indicating them with the customary dots and circlets above the letters, believing that it would distract the reader from the argument.

<sup>10</sup> Machiela finds a second example of **אל עליון** in Part I in 12:21; if my argument requires modification in light of that, I take solace in the fact that both of these “anomalous” occurrences are found in the same context.

<sup>11</sup> In light of this fact, the restoration by Joseph A. Fitzmyer (*The Genesis Apocryphon of Qumran Cave 1 [1Q20]: A Commentary* [BibOr 18B; 3rd ed.; Rome: Pontifical Biblical Institute, 2004; hereafter, Fitzmyer], 68) of **ור[ג]יג אלהא**, “favorite of God,” in 2:20 as a

places the familiar “biblical” Hebrew title אל עליון between the two “Second Temple” titles, מרה שמיא, “Lord of Heaven,” and קדישא רבא, “Great Holy One.”<sup>12</sup> Furthermore, throughout both portions of the *Apocryphon*, אל is employed only in conjunction with עליון. That limitation is not to be found in other Aramaic texts from Qumran.<sup>13</sup> The Aramaic term parallel

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description of Enoch by Methuselah is almost certainly to be rejected, especially since he adduces no parallels for it. I unfortunately have no suggestion that can be made with confidence to fill that lacuna. The same argument can be made against Qimron’s restoration of אלה עליא in 6:9 (“Toward a New Edition of 1QGenesis Apocryphon,” in *Provo International Conference*, ed. Ulrich and Parry, 107).

<sup>12</sup> אל עליון can really be called a biblical title only in contrast to the other two titles in this phrase, since it actually occurs in the Hebrew Bible only five times: four in Genesis 14, as we shall see, and once in Ps 78:35. In point of fact, we shall conclude that, despite those antecedent occurrences, this idiom in the *Genesis Apocryphon* should perhaps be identified not as a “biblical” one but as one quite at home in Second Temple literature. In the Hebrew Bible, אל עליון occurs in Ps 57:3 and 78:56, and 7 עליון in Pss 7:16; 11:15; and perhaps 97:9. For discussion of עליון in the Bible and its ancient Near Eastern context, accompanied by bibliography, see Eric E. Elnes and Patrick D. Miller, “Elyon,” *DDD*, 2nd ed., 293–99. References to Second Temple literature occupy less than a paragraph on 298. See also Cilliers Breytenbach, “Hypsistos,” *ibid.*, 438–43.

<sup>13</sup> See the data in Martin G. Abegg et al., *The Dead Sea Scrolls Concordance*, vol. 1, *The Non-Biblical Texts from Qumran* (Leiden/Boston: Brill, 2003), 2:782b–83a, s.v. אל. In Biblical Aramaic, עליון is found four times in Daniel 7, always as the nomen rectum of קדישי. It is more than a little noteworthy that the combination אל עליון appears nowhere outside the *Genesis Apocryphon* in the Aramaic corpus at Qumran according to the *Concordance* except for 4Q552 frg. 3, line 10 in an unintelligible context (in the absence of a DJD edition, see Edward M. Cook’s in *The Dead Sea Scrolls Reader*, part 6, *Additional Genres and Unclassified Texts* [ed. Donald W. Parry and Emanuel Tov; Leiden: Brill, 2005], 76). Three occurrences of the idiom, however, are to be found in Jonas C. Greenfield et al., eds., *The Aramaic Levi Document* (SVTP 19; Leiden: Brill, 2004), 66 (4:7), reconstructed from minimal traces in 1Q21 (a reading not included in the Concordance); 70 (5:8), from the medieval Geniza manuscript; and 83 (8:6), from the medieval Geniza manuscript and the Greek text from Mt. Athos. Émile Puech’s aggressive restoration [לאל עליון] בהן קדיש הוא [לאל עליון] at 4Q545 frg. 4, line 16 (*Qumran Grotte 4, XXII: Textes Arameens, Premier Partie: 4Q529–549* [DJD 31; Oxford: Clarendon, 2001], 342–43) is itself based on the first of those passages in the Aramaic Levi Document, and therefore needs to be weighed against the virtual absence of this title from Aramaic texts other than the *Apocryphon* at Qumran. For a discussion of this title (albeit not a fully comprehensive one), see Friedemann Schubert, “El ‘Æljôn als Gottesname im Jubiläenbuch,” *Mitteilungen und Beiträge: Forschungsstelle Judentum an der Theologische Fakultät Leipzig* 8 (1994): 3–18. Hartmut Stegemann touches on אל עליון in the *Apocryphon* in the course of his remarks on divine titles at Qumran, but he does not address the issue in a way that is relevant for our study (“Religionsgeschichtliche Erwägungen zu den Gottesbezeichnungen in den Qumrantexten,” in *Qumran: Sa piété, sa théologie et son milieu* [ed. Mathias Delcor; BETL 46; Leuven: Leuven University Press; Gembloux: Duculot, 1979], 195–218, esp. 214–16). Aitken’s remarks (n. 8 above) on “God most high” are focused on earlier Second Temple material (“God of the pre-Maccabees,” 264–65). After this essay had been submitted and accepted for publication, Dr. Jassen brought to my attention Richard Bauckham, “The Nature of the ‘Most High’ God and the Nature of Early

to עֲלִיּוֹן, עֲלִיא, | is used four times to refer to God (and can reasonably be reconstructed a fifth time) in Part I (2:4, [6]; 6:9,<sup>14</sup> 24; 10:18). One of these occurrences is used in a series of divine epithets in an oath; one of them refers to God as prescriber of law, and two unfortunately lack context. Part II, in contrast, has no occurrences of the epithet עֲלִיא.<sup>15</sup>

The most common epithet for God in Part I of the *Apocryphon* is קְדִישָׁא רַבָּא, which occurs five times (with a sixth virtually certain because it duplicates an idiom found two lines later but has a lacuna where רַבָּא should be). Although one of the | epithets lacks any context, we can see from the ones that are located in a recognizable framework that this epithet is not particularly limited by context. An oath is taken by “the Great Holy One” (and [מִיא] שׁ מְלִךְ 2:14); Noah receives an emissary of the “Great Holy One” (6:13, 15); he rejoices at the words of the “Lord of Heaven” (employed in parallelism with the “Great Holy One”; 7:7); and, as we saw above, his blessing of God is directed toward “the Lord of Heaven, God Most High,

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Jewish Monotheism,” in *Israel's God and Rebecca's Children: Christology and Community in Early Judaism and Christianity: Essays in Honor of Larry W. Hurtado and Alan F. Segal* (ed. David B. Capes et al.; Waco, TX: Baylor University Press, 2007), 39–53 and 378–86, whose observations I have not had the opportunity to integrate into my discussion.

<sup>14</sup> Machiela does not read עֲלִיא at this point, but I nevertheless believe that the reading is more than defensible.

<sup>15</sup> It appears in its ordinary sense as an adjective in the *Apocryphon* in 20:7. As far as I can tell, neither עֲלִיּוֹן nor עֲלִיא is a divine epithet in any of the texts that are cited in DNWSI (although the phrase אֵל וְעֲלִיּוֹן is found in Sefire I A 11; see Joseph A. Fitzmyer, *The Aramaic Inscriptions of Sefire* [rev. ed.; BibOr 19/A; Rome: Pontifical Biblical Institute, 1995], 75, with bibliography on אֵל עֲלִיּוֹן). The only other occurrence of עֲלִיא referring to God in the Aramaic corpus from Qumran is in 4Q550c 1 iii 1 [-פ-] עֲלִיא דִּי אֲנַתּוֹן דְּחַלְיִן וְ[פ-] לַחֲזִין הוּוּ שְׁלִיט בְּ[כּוּל אַרְעָא] (ed. Cook in *Dead Sea Scrolls Reader*, 6:76). Pace Fitzmyer, 127, 4QVisAmram<sup>b</sup> 2:6 (= 4Q544 frg. 2, line 6) does not contain a divine epithet, even if it reads עֲלִיא עַד אֲרַעִיא אֲנָה שְׁלִיט מִן as Garcia Martinez and Beyer have it; the first letter, however, is most probably צ, as Puech reads it. In Biblical Aramaic, all ten occurrences of עֲלִיא refer to God, four of them in the idiom אֵלְהָא עֲלִיא, the Aramaic equivalent of אֵל. The term “Most High” is employed as a title for God more than a dozen times in *1 Enoch* (excluding the Parables), standing alone, unaccompanied by any other term in all but one (98:11, “the Lord the Most High”) or possibly two (99:3; see n. 48 below) of the cases; unfortunately, none of these passages survives in the Aramaic fragments from Qumran. Nickelsburg, commenting on *1 En.* 9:3 writes, “Most High (*hypsisistos*) is the first of a number of divine appellatives in this context that stress the supremacy of God. In the Hellenistic period, the title is especially popular as a designation for the God of Israel” (*1 Enoch* 1, 208). The relative infrequency of עֲלִיא in the surviving Aramaic material from Qumran vs. the slightly more common presence of עֲלִיּוֹן in those texts raises an important question regarding the appellation “Most High” in *1 Enoch*: Did the original Aramaic have the Hebraism עֲלִיּוֹן or the Aramaic form עֲלִיא (cf. n. 48 below)?

the Great Holy One” (12:17).<sup>16</sup> Furthermore, in his self-introduction to the scene at 6:2, Noah asserts that “the Holy O[ne] was with me” (6:2), a usage of קדישא without modifier that obviously must be classified with the foregoing examples.<sup>17</sup> The ubiquity of קדישא רבא in Part I stands in stark contrast to its complete absence from Part II of the *Apocryphon*.

This shared use of (רבא) קדישא as a divine title clearly points toward some sort of link, perhaps a common tradition, between this portion of the *Genesis Apocryphon* and *1 Enoch*. Nickelsburg writes, “The main title for God in chaps. 1–36 is ‘the Great Holy One.’”<sup>18</sup> Thus, the narrative of *1 En.* 1:3 begins with “The Great Holy One will come forth,” which survives at Qumran in 4Q201 1 i 5, הנפק קדיש[ה רב]ה. The use of קדישא without modifier is found less frequently in *1 Enoch*, as it is rare in the *Apocryphon*. The opening of *1 Enoch*, however, employs this title in 1:2, “who had the vision of the Holy One.”<sup>19</sup>

The remainder of the divine titles in Part I are combinations employing the epithets מרא, “Lord,” and מלך, “King,” with the former dominating. 299 מרה שמיא, “Lord of Heaven,” occurs twice for certain, and is a likely reconstruction in two other passages. In the former examples, Noah rejoices at the words of the Lord of | Heaven (7:7) before the flood, and blesses him after his successful wine production (12:17). The more certain of the two reconstructions has Noah blessing “the Lord [of Heaven]” when

<sup>16</sup> The reference without context is 0:11. Machiela would add to this list a possible appearance of קדישא רבא in 4:12.

<sup>17</sup> Morgenstern (“MA,” 55 n. 90) suggests that ועמי קדיש]ן may be a reflection of את האלהים התהלך נח, an observation that would point to what appears as a divine name in the biblical text being replaced by an epithet in the *Apocryphon*.

<sup>18</sup> Nickelsburg, *1 Enoch* 1, 139. See further his discussion of this epithet, 144 and nn. 3–4, where he lists as its occurrences 1:3; 10:1; 14:1; 25:3; 84:1; 92:2; 97:6; and 98:6. He suggests that “‘Great Holy One’ may have originated as a conflation of the common title ‘the Holy One’ and the rare title ‘the Great God’ (Ezra 5:8; Dan 2:45).” In “Patriarchs Who Worry about Their Wives: A Haggadic Technique in the Genesis Apocryphon,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in the Light of the Dead Sea Scrolls: Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. Michael E. Stone and Esther G. Chazon; STDJ 28; Leiden: Brill, 1998), 141, Nickelsburg writes of 1QapGen 1–5, “Traditions preserved in the early strata of *1 Enoch*, some of them about Enoch, are a major component in this story’s interpretation of Genesis.” Among them he notes, 141–42, the divine epithets “Great Holy One” and “Lord/King of all the ages.”

<sup>19</sup> Nickelsburg comments that “the simple title ‘Holy One’ occurs elsewhere in *1 Enoch* only in 37:2; 93:11; 104:9, always in the expression, ‘the words of the Holy One’” (*1 Enoch* 1, 139). This Enochic usage may militate against Morgenstern’s remark, “the reading of [this] word [in 6:2] is very difficult, and it is likely that it is not correct” (“MA,” 53).

he has seen the earth resume its agricultural productivity after the flood (11:12–13); a couple of lines later, it is very reasonable to reconstruct, “[the Lord] of Heaven [appeared] to me” (11:15).<sup>20</sup>

Lamech demands of Bitenosh that she swear to him בעליא במרה רבותה במלך כול עלמים, “by the Most High, by the Lord of Majesty, by the Eternal King” (2:4, 6),<sup>21</sup> that the child is his. This expression “Lord of Majesty,” almost certainly occurs in 15:11 as well.<sup>22</sup> The only other possible appearance of this idiom at Qumran is in 4Q205 1 xi 2 [ולוהו בריך מרה] רבותא, “May the majestic Lord be blessed” (= 1 En. 22:14). This shared usage is another probable indicator of the ideological and linguistic connections between these works.<sup>23</sup>

Other occurrences of מרא in Part I are מברך למרה כולא, “blessing the Lord of all,”<sup>24</sup> in 5:23, probably spoken by Enoch, since Methuselah “hears” in 5:24, and קודם מרה עלמא, “before the eternal Lord,” with no context in col. “o” (10:18 in Fitzmyer).<sup>25</sup> Finally, Noah tells his children to praise or

<sup>20</sup> The other possible restoration is שמיא [מלך], but its only appearance in Part I (2:14) is in a (partially reconstructed) oath, while מרה שמיא appears in several different narrative contexts. The title “Lord of Heaven” appears in Dan 5:23, and once in 1 Enoch (13:4), according to Nickelsburg, 1 Enoch 1, 238 and n. 2. It also appears in the Ethiopic version in 106:11, but there Nickelsburg, 538, prefers “Lord of eternity,” the reading of the Greek and Latin versions. Nickelsburg’s reference to “God of Heaven” in Dan 2:18, 37, and 44 seems to imply that he sees “Lord” in the idiom “Lord of Heaven” as replacing biblical “God.” Dr. Segal pointed out (communication of November 26, 2006) that in the first of those passages in Daniel, the LXX has *kyriou tou hypsistou*, which may indicate the same sort of flexibility in the treatment of divine epithets that we have observed if it does not reflect a different original reading. Machiela suggests reading שמיא [מרה] in 10:14 as well, and, although I would not be inclined to reject the possibility of that reading, I am less confident of the viability of his reading שמיא [מרה] ואתחזי לי מרה] in 6:11 for reasons of both spacing and syntax. It is nevertheless possible that a divine epithet was found in the lacuna there. On the other hand, Machiela is skeptical of my reading שמיא [מרה] in 11:15.

<sup>21</sup> There are lacunae in both formulas, but the repetitive nature of the language of the *Apocryphon* makes the restorations virtually certain.

<sup>22</sup> My thanks to Dr. Machiela for pointing out to me that this reading is not merely a reconstruction.

<sup>23</sup> It appears in 1 Enoch also in 12:3, where Nickelsburg renders “Lord of majesty” (1 Enoch 1, 234), and in that passage, like this one in the *Apocryphon*, it is joined with “King of the ages.”

<sup>24</sup> Machiela suggests this epithet in 10:1 as well. The Hebrew equivalent of this term appears twice in the very fragmentary 4QLiturgical Work A (4Q409) 1 i 6 and 8, with the latter probably reading אדון הכול ברך, “bless the Lord of all,” a fairly striking parallel to this passage. It may also appear in 11QPsa (11Q5), depending on how the syntax of col. 18, line 7 is analyzed.

<sup>25</sup> Machiela reads מרה עלמא מן in 10:17, the previous line, as well. מרא עלמא occurs outside the *Apocryphon* at Qumran in 4Q202 1 iii 14 and probably six times in 4Q529 frg. 1, lines 6–12.



300 thank (the verb is missing) | למרכון, “your Lord” (10:9).<sup>26</sup> The latter term is followed almost immediately by כול ולעד עד כול לעלם עלמיא לעלם (10:10), “To the king of all ages, forever and ever, until all eternity.” It thus appears that this lengthy epithet stands in apposition to למרכון. In addition to the employment of “King of all ages, forever and ever, until all eternity” as a divine title in this context of thanksgiving, we find in oaths “eternal King” (מלך כול עלמים) (2:4, 6) and [מיא] מלך, “King of He[aven]” the latter paired with קדישא רבא in Bitenosh’s oath to Lamech (2:14).<sup>27</sup>

## II. PART II (COLUMNS 19–22)

Compared with Part I of the *Apocryphon*, Part II exhibits a completely different pattern of divine names and epithets. Since this difference is due in part to a closer connection with the biblical text than Part I demonstrates, we must take that textual proximity into consideration in our analysis. It appears, however, that even when the *Apocryphon* is not closely modeled on the biblical text in Part II, it manifests significant differences from the pattern of divine names and epithets that we discerned in Part I. Two terms stand out most sharply: the first, אלהא, the Aramaic word for “God,” which we did not encounter at all in Part I, occurs at least six times (without counting reconstructions) in Part II; the second, אל עליון, occurs eight times in Part II, and only once in Part I.

All of the certain occurrences of אלהא are in cols. 21 and 22. After building an altar upon his return to Canaan from Egypt, Abram describes (using three different titles for God) how he made offerings, called on God’s name, and, finally, in a triple expression of praise והללת לשם אלהא and blessed God and gave thanks there before God” (21:2–3). A few lines later, he describes God’s appearing to him with ואתחזי לי אלהא, “And God appeared to me” (21:8). It is particularly noteworthy that these are cases where the narrative of the *Apocryphon* is not following the biblical story closely, and the employment of אלהא can therefore not be ascribed to adherence to biblical phraseology.<sup>28</sup> The author of this segment is using

<sup>26</sup> As Fitzmyer notes, 152, the spelling of this word, with no indication of the *yod* following the *resh*, is anomalous.

<sup>27</sup> Machiela suggests the plausible, but acontextual, reading [מיא] מלך in 8:10 also.

<sup>28</sup> It should be noted that וירא, the Hebrew equivalent of ואתחזי, is found three times (with the Tetragrammaton as subject) in the Abra(ha)m narratives: Gen 12:7; 17:1; and 18:1, and it is well known that in the Second Temple era there is a tendency to avoid the

words of his own choosing at this point in the story. It is also interesting to note that the language of 21:8 is parallel to that of 11:15 if we accept the editors' plausible contextual | reconstruction in the latter passage [ואתחזי] 301  
 לי [מרה] שמיא מלל עמי. The author of Part II, however, uses אלהא where Part I would have used an idiom with שמיא.<sup>29</sup>

The other two certain appearances of אלהא lie at the very end of Part II, and both occur in passages modeled on the biblical text. In 22:27, we find בתר פתגמיא אלן אתחזי(ו) אלהא לאברם בחזוא ואמר לה “after these things, God appeared to Abram in a vision and said to him,” representing Gen 15:1, אחר הדברים האלה היה דבר ה' אל אברם במחזה לאמר, “after these things the word of the Lord came to Abram in a vision, saying.” The *Apocryphon*, by replacing “the word of the Lord” with אלהא, actually rewrites the verse more anthropomorphically than the biblical original had it; God's “word” is not the subject of the action in the *Apocryphon*, but God, who “revealed himself” in a vision. Note the similarity to the language of 21:8 and the divergence, once again, from the reconstructed formula of 11:15.<sup>30</sup>

Abram's response to the divine revelation, parallel to Gen 15:2, אדני מרי אלהא שגי יהוה מה תתן לי, “My Lord God, I have much wealth and property.”<sup>31</sup> The *Apocryphon* replicates exactly in Aramaic the double terminology of the biblical address, reading (or understanding) it as the MT does, rendering it as “Lord God” (as opposed to “Lord, Lord” found in Ethiopic *Jubilees*).<sup>32</sup> Only in this last instance can the employment of אלהא by the author of Part II be claimed to be directly dependent on the biblical text he was following.

There remains one significant passage pertinent to Part II's employment of אלהא and similar terms for God—19:7–8. The poor state of preservation of the text at that point, however, constitutes a serious impediment to drawing any definitive conclusions. At the same time, this passage raises

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Tetragrammaton and replace it with, among other terms, אל or the equivalent. Thus, אלהא is not at all unexpected in this context and formula.

<sup>29</sup> We note that the expression שמיא אלה, which occurs a dozen times in the Aramaic portions of the Hebrew Bible and a number of times in the Elephantine papyri, is not found in non-biblical Aramaic texts at Qumran, making it unlikely that it should be restored at 11:15.

<sup>30</sup> *Jubilees* 14:1 reads, “The word of the Lord came to Abram in a dream,” as does the MT.

<sup>31</sup> That the *Apocryphon* mitigates the apparent inappropriate tone of Abram's question has been noted.

<sup>32</sup> Segal suggested that the Ge'ez translator is most likely following a Greek translator who probably rendered *kyrie kyrie* as in Deut 3:24.

in a pointed fashion a significant question regarding the relationship of Part II of the *Apocryphon* to its biblical model. The first legible line of col. 19, and hence of the Abram story, begins [ובנית תמן מדבח]א וקרית תמן [בש ם א]ל[הא] [I built there an alta]r and called there on the na[me of G]o[d]. It reflects Gen 12:8, וׁיבן שם מזבּח לׁה ׁויקרא בשם הׁ, “He built there an altar to the Lord and called on the name of the Lord,” with the expected shift from third-person narrative to first, and with אלהא once again replacing the Tetragrammaton in a near verbatim citation.<sup>33</sup> Line 7 continues וואמרת אנתה הוא [I said, ‘You are,’] while the beginning of line 8 cannot be read | with confidence.<sup>34</sup> All the proposed restorations have a form of either אל or אלהא, which can thus be added to the count for Part II.

Fitzmyer observes correctly that Abram’s words in *Jub.* 13:8 are “You (are) my God, the eternal God,” or “Thou, the eternal God, art my God,” so that the *Apocryphon* here may be employing *Jubilees* as its source and the reconstruction can be supported with that evidence.<sup>35</sup> It is also possible, however, that both *Jubilees* and the *Apocryphon* (independently or not) have here leveled their language with Gen 21:33, ויקרא שם בשם הׁ, “He called there on the name of the LORD, eternal God.” In their rewritings of Gen 13:4 as well, אל מקום המזבּח אשר עשה שם בראשנה, “to the place of the altar which he had made there originally, and Abram called there upon the name of the LORD,” both the *Apocryphon* (21:2, “I called there on the name of עלמיא”) and *Jubilees* (13:18, “Thou, the most high God, art my God for ever and ever”) introduce language that might be linked to Gen 21:33.<sup>36</sup>

<sup>33</sup> *Jubilees* 13:8 also has “he called on the name of the Lord.”

<sup>34</sup> Fitzmyer, 98, reads ל[ע]ל[מא וּה]ל[ת] לה לעלמים (note that because of the height of the lamed in the hand of the scribe of the *Apocryphon*, it is often the case that it is the only letter that has left readable traces in lacunae in the *Apocryphon*); the Concordance, 2.783a, has אל[הי א]ל[ע]למיא; Esti Eshel and I have read with much diffidence ל[ע]ל[מ]ל[ע]למיא... [וּה]ל[ת] למעלמים. Machiela reads אל... וּמלך עלמיא. The fact that אל is not used in the *Apocryphon* except with עליון may militate against the restoration of אל and recommend some form of אלהא as the reading.

<sup>35</sup> The Syriac Chronicle preserves דעלמא for “eternal God” in *Jub.* 12:29, which is identical to 13:8.

<sup>36</sup> Dr. Segal pointed out to me (e-mail of June 26, 2006) when I inquired about the Ethiopic of the verse in *Jubilees*, that “for ever and ever” modifies the verb, not God, and that the surviving Latin “tu es deus excelsus deus meus in saecula saeculorum” points in the same direction. But it is still possible that the Hebrew אל עולם underlies the formula. Combinations of divine epithets with עולם occur in both Part I and Part II of the *Apocryphon*. In Part I, we have במלך כול עלמים (2:4, 7) and לעולם ולעד עד כול

Unlike its employment of אלהא, the *Apocryphon's* use of אל עליון in Part II is partly dependent on the underlying biblical text, and this closeness to the biblical model can be said to emphasize one aspect of the style of the original author of Part II.<sup>37</sup> Thus, all four of the appearances of this divine epithet in 22:15–16, 21, which narrate the scene between Abram, Melchizedek, and the king of Sodom, replicate the four occurrences of the term in the biblical narrative and dialogue, Gen 14:18–20, 22.<sup>38</sup> This portion comes close to resembling an Aramaic targum of the Biblical Hebrew passage.

| The other four appearances of אל עליון in Part II, on the other hand, cannot be attributed to a slavish imitation of the underlying Hebrew text. Abram's plea to God, after Sarai has been taken from him, begins with a blessing formula, בריך אנתה אל עליון מרי לכול עלמים, "Blessed are you, most high God, my Lord for all ages" (20:12–13), and the narrative description of the punishment of Pharaoh reads, שלח לה אל עליון רוח מכדש, "the most high God sent a crushing spirit against him" (20:16). Both sets of Abram's offerings, upon his return from Egypt and following his circumambulation of the land, are directed to אל עליון: אלאקרבת עלוהי עלואן ומנחה לאל עליון [ו], "and I offered on it burnt-offerings and a meal offering to God most high" (21:2) and אלאקרבת עלוהי [ו] עלא ומנחה לאל עליון, "and I offered up on i[t] a burnt offering and meal offering to God most high" (21:20), respectively. So it is evident that this epithet is one readily used by the author of Part II even where it does not appear in his biblical *Vorlage*.

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מרה עלמיה (10:10). In Part II, we have 19:8, however we reconstruct it, as well as מרי לכול עלמים (21:2) and מרי לכול עלמים (20:12). On the form מרי in the latter, see below.

<sup>37</sup> Fitzmyer, 162, speaks of the "frequent occurrence of אל עליון in the Old Testament," but, as we noted above (n. 12), the two words appear conjoined as an epithet only in Ps 78:35, outside the four occurrences in Gen 14:18–22. They appear, however, in parallelism in Num 24:16 and Ps 73:11.

<sup>38</sup> It is worth noting that in 22:20–21 || Gen 14:22, the *Apocryphon* omits any representation of the Tetragrammaton in its "translation." Fitzmyer writes, 251, "The author of this text has either omitted the tetragram, or, more likely, translated merely what was in his text of Genesis." The former possibility would likely be due, he suggests, to the reverence for the Tetragrammaton found so often at Qumran. But Fitzmyer prefers the second option, writing, "[B]ecause the omission in this text agrees with the LXX... and the Peshitta against the targums, it is more likely that יהוה in the MT of Gen 14:22 is a later gloss introduced into MSS of biblical tradition." There is a third possibility, however, that at some point in the textual transmission, the Tetragrammaton was omitted, not out of reverence, but by leveling this verse with the three proximate occurrences of אל עליון, whether consciously or unconsciously.

If we may speculate on the nonbiblical connections of this title, its most likely link would appear to be to *Jubilees* or the circles that produced that work, since the titles “God Most High” and “Most High” occur over twenty times in *Jubilees*.<sup>39</sup> We have observed above some other slight convergence between the *Apocryphon* and *Jubilees* in their employment of epithets, and we shall suggest tentatively that if Part I of the *Apocryphon* shows connections in its employment of divine epithets to the Enoch literature, Part II may be linked in a similar, if slightly less demonstrable, fashion, to the world of *Jubilees*.<sup>40</sup> The ramifications of this limited observation, if | it is correct, go well beyond tendencies in the employment of divine epithets. We shall return to this matter toward the end of this essay.

One of the differences between the two segments of the *Genesis Apocryphon* is that Abram addresses God directly several times in Part II, while none of the characters in cols. 0–17 do so.<sup>41</sup> We therefore can observe how divine epithets are treated in Part II in contexts of direct address that do not occur in Part I. In his speech beginning in 20:12, Abram twice addresses God as מְרִי, presumably to be understood as “my Lord”—in 20:14, קַבְּלֵתָּךְ מְרִי, and 20:15, וַיִּנְדְּעוֹן מְרִי.<sup>42</sup> The final segment of the epithet in 20:12, however, has been disputed by translators and interpreters. How is מְרִי לְכוֹל עֲלָמִים to be analyzed? Earlier translations, beginning with Nahman

<sup>39</sup> Schubert (“‘El ‘Āljôn,” 3) lists fourteen occurrences of אֱלֹהֵי עֲלִיּוֹן in *Jubilees*, but Professor James C. VanderKam was kind enough to examine the Ethiopic text on my behalf, and he confirmed my observations that there are twenty-four combinations of the equivalents of עֲלִיּוֹן preceded by the equivalent either of אֱלֹהֵי or of the Tetragrammaton in Ethiopic *Jubilees*: twenty of the former, and four of the latter (the Latin translation, where it survives, follows the same pattern with *deus* and *dominus*, with one variation in each direction). The Hebrew manuscripts of *Jubilees* at Qumran unfortunately preserve only a few of these passages: 4QJub<sup>d</sup> (4Q219 frg. 2, line 21) has the whole term in Hebrew in 21:20; 4QJub<sup>d</sup> (4Q219 frg. 2, line 32), לְעֲלִיּוֹן [in 2 1:25; 4QJub<sup>f</sup> (4Q221 frg. 1, line 5), the second half in 21:23; and 4QJub<sup>g</sup> (4Q222 frg. 1, line 4), the whole in 25:11. Although Schubert unfortunately did not include the *Genesis Apocryphon* in his discussion (“‘El ‘Āljôn,” 15–16) of “Die Verwendung von ‘El ‘Āljôn in Qumran,” he does remark, 12, on the use of the Hebrew term in Aramaic Levi “das ja mit dem Jub verwandt ist.”

<sup>40</sup> Nickelsburg (“Patriarchs,” 149–51) suggests that there are points of contact between Enochic traditions and the Abram material in the *Apocryphon*. Even if we accept all of his claims, it does not vitiate our arguments that the two parts of the *Apocryphon* derive from two differing sources and types of tradition.

<sup>41</sup> We perhaps should not be surprised at the absence of such direct address, since neither Enoch, nor Methuselah, nor Lamech, nor Noah, addresses God in the Hebrew Bible. It is possible that in Part I of the *Apocryphon* unnamed speakers address God in 0:5–6.

<sup>42</sup> Fitzmyer points out, 201, that מְרִי in the *Apocryphon* always has the sense “my Lord.” It is used, beyond addresses to the deity, by human beings to one another in 2:9, 13, 24; 20:25; and 22:18, 32.

Avigad and Yigael Yadin, understood מרי as a construct, and hence rendered the phrase “Lord of all worlds/ages,” or the like.<sup>43</sup> Fitzmyer, however, insists for good reason that the *yod* suffix is the first person singular possessive, and that the word is to be rendered “my Lord.”<sup>44</sup> Accepting Fitzmyer’s argument, we have three occurrences of the direct address to God as מרי, in addition to the appearance of מרי in the last surviving lines of the document, in the rendition of a biblical verse.

In addition to these occurrences of מרי, “my Lord,” which we have just observed, there are four instances of מרא in Part II of the Apocryphon. One (21:2), which we noted earlier, מרה עלמיא, stands at the location of Gen 13:4, but has apparently been influenced by the language of Gen 21:33, ויקרא שם בשם ה' אל עולם. The result is either that מרה עלמיא stands in the place of the Tetragrammaton of Gen 13:4 or, more likely, that the Tetragrammaton has been omitted, and מרה עלמיא stands in the place of אל עולם of Genesis 21. A second instance, מרה ושליט, which occurs in Abram’s prayer to God after Sarai has been taken from him (20:13), may not be a “divine” epithet, since מרה may be the equivalent of “lord” and not “Lord.”<sup>45</sup> It stands in a relative clause describing God and is not part of a direct address to him.

| Finally, the epithet מרה שמיא וארעא (22:16, 21) as a translation of Gen 14:19 and 22, קנה שמים וארץ, is of unique interest. It is not a literal translation, although it might be said to capture the sense of the Hebrew well. All the extant Jewish Aramaic versions as well as the Peshitta employ a nominal or verbal form of Aramaic קנא to represent Hebrew קנה in both of these verses, and it is worth considering whether the nonliteral translation adopted here by the *Apocryphon* is due to the influence of the “Second Temple” epithet מרה שמיא.<sup>46</sup> We would then not conceive of מרה as an Aramaic “translation” of קנה, but rather think of the title

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<sup>43</sup> See Fitzmyer, 201, for full discussion and references.

<sup>44</sup> Ibid. The entire blessing formula אל עליון מרי לכול עלמים, “Blessed are you, God Most High, my Lord for all ages,” bears a strong resemblance to *Jub.* 13:16, discussed above, “You, God Most High, my God forever and ever.”

<sup>45</sup> Cf. Fitzmyer’s note (ad loc., 202), following Greenfield, that the idiom is judicial in nature and may therefore not fall under the rubric “divine epithet.”

<sup>46</sup> Noting the several occurrences of מרה שמיא in Part I that we observed above, I prefer this alternative to Fitzmyer’s suggestion, 250, that “the *Genesis Apocryphon* thus witnesses to a contemporary Jewish understanding [of קנה שמים וארץ], when the force of קנה became obscure.” Segal pointed out (e-mail of October 30, 2007) that the epithet מרה שמיא וארעא is reminiscent of 1 Esdr 6:12, τὸ εὐχαριστῶν τὸν ὑπεραγαπῶν καὶ ἐὶς πάντας αἰῶνας, where Ezra 5:11 has שמיא וארעא, אלה, noting that ἀλάω is the verb used by the LXX to render קנה in Gen 14:19 and 22.

מרה שמיא וארעא as a unit, a term that the author has introduced out of his “thesaurus” of divine epithets to render a biblical term that to his ears sounded similar to it.

### III. CONCLUSIONS

Let us review our specific observations to this point beyond the obvious one that Parts I and II of the *Apocryphon* do not employ parallel designations for God. Part I does not employ אלהא; Part II does. Part II does not use קדישא רבא, מרה רבותא, עליא, or any combination with מלך; Part I does. The first three titles in the latter group are characteristic of *1 Enoch*. אל עליון, a Hebraism<sup>47</sup> not found in Ethiopic *Enoch*,<sup>48</sup> but found frequently in *Jubilees*, occurs almost exclusively in Part II. There are no direct addresses to God in Part I, so that we cannot compare the two segments of the *Apocryphon* in that way. When Abram addresses God, he does so using the term מרי, “my Lord” (four times, with one of those further modified by לכול עלמים).<sup>49</sup> Part II does not have the rich variety of terms compounded with מרא that Part I does, with only one מרה עלמיא and one מרה ושליט; Part I has four | different compounds of מרא, occurring a total of about ten times (with one of them being מרה עלמא, perhaps an equivalent of Part II’s מרה עלמיא).<sup>50</sup>

Given the radically different terminology that they employ in referring to God, it is evident that Part I and Part II of the *Apocryphon* derive

<sup>47</sup> I think that we can speak of the combination אל עליון as a Hebraism, despite the fact that, as Moshe Bar-Asher pointed out (“Regarding Vocalization Mistakes in the Kaufman MS of the Mishnah,” [in Hebrew], *Mesorot* 1 [1984]: 6–7), biblical Aramaic as well as Syriac maintain the ending *ōn* side-by-side with *ān*. (I thank Aaron Koller for this reference.)

<sup>48</sup> At *1 En.* 99:3, Nickelsburg translates based on the restoration of a lacuna in the Greek text to τὸ ὑψίστου θεοῦ, although all the Ethiopic manuscripts have only “Most High” (communication of July 27, 2006, for which I thank Professor Nickelsburg), which might very well represent Aramaic עליא standing alone. The Greek reading should perhaps be understood either as a gloss (Nickelsburg), or an unconscious harmonization with the biblical Hebrew title (Bernstein).

<sup>49</sup> In the fragmentary remains of 19:7–8 Abram refers to God in direct address with a form of אלהא or (less likely) אל.

<sup>50</sup> Florentino Garcia Martinez made the following observation (“*4QMess Ar* and the *Book of Noah*,” in *Qumran and Apocalyptic: Studies on the Aramaic Texts from Qumran* [STDJ 9; Leiden: Brill, 1992], 41), which dovetails nicely, although unintentionally, with our analysis of the epithets in the *Apocryphon*: “*1QapGn* VII, 7 and XII, 17 use the divine title מרה שמיא which never appears in *Jub*, although it shows a great variety of divine titles. Among them God of Heaven (*Jub* 12, 4; 20, 7) and Lord of the World (*Jub* 25,23) are the most similar ones to the Lord of Heaven. This title, however, is found in *1 Enoch* 106, 11, in a summary of the *Book of Noah*, not elsewhere in *1 Enoch*.”

originally from different sources.<sup>51</sup> This argument correlating the employment of specific divine epithets with the hypothetical sources of the *Genesis Apocryphon* does not imply that the “author” of the *Apocryphon* took a number of pre-existing works and copied them out sequentially without any editorial activity whatsoever, or that these sources diverged stylistically in an absolutely rigorous fashion. Indeed, the “anomalous” appearance(s) of אל עליון in col. 12 of the *Apocryphon* may be due either to greater flexibility in choice of epithets by the source of Part I than we have seen (since, after all, it is a perfectly good Second Temple title for God) or to the editorial hand of the composer of the *Genesis Apocryphon*. In either case, the editorial hand was light enough in its broad treatment to allow the overall distinction to stand otherwise.

Part I of the *Apocryphon* is itself composite, since it clearly contains at least Lamech material and Noah material, with the clear transition between the parts marked toward the end of col. 5 by the words כתב מלי נוח. Yet it would appear that, from the standpoint of the employment of divine epithets, both of these segments | belong to approximately the same tradition, especially when we compare them to the later Abram material. It is true that the only occurrences of מרה עלמא שמיא, מלך, and מרה כולא appear in the section before כתב מלי נוח, while all occurrences of מרה שמיא are found after that line. That is probably not sufficiently weighty evidence, however, to draw a sharp demarcating line in this regard between the Noah material and what preceded it. If more textual material had survived from Part I, perhaps a slightly different picture

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<sup>51</sup> There is an alternative possibility to my source analysis that was suggested by Alex Jassen (e-mail of August 20, 2007) and that could account for the evidence, although I think that it is less likely. Acknowledging that Part I (like 1 *Enoch*) follows the biblical text more loosely than Part II, Jassen argues that the choice of divine epithets may be generically determined, with Part II, which is closer to the Bible (like *Jubilees*), employing epithets, even when it is not following the biblical text closely, that are more biblical in nature than those in Part I. As a result, he is reluctant to follow my claim that Part I is related to 1 *Enoch* in some sense and that Part II is connected to *Jubilees*, and he suggests instead that the phenomena in the two parts of the *Apocryphon* are merely parallel to phenomena in 1 *Enoch* and *Jubilees*. I think that the generic and source-critical issues are related, and that the generic connections with 1 *Enoch* and *Jubilees*, in terms of the closeness of each to the biblical text, still point in the direction of my hypothesis. Other evidence, moreover, appears to support these conclusions. I have demonstrated in a paper entitled “קשט-√ in the *Genesis Apocryphon* and the Remainder of the Qumran Aramaic Corpus” (presented at the Society of Biblical Literature Annual Meeting in Atlanta, Georgia, in November 2003) that קשט/קושט, a term that occurs frequently in *Enoch* and related works, appears almost twenty times in Part I of the *Apocryphon* but only once in Part II. I hope to publish these results soon.



could be sketched, and we might have been able to distinguish between its individual components as well.

Part II, the Abram narrative, has also often been seen as falling into two parts whose dichotomy is also fairly clear: 19:7–21:22 and 21:23–22:34. In the first of those two segments, Abram is the first-person narrator, while in the second, beginning where the narrative is parallel to Genesis 14, but continuing into the equivalent of Genesis 15, the narrator is third person. We might have expected that these segments, if the shift in narrative technique derives from their belonging to different sources, would be distinguished in the ways that they refer to God.<sup>52</sup> There does not, however, seem to be any noticeable difference between the divine titles and epithets employed in the first-person and third-person sections of the Abram narrative. Perhaps the Abram material, therefore, should not be divided into sources at that point on the basis of the shift in narrative styles.

#### IV. QUESTIONS FOR FURTHER INVESTIGATION

I indicated at the outset of this study that its goal was almost exclusively formal, despite the fact that it also presents a variety of opportunities for further investigation. In conclusion, I should like to touch on several avenues that are likely to prove particularly fruitful when analyzed further.

##### 1. *The Genesis Apocryphon and Jubilees*

I have suggested that in the limited area of divine epithets the second section of the *Apocryphon* appears to be under the influence of *Jubilees* or the traditions reflected in *Jubilees*. The relationship between *Jubilees* and the *Genesis Apocryphon* has been the subject of discussion ever since the *editio princeps* of the *Apocryphon* | was published, with some scholars  
308 believing that *Jubilees* drew on the *Apocryphon*<sup>53</sup> and others that *Jubilees*

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<sup>52</sup> Nickelsburg reminded me that the same shift in narrative technique takes place in Tobit, where there is a shift, in almost all versions of the story, between 3:6, where the first-person narrative ends, and 3:7, where the third-person narrative begins. See the discussion in Irene Nowell, "The Narrator in the Book of Tobit," in *Society of Biblical Literature 1988 Seminar Papers* (ed. David J. Lull; Atlanta: Scholars Press, 1988), 27–38. James E. Miller suggests parallels between the two works on the basis of this similarity of technique ("The Redaction of Tobit and the Genesis Apocryphon," *JSP* 8 [1991]: 53–61).

<sup>53</sup> Avigad and Yadin write: "For the time being, however, we may confidently emphasize the close connection between the scroll and many parts of the *Book of Enoch* and the *Book of Jubilees*, leading at times to the conclusion that *the scroll may have served as a*

was a source for the *Apocryphon*.<sup>54</sup> My analysis could perhaps contribute to the resolution of that question, if the divergence between the two parts of the *Apocryphon* in this limited area is symptomatic of their possessing diverse lineages. But it is perhaps equally likely that the whole picture is more complex than the analysis on the basis of these restricted features would indicate. In addition to Nickelsburg's observation about Enochic elements in Part II (n. 40 above), it is also clear that there are strong parallels between some of the stories in Part I and *Jubilees*.<sup>55</sup> It is also possible that both *Jubilees* and the *Genesis Apocryphon* are drawing from a common source or sources, and at this point perhaps we can do no better than Fitzmyer's balanced remark, "The most we can say is that this scroll belongs to the same sort of literature as *1 Enoch* and *Jubilees* and therefore probably dates from the same general period."<sup>56</sup>

## 2. *The Genesis Apocryphon and Genre*<sup>57</sup>

My conclusion regarding the composite nature of the *Genesis Apocryphon* based on these literary features and my further claim that its sources seem

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source for a number of stories told more concisely in those two books" (*Genesis Apocryphon*, 38; emphasis in the original). Géza Vermes, from his earliest edition of the scrolls in English to the latest, agrees: "I slightly prefer the theory that in its pre-Qumran version the *Genesis Apocryphon* precedes *Jubilees*, which would postulate for the former a date at least as early as the first half of the second century BCE" (*The Complete Dead Sea Scrolls in English* [rev. ed.; London: Penguin, 2004], 481). More recently, Cana Werman has maintained this view as well; see "Qumran and the Book of Noah," 172 and 175–77, bringing her evidence from the "unjubileean" (from our standpoint) Part I of the *Apocryphon*.

<sup>54</sup> Fitzmyer writes, 20, in reaction to the original editors' remarks cited in the last note, "just the opposite seems to be more likely, viz., that the work in this scroll depends on *1 Enoch* and *Jubilees*". He asserts that this view of Avigad and Yadin was subject to widespread skepticism in reviews (20 and n. 38).

<sup>55</sup> For an impressionistic picture, see the references to *Jubilees* in Part I in the index to Fitzmyer's commentary (338). It should go without saying that *Jubilees* is generally considered to have made use of *Enoch* as well, thus complicating matters further.

<sup>56</sup> Fitzmyer, 21.

<sup>57</sup> I initially raised some of the issues in the following paragraphs in "The Genre(s) of the *Genesis Apocryphon*," a paper read at the Association for Jewish Studies Annual Conference, Los Angeles, California, December 2002, and then in greater detail in "The Genre(s) of the *Genesis Apocryphon*" at the International Conference entitled "The Aramaic Texts from Qumran" (Maison Méditerranéenne des Sciences de l'Homme, Aix-en-Provence, France, June 30–July 2, 2008), now published as "The Genre(s) of the *Genesis Apocryphon*," *Aramaica Qumranica: The Aix-en-Provence Colloquium on the Aramaic Dead Sea Scrolls* (ed. Katell Berthelot and Daniel Stökl Ben Ezra; STDJ 94; Leiden; Brill, 2010) 317–343 (including discussion and responses) (below 1.217–238, without discussion and responses).

309 to derive | from divergent traditions lead to a further, less easily soluble question pertaining to genre. How are we now to classify a work that is clearly made up of earlier materials that have been fused together? Is it meaningful to speak of the genre of the final product? The *Genesis Apocryphon* is certainly not the only work of Second Temple Judaism that is overtly composite—the book of *1 Enoch* is probably the best complete example of that phenomenon—but the *Genesis Apocryphon* is of a different nature from *1 Enoch* in this regard. *1 Enoch* manifests its five divisions fairly clearly, and does not give the impression of ever having been intended to be an integral whole, while the *Apocryphon* (granted its fragmentary *disiecta membra*) is a coherent sequential narrative.<sup>58</sup> *1 Enoch*, as a totality, is not at all easy to categorize generically, beyond such broad terminology as “parabiblical,” while the *Apocryphon* has often been treated as a paradigmatic example of the genre dubbed by Géza Vermes “rewritten Bible.”<sup>59</sup>

What are we to say now, however, that the *Apocryphon*’s component parts are more clearly distinguishable as a result of the analysis in this article, and now that the joins in that flowing narrative stand out more sharply? It has become clearer to us that this is not a work composed by an author sequentially *ab initio*, but is the product of the stringing together by an editor or redactor of originally separate compositions, or of the editor/redactor’s adding of his own material to a preexisting work. How are we to characterize generically that composite whole? Can we indeed continue to speak of the *Apocryphon* as a whole, and can we demand of it whatever ideological consistency we might have expected in the past? Or should we continue to refer to it as “rewritten Bible” because that term is certainly descriptive of its overall outlines, while acknowledging that its separate sources need to be scrutinized individually to ascertain their possibly divergent *Weltanschauungen*?

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<sup>58</sup> Should the reference to the “Book of Noah” be taken as undermining that perception of the work? Should the shifts in narrator accomplish the same thing even without allusions to earlier sources?

<sup>59</sup> Géza Vermes, *Scripture and Tradition in Judaism: Haggadic Studies* (SPB; 2nd ed.; Leiden: Brill, 1973), 95. See further my “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–96 (above, 1.39–62). I should stress that according to my narrow (and Vermesian) view of rewritten Bible, *1 Enoch* does not belong to that category because it strays much too far from the biblical story and is only minimally devoted to explicating the biblical text in the course of its rewriting of that story. For the “history” of the generic classification of the *Apocryphon*, see Fitzmyer, 16–22, “The Literary Genre of the Text.”

It appears that even the rather restricted definition of “rewritten Bible” that I advocated in the *Textus* article is in need of further restriction or, at least, modification. We should probably distinguish, on some level, between two types of works belonging to this genre. *Jubilees* and pseudo-Philo, for example, were composed as units, as far as we can tell, by an author whose controlling hand we can see throughout the work; the *Genesis Apocryphon*, and perhaps the *Temple Scroll* if we are willing to accept it as a uniquely legal exemplar of “rewritten Bible,” exhibit clear marks | of their composite nature. They manifest two fundamentally different sorts of rewriting, although each of them merits the generic label in its own way. The “rewritten Bible” of the *Genesis Apocryphon* is composed of a series of mini-rewritings of limited scope, which we could call the books of Lamech, Noah, and Abram, that, when juxtaposed, form a continuous narrative and, hence, what we might call a secondary form of “rewritten Bible.” It remains to be seen whether these conclusions can contribute meaningfully to discussions regarding genre in Second Temple works, particularly those characterized as “rewritten Bible.”

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### 3. *Implications for the Further Study of the Genesis Apocryphon and Related Works*

If our analysis is accepted as having established the division of Parts I and II of the *Apocryphon* on a firmer footing, then the necessity of comparing them from a variety of different vantage points is made more evident. Other stylistic divergences between the two parts should be sought, and their narrative techniques can be contrasted with a greater degree of confidence. The reasons, beyond literary lineage, for the divergent divine epithets can begin to be sought; we can ask how the titles and epithets function in the narratives to which they belong. And, perhaps most significant, the fairly sharp dichotomy between the divine epithets in Parts I and II of the *Apocryphon* can now be set against the more complex picture of its sources that I suggested above. What further information about the streams of tradition that flow into the *Apocryphon* can be derived from the intersection of the data in this study and what may emerge from other ways of looking at them?

Finally, this study will, it is hoped, challenge some scholar or group of scholars to work on that larger picture of divine epithets in works of the Second Temple period that I suggested at the outset of this essay was a desideratum. As a first step, the pattern of divine epithets within each work should be laid out, with attention being paid both to the way in

which the epithets are employed within the work and to what they might tell us about the literary or theological links they create with other works from this era. Then the overall picture that is created by the integration of the individual patterns should be studied, with the anticipated results being valuable in terms of both the literary and the theological stemmatics of the Second Temple era.

## CHAPTER TEN

### THE GENRE(S) OF THE *GENESIS APOCRYPHON*<sup>1</sup>

Genre analysis of ancient Jewish literature has become increasingly important over the last half-century and more. The most significant stimuli for such study have been the discovery of the Dead Sea Scrolls with their thousands of fragments of works hitherto unknown and concomitantly difficult to reconstruct, analyze and classify; and the rediscovery of the Pseudepigrapha and other literary remains of Second Temple Judaism as well as their integration into the intellectual portrait of that period. One of the ways in which a coherent picture of the literary landscape of that era can be drawn is through the generic categorization of the complete and fragmentary works which have survived to our day. The notion of genre, of course, belongs largely to the students of ancient literature rather than to its authors, and we must always, therefore, be exceptionally wary of two hazards: that of attaching modern concepts to ancient works, and that of adopting an attitude of certainty toward our taxonomies. We classify for our scholarly benefit, but we do so at our own risk.

My work on the *Genesis Apocryphon* over the last several years has led me on several occasions to reflect on the question of its genre, and, in fact, I delivered an earlier, less comprehensive paper with the same title as this one at the Association for Jewish Studies Annual Conference in Los Angeles in December 2002. The proximate impetus for this paper, however, is a piece of research with the title “Divine Titles and Epithets and the Sources of the *Genesis Apocryphon*,” which I completed last year (*JBL* 128 [2009]: 291–310). In the course of surveying the ways in which God is referred

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<sup>1</sup> One of the outstanding features of the conference at which this paper was delivered was a format that allowed for an unusual amount of informed discussion among the participants. I am very appreciative of the questions and comments on this paper raised by the formal respondent, Professor Hanan Eshel, ח"י, as well as other members of the audience: Dr. Jonathan Ben-Dov, Professors John J. Collins and Devorah Dimant, Dr. Esti Eshel, and Professors Florentino García Martínez and Armin Lange, Dr. Daniel Stökl Ben Ezra, and Professor Michael E. Stone. I have attempted to integrate the responses to as many of the queries as I could into the body and notes of the paper, while leaving the remainder for the discussion section following it. [At the advice of the editor of *STDJ*, Professor García Martínez, the actual transcript of the discussion has been omitted from this version of the paper.]

318 to in the *Genesis Apocryphon*, I collected the various epithets which are employed in the text and plotted | them on a chart. To my surprise, there was a virtually total dichotomy between the terms which were employed in the Lamech-Noah section of the *Genesis Apocryphon*, columns 0–XVII, which I shall designate from now on as Part I, and those employed in the Abram section, columns XIX–XXII, to be referred to as Part II.<sup>2</sup>

Furthermore, not only were the divine epithets of the two parts of the *Genesis Apocryphon* divergent, but each set appeared to be linked to a different Second Temple work. The epithets of Part I bore a very striking similarity to those employed in *1 Enoch*, while those found in Part II bore a similarity, albeit less striking, to those found in *Jubilees*. My conclusion was that these two sections of the *Genesis Apocryphon* derived from different sources.<sup>3</sup> Part I itself, of course, appears to be composite in some sense, with the dividing line marked at column V with כתב מלי נוח [פרשגן], but the Lamech-Noah material exhibits (based on the very fragmentary textual material which survives) a unity which does not extend into the Abram section.<sup>4</sup> On the other hand, despite the fact that the best known division within the *Genesis Apocryphon* is between the first and third person narratives in the Abram material at XXI 23, there is no divergence between the divine epithets which are employed in the two subsections of the Abram material.<sup>5</sup>

<sup>2</sup> The rather unusual designation column 0 is employed for the fragments of the *Genesis Apocryphon* which extend to the right of what had been referred to as column I since the initial publication, based on the arrangement of the pieces of 1Q20. The term, which has been adopted by all current students of the *Genesis Apocryphon*, was suggested by Michael Wise and Bruce Zuckerman when they presented this data at the 1991 SBL meeting.

<sup>3</sup> The divergent natures of the two sections have been observed before, of course, but I do not know whether any hard evidence has been brought to bear on the question. (Between presenting this paper and preparing it for publication, I saw that Daniel Falk, *The Parabiblical Texts: Strategies for Extending the Scriptures among the Dead Sea Scrolls* [LSTS 63; CQS 8; London: T&T Clark International, 2007], 97, has noticed the relationship between some of the epithets in Part I and those in *Enoch*.) I believe that there is evidence beyond the divine epithets that points in the same direction: in a paper presented at the Society of Biblical Literature Annual Meeting in Atlanta, GA in November 2003, “קשטט in the Genesis Apocryphon and the Remainder of the Qumran Aramaic Corpus,” I showed that קשטט/קושטט, a term that occurs frequently in *Enoch* and related works, appears almost twenty times in Part I of the *Genesis Apocryphon*, and only once in Part II.

<sup>4</sup> There is some very tenuous evidence, based on divine epithets, for a further division between the Lamech and Noah material, but there is not sufficient textual data to be confident of it. Note that Avigad and Yadin (cited below 222 and n. 9) saw the *Genesis Apocryphon* as being composed of several “books of X.”

<sup>5</sup> I shall return later to the possible generic implications of the bifurcation of Part II.

| If my source-critical analysis is correct, the questions which it raises are crucial for the determination of the genre of the *Genesis Apocryphon*. Generic taxonomy is applied, as a rule, to complete works. How then are we to classify a work which is clearly composed of earlier materials that have been fused together? Should we speak of the genres of its component parts? Is it at all meaningful to speak of the genre of the final product as a whole? This paper will attempt to answer these questions, or, at least, to confront them even without suggesting fully determinative answers.

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It might seem strange, at first glance, to discuss the history of the generic classification of an ancient composition as opposed simply to discussing its genre, but, as we have often seen in analysis of the works of Second Temple Judaism, especially in the last six decades spent on the Dead Sea Scrolls, definitions and boundaries are often shifting and fluid, and tracing the history of those malleable boundaries is sometimes a necessary component of our modern scholarship. The categories which were available for generic cataloguing a century, or even a half-century, ago have proven insufficient for appropriate classification of the multitude of works and fragments of works which have enriched our studies during that period. The adventures in generic classification, even when they followed paths which led to dead-ends, can be instructive to us as we reflect on issues of genre at the beginning of the 21st century. A substantial portion, therefore, of my discussion of “The Genre(s) of the *Genesis Apocryphon*” will entail some discussion of the directions that consideration of this issue have taken, before turning to the current state of the question.

Fundamentally, there have been two approaches to the discussion of the genre of the *Genesis Apocryphon*, although they were not chronologically discrete, and the generic terms which they employ are drawn from different literary strata of Judaism in late antiquity from the Second Temple through the rabbinic periods. The first approach sought to classify the *Genesis Apocryphon* against the background of literary forms which were known before its discovery, whereas the second, acknowledging that none of the pre-existent categories were appropriate for the *Genesis Apocryphon*, searched more broadly for ways to describe its genre more accurately. (We shall note as well that these approaches operate with two somewhat different notions of genre—one formal and one which might be characterized as functional.)

| Before tackling the question of genre, however, we must first present a brief outline of the *Genesis Apocryphon*, one which claims far less certainty for the first 17 columns than for the last four:

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- Columns 0–I: Watchers/“fallen angels” speaking about their imprisonment; pleading with God(?); it is difficult to identify the narrator in most of very fragmentary column I.
- Column II: Lamech is the narrator; Lamech and Bitenosh in dialogue about unusual child; Lamech goes to Methuselah; Methuselah to Enoch.
- Columns III–V: Enoch speaks to Methuselah about future and legitimacy of child; Methuselah reports to Lamech; Lamech rejoices (brief third person narration); “Book of Noah” begins.
- Columns VI–VIII: Noah introduces himself; tells some of his own story; divine emissary appears to him in vision about corruption on earth; prediction of Noah’s domination of earth; presumably the building of the ark and the entry of humans and animals into it was described.
- Column IX: virtually nothing survives; probably contained the narrative of the flood.
- Columns X–XII: Noah speaking (from the ark); calls on family to praise God; ark rests on mountain; Noah performs sacrifices of atonement; leaves ark, walks through the earth; praises God; God/emissary encourages him from heaven; permits him to eat everything but blood; (God speaking) rainbow placed in cloud; Noah speaking—he and family descend and build city; descendants begin to be born; vineyard planted; wine drunk in fifth year. Noah sleeps and has revelation.
- Columns XIII–XV: Noah’s dream; he wakes up.
- Columns XVI–XVII: Noah divides land among sons; narration is third person.
- Column XVIII: Nothing readable survives; must have contained the transition from the Noah to the Abram narratives.<sup>6</sup>
- Columns XIX–XXI 22 Opens in the first part of Genesis 12; Abram is the narrator; tells the story of Genesis 12:9–13:18 with interpretive and expansive additions.
- Columns XXI 23–XXII 34 Third person narrative beginning with Genesis 14:1 through 15:4 where the surviving text breaks off, mid-sentence.

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<sup>6</sup> Armin Lange has pointed out (“1QGenAp XIX 10–XX 32 as Paradigm of the Wisdom Didactic Narrative,” in *Qumranstudien: Vorträge und Beiträge der Teilnehmer des Qumranseminars auf dem internationalen Treffen der Society of Biblical Literature, Munster, 25.–26. Juli 1993* [ed. H.-J. Fabry et al.; Göttingen: Vandenhoeck & Ruprecht, 1996], 192, n. 10), that there is a one and a half line *vacat* before XVIII 25 which very likely marks the beginning of the Abram material. Unfortunately we do not have any idea whether or not the section began with a heading such as “Book of the words of Abram.”

We can readily observe that the way in which the *Genesis Apocryphon* tells its story does not make it easy to establish its genre, with one of the | most obvious obstacles to a clear definition being the variation in nar- 321  
 rator. The first 17 fragmentary columns consist on the whole of a series of first person narratives, with Lamech being the apparent narrator of II–V except when he is “off-camera,” and Methuselah and Enoch during that interval. Noah clearly becomes the narrator toward the end of column V, where the words *כתב מלי נוח* [*פרשגן*] are found, and he continues to narrate, as far as we can tell, through column XV. The division of the earth among Noah’s descendants, however, is narrated in the third-person, a point which has not been noticed by most scholars studying the *Genesis Apocryphon*, who, as a rule, appear to be aware of third-person narration only at the end of the Abram section.<sup>7</sup> There are indications of a non-first-person narrative in XVI 12, 21; XVII 15 and 22. We lack the transition between the Noah and Abram sections, although when the reader first encounters Abram, he is the narrator of the text from XIX through XXI 22. At that point, parallel to the beginning of Genesis 14, a third-person narrative resumes and continues through the end of the *Genesis Apocryphon*, parallel to the beginning of Genesis 15. This inconsistency in mode of narration has had an impact on the way in which scholars have evaluated other generic indicators.

The fundamental question regarding the genre of the *Genesis Apocryphon* arose virtually from the moment of its initial publication in 1956, almost a decade after its discovery in Cave 1 at Qumran.<sup>8</sup> At that time, the surviving corpus of biblical, Second Temple, early Christian and rabbinic literatures did not furnish any sufficiently similar analogue which could be employed in describing or defining the genre of the *Genesis Apocryphon*, and questions regarding genre were then formulated on a very basic level, in a way that would be deemed fairly | unsophisticated today. Nah- 322  
 man Avigad and Yigael Yadin spend all of two paragraphs at the very end

<sup>7</sup> H. Ligné, tr. and comm., “L’Apocryphe de la Genèse,” in *Les Textes de Qumran traduits et annotés* (ed. J. Carmignac et al.; Paris: Éditions Létouzey et Ané, 1963), 2.212, although very early in the history of *Apocryphon* scholarship, is one of the exceptions.

<sup>8</sup> Extended discussions of the genre of the *Genesis Apocryphon* can be found in J.A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd edition; Biblica et Orientalia 18/B; Rome: Pontifical Biblical Institute, 2004), 16–25; C.A. Evans, “The Genesis Apocryphon and the Rewritten Bible,” *RevQ* 13 (1988): 153–165; Falk, 41–42; Daniel Machiela, *The Dead Sea Genesis Apocryphon (1Q20): A New Text Edition and Translation, with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009), 2–5.

of their introduction on “the nature of the scroll,” leading “to the definite conclusion that it is a sort of apocryphal version of stories from Genesis, faithful, for the most part, to the order of the chapters in Scripture . . . . The work is evidently a literary unit in style and structure, though . . . it may be perhaps be divisible into books—a Book of Lamech, a Book of Enoch, a Book of Noah, a Book of Abraham.”<sup>9</sup> This description can barely be considered an analysis of its genre.

Since those original editors quite correctly saw that the appropriate context for the work was that of Second Temple literature, primarily *Jubilees*, they were not drawn to the sort of misleading questions which affected the discussion of the *Genesis Apocryphon* after their publication. But other scholars, perhaps forgivably, could not resist. Second Temple literature was not prominent then on the radar screens of biblical scholars or scholars of New Testament or of rabbinic literature, so that other models needed to be found for the classification of the *Genesis Apocryphon*. And it was not difficult, at first glance, to find them. Since four of the first five columns to be published were columns XIX–XXII, which maintain a much closer stance to the biblical text than column II (the other published column), and since the *Genesis Apocryphon* is written in Aramaic, one of the first questions to be posed was, “Is the *Genesis Apocryphon* a targum?” It seemed to be a reasonable operating presumption that a work which contains some translation of the Pentateuch into Aramaic must belong to the category of the Aramaic translations of Scripture, the targumim.<sup>10</sup> Simultaneously, scholars focusing on the non-translation aspects of the *Genesis Apocryphon* which expanded the biblical narrative in a variety of ways saw in it an antecedent or a | collateral ancestor of rabbinic midrash.<sup>11</sup> There is

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<sup>9</sup> N. Avigad and Y. Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes Press and Heikhal Ha-Sefer, 1956), 38.

<sup>10</sup> At the February 2008 Dead Sea Scrolls conference in Vienna, sponsored by the University of Vienna and the Hebrew University of Jerusalem, I presented a paper focusing on the “targumic” aspects of the *Genesis Apocryphon*, “The Genesis Apocryphon and the Aramaic *Targumim* Revisited: A View from Both Perspectives;” it has been published in *The Dead Sea Scrolls in Context: Integrating the Dead Sea Scrolls in the Study of Ancient Texts, Languages, and Cultures* (ed. Armin Lange, Emanuel Tov and Matthias Weigold; VTSup 140; Leiden: Brill, 2011) 2.651–671 (below 1.266–285). Some of my discussion here of the attempts to label the *Genesis Apocryphon* generically as a targum bears a close resemblance to my remarks on that occasion. Cf. also the remarks of Thierry Legrand, “Exégèses targumiques et techniques de réécriture dans *l’Apocryphe de Genèse* (1QapGen ar),” in *Aramaica Qumranica: The Aix-en-Provence Colloquium on the Aramaic Dead Sea Scrolls* (ed. Daniel Stökl Ben Ezra and Katell Berthelot; STDJ 94; Leiden; Brill, 2010), 225–252.

<sup>11</sup> Such an approach could be stimulated by any of the non-translation sections of the *Genesis Apocryphon*, both in column II and in columns XIX–XXII.

no doubt that there are elements of the *Genesis Apocryphon* which could lead to its being classified as midrash, just as the presence of literal renderings of the biblical text in it point to its relationship with targum, but should these have really been the only two options?

Interestingly, in one of the first published articles which touches upon this issue, Manfred Lehmann, writing in the first volume of *Revue de Qumran*, notes that all through the *Genesis Apocryphon*, “we find shorter or longer passages of literal translations of the Biblical text interwoven in the midrashic portions.”<sup>12</sup> In a way, Lehmann’s comment could have pointed the way to classifying the *Genesis Apocryphon* as neither targum nor midrash, but he himself moves from this assertion about literal translations in the *Genesis Apocryphon* to a claim that the *Genesis Apocryphon* was somehow an ancestor of the later targumim, particularly the Palestinian ones. Those Aramaic versions are not as strictly limited to precise rendering of the biblical text as is Onqelos and intersperse their translations of the text with non-biblical material of a midrashic nature.

Shortly after Lehmann’s article appeared, Matthew Black explicitly questioned Avigad and Yadin’s characterization, wondering “whether, in fact, this is an adequate or even correct description of the character of this old Aramaic text,” and suggesting that “too much stress on the apocryphal character of the scroll may have the effect of obscuring or even misrepresenting its essential nature.”<sup>13</sup> Citing Paul Kahle as the originator of the idea, Black suggests that this Aramaic document might be “an early specimen of a written Aramaic Pentateuch Targum from Palestine, perhaps a prototype and forerunner of the old Palestinian Targum . . . and of the so-called Fragment Targum.” But within a few pages, the tentative hypothesis becomes an assertion that “like any other Targum text, the Aramaic translation is simply following the sections of Scripture in their canonical order.”<sup>14</sup> Black’s surprising (to us) conclusion is “The | new scroll is almost certainly our oldest written Palestinian Pentateuch Targum.”<sup>15</sup>

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<sup>12</sup> M.R. Lehmann, “1QGenesis Apocryphon in the Light of the Targumim and Midrashim,” *RevQ* 1 (1958–59): 249–263 (252).

<sup>13</sup> M. Black, *The Scrolls and Christian Origins: Studies in the Jewish Background of the New Testament* (New York: Charles Scribner’s and Sons, 1961), 193.

<sup>14</sup> *Ibid.*, 195. We should note that the evidence for the targumic nature of the scroll derives almost entirely from the Abram material, especially column XXII, which is much closer to the biblical text than the material in column II, the only other one published at that time.

<sup>15</sup> *Ibid.*, 198.

Black himself, some years later, changed his mind about the generic identification, writing of the *Genesis Apocryphon*, "The new Aramaic document is a kind of *midrash* on Gen. xii and xiv."<sup>16</sup> But others stepped forward to support the targumic classification of the document. Building on the early suggestion by Black, Gerald Kuiper set out to test his hypothesis.<sup>17</sup> He proceeds to assert

In GA, as in the tgg, the Aram. paraphrase follows the Hebr. verse by verse, though this is most marked in columns XXI and XXII, and contains verses-proper and free midrashic additions. . . . In the verses-proper there is agreement in GA with all the Pal. tgg as well as with the Hebrew text. The agreement with one tg is particularly marked with N[eofiti], but is also found with P[pseudo-JJ[onathan]].<sup>18</sup>

He fails, of course, to demonstrate any compelling connection between the translations of the biblical text in the *Genesis Apocryphon* and those found in the later Aramaic targumim.

The non-translation passages in the *Genesis Apocryphon*, furthermore, are also claimed to belong to the targumic genre:

In GA, as in the Pal. tgg, we find midrashic additions. Among the shorter additions some agree with the tgg, and others have affinities to Palestinian traditions as has been noted in the discussion of the unique renderings. GA also includes unique, longer additions, another characteristic of the Pal. tgg. In the presentation of midrashic additions, some of which coincide with those in the Pal. tgg, while others are unique and often reflect likeness to Palestinian traditions, the nature of GA is revealed as the same as that of the Pal. Pent. Tg tradition.<sup>19</sup>

325 There is no difference, in this generic analysis, between the brief narrative material interspersed occasionally in expansions of verses in the Palestinian pentateuchal targumim and the long narratives of the *Genesis Apocryphon* which diverge *completely* from the biblical text. There is | no attempt to distinguish between different sorts of pluses qualitatively, or to pay attention to whether or not the biblical text forms the frame into

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<sup>16</sup> *An Aramaic Approach to the Gospels and Acts* (3rd edition; Oxford: Clarendon, 1966), 40.

<sup>17</sup> G.J. Kuiper, "A study of the relationship between 'A Genesis Apocryphon' and the Pentateuchal Targumim in Genesis 14<sub>1-12</sub>," in *In memoriam Paul Kahle* (ed. M. Black and G. Fohrer; BZAW 103; Berlin: Töpelmann, 1968), 149–161.

<sup>18</sup> *Ibid.*, 155.

<sup>19</sup> *Ibid.*, 158.

which the additional material is being inserted, as it must in a targum. Yet Kuiper concludes,

It is clear that GA is a targumic text. Following the Hebr. text, the Aram. translation inserts midrashic material. It parallels the free translation of the Pal. tgg and is unlike the literal translation of O . . . Our conclusion is the tentative thesis that GA is a unique recension of the Pal. Pent. Tg tradition.<sup>20</sup>

And Kuiper was not even the last to assert the connection of the *Genesis Apocryphon* with the targumic genre; Grelot suggested that an underlying source of the final form of the *Genesis Apocryphon* was pre-existing targumic material.<sup>21</sup> This is a more subtle view than was expressed by Black or Kuiper, and may provide us with a valuable insight about the relationship of the *Genesis Apocryphon* to its component parts. Grelot's claim, nevertheless, that the literality of the equivalent of Genesis 14 in the *Genesis Apocryphon* is similar to that of the *Targum Yerushalmi*, is a considerable overstatement.<sup>22</sup> It should be clear that the attempt to link the *Genesis Apocryphon* with the targumic genre is based on superficial similarities and fails almost immediately upon close analysis.

The other major claimant to the genre of the *Genesis Apocryphon* in the early years was midrash, a term which, even more than other generic terms for Jewish literature in the ancient period, is unfortunately employed far too loosely.<sup>23</sup> Its usage illustrates the Scylla and Charybdis between which classifiers must pass: if this term is taken narrowly, we cannot use it to cover a multitude of works which need classification; if taken too broadly, it becomes meaningless. Even if we concede that "midrash" can be used for non-rabbinic literature, a probably somewhat hazardous usage if not accompanied by numerous caveats, the indiscriminate use of this category for pre-rabbinic works is not productive.<sup>24</sup> It | is only according

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<sup>20</sup> Ibid., 160–161.

<sup>21</sup> P. Grelot, "De l'Apocryphe de la Genèse' aux 'Targoums': sur Genèse 14,18–20," in *Intertestamental Essays in Honour of Józef Tadeusz Milik* (ed. Z. Kapera; Cracow: Enigma, 1992), 77–90 (77).

<sup>22</sup> Ibid., 78.

<sup>23</sup> Fitzmyer, 19, observes that "The majority of writers who have discussed the genre of this text have either called it a midrash, or related it to midrashic writing." See his n. 28 for the lengthy list of scholars who have characterized the *Genesis Apocryphon* in this way.

<sup>24</sup> Cf. the perceptive remark over four decades ago by A.G. Wright, "The Literary Genre Midrash," *CBQ* 28 (1966): 108: "The word as currently used in biblical studies is approaching the point where it is no longer really meaningful and where some of the material designated as midrash resembles the later rabbinic midrash in a very superficial way. *And surprisingly very few voices have been raised in protest.*" (Italics mine, MJB)

Gary G. Porton, that we may include the *Genesis Apocryphon* under its rubric: “Midrash is a type of literature, oral or written, which has its starting point in a fixed canonical text, considered the revealed word of God by the midrashist and his audience, and in which this original verse is explicitly cited or clearly alluded to.”<sup>25</sup>

What is particularly interesting is to observe the modifiers, such as “Essene,” “most ancient,” and “haggadique d’un genre spécial,” attached to the term “midrash” by scholars who have employed that word to describe the *Genesis Apocryphon*. Thus André Dupont-Sommer writes, “the biblical account is enriched and embellished by rather extensive and purely imaginative developments related to the midrashic genre: the present scroll is a precious example of the Essene *midrash* and it is interesting to compare it with one or other of the rabbinic *midrashim*.”<sup>26</sup> Even Géza Vermes, who innovated the generic term “rewritten Bible,” and was the first to apply it to the *Genesis Apocryphon*, wrote, “*Genesis Apocryphon* occupies a privileged position in midrashic literature in that it is the most ancient midrash of all. With its discovery the lost link between the biblical and Rabbinic midrash has been found.”<sup>27</sup>

327 One of the most detailed, if unsuccessful, efforts to justify the appellation “midrash” is attempted by Hubert Lignée, who sees “points de contact avec d’autres ouvrages apocryphes ou pseudepigraphiques, déjà connus (en particulier le livre des Jubilés) et aussi avec des compositions plus classiques du judaïsme rabbinique: Midrashim et | Targumim.”<sup>28</sup> He proceeds to classify biblical interpretation at Qumran in three groups, legal, prophetic, and “commentaires expliquant les faits du passé et se rattachant à la *haggada* du judaïsme rabbinique.”<sup>29</sup> He continues,

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<sup>25</sup> G.G. Porton, “Midrash,” *ABD* 4:819, cited from *idem*, “Defining Midrash,” in *The Study of Ancient Judaism I* (ed. J. Neusner; New York: Ktav, 1981), 62. Later on the same page, under the heading “Rewriting the Bible,” Porton includes the *Genesis Apocryphon* among works which “represent another type of postbiblical midrash: the rewriting of the biblical account. This genre of midrash retells the biblical story by adding details, explaining difficult passages, rearranging material, and the like.”

<sup>26</sup> *Les Écrits Esséniens Découverts près de la Mer Morte* (3rd ed.; Paris: Payot, 1968), 293; E.T. from A. Dupont-Sommer, *The Essene Writings from Qumran* (tr. G. Vermes; Oxford: Blackwell, 1961), 280. It is interesting that Dupont-Sommer, 291 n.2 (E.T.) writes of the second part of Part II, the third-person narrative beginning at XXI 23, “the additions and modifications are so relatively insignificant that it may almost be regarded as a simple paraphrase of the biblical text in the targumic manner.”

<sup>27</sup> *Scripture and Tradition in Judaism: Haggadic Studies* (SPB 4; 2nd edition; Leiden: Brill, 1973), 124.

<sup>28</sup> Lignée, “L’Apocryphe de la Genèse,” 209.

<sup>29</sup> *Ibid.*, 209–210.

Si le terme de “midrash” est applicable à ces divers genres de commentaires, du fait qu’ils sont des *recherches* sur l’Écriture, on est en droit de le réserver d’une façon spéciale à cette dernière catégorie, en raison de son apparentement avec les oeuvres du judaïsme classique qui sont désignées sous ce nom. Or c’est dans cette catégorie que le present *Apocryphe* se range tout naturellement.<sup>30</sup>

After an interesting discussion of the contents of the *Genesis Apocryphon* and their literary connections, Lignée raises the “other” possibility, only to deny that the *Genesis Apocryphon* might be considered a “targum.” “En définitive, si notre apocryphe suit la trame de la *Genèse* biblique, il s’en écarte assez considérablement pour qu’on n’y voie pas un Targum, du moins au sens qu’on donnera à ce nom dans le judaïsme postérieur à l’ère chrétienne.”<sup>31</sup> Finally, he asserts “C’est pourquoi il faut lui réserver le qualificatif de *midrash*. C’est un midrash haggadique d’un genre spécial, qui n’est pas absolument semblable au midrash rabbinique, mais qui porte l’empreinte du milieu qui l’a produit, de sa mentalité et de ses préoccupations.”<sup>32</sup> Note how there is a constant tension in the remarks of scholars who employ the term “midrash” for the *Genesis Apocryphon* between their desire to use the generic marker and their need to distinguish it constantly from later rabbinic material which has first claim to it.<sup>33</sup>

Wright, noting that the *Genesis Apocryphon* has been designated as both targum and midrash, suggests that

for a discussion of literary genre we are at a distinct disadvantage in not possessing the beginning and end of G[enesis] A[pocryphon]. From what we do know of | the work it very much resembles a targum in that it sets out to give the full biblical text, rather literally for Gn 14, and elsewhere in much the same free and paraphrastic way that characterizes many sections of the Pentateuchal Palestinian targums.<sup>34</sup>

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid., 214.

<sup>32</sup> Ibid., 215.

<sup>33</sup> I note here a recent suggestion by Esti Eshel, “The Genesis Apocryphon: A Chain of Traditions,” in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden, Brill, 2010), 182, to employ the term “narrative midrash” for the *Genesis Apocryphon*’s genre. The employment of the term “narrative” for this category may be indeed be a step forward and worthy of further consideration, but I remain strongly opposed to the use of the term “midrash” for pre-rabbinic material.

<sup>34</sup> Wright, “The Literary Genre Midrash (Part Two),” *CBQ* 28 (1966): 425–426.



Somewhat surprisingly, it is the “autobiographical feature,” by which Wright means the first-person narration, that indicates to him that the work is not targumic. He therefore locates it “somewhere between a targum and L[iber]A[ntiquitatum]B[iblicarum],” and concludes, “At present, it can be said that the expansions on Gn in GA are certainly midrash and that there is some degree of probability to the view that the whole work is.”<sup>35</sup>

The fundamental flaw in the attempts to characterize the *Genesis Apocryphon* as targum or midrash is most clearly stated by Harrington, discussing the literary character of works that he terms “adaptations of biblical narratives,” including the *Genesis Apocryphon*,

Too frequently in the past (and unfortunately even in the present) these books have been treated according to the categories of later Jewish literature. . . . Because they paraphrase the biblical text, they have been called targumic. Because these books interpret biblical texts, they have been seen as midrashic. But careful literary analysis has demonstrated that they are neither targums nor midrashim.<sup>36</sup>

This judgment has been shared by many others; Joseph Fitzmyer, for example, writes,

It is not simply a midrash, just as it is not simply a targum. As there are passages where the word-for-word translation of the Hebrew text of Genesis suggests targum, so too there are passages where the embellishment of the text is reminiscent of haggadic midrash. Though there are elements in it which may justify its being regarded as the *prototype of midrash* [italics in the original], as this genre is known from considerably later rabbinic literature. . . .<sup>37</sup>

329 In my view, the problem with the categorization of the *Genesis Apocryphon* (and similar works) as midrash is a more profound one, namely an employment of the term “midrash” which has several meanings, many of which diverge too far from its fundamental one(s) as a classification | of a type of, and a method of, rabbinic literature. This is a good example of the failure of scholars in our field to come to an agreement on generic terminology which can be employed by scholars without worrying about how a term might be (mis)understood. Allowing such terminology to expand

<sup>35</sup> Ibid., 426.

<sup>36</sup> D.J. Harrington, “The Bible Rewritten (Narratives),” in *Early Judaism and Its Modern Interpreters* (ed. R.A. Kraft and G.W.E. Nickelsburg; Atlanta: Scholars, 1986), 242.

<sup>37</sup> Fitzmyer, 19. Evans, 154, concurs, “The *Genesis Apocryphon* is certainly not a targum, nor is it a midrash in the sense of text and commentary.”

until terms become virtually meaningless is not conducive to good scholarly technique. Surely we have reached the point in our study of Second Temple and rabbinic literature that we can devote some attention to this crucial matter and resolve it to a large degree. There is no doubt that we shall have to revisit and revise the language which we have been employing, and perhaps develop new habits to replace our old ones, but it will be worth the effort.<sup>38</sup>

As it became progressively clearer to those who studied the *Genesis Apocryphon* that it could not be made to conform to the terminology of targum or midrash, borrowed from later forms found in rabbinic literature, without strenuous contortions, the search for some other appropriate generic classification proceeded. Probably the term which has been employed most frequently in generic discussions of the *Genesis Apocryphon* is “rewritten Bible,” introduced by Vermes in 1961 to describe the following aggregation: “the Palestinian Targum and Jewish Antiquities, Pseudo-Philo and *Jubilees*, and the recently discovered ‘Genesis Apocryphon,’” and characterized as “a substantial narrative where the midrashist inserts haggadic development into the biblical narrative—an exegetical process which is probably as ancient as scriptural interpretation itself.”<sup>39</sup> Note the similarity of this language to the description by | Avigad and

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<sup>38</sup> Machiela, “Genesis Apocryphon,” 3–4, discusses briefly the confusion in the “interchangeable and conflicting use of adjectives like ‘rewritten,’ ‘parabiblical,’ ‘midrashic,’ ‘apocryphal,’ ‘retold,’ and ‘reworked’ to describe ancient Jewish texts that interpret Scripture.”

<sup>39</sup> Vermes, 95. I have discussed (and decried) the growing tendency to employ this term, if it is employed at all, much too broadly in “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–196 (above 1.39–62). I am not going to enter, in this article, into the debate over the appropriateness of employing the term “Bible” in discussing works of the Second Temple period which are obviously (to me) based on portions of what we now refer to as “the Bible.” The pendulum has swung much too far in the direction of refusal to acknowledge that certain works were “authoritative” (and perhaps even “canonical”) in this era and of favoring what I should describe as a rather anarchical portrait of the literature of the period (cf., e.g., J.G. Campbell, “‘Rewritten Bible’ and ‘Parabiblical Texts’: A Terminological and Ideological Critique,” in *New Directions in Qumran Studies: Proceedings of the Bristol Colloquium on the Dead Sea Scrolls, 8–10 September 2003* [ed. J.G. Campbell et al.; London: T&T Clark International, 2005], 43–68). Scholarly caution has given way to scholarly skepticism which, in turn, has given way to scholarly cynicism, with results that, in my view, are simply unproductive. Whether we prefer the term scripture (or Scripture) or Bible to refer to them, there existed literary works which were the springboard for a variety of Second Temple works, whether rewritings, commentaries or less clearly defined genres. Cf. my comments in “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” *Dead Sea Discoveries* 15/1 (2008): 24–49 (26 n.4) (below 2.477).

Yadin cited toward the beginning of this essay, “a sort of apocryphal version of stories from *Genesis*.”

Almost all scholars who employ the term “rewritten Bible” in their discussion of Second Temple literature include the *Genesis Apocryphon* under that rubric, and I would still count myself among them.<sup>40</sup> And even scholars who choose not to employ the specific term “rewritten Bible” often use language which indicates their approval of it. Thus Fitzmyer, who appears to prefer Ginsberg’s term “parabiblical” for the *Genesis Apocryphon*, writes, “It is a good example of the so-called re-written Bible.”<sup>41</sup>

I have argued that one of the reasons for the lack of satisfaction with the term “rewritten Bible” (other than the refusal to acknowledge that “Bible” is a meaningful term) is the way it has been increasingly applied loosely to a broad variety of Second Temple works, without paying attention to Vermes’ original criteria.<sup>42</sup> Daniel Falk suggests an objection of a very different nature, claiming that the designation of the literary genre of the *Genesis Apocryphon* is

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misleading, even apart from the implicit anachronism of the term. Rewritten Bible (or better, Scripture) describes a formal feature that has to do with the process of producing the work, and hence can also refer to the phenomenon of such | works, but it does not meaningfully describe what the new work is or how it functions.<sup>43</sup>

Actually, I do not agree that “rewritten Bible” describes something formally in the way that “targum” does. “Targum” is a strictly definable formal category, recognizable in almost all cases by the representation of the words of the Hebrew text in Aramaic; “rewritten Bible” is a looser sort of term, describing what the work *does*, namely retelling and

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<sup>40</sup> The exception appears to be Michael Segal, “Between Bible and Rewritten Bible,” in *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids, Mich.: Eerdmans, 2005), 17, who would limit the term to works composed in Hebrew, thus excluding the *Genesis Apocryphon* and other works written in Aramaic or Greek. The most recent attempt to grapple with the term “rewritten Bible” systematically is that of Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids, Mich.: Eerdmans, 2008), 9–15. White Crawford prefers the term “rewritten Scripture” to “rewritten Bible,” and would include a few works under this rubric which I would not, but her categorization, on the whole, is similar to my own. (I thank Professor White Crawford for furnishing me with a pre-publication copy of her book and for productive dialogue over the years on this topic.)

<sup>41</sup> Fitzmyer, 20. I shall discuss my reasons for not preferring “parabiblical” below.

<sup>42</sup> In the article from *Textus*, cited above n. 39, in arguing for a narrow and rigorous employment of “rewritten Bible” as a valid taxonomic term, I present lists of works which have been classified under this rubric by a variety of scholars who use the term much more loosely than I prefer.

<sup>43</sup> Falk, 41.

re-presenting the Bible, and in that way it might be said to be a functional sort of description.

I am furthermore not sure that Falk does not demand too much from a generic description by asking that it define function as well as literary form. And although Falk prefers the term “parabiblical,” he concedes that

This term is even less suitable as the name of a literary genre... [and] is best used as an umbrella for a wide range of texts of various genres generated centrifugally from Scripture... The *Genesis Apocryphon* is a significant example of this phenomenon, of the more specific type that can be described as rewriting or retelling Scripture. But it seems best not to regard either of these as specific literary genres.<sup>44</sup>

Perhaps Falk’s caution in refraining “from attempting to determine a specific literary genre for the *Genesis Apocryphon*,” especially in light of the fact that we possess neither beginning nor end, is to be admired, but I believe that further discussion of this issue is warranted, even if any conclusions that we draw will be subject to some of the strictures which he suggests.

That term “parabiblical” with which Falk feels some discomfort has indeed also been employed for the classification of the *Genesis Apocryphon*. Originally suggested by H.L. Ginsberg in his review of the first edition of Fitzmyer’s commentary as a rubric “to cover works, like G[enesis] A[pocryphon], Pseudo-Philo, and the *Book of Jubilees*, which paraphrase and/or supplement the canonical Scriptures,”<sup>45</sup> it lacks the descriptive precision of Vermes’s term, in my opinion, but might have been adopted as a useful alternative if it had not been abused even more than Vermes’s was. Machiela, for example, points out correctly that the “official” usage of “parabiblical” in DJD is as a supercategory, | encompassing “compositions which have in common that they are closely related to texts or themes of the Hebrew Bible,” and under which “reworking, rewriting, or paraphrase of biblical books” is grouped.<sup>46</sup>

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<sup>44</sup> Ibid., 42.

<sup>45</sup> H.L. Ginsberg, “Review of Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1: A Commentary*,” *TS* 28 (1967): 574.

<sup>46</sup> Machiela, 4, citing H. Attridge, et al., eds., *Qumran Cave 4. VIII: Parabiblical Texts, Part I* (DJD 13; Oxford: Clarendon, 1994), ix. Falk, 4–6, likewise notes the broadening of “parabiblical literature as a broad category that includes rewritten Bible along with other genres;” cf. his remarks cited above.

At the conclusion of my article on rewritten Bible in *Textus*, I accepted the suggestion of Sidnie White Crawford that “parabiblical” be employed to describe works whose connection to the Hebrew Bible was looser than those that we call rewritten Bible.<sup>47</sup> In her most recent treatment, White Crawford formulates very nicely the view which we come very close to sharing. After defining the spectrum of works which she classifies as “rewritten Scripture,” she excludes from that group “parabiblical” texts which “use a passage, event, or character from a scriptural work as a “jumping off” point to create a new narrative or work.” Her examples include such texts as *1 Enoch*, *Pseudo-Ezekiel*, and *Joseph and Aseneth*.<sup>48</sup> The “parabiblical” genre will yet be of interest in our further discussion of the *Genesis Apocryphon*, but perhaps not from the vantage point expected.

We have seen thus far that the *Genesis Apocryphon* has been called “targum” and “midrash,” “rewritten Bible” and “parabiblical.” Other than “targum,” a term which is really difficult to justify for the lion’s share of the *Genesis Apocryphon*, there are elements in the *Genesis Apocryphon* which might justify partially each of these characterizations. But is there a genre to which the whole *Apocryphon* might be said to belong, or are we reduced to determining the genre of pieces of the text, conceding our inability to find an appropriate descriptive term for the whole?

333 And here I return to the proximate cause of this article, the source-critical conclusions of my research on the distribution of divine epithets in the *Genesis Apocryphon*, and ask: just how do the results of that study bear on its generic categorization? Or, to put the question differently, what does the question of sources have to do with the matter of genre, recalling that our focus in this discussion is on genre and not on | “unity”?<sup>49</sup> The answer, I believe, lies in the nature of the sources which have been sketched out by my analysis.

What is needed is merely to examine the ways in which the two parts of the *Genesis Apocryphon* relate to the biblical text. The limited remains of Part I of the *Genesis Apocryphon* are connected only very loosely to the

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<sup>47</sup> Bernstein, “Rewritten Bible,” 196.

<sup>48</sup> White Crawford, 14.

<sup>49</sup> For the latter, see now my “Is the Genesis Apocryphon a Unity? What Sort of Unity Were You Looking For?” *Aramaic Studies* 8:1/2 (2010): 107–134 (below 1.239–265). It is worth noting, however, that my claim that the *Genesis Apocryphon* derives from two distinct sources merely sharpens, on a certain level, our perception of the ways in which the two component parts relate to the Bible. Even in the unlikely event that the two generically diverse parts derive from a single hand, we could still argue for disunity on the generic level.

biblical text. In columns o–V there is virtually nothing substantial which can be linked to the words of the Bible. The fragmentary remarks which appear to be spoken by the “fallen angels” belong to the kind of expansion of Genesis 6:1–4 which became so fashionable in the Second Temple era, and most of the other reported speech that survives does not derive directly from the Bible.<sup>50</sup> The outline of the biblical story is followed, more or less, in Part I, but the biblical text is of little import, and even the details of the biblical narrative do not play a significant role in the retelling. If one looks for points of direct contact between Part I of the *Genesis Apocryphon* and the Bible, one discovers very few.<sup>51</sup>

If we look at Part II of the *Genesis Apocryphon*, on the other hand, we see material which, taken together, can easily be classified under the narrow rubric of “rewritten Bible” as I have understood it, following Vermes. It stays close to the story-line of Genesis 12–15, but introduces into it various sorts of information which supplement the biblical text, | fleshing out details in the story and resolving certain exegetical difficulties in it.<sup>52</sup> If we examine the texts of Genesis and the *Genesis Apocryphon* side-by-side, we can often see how the author of Part II of the *Genesis Apocryphon* is reading the biblical text. Even what appear to be the lengthier digressions in this segment, such as the delineation of the boundaries of the Land of Israel and the near-erotic poetic description of Sarai’s beauty, can be said to have stimuli in the biblical text. One could write a fairly close and detailed summary of the story in Genesis 12–14 on the basis of Part II of the *Genesis Apocryphon*, something which could not be accomplished for

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<sup>50</sup> G.W.E. Nickelsburg, *Jewish Literature Between the Bible and the Mishnah* (2nd edition; Minneapolis: Fortress, 2005), 174, suggests that the opening section of the *Genesis Apocryphon* (until “the book of the words of Noah”) “represents a rewriting of the story in 1 Enoch 106–107.” Note his further comment (176) “with respect to its genre and its motifs and emphases, the Genesis Apocryphon is a remarkably complex document;” but he makes no attempt to delineate or define the genre at all!

<sup>51</sup> For a preliminary treatment of this issue, see my “From the Watchers to the Flood: Story and Exegesis in the Early Columns of the *Genesis Apocryphon*,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran, Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002* (ed. E.G. Chazon, D. Dimant and R.A. Clements; STDJ 58; Leiden: Brill, 2005), 39–63 (above 1.151–174). There are very few instances in Part I of more than a couple of words which the biblical text underlies clearly, e.g., X 12 (Gen 8:4), XI 17 (Gen 9:2–4), XII 1 (Gen 9:13), XII 10–12 (Gen 10:22, 6, 2).

<sup>52</sup> See, for example, my “Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *DSD* 3 (1996): 37–57 (above 1.175–194).

Genesis 5–10 on the basis of Part I.<sup>53</sup> Or, to put it a bit differently, all the details of the Genesis 12–15 narrative are significant for the retelling in Part II of the *Genesis Apocryphon*.

In light of several comments made in the discussion following the presentation of this paper regarding the presence of multigeneric works in Second Temple Judaism, I find it necessary to clarify here the order of magnitude of the genre that I am discussing. My concern in this paper is on the possibility of generic classification of the *Genesis Apocryphon* as a whole, and our ability and willingness to classify individual units of a larger composition by genre does not detract from or interfere with the fact that the work as a whole belongs to a genre. Thus the existence of a poem (often described as *wasf*) describing Sarai's beauty in Part II does not affect the overall characterization of that section as rewritten Bible. That poem functions as an expansion of the biblical "the nobles of Pharaoh saw her and praised her to Pharaoh" (Gen 12:15). Likewise, Lange's characterization of XIX 10–XX 32 as "wisdom didactic narrative" does not change my classification of the whole of Part II. *Jubilees* is rewritten Bible despite the fact that its chapter 23 is an apocalypse.<sup>54</sup> The fact that Deuteronomy, Daniel and the *Aramaic Levi Document* each have several genres included within their boundaries does not vitiate my analysis; I am not claiming that the *Genesis Apocryphon* is unique in this fashion, only that we have to look for accurate ways to describe works, especially of the  
 335 Second Temple era, which are | multi-generic or generically eclectic. It is not enough to say that writers in this era composed works whose smaller units are generically disparate and to justify this by employing the word "eclectic"; we need to continue to struggle to characterize the larger structures in which those smaller literary forms are embedded.

Now, as we have just noted, the *Genesis Apocryphon* is certainly not the only work of Second Temple Judaism that is overtly composite—the book of *1 Enoch* is probably the best complete example of that phenomenon—but the *Genesis Apocryphon* is manifestly of a different nature from *1 Enoch* in this regard. *1 Enoch*'s five divisions stand out fairly clearly from one another, and the book does not give the impression of ever having been

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<sup>53</sup> This point, of course, must acknowledge the very fragmentary nature of columns 0–XVII.

<sup>54</sup> In the discussion after the paper, Michael Stone drew my attention to E.P. Sanders' discussion of apocalyptic units embedded in other works in "The Genre of Palestinian Jewish Apocalypses," in *Apocalypticism in the Mediterranean World and the Near East* (ed. D. Hellholm; Tübingen: Mohr, 1989), 447–60.

intended to be an integral whole, while the *Genesis Apocryphon* (granted its fragmentary *disiecta membra*) seems to be a coherent sequential narrative.<sup>55</sup> As a result, *1 Enoch*, in its totality, has not been at all easy to categorize generically, beyond such broad terminology as “parabiblical,” while the *Genesis Apocryphon*, as we have seen, has often been treated as a paradigmatic example of “rewritten Bible.”

What, however, are we to say now that the *Genesis Apocryphon*’s component parts are more clearly distinguishable and that the joins in that flowing narrative stand out more sharply? It has become clearer to us that this is probably not a work composed by a single author sequentially *ab initio*, but is the product of the stringing together by an editor or redactor of originally separate compositions, or of the editor/redactor’s adding of his own material to a pre-existing work. How are we to characterize generically that composite whole? Can we indeed continue to speak of the *Genesis Apocryphon* as a whole, and can we demand of it whatever ideological consistency we might have expected in the past? Should we continue to refer to it as “rewritten Bible” because that term is certainly descriptive of its overall outlines, while acknowledging that its separate components need to be scrutinized individually to ascertain their different literary genres and possibly divergent *Weltanschauungen*?

A variety of comments by earlier scholars could, and perhaps should, have led us to raise these questions without my investigation into the distribution of divine epithets in the *Genesis Apocryphon* and the conclusions I drew from it. Some of the characterizations or classifications of the *Genesis Apocryphon* found themselves uncomfortably “hopping | back and forth between branches,” and could have precipitated this discussion. To note only two of them: Vermes’s description of the *Genesis Apocryphon* in the introduction to it in his English translation, “It is a mixture of Targum, midrash, rewritten Bible and autobiography,” underlines the problem with its unspecific and diverse classification compared to the clearer generic assertion which he made in *Scripture and Tradition* where he makes it one of the paradigmatic examples of the newly described genre “rewritten Bible.”<sup>56</sup> Knibb’s remark, “The literary genre of the *Genesis Apocryphon* is closest to the book of Jubilees, itself a reworking of Gen 1:1–Exod 15:22 and to the narrative portions of *1 Enoch* and of the Testaments of the

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<sup>55</sup> In my view, neither the textual reference to the “Book of Noah” nor the shift(s) in narrator undermines that perception of the work.

<sup>56</sup> The remark appears for the first time in the third edition of *The Dead Sea Scrolls in English* (Sheffield: JSOT Press, 1987), 252.



Twelve Patriarchs”<sup>57</sup> should have sounded a warning to anyone who realized that *Jubilees* and 1 *Enoch* belong to fundamentally different literary genres. Machiela makes this point very clearly:

Of course, it is worth reminding ourselves that the Genesis Apocryphon’s status as rewritten Bible is valid only when viewing the scroll in its entirety. Were we to possess only the first few columns, we would probably not consider this text rewritten Bible, but an Enochic writing. If, on the other hand, we had only column 22, it could legitimately be considered a targum.<sup>58</sup>

One way to resolve the generic dilemma might be a further revision or modification of the way that we employ the term “rewritten Bible.” Perhaps we should distinguish, on some level, between two types of works belonging to this genre. *Jubilees* and Pseudo-Philo, for example, each appears to have been composed as units by an author whose controlling hand we can see throughout the work; those two works therefore merit the heading “rewritten Bible” *in toto*. The *Genesis Apocryphon* and the *Temple Scroll* (if we are willing to accept it as a uniquely legal exemplar of “rewritten Bible”), on the other hand, exhibit clear marks of their composite natures. The “rewritten Bible” of the *Genesis Apocryphon* is composed of a series of mini-rewritings of limited scope, which we could call the “books” of Lamech, Noah and Abram, just as the original editors did (and just as the scroll itself does in the case of Noah). | Those components, when juxtaposed, form a continuous narrative and hence what we might call a secondary form of “rewritten Bible.”<sup>59</sup> But the final product, in the case of both the *Temple Scroll* and the *Genesis Apocryphon*, is not generically uniform; in the case of the *Genesis Apocryphon* we have virtually no choice but to refer to Part I as “parabiblical” and to Part II as “rewritten Bible.” But the utilization of a term like “rewritten Bible” with dual meaning is just the sort of imprecision to which we have objected in the past, and it should therefore be rejected. If, on the other hand, we are to limit the term “rewritten Bible” to texts like *Jubilees* or Part II of the *Genesis Apocryphon* for which it is particularly appropriate, and employ “parabiblical” for works which use the Bible as a starting point but do not follow

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<sup>57</sup> M. Knibb, *The Qumran Community* (Cambridge Commentaries on the Writings of the Jewish and Christian World 200 BC to AD 200 2; Cambridge: Cambridge University Press, 1987), 184.

<sup>58</sup> Machiela, 5. The fact that I do not agree with almost every one of Machiela’s specific formulations does not vitiate the cogency of his overall point.

<sup>59</sup> The same can be said of the several hypothetical sources out of which the *Temple Scroll* is said to be composed.

it or comment on it closely, then how are we to classify generically the whole of such composite works as *1 Enoch* or the *Genesis Apocryphon*?<sup>60</sup>

There is perhaps another taxonomic option to resolve our dilemma; it is not terribly attractive, but it is also not without precedent. Borrowing from the jargon of the form critics of the Hebrew Bible, we could acknowledge the *Genesis Apocryphon* to be a *Mischgattung* in a somewhat unusual sense: an integral whole which is composed of parts which, formally speaking, belong to two different literary genres, those that I prefer labeling “parabiblical” and “rewritten Bible.” Such a classification is not sleight of hand or taxonomic trickery since we are making the significant concession that there is no formal super-generic category which defines the whole.<sup>61</sup> At the same time, the explicit recognition that it is not all cut from the same generic cloth is significant. Fortunately, we can continue to study and analyze the works of antiquity even if | we cannot be sure of the correct generic pigeonholes in which to place them.

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The plural noun in the title of this paper, “The Genre(s) of the *Genesis Apocryphon*,” was thus intentionally polyvalent. On the one hand, I knew that I would discuss the various genres (or at least the major ones)—targum, midrash, rewritten Bible, parabiblical—to which the *Genesis Apocryphon* has been assigned since its discovery. And on the other, I knew that I would present the argument that the *Genesis Apocryphon* is composed of segments which do not belong to the same genre. From the perspective of the 21st century scholar, then, we can, and indeed must, speak of the *Genesis Apocryphon* as multigeneric.

<sup>60</sup> The composite nature of *Enoch* is less complex in this regard; since none of its components stays close enough to the biblical text to warrant the designation “rewritten Bible,” the term “parabiblical” can be more easily applied to the parts as well as to the whole.

<sup>61</sup> I would strongly disagree with Wright, 426, when, just before concluding that the *Genesis Apocryphon* is probably to be classified as midrash, he remarks: “The autobiographical feature is one held in common with testaments and other literature and may indicate that G[enesis]A[pocryphon] is a collection . . . of assorted material to elucidate the biblical text and expand on it in the spirit of L[iber]A[ntiquitatum]B[iblicarum].” The *Genesis Apocryphon* is a coherent whole, even if we cannot classify it easily generically; it is not merely “a collection of assorted material,” terminology which implies a certain haphazardness in the composition of the work. This is why I could not accept Armin Lange’s suggestion for the use of the term “collection” in the discussion that followed this paper [not reprinted here]. The *Apocryphon* has two critical features that are lacking from the manuscript that contained the *Rule of the Community*, the *Rule of the Congregation* and the *Rule of the Blessings* (1QS, 1QSa and 1QSB)—coherence and sequence. Its pieces can only appear in the order that they do, and once they do, they form a whole, regardless of our occasional critique of the unity of the work.

But there is another perspective on the genre of literature produced in late antiquity that I think we overlook regularly, and that is the perspective of the ancient “author.” To reiterate a point that I made in the first paragraph of this essay and that Michael Stone reinforced in his comment during the discussion, genre is a modern notion, created for our greater ease in classifying and discussing works of antiquity. Our last-resort classification of the *Genesis Apocryphon* as a *Mischgattung* can only be justified from the point of view of a 21st century scholar. The *Genesis Apocryphon* did not come together out of its component parts without a parent. We should assume that the final author/composer/compiler/editor of this work, whether or not he is responsible for the creation of one or more of those components, produced something that was intended to be read sequentially as an integrated whole, moving from the Lamech material (and anything which may have preceded it) to the Noah material to the Abram material (and whatever may have followed it). There is no reason to think that he was uncomfortable with the shift in “genre” within this work from a “parabiblical” to a “rewritten Bible” format. The same may be said of the shifts from first to third-person narration that we noted, but which have not been a focus of our discussion. The sense of generic integrity or “wholeness” which modern readers sense is violated by both the shift from “parabiblical” to “rewritten Bible” and from first- to third-person narrator was apparently not a concern to the ancient composer who made no attempt to avoid them or conceal them. On the contrary, he marks the movement from one “source” or section to another with “book of the words of Noah.” We may conclude quite reasonably that the ancients’ conception of genre, if indeed they had one at all, was not as precise, refined, or narrow as our own. This observation, which is quite clearly correct in the case | of the *Genesis Apocryphon*, may prove useful in the discussion of the genre(s) of other documents which survive from late antiquity.

## CHAPTER ELEVEN

### IS THE GENESIS APOCRYPHON A UNITY? WHAT SORT OF UNITY WERE YOU LOOKING FOR?\*

#### I. INTRODUCTION

The Genesis Apocryphon is currently being studied anew from a variety of perspectives, and there is an ongoing and fruitful dialogue among scholars working on this text. The SBL session (November 2009) at which the oral version of this essay was presented is a good example of the current conversation. From that dialogic perspective, this paper can be viewed to some extent as a part of an ongoing response both to comments that Dr. Esti Eshel made on a paper that I delivered at the conference on Aramaic texts from Qumran in Aix-en-Provence in July 2008, and to a paper that she delivered the following week in Jerusalem.<sup>1</sup> |

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The questions that I asked, somewhat tongue-in-cheek, in the title of this paper are two of many regarding the Apocryphon with which I have been attempting to deal in my recent research. They are the sort

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<sup>1</sup> My paper has appeared as “The Genre(s) of the Genesis Apocryphon,” in *Aramaica Qumranica: Proceedings of the Conference on the Aramaic Texts from Qumran at Aix-en-Provence 30 June–2 July 2008* (ed. Katell Berthelot and Daniel Stökl Ben Ezra; STDJ 94; Leiden: Brill, 2010), 317–343 (above 1.217–238); Dr. Eshel’s remarks are found in the discussion appended to the paper, 340. Her Jerusalem paper has appeared as “The Genesis Apocryphon: A Chain of Traditions,” in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. Adolfo D. Roitman, Lawrence H. Schiffman, and Shani L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 181–193. I appreciate Dr. Eshel’s willingness to share her paper with me in advance of its appearance in print, and I thank Dr. Tzoref for furnishing me with its most recent version. Some of Dr. Eshel’s views with which I am engaging have already been expressed in a number of her recently published papers: “The Dream Visions in the Noah Story of the Genesis Apocryphon and Related Texts,” in *Northern Lights on the Dead Sea Scrolls: Proceedings of the Nordic Qumran Network 2003–2006* (ed. Anders Klostergaard Petersen et al.; STDJ 80; Leiden: Brill, 2009), 41–61; “The Aramaic Levi Document, the Genesis Apocryphon, and Jubilees: A Study of Shared Traditions,” in *Enoch and the Mosaic Torah: The Evidence of Jubilees* (ed. G. Boccaccini and G. Ibbá; Grand Rapids: Eerdmans, 2009), 82–98; “The Noah Cycle in the Genesis Apocryphon,” in *Noah and His Book(s)* (ed. Michael E. Stone et al.; EJIL 28; Atlanta: Scholars, 2010), 77–95.

of questions that apparently do not have clear-cut answers, but which must be addressed nonetheless in our attempts to continue to make sense out of this unfortunately fragmentary ancient text. I have found that at times the absence of a clear answer may serve as the stimulus for the next question and the next piece of analysis, which can then sometimes be answered more definitively. One such issue is the question of the genre of the Apocryphon, which was the topic of my Aix-en-Provence paper. My conclusion that we can speak of the genre of Part I of the Apocryphon (columns 0–17) as “parabiblical” and Part II (columns 19–22) as “rewritten Bible,” but that there is no convenient generic term for the whole, was predicated to a large degree on very similar criteria and resulted in very similar dilemmas to the discussion of unity that is the subject of this essay. And a caveat that I expressed in that article can be repeated in this one: the concept of unity which we are discussing today, like that of genre, is a convenience of twenty-first century scholars, but not necessarily one binding on the ancient author/composer. I shall return to this point at the conclusion of my analysis.

109 The major obstacle to any discussion of the unity or non-unity of the Apocryphon is, of course, the fragmentary nature of its text. Without knowing how the text began or how it continued beyond column 22, without the bottom | lines of many columns, and with only isolated words and phrases surviving on others, a great deal of what we can say about unity or any other overarching concern of this text must be conceded to be speculative. Nevertheless, the time has come in the study of the Genesis Apocryphon when questions of this sort must be addressed.

We could begin the discussion of the unity, or lack thereof, of the Genesis Apocryphon with those features of the text and the story that appear to deny its unity. Such an approach starts with the notion that the work has no intrinsic claim to unity and argues that anyone making such a claim must first confront those explicit and overt elements which argue against unity. Adopting such a tactic and following it to what appears to be its logical conclusion might very well preclude our admitting even the possibility of the Apocryphon exhibiting a unity. After all, there are features within the text which clearly divide several of its parts from one another. I choose to denote this type of unity, or the lack of it, as “compositional.”

On the other hand, however, the very manuscript of the Apocryphon, even in its current sorry state, stands up and proclaims that it is a unity in some sense, despite whatever qualities and elements that the modern scholar feels detract from its unity. The very fact that it presents a sequential and unbroken narrative treatment of the stories of Genesis 5 through

15 is a very strong indication that its author considered it to be a whole, and intended it to be read that way.<sup>2</sup> If we begin with the text itself as the starting point and the consequences that follow from that approach, we may be led to examine the narrative and the way it is presented for further signs of unity that fly in the face of the first approach that we suggested. This sort of unity I should term “narrative” unity.

So the question of unity is not as simple as it might have appeared to be initially, and we have to consider the question of whether the same work may be a unity and yet not a unity depending on the parameters by which we evaluate it; or, to put it differently, we may find both compositional non-unity and narrative unity in the Apocryphon. We can crystallize this quasi-dilemma with the words of the original editors of the Apocryphon, Nahman Avigad | and Yigael Yadin, “The work is evidently a literary unit in style and structure . . . though it may be perhaps be divisible into books—a Book of Lamech, a Book of Enoch, a Book of Noah, a Book of Abraham.”<sup>3</sup> A unity, on the one hand, but divisible into books, on the other.

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## II. THE ARGUMENTS AGAINST UNITY

### A. *Explicit Divisions within the Text*

Because the arguments against unity are more formal and concrete (and perhaps more obvious), I am going to begin the discussion with the first approach that I suggested, and then proceed to discuss why that formal analysis need not have the last word. There are at least two technical text markers of non-unity in the Apocryphon: the phrase *כתב מלי נוח*, “book of the words of Noah” which marks the transition from what I shall

<sup>2</sup> I mean by “unbroken” the fact that it tells the whole story, despite the markers that seem to divide it into segments. The unbroken nature of the Apocryphon’s narrative distinguishes it, for example, from a work like 4Q252, “Commentary on Genesis A,” which proceeds through Genesis sequentially, but selectively. By “author,” I mean the individual responsible for the Genesis Apocryphon in its final form; for the sake of variety, I sometimes refer to him as the final composer or editor. What is important is his lastness.

<sup>3</sup> Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea: Description and Contents of the Scroll, Facsimiles, Transcription and Translation of Columns II, XIX–XXII* [מגילה חיצונית לבראשית ממגילות מדבר יהודה] (Jerusalem: Magnes Press and Heikhal ha-Sefer, 1956), 38. My colleague, Professor Richard C. Steiner, suggested in his “The Heading of the *Book of the Words of Noah* on a Fragment of the Genesis Apocryphon: New Light on a ‘Lost’ Work,” *DSD* 2 (1995): 69, that what they may have had in mind in the latter part of the statement was that “the author or compiler of the Genesis Apocryphon viewed the latter not as a book but as a collection of books.” The results of this essay will indicate that, in point of fact, such may not be the case.

call for the moment the “Lamech-Enoch” material to the Noah material toward the end of column 5, and the substantial *vacat* in the text in the otherwise illegible column 18, which apparently indicates the shift from the Noah story to the Abram component of the narrative.<sup>4</sup> Although we cannot know whether these were the only such markers in the text or not, they certainly have the effect of dividing or marking off the narrative into three sections, the one before “the Book of the words of Noah,” that book itself, and the Abram stories.<sup>5</sup> That much is clear. We | might debate the issue of the central figure in the first section, who has been agreed to be Lamech by most scholars since the initial publication, but whom Eshel has suggested should be Enoch.<sup>6</sup> Regardless of our decision, however, we would still be dividing the surviving text of the Apocryphon into three segments.

Now it might be argued that these markers are the work of the single author of the Apocryphon, and that he employs them to delineate the divisions into which his work fell, but it is difficult to make that argument about the phrase *בתב מלי נוח*. No matter whether we accept the existence of a large-scale “Book of Noah” in antiquity or not,<sup>7</sup> it would be very odd

<sup>4</sup> Pointed out by Armin Lange in “1QGenAp XIX 10–XX 32 as Paradigm of the Wisdom Didactic Narrative,” in *Qumranstudien: Vorträge und Beiträge der Teilnehmer des Qumranseminars auf dem internationalen Treffen der Society of Biblical Literature, Münster, 25.–26. Juli 1993* (ed. H.-J. Fabry et al.; Göttingen: Vandenhoeck & Ruprecht, 1996), 192, n. 10.

<sup>5</sup> Daniel Falk, *Parabiblical Texts: Strategies for Extending the Scriptures Among the Dead Sea Scrolls* (Companion to the Qumran Scrolls, 8; Library of Second Temple Studies, 63; London: T&T Clark, 2007), 30, divides the text into only two segments, a Noah cycle and an Abram cycle, but most scholars opt for the (at least superficial) tripartite segmentation that is accepted by Eshel as well in several of her articles.

<sup>6</sup> In Eshel, “Chain of Traditions,” 184, (see also, Eshel, “The Noah Cycle,” 79), based especially on her consideration of the fragmentary material in cols 0–1, she writes, “It is therefore more reasonable to take the first six columns as telling a story from the perspective of Enoch.” Although I have chosen to operate, on the basis of the surviving textual material of the Apocryphon, with the generally accepted characterization of columns 0–5:29 as “Lamech material,” it is with the full knowledge that Eshel’s nomenclature might very well have been more accurate had more of those early columns, and whatever might have preceded them, survived. From the standpoint of the analysis of the issue of unity in which I am interested, however, I do not believe that it makes a great difference whether the leading character in that section was Enoch or Lamech, or whether what preceded “book of the words of Noah,” derived from one, two, or even more than two sources.

<sup>7</sup> Regarding this alleged work, see Florentino García Martínez, “4QMess Ar and the Book of Noah,” in *Qumran and Apocalyptic: Studies on the Aramaic Texts from Qumran* (STDJ 9; Leiden: Brill, 1992), 1–44; Devorah Dimant, “Noah in Early Jewish Literature,” in *Biblical Figures Outside the Bible* (ed. Michael E. Stone and Theodore A. Bergren; Harrisburg: Trinity Press International, 1998), 123–150; Michael E. Stone, “The Axis of History at Qumran,” in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls: Proceedings of the Second International Symposium of the Orion Center for the*

for the author of an integral ancient work to mark off one of its sections with the words “Book of the words | of Noah” unless he is introducing the material from an already existing source. If the reconstruction [פִּרְשָׁן] כְּתָב מְלֵי נוֹחַ, “[copy of] the book of the words of Noah,” is accepted, that case is closed.

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These apparent divisions within the text of the Apocryphon also have, I believe, a not very subtle psychological impact on us that affects our analysis of the narrative and creates an additional obstacle to our viewing it as a unity. Because of these “markers,” we pay perhaps overdue attention to the component parts, and there is a strong tendency among scholars to speak of a series of discrete “cycles” in the document, each focusing on a different character, as if the Apocryphon is a series of separate episodes that have been sewn together or merely juxtaposed.<sup>8</sup> Once we focus on the central characters who dominate the consecutive divisions of the manuscript, it becomes quite natural to define the successive elements of the narrative in terms of the major figures of each one. This approach goes back as far as the remarks made by the very first editors of the text (cited above, n. 3). Thus, whether we follow Eshel in her characterization of the segments as three “cycles” belonging to Enoch, Noah, and Abram, respectively, or Falk in speaking of a Noah cycle and an Abram cycle, we emphasize perforce the seemingly independent aspects of those portions, and sharpen unnecessarily the lines of demarcation between them.<sup>9</sup>

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*Study of the Dead Sea Scrolls and Associated Literature, 12–14 January, 1997* (ed. Michael E. Stone and Esther G. Chazon; STDJ 31; Leiden: Brill, 1999), 133–149; Cana Werman, “Qumran and the Book of Noah,” in Stone and Chazon, eds., *Pseudepigraphic Perspectives*, 171–181; Moshe J. Bernstein, “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. E. Ulrich and D. Parry; STDJ 30; Leiden: Brill, 1999), 199–231 (esp. 226–231) (below 1.291–322); Wayne Baxter, “Noachic Traditions and the *Book of Noah*,” *JSP* 15 (2006): 179–194; Michael E. Stone, “The Book(s) Attributed to Noah,” *DSD* 13 (2006): 4–23; Devorah Dimant, “Two Scientific Fictions: The So-called Book of Noah and the Alleged Quotation of Jubilees in CD 16:3–4,” in *Studies in the Hebrew Bible, Qumran, and the Septuagint presented to Eugene Ulrich* (ed. Peter W. Flint et al.; SVT 101; Leiden: Brill, 2006), 230–249 (esp. 231–242); and, most recently, the volume edited by Stone et al., *Noah and His Book(s)* (see above, n. 2).

<sup>8</sup> Both Eshel and Falk, among others, employ the term “cycle” in their discussions of the Apocryphon.

<sup>9</sup> Falk, *Parabiblical Texts*, 30. It is actually somewhat ironic that Falk, by arguing for only two “cycles,” with the Lamech section belonging to the story of Noah, and serving to place it “in the context of the sons of God myth from Gen. 6.1–5,” begins to blur the line between two of the three stories that most scholars see in the Apocryphon, thus overriding some of the dichotomizing effect that viewing each of the stories as focused on its hero individually can generate. Similarly, Eshel, “Chain of Traditions,” 185, by suggesting that “the topic of the Watchers was one of the main subjects of both the Enoch and Noah



B. *Stylistic Differences within the Text*

113 The second major argument against the unity of the Apocryphon comes from the radically different ways in which the Lamech-Noah sections (Part I) and the Abram section (Part II) relate to the Hebrew text of the Bible. The limited remains of Part I of the Apocryphon are connected only very loosely to the text of the Hebrew Bible, and we note that in columns 0–5 there is virtually | nothing substantial which can be linked to the actual words of the Bible. The outline of the biblical story is followed, more or less, in Part I, but the biblical text itself is of little import, and even the details of the biblical narrative do not play a significant role in the retelling. In columns 0–5, the fragmentary remarks which appear to be spoken by the “fallen angels” belong to the kind of expansion of Genesis 6:1–4 which became so fashionable in the Second Temple era, and most of the other reported speech that survives does not derive directly from the Bible. Nickelsburg has suggested that this initial section of the Apocryphon (prior to Noah’s appearance on the scene), which I refer to as Part Ia, “represents a rewriting of the story in 1 Enoch 106–107.”<sup>10</sup>

Part Ib, beginning “Book of the Words of Noah,” stands a bit closer to the biblical narrative than Part Ia, since its narrative is fundamentally framed by the biblical story much more clearly than that of Part Ia, but in this part as well there are very few instances of more than a couple of words which the biblical text clearly underlies.<sup>11</sup> On the whole, then, if one looks for points of direct contact between Part I of the Apocryphon and the Bible, one discovers very few.<sup>12</sup> Or, to look at the proportions in a slightly different way, columns 0–5 correspond to Genesis 5:28–6:7, while

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cycles” may also be undermining the division into cycles to some degree. In each of these cases, they are pointing toward factors that unify the apparently disparate units.

<sup>10</sup> George W.E. Nickelsburg, *Jewish Literature Between the Bible and the Mishnah: A Historical and Literary Introduction* (2nd edition; Minneapolis: Fortress Press, 2005), 174. He offers more detailed analysis, indicating clearly that he believes that we are dealing with written sources, in “Patriarchs Who Worry About Their Wives: A Haggadic Tendency in the Genesis Apocryphon,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael E. Stone and Esther G. Chazon; STDJ 28; Leiden: Brill, 1998), 138–144 and 157–158.

<sup>11</sup> E.g., in addition to the occurrences of קשט in column 6, based on צדיק of Gen. 6:9, and 6:23 which is a rewriting of Gen. 6:8, we note 10:12 (~Gen. 8:4), 11:17 (~Gen. 9:2–4), 12.1 (~Gen. 9:13), and 12:10–12 (~Gen. 10:22, 6, 2).

<sup>12</sup> For a preliminary treatment of the material from columns 0–11 of the Apocryphon, see Bernstein, “From the Watchers to the Flood: Story and Exegesis in the Early Columns of the *Genesis Apocryphon*,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran, Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research*

columns 6–10:12 appear to reflect the contents of Genesis 6:8–8:4. The latter segment presents much more Genesis material in a narrower range while still expanding the story.

Once the ark has rested on Ararat (10:12), and Noah has sacrificed and departed its confines, the text of the Apocryphon still remains fairly independent of the Bible, even while describing events that occur in Genesis | as well.<sup>13</sup> The author borrows half-sentences and sentences from Genesis while composing very freely, from God's covenant with Noah through the depiction of the planting of the vineyard and the celebration of the first wine from it.<sup>14</sup> The rest of the Noah section, however, columns 13–17, is virtually completely unattached to the biblical text in any way. The revelation to Noah which occupies 13–15 is a completely extra-biblical composition, and so is the detailed depiction of the division of the earth among his sons in 16–17.<sup>15</sup> Five consecutive columns with nary a biblical word surviving show just how little the author of Part I feels the need to base his narrative on the biblical text or even on the biblical story.

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If we look at Part II of the Apocryphon, columns 19–22, on the other hand, we see material which, taken together, can easily be classified under the narrow rubric of “rewritten Bible” as I prefer to employ the term, following Vermes's initial definition.<sup>16</sup> This best-preserved segment of the Apocryphon stays very close to the story line of Genesis 12–15 while introducing information into the narrative which supplements the biblical text, fleshing out details in the story and resolving certain exegetical difficulties

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*Group on Qumran, 15–17 January, 2002* (ed. Esther G. Chazon et al.; STDJ 58; Leiden–Boston: Brill, 2005), 39–63 (above 1.151–174).

<sup>13</sup> The description of Noah's offerings in column 10 owes more to Leviticus than it does to Genesis.

<sup>14</sup> I have discussed the omissions and rearrangements in this section of the Apocryphon in “The Genesis Apocryphon: Compositional and Interpretive Perspectives,” in *A Companion to Biblical Interpretation in Early Judaism* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2012), 166–167. I should note that, although I was formerly somewhat inclined to believe that the Apocryphon included the story of Noah's drunkenness (“Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *DSD* 3 [1996]: 43 [above 1.181]), I am now inclined to agree with those of my many colleagues who assume that the author of the Apocryphon omitted it.

<sup>15</sup> The former is probably loosely linked to the biblical text through a creative exegesis of Gen. 9:21 וַיִּתְגַּלַּל as “he received a revelation,” rather than “he revealed (i.e., exposed) himself,” as argued in detail by Daniel A. Machiela, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009), 102–104.

<sup>16</sup> Géza Vermes, *Scripture and Tradition in Judaism* (2nd ed; Leiden: Brill, 1973), 95, and my “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–196 (above 1.39–62).

in it.<sup>17</sup> If we examine the texts of Genesis and the Apocryphon side-by-side (or look at the material which Fitzmyer prints in italics in his edition<sup>18</sup> as being close reflections of the biblical | text), we can often see how the author of Part II of the Apocryphon is reading the biblical text, since far more of that text is embedded in his retelling than is found in Parts Ia or Ib. Even what appear to be the lengthier digressions in this segment, such as the delineation of the boundaries of the Land of Israel and the near-erotic poetic description of Sarai's beauty, can be said to have stronger stimuli in the biblical text than did the non-biblical material in Part 1.<sup>19</sup> One could write a fairly *close* and *detailed* summary of the story in Genesis 12–14 on the basis of Part II of the Apocryphon, something which could not be accomplished for Gen. 5–10 on the basis of Part I.<sup>20</sup> Or, to put it a bit differently, all the details of the Genesis 12–15 narrative are significant for the retelling in Part II of the Apocryphon. From the standpoint of the unity of composition of the Apocryphon, then, it appears that Parts I and II are composed in very different ways and stand in different relationships to the biblical text.

### C. *Divine Epithets*

Further evidence that dichotomizes Parts I and II from one another is to be found in the way in which each segment of the Apocryphon refers to God. In a recently published article in *JBL*, I demonstrated that they employ sufficiently divergent language in this area for a strong assertion to be made that the two parts derive from two different sources.<sup>21</sup> For

<sup>17</sup> See, for example, “Re-Arrangement,” and “Compositional and Interpretive Perspectives.”

<sup>18</sup> Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd edition; BOr, 18/B; Rome: Pontifical Biblical Institute, 2004).

<sup>19</sup> The former is a fulfillment of the divine command in Gen. 13:17 בארץ בתהלך, “arise and walk about the land, by its length and by its breadth, for I shall give it to you.” The latter can be seen as an expansion of Gen. 12:14–15 ויראו המצרים את האשה כי יפה היא מאד ויראו אתה שרי פרעה ויהללו אתה אל פרעה, “the Egyptians saw that the woman was very beautiful; when Pharaoh’s nobles saw her they sang her praises to Pharaoh.” I have characterized the difference between two types of sizable supplements to the story in the Genesis Apocryphon as “triggered” by something in the biblical text (such as the ones in Part II) and “untriggered” (such as most of the ones in Part I) in “Compositional and Interpretive Perspectives,” 169–171.

<sup>20</sup> This point, of course, must acknowledge the very fragmentary nature of columns 0–17.

<sup>21</sup> “Divine Titles and Epithets and the Sources of the Genesis Apocryphon,” *JBL* 128 (2009): 291–310 (above 1.195–216). A schematic overview of the location of the various terms can be found in the chart on 295, while the rest of this paragraph is an adaptation of my

example, Part I does not employ אלהא; Part II does. Part II does not use רבא קדישא רבא, מרה רבותא, מרה עליא or any combination with מלך; Part I does. The first three titles in the latter group are | characteristic of 1 *Enoch*. אל עליון, a Hebraism not found in Ethiopic *Enoch*, but found frequently in *Jubilees*, occurs almost exclusively in Part II. Part II does not have the rich variety of terms compounded with מרא that Part I does, with only one מרה עלמיא and one מרה ושליט; Part I has four different compounds of מרא, occurring a total of about ten times (with one of them being מרה עלמא, perhaps an equivalent of Part II's מרה עלמיא).<sup>22</sup> Based on their associations, I have theorized that Part I is closely related to 1 *Enoch*, while Part II appears connected, albeit less closely, to *Jubilees*. There is even very slight evidence for Parts Ia and Ib not being from the same source, but not enough to venture any confident conclusions.

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#### D. *Written, Not Oral, Sources*

This argument for the two parts of the Apocryphon deriving from sources based on their divergent employment of divine epithets is, I believe, an indicator of those sources being of a written, rather than oral, nature, because the very close resemblance in linguistic terminology appears much more unlikely if the sources were oral.<sup>23</sup> Other pointers toward written sources include Nickelsburg's suggestion that the birth of Noah scene between Lamech and Bitenosh is a development of the story that appeared in 1 *Enoch* 106–107, as well as the subsequent textual heading, “[copy of] the book of the words of Noah,” which must almost certainly refer to a written document. In a recently published article, James L. Kugel, assuming a relationship between *Jubilees* and the Genesis Apocryphon, has pointed out that the literary progression must be from *Jubilees*

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discussion there, 305–306. I should observe, as I did of Falk's division of the Apocryphon into two, rather than three, cycles, that the overall bifurcation that this method creates in the Apocryphon undermines somewhat the impression of its having a “tripartite” nature.

<sup>22</sup> Garcia Martinez, “4QMess Ar and the Book of Noah,” 41, made the following observation, which dovetails nicely, although unintendedly, with our analysis of the epithets in the Apocryphon: “1QapGen VII, 7 and XII, 17 use the divine title שמיא מרה which never appears in Jub., although it shows a great variety of divine titles. Among them God of Heaven (Jub. 12, 4; 20, 7) and Lord of the World (Jub. 25, 23) are the most similar ones to the Lord of Heaven. This title, however, is found in 1 *Enoch* 106, 11, in a summary of the Book of Noah, not elsewhere in 1 *Enoch*.”

<sup>23</sup> This is not to suggest that the author of the Apocryphon employed only written sources in addition to his own talents in composition. It is certainly possible that he possessed oral traditions that he integrated with his borrowings from written sources, but the reliance on written sources cannot be gainsaid in my view.

117 to the Apocryphon, and not the reverse.<sup>24</sup> His argument | is based on criteria quite different from the ones that I employed in my analysis of the unity of the Apocryphon, although the two dissimilar approaches come to very similar conclusions. Examining a variety of exegetical motifs in both works, he concludes that:

The *Apocryphon* contains at least nine exegetical motifs . . . that could, and probably would, have served well the purposes of the author of *Jubilees*, yet not one of them found its way into his book; at the same time, *Jubilees* contains no exegetical motifs that are *not* found in the *Apocryphon* in the sections that parallel the *Jubilees* narrative. This fact certainly strengthens the conclusion that, if one of these sources borrowed from the other, it was the *Apocryphon* that borrowed from *Jubilees*.<sup>25</sup>

It is clear from Kugel's analysis that he, too, is of the view that it was the *book of Jubilees* that was before the author of the Apocryphon when he composed, not merely oral traditions that coincide with *Jubilees*.

#### E. Summary

To summarize, then, there are three separate strong arguments that appear to militate against the compositional unity of the Genesis Apocryphon: first, the physical markers within the text and the manuscript that declare that it is made up of parts; second, the radically divergent approaches that Parts I and II have to the biblical text in their retelling of the biblical narrative; and finally the fairly divergent fashions in which they refer to God.

One additional argument could be raised against compositional unity, but I believe that it can be largely discounted. It has often been noted that a significant shift takes place at column 21, line 23, where the narrative shifts away from the first person which has been virtually omnipresent throughout the document to this point and remains in the third person

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<sup>24</sup> James L. Kugel, "Which Is Older, *Jubilees* or the *Genesis Apocryphon*? An Exegetical Approach," in Adolfo D. Roitman et al. (eds.), *The Dead Sea Scrolls and Contemporary Culture*, 257–294. I thank Professor Kugel for allowing me to see his full paper in pre-publication form.

<sup>25</sup> Kugel, "Which is Older?," 278. His conclusions dovetail well with a remark by Fitzmyer, *The Genesis Apocryphon*, 21, "One gets the impression that scanty details in Genesis, 1 *Enoch*, or *Jubilees* are here utilized in an independent way and filled out with imaginative additions." Falk, *Parabiblical Texts*, 29, writes similarly, "The strongest arguments seem to favor the view that the *Genesis Apocryphon* draws on both *Jubilees* and parts of 1 *Enoch*, incorporating traditions from them and other sources in accordance with the author's particular interests."

for the remainder of the surviving text. It could therefore be argued that the composer of the Apocryphon is drawing on a different source for the very last segment from the one he employs earlier in the Abram narrative. Since, however, there is a very plausible internal explanation for the shift from first to third-person narration | at that point, namely the fact that Abram cannot narrate the story of the war of the kings because he does not witness it, I believe that this is the weakest of the arguments against unity, and if it is of any value at all, it is only to support the three other arguments.<sup>26</sup> 118

### III. THE ARGUMENTS FOR UNITY

In the face of such convincing claims, why would I continue to discuss the question of the unity of the Apocryphon? The reason lies in the dichotomy that I suggested earlier between the compositional unity, which I believe the Apocryphon lacks, and the narrative unity, which it clearly possesses. In that narrative unity, the sections flow into one another with no overlap, as far as we are able to tell. In other words, whatever sources pre-existed the Apocryphon have been juxtaposed and shaped by its author/composer/editor to fit the form of the overall narrative that he presents.<sup>27</sup>

#### A. *Earlier Arguments for Unity*

I am not the only voice currently arguing for the unity of the Apocryphon. Esti Eshel has also recently made similar, and perhaps even stronger, claims in the various papers cited in footnote 1 above, and Daniel Falk has intimated an analogous view in his recent book on *The Parabiblical Texts*. There are, however, fundamental differences between our formulations and methodology that need to be made clear. Conceding, as I do, that the author of the Apocryphon may have employed earlier sources, Eshel adopts an approach and an argument which differs substantially from my own, claiming that “From the extant text, we can see a well-written story, with smoothly connected individual components, which

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<sup>26</sup> It must be conceded that my suggested reasoning does not explain why the narrative remains in third-person once Abram is on the scene again pursuing the kings, or for the final surviving lines of the Apocryphon that introduce his vision corresponding to the opening verses of Genesis 15.

<sup>27</sup> While completing the final version of this paper, I noticed that my choice of idiom here had been anticipated by Nickelsburg, “Patriarchs,” 152: “The author of the Apocryphon has shaped these two stories in a common direction.”

share both themes and terminology. Thus . . . the composition as it stands before us is a unified text, and is not a mere patchwork of three independent compositions.”<sup>28</sup>

119 | She admits that “in addition to the biblical text being used by the author of the GA, there might be evidence for his use of discrete sources, whether oral or written. Nevertheless, the text as it stands before us is a unified composition.”<sup>29</sup> The unity, for Eshel, is to be found in “chains of traditions,” i.e., parallels in circumstances between the major characters of the three sections of the work, whom she identifies as Enoch, Noah, and Abram, as well as similarities in the language employed in the various divisions of the narrative.<sup>30</sup> Granting that one of the dangers of this sort of literary analysis is its potential subjectivity, and the possibility that features that appear structurally significant to one reader may appear coincidental to another, I must nevertheless assert that a number of Eshel’s connective features—the fact that Enoch and Noah both struggle with sinful generations; that Enoch and Abram both communicate with God; and that Enoch, Noah, and Abram are each singled out as righteous and have visions regarding the future of humanity—strike me as generic and not unique or distinctive enough to create links between the sections of the Apocryphon.

Eshel writes, furthermore, “Another unifying technique employed by the author of the Genesis Apocryphon, apart from structuring three cycles around three major figures and creating intertextual connections between them, is the creation of secondary characters within these cycles.”<sup>31</sup> We certainly cannot know whether or not the apparent central roles of Enoch (in Eshel’s view), Noah, and Abram in the successive segments of the Apocryphon is the result of structuring by the author, or their presence in the sources from which he drew, although this suggestion should be kept

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<sup>28</sup> Eshel, “Chain of Traditions,” 185. In Eshel “The Noah Cycle,” 79–80, she writes along similar lines, “the Noah cycle seems to be an integral part of the composition, not an independent work taken from a written source and introduced as a whole into the Genesis Apocryphon.” As will become clear, I believe that those polar opposites are not the only alternatives available for our consideration. Since Eshel is of the opinion that the Apocryphon preceded and was employed by *Jubilees*, there is no question of *Jubilees* being one of the Apocryphon’s sources. But cf. the convincing (to me, at least) arguments of Kugel (above, n. 24) for the priority of *Jubilees*.

<sup>29</sup> Eshel, “Chain of Traditions,” 186.

<sup>30</sup> For Eshel’s suggested linguistic parallels between Enoch and Noah, cf. Eshel, “The Noah Cycle,” 80–81. She notes that within the Bible, furthermore, the unusual verb הַתְּהַלֵּךְ is employed for all three, Enoch, Noah and Abraham.

<sup>31</sup> Eshel, “Chain of Traditions,” 189.

in mind when we discuss the composition of the Apocryphon. The claim, however, that there are secondary characters who “serve transitional functions . . . connecting the earlier and later main figures, thus creating an even closer connection between the cycles,”<sup>32</sup> strikes me as a sort of *obscurum per obscurius* kind of reasoning, especially since | the presence and role of Shem, the suggested secondary character in the Noah section, is largely the product of Eshel’s creativity rather than the evidence of the text of the Apocryphon. 120

In sum, I believe that Eshel has gone too far in her attempt to vindicate the unity of the Apocryphon. Or, to put it rather differently, I think that because Eshel overstates the unity of the Apocryphon somewhat, she is compelled to rely on “unifying factors” that in my view are not strong enough to bear the weight of her claim. Unlike her, I do not think that our choices in evaluating the potential unity of the Apocryphon are only between “well-written story” and “mere patchwork,” and, as a result, when discussing the unity of the Apocryphon or its lack thereof, I am more willing than she to emphasize its disunity and even the tension that exists between the senses of unity and disunity that it manifests. The skill of the final composer of the Apocryphon does indeed create a certain kind of unity out of the disparate sources that he employed, but his method in doing so did not involve erasing the boundaries between them.

Falk, as opposed to Eshel, does not speak explicitly of the unity of the Apocryphon, but does offer a section dealing with “the Genesis Apocryphon as a book.”<sup>33</sup> He suggests that “common treatment of the Noah and Abram material—especially the expansions and additions—points to matters of special interest to the author,” particularly because the sections are of different natures and sources. I find myself in agreement with this loose characterization, but I am less certain that we can be sure that “where minute details of the rewriting correspond to unique structuring of the larger context of the narrative, the author reveals part of his particular *Tendenz*.”<sup>34</sup>

Unfortunately, almost all of the elements that Falk calls “modifications for readability . . . for the sake of the story,” derive from Part II of the Apocryphon, and can tell us nothing about possible links between the Noah and Abram sections.<sup>35</sup> The first-person narrative, on the other hand, and

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<sup>32</sup> Ibid.

<sup>33</sup> Falk, *Parabiblical Texts*, 102–106.

<sup>34</sup> Falk, *Parabiblical Texts*, 102.

<sup>35</sup> Falk, *Parabiblical Texts*, 103.



the psychological and emotional expansions of the biblical story, are in my view correctly seen by Falk to belong to both parts of the Apocryphon narrative and therefore likely to be a contribution of the final composer, at least in part, to the unity of the piece. Finally, I am far less certain than Falk that one of the overall concerns of the Apocryphon is for correct praxis, either in marriage laws or | sacrificial laws.<sup>36</sup> The latter are found only in the Noah section, and therefore cannot be claimed to be an overall issue that bridges the disparate segments of the Apocryphon. In the case of the parallel stories about Bitenosh and Sarai, which are indeed significant for the unity of the Apocryphon, I think that Falk overestimates their didactic, as opposed to literary, role, when he writes “the stories are for warning and emulation . . . this is the point of the intense focus on the psychological states of Bitenosh and Sarai . . .”<sup>37</sup>

### B. *A Less Unified Unity*

The specific question that I believe we need to explore is whether anything is holding together the formally and generically diverse elements of the Apocryphon, beyond the somewhat superficial narrative unity which is established by the story’s following, more or less, the sequence of the narrative in Genesis. For the purpose of this portion of my discussion, it does not matter that I am fairly certain that the Apocryphon is composed of two, three, or even more, sources, if I can argue that those sources have been treated in such a fashion as to create coherences between the stories that are more than merely sequential. Can we point to efforts, even not fully successful ones, by the final composer of the piece, to create a stronger unity than the storyline alone would present? Or to put it somewhat mathematically, is the whole greater than the sum of its parts?

Several related and very significant methodological points arise here that we must keep in mind as we proceed. First there is the problem of subjectivity in thematic evaluation to which I alluded above. Whereas the arguments presented against unity must be considered to some degree objective, the ones in favor of unity run a much more serious risk of begging the question. It is too easy to dismiss the links that can be seen between segments as products of the reader’s imagination rather than the editor/composer’s technique. I believe, nevertheless, that there exists a variety of thematic interests, which are not intrinsic to the narrative in Genesis,

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<sup>36</sup> Falk, *Parabiblical Texts*, 103–104.

<sup>37</sup> Falk, *Parabiblical Texts*, 104.

that recur in the diverse segments of the Apocryphon and can plausibly be suggested to be a product of the hand of the author/editor, enough to create a convincing case even if some of them are blamed on subjective analysis. Second, this approach makes certain assumptions regarding the active role of that final composer of the work that | have significant implications for our analysis. After all, if we consider his interests to have played a role in the final form of the work, he must have contributed to it to some significant degree. The latter conclusion appears to be even more susceptible to the criticism of subjectivity than the first. Third, and following upon the second, our limited database of Second Temple Jewish literature makes it difficult to assert with confidence that a given scene or motif has been invented by the author of the Apocryphon rather than one of his sources or traditions.

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Finally, and perhaps most important, we must concede that certain features of the Apocryphon that at first glance appear to contribute to, or underline, its unity must be discounted as primary evidence. We must constantly bear in mind the fact that the narrative of Genesis underlies the story-line of the Apocryphon. As a result, therefore, qualities of the narrative that can be said to derive from the biblical substratum of the Apocryphon cannot be employed mechanically to demonstrate its unity. Thus, for example, language appearing in two parts of the Apocryphon, which also appears in both instances in the underlying biblical text, cannot be argued to be employed as a unifying device absent further factors that would point in that direction. The presence of common biblical phenomena, such as prayer or the building of altars by different characters in the Apocryphon's story in the places where they appear in the Bible, likewise do not, *ipso facto*, create automatic connections between them.<sup>38</sup>

### C. *Formal and Thematic Unifiers of the Genesis Apocryphon*

The key to the evaluation of the unity of the Apocryphon, however, is probably our view of the role of the composer/editor in the production of the work, so let us consider the ways in which he might have affected the structure of the final product. Among the themes which have been suggested as "unifying" the Apocryphon are: dialogue, sexuality and marital

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<sup>38</sup> Abram's prayer when Sarai is taken away by Pharaoh (20:12–16) is not built on a biblical model, and is an example of the creative art of the Apocryphon, most probably belonging, in my opinion, to the hand of the final author.

123 relationships, geography, and revelations and dreams.<sup>39</sup> When we find a theme repeated in more than one | segment of the Apocryphon, we must not assume that all of its appearances are to be attributed to the final composer. That might very well imply that they are completely his creations, and that they were not present at all in any of the source texts. The fact that some of the themes are already intimated in the works that we believe were the sources of the Apocryphon make it likely that such a suggestion should probably be avoided. It is much more likely that repeated themes in Parts I and II are to be assigned *in one part or the other* to the final editorial hand and can therefore be viewed as contributing to its unity.

### 1. *First-Person Narrative*

There is no doubt that one of the characteristic stylistic features of the Genesis Apocryphon is its employment of a technique where most of the story is told in the first person by the leading character in the section. This style, together with the frequent utilization of dialogue contributes a great deal to the vividness of the narrative. We cannot know whether this telling the story through first-person narration is to be attributed to the final composer or to the written sources upon which he drew, but the following interesting argument can be made to suggest that it comes from the hand of the individual who produced the Apocryphon in its final form.

Once we agree that the Apocryphon has been composed from, or derives from, sources, including, most likely, *1 Enoch* and *Jubilees*, then we have to decide whether its first-personness is one of the qualities that derives from those sources as well. If it does, then we have to postulate the existence of at least two (if not three) first-person narratives between *1 Enoch/Jubilees* (for example) and the Genesis Apocryphon on which the composer of the Apocryphon drew.<sup>40</sup> If, however, we do not demand the existence of that extra level of sources between *1 Enoch/Jubilees* and the Apocryphon, then we must view at least some of the first-person

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<sup>39</sup> I have drawn on the work of a variety of scholars in compiling this list, including Nickelsburg, Eshel, and Falk. I stress that I do not accept all of the elaborate suggestions which Nickelsburg has suggested for certain thematic continuities between the parts of the text or which Eshel has made in arguing for the unity of the Apocryphon.

<sup>40</sup> If the heading *כתב מלי נוח* is taken to be the title of a work with Noah as first-person speaker, then we have one of them. The unlikely (to my mind) development from a first-person narrative source to a third-person narrative needs to be considered seriously by those scholars who believe that the Apocryphon antedates *Jubilees*. If it is as unlikely as I believe it to be, a serious argument against the priority of the Apocryphon has been raised.

material as the product of the final composer and consider its presence to be the result of his unique handling of the earlier literary tradition which he received. Even though the first-person narrator shifts from section to section, I think that the constant employment of this narrative technique serves to generate a sort of linkage between the disparate segments of the | work.<sup>41</sup> Some of the several surviving third-person sections in Part I—a couple of lines in column 5 and perhaps in column 3 as well (according to Machiela's readings)—may simply indicate an imperfectly carried out revision, while the lengthy description of the division of the earth in columns 16–17 may have been consciously left in third-person since it was not a particularly interesting section to revise into first-person speech.<sup>42</sup>

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## 2. *Husbands and Wives Talking to Each Other*

Related to the first-person presentation of the narrative, I believe, is the presence of frequent dialogue in the Apocryphon which may also be said to contribute to its "unity." In particular, it would appear that in several facets of both narrative and dialogue the Apocryphon treats of relationships between husbands and wives.<sup>43</sup> Thus Nickelsburg, followed by Eshel, has observed that the emotional scene between Lamech and Bitenosh in column 2 is missing from the presumed source for this segment of the Apocryphon, 1 *Enoch* 106–107.<sup>44</sup> It is very possible that this observation indicates that the vivid dialogue with its manifestation of woman's emotions and overtones of explicit sexuality is to be attributed to the final

<sup>41</sup> Dr. Machiela raised an interesting, if currently unanswerable query in this context. Comparing the narrative technique of *Jubilees*, he asked whether the first-person narratives of the Apocryphon could have been contained within a more traditional larger third- (or first-) person framework? Since we possess neither the beginning nor the end of the entire work, important questions like this one have to be put aside (even as we do not discount them) in order to avoid being frustrated by them.

<sup>42</sup> As I noted above, the third-person narrative of the last column and a fraction of the Apocryphon is probably not to be explained in this fashion, and demands independent treatment on another occasion. I have not been able to take into consideration in this treatment the important arguments presented in Matthias Weigold's essay, "One Voice or Many? The Identity of the Narrators in Noah's Birth Story (1QapGen 1–5:27) and in the 'Book of the Words of Noah' (1QapGen 5:29–18:23)" *Aramaic Studies* 8 (2010): 89–105. I suspect that some of my remarks may require modification as a result of his analysis.

<sup>43</sup> I am not sure that I would go as far as Nickelsburg and consider "Patriarchs Who Worry About Their Wives" to be "A Haggadic Tendency in the Genesis Apocryphon," as he does in the article cited above, n. 10.

<sup>44</sup> Nickelsburg, *Jewish Literature*, 173 and "Patriarchs," 158; Eshel, "Chain of Traditions," 190.

composer/editor, who enhances the tension in his version of the biblical story by retarding the progress of its plot through this stirring exchange.<sup>45</sup>

125 | It is further possible that the gap-filling scene and the dialogue between Sarai and Abram upon their entry into Egypt in column 19 is also a product of the final editor/composer. Granting our fragmentary knowledge of Second Temple Jewish literature, there are two features of the scene which appear to be unique to the Apocryphon: On a large scale, when Abram and Sarai are about to enter Egypt, Abram has a dream about a palm tree and a cedar in which the palm saves the cedar from being cut down by crying out that they stem from one root (19:14–17). He interprets the dream as foretelling an impending threat to him and Sarai, with an attempt on his life which only she can avert by declaring that he is her brother. This dramatic creativity on the part of the author of the Apocryphon is most likely directed at resolving one or more “perceived” gaps in the biblical story: first, how does Abram know that the Egyptians will seize Sarai when they reach Egypt, and second, why does he adopt the amoral solution of lying in order to save the situation?<sup>46</sup>

On a much smaller scale, the Apocryphon contains the following text: “This be all the kindness which you should do for me, in all the places where we come, say about me that he is my brother and I shall live because of you and my life shall escape on your account” (19:19–20). As I have demonstrated elsewhere, the author has integrated here a verse from Genesis 20 that refers retrospectively to Abram’s early life with Sarai into an event in that early life. Gen. 20:13 reads “when God caused me to wander from my ancestral home, I said to her ‘this be the kindness which you should do

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<sup>45</sup> Although there is an obvious connection between the unity of the Apocryphon and its “literary” nature, I have made a conscious effort in this essay to avoid conflating those issues. In this instance, I believe that it was valuable to indicate the possible function within the narrative of the technique employed by the author. I have discussed some of the “literary” aspects of the Apocryphon in “Narrator and Narrative in the Genesis Apocryphon,” at the Fifteenth World Congress of Jewish Studies, in Jerusalem, August 2009 and have continued the discussion in “The Narrative of the Genesis Apocryphon: Between Exegesis and Story,” at the Association for Jewish Studies Annual Conference, in Boston in December, 2010. The acknowledgment of the unity of the Apocryphon, however we understand it, is but the first step toward the analysis and appreciation of the ancient work as a literary oeuvre in its own right, independent of its relationship to the Hebrew Bible.

<sup>46</sup> For a discussion of this and other ancient “solutions” to these problems, cf. Geza Vermes, “Bible and Midrash: Early Old Testament Exegesis,” in *Post-Biblical Jewish Studies* (SJLA 8; Leiden: Brill, 1975), 67 (originally *Cambridge History of the Bible*, 1 [Cambridge: Cambridge University Press, 1970], 207), and James L. Kugel, *Traditions of the Bible: A Guide to the Bible as It Was at the Start of the Common Era* (Cambridge: Harvard University Press, 1998), 255–256 and 271–272.

for me, wherever we arrive, say regarding me that he is my brother'.<sup>47</sup> The Genesis Apocryphon | is the only surviving source from antiquity, to the best of my knowledge, that attempts to “solve” the allusion in the remark in Genesis 20 by locating a reference to it in the narrative of Genesis 12, earlier in Abram’s life.

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The combination of these two unique features, the dream and the harmonizing “back reference,” makes me suspect very strongly that they are both the product of the final composer, and that the dialogue between husband and wife, while not as elaborate as the exchange between Lamech and Bitenosh in column 2, is also the product of the same hand. I confess that by arguing that both of these passages, the dialogues of husband and wife in both Parts I and II of the Apocryphon, are the products of the hand of its final composer, I have here violated one of the guidelines that I suggested earlier of not arguing that similar material in both parts of the Apocryphon should be attributed to that individual, but there are exceptions to every rule, and I am willing to find one here.

It is likewise possible that the same fascination with marital bonds and sexuality is responsible for the presence of the poem in praise of Sarai’s beauty in column 20. Whether it comes from the hand of the final composer, or whether he took a pre-existing description of female beauty and inserted it into his story, it indicates an interest which bridges the diverse segments of the Apocryphon.<sup>48</sup> And perhaps the same concern generates the parallel oaths of Bitenosh (2:13–16) and Pharaoh (20:30), both of which assure a husband that his wife has not engaged in illicit sexual activity.<sup>49</sup> Structurally they appear to be very similar. It is too much to believe that all of these passages are the coincidental products of the juxtaposition of three source narratives without conscious modifications.

### 3. *Noah-Abram Links*

Another phenomenon that I have noted in the past which links the two parts of the text is the use of language in the Noah section of the Apocryphon that is clearly borrowed from the phraseology of later portions of

<sup>47</sup> Bernstein, “Re-Arrangement,” 50–54 (above 1.188–192).

<sup>48</sup> Note that I have suggested, on the one hand, that this unit is an exegetical gap-filler (above n. 20), and, on the other, that it is introduced because of conceptual interests of the author. These suggestions are not mutually exclusive.

<sup>49</sup> It is tempting to suggest that the theme of sexuality also underlay the fragmentary words *עם נקבתא*, “with women” (1:1) and *קדישין עם בנת אנו[שא]*, “holy ones with the daughters of ma[n]” (6:20), but such temptations ought to be resisted.

127 Genesis which tell the Abram story. This, too, I suspect, may be a product of the final composer's hand. When in 11:11 of the Apocryphon Noah declares that he went | out (presumably from the ark) and "walked upon the earth, by its length, and by its breadth," the text echoes Gen. 13:17 "Arise and walk through the land by its length and by its breadth," words which appear in the Apocryphon at 21:13–14 "arise, walk about, go and see how great is its length and breadth."<sup>50</sup> A few lines later, in 11:15, God appears to Noah and says *אל תדחל יא נוה עמך אנה ועם בניך די להון כואאתך*, "Do not fear, O Noah, I am with you and with your descendants who will be like you forever."<sup>51</sup> This is a virtual citation of material referring to Abram later in Gen. 15:1 "Do not fear, O Abram; I am your shield." The latter passage, indeed, actually appears, with an expansion which we might label as targumic, in the Aramaic of the Apocryphon at 22:30–31 *אל עמך תדחל אנה עמך*, "Do not fear; I am with you and I shall be for you support and strength, and I am a shield over you and your buckler against anyone stronger than you." In each of these cases, as I have suggested, the conscious employment of the language of the Abram material in a Noah context is part of an effort to include Noah as another "patriarch" in the chain of tradition, a phenomenon found elsewhere at Qumran although it is avoided in rabbinic literature.<sup>52</sup> In fact, it is only the fact that we find Noah integrated into the tradition of the patriarchs elsewhere at Qumran that prevents me from being more certain that this passage is from the hand of the final editor and possibly not from his source.

<sup>50</sup> In the Noah passage, *ארעא* probably means "earth," while in the Abram one it means "land." I do not accept Falk's suggestion (*Parabiblical Texts*, 65), that "the *Genesis Apocryphon* interprets 'fill the earth' as *taking possession of the boundaries of a specific promised land*" (italics in the original). There has been no specification in the surviving material to a particular location, and I believe that the expected meaning of *ארעא* must be "earth." I agree with Falk, *Parabiblical Texts*, 66, that "The author's model is Abraham," and see the language as bridging the two sections, but do not see that "the description of Noah surveying and touring the land is specifically parallel to unique additions to the narrative in the *Genesis Apocryphon* about Abram that describe Abram carrying out God's instructions to survey and tour the promised land." If, however, Falk were to be correct in his assertion, this would contribute further to the unity of the narrative.

<sup>51</sup> Falk mistranslates the end of this sentence in two different ways: in *Parabiblical Texts*, 55, he writes "I am with you and with your sons—to them as with you forever," and on 67, "and with your children that (it will be) to them forever."

<sup>52</sup> "From the Watchers to the Flood," 60–61 (above 1.171), and "Noah and the Flood at Qumran," 209 and 220–221 (below 301 and 311–312). I should not, however, go quite as far as Falk, who writes in *Parabiblical Texts*, 67, that "the *Genesis Apocryphon* portrays Noah as a new Adam and a proto-Abraham," contrasting this depiction with the less positive view of Noah that prevails (although not universally) in rabbinic literature.

| 4. *Geography*

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The interest of the composer of the Noah section in geography is manifest in his treatment of the division of the world among Noah's descendants, a theme which we see treated also in *Jubilees*, so that, if *Jubilees* is antecedent to the Apocryphon, it probably served as his model for this section.<sup>53</sup> But Abram's tour of the boundaries of the Promised Land in column 21 is, to the best of my knowledge, unprecedented in Second Temple Jewish literature, even though it does fill a gap in the biblical text, the carrying out of the divine command to "arise and walk about the land, by its length and its breadth." This, too, appears to be a way which the editor has found to link the Noah and Abram components of his story with broad strokes, mirroring the traditionally described geography of the division of the earth with his innovation of the boundaries of the land. In this instance, a link is created on a small scale as well. As has been pointed out by Falk, Machiela, and Eshel, the boundaries of the land traversed by Abram in 21:15–19 are the same as the portion allotted to Arpachshad in 17:11–15.<sup>54</sup> In both of these latter cases, I should stress, I do *not* claim that the author of the Apocryphon is responsible for the creation of the links on both sides; I believe that he has inserted language into the Noah material in Part I to match the Abram language, and created a geographical excursus focusing on Abram in Part II to parallel the division of the earth in Part I.

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<sup>53</sup> Machiela devotes a significant portion of his book (*The Dead Sea Genesis Apocryphon*, 85–130) to "The Division of the Earth in Genesis Apocryphon 16–17: A Case Study on Its Relationship to the Book of Jubilees." See also Esti Eshel, "The 'Imago Mundi' of the 'Genesis Apocryphon'," in *Heavenly Tablets: Interpretation, Identity and Tradition in Ancient Judaism* (ed. Lynn LiDonnici and Andrea Lieber; JSJSup 119; Leiden: Brill, 2007), 111–131.

<sup>54</sup> Falk, *Parabiblical Texts*, 93; Machiela, *The Dead Sea Genesis Apocryphon*, 92–93; Eshel, "Chain of Traditions," 189.



## 5. *Partial Unifiers*

### a. *Dreams*<sup>55</sup>

129 The search for unifying devices in the different parts of the Apocryphon, however, can occasionally be misleading. For example, dreams and revelations are prominent in both sections of the Apocryphon, although the fragmentary | nature of the text makes it difficult to calculate exactly how many occur in Part I.<sup>56</sup> Noah receives several, both before and after the flood, culminating in the lengthy eschatological vision of the trees in columns 13–15, and Abram has the warning dream in column 19 discussed above and a night vision (21:8–10) in which God commands him to ascend Ramat Hazor and survey the land.<sup>57</sup> Nickelsburg sees “revelation” as an ongoing theme in the Apocryphon, suggesting that “the motif of revelation in Enoch’s oracle about the Flood and the eschaton and in Abram’s dream about coming events in Egypt recurs in columns 13–15 . . . This is the third instance in which a section of Genesis that has no reference to revelation has been substantially elaborated through an appeal to revelation.”<sup>58</sup> The relevant question for our treatment is whether each of these dreams belongs to the source material of the Apocryphon, or whether some of them have been introduced into the narrative by the final composer as a feature which serves to integrate the diverse segments of the story.

I believe that in order to avoid the charge of over-reading, we must distinguish here between the dreams and their contents. It is very possible that the presence of revelatory dreams in all parts of the Apocryphon

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<sup>55</sup> On dreams in the Apocryphon, see the older treatments of Boudewijn Dehandschutter, “Le rêve dans l’Apocryphe de la Genèse,” in *La littérature juive entre Tenach et Mishna. Quelques problèmes* (ed. Willem Cornelis van Unnik; Leiden: Brill, 1974), 48–55, and Marianne Luijken Gevirtz, “Abram’s Dream in the Genesis Apocryphon: Its Motifs and Their Function,” *Maarav* 8 (1993): 229–243, as well as, more recently, Eshel, “Dream Visions.” Dr. Jassen points out correctly that dreams are also part of the literary expansion of the biblical narrative in such Second Temple works as the apocryphal additions to Esther, and that attention should be paid not just to their function in the Apocryphon, but also to the role that they play in other works that retell biblical stories with supplementation. For a recent survey of a somewhat broader nature, see Frances Flannery-Dailey, *Dreamers, Scribes, and Priests: Jewish Dreams in the Hellenistic and Roman Eras* (JSJSup 90; Leiden: Brill, 2004).

<sup>56</sup> Falk, *Parabiblical Texts*, 77, counts “at least four dreams or visions by Enoch, Noah, and perhaps Lamech.”

<sup>57</sup> The command to look about in all four directions and the promise of the land are found in Gen. 13:14–16, but there is no vision detailed in the biblical text. On the other hand, Abram’s vision that is found in the Apocryphon where it breaks off at the end of column 22 is parallel to the one in Genesis 15:1, and is therefore not to be included in this discussion.

<sup>58</sup> Nickelsburg, “Patriarchs,” 154–155.

should be seen as a device linking the Abram and Noah (and perhaps Lamech) sections, especially since it appears that Abram's dreams do not have antecedents in surviving Second Temple Jewish literature; that would allow for the significant possibility that they come from the hand of the final author. On the other hand, I am far less confident of the possibility that the final composer is using cedar trees in dreams to create a link between the parts of the text, as Eshel seems to suggest,<sup>59</sup> not least because I think that we have to be | wary of finding formal literary links which are unlike conceptually. The dream/revelation phenomenon may indeed demonstrate the literary technique and/or the ideological interest of the final composer, but, based on their surviving contents, the dreams themselves seem to have little in common other than their being dreams.<sup>60</sup>

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#### b. *Enoch*

Nickelsburg has focused on the role of Enoch material in the Apocryphon, and if I were to accept fully his analysis, together with some of the claims made by Eshel discussed above, regarding allusions to Enoch in Part II or similarities between the ways that Enoch and Abram are depicted, then the argument that I am making for the unity of the Apocryphon could be strengthened considerably. Nickelsburg has noted "additions to the Genesis story that tie 1QapGen 19–20 to the Enochic tradition,"<sup>61</sup> in particular Abram's reading to the Egyptian wise men from "the Book of the Words of Enoch" (19:25). Whereas that reference is indeed significant, in my view, and may point to an editorial attempt to connect the segments, the other "parallels" suggested by Nickelsburg, such as the shaping of "the Gen. 12 story to conform to the story of the watchers and the women," are highly tenuous in the same way as the connections between Enoch and Abram drawn by Eshel are too unspecific, in my view, to be seen as contributing strongly to the unity of the Apocryphon.

<sup>59</sup> Eshel, "The Noah Cycle," 81–82.

<sup>60</sup> Machiela, *The Dead Sea Genesis Apocryphon*, 132–133, draws attention to the fact that Noah and Abram experience dream-visions, and points out the diverse nature of their respective revelations; a similar observation is made by Falk, *Parabiblical Texts*, 89. If we allow ourselves to dream about what the now missing column 23 of the Apocryphon might have once contained, we could perhaps suggest that the full treatment of Abram's vision corresponding to Genesis 15 might have had eschatological contents parallel to Noah's prophetic one in columns 13–15.

<sup>61</sup> Nickelsburg, "Patriarchs," 149. Falk, *Parabiblical Texts*, 89, also writes, "The Noah and Abram sections are tied together by appeal to Enochic revelation."

## IV. CONCLUSIONS

I believe that the foregoing discussion has demonstrated that the Apocryphon, in the form that we have it, is both a unity and a non-unity; that while it points to the sources or segments out of which it was composed, those parts show signs of having been reworked by an author/editor into a narrative in which the individual units are linked by more than their sequentiality alone, and that the final product can be viewed, in some sense, as a whole. Although | the final composer has made no effort to conceal the sources out of which the Apocryphon was created, or even the seams between them, he has found a variety of ways, through the analogous handling of similar themes, and perhaps even in the introduction of themes into the story in places where, to the best of our knowledge, they are his own innovation, to highlight features or elements of the story that recur (or are made to recur) in the successive subdivisions of the narrative.<sup>62</sup> His presentation is neither Steiner's dichotomous "collection of books," nor Eshel's "well-written story, with smoothly connected individual components, which share both themes and terminology," but something in between those two characterizations.

The broad range of disparate unifiers that we have suggested for the Apocryphon contribute, on the one hand, to the effectiveness of the narrative unity that we observed earlier, as the often minimal sense of linkage created by each of them plays a role in bridging the borders between the stories that have been composed out of pre-existent sources. They are not sufficient, on the other hand, to erase fully the sense of compositional disunity that we have delineated above. The combination of that narrative unity and these unifiers together, however, is what allows us to analyze the Apocryphon as a coherent work, and not merely as a series of sources that have been glued together in biblical order. But the seams between what I believe to be the sources employed and manipulated by the final composer remain visible, allowing us a rather unique insight into the way

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<sup>62</sup> I am not going so far as to suggest that the author of the Apocryphon placed some kind of Aristotelian value on unity, but rather that he saw the opportunity to create a more perfect union among the disparate sources that he wove into the Apocryphon by employing the techniques that we have demonstrated in this essay. His own contributions to the expansion of the biblical story found in his sources are surely not all due to an attempt to "unify" the narrative, but may have been generated by a variety of factors, including his wish to include literary or theological themes that he considered significant. It is the total effect of his choices in these diverse areas that gives the Apocryphon the unity that we have described.

in which an ancient author produced a new product out of material some of whose original contexts we can identify.

I have argued above that the final composer of the Apocryphon is working with pre-existing *written* sources, rather than a vaguely defined amalgam of *oral* traditions as others have suggested. Does the allowance for the creative participation of the final editor in the production of the completed shape of the Apocryphon affect that claim in any way? I believe that the dichotomies between the two parts of the Apocryphon, whether in their relative closeness to the biblical text, or the way that they handle the biblical text, or in the epithets that they employ for God, all appear to me to undermine the picture of the work as the product of a creator author who is composing his work with only oral material available to him.<sup>63</sup> It is actually much easier to envision an author utilizing pre-existing written sources, modifying and molding them and building around them, and thus producing the Apocryphon, than to assume that he is doing all of this on the basis of oral material which has not already been put into literary form. Kugel's claim that the Apocryphon contains exegetical motifs which are not found in *Jubilees*, for example, but that *Jubilees* does not contain any which are unique to it and do not appear in the Apocryphon, would also tend to confirm the picture that I have drawn of a composer who is working with concrete earlier sources.

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## V. FINAL REMARKS

There are three further points that I should like to sketch out in conclusion, although I shall have to leave their full treatment to other occasions. The first is one to which I alluded in my introductory paragraphs: Is our appreciation and admiration of unity in a literary work a feeling

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<sup>63</sup> Dr. Machiela suggests the possibility that the final hand may be responsible for the complete composition of one of the sections *ab initio*, perhaps the Abram narrative, and I admit that there is no hard and fast evidence against such a position, although I deem it unlikely. I should ask in response, however, why should we assume that a composer whose project appears to be the integration of pre-existing material into a whole choose to shift gears and work with a literarily blank slate? I should therefore be inclined to limit the original contribution of that author to the pieces that I have pointed to in the course of my discussion, some of them substantial like the Abramic circumambulation of the land, which serve as literary unifiers of the disparate segments of the whole. On the other hand, I should therefore disagree as well with Falk's verdict, *Parabiblical Texts*, 102, which appears diametrically opposed to Machiela's suggestion, "It is questionable whether any significant amount of material in the *Genesis Apocryphon* can be considered completely free composition."

that would have been shared by the ancient author and his audience? Would they have seen the “seams” between the parts of the Apocryphon as flaws in its composition, highlighting the fact that even though its narrative flows continuously, there are bumps along the continuum? Would the notation “[copy of] the Book of the Words of Noah” mark the Apocryphon as an inferior composition in their view for drawing attention to one of its sources? Just as I suggested that genre may be a modern concern, so too may be unity. This is not the place to enter into further discussion of this not insignificant point, but it should remind us that, | no matter how good our textual reconstruction and literary analysis becomes, there remains an unbridgeable chronological, cultural, and contextual chasm that separates us from the final composer and first readers of the Genesis Apocryphon.

Second, we should keep in mind that we moderns read the Genesis Apocryphon (and perhaps other works that some of us classify as “rewritten Bible”) very differently from the way that the ancient reader (or listener) did. The ancient reader most likely read (or heard) a narrative without comparing with its biblical original as he read it; we can (and often do) sit with a copy of Genesis in one hand and the Apocryphon in the other, and go back and forth between them at our leisure, looking for those implicit interpretive details which characterize this genre. When we read the Apocryphon, and I must stress that I do not believe that we ever hear it—it is a strictly literary, as opposed to oral, text—we are often *looking* primarily for the interpretation embedded in the narrative, while the ancient reader may simply have been listening to a good story derived from the Bible. The primary goal of the author(s)/composer(s) of that story is likely to have been to tell the story well, rather than to be a biblical interpreter, and that aim may very well have affected his presentation. Once again, we have to concede that the way that we approach the document may diverge from the approaches of the ancient composer and audience.

Finally, the last two paragraphs should perhaps convince us that our consideration of the unity or lack thereof of the Apocryphon should not be looked upon as an end in itself. Once it is acknowledged that the Apocryphon is more than a series of narratives from Genesis strung together *seriatim*, and that the hand of a final composer can be recognized, we can, and should, focus our attention on the work itself, and not only on its sources or relationship to the Bible. The next step, having acknowledged the narrative unity of the Apocryphon, is to study the work as a literary entity, divorced as far as is possible from its biblical model, analyzing it as

if we had discovered it without having a biblical original before us.<sup>64</sup> Such circumstances would change the ways in which we think about the text. Unable to speak of “exegetical stimuli” in the biblical narrative to explain a variety of features of the story, we would be forced to read the Apocryphon on its own, as a work surviving from Late Antiquity, and to describe and analyze its literary form, structure and features independently of any “original” that may have underlain it. To borrow | a term from a different contemporary sphere, I suggest that we need to pay more attention to the “original intent” of the ancient composer and audience. I concede that the picture that I have just drawn may be a bit exaggerated, but it should remind us that we have to do our best to read the works that come down to us from Antiquity, whether in a direct chain of transmission or fortuitously discovered, in the way in which their original readers read them. It is only by consciously putting aside our contemporary concerns, such as genre, unity, and relationship to the Bible, that we can approach achieving a reading that resembles theirs most closely.

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<sup>64</sup> I have begun this next stage in my research agenda for the Apocryphon in the papers referred to in note 45 above. It is of course impossible, and actually unproductive, to maintain completely the pretense of the Apocryphon as having no connection to the Bible.

## CHAPTER TWELVE

### THE *GENESIS APOCRYPHON* AND THE ARAMAIC *TARGUMIM* REVISITED: A VIEW FROM BOTH PERSPECTIVES<sup>1</sup>

#### I. INTRODUCTION

Some of the questions that arise from any attempt to juxtapose the *Genesis Apocryphon* and the Aramaic versions of the Pentateuch are fairly obvious, and many of those have been discussed since the first publication of the *Apocryphon* in 1956. Others, however, could only be asked after the *Apocryphon* and works related or similar to it from the Second Temple era had been studied, as they have been now, for many years. I shall take the opportunity offered by this presentation to address both types of questions.

When the *Apocryphon* was first presented to the scholarly world by Avigad and Yadin, it appeared to be a very peculiar text: an Aramaic pre- and non-rabbinic document which retold stories from Genesis in a fashion at times similar to the way in which later rabbinic literature would in the genres usually labeled as targum and midrash. Those initial editors of the *Apocryphon*, however, in their introduction to the text and its translation did not focus on its relationship with the later rabbinic targumim. They appropriately, if not always accurately, saw fit to contextualize it within the Second Temple literature to which we are now certain that it belongs, describing it “as a sort of apocryphal version of stories from *Genesis*, faithful, for the most part, to the order of the chapters in Scripture . . . . The work is evidently a literary unit in style and structure, though . . . it may be perhaps be divisible into books—a Book of Lamech, a Book | of Enoch, a Book of Noah, a Book of Abraham.”<sup>2</sup> The fact, however, that it was a Bible-oriented work written in Aramaic drew other scholars to search for

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<sup>1</sup> I am grateful to participants in the Vienna conference who responded to the original presentation of this paper and impelled me to rethink and reformulate certain of its details, and to Professor Edward M. Cook, Dr. Aaron Koller, and Dr. Shani Tzoref who were kind enough to read and comment on the penultimate draft.

<sup>2</sup> N. Avigad and Y. Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea: Description and Contents of the Scroll, Facsimiles, Transcription and Translation of Columns II, XIX–XXII* (Jerusalem: Magnes, 1956), 38.

points of contact with the later targumim, and several articles, beginning at the earliest stages of *Apocryphon* scholarship, have addressed the possible relationship between it and the targumim.<sup>3</sup> To begin this discussion I should like to review some of those early forays into the comparative analysis of the targumim and *Apocryphon* and to show how some of the paths which were followed were not only ultimately unproductive, but also misleading to our proper understanding of this Second Temple era work.

## II. THE EARLY YEARS

The observations that were made of the *Apocryphon* vis-à-vis the later targumim were usually superficial, ranging from the unsurprising fact that certain portions of the *Apocryphon* were closer to the Hebrew text than others, and therefore were more similar in those places to the Aramaic versions, to similarities or differences in the ways that each of them translated the underlying biblical Hebrew text. Thus in what was probably the first article to approach this issue in the very first year | of *Revue de Qumran*, Manfred Lehmann observed that even outside of cols. XXI:23–XXII:26, which “are easily recognized for keeping fairly close to the Massoretic text [*sic*] . . . we find shorter or longer passages of literal translations of the Biblical text interwoven in the midrashic portions.”<sup>4</sup> This is doubtless true,

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<sup>3</sup> M.R. Lehmann, “1Q Genesis Apocryphon in the Light of the Targumim and Midrashim,” *RevQ* 1 (1958–1959): 249–263; G.J. Kuiper, “A Study of the Relationship between ‘A Genesis Apocryphon’ and the Pentateuchal Targumim in Genesis 14<sub>1–12</sub>,” in *In Memoriam Paul Kahle* (ed. M. Black and G. Fohrer; BZAW 103; Berlin: Töpelmann, 1968), 149–161; P. Grelot, “De l’Apocryphe de la Genèse aux ‘Targoums’: sur Genèse 14,18–20,” in *Intertestamental Essays in Honour of Józef Tadeusz Milik* (ed. Z.J. Kapera; Qumranica Mogilaniensia 6; Cracow: Enigma Press, 1992), 77–90. I have discussed some of the treatments of the assignment of the *Apocryphon* to the targumic genre in “The Genre(s) of the Genesis Apocryphon,” at the International Conference on the Aramaic Texts from Qumran, Maison Méditerranéenne des Sciences de l’Homme, Aix-en-Provence, France, June 30–July 2, 2008. That essay, together with responses to it, has been published in the proceedings of the conference, *Aramaica Qumranica: Proceedings of the Conference on the Aramaic Texts from Qumran in Aix-en-Provence 30 June–2 July 2008* (ed. K. Berthelot and D. Stökl Ben Ezra; STDJ 94; Leiden: Brill, 2010), 317–343 (above 1.217–238, but without the responses). Some of my formulations in the early portion of this paper will resemble my remarks in that one. At the same conference, I was the respondent to Thierry Legrand’s paper “Exégèses targumiques et techniques de réécriture dans l’Apocryphe de la Genèse (1QapGen ar),” and his paper and my response to it have also appeared in that volume (225–252). In my view, much of Legrand’s discussion can be said to belong to the area of midrash as much as of targum, and this is the focal point of the divergence in our analyses.

<sup>4</sup> Lehmann, “1Q Genesis Apocryphon,” 252.



and Lehmann's observation that at times the Aramaic phraseology differs from the Hebrew only by virtue of its having been shifted from the third person biblical narrative to the first person version in the *Apocryphon* was certainly correct. Note, on the other hand, the instinctive dichotomizing of the *Apocryphon* into "targumic" and "midrashic" segments; the generic sophistication and hyper-sophistication which we have developed in discussing the Qumran scrolls and other Second Temple literature over the last half century is of course lacking, so the convenient reference points of those two rabbinic genres, targum and midrash, are taken as the touchstones.<sup>5</sup>

Lehmann, like others after him, moves from this assertion about literal translations in the *Apocryphon* to a claim that the *Genesis Apocryphon* was somehow an ancestor of the later targumim, particularly the Palestinian ones, which are not as strictly limited to rendering the biblical text as is *Onqelos* and which intersperse their translations of the text with midrashic material. A half century ago, in the very childhood of Qumran scholarship, some analogies were too strong to resist and some of the flaws in this analysis may not have been as obvious as they appear to be to us today.

654 | Shortly after Lehmann's article appeared, Matthew Black explicitly questioned Avigad and Yadin's characterization, wondering "whether, in fact, this is an adequate or even correct description of the character of this old Aramaic text," and suggesting that "too much stress on the apocryphal character of the scroll may have the effect of obscuring or even misrepresenting its essential nature."<sup>6</sup> Black suggests that this Aramaic document might be "an early specimen of a written Aramaic Pentateuch Targum from Palestine, perhaps a prototype and forerunner of the old Palestinian Targum . . . and of the so-called Fragment Targum."<sup>7</sup> But within a few

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<sup>5</sup> This view was not limited to the literature in scholarly journals. André Dupont-Sommer, in one of the standard early translations of the Scrolls, in the edition that appeared after the *Apocryphon* had been published (and after Lehmann's article), remarks on the material in the *Apocryphon* parallel to Gen 14 (*The Essene Writings from Qumran* [trans. G. Vermes; Oxford: Blackwell, 1961], 291 n. 2):

[T]he story in the *Genesis Apocryphon* is even told in the third person as in the Bible, and no longer in the first person singular as in the preceding sections. *In fact the additions and modifications are so relatively insignificant that it may almost be regarded as a simple paraphrase of the biblical text in the targumic manner* [my emphasis, M.J.B.]. Chapter xiv of Genesis is generally thought to be an interpolation of fairly recent date and already midrashic in style; the author of the *Genesis Apocryphon* saw no need to add new midrashic development to this ancient midrash.

<sup>6</sup> M. Black, *The Scrolls and Christian Origins: Studies in the Jewish Background of the New Testament* (New York: Scribner, 1961), 193.

<sup>7</sup> *Ibid.*, attributing this idea to Paul Kahle.

pages, the tentative hypothesis becomes an assertion that “like any other Targum text, the Aramaic translation is simply following the sections of Scripture in their canonical order.”<sup>8</sup> Black’s surprising (to us) conclusion is “The new scroll is almost certainly our oldest written Palestinian Pentateuch Targum.”<sup>9</sup>

The next decade did not bring major progress in this area, as not only were the views expressed by Lehmann not corrected, but they were taken even further and sometimes with a greater sense of certitude. Gerald Kuiper, in his “A study of the relationship between ‘A Genesis Apocryphon’ and the Pentateuchal Targumim in Genesis 14<sub>1–12</sub>,” sets out to test Black’s conclusion.<sup>10</sup> After comparing the targumim of the first portion of Gen 14 with each other, and establishing some “working hypotheses” regarding their interrelationships (hypotheses, incidentally, which would probably not be acceptable in current targumic scholarship either), he turns to the *Apocryphon* and writes,

In G[enesis] A[pocryphon], as in the tgg, the Aram. paraphrase follows the Hebr. verse by verse, though this is most marked in columns XXI and XXII, and contains verses-proper and free midrashic additions.... In the verses-proper there is agreement in GA with all the Pal. tgg as well as with the Hebrew text. The agreement with one tg is particularly marked with N[eofiti], but is also found with P[seudo-]J[onathan].<sup>11</sup>

These so-called “agreements” are, on the whole, extremely superficial and are of the sort that might be expected among any group of translations or | paraphrases of the same Hebrew material into Aramaic. Kuiper’s remark, “As is the case in all tgg, GA occasionally follows literally the Hebrew text. Thus there is every indication of accord between GA and the Pal. tgg in the verses-proper,”<sup>12</sup> demonstrates quite overtly his presumption that the *Genesis Apocryphon* is a targum. The same observation, however, regard- 655

<sup>8</sup> Ibid., 195. We should note that the evidence for the targumic nature of the scroll derives almost entirely from the Abram material, especially col. XXII, which is much closer to the biblical text than the material in col. II, the only other one published at that time.

<sup>9</sup> Ibid., 198. Some years later, Black changed his mind about the generic identification, writing of the *Apocryphon*, “The new Aramaic document is a kind of *midrash* on Gen. xii and xiv” (*An Aramaic Approach to the Gospels and Acts* [3rd ed.; Oxford: Clarendon, 1966], 40).

<sup>10</sup> Kuiper, 149. On 155, he quotes Black as calling attention to the agreement of the *Apocryphon* “with the pre-Onkelos Palestinian Pentateuchal Targum.”

<sup>11</sup> Ibid., 155.

<sup>12</sup> Ibid., 155–156.

may enable us to understand how the *Apocryphon* is operating if we make the opposite assumption, namely that it is *not* a targum. The unique readings in the *Apocryphon* that do not coincide with any of the known Aramaic versions of Genesis are explained by Kuiper as being “characteristic of independently and freely developing tgg.”<sup>13</sup> In other words, the identical passages indicate the *Apocryphon*’s dependence on earlier versions, or at least traditions, while the divergent ones are also a feature of targumic composition. Somehow this just does not seem right.

Kuiper describes the *Genesis Apocryphon* further, once again in terms that highlight its asserted identification as a targum in non-specific generalities:

In GA, as in the Pal. tgg, we find midrashic additions. Among the shorter additions some agree with the tgg, and others have affinities to Palestinian traditions as has been noted in the discussion of the unique renderings. GA also includes unique, longer additions, another characteristic of the Pal. tgg. In the presentation of midrashic additions, some of which coincide with those in the Pal. tgg, while others are unique and often reflect likeness to Palestinian traditions, the nature of GA is revealed as the same as that of the Pal. Pent. Tg tradition.<sup>14</sup>

In this characterization, the attempt to encompass all of the *Genesis Apocryphon* under the rubric of “targum” requires that the very lengthy, non-biblical narratives that it contains be forcibly squeezed into the same category as the occasionally substantial, but never very lengthy, midrashic pluses which are found in the Palestinian targumim. They are simply not of the same order of magnitude.

It is perhaps unfair to reach back forty and fifty years to set up a straw man just to knock it down. I am doing it, however, not to denigrate the scholarship of that era, but rather to establish a framework for my ensuing analysis. And I therefore conclude this opening portion of my paper with Kuiper’s conclusion, one which is far from proven in my view:

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| It is clear that GA is a targumic text. Following the Hebr. text, the Aram. translation inserts midrashic material. It parallels the free translation of the Pal. tgg and is unlike the literal translation of O[nqelos].... Our conclusion is the tentative thesis that GA is a unique recension of the Pal. Pent. Tg tradition, to be placed next to those of P[J, N, C[airo] G[eniza], Pa[r]is, and Vat[ican]- L[e]ips[ig]- Nor[emberg]- Bom[berg]; that this recension is

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<sup>13</sup> Ibid., 156–157.

<sup>14</sup> Ibid., 158.

related to N; and that it, as well as the other Pal. Pent. tgg, lies behind the authoritative translation of O.<sup>15</sup>

We are now told that the *Apocryphon* is actually a recension, a witness to the targumic translation and interpretive traditions which should be juxtaposed to those of the later surviving targumim, and, even beyond that, that it is related to *Targum Neofiti*, whose manuscript, we should recall, dates to the early sixteenth century! We observe that the flaws in the methodologies of both Lehmann and Kuiper have to do not just with their inaccurate preconceptions of the *Genesis Apocryphon*, but probably their misevaluations of the Aramaic versions as well. In the 1950s and 1960s there were many prevalent theories regarding the history and interrelationships of the targumim that we have had to unlearn since then as well.

### III. THE CURRENT STATE OF THE QUESTION

Suffice it to say that these early exaggerated conclusions regarding the *Genesis Apocryphon* and its potential connection to the Aramaic versions have, on the whole, fallen by the wayside. But the ways in which we think about that theoretical link have not. If we examine, for example, the currently regnant edition of the *Apocryphon*, the third edition of the outstanding commentary by Joseph A. Fitzmyer, there are two features which attempt to present the data relevant to studying that connection. First, Fitzmyer presents a far more sober discussion of “The Genesis Apocryphon and the Classical Targums” in the introduction to the edition,<sup>16</sup> and second, in his translation he italicizes all text which he deems to be Aramaic translation of the biblical Hebrew text of Genesis. Although these techniques are both fundamentally mechanical in nature, and the second is occasionally debatable, they present the student of the *Apocryphon* with raw data for analysis.

| Fitzmyer presents a detailed list of passages “where one finds what may be regarded as an Aramaic translation of the Hebrew text of Genesis, or at least parts of it,”<sup>17</sup> being careful to distinguish between translation and what he calls “allusion.” In any retelling of the biblical story, language is

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<sup>15</sup> Ibid., 160–161.

<sup>16</sup> J.A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd ed.; BibOr 18/B; Rome: Pontifical Biblical Institute, 2004), 38–45.

<sup>17</sup> Ibid., 39.

likely to be used that can be seen as “alluding to” or reflecting the biblical version. He then follows with an even more elaborate comparative chart of the language of all the Aramaic versions and the *Apocryphon* in those passages.<sup>18</sup> Fitzmyer moves directly from this chart to his conclusion:

When one surveys the above data, it is evident that the *Genesis Apocryphon*, though a literal translation of the Hebrew text in places or in isolated phrases, is more frequently a paraphrase of the biblical text. The phrases that are literally translated are incorporated into its own expanded account. Therefore it cannot be regarded simply as a targum. In its use of Genesis, it is farthest removed from the literal character of *Tg. Onqelos*, and its paraphrase resembles some of the midrashic insertions in *Tg. Ps. Jonathan*. . . . [S]ome of the translations and interpretations of the Genesis text found in it are at the root of interpretations given in the later targums. Nevertheless, there is no way to prove this, since no direct literal dependence of the targums on the *Genesis Apocryphon* can be shown.<sup>19</sup>

Although in his care and unwillingness to go beyond where the data take him, Fitzmyer is light-years beyond the somewhat careless methodology of Lehmann and Kuiper, we may ask whether on a certain level his technique and the questions that he is asking of the text in this area have progressed very far beyond those of the earlier generation.<sup>20</sup> We are still lining up Aramaic words against Aramaic words and trying to discern whether there are any patterns of replication or imitation which could lead us to the conclusions that were asserted, although unproven, by scholars such as Lehmann and Kuiper. We are asking the questions and giving the answers from the perspective of the Aramaic targumim, and not from the perspective of the *Apocryphon*. For example, “its paraphrase resembles some of the midrashic insertions in *Tg.Ps.-Jonathan*.” Why not  
658 | “some of the midrashic insertions in *Targum Pseudo-Jonathan* resemble those in the *Apocryphon*”?

And it should be noted that, despite the work of Fitzmyer and others in clarifying the nature of the *Apocryphon*’s genre as non-targumic, Grelot could still write in 1992, admittedly far more cautiously than Lehmann

<sup>18</sup> *Ibid.*, 40–43.

<sup>19</sup> *Ibid.*, 43.

<sup>20</sup> To be sure, Fitzmyer (*ibid.*, 43–45) follows his above-cited remarks with brief observations meant to show that the *Apocryphon* belongs to an earlier stage of translation style than do the rabbinic targumim, noting such features in the *Apocryphon* as greater literality in certain instances; the absence of ית to render Hebrew אֱת; the use of construct chains rather than -ד; and the absence of “buffer” terms like מִי־מֵרָא when referring to God. But all of these are comparatively unsurprising and do not advance our understanding of the fundamental ways in which the *Apocryphon* and the targumim are, or are not, alike.

and Kuiper, “On pourrait donc soutenir qu’à partir de cet endroit, l’auteur final a collecté de véritables passages targoumiques, du moins pendant un certain temps (on a le début de Gen 15).”<sup>21</sup> His notion of a “final author” for the *Apocryphon* is one with which, as will be seen, I am in agreement. But I am less certain about the collection of targumic passages. He concludes, having focused in his discussion on a few verses from Genesis whose version is found in col. XXII of the *Apocryphon*:

Dans les versets examinés ici, l'*Apocryphe de la Genèse* se présente comme un véritable *Targoum*: il ne transpose pas les récits en faisant d’eux des documents autobiographiques. Mais on remarque au passage que les variants introduites dans le texte primitif et les minimes additions qu’on y relève ne dépassent pas [88] la manière d’agir du T[argoum] J[onathan], dans toutes ses variantes. On peut en induire que la pratique du *Targoum*, en marge de la lecture synagogale de l’Écriture, existait déjà au temps où le texte araméen de Gen 14–15 a été collationné pour prendre place dans l’ensemble du livre.<sup>22</sup>

Although arguing more subtly than his predecessors, Grelot fundamentally asserts on the basis of the presence of the translation of the Hebrew verses into the Aramaic of the *Apocryphon* that there were already targumim in existence when the *Apocryphon* was put into its final form.<sup>23</sup> Why need the presence of Hebrew verses rendered into Aramaic demonstrate the existence of whole targumim?<sup>24</sup> Why should we not rather allow for | the possibility that the author of the *Apocryphon* translated Hebrew into Aramaic wherever he chose to employ the language of the biblical text in his Aramaic narrative?

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<sup>21</sup> Grelot, “De l’ ‘Apocryphe de la Genèse’ aux ‘Targoums,’” 77.

<sup>22</sup> *Ibid.*, 87–88.

<sup>23</sup> J.E. Miller, “The Redaction of Tobit and the Genesis Apocryphon,” *JSP* 8 (1991): 53–61 (56), makes a similar claim, asserting, “The only non-pseudepigraphic section on [*sic*] the scroll is the later part of the Abram section, which may be thought of as targum, and probably derived from a targum available to the redactor” [emphasis mine, M.J.B.]. He observes further, *ibid.* n. 6, that only Dupont-Sommer (above n. 5) “recognizes the third person narrative as targumic.”

<sup>24</sup> I am not asserting that there were no complete or partial targumim of the Pentateuch in circulation prior to the period when the *Apocryphon* was written, only that the contents of the *Apocryphon* cannot prove their existence or non-existence one way or the other. The overall evidence of the Qumran corpus for the existence of such targumim is also negligible in my view, despite the substantial remains of 11QtgJob. Furthermore, while it is quite reasonable to presume that oral traditions of interpretation and translation in Aramaic existed in this era, to think of them as “targumim” would probably be an historically misleading methodological error.

## IV. REFORMULATING THE ISSUE IN LIGHT OF RECENT SCHOLARSHIP

I think that if we accept Fitzmyer's broad conclusions, as I believe we should, any meaningful discussion of the *Genesis Apocryphon* and the Aramaic targumim must begin with a different set of questions and operate from a very different vantage point from the one taken in the past if we are going to be able to learn anything new. In the remainder of this paper, I shall lay out some methodological reflections, preliminary observations, and suggestions for further investigation. The first one is that we should begin with the *Apocryphon*; I believe that one of the initial flaws in Lehmann's original study is manifest in the title—"The Genesis Apocryphon in the Light of the Targumim and Midrashim"—rather than targumim and midrashim in light of the *Genesis Apocryphon*. The historical sequence must be a significant factor in our analysis.

It is also clear that when we examine the *Apocryphon* for passages that translate, rather than paraphrase or summarize, the text of the Hebrew Bible, we find far more in the second, Abram segment (Part II), cols. XIX–XXII, than we do in the Lamech-Noah segment, cols. 0–XVII (what I shall refer to as Part I).<sup>25</sup> Even if we include passages where the biblical narrative has been changed from third person to first in keeping with the narrative style of most of the *Apocryphon*, there are far fewer examples of *translated biblical text* in Part I of the *Apocryphon* than in Part II. This is one of several ways in which Part I and Part II differ, and which demonstrate, in my view, that they derive from different sources, a position that I have addressed in a recent article.<sup>26</sup> They are probably also | of some-  
660 what different genres, a fact that raises further generic questions about the *Apocryphon* as a whole which I dealt with at the conference on Aramaic texts from Qumran at Aix-en-Provence in July 2008.<sup>27</sup>

<sup>25</sup> The rather unusual designation col. 0 is employed for the fragments of the first extant column of the *Apocryphon* based on the arrangement of the pieces of 1Q20 which extend to the right of what had been referred to as col. I since the initial publication. The term, which has been adopted by all current students of the *Apocryphon*, was suggested by Michael Wise and Bruce Zuckerman when they presented this data at the 1991 SBL Annual Meeting in Kansas City.

<sup>26</sup> "Divine Titles and Epithets and the Sources of the *Genesis Apocryphon*," *JBL* 128 (2009): 291–310 (above 1.195–216). I endeavor to show there that the two parts of the *Apocryphon* refer to God by two almost completely discrete sets of epithets, a feature that I believe points in the same direction as the observations about closeness to the biblical text and translations of biblical passages.

<sup>27</sup> "The Genre(s) of the Genesis Apocryphon," (above, n. 3).

Furthermore, Part I of the *Apocryphon* can be characterized, on the whole, as very loosely attached to the biblical text, beyond the presence or absence of literally translated stories. If we align the biblical narrative with that of the *Apocryphon*, there is very little in the surviving, very fragmentary material of cols. 0–XVII that can be matched closely with the biblical text: virtually none of cols. 0–V, for example, where the story, as far as we can tell, involves the Watchers, the birth of Noah, and predictions of the future destruction of the earth that are made to Enoch and, through him, to Methuselah and Lamech, can be said to match the biblical text.<sup>28</sup> It is thus not very “targumic.” There are a few passing points of contact with the biblical text in Noah’s self-introduction in col. VI, but nothing really recognizable as translation other than perhaps VI:23 [ואש] כחת אנה ונה מצא חן בעיני ה' נוח חן רבו וקושט' ה' transformed into first-person speech.<sup>29</sup> Only after the story of the flood are there a few close parallels to what we might call targumic versions of the Hebrew.<sup>30</sup> The absence of the systematic employment of translated biblical material makes it less likely that what seems at first glance to be biblical text should be treated as such.

Part II of the *Apocryphon* is, as a narrative, more tightly bound to the biblical text than Part I, and this is true even for Abram’s first person narrative, cols. XIX–XXI:22, before the story begins to be told in the third person. It is very clear that Part II is not of the same nature as Part I in this regard and that it is the fact that Part II is closer to the | biblical text than Part I that gives the impression that there is something “targumic” about it. Since I am in agreement with Fitzmyer that there is no evidence for formal Aramaic translations prior to the *Apocryphon*, I should like to offer an hypothesis to explain the targum-like features of Part II without resorting to the presumptions that the author or composer of that material had targumim in front of him, in oral or written form, from which he drew the “translations” in the text.

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<sup>28</sup> My own preferred terminology is to refer to this type of material as “parabiblical,” and not to use the overworked term “rewritten Bible” for it. Some of the remarks that I made in “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Text* 22 (2005): 169–196 (above 1.39–63) regarding “rewritten Bible,” as well as on the *Genesis Apocryphon* as belonging to that category, will have to be reworked in light of my recent work on the *Apocryphon*, including the paper on its genre(s) referred to in n. 3.

<sup>29</sup> Fitzmyer, *Genesis Apocryphon*, 149, calls this a “reflection,” while the echoes of Gen 6:9 in VI:6 he refers to as an “allusion.”

<sup>30</sup> Language in that segment of Part I of the *Apocryphon* that clearly reflects the underlying biblical text is virtually limited to the following: X:12 (Gen 8:4), XI: 17 (Gen 9:2–4), XII:1 (Gen 9:13), XII:10–12 (Gen 10:22, 6, 2).



I believe that the answer to the questions posed by this “pseudotargumic” material lies indirectly in the issue of the genre of the *Genesis Apocryphon*. Vermes included in his narrow definition of “rewritten Bible,” one with which I happen to be in strong sympathy, works in which “the midrashist inserts haggadic development into the biblical narrative—an exegetical process which is probably as ancient as scriptural interpretation itself.” His list includes “the Palestinian Targum and Jewish Antiquities, Ps.-Philo and Jubilees, and the . . . Genesis Apocryphon.”<sup>31</sup> Putting aside the ones for which we do not have any Semitic original extant, we are left with the Palestinian targumim, *Jubilees* and the *Apocryphon*. Generically, it must be admitted that the Palestinian targumim differ radically from *Jubilees* and the *Apocryphon*, to the degree that I believe virtually all scholars in subsequent discussions of “rewritten Bible” omit those Aramaic versions from the list, because of the radical divergence between the formal shape of the targumim from that of all other works which are called “rewritten Bible.”<sup>32</sup>

662 The targumim, like the other ancient versions, are translations of the Hebrew text, in almost all circumstances bound to the shape and language of the Hebrew text regardless of whatever other material they may add to it. That is why it is clear to me that the *Genesis Apocryphon* cannot be a targum. And if we did not have the Aramaic targumim as a later model with which to confuse the translation material found in the *Apocryphon*, we should have understood the role of those “translation passages” in it much more readily because we might then have compared it to the other “rewritten Bible” of which we have some Hebrew remains, *Jubilees*. And we might have succeeded in doing so even without the | Hebrew fragments of *Jubilees*. I suggest that as an experiment you go through your text of *Jubilees*, in whatever language you prefer to read it, and mark off the passages that are more or less the equivalents of biblical verses.<sup>33</sup>

<sup>31</sup> G. Vermes, *Scripture and Tradition in Judaism: Haggadic Studies* (2nd ed.; SPB 4; Leiden: Brill, 1973), 95.

<sup>32</sup> The one exception of which I am aware (although there may be others) is G.J. Brooke, who, in the last sentence of the entry “Rewritten Bible” in the *Encyclopedia of the Dead Sea Scrolls* (ed. L.H. Schiffman and J.C. VanderKam; 2 vols.; New York: Oxford University Press, 2000), 2:777–781 (780b), writes “Once both the form and the content of the biblical books were fixed in Hebrew, ‘rewritten Bible’ continued only in the Targums.”

<sup>33</sup> The same kind of experiment can also be done with the Latin text of Pseudo-Philo’s *Liber antiquitatum biblicarum* in which biblical texts are occasionally employed as part of the narrative. To the best of my knowledge, no one has suggested that it ought to be characterized as a “targum.” And in fact, H. Jacobson, the editor of the most recent comprehensive text and commentary of pseudo-Philo, *A Commentary on Pseudo-Philo’s*

I do not believe that it matters whether they are precise citations or close paraphrases. Their presence is indubitable. You will see that one of the techniques of the author of *Jubilees* is to use texts from the Hebrew Bible as part of his narrative and often to expand them or interrupt them with non-biblical material.

In a similar fashion, the introduction of biblical texts into a rewritten Bible like the *Apocryphon* probably has nothing to do with its being written in Aramaic or with the targumim, but is likely to be a consequence of the way the authors of rewritten Bible composed. If the *Genesis Apocryphon* had been composed in Hebrew, I suspect, we should not have been surprised by the presence in its retelling of Part II (which, incidentally, shares more of certain features with *Jubilees* than does Part I) of biblical texts which have been integrated into the narrative. When we read the *Apocryphon* in Aramaic and come across biblical verses, we need to concentrate on the fact that they are *biblical verses* and not be misled by the fact that they are *biblical verses in Aramaic* into thinking that we are reading an Aramaic translation of the Bible, a targum.<sup>34</sup>

#### V. THE EMPLOYMENT OF BIBLICAL TEXTS IN THE COMPOSITION OF THE APOCRYPHON

There is one further issue about the use of biblical texts in the *Apocryphon* that I should like to address, and that is the compositional use of biblical material that does not derive from the immediate context of the narrative, | but material that we might describe as “targumic” nonetheless.<sup>35</sup> How 663  
has the style or idiom of the author been affected by his knowledge of the Hebrew Bible? I should like to make it clear that I am not the discoverer of this phenomenon, but I do not believe that there has been any previous significant discussion of it. Fitzmyer alludes to some of the passages that I shall mention in his commentary, but does not italicize them in his translation because they do not derive from the Genesis material that

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*Liber Antiquitatum Biblicarum: With Latin Text and English Translation* (2 vols.; AGAJU 31; Leiden: Brill, 1996) approached the issue of “biblical quotations” in the work in just such a fashion in “Biblical Quotation and Editorial Function in Pseudo-Philo’s *Liber Antiquitatum Biblicarum*,” *JSP* 5 (1989): 47–64.

<sup>34</sup> See “Appendix: Further Reflections Beyond Vienna,” at the end of this essay for further ramifications of this point.

<sup>35</sup> Jacobson, “Biblical Quotation and Editorial Function,” discusses the same phenomenon in Pseudo-Philo.

is the fundamental framework of the *Apocryphon*. I am not certain that broad conclusions can be drawn from them, but preliminary observations should be made.

In Noah's description of the offerings which he made before leaving the ark in 1QapGen X, the language of line 15 "I poured their blood on the base of the altar" reflects the language of Lev 4:7 and elsewhere (although it pertains in Leviticus to sin-offerings and Noah's sacrifices here are completely immolated). His words "I placed on it *fine wheat flour mixed with oil* together with incense *for a meal-offering*" are a close echo of Lev 14:21. Either the author is consciously resorting to the legal language of Leviticus to describe Noah's actions or, permeated with knowledge of the Bible, he is citing those texts unconsciously. Likewise, at XI:16–17 where God permits Noah to eat flesh as well as the produce of the earth, the *Apocryphon* "renders" Gen 9:3 כל רמש אשר הוא חי לכם יהיה לאכלה כירק עשב, גתתי לכם את כל הא אנה [י]הב לך ולבניך כולא למאכל בירקא ועשב, with גתתי לכם את כל ארעא די ארעא.<sup>36</sup> But then instead of proceeding to translate Gen 9:4 אך בשר לא תאכלו (You must not eat flesh with its life-blood in it"), it appears to introduce instead the Aramaic equivalent of Lev 3:17 וכל דם לא תאכלו, "You may not eat any blood," since the *Apocryphon's* formulation has the word "all" but no reference to flesh or life. It is not clear what might have impelled him to draw material from a legislative passage in Leviticus rather than a virtually identical one immediately at hand.

664 In 1QapGen XI:11, Noah declares that he went out (presumably from the ark) and "walked upon the earth, by its length and by its breadth," perhaps in response to a divine command for him to do so that does not | survive in the remains of the manuscript. A few lines later, in XI:15, God appears to Noah and says אל תדחל יא נוח עמך אנה ועם בניך די להון כואתך לעלמים ("Do not fear, O Noah, I am with you and with your sons who will be like you forever"). Both of these passages are virtual replications of material referring to Abram later in Genesis, 13:17 "Arise and walk through the land by its length and by its breadth"<sup>37</sup> and 15:1 "Do not fear, O Abram; I am your shield." The latter passage, indeed, actually appears, with an expansion that we might label as targumic, in the Aramaic of the *Apocryphon* at

<sup>36</sup> Because of the biblical language underlying the Aramaic, I should strongly prefer the reading בירקא, rather than בירקא that is usually read, but Daniel Machiela, who reviewed the photographs carefully in response to my query, has insisted that בירקא must be read. I still find the sentence difficult to translate with that reading.

<sup>37</sup> In the Noah passage, ארעא probably means "earth," while in the Abram one it means "land."

XXII:30–31 עמך אנה תדחל אל, “Do not fear; I am with you and I shall be for you support and strength, and I am a shield over you and your buckler against anyone stronger than you.” As I have suggested elsewhere, in both of these cases the employment of the language of the Abram material in a Noah context is part of an effort to include Noah as another “patriarch” in the chain of tradition.<sup>38</sup>

These first examples derive from Part I of the *Apocryphon* which is less closely linked to the biblical text than is Part II. But in Part II as well, for all its closeness to the Hebrew Bible of Gen 12–15, the narrator employs biblical language borrowed from other passages in the Pentateuch. Where the Hebrew of Gen 12:10 בארץ רעב ויהי has no definite article on the word for “famine,” and lacks the word “all,” the *Apocryphon* at XIX:10 והוא כפנא כולא has “the famine was in this whole land,” and is likely to be based on Gen 41:57 הארץ בכל הרעב כי חזק הרעב בכל הארץ, “for the famine was severe in the whole land,” which has both of those features. The fact that the continuation of that line in the *Apocryphon* employs the idiom of the Joseph narrative, Gen 42:2 כי יש שבר במצרים, in its rewriting, ושמעתי כי יש שבר במצרים, “I heard that there was grain in Egypt,” makes the first association a bit more plausible. These could very well be the sorts of “unconscious harmonization” of which I have written | elsewhere rather than conscious efforts at analogizing the sections, but, whatever we call them, they occur because the author of the *Apocryphon* knew his Hebrew Bible very well.<sup>39</sup>

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The scene between Sarai and Pharaoh contains several instances of language deriving from other pentateuchal passages. When the *Apocryphon*, XX:17, adds to Gen 12 the very significant remark ולא יכל למקרר בהא (“[Pharaoh] was unable to touch her”), it is using the language of Gen 20:4

<sup>38</sup> “From the Watchers to the Flood: Story and Exegesis in the Early Columns of the Genesis Apocryphon,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran: Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002* (ed. E.G. Chazon, D. Dimant, and R.A. Clements; STDJ 58; Leiden: Brill, 2005), 39–63 (60–61) (above 1.171). For other allusions to Noah in patriarchal contexts, cf. my “Noah and the Flood at Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* (ed. D.W. Parry and E. Ulrich; STDJ 30; Leiden: Brill, 1999), 199–231 (220–221) (below 1.311–312).

<sup>39</sup> “Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *DSD* 3 (1996): 37–57 (above 1.175–194).

ואבימלך לא קרב אליה, "Abimelech did not approach her,"<sup>40</sup> whereas the words לא ידעה ואף לא ("and he knew her not") are just the sort of supplement that we should have called targumic if we were looking at the *Apocryphon* from the vantage point of the targumim. The purpose of its introduction is very likely to fill the gap in the biblical narrative which does not furnish the information, crucial to the later Jewish reader, that Sarai remained untouched by Pharaoh, and the language perhaps underscores a connection between the two stories of her abduction. The author of the *Apocryphon* likewise creates a further point of contact between those stories when Lot's command to Hirqanosh to tell the king to send Sarai back to her husband, "and he will pray for him and he will live" (XX:23) is modeled on the Abimelech narrative, Gen 20:7 "and let him pray for you and live."

Pharaoh's summons to his various wise men and magicians to cure him (XX:18–19) has "he sent and called all the Egyptian wise men and all the magicians with all the doctors of Egypt" and is thus probably not modeled only on Exod 7:11 "Pharaoh called the wise men and magicians," but on Gen 41:8 as well, "He sent and called all the magicians of Egypt and all its wise men." And the inability of those practitioners to help is formulated in language that is very close to that of Exod. 9:11 ולא יכלו החרטמים לעמוד (The magicians were unable to stand before Moses because of the boils, for the boils were upon the magicians and all Egypt"). The *Apocryphon* writes, XX:20 "The doctors and magicians and all the wise men were unable to stand to cure him because the spirit was plaguing all of them and they fled." Here I suspect a more conscious modeling or | employment of the later verses, with the language drawn from the stories of the two later Pharaohs, in the time of Joseph and the time of the Exodus, being employed consciously by the composer of the *Apocryphon*. It is a linguistically subtle way to make the theologically sophisticated observation that the behavior and fates of the three Egyptian kings are linked in some fashion.

Finally, Abram's prayer of thanks in XXI:2–4 והללת לשם אלהא וברכת אלהא וואודית תמן קודם אלהא על כול נכסיה וטבתא די יהב לי ודי עבד עמי בשלם דא ארעא דא recalls Jacob's vow in Gen 28 and its fulfillment. Fitzmyer notes correctly that ארעא דא, "this land," derives from

<sup>40</sup> Professor Cook pointed out correctly that קרב ב- in Aramaic must be translated "touch," rather than "approach." It is thus very interesting that the *Apocryphon* has successfully "conflated" in its rewriting both Gen 20:4 לא קרב אליה and Gen 20:6 לא ידעה ואף לא, the former in root, and the latter in meaning.

God's promise to Jacob in Gen 28:15 והשבתיך אל האדמה הזאת, but fails to observe that the addition of בשלום, "in peace," is borrowed from Jacob's words Gen 28:21 ושבתי בשלום אל בית אבי, "I shall return in peace to my father's home."<sup>41</sup> It is interesting that *Jub.* 13:15–16 "he blessed the Lord his God who had brought him back in peace," also seems to have been influenced in part by Gen 28:21, although not by Gen 28:15, and the same modeling, or borrowing, technique is taking place in both examples of rewritten Bible.

## VI. A FURTHER HYPOTHESIS

While I am confident that these suggestions regarding the apparent presence of biblical verses in Aramaic in the *Genesis Apocryphon* are plausible and worthy of consideration as an hypothesis, I should like to propose a more speculative theory regarding the possible relationship of the Aramaic targumim to the *Apocryphon*. Whereas the early discussions about their possible connection were often very specific and binary, e.g., was the *Genesis Apocryphon* a "targum" or was it a "midrash," I think that asking the question about their relationship in a more nuanced fashion might generate different sorts of answers. Although I believe that they belong to different genres, and I do not suggest including the targumim under the rubric of rewritten Bible (as Vermes and Brooke do), we can still ask whether there is a link between the two genres, rewritten Bible and Palestinian targum, and whether one contributed to the development of the other in some fashion. And this question, too, can perhaps be answered in more than one way.

| Let me begin with a description of *Pseudo-Jonathan* by one of its foremost students, Avigdor Shinan. In the conclusion of his 1992 book on that targum, he suggests that "its base is undoubtedly a targumic text, but in its present form it is already a different composition."<sup>42</sup> Denying that *Pseudo-Jonathan* should be classified as a midrash, he sees *Pseudo-Jonathan* as resembling, in its literary form, *Pirque de Rabbi Eliezer*, and would assign both of them to the initial stages of the revival of the genre

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<sup>41</sup> Fitzmyer, *Genesis Apocryphon*, 218.

<sup>42</sup> A. Shinan, *The Embroidered Targum: The Aggadah in Targum Pseudo-Jonathan of the Pentateuch* (Jerusalem: Magnes, 1992), 199 (Hebrew).

“rewritten Bible” after the decline of classical haggadah.<sup>43</sup> He classifies *Pseudo-Jonathan* as “a former targum that is striving to become an Aramaic composition of ‘rewritten Bible’” whose author made “a pioneering and incomplete attempt at writing” such a composition “based on a text of a targum.”<sup>44</sup> The movement, according to Shinan, is therefore from a targumic text to something more akin to “rewritten Bible.” In this historical scenario, we should not realistically think of a connection between the *Genesis Apocryphon* and the Palestinian targumim since the movement of the latter toward the rewritten Bible genre takes place long after the *Apocryphon* and similar works from the Second Temple era are gone and forgotten.

My own suggestion, offered somewhat hesitantly, is that we should think about the possible relationship between a targum like *Pseudo-Jonathan* and the rewritten Bible form of the Second Temple period in an almost inverted fashion. Might the appearance of rewritten Bible in targumic form be explained, in part, by a connection between some Second Temple rewritten Bible texts and the Aramaic versions at an early stage of the Palestinian targumim? Might not the authors of some of the Palestinian targumim in the formative stages of their development, have modified the approach of the rewritten Bibles and adapted and shaped them to the targumic form, bound more tightly to the biblical verse than any of the earlier representatives of the rewritten Bible genre were? Rather than including the Palestinian targumim, especially the late *Pseudo-Jonathan*, among the other examples of rewritten Bible as Vermes did,<sup>45</sup> | or suggesting that *Pseudo-Jonathan* marks an effort to return to the “rewritten Bible” form, as Shinan did, can we consider them, rather, as descendants of those Second Temple texts, albeit modified by the constraints of the targumic form, the shape of the biblical verse? This hypothetical construct would demand that the *Pseudo-Jonathan* or one of its ancestors had some now lost antecedent that was itself linked somehow to the Second Temple era. In suggesting such an approach, I have thus, ironically, returned to a

<sup>43</sup> *Ibid.*, 200–201. Shinan thinks that both of these works are struggling to become full-fledged “rewritten Bible,” with *Pirqe R. El.* still maintaining midrashic style somewhat, while *Tg. Ps.-J.* obviously has the constraints of the targumic form.

<sup>44</sup> *Ibid.*, 202.

<sup>45</sup> For the dating of *Tg. Ps.-J.*, cf. any of the standard accounts, e.g., P.S. Alexander, “Targum, Targumim,” *ABD* 6:320–331 (322–323); idem, “Jewish Aramaic Translations of Scripture,” in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. M.J. Mulder; CRINT 2.1; Assen: Van Gorcum, 1988), 217–253 (219–220, 243–245).

position asserted by Lehmann regarding a genetic relationship between the *Apocryphon* and the targumim, but one that resembles his only in a formal sense. As indicated above, I offer this suggestion to scholars of both Second Temple literature and targum for further consideration with a good deal of hesitation.

## VII. CONCLUSION

In conclusion, then, what have we shown in this discussion of the *Genesis Apocryphon* and the Aramaic targumim?

1. We have suggested that the way in which questions have been formulated regarding the potential relationship of the *Genesis Apocryphon* and the targumim has not been the most productive;
2. confirming Fitzmyer's verdict that the *Apocryphon* is certainly not a targum, we have suggested an alternative way of approaching the question of why there are biblical verses in Aramaic in the *Apocryphon*;
3. we have shown that the narrative technique of the composer(s) of the *Apocryphon* involved the employment of citations or paraphrases of biblical texts not deriving from his immediate context, and that sometimes the employment of those texts may be considered merely stylistic, while at other times they function to draw attention to the analogous circumstances of the various biblical stories;
4. we have suggested, very tentatively, that if we examine the material in historical perspective, the *Apocryphon* (or other Second Temple works of the same genre) might be said to have served as a model for certain features of the Palestinian Aramaic targumim. |

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## VIII. APPENDIX: FURTHER REFLECTIONS BEYOND VIENNA

During the more than a year and a half since the presentation of the oral version of this paper, my ongoing research into the *Apocryphon* has taken me in a direction that I believe has ramifications, perhaps supplementary and perhaps contradictory, for some of the conclusions that I reached in this paper when I delivered it in Vienna. I have suggested that in addition to the ways that the *Genesis Apocryphon* has been approached in the past, it is also productive to analyze it as a literary entity (almost) independent of its relationship to the Hebrew Bible. Although my work along those



lines is still in its incipient stages,<sup>46</sup> I should like to sketch some of the implications that such an approach to the *Apocryphon* might have for the questions discussed above regarding its possible relationship to Aramaic targumim.

Two things have become clear to me in the course of this analysis: first, our predisposition to the assignments of generic rubrics is intimately tied up with the goals of our study in any particular case; and second, and perhaps more paradoxical, we may be able to assign the same works productively to different genres without violating literary and academic canons. Thus my earlier work on the *Genesis Apocryphon*, including the body of this essay, always studied it from the perspective of its connection to the Hebrew Bible, engaging such issues as whether the more appropriate term to employ in discussing its genre is “rewritten Bible” or “parabiblical,” and discovering that the attempt to assign a definitive generic designation to it could be stymied, as I was in my Aix-en-Provence paper.<sup>47</sup> My studies of its interpretive techniques and the ways in which the *Apocryphon* responds to exegetical stimuli in the biblical text likewise grew from treating the *Apocryphon* as one of Vermes’s paradigmatic examples of “rewritten Bible.” There is little doubt in my mind that this approach to the *Apocryphon* is both valid and valuable, and to ignore it is to turn a blind eye to some of the most prominent aspects, and perhaps even goals, of the text. It should furthermore also be clear that those somewhat primitive early generic discussions of “is the *Apocryphon* targum or | midrash?” although they have been less productive than the search for the exegetical methodology of the *Apocryphon*, belong to the same basic way of thinking about the text as well, emphasizing the ways in which its relationship to the Hebrew Bible resembles one or the other of the two later rabbinic genres of biblical interpretation.

If, however, we adopt a generic analysis that views the *Apocryphon* as an independent work that happens to stand on a biblical foundation, but without focusing on how close its connection is to the Bible, then the question of the snippets of “biblical text” employed by the author cannot have the same impact on our discussion that they have had when we read

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<sup>46</sup> I made my initial foray in a paper entitled “Narrator and Narrative in the Genesis Apocryphon” at the Fifteenth World Congress of Jewish Studies in Jerusalem, Israel in August 2009, and continued with “Genre Just Gets in the Way Anyway: Reading the Genesis Apocryphon Multigenetically,” at the SBL Annual Meeting, Atlanta, November 2010, and “The Narrative of the *Genesis Apocryphon*: Between Exegesis and Story,” at the Association for Jewish Studies Annual Conference, Boston, December 2010.

<sup>47</sup> Above, n. 3.

the *Apocryphon* as “rewritten Bible,” and our analysis must be more judicious as a result. From the standpoint of the storyteller, sometimes the employment of “biblical” language may be important to the way he tells the story, but at other times there may be much less significance in the fact that he borrows the language of the Bible in telling his tale. In the latter instances it is the writer’s intimate knowledge of the biblical text that enables him to employ it in the presentation of the narrative without any particular goal in mind. In such instances, the scriptural language is thus not necessarily privileged in any way by the narrator; its scriptural nature is often a coincidental, rather than a meaning-laden, phenomenon. Such a perspective on the *Apocryphon* moves it even further away from being considered as something related to the Aramaic targumim. And we can now make this assertion not only for texts which derive from other locations in the Pentateuch, as I suggested earlier, but even for the biblical text that underlies the story that the *Apocryphon* tells.

From this perspective, focusing on the story rather than its biblical connection, we have to be careful in the way that we characterize the seeming intertextualities created by the language used by the author of the *Apocryphon*, because they derive their significance primarily from the relationship of the *Apocryphon* to the Hebrew Bible. I am not suggesting that if the *Apocryphon* is an “independent” literary work then it cannot contain any significant intertextualities, but that we have to be wary of claiming that all of the echoes of biblical language must be intentional and significant. If one of the primary goals of the final author was to present a narrative that edified, engaged, or entertained, then even some of the apparent exegesis reflected in the *Apocryphon* may be coincidental. On the other hand, since the *Apocryphon* is clearly composed of sources, it is possible, and even likely, that some of the intertextualities that we notice may be the responsibility of the authors of those sources and not of the final hand of the work. And finally, it also appears that the original | composers of different parts of the work may have had different attitudes to their presentation in terms of modeling on the biblical text (and, hence, employing biblical language), complicating our analysis in yet another fashion. In the final result, then, the way in which we respond to the presence or absence of a relationship of some sort between the *Genesis Apocryphon* and the Aramaic versions of the Bible may depend on the generic presuppositions with which we begin our analysis.

CHAPTER THIRTEEN

THREE NOTES ON 4Q464\*

In an essay that Esther Eshel and Michael Stone published recently, they deal with a very significant issue that arises from a small piece of a fragmentary Qumran text.<sup>1</sup> My goal is to remark on another point in that document that has not been dealt with yet in the literature, and to add something to the discussions of the editors about two other issues in their edition of the text.

I.

In fragment 7, line 1 of 4Q464 we read **היו בני חמש עשרה ] שנה**, “they were fifteen [years] old.” This half line at the beginning of the column occurs, as the editors have already noted, at the beginning of a list of events in the life of the patriarch Jacob.<sup>2</sup> Eshel and Stone compare the presumed structure in this fragmentary line to the structure of similar texts, which appear in the Testament of Levi and the Aramaic Levi Document. Regarding this datum of “fifteen years old,” they write:

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No biblical or obvious apocryphal parallel is to be found to the detail of Jacob or to Esau being fifteen years old. In *Seder Olam Rabba* I we find that Jacob attended Abraham for 15 years. In *Pesiqta Rabbati* 12:5 (Friedmann 47b) the text states that at the age of 15 Esau raped a betrothed | girl in the field. Neither of these traditions [...] seems to be that referred to in our text.<sup>3</sup>

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\* Originally published as “**שלש הערות על תעודת קומראן 4Q464**” *Tarbiz* 65 (1995): 29–32.

<sup>1</sup> See M.E. Stone and E. Eshel, “An Exposition on the Patriarchs (4Q464) and Two Other Documents (4Q464<sup>a</sup> and 4Q464<sup>b</sup>),” *Le Muséon—Revue d’Études Orientales* 105 (1992): 243–264; and further E. Eshel and M. Stone, “The Holy Language in the End of Days in Light of a Qumran Fragment,” [Hebrew] *Tarbiz* 62 (1993): 169–177. All references to the aforementioned Qumran text are to their edition in *Le Muséon*. [The official publication of this text is now Stone and Eshel, “464. 4QExposition on the Patriarchs,” in *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (ed. Magen Broshi et al.; DJD 19; Oxford: Clarendon, 1995), 215–30.]

<sup>2</sup> *Ibid.*, 257.

<sup>3</sup> *Ibid.*, 258.

In point of fact, both midrashim to which the editors allude derive from a single tradition, which fixes the date for several incidents, either mentioned explicitly in the Bible or in rabbinic midrash, on the day very day that Jacob and Esau were fifteen years old. The difference between the Qumran text and the rabbis, and this is what eluded the attention of the editors, is that from the rabbis' perspective the starting point of the discussion is not the age of the young men, but rather the significance of this day in the relative chronology of the lives of the three patriarchs. The rabbis' calculation of the age is embedded in the overall chronology. Abraham was 100 when Isaac was born (Gen 21:5), and Isaac was 60 when the twins Jacob and Esau were born (Gen 25:26). Abraham died at the age of 175 (Gen 25:7). Hence, Jacob and Esau were fifteen years old on the day Abraham their grandfather died. Until this point, the calculation is clear from the biblical text alone. All the rabbinic midrashim about the actions of the twins at the age of fifteen are connected with the date of their grandfather's death.

The rabbis, for example, connect the cooking of lentils by Jacob (Gen 25:29) and Esau's selling of the birthright to him with the date of Abraham's death, because lentils are a food symbolizing mourning;<sup>4</sup> on that day, according to the midrash that Eshel and Stone cited, Esau violated several stringent prohibitions. The midrash about the five years that Abraham's life span lacked vis-à-vis the life span of his son Isaac is also dependent on his grandson's behavior. The Bible says, "And you shall go to your fathers in peace; you shall be buried at a good old age" (Gen 15:15). The rabbis interpreted that in order that Abraham be buried in tranquility and that he should not know about the barbaric actions of his grandson Esau, God reduced his life by five years, and he died without seeing the deeds that Esau performed on that very day that Abraham died.<sup>5</sup> Through

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<sup>4</sup> "It is written, 'Esau came from the field and he was weary.' A tannaitic statement: Abraham our patriarch died on that day, and Jacob our patriarch cooked up pottage to comfort Isaac his father (bBB 16b)." In the continuation of the Talmud there, it states, "R. Yoḥanan said, 'That wicked one [Esau] violated five prohibitions on that day.'" See further the following note.

<sup>5</sup> "You find that Abraham lived 175 years, while Isaac lived 180 years. But those are five years that the Holy One Blessed be He withheld from the life of Abraham because Esau violated a betrothed maiden and committed murder. . . the Holy One Blessed be He said, 'This is what I promised to Abraham, "you shall come to your fathers in peace; you shall be buried at a good old age"? This is a good old age, that he should see his grandson worshipping idols, and committing sexual transgressions and murder? Better he should pass away in peace.'" (Genesis Rabbah 63:12 [Theodor-Albeck, 694–95]; for parallels see M.M. Kasher, *Torah Shelemah*, 3.663, #182)

their description of the actions of the twins on this fateful day, the rabbis emphasize the moral dichotomy between the two brothers.

There is certainly no need to claim that the rabbinic traditions are connected in any way to the new text from Qumran, because both of them are based on the numbers in the biblical text. It is difficult to draw virtually any conclusion from the Qumran fragment since it is so fragmentary and does not contain enough to tell a story; as a result it is also impossible to compare it rationally to the rabbinic material. On the one hand, it is possible that the author of the Qumran fragment was interested only in arranging the relative chronology between the life of Isaac and Esau and that of Abraham, without adding any midrashic content to the facts. It is well known, of course, that interest in biblical chronology for its own sake is a well-attested phenomenon in the Qumran texts. On the other hand, it is possible that the Qumran text as well connected certain events in the lives of the twins | to the day on which their grandfather died, although I suspect that there was not sufficient room in this manuscript for such an expansion, since from the remains of the fragmentary text it appears that it contained only a list of facts. It is significant to emphasize, however, not what is lacking from the Qumran text, but rather the shared “exegetical” attention being paid to the identical material in the biblical text by rabbinic midrash and by this pre-rabbinic document.

## II.

In the same column of the fragment, we read on lines 5–8

י[עקוב לע]שו 5  
 6 [לביא מאה צוא]ן  
 7 [שנה יעקוב]ב  
 8 [אן בנות שכ]ם

According to Eshel and Stone, it is possible that the text in line 6 is based on the list of gifts that Jacob sent to Esau (Gen 32:14–16), even though the expression “one hundred sheep” does not occur there.<sup>6</sup> The editors mention that there is a midrash on Gen 32:19 according to which “Jacob gave one hundred lambs for the property he was purchasing,” but they prefer the first possibility because of the reference to Jacob and Esau in the

<sup>6</sup> The biblical verse speaks of “two hundred goats and twenty he-goats; two hundred ewes and twenty rams.”

previous line.<sup>7</sup> Were the exegetical picture as it is sketched by Eshel and Stone, and we were to find the one hundred lambs that Jacob paid only in an isolated midrash, I would tend to accept their conclusions. There is, however, in my view, a substantial amount of early exegetical data—including, apparently, another text found at Qumran—that agrees with that midrash, and points to the preference for the second possibility to which Eshel and Stone refer.

In Gen 33:19, Jacob acquires “the portion of the field where he had pitched his tent from the sons of Hamor the father of Shechem for one hundred קשיטה.” The word קשיטה occurs in the Hebrew Bible twice more, in Josh 24:32, a sort of “citation” from the text in Genesis, and in Job 42:11 “one קשיטה.” The ancient exegetical traditions diverge in their interpretation of the word. In Genesis Rabbah 79:19, three possibilities are brought in a *notarikon* derasha: precious gems(?), money and lambs.<sup>8</sup> Among the ancient versions, the Septuagint reads ἐξαδάς ἀμῶν; Onqelos חורפן במאה חורפן; the Peshitta ככר נפ (‘‘for one hundred sheep’’); and the Vulgate *centum agnis*, all of which render “one hundred sheep,” and thus accept the last of the three suggestions in Genesis Rabbah.<sup>9</sup> An additional proof | that this interpretation of קשיטה was present at Qumran can be found in the Aramaic version of Job found in cave 11 (11QtgJob) 38:7, where the idiom אחת קשיטה is translated with אמרה חדה, “one lamb.”

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Once we have seen that the tradition to explain קשיטה as “lamb” is present in such a lengthy list of early exegetical sources, it better to prefer the option that the words מאה צואן in the Qumran fragment are not a variant reading or an error, whose source in Gen 32:14, the list of gifts that Jacob sent to Esau, but rather a remnant of early exegesis connected to Gen 33:19 that explains קשיטה as meaning “lamb.” If so, this line in 4Q464

<sup>7</sup> Stone and Eshel, 259.

<sup>8</sup> “R. Abba bar Kahana said, ‘with one hundred אַנְאָקוֹת, with one hundred lambs, with one hundred *selas*’ (Theodor-Albeck, 948, and cf. the critical apparatus). For a broad discussion of the meaning of the biblical word and its ancient interpretation, see D. Sperber, “A Note on the Word קשיטה,” *Acta Antiqua Academiae Scientiarum Hungaricae* 19 (1971): 37–39 and *idem*, “Notes on the *Kesitah*,” *REJ* 17 (1968): 267–68 (both articles have been reprinted in D. Sperber, *Essays on Greek and Latin in the Mishna, Talmud and Midrashic Literature* [Jerusalem: Makor, 1982]).

<sup>9</sup> The Septuagint, targum Jonathan and the Peshitta render similarly in Joshua. The word חורפא appears in Onqelos with this meaning also as the translation of כבשות three times in Gen 21:28–30. At Gen 33:19, Neofiti, pseudo-Jonathan and the Fragment Targum all render מרגליין, “precious stones.” In the medieval Job targum, we find the three interpretations side-by-side in the manuscript דאמרי מרגליתא ואיכא דאמרי חורפא; see D.M. Stec, *The Text of the Targum of Job: An Introduction and Critical Edition* (AGAJU 20; Leiden: E.J. Brill, 1994) \*307–\*308.

belongs to the lines that follow it, to the story of Jacob in Shechem, and not to the adventures of Jacob and Esau.

### III.

In fragment 10 of this Qumran document, we read two individual words

[שור  
[מכרוהו]

According to the editors, it is very likely that the single word in the second line reflects the story of the selling of Joseph, since most of the third masculine plural forms of the root מכר in the Hebrew Bible are found in descriptions of that event.<sup>10</sup> Here I should like to add support to their position. If the word in the first line is complete and not fragmentary, whether we read שור (with *holam*) or שור (with *shuruq*), connections can be found for it with the Joseph narratives. In Jacob's blessing of Joseph, we read בנות צעדה עלי-שור (Gen 49:22). Regardless of the meaning of that verse, and it has engendered considerable debate among exegetes, some root שו"ר is employed there regarding Joseph. In Moses's blessing to Joseph, we read בכור שזרו הדר לו (Deut 33:17), and in Jacob's blessing to Simon and Levi the word "ox" in the verse ברצונם עקרו שור (Gen 49:6) has been interpreted by some as alluding to Joseph.<sup>11</sup> In light of this, the word "שור" is appropriate to the Joseph narrative from several angles, and we can postulate that the appearance of this word in the tiny fragment from Qumran together with the word "מכרוהו" strengthens the position of the editors that this fragment belongs to the Joseph narrative.

<sup>10</sup> Eshel and Stone, 260.

<sup>11</sup> The early sources are the Aramaic versions of the Fragment Targum (Vatican MS) and Neofiti margin render וברעותהון זבינו יוסף אחוהון דמתיל בתורא (FTV), "and with their will they sold their brother Joseph who is compared to an ox." From there the interpretation spreads and is found in late midrashic commentaries *ad loc.*, such as *Leqah Tov*, *Genesis Rabbati*, *Midrash Ha-Gadol*, *Sekhel Tov*, and *Midrash ha-Hefes*, as well as the commentary of Rashi to the Pentateuch, as is well-known.

## CHAPTER FOURTEEN

### NOAH AND THE FLOOD AT QUMRAN

#### INTRODUCTION

In an earlier paper, read at the Hebrew University in July 1994 and at Harvard University in October 1995, I attempted to ascertain the broad outlines of the interpretation of the biblical book of Genesis as reflected in the documents from Qumran.<sup>1</sup> In this essay, I should like to focus more closely on two aspects of a single unit from Genesis: the man Noah, and the event the Flood, in an attempt to evaluate comparatively the ways in which this unit is employed in Qumran literature.<sup>2</sup> We shall see that the handling of the Noah material ranges in scope from passing allusions to exegetical comments to a variety of full-scale treatments. Two of the issues on which I shall focus are selectivity, the choosing of incidents or details out of | the whole narrative, and perspective, the vantage point from which the story is told. I should like, furthermore, to consider Noah and the Flood as not one, but two, themes for two reasons. First, there

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<sup>1</sup> Published as "Contours of Genesis Interpretation at Qumran: Contents, Context, and Nomenclature," *Studies in Ancient Midrash* edited by James L. Kugel (Cambridge, MA; Harvard Center for Jewish Studies/Harvard University Press, 2001) 57–85 (above 1.63–91).

<sup>2</sup> In his comprehensive essay, "4QMess Ar and the Book of Noah," in *Qumran and Apocalyptic: Studies on Aramaic Texts from Qumran* (Leiden: Brill, 1992; an updated English version of "4QMes. Aram, y el libro de Noe," in *Escritos de Biblia y Oriente. Miscelánea conmemorativa del 25 aniversario del Instituto Español Bíblico y Arqueológico de Jerusalem = Salmaticensis* 28 [1981]: 195–232), F. García Martínez includes a subsection on "Noachic Materials at Qumran," 40–43. It has a rather different focus from mine although it furnished me with a useful framework for the discussion of certain works. Devorah Dimant used three reworkings of the biblical flood narrative as examples of the ways in which biblical material is adapted in antiquity from the perspective of the authority of the new narrative: 1Q19 (which I hesitate to include among the flood narratives since it does not explicitly refer to the Flood), 4Q370 and Jubilees 5 ("Apocrypha and Pseudepigrapha at Qumran" *DSD* 1 [1994]: 154–55). Although my goals in this study differ, I may in the long run, although not in the present context, come back to the issues she raises there. During the final stages of my rewriting of this essay, Professor Dimant was kind enough to furnish me with a prepublication copy of her paper "Noah in Early Jewish Literature," in *Biblical Figures Outside the Bible* (ed. M.E. Stone and T.A. Bergren; Harrisburg: Trinity Press International, 1998), 123–50, to which I shall make occasional reference as "Dimant, 'Noah.'" A useful survey of much of the non-Qumran material on this theme is J.P. Lewis, *A Study of the Interpretation of Noah and the Flood in Jewish and Christian Literature* (Leiden: Brill, 1968).



is more to the story of Noah, especially in some of the sources from this period, than the flood story. Second, the story of the Flood can have its own meaningful existence, as we shall see, without the presence of Noah. We shall thus be able to consider in our discussion Qumran texts wherein one or the other dimension has been omitted or reduced significantly in importance.

Two major *caveats* must be admitted before we proceed. The most significant, of course, is the acknowledgment that we are dealing with the Dead Sea fragments and not a corpus of integral works. What we are surveying, therefore, are the remains of such a corpus and a certain tentativeness must be understood to pervade our remarks. Second, in carving out “Noah and the Flood” from the preceding and succeeding material in the Genesis narrative, at least one significant artificial demarcation is created: the stories of Enoch and of the “fallen angels” stand outside the boundaries that I have established. To include them would have created a very different sort of survey, one which others are more competent to carry out. On the other hand, we cannot proceed as if that biblical context of the Noah narrative and its voluminous postbiblical treatment did not exist.

#### NOAH AND THE FLOOD IN THE HEBREW BIBLE

##### *Pentateuch*

The stories of Noah, his ark, and the Flood are probably among the best known in the Tanakh. Noah, son of Lamech, grandson of Methuselah, and great-grandson of Enoch, is recognized upon his birth to be one who will “comfort” man from his labor upon the divinely accursed earth (Genesis 5:29). (The Noah material is then interrupted by God’s reaction to the behavior of the “sons of God” with the daughters of man; he realizes that all has not gone well with his creation which he therefore resolves to destroy, see Genesis 6:1–8.) Noah, described as righteous and perfect (תמים and צדיק),<sup>3</sup> is commanded to build an ark so that he and his family, as | representatives of mankind, together with a selection of animals, may be saved from the impending cataclysm (6:9–7:9). Noah fulfils the divine dictum, and all life on earth perishes in the Flood except for those saved

<sup>3</sup> On the theme of Noah’s righteousness in the biblical text and the expanded emphasis on it in the Second Temple literature about Noah, see James C. VanderKam, “The Righteousness of Noah,” in *Ideal Figures in Ancient Judaism: Profiles and Paradigms* (ed. John J. Collins and George W.E. Nickelsburg; Chico: Scholars, 1980), 13–32.

on the ark. We are given a play-by-play chronology of the Flood, which comes to an end when God is mindful of Noah and the other life forms on the ark, and the waters recede. Noah sends out first a raven and then a dove in order to ascertain whether the earth has dried up, and, finally, at the end of a year plus ten days (according to MT), Noah debarks from the ark at God's command (7:10–8:19). Noah's biblical adventures, however, have not yet come to an end, although the flood is past. Upon leaving the ark he offers sacrifices, in response to which God asserts that he will no longer curse the earth on man's account nor wipe out all humankind (8:20–22). Noah and his sons are blessed by God who imposes upon them several injunctions (9:1–7). A covenant follows, at God's initiative, ensuring that mankind will never again be wiped out in a flood (9:8–12). As a remembrance of the covenant, God places the rainbow in the heavens (9:13–17). Noah's adventures culminate with his planting a vineyard and subsequent inebriation (9:20–21). His son, Ham, "sees his [drunken] father's nakedness," and his other sons Shem and Japhet ameliorate the embarrassing situation (9:22–23). Noah awakens, curses Canaan, Ham's son, and blesses Shem and Japhet (9:24–27). Noah is the last biblical figure to live an exceptionally long antediluvian life span, and he dies at the age of 950 (9:28–29).

### *Prophets and Hagiographa*

Beyond the pentateuchal references described above, there are few allusions to Noah or the Flood in Hebrew Scripture. Ezekiel 14:14 and 14:20 group Noah with Daniel and Job as figures of righteousness (the word **בצדקתם** is employed in both verses). Isaiah 54:9 speaks explicitly of the waters of Noah (**מי נח**) and God's promise never again to allow a flood over the earth.<sup>4</sup> God sits enthroned | over the flood (**למבול**) in Psalm 29:10, the only occurrence of this root in the Hebrew Bible outside of the flood narrative in Genesis. Other, nonspecific, references to motifs which occur in the flood narrative may occur in such passages as Job 22:16 and Isaiah 24:18, although many of the alleged references to the Flood may find their ultimate roots in earlier Near Eastern mythological traditions.

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<sup>4</sup> The reference to the "waters of Noah" occurs twice in the MT of the verse **כי מי נח** זאת לי אשר נשבעתי מעבר מי נח עוד על הארץ, although many of the ancient versions (targum, Peshitta, and the three minor Greek versions) and some medieval MSS and rabbinic citations seem to reflect a reading **כימי** = "as the days of" for the first one. Cf. the various apparatuses in M.H. Goshen-Gottstein, ed., *The Hebrew University Bible: The Book of Isaiah* (Jerusalem: Magnes, 1995), 760.

Postbiblical (or even late biblical) treatments of earlier biblical characters and stories take several forms. We find stories which fill in the gaps in the biblical narrative, sometimes based on hints within the biblical text and sometimes created completely out of whole cloth;<sup>5</sup> such gap-fillers can either stand alone or be part of a recapitulation of the biblical narrative. We find abbreviated retellings of events in the biblical story, sometimes very sparse in detail and sometimes fleshed out with those gap-filling versions to which we just alluded. We find the biblical tales employed, rather than retold, in didactic contexts, where the shape of the story is dictated by the use to which it is put. Sometimes a pericope which is substantial in the biblical narrative is further expanded, and sometimes an event which is barely alluded to in the Bible takes on a life of its own. Later writers will at times allude in passing, for didactic or historical purposes, to events in the biblical narrative that were presumably well-known to their audiences.<sup>6</sup> The Noah/Flood material is no exception to these general rules.

#### NOAH AND THE FLOOD IN THE APOCRYPHA

References to Noah in the Apocrypha include a reference to his endogamous marriage in Tobit 4:12, and to wisdom “guiding the righteous man’s course by a poor piece of wood,” after a flood blamed on Cain, in Wisdom of Solomon 10:4; neither Noah nor Cain is mentioned by name in the last  
 203 instance.<sup>7</sup> It appears to be | a fairly bland sort of reference to a well-known biblical event, while the allusion in Tobit presents us with an extrabiblical datum which, as we shall see, is shared by *Jubilees* and the Genesis Apocryphon. The most detailed reference to Noah in the Apocrypha comes in

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<sup>5</sup> The possibility must also be kept in mind, as was pointed out by Professor Baruch Levine of New York University on the occasion of an oral presentation of this paper, that some of the late biblical and nonbiblical material in these retellings of Genesis may be based on ancient traditions, written or oral, and not merely on the creativity of the Second Temple author.

<sup>6</sup> E.g., for a discussion of some of the *Nachleben* of the Joseph material, cf. James L. Kugel, *In Potiphar’s House: The Interpretive Life of Biblical Texts* (San Francisco: Harper-San Francisco, 1990), 13–155.

<sup>7</sup> Wisdom 14:6–7 also alludes to the flood story, emphasizing that the saving of the sole survivor, “the hope of the world, on a flimsy vessel,” is due to God. Noah is not mentioned, but the reference to righteousness (*dikaosyne*) in 14:7 certainly brings to mind his characterization as “righteous” in the biblical references.

Ben Sira 44:17–18 in the so-called “Praises of the Fathers” where, after an allusion to Enoch in 44:16, we read:<sup>8</sup>

נוח צדיק נמצא תמים לעת כלה היה תחליף.  
בעבורו היה שארית ובבריתו חדל מבול.  
באות עולם נכרת עמו לבלתי השחית כל בשר.

Noah was found perfect and righteous; in the time of destruction he was an exchange.

For his sake there was left a remnant and through his covenant the Flood ceased.

With an eternal sign it was made with him so that all flesh would not be destroyed.

Describing Noah with the biblical terms *צדיק* and *תמים*, Ben Sira employs also such scriptural idioms as *ברית*, *מבול*, and *בשר כל* *השחית*, linking inexorably the remarks on Noah to the texts of Genesis.<sup>9</sup> Beyond connecting Noah with Genesis, however, Ben Sira gives us no hint of any extra-biblical information and seems to imply no more than a passing interest in Noah as a link in the chain of biblical tradition.

| NOAH AND THE FLOOD IN ENOCH AND JUBILEES

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*Enoch* and *Jubilees* present similar dilemmas for our survey.<sup>10</sup> Although both substantial Aramaic fragments of *Enoch* and Hebrew remains of

<sup>8</sup> Text of mss B and Masada according to *The Book of Ben Sira: Text, Concordance and an Analysis of the Vocabulary* (Jerusalem: Academy of the Hebrew Language and Shrine of the Book, 1973), 54, and P.C. Beentjes, *The Book of Ben Sira in Hebrew: A Text Edition of All Extant Hebrew Manuscripts and A Synopsis of All Parallel Hebrew Ben Sira Texts* (Leiden: Brill, 1997), 176. The Masada MS may have read *בן עת כלה*.

<sup>9</sup> It is possible that the expression *בעבורו היה שארית* derives from *וישאר אך נח ואשר* (Genesis 7:23). Dimant, “Noah,” 126, writes, “*Ben-Sira* lends the motif of Noah as remnant an importance not found in the Genesis account. The same motif is underscored by the Qumranic literature, probably because in this literature Noah as righteous remnant was seen as a prototype of the righteous at the End of Days, a concept central to the thinking of the Qumran community and related apocalyptic works.” Although the notion is attractive, I am not certain to what Qumran texts Dimant is alluding. Noah’s taking a place in the historical sequence of covenants reflected in this portion of Ben Sira may be significant in the context of some of our observations below about his covenant being linked to those of the patriarchs by Qumran authors. But we cannot be certain whether to stress such an element in the text of Ben Sira since it can be derived from the biblical text. See Burton L. Mack, *Wisdom and the Hebrew Epic: Ben Sira’s Hymn in Praise of the Fathers* (Chicago: University of Chicago Press, 1985), 53.

<sup>10</sup> I have limited the discussion to *Enoch* and *Jubilees*, rather than the entire “pseudepigrapha,” because the primary focus of this paper is on Qumran and they are the two works which are clearly relevant to our period. Lewis (above, n. 2), 9–41, summarizes

*Jubilees* are found at Qumran, we prefer not to treat them as uniquely “Qumran” texts in this context, since it is very unlikely that either of them was composed at Qumran. Their presence at Qumran, however, compels us to bear in mind that the passages on Noah which they contain belonged to the Qumran library and may have influenced the treatment of Noah and the Flood in works composed at Qumran. Several such allusions appear in the various works that make up *1 Enoch*, the last of which in sequence, describing the miraculous birth of Noah in the “Epistle of Enoch” Chapters 106–7, is perhaps the most significant and leaves a major mark on some of the Qumran literature that we shall discuss.<sup>11</sup> In the first portion of *1 Enoch*, the “Book of the Watchers,” 10:1–3, an angel is sent to warn the son of Lamech (unidentified as Noah in most sources) that the Flood is about to come and to instruct him to flee so that his seed will be saved. There is no reference to the ark or any of the other details of the flood story.<sup>12</sup> In the “Animal Apocalypse,” at *1 Enoch* 89:1, one of the snow-white bovids is said to have become a person, who then built for himself a big boat and dwelt upon it. The verses that follow are a metaphor for the Flood and destruction of the earth.

205 The “Book of the Parables,” a portion of *1 Enoch* not found at Qumran, has several references to Noah.<sup>13</sup> Perhaps most interesting is 54:7–55:2 which predicts the punishment of mankind in the Flood | followed by the sign of the rainbow. In these half dozen verses, there is no Noah and no ark. The allusion to the flood story is completely in the context of the relationship between God and humankind. We shall see at least one Qumran text where we might argue for the adoption of a similar perspective.<sup>14</sup>

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relevant passages from the larger corpus. For much more extensive discussion of the *Enoch* and *Jubilees* material in relation to Noah, see Dimant, “Noah,” *passim*.

<sup>11</sup> For a discussion of this episode in *1 Enoch* and in the Genesis Apocryphon, see James VanderKam, “The Birth of Noah,” in *Intertestamental Essays in Honour of Jozef Tadeusz Milik* (ed. Z.J. Kapera; Krakow: Enigma, 1992), 213–231.

<sup>12</sup> James C. VanderKam, *Enoch and the Growth of an Apocalyptic Tradition* (Washington, D.C.: Catholic Biblical Association of America, 1984), 110 and n. 3, points out that Noah is the only individual referred to in chapters 6–11 of *1 Enoch*, with Enoch himself being noticeably omitted.

<sup>13</sup> For a brief discussion of the issues of composition and date regarding the “Parables” or “Similitudes,” see George W.E. Nickelsburg, “Enoch, First Book of,” in *ABD* 2:512a–13a.

<sup>14</sup> In the “Book of Dreams,” *1 Enoch* 83–84, there is a less specific description of the imminent destruction of man, followed by Enoch’s prayer to God that he leave some survivors from the impending cataclysm. Although it is entitled “Vision of the Deluge” in E. Isaac, trans. *1 Enoch*, in *OTP*, 1:61, the description does not give the feeling of the biblical flood story as it does in 54–55.

In *1 Enoch* 65–67, we can almost speak of Noah as the central figure as he learns from Enoch of the fate of the earth resulting from the sins of the wicked angels and of his own survival. From God he learns that an ark is being constructed by angels to preserve him and his family from the flood. This freeing of Noah from the responsibility to provide for his own salvation by building an ark is of some significance, and it, too, may be paralleled in one Qumran treatment.<sup>15</sup>

*Jubilees* includes the whole of the biblical Noah narrative and even more in the course of its recounting of the stories of Genesis. As is typical of *Jubilees*, the introduction of halakhic details into the biblical story is frequent. To focus on elements which it adds or emphasizes in the narrative, Noah's endogamous marriage is stressed at 4:33 and the story of the flood itself contains chronological details which are typical of *Jubilees*. Noah's sacrifice after the flood is described in slightly greater detail than in the Bible. The covenant between God and Noah emphasizes the prohibition of eating blood, and *Jubilees* digresses with an admonition to Moses that this law is to be observed eternally by the Israelites. Following an allusion to the rainbow, *Jubilees* interrupts the Noah narrative with a commandment for the Israelites to observe the feast of Shavuot (Weeks) as Noah and his children did. This leads to a further digression on the significance of the solar 364-day calendar, which was so important to certain | groups in Second Temple Judaism, and on the perils of following a lunar calendar.

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*Jubilees* returns to the biblical narrative with a description of Noah's planting the vineyard and his offerings upon its production of fruit in the fourth year. This passage, too, is of significance for Second Temple halakhah.<sup>16</sup> *Jubilees* inserts into the biblical narrative an account of Noah's

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<sup>15</sup> Dimant, "Noah," 136, observes that "the fragments concerning Noah which survived in the Enochic literature do not elaborate on events which took place after the flood," suggesting that this may be due to the materials being drawn from a no-longer-extant but more comprehensive source. Whereas I agree strongly with her remark that since the Enoch literature is about Enoch, "Noah was introduced only inasmuch as he was relevant to his ancestor's circumstances," I do not think that we need to conceive of the selection of the Noah details from a longer work which necessarily included his post-Flood career. I believe that the earlier part of Noah's career is not really part of the Noah narrative except as a segment of an all-encompassing work on Noah, and it will become clear that I have my doubts as to whether such a work existed at the time of the writing of *1 Enoch*.

<sup>16</sup> Cf. the treatment of this event in the Genesis Apocryphon below, and especially Menahem Kister, "Some Aspects of Qumranic Halakhah," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March*

transmitting commandments to his descendants, especially those concerning immorality and blood, and particularly the laws whose violation brought about the Flood on the earth. Somewhat surprisingly, these laws are juxtaposed with those on first fruits and the sabbatical year. The division of the earth among Noah's children follows. Noah's final act before his death is to pray to God not to allow evil spirits and demons to dominate his descendants, and to write down an angelically dictated book of healing.

#### NOAH AND THE FLOOD IN NARRATIVE TEXTS FROM QUMRAN

##### *Genesis Apocryphon*

The writers of the texts found only at Qumran handle the biblical story of Noah in a variety of ways. The fullest handling of the story of Noah is probably to be found in the Genesis Apocryphon. When we add to the originally published column 2 of the Apocryphon the further fragments which have now been published by Greenfield, Qimron and others, it is clear that it is not one or two incidents from the life of Noah that attracted the writer (or composer), but the whole range of the story.<sup>17</sup> Furthermore, this is not a simple retelling of the biblical text, but one which expands and highlights parts of the story that are not found, or barely found, in the biblical narrative. This is particularly significant, since it is much more difficult for us to focus on the selectivity of the narrator or his interests when the entire biblical story is adapted. To be sure, we can observe his expansions and compressions, but beyond that we cannot be certain of his stance vis-à-vis the segments we call "Noah and the Flood." To him they may be merely part of the larger retelling of Genesis (or some significant section thereof), and, furthermore, as my colleague Richard Steiner has shown convincingly, the stories about Noah in the Genesis Apocryphon derive in part from two different sources which its compiler has

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1991 (STDJ 11; ed. Julio Trebolle Barrera and Luis Vegas Montaner; Leiden: Brill, 1992), 2.576–86.

<sup>17</sup> Jonas C. Greenfield and Elisha Qimron, "The Genesis Apocryphon Col. XII," in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77; Matthew Morgenstern, et al., "The Hitherto Unpublished Columns of the Genesis Apocryphon," *Abr-Nahrain* 33 (1995): 30–52.

juxtaposed, the so-called Lamech material, and the *כתב מלי נוח*, the “Book of the Words of Noah.”<sup>18</sup>

In the biblical account, beyond the recording of its occurrence, the story of Noah’s birth takes up a single verse (Genesis 5:29), devoted to an etymology of his name. But this incident seems to have attracted attention and expansion from the writers of the Qumran texts, among other Second Temple writers. Even though the Apocryphon does not preserve an actual description of the newborn child, the similarity of the story of the birth of Noah in the Genesis Apocryphon to the one told in *1 Enoch* 106 was immediately noticed when the Apocryphon was first published.<sup>19</sup> The focus of the story is on Noah’s forbears, Lamech, Methuselah and Enoch, as Lamech’s question about the parentage of the child gets passed along.<sup>20</sup>

The details of this segment of the Genesis Apocryphon thus do not, in a certain sense, pertain to Noah, although they are certainly part of his story. I should note that this is true also of the biblical narrative wherein Noah’s place in the genealogies is followed by Genesis 6:1–7, dealing with the general wickedness of mankind and God’s resolution to destroy them. It is only then that we read the resumptive statement “Noah, meanwhile, found favor in the eyes of the Lord” (6:8). Other fragmentary Hebrew texts from Cave 1 | (1Q19—assigned to the hypothetical “Book of Noah”) and Cave 6 (6Q8—“Book of the Giants” for Milik; “Book of Noah” for García Martínez) seem to derive from Qumran documents that refer to the remarkable birth of Noah.<sup>21</sup> It appears further that the clarification of Noah’s parentage and its report back to Lamech took up columns 2–5 of

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<sup>18</sup> “The first words of this heading, *כתב* ‘book,’ suggests that the author or compiler of the Genesis Apocryphon viewed the latter not as a book but as a collection of books” (“The Heading of the *Book of the Words of Noah* on a Fragment of the Genesis Apocryphon,” *DSD* 2 (1995): 69).

<sup>19</sup> Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes and Heikhal Ha-Sefer, 1956), 16–17. On 16–22, they offer a summary of the contents of the Apocryphon, including the columns which they did not publish. In the material recently published by Morgenstern et al., 38–39, a secondary description of the child, told at a later point in the story than his birth (5:12), reads *וְדִנְחָא כְּשֶׁמֶשׁ עֵינָיו* “His eyes shone like the sun.” The language recalls that in one of the other Qumran texts, 1Q19; see below, n. 21.

<sup>20</sup> Avigad and Yadin, 19, summarize well, “the first five columns of the scroll as we now have it, deal with the birth of Noah in a manner that has no direct relationship at all to the brief Biblical account in *Genesis* v, 28–29.”

<sup>21</sup> 1Q19 3 4–5 reads “and when Lamech saw the . . . rooms of the house like the rays of the sun.” We shall return to the question of the evidence for the “Book of Noah” in “A Concluding Question,” below, 226–31 (= below 1.318–322).



the Apocryphon (plus whatever introductory material we no longer have in column 1). The remains of columns 3–5 do not add much to the hypothetical picture we have drawn.

Whereas Noah's virtues are expressed biblically primarily through the two adjectives, *צדיק* and *תמים*, used to describe him, the Apocryphon puts a speech in praise of his own virtues into his mouth at the beginning of the recently published column 6. It stands at what is the beginning of *כתב מלי נוח* in some sense, and in it Noah proclaims his lifelong pursuit of *קשוט*, presumably the Aramaic for *צדק*.<sup>22</sup> This description precedes a(n auto)biographical statement about Noah's marriage to a kinswoman, the birth of his children, and his marrying them off. The narrative conforms well to the emphasis on endogamy, which has its basis in "the eternal statute which God most high gave to men," found in works like *Jubilees*.<sup>23</sup>

That passage is followed by a fragmentary account of a revelation to Noah which apparently predicts the destruction of the earth (or at least of the Watchers) and the salvation of Noah. Unfortunately, the surviving fragments of column 7 have only a passing allusion to the Flood before it occurs,<sup>24</sup> and columns 8–9, which would have contained the bulk of the Flood narrative have virtually no text surviving. We thus lack the remainder of the pre-Flood narrative and the entire story of the Flood. I should like to know whether, in the Apocryphon, there was any equivalent of Genesis 6:1–4, the brief narrative about the "sons of God" and the Nephilim that follows the birth of Noah's sons at the end of Genesis 5.<sup>25</sup> It would have been valuable to know | whether the Flood story itself was expanded in the Apocryphon, since *Jubilees* 5:20–32, for example, summarizes the biblical Flood story, without adding detail or expanding it at all. If the biblical Flood account was not expanded in the Apocryphon, in contrast to some of the surrounding material which is considerably aug-

<sup>22</sup> The word occurs no fewer than six times in the first five and a half lines (including a half line *vacat*) of column 6.

<sup>23</sup> It is striking to recall that Tobit 4:12 makes Noah a leading example, along with the patriarchs, of a figure of antiquity who married endogamously. *Jubilees* 4:34 indicates that Noah's marriage was to a member of his own family.

<sup>24</sup> If the text of 7:19 *להעדיתיני ולמבנה*, "to remove me and to build," refers to God's saving Noah, there is a slight possibility that the Apocryphon is working with the notion that God, rather than Noah, builds the ark.

<sup>25</sup> Column 6:11–20 is the remains of a vision which Noah saw about the actions of the "sons of Heaven," the Nephilim, and "the Holy Ones with the daughters of man," but we cannot be certain how it corresponds to Genesis 6:1–4 in the pentateuchal account.

mented, I think that it would be a very important indicator of the particular interests of the composer of the Apocryphon.

In the published fragments of column 10, only a few words indicate that, after the ark rested on Ararat, Noah thanked God, sacrificed and “atoned for the land.”<sup>26</sup> Column 11 deals with Noah’s confronting the world upon exiting the ark, thanking God once again, and God’s telling him not to fear. In its language, “Do not fear, Noah, I am with you and your children who will be like you forever” (11:15), a striking parallel is created between the Noah narrative and the Abram story later in Genesis where (in the pentateuchal version) God assures Abram after his victory over the confederation of the four kings, “Do not fear Abram; I am your shield” (Genesis 15:1). If this linguistic usage is meant to equate or classify Noah and Abram together in some way, it may be important for the question of how the author of the Apocryphon connected pre-patriarchal figures, especially Noah, and patriarchal ones. Greenfield and Qimron refer to this material in their summary of columns 6–12 with “he [Noah] enters into a covenant with God after travelling around the world.”<sup>27</sup> The recent publication of the new textual material indicates that this is, as it appears, an expansion not found in Genesis or Jubilees. We can thus observe yet another way in which the Noah material in the Genesis Apocryphon is manipulated independently of previously extant sources.

Regarding column 12, following the covenant just mentioned, Greenfield and Qimron write “Noah’s grandsons are listed and the story of the planting of the vineyard and related rituals and rejoicing is told.” In this section, there is a combination of biblical information | with an extrabiblical addition, paralleled in *Jubilees* 7:1–7.<sup>28</sup> I have tried to show elsewhere how the re-positioning of the biblical material is part of the exegetical technique of the author of the Apocryphon.<sup>29</sup> What we observe in this portion of the Apocryphon, and the technique should be familiar to us from *Jubilees*, is the integration of biblical and nonbiblical material side-by-side.

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<sup>26</sup> For the sacrifice, cf. Genesis 8:20 and *Jubilees* 6:1–3; for the atonement, cf. *Jubilees* 6:2. For interpretation, see J.C. Reeves, “What Does Noah Offer in 1QapGen X, 15?” *RevQ* 12 (1986): 415–19.

<sup>27</sup> Greenfield and Qimron, 70. García Martínez’s summary, “4QMess Ar and the *Book of Noah*,” 41–42, needs to be corrected according to Greenfield and Qimron’s more recent reconstruction.

<sup>28</sup> On the grandchildren, see James C. VanderKam, “The Granddaughters and Grandsons of Noah,” *RevQ* 6 (1994): 457–61; on the halakhah reflected in the passage, see Menahem Kister, “Some Aspects of Qumranic Halakhah,” (above, n. 16), 576–86.

<sup>29</sup> “Re-arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *DSD* 3 (1996): 40–44 (above 1.178–181).

I emphasize that this is in contrast to the treatment of the birth of Noah and the material in columns 11 and 13–15 which is virtually entirely non-biblical. “Col. xiii contains a vision which is subsequently interpreted in col. xiv, though the interpretation is difficult to understand. Col. xv contains another interpretation of a vision, apparently aimed against the nations of the world.”<sup>30</sup> This pericope is apparently also completely extrabiblical, *but unlike the story in columns 2–5*, it does not have other extant extrabiblical parallels. It is a “new” contribution to stories about Noah in antiquity, and it will complicate our understanding of the composition of the Apocryphon even further.

The final section of the Noah material, columns 16–17, which Professor Greenfield ל”ר presented in preliminary form at the 1991 SBL meeting in Kansas City and which Qimron and Morgenstern recently published, relates Noah’s apportionment of the earth among his sons as does *Jubilees* 8–9. Throughout the surviving text of the Noah portion of the Apocryphon, and unlike some of the Abraham material later in the Apocryphon, there is very little which comes even close to being a targum or a close Aramaic paraphrase of a series of verses from Genesis. This freedom from the letter of the biblical text, combined with the question of multiple sources for the Noah material (the biblical text, *Jubilees*, *Enoch*, the “Book of the Giants,” the “Book of Noah,” or others unknown) may make it difficult to resolve some of the larger questions about the intent or goal of the narrator. Nevertheless, we shall return to touch upon some of these issues at the conclusion of our survey of the remainder of the Noah material at Qumran.

### | *Other “Narrative” Texts*

When we turn from the Genesis Apocryphon to the rest of the Qumran material relating to Noah, we no longer have to deal with the scope of the Apocryphon or the detail with which it tells the stories of Noah. There are several shorter Qumran texts, which one might call “narrative” texts that introduce material from the Noah/Flood cycle. 4Q370 is entitled by its editor Carol Newsom, “An Admonition Based on the Flood” because its first column summarizes the biblical deluge, while the second “does not

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<sup>30</sup> Morgenstern et al., 32.

contain more narrative but rather homiletical or admonitory remarks.”<sup>31</sup> The stance of this piece is quite different from almost all the others we are considering. The offenders of the flood generation are ingrates who have not appreciated God’s gifts; they have done unspecified evil (רע), and God has judged them. The description of the Flood borrows from Genesis as well as other biblical passages involving earthquake and cataclysm. “As a result,” the text continues in line 6, “all that were [on] the dry land were wi[ped out], and man and a[nimal] d[i]ed, [as well as every] winged bird, and the mi[ght]y ones did not escape.” In the more fragmentary lines 7–8, God “places his bow [in the cloud] so that he might remember the covenant . . . [and there will not be further] the water of the flood to destroy and the rush of water will not be opened.”

What we have here is a thumbnail sketch of the flood story without Noah, without an ark, without explicit reference to Watchers or violence and corruption on earth.<sup>32</sup> It is clearly the moral dimension of the story that is of interest to the teller, and here we have one of several passages where the story is told for something other than its own sake. It is God who is the focus of the narrative, both before and after man sins. Newsom puts it well, remarking that “The selection and omission of detail suggests that the author is interested in the flood as a story of disobedience and punishment rather than, e.g., a story of the deliverance of the righteous.”<sup>33</sup>

4Q422, usually referred to as a “paraphrase” devotes the second | of its fragmentary three columns to the flood story as well. Even after the painstaking work of the scholars who have worked on this text, much more is missing from column 2 than is present. The narrative seems to begin before the Flood, with God observing the wickedness of man (line 1); there seem to be allusions to “living creatures” (2a), to “being saved” (3), to “and his sons,” to “the waters of the Flood” (4), and to “God [cl]osing on their behalf” (5). Lines 6–9 seem to describe the Flood itself and we probably ought to restore the end of line 6 with [וירי-] . . . חו[ת]ת[ח]ו. ארובות השמי[ם] נפ[ת]ת[ח]ו. קו על הארצ וארבות השמים i 5 ה[ר]י[קו] סטר.<sup>34</sup> Line 9 contains the words הגיש לפניו, “he brought near

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<sup>31</sup> Carol A. Newsom, “An Admonition Based on the Flood,” *RevQ* 13 (1988): 23; see now the official publication “370. 4QAdmonition Based on the Flood,” in *Qumran Cave 4, XIV: Parabiblical Texts, Part 2* (ed. Magen Broshi et al.; DJD 19; Oxford: Clarendon, 1995), 85.

<sup>32</sup> The way in which the material is handled might be said to recall *1 Enoch* 54:7–55:2.

<sup>33</sup> Newsom, “Admonition,” 35; *Qumran Cave 4, XIV*, 88.

<sup>34</sup> Less likely is the restoration ויצ[קו] על הארצ.

before him," which I have suggested may refer to Noah's offering sacrifices after the Flood.<sup>35</sup> As even this sketchy summary must indicate, there is not much room in the column for a detailed story, which would include the chronology of the Flood as told in 4Q252, for example, or the sending out of the birds. But the most striking omission, if one can guess about omissions from a largely fragmentary text, appears to be the very building of the ark. I do not believe that there was room for it in the remains of the story as told by the author of 4Q422, and we should note the parallel with 1 *Enoch* 67 where the angels build the ark, although it is conceivable that in 4Q422 God is the builder.<sup>36</sup>

213 Elgvin writes, "With the exception of lines 8–9, the pericope on the flood in 4Q422 takes the form of a paraphrase of the biblical text rather than an admonition like 4Q370. 4Q422 seems to be selective in its use of themes from the biblical text."<sup>37</sup> But I see 4Q422 as much more like 4Q370 than Elgvin does. Neither one tells the story for the story's sake, but for its message. In 4Q370 the message may have been hortatory; in 4Q422 ii the message is of God's deliverance of Noah and the subsequent covenant. That is | why Noah does not build the ark or do anything else in the surviving fragments. It is only in line 9, if we assign it to Noah's sacrifice, that Noah actually does anything and that single act requires God's beneficence toward him; of course if God is the subject of that verb, then there is no human activity referred to in any of the fragments of this column.<sup>38</sup> The genres of 4Q370 and 4Q422 may not be the same, but their perspectives, with the emphasis on divine actions, are very similar.

<sup>35</sup> Elgvin accepted this suggestion in his DJD edition of 4Q422 in H. Attridge et al., eds., *Qumran Cave 4. VIII: Parabiblical Texts, Part 1* (DJD 13; Oxford: Clarendon, 1994), 427, rejecting his earlier attempt ("The Genesis Section of 4Q422," *DSD* 1 [1994]: 192) to take the rainbow or the sign of the covenant as the object of  $\Psi\aleph\eta$ . For some other suggestions on readings in 4Q422 alternative to those in DJD 13, see my review of that volume in *DSD* 4 (1997): 111.

<sup>36</sup> We have noted the possible appearance of the same motif in the newly published fragment of the Genesis Apocryphon 7:19 (n. 24 above).

<sup>37</sup> Elgvin, DJD 13, 426. He observes specifically the omission of the detailed chronology of the Flood which we find in 4Q252 ("Commentary on Genesis A").

<sup>38</sup> The point about God being the subject of the clauses in 4Q422 ii has also been made by George W. Nickelsburg, "Dealing with Challenges and Limitations," *DSD* 1 (1994): 232, where he continues with a characterization, "Although this may not be a poetic text or a psalm, the 'account' appears to be theocentric in a certain sense, and, implicitly, perhaps, doxological." I believe that the theocentricity is clear, as I have also argued, but I am not certain whether it is doxological or has some other, perhaps didactic, sapiential function.

To keep our survey of “narrative” works as complete as possible, we note that there is a passing reference to Noah’s disembarking from the ark in the recently published 4Q244 (ps-Dan<sup>b</sup>) and a possible reference to Noah in 4Q464, an extremely fragmentary narrative text published by Stone and Eshel under the satisfactorily vague name “Exposition on the Patriarchs.”<sup>39</sup> Pseudo-Daniel<sup>b</sup> has in frg. 8 2–4 the words “after the flood,” “Noah from Mount Lubar,” and “a city.”<sup>40</sup> All we can say is that the surviving text was concerned with Noah’s postdiluvian activity; whether the city is built by Noah or his sons or whether it has anything to do with the tower of frg. 9 we cannot tell.<sup>41</sup>

In 4Q464 5 ii 2–3, we read “he put water from be[low] . . . will be. There will they destroy (?) . . . to destroy (לְהַשְׁחִית) the earth.” Admitting that the choice lies between the Flood story and the destruction of Sodom and Gomorrah, the editors in their preliminary publication opted for the latter, taking the allusion to “putting | water” to be related somehow to Genesis 18:4.<sup>42</sup> They have since changed their minds and in their comments in *DJD* have made a strong case for the flood context of the passage.<sup>43</sup> The emphasis on destruction by water and the use מַתְּחַת which would refer to the Flood rising up from beneath the earth makes me confident that the context is the Noah story since water plays no role in descriptions of Sodom and Gomorrah.

One text (admittedly not exactly a narrative) that does not mention Noah by name, although it describes something which appears to be the biblical Flood, is 4Q534.<sup>44</sup> Published originally by Starcky as 4QMess ar,

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<sup>39</sup> Michael E. Stone and Esther Eshel, “An Exposition on the Patriarchs (4Q464) and Two Other Documents (4Q464<sup>a</sup> and 4Q464<sup>b</sup>),” *Muséon* 105 (1992): 243–64; official publication: id., “464. 4QExposition on the Patriarchs,” in *Qumran Cave 4, XIV*; ed. Broshi et al., 215–30.

<sup>40</sup> John J. Collins and Peter Flint, “244. 4Qpseudo-Daniel<sup>b</sup> ar,” in *Qumran Cave 4, XVII: Parabiblical Texts, Part 3* (ed. George Brooke, et al.; *DJD* 22; Oxford: Clarendon, 1996), 127. I thank Peter Flint for sharing this text with me in advance of its publication.

<sup>41</sup> According to the editors, *ibid.*, 135–36, 4Q243–244 present a review of biblical history which is characteristic of historical apocalypses. Its reference to Mt. Lubar indicates that it goes beyond the biblical account for its data, since the Bible does not associate Noah with Mt. Lubar.

<sup>42</sup> Stone and Eshel, “An Exposition,” 255.

<sup>43</sup> *Qumran Cave 4, XIV*, 224–25.

<sup>44</sup> J.T. Milik, *The Books of Enoch: Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon, 1976), 56, asserts that there are three other copies of the work represented by 4Q534, and two of them refer to the weight of the newborn Noah, but they have not yet been published to date. In “Les Modèles Araméens du Livre d’Esther dans la Grotte 4 de Qumrân,” *RevQ*, 15 (1992): 357, however, he quotes from what he calls the colophon of 4QNaissNoé<sup>d</sup>

its messianic interpretation was rejected by scholars such as Fitzmyer and Grelot, who claimed that the character referred to in it was Noah.<sup>45</sup> Frg. 1, col. 1 of this fragmentary text begins with a horoscope of its central figure, described as “the chosen one of God” (10), who will “know the three books” (5), “will become wise” (6), “possess counsel and prudence” (7), and “know the secrets of man . . . and all living things” (8). In the second column, we find references to “waters ceasing (?)” and to “devastating” (14), as well as “Holy One and Watchers” (18).

215 | From the perspective of our study of the texts from Qumran which deal with or refer to Noah, it is particularly important to establish the context of this kind of text, if indeed it describes Noah. For we have seen that certain elements of the biography of Noah, particularly the depiction of his birth, appear to belong to cycles of stories or narratives about his forbears. We cannot be sure what the total scope of a fragmentary document like 4Q534 might have been, a problem we often have with Qumran texts. Since there are no extant texts, other than *Jubilees* and the Genesis Apocryphon, which cover Noah’s life from birth through the post-Flood era, to presume that 4Q534 belongs to a narrative *primarily about Noah* seems unnecessary. If 4Q534 possessed very limited scope, it might have been a prophetic or horoscopic text describing the imminent birth of Noah as well as his achievements during his illustrious career. It need not have contained a narrative about Noah’s life. Even if, on the other hand, it is part of a longer narrative, then there is still no reason to connect it with the subsequent adventures of Noah as opposed to the narratives about Enoch, Methuselah, and Lamech. Conjectures regarding the scope

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supplementing it from *4QNaissNoé*. It is not clear to me, based on the currently available information, just how many manuscripts exist of this hypothetical work. For the most recent brief discussion of 4Q534–4Q536 in a context similar to our own, see Loren T. Stuckenbruck, *The Book of Giants from Qumran: Texts, Translation, and Commentary* (Tubingen: Mohr, 1997), 214–18, 225–31.

<sup>45</sup> Florentino García Martínez, “4QMess Ar and the *Book of Noah*,” 1–2 n. 1. Rejecting Starcky’s view of 4Q534 as a messianic text, he adopts Fitzmyer’s view that “there is certainly no phrase in the two fragmentary columns which cannot be understood of Noah”; Joseph A. Fitzmyer, “The Aramaic ‘Elect of God’ Text from Qumran,” *Essays on the Semitic Background of the New Testament* (London: Chapman, 1971), 158. García Martínez points out, 18 nn. 27–30, that Starcky and others accepted the identification with Noah. He furthermore is confident, 3 n. 2, that 4Q534 antedates *Jubilees* and perhaps even the *Book of Watchers*. My discussion will use García Martínez’s text, *ibid.*, 4–5, as a springboard. This is an extremely difficult text, and is being included, despite the many problems of reconstruction and interpretation which it presents to the scholar, because of the agreement of many interpreters that it is a Noah text.

and nature of 4Q534 will become significant when we come to consider the possible existence and scope of a so-called “Book of Noah” in antiquity and, more specifically, at Qumran.

#### NOAH AND THE FLOOD IN NON-NARRATIVE TEXTS FROM QUMRAN

##### *Commentaries*

When we turn from these brief narratives and their fragmentary remains to works which appear to have been of even narrower scope, we can pay more attention to the selectivity of the authors, bearing in mind all the while that we are also noticing the selectivity of time passing its judgment on the contents of a manuscript. These works are not, as far as we can tell, *narratives* about Noah, and they appear to be commenting on or explaining the Noah material rather than *using* it. In each of the four (formerly three) commentaries on Genesis 4Q252–254a we find reference to Noah and the Flood.<sup>46</sup> I stress the | fact that it is in the context of the biblical narrative, primarily the Flood, that reference is made to Noah, and not in the context of major additions to the narrative such as the miraculous birth which we have seen in the Apocryphon, 1Q19, 1 *Enoch* 106–7, and perhaps 4Q534, or even in the expansions of events like the division of the earth. The works now under scrutiny, in their fragmentary remains, do not move far away from the biblical story.

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I shall not reiterate my characterization of 4Q252 once again, except to say that I see it as some form of selective rewriting of the Bible, verging in places on what we recognize as commentary.<sup>47</sup> Its concern with chronological issues in several of its early pericopes is unsurprising at Qumran,

<sup>46</sup> These commentaries have now all been published by George J. Brooke in DJD 22 (above, n. 40), 185–212, 217–36 as “4QCommentaries on Genesis A–D.” Fragment 4 of 4Q253, which is largely a citation of Malachi 3:16–18, has been designated 4Q253a “4QCommentary on Malachi” by Brooke and has been published *ibid.*, 213–15. I thank Professor Brooke for sharing his work on the Genesis Commentaries with me at the prepublication stage.

<sup>47</sup> 4Q252 has been the subject of an ongoing debate between George J. Brooke and myself. See Professor Brooke’s articles, “The Genre of 4Q252: From Poetry to Peshet,” *DSD* 1 (1994): 160–79 and “The Thematic Content of 4Q252,” *JQR* 85 (1994–95): 33–59, and cf. my treatments, “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994): 1–27 and “4Q252: Method and Context, Genre and Sources: A Response to George J. Brooke,” *JQR* 85 (1994–95): 61–79 (above 1.92–125 and 133–150, respectively). Professor Brooke has presented his most recent synthesis of the material in “4Q252 as Early Jewish Commentary,” *RevQ*, 17 (Jozef T. Milik Festschrift; 1996): 385–401. The dichotomy between our perspectives has grown progressively narrower in the course of our productive exchange of ideas.



even though most of its discussions are not visibly sectarian. The stories of Noah and the Flood occupy most of the first two columns of the work, and the focus is almost completely chronological: Genesis 6:3 is located in Noah's 480th year and its 120 years refers to the time remaining until the Flood, followed by a detailed working out of the chronology of the Flood, smoothing out some of the apparent bumps in the narrative, and concluding that Noah spent exactly one solar year in the ark.<sup>48</sup> The commentary skips from the equivalent of Genesis 8:8 to 9:24, ignoring Noah's sacrifices, God's promises, his blessing of Noah and the concomitant commandments, the covenant, and the rainbow. The story of Noah and the Flood, as opposed to its chronology, is apparently of no interest to the compiler of 4Q252. The final reference to Noah is a brief exegetical comment on Noah's cursing of Canaan rather than Ham, explaining why the obvious culprit is not punished. | The text is thus not interested in Noah the character in a story, or in the event, the Flood, except for its chronological aspect, nor is it any theological dimension of the narrative which compels the author/compiler of 4Q252, but rather its concern is for the solution of several unconnected exegetical problems in Genesis. Even if 4Q252 is viewed as a partial retelling of the biblical text, its selectivity makes it stand out.

4Q252 is the best preserved of the commentaries; for the others we must grasp at straws to gain any sense at all for their content and meaning. 4Q253 refers to Noah in a fragment which also contains the words *מִן הַתְּבָה*, "from the ark." The surviving phrase is *וְיִקַּח לְהוֹדִיעַ לְנוֹחַ*, which Brooke suggests plausibly might allude to Noah's being informed of a legal point, *חוק*, upon disembarking from the ark.<sup>49</sup> In light of the fact that in Genesis 8:20 Noah takes from the clean animals and offers burnt offerings, I believe that it is possible that frg. 2 which refers to things clean and unclean and contains the words *עוֹלָתוֹ לְרִצּוֹן*, "his burnt offering for favor," might come from the same context as frg. 1 and allude to Noah's sacrifice immediately upon leaving the ark. We should note that the brief

<sup>48</sup> There have been several studies of 4Q252 which have focused on the issue of chronology: Timothy H. Lim, "The Chronology of the Flood Story in a Qumran Text (4Q252)," *JJS* 43 (1992): 288–98; Uwe Glessmer, "Antike und moderne Auslegungen des Sintflutberichts Gen 6–8 und der Qumran-Pesher 4Q252," *Theologische Fakultät Leipzig: Forschungsstelle Judentum* (Leipzig: Thomas Verlag, 1993), 30–39; R. Hendel, "4Q252 and the Flood Chronology of Genesis 7–8: A Text-Critical Solution," *DSD* 2 (1995): 72–79.

<sup>49</sup> Brooke, "253. 4QCommentary on Genesis B," 211.

biblical allusion to sacrifice is expanded upon by both *Jubilees* (6:1–3) and the Genesis Apocryphon (cols. 10–11).<sup>50</sup>

More striking, however, is the enigmatic “to make known to Noah” of frg. 1 which provides a striking and hitherto unnoticed parallel to another Qumran text. 4Q418 201 1 (reconstructed by Elgvin with 4Q416 1 3) reads נה רז נהיה ויודיע אל נה, “the secret of what will be and he made it known to Noah.”<sup>51</sup> Whether these texts share in making | Noah the recipient of mys- 218  
terious revelation, or whether, as I believe, 4Q253 has a more mundane legal context, cannot be determined at present. If it is not legal, then one might speculate on a connection with the kind of Noah material that possesses mystical or apocalyptic overtones.

4Q254 has only one fragment which most likely refers to Noah since it appears to cite the incident with Ham and the curse of Canaan (Genesis 9:24–25) as did 4Q252.<sup>52</sup> It is preceded by the words “entrances and win[dows],” according to Brooke probably the end of the previous comment, which may, as he suggests, refer to the ark. The reference to Noah has nothing in it but biblical text so that we cannot be certain how the author of 4Q254 dealt with the flood story. It is difficult to locate most of the 17 small fragments of this manuscript, but it is clear that both 5–6 as well as 7 discuss the blessings of Jacob, which appear also in 4Q252. It is thus a text which is concerned with Genesis, but to what degree remains very difficult to ascertain. The surviving fragment about Noah might

<sup>50</sup> Both *Jubilees* (6:2) and the Apocryphon (10:12) refer to the sacrifice as atonement for the land, and both follow it with references to not eating blood (*Jubilees* 6:4–14; 1QapGen 11:17).

<sup>51</sup> Text according to handout by Torliel Elgvin, “Eschatological Texts from Sapiential Work A” (SBL, November 21, 1994), but reading according to Elgvin, “Wisdom, Revelation and Eschatology in an Early Essene Writing” in *SBL Seminar Papers 1995*, ed. E.H. Lovering (Atlanta: Scholars, 1995), 459. He points out the similarity of the language to 1 *Enoch* 10:1–2 where an angel is sent to inform the son of Lamech of the future flood. Now that the fragmentary columns of the Genesis Apocryphon have been published, we see three passages which seem to have the Aramaic equivalent of the idiom “make the secret known”: 5:20–21 have אנה מחוי ברז... ברך אחוי ברזא דנא “I shall now make known to you the mystery... tell your son this secret,” addressed by Enoch to Methuselah. Col. 14:19, in the interpretation of the second vision, contains the words לרזא חויתה “I told him the secret”, where Noah is being addressed (by God?). It is perhaps premature to speculate whether the imparting of רז נהיה to Noah refers to the mysterious vision in the recently published columns 13–14 of the Genesis Apocryphon. If 4Q534 (4QMess Ar discussed above) is a text about Noah, then 4Q534 1 8 כול רזי וידע תהך עממיא לכול עממתה לכול רזי וידע רזי אנשא וחוכמתה לכול עממיא תהך וידע רזי כול רזי וידע רזי חייא “he shall know the secrets of man and his wisdom will go to all peoples, and he will know the secrets of all the living” may be added to this complex of texts regarding Noah’s esoteric knowledge.

<sup>52</sup> Brooke, “254. 4QCommentary on Genesis C,” 220–21.

indicate that the reference to him is not as part of a full-blown story of the Flood, but refers only to particular details of that narrative (the ark) and the incident of Noah's drunkenness.

The three fragments of 4Q254a all pertain to Noah and the Flood.<sup>53</sup> In 1–2, there is a reference to the dove (הַיּוֹנָה) before the calculation (חֲשׁוּבוֹן) of the dimensions of the ark. It appears therefore, *prima facie*, not to follow the order of the Genesis narrative. I suggest that it is possible, although rather tenuous, that a reference to the dove could have been placed before the actual flood story in anticipation of Noah's sending it later on to seek out dry land, since the dove is referred to with a definite article at its first appearance in Genesis 8:8. The other fragment of 4Q254a appears to overlap with 4Q252, referring to Noah's leaving the ark on the 17th of the [second] month at the end of a perfect solar year. After a *vacat*, there is reference to the raven's going back and forth, in language reminiscent of Genesis 8:7. I think that it may represent an extrabiblical addition | explaining the further fate of the raven, postponed so as not to interrupt  
219 the flood narrative. If my tentative suggestions are correct, then we may see in these fragments a slight exegetical rearrangement as well as the adding of explanatory detail to the biblical account of the Flood in the manner with which we are familiar from other Second Temple "rewritten Bible." It is important to notice how 4Q252, 4Q254 and 4Q254a overlap, not in terms of specific treatment, but in the scope of passages treated.

It is worthy of comment that all these commentaries, whose dimensions, scope, and nature are virtually unknown (with the exception of 4Q252), contain references or allusions to the Noah/Flood narrative. We can never understand the happenstance that preserves one part of a document rather than another, but, as I have noted in other contexts, when the same material continually reappears in the fragments of several documents of similar nature, it is likely that it is not mere randomness at work. This biblical pericope, or pericopes, attracted the attention of many of the writers whose works survived at Qumran. A final remark on commentaries: 4Q180, the so-called "Peshier on the Periods," contains references to the generations from Shem to Isaac, according to Dimant, as well as references to Azazel and the angels with the daughters of man.<sup>54</sup> Whether the

<sup>53</sup> Ibid., 233–36.

<sup>54</sup> Devorah Dimant, "The 'Peshier on the Periods' (4Q180) and 4Q181," *Israel Oriental Studies* 9 (1979): 77–102.

absence of Noah and the flood from the extant portions is fortuitous or significant, we cannot tell.

*Legal and Liturgical Texts*

Finally, several references to Noah and the Flood in the course of schematic “historical” surveys appear in generically diverse texts from Qumran. Let me begin, however, with a passage from which Noah is noticeably absent. CD 2:16–21 has an implicit reference to the generation of the Flood, the watchers from heaven (עירי שמים), and their children, powerful and tall, who perished together with all who were on dry land. This is followed by the statement that “in it the children of Noah strayed and their families are cut off because of it.” The writer’s interest is in the pre- and post-Noachic generations of sinners, but Noah himself is omitted. In light of the fact that the passage continues with positive remarks about the patriarchs, and | we shall see Noah joined with them elsewhere in such schematic historical overviews, Noah’s absence is unexpected.<sup>55</sup>

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A very fragmentary sectarian rule, 5Q13 1 6–7, reads בחרתה מבני [בחרתה מבני] ונבנוח רציתה, “you selected from the angels . . . and you chose Noah.” Regardless of the referent of the first clause, and one suspects it belongs to the contexts of the watchers who are called in Genesis בני אלהים there is a favorable, if enigmatic allusion to Noah. It is interesting that line 9 reads להבין במעשי, “to understand the works [of],” and line 11 [להוידע נסתרים], “[to make k]nown hidden [things].” In light of the use of הוידע with reference to Noah in the passages from 4Q253 and 4Q418 201, is it possible that these lines refer to Noah, despite the fact that in this text a few lines may cover generations and even centuries?<sup>56</sup> Fragment 2 of this text refers to Abraham, Jacob, and Levi, and frg. 3 contains the single word חנוך, “Enoch.”<sup>57</sup>

In 4Q508 3 2 (Festival Prayers), in a very broken text, we should read וּמְרַבֵּם [וְתַקְּמָם לְגוֹחַ] בְּרִיתְכֶם . . . לְאַבְרָהָם לְיִצְחָק וּלְיַעֲקֹב אֲמַנְתְּכֶם, “and because of your multitude. And you established with/for Noah [your

<sup>55</sup> It is just possible that the preceding and succeeding references to sinners would have made it awkward to insert the positive allusion to Noah.

<sup>56</sup> Line 13 reads לְכֹל אִישׁ יִשְׂרָאֵל, and I wonder what the connection might be if 7–11 all deal with Noah as I have suggested. [For a thorough explication of this text, see now M. Kister, “5Q13 and the ‘Avodah’: A Historical Survey and Its Significance,” *DSD* 8 (2001): 136–148.]

<sup>57</sup> 2 6 actually reads אֵל יַעֲקֹב [הוּ] דְעָתָה בְּבֵית אֵל, “you made known to Jacob in Bethel.” Is this connected to the same expression in 1 11?

covenant...with Abraham, Is]aac and Jacob your agreement.”<sup>58</sup> This parallel treatment of the covenants with Noah and the patriarchs, if my reading is correct, shows that in this text, perhaps like 5Q13, but unlike CD, Noah is judged to be on a par with them in some sense; he becomes part of the chain of the patriarchal period.<sup>59</sup> This may be important when studying the attitudes of Jewish groups in antiquity to the pre-patriarchal and patriarchal periods.

Furthermore, I believe that we have to reread 4Q505 Dibre Hamme’orot 124 4–6 in light of 4Q508. There Baillet read ה... [... ברית בחורב]... [א. “you established with u[s a covenant in Horeb . . . with Abraham], Isaac and Ja[cob],” | reconstructing on the basis of two other unconnected passages in Dibre Hamme’orot 4Q504 3 ii 11–13 and 5 ii 1–2.<sup>60</sup> But neither of those two texts juxtaposes the patriarchs with the covenant at Horeb, and, indeed, in the latter passage the reference to the patriarchs is completely reconstructed. I suggest rather that Dibre Hamme’orot 4Q505 should be read ברית לנ]וח ותקם, and that the reference to a covenant with Noah followed by an allusion to one with Abraham, Isaac and Jacob is very much in keeping with the sequence we find in 4Q508.<sup>61</sup>

#### *Other Possible References to Noah and the Flood at Qumran*

My final substantive topic might be called “where we do not find Noah and the Flood at Qumran.” It has been argued recently by Chazon and Elgvin, among others, that allusions to the Noah/Flood story appear in texts like 4QSapiential A and 4Q504 Dibre Hamme’orot. Thus Elgvin writes of 4Q423 (4QSap. Work<sup>f</sup>), “References to Gen chs. 1–3 and 8–9 are

<sup>58</sup> I have made some “obvious” restorations beyond those of M. Baillet, ed., “508. Prières pour les Fêtes (Deuxième Exemple: PrFêtes<sup>b</sup>),” *Qumran Grotte 4. III (4Q482–4Q520)* (DJD 7; Oxford: Clarendon, 1982), 179–80.

<sup>59</sup> Dimant, “Noah,” 137, in her discussion of Noah’s sacrifice and covenant, makes an interesting argument for the parallels between Noah’s covenant and that with the Israelites on Sinai which points in the same direction as our suggestion.

<sup>60</sup> 4Q505 124 4–6 in *Qumran Grotte 4. III (4Q482–4Q520)*, 169; 4Q504 3 ii 11–13, *ibid.*, 152–53; 4Q504 5 ii 1, *ibid.*, 156–57.

<sup>61</sup> Baillet’s analogy is rather impressionistic: ברית אתנו ותכרות is just the expression we should expect of the Sinaitic covenant, for example. ברית הקים is used four times in the Noah narrative, Genesis 6:18; 9:9, 11, 17. The unusual employment of הקים followed by ל, cited by Baillet only from Ezek 16:60 עולם לך ברית עולם is documented at Qumran in 4Q508.

obvious in many passages.<sup>62</sup> I fail to see obvious references beyond stylistic imitation in the material to which he refers.<sup>63</sup> It is not novel to suggest that we have to distinguish | between the employment of a biblical text or story in a Qumran work, or the imitation of its language in a way which makes the Qumran context resonate against it, such as Elgvin and Chazon have shown in the use of the Eden story in 4Q423 and 4Q504 respectively, on the one hand, and stylistic or idiomatic imitation of a biblical passage or passages which does not give an added dimension to our reading of the Qumran text, on the other. It appears to me that Elgvin is quite right about the influence of Genesis 1–3 on 4Q423, but has overstated the case for Genesis 8–9.

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In the case of 4Q504, it is plausible to suggest that allusions to Noah and the Flood appear in frgs. 8–9, the prayer for the first day of the week, in the section following the recapitulation of creation and the Eden story. But, once again, I feel that we must constrain our analysis to that which the text contains without resorting to discussions of what might have been in the lacunae.<sup>64</sup> The pre-Noachic narrative is probably represented

<sup>62</sup> Torleif Elgvin, “Admonition Texts from Qumran Cave 4,” in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (ed. Michael O. Wise et al.; New York: New York Academy of Sciences, 1994), 183.

<sup>63</sup> In n. 12, *ibid.*, the only two passages to which he refers which reflect Genesis 8–9 are 4Q423 5 5 and 4Q423 13 4. The former reads *ואסוף הקיץ ומועדי הקיץ ואסוף* [ואתה א]יש אדמה פקוד מועדי הקיץ ומועדי ה[תבונן בכל תבואתכה ובעבודתכה השכ]ל לדעת תבואתכה בעתה ותקופת [הזרע למועדו ה]תבונן בכל תבואתכה ובעבודתכה השכ[ל לדעת ה]טוב עם הרע There is no doubt that the idiom of those lines derives from Genesis 9:20, as Elgvin notes, 183 n. 15, and recalls God’s promise to Noah immediately after the Flood that the cycles of nature (including זרע and קיץ) will always continue (Genesis 8:22); cf. my comment on Elgvin’s paper, *ibid.*, 195. The latter passage contains merely another example of the words *א]יש אדמה אתה*. Elgvin writes further, 187, regarding Sap. Work A, “Gen chs. 8–9, which describe man and his tasks in the post-Flood situation, are suitable as reference texts for this kind of *Schöpfungsethik*,” and repeats the statement on 192, but does not supply any further analogues. The same themes are repeated, almost verbatim, in Elgvin, “Wisdom, Revelation, and Eschatology,” 448–49, but without further references.

<sup>64</sup> Chazon writes, “The Creation and Fall of Adam in the Dead Sea Scrolls,” in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. Judith Frishman and Lucas Van Rompay; Traditio Exegetica Græca 5; Leuven: Peeters, 1997), 15. “The next line of the prayer (1. 10) may have contained a reference to the evil inclination, alluding to the Flood context of Gen 6:5 (cf. also Gen 8:21).” She suggests that such a statement would have connected the account of Adam’s sin with that of the antediluvian generation. But, first of all, the text does not exist, and second of all, even if we were to find the word יצר in the Adam section, as we do in 4Q422 (cf. John J. Collins’s remarks in “Wisdom, Apocalypticism and the Dead Sea Scrolls,” *Jedes Ding hat seine Zeit . . .: Studien zur israelitischen und altorientalischen Weisheit Diethelm Michel zum 65. Geburtstag* [ed. A.A. Diesel et al.; Berlin/New York: de Gruyter, 1996], 26–27), it might be merely an allusion to the famous verses of Genesis 6 and 8, rather than a connection to another passage

by 4Q504 8–9 14 “[to fill the] earth [with violence and to spil[l] blood,” but we cannot yet speak of the presence of Noah or the Flood in the remaining lines of this fragment. Likewise, it is significant to observe that there is no Noah material in the texts published by VanderKam under the title “pseudo-Jubilees,” although we ought not draw conclusions, *ex silentio*, from that fact. It is perhaps noteworthy that the four commentaries on Genesis all contain Noah material, while the three “pseudo-Jubilees” texts do not.

We did not expect to find a single conception or treatment of either Noah or the flood pericope in the texts which survive from Qumran, and our expectations were vindicated. It is actually quite possible, granted the distribution of the literary remains of the Second Temple period in the Dead Sea caves, that what we have in the remains of the treatments of Noah is typical of the range of ways in which this story and character were handled in the literature of that era. The frequency with which the Genesis material from Creation to the Aqedah has been found in the Qumran caves, when compared with the material from the later portions of Genesis, demonstrates that Noah and the Flood episode were major focal points.

In what ways, then, do the Qumran treatments of the Noah/Flood material differ from one another? In cases where the goal of the work is to retell the biblical account, or parts of it, the scope of the recapitulation of the pentateuchal Noah/Flood story can be seen to vary considerably in the texts which we have examined. The tripartite (pre-Flood, Flood, post-Flood) pentateuchal story can be adopted *in toto* and then embellished and expanded with elaborations which might be described as aggadic/midrashic in type. This is the case in full-fledged “rewritten Bible” like the Genesis Apocryphon (or *Jubilees*), and, in fact, there is more to the Noah story in the Genesis Apocryphon than there is in the Bible. From birth to viticulture to division of the earth among his children, there is no incident, with the possible exception of the Flood (because it is fragmentary), which the Apocryphon tells without embellishment and expansion. Drawing from a variety of sources, putting speeches into the mouths of

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whose presence is unproven. (I thank Dr. Chazon for sharing with me her work in progress on this topic during my writing of this paper.)

characters, and fleshing out the narrative beyond what we find in any other ancient source, the author of the Apocryphon, I believe, does not so much *use* Noah as *present* him to the reader as a fully developed character in a fully developed narrative.

Alternatively, the Noah/Flood story can be compressed or only portions of it selected for retelling. It is clear that at Qumran the story of Noah's birth plays a role independent from the rest of his story, appearing in 1Q19 and probably 4Q534, as well as in the Genesis Apocryphon (and the "Epistle of Enoch"). The fact that only in the Genesis Apocryphon is the story of his birth juxtaposed with his further adventures may be due to the randomness of preservation, but it may just as easily direct us to the realization that for | ancient authors, such as those of *1 Enoch* and 1Q19, the birth of Noah really belonged to the story of the generations from Enoch to Lamech. It exists, we have claimed, as an element of the earlier Genesis narrative dealing with Noah's ancestors and is developed in Second Temple literature as a typical "birth of the hero" narrative, not as part of the retelling of Noah's subsequent adventures.<sup>65</sup>

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Excerpts of differing length and scope focusing on the flood portion of Noah's life, such as 4Q370, 4Q422, and perhaps 4Q464 are also in existence. The "Genesis Paraphrase" (4Q422) and the "Admonition Based on the Flood" (4Q370) *use* the Noah or flood material, failing to mention Noah at all in one case to focus on God and the punishment of man, and reducing Noah's participation in the other case to stress God's salvation. In neither is a detailed summary of the Flood relevant, and, in the case of 4Q370, Noah is irrelevant. The composers of all these Qumran texts, like those of the other postbiblical references to the Noah/Flood stories, pick out the data they wish to utilize for their particular accounts to the exclusion of all else. There is nothing which compels the retelling of the entire Noah "cycle" or even significant portions of it.

Where the goal of the author appears not to be the rewriting of the narrative or even parts of it, such as in the Commentaries on Genesis, we see that it is only specific details of the biblical story which have attracted the commentators. From the fragmentary remains which survive, it is clear that only particular passages within the larger narrative are of interest. This is no different from the way that the post-Noah material is treated in 4Q252, where it is clear that only a limited number of texts from the rest

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<sup>65</sup> On this aspect of the story, see VanderKam's discussion (above, n. 11).



of Genesis are treated in the four remaining columns. The chronology of the Flood and Noah's cursing of his grandson, rather than his son, each appear in two of the commentaries, perhaps indicating a shared exegetical interest in those passages. But the commentators, so far as we can tell, appear to be interested in remarking on, or annotating, or interpreting, rather than portraying or relating a story.

225 All these texts, from the Genesis Apocryphon to the Commentaries on Genesis, focus, whether briefly or at great length, on Noah or the Flood in the context of the early part of Genesis. It is the story, or some part thereof, which is paramount. But when the character Noah | is placed in a list together with the patriarchs in a liturgical text like 4Q508 or 4Q505 as partner in a covenant relationship with God, we are not meant to think of the entire biblical Noah episode at that time; the drunken Noah is then presumably to be far from our minds. Likewise, his "chosenness" in 5Q13 alludes to the fact that he alone is saved from the Flood and perhaps should be considered together with references to the patriarchs in other fragments of that document. In these allusions, Noah is an exemplum, not part of a story; the particulars of the flood narrative, other than the very fact that he survived the Flood, are unimportant. His omission from the brief historical survey in CD may be intended, on the one hand, to take him out of the list of the "chosen" ones like Abraham, Isaac, and Jacob, or, on the other, perhaps out of the roster of the sinners of the pre- and post-Flood generations. In light of the fact that references to Noah at Qumran appear uniformly positive, I think that the latter is more likely.

In the briefer narratives, in the commentaries and in the other texts referring to Noah, other than the Genesis Apocryphon, almost everything we find is scripturally focused. The supplementation of Noah's biography with nonbiblical material (other than the expansion of his birth story) seems to take place only in the case of this fully "rewritten Bible." For the remainder of the works about Noah found at Qumran, it appears to suffice for us to know what the Bible has told us about Noah, and it is that story alone which is *used* by the authors of the texts. If this observation is correct, and not merely based on the haphazard preservation of the documents, the distinction among types of text in terms of their willingness to expand the biblical story may be significant.<sup>66</sup>

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<sup>66</sup> The question is certainly worth posing—regarding other texts and genres dealing with different episodes and characters, as well. It would appear that 4Q225 ("pseudo-Jubilees") expands the story of the binding of Isaac beyond scriptural details even though it is not full-fledged "rewritten Bible."

The passing allusion in 4Q418 to רז נהיה ויודיע אל נח, “the secret of what will be and he made it known to Noah,” together with the enigmatic “to make known to Noah” of 4Q253 1, compels us to wonder whether these texts share in making Noah the recipient of mysterious revelation. Similar language in the newly published texts of columns 5 and 14 of the Genesis Apocryphon, as well as hitherto unattested visions seen by Noah in that document, make the | question of possible apocalyptic connections more significant.<sup>67</sup> This reference to Noah’s esoteric knowledge, I believe, is the only fully non-scriptural expansion in the shorter works we have examined. 226

It is only with the Genesis Apocryphon, a full-fledged “rewritten Bible” that the pieces of the Noah story can be seen, albeit fragmentarily, in one place. And it is not merely the whole story; it is more than the whole story. It is significant to keep in mind, however, that the Apocryphon’s integrated retelling of the Noah/Flood story does not derive only from the biblical version. Rather it seems to have been constructed from at least two additional sources, the one which contained the Lamech-Methuselah-Enoch narrative through the end of column 5, and the one deriving from כתב מלי נוח which follows. This may be seen to contrast with the Noah narrative in the book of *Jubilees* which does not betray traces of such compositional seams. The developed story of Noah in the Genesis Apocryphon makes him a much more fully rounded character than the biblical figure. We may not be able to discern the purpose of the Apocryphon, unlike those of the other examples we have examined, except to offer a more detailed picture of the narrative than Genesis, to interpret and to clarify the biblical material. This attempt to integrate the pieces of a biblical narrative into a more harmonious and fuller whole is a significant characteristic of the Second Temple genre which we often describe as “rewritten Bible.”<sup>68</sup>

<sup>67</sup> García Martínez, “4QMess Ar and the *Book of Noah*,” 21–22, arguing as part of his identification of 4Q534 as a text about Noah that knowledge of secrets is characteristic of Noah, cites “a confused text, which is certainly redactional and which seems to come from a Noachic insertion in the *Book of Parables* (1 *Enoch* 68, 1),” wherein Enoch instructed Noah “in all secret things in the book.”

<sup>68</sup> Dimant, “Noah,” in the Appendix, “The So-called Book of Noah,” 144–146, writes “a case can be made for the existence of a more comprehensive Hebrew narrative midrash in a style similar to that of the Aramaic *Genesis Apocryphon*, which would have included at least some of the materials dealing with Noah, such as the story of his miraculous birth” which would have covered most of Genesis. It should be clear that I believe that a work of that sort, like *Jubilees* and 1QapGen, is not the source, but the result of some of the more narrowly focused treatments which we have discussed.

## A CONCLUDING QUESTION: WAS THERE A “BOOK OF NOAH” AT QUMRAN?

227 One final, if peripheral, matter remains to be addressed in order to complete our investigation of “Noah and the Flood at Qumran”: What, if anything, does our survey of this material at Qumran have | to contribute to the ongoing discussion regarding the existence of a “Book of Noah” in antiquity? The assumption that a “Book of Noah” existed finds its starting point in ancient references such as those in *Jubilees* which allude to Noah’s writing in a book (10:13) and to what is written “in the words of Noah” (21:10). A single manuscript of *T. Levi* contains the words “the book of Noah on the flood.”<sup>69</sup> Syncellus refers to a written testament handed over by Noah to his sons.<sup>70</sup> Once the existence of such a book has been predicated, other textual material in a variety of ancient sources which mention events in the life of Noah has been claimed to derive from the “Book of Noah.” García Martínez, accepting the existence of such a work, summarizes much of the earlier discussion of this question in “4Q*Mess Ar* and the *Book of Noah*” where he outlines what he considers to have been the shape of the lost book.<sup>71</sup>

There is clearly no scholarly consensus on this question. Thus J.T. Milik presented his view that such a book did exist in his Introduction to *The Books of Enoch*.<sup>72</sup> He suggests that 1*Enoch* 106:7–8 “is nothing but a summary which serves as a reference (a sort of catchword) to a work in which the birth and the life of the Hebrew hero of the Flood were recounted in greater detail. . . . This ‘Book of Noah’ was summarized in Aramaic, undoubtedly its original language, by the compiler of 1Q*Genesis Apocryphon*.”<sup>73</sup> Devorah Dimant, on the other hand, claims that references to Noachic books in *Jubilees* and *T. Levi* cannot be taken to prove their historical existence, that the various passages assigned to these books are very diverse in type, and that “it is difficult to see how [the Qumranic fragments] could have belonged together with the Noachic passages to one and the same work.” She concludes that “the general affinity of themes and motifs may be better explained as stemming from shared underlying traditions rather than

<sup>69</sup> García Martínez, 25.

<sup>70</sup> *Ibid.*

<sup>71</sup> García Martínez, 43–44.

<sup>72</sup> Milik, *The Books of Enoch*, 55–57.

<sup>73</sup> *Ibid.*, 55. Milik’s comments on the *Genesis Apocryphon*’s being a summary of the “Book of Noah” seem to be refuted by the appearance of the words כְּתַב מְלִי נֹחַ at the end of column 5.

from a distinct written document," asserting that "in conclusion, there is no evidence for the existence of a *Book of Noah*."<sup>74</sup>

| The question has recently been reopened in light of the decipherment of the words *מלי נוה בכתב*, "the book of the words of Noah," toward the end of column 5 of the Genesis Apocryphon. Steiner's examination of the passage in light of other parallel texts has led him to conclude that the passage in the Genesis Apocryphon leaves "fewer grounds for doubting the existence of the work,"<sup>75</sup> and the language of the Apocryphon indeed seems to confirm the existence of some work about Noah known to the author of the Apocryphon by such a title. But if those words testify to the existence of a "Book of Noah," a source for the Genesis Apocryphon, it must be to a text that did *not* include the story of his birth, related in 1Q19, 6Q8, 4Q534, or 1 *Enoch* 106–7, that is to say much of the Qumran (and non-Qumran) material associated with the hypothetical "Book of

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<sup>74</sup> Dimant, "Noah," 145–146, in the Appendix on the "So-Called Book of Noah." Lewis, *Interpretation*, 14–15, also denies the need to assert the existence of such a work, and C. Werman, in "Qumran and the Book of Noah," *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls: Proceedings of the Second International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Related Literature, 12–14 January, 1997* eds. E.G. Chazon and M.E. Stone (STDJ 28; E.J. Brill, 1998) 171–81, likewise came to the conclusion that the Book of Noah, as it is generally described, never existed.

<sup>75</sup> Steiner, 69. He makes the significant point that in the Apocryphon this designation appears as a heading rather than as an allusion spoken by a character as in *Jubilees*, but allows for the possibility that "the editor of the Genesis Apocryphon, inspired by the reference to 'The Words of Noah' in *Jubilees*, created the work out of material taken from *Enoch* and *Jubilees*." Steiner points out further, 71, that "the Words of Noah cannot be viewed as Noah's testament" because there are no second person addresses to Noah's sons, and the recently published columns confirm that assertion. But those columns raise another, perhaps unanswerable, question regarding the first-person speech of Noah in the work purportedly being quoted. There are several passages which apparently refer to Noah in the third person. Thus 8:1 reads *אנתתה בתרה*, "his wife after him" whose masculine could refer to Noah (if not to one of his sons). 16:12 reads *חלק בעדב ליפת ולבנוהי* which the editors render "he apportioned to Japhet and to his sons," where Noah must be the subject of the sentence if the syntactic analysis is correct. Finally, and most conclusively, 17:16 describes Japhet's dividing among his own sons "the portion which Noah his father apportioned to him and gave to him," *חולקא די פלג לה ויהב לה נוה אבוהי*. The only clear-cut first-person reference to Noah in the passages about apportioning the earth is 16:7 *ושם* 17:16 describes Japhet's dividing among his own sons "the portion which Noah his father apportioned to him and gave to him," *חולקא די פלג לה ויהב לה נוה אבוהי*. The only clear-cut first-person reference to Noah in the passages about apportioning the earth is 16:7 *ושם* 17:16 describes Japhet's dividing among his own sons "the portion which Noah his father apportioned to him and gave to him," *חולקא די פלג לה ויהב לה נוה אבוהי*. Were it not for the suffix on *בר*, it would be tempting to suggest that the section of the Apocryphon about the division of the earth was not treated as a first person speech by Noah, and hence, according to Steiner's criteria, could not have belonged to the "Book of the Words of Noah," but to some other hypothetical source.

Noah.”<sup>76</sup> In the Genesis Apocryphon itself, the birth story appears before the phrase כְּתָב מִלִּי נוֹחַ. Even if it is the miraculous birth of Noah which is alluded to in 1Q19, or predictions about his future | which are presented in 4Q534, I stress that it is not clear whether those references were part of a narrative which focused on Noah or on the generations preceding him, and I believe that the latter is much more likely.<sup>77</sup>

Having examined the diverse passages in the Dead Sea Scrolls which refer to Noah and the Flood, however, I should like to frame a different fundamental question. When traditions and stories about biblical characters were put into postbiblical literary form, was it by the composition of longer expanded narratives, like *Jubilees*, *1 Enoch*, or the Genesis Apocryphon, or did the stories circulate in compositions, written or oral, of much narrower compass, which might have dealt with individual episodes or themes rather than complete narrative cycles? The very title of the work “the book of Noah about the blood,” for example, does not seem to imply the existence of a work of great scope, but of a specific, narrowly focused, tract. The popularity of the Noah/Flood theme in the Qumran texts points to its fruitfulness and significance, and not necessarily to the existence of a single major work encompassing all its constituent elements. Granting the difficulty of determining the scope of fragmentary texts, the texts of a shorter nature seem to predominate rather than longer ones of greater scope.

A reasonable alternative hypothesis to the predication of the existence of a large-scale “Book of Noah” from which these other works made selections is the possibility that different events or aspects or themes of the Noah story were expanded beyond their pentateuchal scope at some early date and then circulated in a variety of forms either orally or in writing. The “book of the words of Noah” apparently cited in Genesis Apocryphon 5:29 might very well be an expanded first-person narrative of the flood story, including the events leading to it and its immediate aftermath. The testament referred to by Syncellus need not be part of that work, nor of

<sup>76</sup> Steiner, 70–71, makes the point that “*1 Enoch* 106–7 could not have come from the Book of Noah” on the basis of the title כְּתָב מִלִּי נוֹחַ, a heading which conforms to the form “Words of N” which must mean “words *by* N, not words *about* N” (emphases in the original).

<sup>77</sup> If the very fragmentary second column of 4Q534, lines 13ff., contains a description of the destruction to be wrought by the flood, we should stress that it is in the nature of a prediction, associated, according to García Martínez, with Noah’s birth. It is not part of a biography of Noah’s later life.

the “book of Noah on the blood.” If the narrative of the apportionment of the earth among Noah’s sons speaks of him in the third person (see above, n. 75), it may belong to yet another composition. These may all have been works of much narrower scope focusing on the | Noah/Flood story, although the fragmentary acontextual nature of the surviving documents and the ambiguous quality of the references to works about Noah prevents us from having a confident perspective on them. 230

When a more encompassing work like the Genesis Apocryphon was written, it may have created a new perspective on the life of Noah by sewing together sets of data which originally existed independently. If, indeed, we examine the selections in García Martínez’s outline of the portion of the “Book of Noah” which correspond to that which in the Genesis Apocryphon follows the words כְּתָב מְלִי נֹחַ, i.e., to that which might derive from the “Book of the Words of Noah,” we find that García Martínez’s reconstruction contains no exclusively Qumran material other than the material from the Genesis Apocryphon itself.<sup>78</sup> In that case, the Genesis Apocryphon’s “Book of the Words of Noah,” which clearly is not identical with García Martínez’s hypothesized “Book of Noah” since it does not overlap with the essential birth story, becomes the only Qumran evidence of the “Book of Noah” for the portion which follows Noah’s birth. There is a circularity in this argumentation as there is in García Martínez’s implication that anything in the Noah story in *Jubilees* for which there is no other source must derive from the “Book of Noah.”<sup>79</sup> *Jubilees* and the Genesis Apocryphon are both composite works, which may be drawing on a variety of earlier traditions, and *not necessarily* on one hypothetical lengthy text whose reconstruction is largely based on speculative source criticism of *Jubilees* and the Apocryphon.

In light of this examination, we cannot agree with those who assert, on the basis of the Qumran texts and other ancient material, that a large-scale “Book of Noah” existed in the pre-Qumran period, and was utilized by authors of Qumran texts who drew upon it. I believe that, as a rule, when dealing with Qumran texts we ought to restrict the extent of our reconstructions, like the scope of our nomenclature, wherever possible.<sup>80</sup> The various references to Noachic works are just as likely to refer to documents of more restricted scope depicting selected incidents from Noah’s

<sup>78</sup> García Martínez, “4Q<sup>Mess Ar</sup> and the *Book of Noah*,” 43–44.

<sup>79</sup> García Martínez, 36–39, especially 39.

<sup>80</sup> I have argued this position at some length in the paper referred to in note 1 above.

231 life as they are to allude to the hypothetical “Book of Noah,” and we should therefore adopt | that minimalist stance as a working hypothesis. Whether such a text was composed subsequently or not is a separate issue, but the currently available Qumran evidence, even combined with the other ancient allusions, remains insufficient, in my view, to postulate the existence of a hypothetical work of broad scope.<sup>81</sup>

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<sup>81</sup> After the completion of this article, another recent treatment of a related topic came to my attention: J.M. Scott, “Geographic Aspects of Noachic Materials in the Scrolls at Qumran,” in *The Scrolls and the Scriptures: Qumran Fifty Years After* (ed. S.E. Porter and C.A. Evans; JSPSup 26/Roehampton Institute London Papers, 3; Sheffield: Sheffield Academic Press, 1997), 368–381. Approaching the matter from a vantage point which is different from mine, Scott reaches a parallel conclusion, writing, 380, that “The attempt to reconstruct from disparate sources a single ‘Book of Noah’ that includes everything from the fall of the Watchers to the division of the earth among Noah’s sons not only seems arbitrary, lacking the necessary controls for ascertaining what was included in the original work, but it also fails adequately to reckon with the fact that, according to *Jubilees*, many books of Noah were in circulation on various subjects.”

ANGELS AT THE AQEDAH: A STUDY IN THE DEVELOPMENT  
OF A MIDRASHIC MOTIF<sup>1</sup>

The tracing and analysis of shared exegetical or interpretive motifs in early Jewish biblical interpretation have become a major component in the study of Jewish intellectual history in the Second Temple and rabbinic eras.<sup>2</sup> In recent years, J. Kugel has focused the attention of researchers in this area on the interpretive traditions which appear to | respond to textual stimuli within the Bible, even those of the most subtle sort.<sup>3</sup> In order to demonstrate the commonality of traditions and to classify them conveniently, Kugel has adopted the sometimes extremely productive

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<sup>1</sup> This paper has its origin in honors courses in Early Jewish Biblical Interpretation at Yeshiva College and Stern College for Women of Yeshiva University. After we had studied a good deal of the comparative exegesis of the Aqedah, my students and I noticed that angels kept appearing. My thanks to all of those undergraduates who helped start this work on its way. After the oral presentation of this paper at a session on "Angels in Second Temple and Talmudic Literature" at the 31st Annual Meeting of the Association for Jewish Studies in Chicago in December 1999, a number of colleagues, from near and far, drew my attention to a range of secondary sources which were germane to my topic. I thank, in particular, Dr I. Kalimi for referring me to L. Kundert, *Die Opferung/Bindung Isaaks*. Bd. 1: *Gen 22,1–19 im Alten Testament, im Frühjudentum und in Neuen Testament* and Bd. 2: *Gen 22:1–19 im frühen rabbinischen Texten* (WMANT 78–79; Neukirchen-Vluyn; Neukirchener Verlag, 1998), and Dr Y. Eliav for D. Lerch, *Isaaks Opferung christlich gedeutet: Eine auslegungsgeschichtliche Untersuchung* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1950), both of which made surveying earlier treatments much easier. In the course of my rewriting this paper, I re-encountered an important essay by Prof. M. Kister, "Observations on Aspects of Exegesis, Tradition, and Theology in Midrash, Pseudepigrapha, and Other Jewish Writings," in *Tracing the Threads: Studies in the Vitality of Jewish Pseudepigrapha* (ed. J.C. Reeves; SBLEJL 6; Atlanta: Scholars Press, 1994) 1–34. On 7–15, 20 and 26–28 nn. 36–52, and 34 nn. 88–91, he discusses many of the same texts with which I shall deal in this article, although from slightly different perspectives. My thanks to Dr. A. Brill, Ms. Ch. Levin, and Dr. H. Najman for commenting critically on the penultimate version of the paper.

<sup>2</sup> The pioneering work in this area may be said to be G. Vermes, *Scripture and Tradition in Judaism* (Leiden: Brill, 1961; 1973<sup>2</sup>), and many scholars have followed in his footsteps. The discovery of the Qumran scrolls and the "rediscovery" of the Pseudepigrapha played a significant role in generating scholarship in this area, once scholars realized that there was more to early biblical interpretation than Philo, Josephus and rabbinic literature.

<sup>3</sup> J.L. Kugel, *In Potiphar's House: The Interpretive Life of Biblical Texts* (San Francisco: HarperSan Francisco, 1990); *The Bible as It Was* (Cambridge, MA: Belknap Press, 1997); *Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* (Cambridge, MA: Harvard University Press, 1998). The introductions to the latter two volumes, 1–49 and 1–41 respectively, delineate Kugel's presuppositions and methodology.



approach of “naming” exegetical motifs, and I shall adopt his useful device of naming motifs and their variations in my discussion. The goal of this paper, however, is not to analyze only the relationship between a slice of early Jewish biblical interpretation and the biblical text, but to extend some of Kugel’s methodology to study the development of midrashic motifs. I shall examine the complex evolution of a type of motif which may or may not be textually generated. We shall observe how the traditions grow from early to later versions, attempt to comprehend the ways in which they function in their various literary manifestations, and what they teach about the worldview of their composers. It should be stressed that, from the standpoint of exegetical history, common traditions which are not textually based are more likely to be shared than textually linked observations which could have been arrived at independently by different interpreters.

## I. INTRODUCTION

Angels play no role in the biblical narrative of the Aqedah in Genesis 22 until an “angel of the Lord” appears in 22:11 and calls to Abraham from the heavens, ordering him to desist from the sacrifice. Shortly thereafter, following Abraham’s offering of the ram as the sacrifice in place of his son, and his naming the site “the Lord will see,” the angel reappears (22:15 שַׂנִּיט), praising Abraham’s devotion and blessing him and his descendants (22:16–18). In most of the extended retellings of the Aqedah in late antiquity, however, angels play a more significant role, beginning at an earlier point in the story. In fact, there is virtually no such lengthy rewriting of this narrative where angels do not appear.<sup>4</sup> The goal of this essay is

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<sup>4</sup> The notable exceptions to this observation are Philo and Josephus. In the case of Josephus, a review of Rengstorf’s concordance shows that Josephus never employs the term ἄγγελος in his survey of the Bible in *Jewish Antiquities* 1–11 except when an “angel” appears in the biblical text. In fact, there are no non-biblical supernatural characters who appear anywhere in his work who are characterized as ἄγγελοι. This would suggest that in the midrashic additions which he makes in the biblical portion of the *Antiquities*, he does not want to introduce more supernatural beings than the Bible itself contains. We should not then assume that he did not recognize that such midrashic traditions as we are discussing were in circulation, but rather that this instance is another example of his reluctance to integrate them into his rewritten Bible. L.H. Feldman attributes Josephus’ reluctance to include angels in his narrative, even those found in the biblical story, to his rationalizing tendencies (*Josephus’s Interpretation of the Bible* [Berkeley: University of California Press, 1998], 212–13). If that conclusion is warranted, then his exclusion of angels supplementary to the biblical text is unsurprising. I suspect that Philo is equally reluctant to include extra-biblical celestial beings in his biblical interpretation. My thanks to Prof. Feldman,

to survey and classify the roles which angels play in a number of post-biblical paraphrases of the | Aqedah and to investigate the relationships of these versions with each other and with the biblical text.<sup>5</sup> We shall see that in these Aqedah narratives there are at least two distinct roles in which angels appear, with each one of them to be further subdivided into at least two others. We shall further pose the question whether these motifs are likely to be the product of independent exegeses of the biblical text or of shared interpretive traditions.<sup>6</sup>

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## | II. ACCUSING ANGELS

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### A. *Demonic or Satanic*

The first angel motif belongs to the preliminary stage of the Aqedah story, even before the narrative of the biblical tale actually begins. Within the Bible, it appears that from a strictly textual standpoint the initiation of

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who is always ready to share his erudition with his former students, for his prompt and helpful response to my query.

<sup>5</sup> The sources which were surveyed consist primarily of the standard Jewish exegetical documents of late antiquity through the rabbinic period. In addition, some other Jewish texts (such as synagogue poetry) were examined. A brief section on "angels at the Aqedah" in Christian sources had to be deleted from the final version for reasons of space. Based on consultation with colleagues and a survey of the broad secondary literature to which they directed me (e.g., J. Gutmann, "The Sacrifice of Isaac: Variations on a Theme in Early Jewish and Christian Art," in *Thiasos ton Mouson: Studien zu Antike und Christentum. Festschrift für Josef Fink zum 70. Geburtstag* [ed. D. Ahrens; Cologne/Vienna: Böhlau, 1984], 115–22, and, more recently, R.M. Jensen, "The Offering of Isaac in Jewish and Christian Tradition: Image and Text," *BibInt* 2 [1994]: 85–110), it appears that, despite my hopes of finding representational confirmation of these traditions, early Jewish and Christian iconography does not contain pictorial depiction of the motifs we shall discuss.

<sup>6</sup> Discussions of the post-biblical treatments of the Aqedah in modern scholarship are numerous, and include, in addition to the works in n. 1 above, Vermes, *Scripture and Tradition*, 193–227; L. Ginzberg, *Legends of the Jews* (Philadelphia: Jewish Publication Society, 1909–38) 1.271–86 and 5.248–55 nn. 226–55; S. Spiegel, *The Last Trial. On the Legends and Lore of the Command to Abraham to Offer Isaac as a Sacrifice: The Akedah* (trans. J. Goldin; Philadelphia: Jewish Publication Society, 1967); J.E. Ephrati, *The Trial of the Akedah: A Literal Interpretation of the Biblical Text and Its Midrashic Literature* [Hebrew] (Petah Tiqva: Agudath Bnai Asher, 1983); R.J. Daly, "The Soteriological Significance of the Sacrifice of Isaac," *CBQ* 39 (1997): 45–75; P.R. Davies and B.D. Chilton, "The Aqedah: A Revised Tradition History," *CBQ* 40 (1978): 514–46; R. Hayward, "The Present State of Research into the Targumic Account of the Sacrifice of Isaac," *JJS* 32 (1981): 127–50; A.J. Saldarini, "The Interpretation of the *Akedah* in Rabbinic Literature," in *The Biblical Mosaic: Changing Perspectives* (ed. R. Polzin and E. Rothman; SBLSS 10; Chico, CA: Scholars Press, 1982), 149–65; A.F. Segal, "The Sacrifice of Isaac in Early Judaism and Christianity," *The Other Judaisms of Late Antiquity* (BJS 127; Atlanta: Scholars Press, 1987), 109–30; F. Manns, ed., *The Sacrifice of Isaac in the Three Monotheistic Religions* (Studium Biblicum Franciscanum Analecta 41; Jerusalem: Franciscan Printing Press, 1995).

Abraham's trial at the Aqedah is untriggered; after the narrative of the birth of Isaac and the rest of the story of Genesis 22, we are perhaps unprepared to read *ויהי אחר הדברים האלה והאלהים נסה את אברהם* ("after these things/events/words, God tested Abraham"). The motif of the "accusing angel," of which there are two variations in my view,<sup>7</sup> apparently functions to rectify the omission within the biblical text of an appropriate stimulus for God's actions. One of the ways of solving the apparent problem with the notion of an omniscient God needing to test, or the sense that a test such as the Aqedah is fundamentally evil and therefore could not have been instigated by a just God, was to initiate the test through some figure other than God, usually an angel or other heavenly being. The question remains whether there is theological or other significance in choosing accusing angels rather than any of the other options which might explain the origin of the test.

Historically, the "accusing angel" is encountered first in the book of Jubilees, which probably contains the earliest extant retelling of the Aqedah narrative.<sup>8</sup> Among the ways in which Jubilees modifies the biblical text is  
 267 by supplying a motivation for the testing of Abraham | with the command to sacrifice Isaac. Mastema, an evil heavenly personage never explicitly referred to in the Hebrew Bible,<sup>9</sup> is skeptical of Abraham's heavenly

<sup>7</sup> Kugel, *Bible as It Was*, 171–72 and *Traditions of the Bible*, 301–2, refers to the combination of our two "accusing angels" motifs as the single theme "Challenged by Angels" and discusses briefly some, but not all, of the texts we include. He is not alone among scholars in not dividing the motif as we shall suggest; Kister also appears to be working with a single theme, although he acknowledges some of the differences which lead me to classify the motifs or themes as multiple.

<sup>8</sup> It is remarkable that, in light of the importance of the Aqedah in second temple Jewish literature and in subsequent Jewish thought, the text or story of the Aqedah plays virtually no role in the Hebrew Bible after Genesis 22. Despite the kind of *literary* allusion, for which J. Unterman, for example, has argued in "The Literary Influence of 'The Binding of Isaac' (Genesis 22) on 'The Outrage at Gibeah' (Judges 19)," *HAR* 4 (1980): 161–66, the rich *theological* and *ideological* aspects of the Aqedah seem to have left no mark on the early portions of the Hebrew Bible. (I thank Prof. Marc Brettler for the reference to Unterman's article.) On the other hand, as Prof. Y. Amit pointed out to me after the oral presentation of this paper, 1 Chronicles 21 contains a collocation of Satan, Moriah, and an angel of the Lord, a combination which presents, superficially at least, striking parallels to several of the features of the Aqedah narrative germane to our discussion.

<sup>9</sup> *HALOT*, 640b–41a, defines the noun *מַשְׁטֵמָה* at Hos. 9:7–8 as "persecution." The "persecuting angel" Mastema is found frequently in the Qumran literature, in such texts as 1QS, 1QM, CD, 4Q286, 4Q525, 4Q387 and 4Q390, in addition to 4Q225 (for which see below). For the derivation of the name Mastema, see S. Olyan, *A Thousand Thousands Served Him: Exegesis and the Naming of Angels in Ancient Judaism* (TSAJ 36; Tübingen: J.C.B. Mohr [Paul Siebeck], 1993), 66–67.

reputation as faithful, and challenges God to demand Isaac as an offering to discern whether Abraham truly is faithful (17:16).<sup>10</sup>

And Prince Mastema came and he said before God, "Behold, Abraham loves Isaac, his son. And he is more pleased with him than everything. Tell him to offer him as a burnt offering upon the altar. And you will see whether he will do this thing. And you will know whether he is faithful in everything in which you test him."

This "accusing angel" motif is presumably conceptually dependent on the parallels between the Aqedah and the story of Job, where Satan challenges God to test Job's loyalty by subjecting him to a series of painful afflictions.<sup>11</sup> To the ancient interpreter, if Job's test derived not from God himself, but from an angelic demand, it was perhaps logical that the same should have

<sup>10</sup> Kister, "Observations," 9–10, suggests that the preceding verse (17:15) in Jubilees should be translated "there were words in heaven concerning Abraham that he was faithful in everything," and that it reflects exegesis of Gen. 22:1 האלה הדברים (similarly, Kundert, *Die Opferung*, 1.98 n. 63). His argument seems persuasive, and is accepted by J.C. VanderKam, "The Aqedah, Jubilees and Pseudojubilees," *Quest for Context and Meaning: Studies in Biblical Intertextuality in Honor of James A. Sanders* (ed. C.A. Evans and S. Talmon; Biblical Interpretation Series 28; Leiden: Brill, 1997), 249. J. Licht, *Testing in the Hebrew Scriptures and in Post-Biblical Judaism* [Hebrew] (Jerusalem: Magnes Press, 1973), 52, although he does not claim that the "voice" (= Hebrew קול) in 17:15 represents exegesis of האלה הדברים, does connect the term with angels "speaking in praise of Abraham" which then serves as an impetus for Mastema to test God. Licht writes further in n. 26, "The author of the book of Jubilees joins two motifs in the matter of the plan (יזומה) of the test in the Aqedah: according to the first motif the angels caused it, while according to the second the Satan did. In the midrashim these motifs are discussed separately. . . ." I am not certain that, in Jubilees at least, these two are two distinct motifs, but rather there is a celestial drama established both before and during the Aqedah which requires the participation of both "good" and "bad" angels.

<sup>11</sup> Licht, *Testing*, 52, writes, "The author of Jubilees adopts the approach of the author of Job, and thus removes from God some of the responsibility for the astonishing (תמוה) deed." Olyan has written recently, *A Thousand Thousands*, 7, "In some Jewish sources from the Second Temple period, God tends to become dissociated from any actions perceived as evil or questionable; angels emerge as actors in God's place in the retelling of biblical stories. Examples of this include the role of the Prince Mastema in the *Jubilees* version of the Binding of Isaac. . . ." In a fuller discussion of the Jubilees material (25–26), he writes, *Jub. 17:15–18:19*, a rewriting of the Binding of Isaac, is a remarkable example of the apologetic tendency that seeks to keep God from seeming responsible for questionable events or ideas, a concern common in Second Temple era literature. God's very direct and chilling demand for Isaac's sacrifice in Genesis 22 is transformed in *Jubilees* into a challenge to God from the demonic Prince Mastema.

VanderKam, "The Aqedah, Jubilees and Pseudojubilees," 248–49, points to the author of Jubilees "follow[ing] the lead of the Chronicler by explaining a potentially offensive divine initiative as actually coming from a malevolent being (cf. 2 Sam 24:1, where the Lord incites David to take a census; in the parallel in 1 Chr 21:1 Satan does so)."



Jubilees.<sup>16</sup> The use of the unusual term **וישטיים** clearly indicates malevolent intention on the part of Prince Mastema.<sup>17</sup> The cause of the Aqedah, therefore, in both of these related texts, is the unprovoked angelic accusation. In Jubilees the accusation is founded on a challenge to God's esteem for Abraham, whereas in 4Q225 the text is so compressed that Mastema's motivation is unspecified. I believe that we are justified in assuming that 4Q225 is following Jubilees' lead here (or the lead of Jubilees' source, at least), and that it is Mastema who actually suggests the test, rather than God as we shall find in some other sources, although the text is so fragmentary that we cannot be certain.

It is not only these pre-rabbinic sources, however, which claim that the sacrifice of Isaac is instigated by accusing angels. Two geographically disparate rabbinic texts seem to maintain the same position, although the differences between them are further illuminating.<sup>18</sup> The text in b. San. 89b is closer to the version in Jubilees, reading

| "It happened after these things that God tested Abraham." After what? R. Yohanan said in the name of R. Yose b. Zimra, "After the words of Satan, as it is written, 'The child grew and was weaned etc.' Satan said before the Holy One Blessed be He, 'Master of the Universe, you favored this old man with a child at the age of one hundred, yet from all the feasts which he made he did not have a single pigeon or turtle dove to offer to you.' He replied to him, 'Did he do anything other than for the sake of his son? If I say to him, 'Sacrifice your son to me, he would sacrifice him immediately.'" Thereupon, 'God tested Abraham etc.'"<sup>19</sup>

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<sup>16</sup> It is interesting that VanderKam, "Aqedah, Jubilees and PseudoJubilees," 261, concludes his discussion by asserting "that *Jubilees* and 4Q225 appear to be markedly different kinds of compositions," despite the similarities in treatment of some of the details in the Aqedah narrative, and suggests that "they could be two largely independent embodiments of exegetical traditions." I am not certain that I am willing to go as far as VanderKam, however, in claiming that "4Q225 seems to be another, *extra-Jubilean* [my italics] interpretation of Genesis passages," at least as far as the Aqedah narrative is concerned.

<sup>17</sup> The root **שט** occurs in the Qal six times in the Hebrew Bible, but this is the first recorded occurrence of the Hiphil. Among the instances where the Qal is employed in the Bible are the hatred of Esau for Jacob and of the brothers (or others) for Joseph, and (as VanderKam, "Aqedah, Jubilees and PseudoJubilees," 254, notes) God's animosity to Job.

<sup>18</sup> Kister, "Observations," 9 and 26 n. 38, stresses that the Babylonian Talmud is here reworking older Palestinian material; what I am focusing on is the spread of the motifs and their development.

<sup>19</sup> In dealing with rabbinic traditions in this paper, I shall not list the many parallel passages which some of the texts have, but shall attempt to confine parallel citations to cases where there is some variation, even a slight one, within the traditions.

The instigator for the test is Satan, the rabbinic counterpart to Mastema, who, unlike the figure in Jubilees and pseudo-Jubilees, presents at least some rationale for the imposition of such a test, namely Abraham's apparent ingratitude for God's favor. The test itself, however, as S. Olyan notes perceptively, is proposed by God himself.<sup>20</sup>

Gen. Rab. 55:4 (ed. Theodor-Albeck, 587), commenting on the biblical text "after these words" (Gen. 22:1), remarks *הרהורי דברים היו שם*, "there were suspicious words" and follows with two answers to the question *מי הרהר*, "who suspected?"<sup>21</sup> The second is the view of R. Leazar (Eleazar) who interprets the *waw* of *והאלהים* to mean "God and his celestial court":

The ministering angels (*מלאכי השרת*) said, "this Abraham rejoiced and caused all others to rejoice, but did not dedicate to the Holy One Blessed be He either bullock or ram." Responded the Holy One Blessed be He, "Even if the condition were set for him that he offer to me his son, he will not hold back."

What in Jubilees and pseudo-Jubilees is attributed to Mastema, and in Sanhedrin to Satan, is mitigated mildly in Genesis Rabbah by being put into the mouths of the ministering angels, who, we should normally expect, are a sympathetic and positive, or at least neutral, celestial group.<sup>22</sup> These "accusers" are not, under normal circumstances, | expected to be hostile to Abraham. If I had to hazard a guess regarding relative chronology, I would suggest that the version in Sanhedrin, which employs Satan, is earlier than that in Genesis Rabbah, which mitigates the test even further by employing the ministering angels.

What is significant from an exegetical perspective, however, is that both of the rabbinic texts furnish virtually the same dialogue between the angel(s) and God, focusing on the celebrations that Abraham had just completed upon the birth of his son in chap. 21 of Genesis which did not involve any thanksgiving offerings to God for the unexpected offspring. This midrashic reading may be another sort of rationalizing attempt to

<sup>20</sup> Olyan, *A Thousand Thousands*, 25–26, noting the parallel between this rabbinic version and Jubilees. He does not explore the variety found in the rabbinic traditions.

<sup>21</sup> This exegetical device of linking texts which are joined by *אחרי הדברים האלה* is found also at Gen. Rab. 44:5 (ed. Theodor-Albeck, 428).

<sup>22</sup> I cannot accept the analysis of Ephrati, *The Trial of the Akedah*, 82, that the angels reflect Abraham's conscience. He is of the opinion that the version in Sanhedrin introduces Satan on the model of Job and represents a further development of the midrash. The pre-rabbinic material would appear to indicate that Ephrati's asserted sequence is not correct.

explain why God subjects Abraham to such a trial. By emphasizing the local context of the test of the Aqedah immediately after the story of the birth of Isaac and by supplying the “missing” details midrashically, *Genesis Rabbah* and *Sanhedrin* present a very different kind of “accusing angel” motif from that which we saw in *Jubilees* and pseudo-*Jubilees* where the angelic accusation is unjustified in the way the narrative is told. These rabbinic accounts are both contextually more satisfactory and theologically more justified than those in the earlier works.

We may legitimately ask whether these rabbinic versions are to be understood as a “response” to the *Jubilees* and pseudo-*Jubilees* versions. In other words, did the rabbis, knowing the traditions of the demonic “accusing angel,” feel compelled to “improve on” or “purify” the motif? As is usually the case regarding these fascinating questions of the intersection of intellectual and exegetical history, we probably cannot be certain, but the possibility is intriguing and should be kept in mind during our ensuing discussion.

### B. *Jealous “Accusing Angels”*

A different version of the “accusing angel” theme, although not stated as explicitly, is found in Pseudo-Philo, L.A.B. 32:1–2.<sup>23</sup>

| [God] gave him a son in his extreme old age, and brought him forth from a sterile womb. Then all the angels were jealous (*zelati sunt*) of him, and the ministering hosts envied (*invisi sunt*) him. And since they were jealous of him, God said to him, “Kill the fruit of your body for me and offer to me as a sacrifice that which was given to you by me.”<sup>24</sup>

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There is no doubt that, in this version, it is angelic jealousy of Abraham that generates God’s demand, although there is no explicit accusation and no reason given for the jealousy or for any shortcoming on the part of

<sup>23</sup> Kister, “Observations,” 10, equates the story in Pseudo-Philo with that in *Genesis Rabbah* cited above, writing, “The replacement of Satan by the ministering angels in the *Genesis Rabbah* version seems to be secondary, but *Bib. Ant.* 32:1–4 proves its antiquity.” However, as he notes himself on the following page, “the accusations raised in both *Genesis Rabbah* and the *Bavli* are not at all identical to the general criticism of Abraham in *Jubilees*, or, apparently, in *Biblical Antiquities*.” In my view, there are two distinct versions of the “accusing angels” motif, which relate the accusation in different ways to the narrative of Genesis.

<sup>24</sup> My translation of D.J. Harrington’s Latin text as printed in H. Jacobson, *A Commentary on Pseudo-Philo’s Liber Antiquitatum Biblicarum with Latin Text and English Translation* (AGAJU 31; Leiden: Brill, 1996), 1.50.



Abraham for which he was to be punished.<sup>25</sup> The test, like that in Sanhedrin and Genesis Rabbah, is proposed by God in response to the jealousy of the angels, although without any rationale or explanation.

What is very striking is the likely coincidence of the version of the “jealous accusing angels” motif in Pseudo-Philo with versions found in much later rabbinic literature as well, in sources whose tradition history is unfortunately vague. The eleventh century midrash *Bereshit Rabbati* which occasionally preserves material of an undoubtedly early date,<sup>26</sup> responding to the question of why an omniscient God needed to test Abraham, contextualizes this dialogue more fully. The ministering angels at the time of man’s creation had complained that man was not worth creating, citing Ps. 8:5, “What is man that you should be mindful of him?” and God did not respond to them at that time. Throughout the many generations of sinners from Adam to Cain to the generation of the flood to the generation of the dispersion to the inhabitants of Sodom, the angels continued the same complaint with the same silent divine response:

273 | Once Abraham arrived on the scene, the Holy One Blessed be He enumerated his praise in the presence of the ministering angels and in the presence of all his creations, *and consulted him regarding all matters*, as it is written, “Am I concealing from Abraham etc.? (Gen. 18:17).” The angels said, “*We minister before him and he does not consult us; what is the distinctiveness of this worm and vermin?* Is it because he tested him with ten trials?<sup>27</sup> Is it because he tested him with circumcision? He saved his whole body from the fire; should he not listen to him regarding a single member?” The Holy Spirit

<sup>25</sup> Jacobson, *A Commentary*, 2.861, correctly observes that the passage in Pseudo-Philo differs from both Jubilees and Gen. Rab. 55:4. It is possible that the language of Pseudo-Philo in 32:4 “I...have shut the mouths of those who are always speaking evil against you,” refers to something along the lines of the Mastema-type accusing angels motif of Jubilees and pseudo-Jubilees, but the passage describing the jealousy has nothing which would imply this. It may be that Pseudo-Philo in these two passages reflects two different traditions of accusing angels. I shall not be concerned in the ensuing discussion with the reasons for angelic jealousy of humanity, in general, or of Abraham, in particular; to enter into that thicket would make an already long essay far longer. For the moment, see Kister, “Observations,” 27 n. 43, for possible reasons for the envy of the angels. P. Schäfer, *Rivalität zwischen Engeln und Menschen* (Berlin: de Gruyter, 1975) is, of course, the broadest treatment of that theme, showing the extent of the motif in rabbinic and hekhlat-influenced literature.

<sup>26</sup> See Ch. Albeck, *Midraš Berešit Rabbati: Ex Libro R. Mosis Haddaršan Collectus* (Jerusalem: Mekize Nirdamim, 1940), 17, for examples of references to second temple pseudographical literature in this work.

<sup>27</sup> Note the obvious anachronism; the Aqedah is in most rabbinic treatments the tenth trial. For a recent discussion and a tabulation of some of the lists, see L. Barth, “פרשת יום ב' : דרשה כמסגרת לאגדה עשרה נסיונות שנתנסה אברהם אבינו,” *HUCA* 58 (1987): א-מח, especially מח-מח.

replied to them, "Come see the distinctiveness of Abraham for whose sake you and I both are enthroned on high... [citing Ps. 123:1]." The ministering angels conspired to accuse (קושרים קטיגור) and said, "From now on we shall abandon your glory and kingdom and recite praise to Abraham: 'Holy is Abraham; blessed is Abraham.'" The Holy One Blessed be He responded, "Whoever honors Abraham honors me. And thus it is written, 'For I shall honor those who honor me and those who reject me shall be despised.' (1 Sam. 2:30) and it says 'You made him but a bit lower than the angels' (Ps. 8:6)." R. Judah said, "On that night the Holy One Blessed be He tested him regarding his son, for so it is written 'Then God tested Abraham.'" <sup>28</sup>

| The jealousy of man on the part of the angels dates back to Creation, and they resent the high regard in which God holds Abraham. Although it is not explicitly formulated thus in the text, it appears that God's decision to test Abraham is a result of the angels' expressing their jealousy toward him.

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A version of this midrash found in another late midrashic compilation, *Yalqut Shim'oni*, is clearly based on the form of the story found in *Bereshit Rabbati*, albeit compressed, but makes the connection between

<sup>28</sup> Translation from the text of Albeck, *Midraš Berešit Rabbati*, 85–86. A briefer version, without explicit reference to the angels' negative feelings toward Abraham is found in *Tanḥuma Vayera* 18 following an allusion to a dialogue between Isaac and Ishmael which in several sources is understood as the דברים of Gen. 22:1. After Isaac has responded to Ishmael's claim of superiority because he was willing to be circumcised voluntarily at age thirteen by asserting his own willingness to give up even his life if God so desired it, followed by a citation of Gen. 22:1, the midrash flows almost uninterrupted into the following:

At the time the Holy One Blessed be He desired to create the world, the ministering angels said to him. "What is man (אנוש) that you remember him?" (Ps. 8:5) The Holy One Blessed be He replied to them, "You say what is man that you remember him because you look at the generation of Enosh; I shall show you the glory of Abraham so that you remember him, as it says 'The Lord remembered Abraham.' (Gen. 19:29). You say 'that you are mindful (תפקדו) of him' as it says 'and the Lord remembered (פקד) Sarah' (Gen. 21:1). He said to them. 'You shall see the father slaughtering his son, and the son slaughtered for the sanctification of my name.'"

Kister, "Observations," 27 n. 47, believes that this text is related to Midrash Tehillim 8:7 (ed. Buber, 78) and is not germane to a discussion of our topic, but I feel that even if it originated there, it has already been integrated into the "angels at the Aqedah" tradition. In *Tanḥ B 42* (107), an apparently related text, after the debate between Ishmael and Isaac, we read "The Holy One Blessed be He said to the angels, 'Now is the time!'" This fragmentary reference might be a trace of either of the angel motifs discussed in the first half of this paper. Spiegel, *The Last Trial*, 117–18 n. 148, gathers the midrashim which refer to Psalm 8 and which develop the motif of the jealousy of the angels, although he is not concerned with the evolution of the various motifs as we are. Schäfer, *Rivalität!*, 85–90, 119–24, and 127–29 discusses them as well. For angelic opposition to the giving of the Law to humanity, see briefly H. Najman, "Angels at Sinai: Exegesis, Theology and Interpretive Authority," *DSD* 7 (2000): 313–333, as well as J.P. Schultz, "Angelic Opposition to the Ascension of Moses and the Revelation of the Law," *JQR* 61 (1970): 282–307.

the angels' complaints and the proposal of the test overt. The test, however, is not proposed by God as in the Bereshit Rabbati version.

The Holy One Blessed be He said to the ministering angels, "If I had listened to you when you said to me, 'What is man that you are mindful of him? (Ps. 8:5)' would there have been an Abraham who glorifies me in my world?" The Attribute of Judgment (מדת הדין) said before the Holy One, "All of the tests which You tested him, You tested him with his property; test him with regard to his body." He replied, "With what shall I test him?" It replied, "Let him offer his son to you." Immediately He said to him, "Now take your son."<sup>29</sup>

Although this midrashic piece is uncontextualized and unconnected other than by its concluding citation with Gen. 22:2, it is certainly possible that the "Attribute of Judgment" plays the role here of the (jealous?) accusing angel. Note that in this version the test is proposed by the "Attribute," and not by God, unlike the other rabbinic texts we have examined. As a result, if we consider the "Attribute" to be the rabbinic stand-in for Mastema here, this version appears similar to the one found in Jubilees. The inclusion, however, of the "jealousy" motif which is linked to the creation of man via the citation of Ps. 8:5 and the presence of "ministering angels" at the beginning of the dialogue establish this version as at least a clearly definable subcategory, if not an independent motif.<sup>30</sup>

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| These two late midrashic sources thus preserve here forms of the "jealous accusing angels" motif. The angels' hostility to Abraham is not founded on recent events (as might be implied by the forms of the midrash in Genesis Rabbah and Sanhedrin which are linked to the verse "after these things"), but has been percolating for a longer time, perhaps ever since the creation of man. The version in Bereshit Rabbati, in particular, stresses jealousy of Abraham's special relationship with God as the motivating factor in their plot against him, unlike the other rabbinic accounts. This

<sup>29</sup> I.96. Text according to Y. Shiloni et al., שמעון הדרשן, *ילקוט שמעוני על התורה לרבנו שמעון הדרשן* (Jerusalem: Mossad Harav Kook, 1973), 1.433–34. For a discussion of the problems involved in the description and utilization of this and related medieval works, see J. Elbaum, "Yalqut Shim'oni and the Medieval Midrashic Anthology," *Prooftexts* 17 (1997): 133–51. In the version of Midrash Vayosha in A. Jellinek, *Bet Ha-Midrash* (2nd edition; Jerusalem: Bamberger and Wahrman, 1938), 1.38, God says this to the angels at the moment that Abraham prepares to sacrifice his son, and thus precipitates the "weeping angels" motif in that version (see below 1.341–342).

<sup>30</sup> The significance of "ministering angels" side-by-side with the "Attribute of Justice" was first noticed by Kister, "Observations," 12, although he sees there a development toward abstraction which I do not believe is necessarily present. I should sooner see this midrash as combining the two sorts of accusing angels which we have observed.

presents a tantalizing potential connection between the motif as found in Pseudo-Philo and as expressed in these midrashim. In *Bereshit Rabbati*, too, as in Pseudo-Philo, *Genesis Rabbah* and *Sanhedrin*, it is God who proposes the test, and not the accusers.

We can suggest then that there are three different ways in which the “accusing angel” motif has developed. In *Jubilees*, *pseudo-Jubilees*, and *Sanhedrin*, the accusing angel is modeled after the “Satan” of Job who questions the righteousness of Abraham by challenging God to test him to ascertain the true depth of his loyalty to God. In *Bereshit Rabbati*, perhaps following Pseudo-Philo, the angels resent God’s creation of man and special relationship with Abraham, and therefore God tests him. In *Genesis Rabbah*, in what may be an attenuated version of either of the other two, it is the “ministering angels” who urge God to challenge Abraham, but without the cynical or accusatory edge to their demands that we observed in the other texts. It is indeed worth considering whether *Genesis Rabbah* is a mitigated form of Pseudo-Philo and related texts or of *Jubilees*, but it is not likely that it can be proven one way or the other. Finally, in the version in the *Yalqut*, there appears to be a conflation or integration of the two “accusing angels” motifs, with the ministering angels reflecting the “jealous” accusers, and the Attribute of Justice being the attenuated rabbinic form of Mastema/Satan who challenges God by proposing the test for Abraham.

### III. WATCHING ANGELS, WEeping ANGELS, (AND SINGING ANGELS)

The other major motif involving angels in the *Aqedah* narratives can be subdivided into at least two or three others, with one perhaps | being a subcategory. Unlike the first we examined, which is prefatory to the biblical story, this complex of motifs is connected to the very acme of the incident described in the Bible.<sup>31</sup> A number of texts indicate the presence

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<sup>31</sup> I have intentionally excluded from discussion two potential entries into the list “angels at the *Aqedah*.” The first is the attempt by Satan, found in a variety of rabbinic sources (b. *San.* 89b, *Gen. Rab.* 56:4, *Tanḥ.* B 46 (114); *Tanḥuma Vayera* 22; *Pesiq. R.* 40 [170b], *Midrash Vayosha* 36–37, and others), to discourage Abraham and Isaac from proceeding to the mountain, by physically opposing them or by attempting to change Abraham’s mind, or, after they have reached *Moriah*, to prevent them from carrying out the sacrifice successfully, by rendering Isaac unfit as a sacrifice or by blocking the knife. It appears that this theme is not directly related to the other angel themes (beyond its being a limited extension of Satan as the accuser in *Genesis Rabbah*). I have found no parallels to it in the non-rabbinic material, and I therefore suspect that it developed independently

of angels at the Aqedah, watching the drama unfold as Abraham nearly sacrifices his son. Some of them expand this detail further with the depiction of angels weeping in anticipation of the filicide, while others involve the angels actively in the narrative as they importune God to prevent the sacrifice or as they attempt to interfere even more actively.

### A. *Watching Angels*

Although it is far from explicit, Jubilees may already contain the germ of the motif of the angels watching. The angel of the presence, the angelic narrator of Jubilees, later tells Moses that he was the angel who halted Abraham's action at God's command ("I stood before him and before Prince Mastema" [18:9]), thus shaming Mastema (18:12), but there is no other activity by angels during the rest of the Aqedah narrative. The juxtaposition of the angel of the presence and Mastema anticipates the two sets of angels which we shall find in pseudo-Jubilees.<sup>32</sup>

277 | The Palestinian targum tradition, whether represented by Neofiti, its margins, and the Fragment Targumim, or by the later version of Pseudo-Jonathan, is the clearest source for the "watching angels" motif, without "weeping," as it describes Isaac's eyes scanning the angels on high whom Abraham did not see as he looked down on his son. Thus in the version of Neofiti, for example, we read (Gen. 22:10),

Abraham stretched out his hand and took up the knife to slaughter Isaac his son. Isaac spoke up and said to Abraham his father, "Father, tie me well so that we [= I] do not kick you with the result that your sacrifice will be disqualified and we shall be thrust into the pit of destruction in the world to come." The eyes of Abraham were upon the eyes of Isaac, while the eyes of

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of the other motifs which are shared between the rabbinic and non-rabbinic interpretive sources which we present in this essay. The second is an "angel motif" involving the presence of the ram which Abraham eventually sacrifices; according to some literary and iconographical sources, shared across Jewish, Christian and Muslim traditions, it is brought by an angel. Since it is less closely tied to the biblical narrative than the ones with which I deal, I felt free to omit it from my treatment. See M. Schapiro, "The Angel with the Ram in Abraham's Sacrifice: A Parallel in Western and Islamic Art," *Ars Islamica* 10:1-2 (1943): 134-47 and "An Irish-Latin Text on the Angel with the Ram in Abraham's Sacrifice," in *Essays in the History of Art Presented to Rudolf Wittkower* (ed. D. Fraser et al.; New York: Phaidon, 1967), 17-19 (repr. together with corrections in idem, *Late Antique, Early Christian and Medieval Art: Selected Papers* [New York: George Braziller, 1979], 288-318).

<sup>32</sup> It is far from clear that we should consider the actions of the angel of the presence to be an anticipation of the "interfering angels" motif which we find in rabbinic literature, rather than a reflection of the angel of Gen. 22:11.

Isaac were scanning the angels on high,<sup>33</sup> while Abraham did not see them. At that moment a heavenly voice (*bat qol*) went forth from the heavens and said, “Come, see two unique ones in my world. One is slaughtering and one is being slaughtered; the slaughterer does not hold back, while the one who is slaughtered stretches out his neck.”

In one version of the Fragment Targum (MS V) and in Pseudo-Jonathan, it is the angels on high, rather than the heavenly voice, who draw attention to the action of the two uniquely devoted individuals on the earth.<sup>34</sup> But they are only witnesses, participating neither as accusers nor as mourners in these versions. The dramatic function of the “watching angels” appears to be to demonstrate admiration for Abraham and Isaac and to emphasize their single-minded devotion to carrying out God’s will. Since the angels remain completely detached from the human plane, this must be deemed a very different sort of role from the one played by most of the watching angels in other sources.<sup>35</sup>

It can be argued that the location of the “watching angels” motif at this point in the narrative may be textually based. After all, the next | verse (Gen. 22:11) begins “The angel of the Lord then called out to Abraham.” If the angels had not been watching the process of the Aqedah, how would that angel know what was happening and when to interfere? But the textual link is still rather flimsy. Furthermore, I believe that, although it can be argued that the targumic tradition of “watching angels” represents a modification of the “weeping angels” motif which we find elsewhere, that possibility does not seem plausible. There does not appear to be any good reason for abbreviating the description of the scene by removal of

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<sup>33</sup> The margin adds, “Isaac saw them,” a reading which is shared by both MSS of the Fragment Targum.

<sup>34</sup> I do not believe that there is a significant difference for my investigation whether the announcement from the heavens is made by the heavenly voice or the angels. In the former case we should not understand the scene to involve God summoning the angels to watch, since they are described as watching before the heavenly voice goes forth. This point may be of significance in evaluating a seemingly similar employment of an angel motif later on.

<sup>35</sup> In one version of a midrash cited in *Yalqut Shim'oni* 101 (ed. Shiloni, 445–46), Abraham and Isaac weep as the latter lies bound on the altar while his eyes gaze upwards, and he cites Ps. 121:1–2, and “at that moment—‘behold the mighty ones cry outside’ (Isa. 33:7)—the ministering angels stood in rows in heaven and say to one another, ‘See a unique one slaughters and a unique one is slaughtered.’” This appears to be a “watching angels” version similar to the one we see in the targumim, although it has been modified by the citation of the verse from Isaiah which is characteristic of the “weeping angels” version.

the “weeping” motif and leaving only the “watching” one, which thereby would considerably diminish the drama of the narrative.

### B. *Weeping Angels and Interfering Angels*

The earliest text that shows the “weeping angels” (and which happens to combine it with that of a “watching angel” who is not weeping) is pseudo-Jubilees which among early sources is virtually unique in having two groups of watchers.<sup>36</sup> After Isaac asks his father to bind him (according to the reconstruction of Milik-VanderKam, accepted by Vermes), we read [המזבח על] מלאכי קודש עומדים בוכים על [המזבח]” (4Q225 2 ii 5), while the [המ]מלאכי, <sup>37</sup> “the angels of the Mastema” ואומרים עכשו יאבד שמהים, “were rejoicing and saying ‘now will he perish’” and be found unfaithful to God (4Q225 2 ii 6–8). Such a depiction creates a drama on the celestial plane parallel to (although not the equivalent of) that on the earthly one.<sup>38</sup> The heavenly spectators have taken sides as if at a contest, with the holy angels hoping that Abraham will triumph, and the evil ones that he will fail. The heavenly scene is completely separated from the human one as the drama on earth unfolds parallel to the one in heaven.

In rabbinic traditions, we seem to find only one group of angels, which seems to function differently in various versions of the midrash.<sup>39</sup> Within Genesis Rabbah alone, there are several variations. In a comment on

<sup>36</sup> Cf. our remarks above about Jubilees.

<sup>37</sup> VanderKam and Milik read [המ]מלאכי, but 4Q387 2 iii 4 as well as 4Q390 1 ii and 2 i 7 attest to the idiom המשטמות מלאכי, with the *nomen rectum* in the plural.

<sup>38</sup> Kundert, *Die Opferung*, 1.103, assumes that the two groups of opposing angels derive ultimately from the single angel of the Hebrew text.

<sup>39</sup> There is a passage in Genesis Rabbah which might be related to the motif of “two groups of watching angels” which we saw in pseudo-Jubilees. Commenting on Gen. 22:9 “He bound Isaac his son,” the midrash writes, “R. Hanina bar Yishaq said, ‘While Abraham was binding his son below, the Holy One Blessed be He was binding the guardian angels of the nations (שרי האומות) above, but they did not remain [bound]’” (Gen. Rab. 56:5; ed. Theodor-Albeck, 600). A few lines after the passage cited above from pseudo-Jubilees, the text reads אסור המשטמה ושר המשטמה, “And Prince Mastema [vacat] was bound” (4Q225 2 ii 13). The motif of binding Mastema is also found at Jub. 48:15–18. What makes the suggestion of a connection between the rabbinic versions and pseudo-Jubilees extremely tenuous is the apparent separation of the binding of Mastema from the story of the Aqedah in 4Q225. Kundert, *Die Opferung*, 1.105 and n. 95, seems to understand the binding of Mastema as reciprocating the binding of Isaac, “When Isaac wins his life, Mastema is bound,” and understands the intervening lines 10–12 as parenthetical remarks regarding the blessing of Isaac. He refers to the passage in Genesis Rabbah describing the binding of the angels of the nations as a “related presentation.” Since it is not at all clear that the binding of Mastema in 4Q225 is related to the Aqedah, as opposed to the Exodus story, as VanderKam

Gen. 22:9, “he bound Isaac his son,” (immediately following the text cited in n. 39) we find at Gen. Rab. 56:5,

| At the moment that Abraham our father stretched out his hand to take the knife to slaughter his son, the ministering angels wept. Thus it is written, “Behold the mighty ones cry outside” (הן אראלם צעקו חוּצָה; Isa. 33:7). What is חוּצָה? R. Azariah said, חִיצָה; it is difficult (חִיצָה) for him to slaughter his son.<sup>40</sup> What were they saying? “The roads are desolate” (Isa. 33:8): Abraham is not receiving passersby, . . .<sup>41</sup> How do we know that this verse (Gen. 22:9) has anything to do with the ministering angels? Here it says “above the wood,” (מִמַּעַל לַעֲצִים) and later it says, “seraphs stand above him” (שרפים עומדים מִמַּעַל לוֹ; Isa. 6:2). 279

The angels complain that all of the good deeds that Abraham has done and the covenant that God made with him have not availed him at this critical time. It is God’s apparent injustice which is the focus of their remarks. But the angels only watch and weep; their complaints do not lead to interference, nor do they even beseech God explicitly to rescind his command. God, furthermore, in the version of Genesis Rabbah, does not respond directly to the weeping.

This midrashic passage strikingly appears to furnish a combination of biblical prooftexts for the presence of the ministering angels at the Aqedah, Isa. 33:7–8 and Isa. 6:2. The question of which came first, the tradition of the presence of the angels or the exegesis of the biblical | text, presents a typical example of a well-known chicken-egg phenomenon; I suspect that here the motif preceded. Because it was not enough for the rabbis to have a traditional motif of “watching and weeping angels” in their Aqedah narrative, they sought for something which could make it textually based.<sup>42</sup> The citation of Isa. 33:7 lends itself very well to the context of the Aqedah, especially the second half מַר יִבְכִּיּוּן שְׁלוֹם מַלְאכֵי שְׁלוֹם (“the angels 280

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seems to prefer (VanderKam, “4Q225. 4QPseudo-Jubilees<sup>a</sup>,” DJD 13:154 and “Aqedah,” 255 and 260), this superficially attractive parallel must be considered extremely weak.

<sup>40</sup> Adopting the interpretation of this very difficult word which is offered by M. Sokoloff, *A Dictionary of Palestinian Jewish Aramaic of the Byzantine Period* (Ramat Gan: Bar Ilan University Press, 1990), 199b–200a, following Löw quoted by Theodor and Albeck ad loc.

<sup>41</sup> The midrash continues to interpret the remainder of Isa. 33:8. Although it is quite suitable as the exegesis of the biblical verse, one might wonder whether the reference by the angels to hospitality might not be related to the visit of the angels to Abraham’s home in Genesis 18 and the way in which they were received. In at least one version of the midrash (that in the poem *’Amar Yiṣḥaq* discussed below), the angels plead with God based on Abraham’s hospitality.

<sup>42</sup> Theodor-Albeck, 60i, point out that there are other *derashot* associating the words מִמַּעַל in Genesis 22 and in Isaiah 6. It appears that this one is needed to serve as a scriptural peg for a well-known theme. It is just possible that the exegesis of Isaiah 6 is employed



of peace cry bitterly”), which is actually found written out in only a few of the textual witnesses to Genesis Rabbah.<sup>43</sup> In the rabbinic tradition, of course, the conflict on high that we saw in pseudo-Jubilees, with some angels praying for Abraham’s failure and others weeping at its imminence, does not exist.

There exist several other variations of this midrashic vignette in rabbinic literature. In *Pesiqta Rabbati*’s form (*Pesiq. Rab.* 40; Friedmann, p. 171a), the angels’ weeping, based on the same reading of Isa. 33:7–8 that we saw in Genesis Rabbah, serves as the catalyst for God’s stopping the slaughter. They address God as they weep, “The knife is right at his neck; how long are you going to wait?” The Holy One Blessed be He immediately said to Michael, ‘Why are you standing around? Don’t allow him.’ Michael at once began to call him.”

The account in *Pirqe R. El.* 31 contains an even more elaborate argument, unrelated to the ones we saw in Genesis Rabbah and *Pesiqta Rabbati* which focused on the injustice of Abraham’s piety not being rewarded:

The ministering angels were crying and weeping, as it says, “Behold the mighty ones cry outside; the angels of peace weep bitterly.” Said the ministering angels, “Master of the Universe, you have been called merciful and gracious for your mercies extend to all of your creations. Have mercy upon Isaac for he is a man and the son of a man, yet he is bound before you like a beast. ‘May you save human and beast, O Lord’ (Ps. 36:7).”

281 | In this version, the angels invoke God’s mercies on behalf of Isaac, and not the special merits of Abraham; in particular, there is no elaboration of Abraham’s deeds based on exegesis of the verses in Isaiah.

In two other versions of the midrash, the weeping of the angels has a more direct physical impact on the biblical story. Commenting on Gen. 22:12, “Do not stretch forth your *hand* against the lad,” which implies, according to rabbinic reading technique, that Abraham does not have a knife in his

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to justify the presence of “watching” angels, while Isaiah 33 furnishes “weeping” ones. The latter verse is clearly more critical to the motif than the former.

<sup>43</sup> Ephrati, *The Trial of the Aqedah*, 226, believes that the second half-verse is the focus of the original midrash, and that this is thus an example of the habit of copyists of rabbinic texts to copy only the first half of a verse, even when the second half is the critical one. Later midrashic texts such as *Leqah Tov* and *Midrash HaGadol* cite the full verse, and it is introduced into some of the poetic retellings of the Aqedah. It is tempting to speculate whether there was an ancient tradition which associated this verse with the Aqedah in some way (perhaps as it appears in Genesis Rabbah), and that it was that association which generated the “weeping” angels even in pseudo-Jubilees. But, in the absence of textual echoes or connections, this must remain speculative.

hand, a subsequent passage in Genesis Rabbah (56:7) reads, “And where was the knife? The tears of angels fell upon it and submerged(?) it.”<sup>44</sup> The angels have interfered with the sacrifice, albeit accidentally, and not in the confrontational fashion which we saw in a couple of the later midrashim cited earlier. In a much later version of this midrash, after the angels melt the knife with their tears, they implore the Holy One Blessed be He,

You saved your friend Abraham from the fiery furnace; shall you not save his son bound before you like an animal from the knife, as it is written, ‘Man and animal may you save, O Lord.’ Immediately, the angel of the Lord called to him, ‘Do not stretch your hand out against the lad.’<sup>45</sup>

The melting of the knife, which we saw in Genesis Rabbah and elsewhere, now precedes the argument of the angels which we first came across in Pirke de-Rabbi Eliezer. Note how in the course of time the details of the midrashic motifs become blended and harmonized, and what were probably originally two independent story lines are merged into one.

There are two versions of the weeping angels motif which appear to be linked to the “accusing angels” accounts which we discussed earlier. Once again, however, they appear in very late sources, and we cannot be certain how much of the juxtaposition might be attributable to the rabbinic period and how much to the creative genius of the medieval compilers of aggadah. Thus Midrash Vayosha reads,

| “Abraham stretched forth his hand and took the knife to slaughter his son.”  
The Holy One Blessed be He said to the ministering angels, “Do you see how Abraham my friend renders my name unique in the world? Had I listened to you at the time that you<sup>46</sup> said when I created my world, ‘What is man that you remember him or the son of man that you are mindful of him?’ (Ps. 8:5), who would render my name unique in this world like Abraham?” At that moment, the ministering angels wept bitterly. What did they say, “The roads are desolate; travelers have ceased; he has nullified the covenant’ (Isa. 33:8). Where is the reward for those who entertain wayfarers?... ‘He

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<sup>44</sup> Or, “destroyed it,” depending on the reading. There is a minor textual difficulty in the passage (see the apparatus in Theodor-Albeck, 603), but the overall sense of the midrash is clear. In Tanḥuma Vayera 23, it is Satan who knocks the knife out of Abraham’s hand to prevent him from showing that he could indeed carry out God’s will.

<sup>45</sup> Cited by M.M. Kasher, *Torah Shelemah: Talmudic-Midrashic Encyclopedia on the Pentateuch. Genesis* (2nd ed.; Jerusalem, 1938) vol. 3.2.896–97, §129 from נר השכלים, an unpublished fourteenth century Yemenite midrashic anthology by Abou Mansour al-Dhamari. On the late Yemenite midrashim (including Midrash HaGadol mentioned earlier), see Y.T. Langermann, *Yemenite Midrash: Philosophical Commentaries on the Torah* (San Francisco: HarperSanFrancisco, 1996), 265–81.

<sup>46</sup> I have emended Jellinek’s אמרתִי to אמרתם with Ginzberg, *Legends* 5:251 n. 242.

has nullified the covenant': He has nullified that covenant which you said to him, 'For your seed will be declared in Isaac . . . and my covenant shall I establish with Isaac.' Behold the knife is at his throat!" And the ministering angels wept and their tears fell on the knife to the degree that it became dull and had no power over the throat of Isaac.<sup>47</sup>

Note how many of the originally distinct motifs which we saw earlier have found their way into this midrash. The angels are jealous of humanity from the time of creation; they weep and implore God; their tears melt the knife.

The very late Midrash ha-Gadol writes on Gen. 22:11,

When the ministering angels saw that the father was binding with all his might and the son was being bound with all his heart, Metatron arose before the Holy One Blessed be He and said before him, "Lord of the Universe, let not the seed of Abraham perish from the world," and the knife turned to lead. The Holy One Blessed be He said to the ministering angels, "Were not you the ones who came against him with accusations (בַּעֲקִיפִין), and now you seek mercy for him?" He then indicated to Metatron to call to him, as it is written "The angel of the Lord then called to him from heaven."<sup>48</sup>

In this case it is unclear whether we are dealing with the "jealous accusing angels" motif like that in Vayosha, or with an allusion to the "satanic accusing angels" of Gen. Rab. 55:4 which we saw as a different motif related to Mastema, the accusing angel of Jubilees and pseudo-Jubilees. Note also that there seems to be a tension in the narrative between a plurality of ministering angels who are referred to twice, and a single angel, identified as Metatron, who speaks up on behalf of Abraham's descendants (using language which is not found in the other versions) and is sent to stop the sacrifice. It is possible that we have here a conflation of two versions of the story, but in the absence of the unknown source(s) of the midrash that can only be a hypothesis.

In a subsequent treatment in Genesis Rabbah (65:10), we find an additional dimension to the motif of weeping angels. In one of several explanations of why Isaac's eyes weakened as he grew old, we read,

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| Another interpretation: "From seeing." From the force of that "seeing"; at the time that Abraham our father bound Isaac, the ministering angels wept, as it says, "Behold . . ." (Isa. 33:7), and the tears fell from their eyes into his

<sup>47</sup> Ed. Jellinek, 37–38.

<sup>48</sup> M. Margulies [Margaliot], ed., *Midrash Haggadol on the Pentateuch: Genesis* (Jerusalem: Mossad Harav Kook, 1947), 354–55. This midrash contains several of the other versions of the angel motifs; the one cited here appears to be virtually unparalleled.

eyes and were רְשׁוּמוֹת in his eyes. After he grew old, his eyes dimmed, as it is written, "It was as Isaac grew old, etc."

The weeping of the angels is thus linked with the further story of Isaac.<sup>49</sup>

### C. "Singing Angels"

There is another twist on "angels at the Aqedah" in rabbinic literature which does not appear, as far as I can tell, often enough for it to be considered as a motif within the tradition, but is worthy of independent notice nonetheless. In a very few related passages in rabbinic literature the "angels at the Aqedah" are characterized not as "weeping" or even "watching," but as "singing." What is striking about these texts is the integration within them of verses from Psalm 8 which we have seen to be a significant text in both the "accusing angels" and the "weeping angels" motifs.<sup>50</sup> In *Shir ha-Shirim Zuṭṭa* (*Aggadat Shir ha-Shirim*) we find an interpretation of the opening words of the biblical text Song 1:1 "Song of Songs," which imply, in rabbinic reading, *two* songs.

How do we know that the angels said two songs, one at the Binding of Isaac and one at the Sea? In the case of Isaac they sang before the Holy One Blessed be He and said "Lord our Master how mighty is your name throughout the world!" (Ps. 8:2)... thus we have one song at the Binding of Isaac and one at the Sea, as it says, "From the mouth of babes and sucklings you have established strength" (Ps. 8:3). Therefore it says "Song of Songs," teaching that the angels on high recited these two songs, "From the mouth of babes and sucklings you have established strength. Lord our Master, how mighty is your name throughout the world."<sup>51</sup>

<sup>49</sup> The weakening of Isaac's vision is also associated with the Aqedah in traditions which link it to his viewing the open heavens at that time, without any reference to angels or their tears. We find this in *Gen. Rab.* 65:10, immediately following the passage just cited ("At the moment that Abraham bound Isaac, he lifted up his eyes and gazed upon the Shekhina"); cf. *Deut. Rab.* 11:3. In *Tg. Ps.-J.* to *Gen.* 27:1, Isaac is said to have gazed upon the throne of glory and in the *Frg. Tg. (MS V)* and *Tg. Neof. Exod.* 12:42 upon the "perfection of the heavens," with the same result. The omission of the role of the tears of the angels in these versions serves as another, if only implicit, indication of the disjunction between the targum's "watching angels" tradition and the "weeping angels" one.

<sup>50</sup> Kister, "Observations," 11–14, has already drawn attention to these texts, although his concern is for the differences in the reasons for the angels' resentment.

<sup>51</sup> I have translated the text of S. Buber, *Midrash Zuṭṭa on Song of Songs, Ruth, Lamentations and Ecclesiastes etc.* (Vilna: Romm, 1925 [reprint of Berlin, 1895]), 7, omitting a difficult segment which, I am fairly certain, is not germane to the topic under discussion. It is almost identical to that printed by S. Schechter, "Agadath Shir Hashirim," *JQR* o.s. 6 (1894): 679–80, lines 213–23. In "Corrections and Notes to Agadath Shir Hashirim," *JQR* o.s. 7 (1895): 734, Schechter cites from an unknown midrash brought in a MS of Yalqut

284 | We are not told when during the Aqedah the angels sang a song, although it would be reasonable to assume that it was at the culmination of the test, when Isaac has been spared. If we were to combine the sets of midrashim regarding angels at the Aqedah which invoke Psalm 8, we would have the angels complaining to God at Creation regarding the insignificance of humanity whom he has set but a little below the angels themselves (8:4–5), God casting the same verses in their faces when they come to intercede to save Isaac, and the angels singing Ps. 8:2 upon the sparing of Isaac. Whether such an integrated midrash ever existed is, of course, pure speculation.

An allusion to such a midrash appears in tSot. 6:5, following a reference to the well-known midrash that the Israelite children, recognizing the presence of God who saved them from the Egyptians, joined in song and proclaimed “This is my God and I shall glorify him (Exod. 15:2),” and that even infants at the breast sang,

as it written, “From the mouth of babes and sucklings.” At that time, the angels who had conspired (קשרו קטיגור)<sup>52</sup> to accuse the Holy One Blessed be He at the time that the Holy One Blessed be He created the first human and had said to him, “Master of the Universe, what is man that you should be mindful of him. . . . Yet you have made him a little less than the angels . . .” At that time, the Holy One Blessed be He said to the ministering angels, “Come and see the song which my sons recite before me.” They, too, when they saw, recited song. What song did they recite? “Lord our Master, how powerful is your name throughout the earth from the mouths of babes and sucklings . . .” R. Simon b. Menasia says, “This section was said only for Isaac son of Abraham in the matter of the Aqedah.”<sup>53</sup>

285 | This depiction in the Tosefta is explicitly linked to the motif of the jealousy of the angels at the time of Creation which we saw earlier, but,

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ha-Makhiri to Psalms (MS Oxford Neubauer 167; not the one published by Buber in 1899) a text virtually identical to the one in Midrash Zutta. The printed Yalqut ha-Makhiri to Psalms cites the Tosefta in Soṭah to which we shall refer below, but not this midrash. Although the full versions of this scene survive only in later midrashim, the allusion to it in the Tosefta points toward a much earlier date when it might have been in circulation.

<sup>52</sup> Note the identical use of language with that which we saw above in the “jealous accusing angels” motif in Bereshit Rabbati.

<sup>53</sup> Translation of the text of the Vienna MS according to S. Lieberman (ed.), *The Tosefta. Order Nashim* (New York: Jewish Theological Seminary of America, 1973) 184–85. The Erfurt MS has a briefer version beginning with the words “And those angels who said, ‘What is man that you are mindful of him?’” continuing with a citation of Ps. 8:2, and concluding with “R. Simon b. Elazar says, ‘This *parashah* was stated only with regard to the Binding of Isaac.’” Kister, “Observations,” 11–12, points out that the “babes and sucklings” of Ps. 8:3 “are equated with Isaac” in the interpretation of the Tosefta.

perhaps more significantly, is allusively and implicitly linked by R. Simon b. Menasia's comment to the exhibition of that jealousy at the time they accused Abraham and engendered the test of the Aqedah. God's "triumph" over the accusing angels thus occurred both at the Aqedah when Abraham and Isaac are not unwilling to participate in the demanded offering, as well as at the Song at the Sea when the infant Israelites join in singing God's praises. If we accept the possibility that the singing angels are yet a further development of the jealous accusing angels, then we can see yet another way in which the "angels at the Aqedah" motifs have been expanded and developed.

#### IV. ANGELS AT THE AQEDAH IN POETICAL JEWISH TEXTS

The motif of "angels at the Aqedah" is to be found as well in genres beyond the range of the Jewish exegetical texts that we have examined.<sup>54</sup> Although we often neglect Jewish liturgical poetry when we trace motifs in biblical interpretation, I have ventured to include a few examples of the appearance of our motifs in liturgical corpora of a relatively early date. It should be kept in mind that some of these poetic texts are earlier than the final form of the midrashim which we have been examining in the course of our discussion. There are several sorts of poetry where we may find allusions to the midrashim of the Aqedah which we are examining: Aramaic poetry associated with the targumim,<sup>55</sup> poems written for the readings of the triennial Palestinian lectionary cycle, and poems describing the 'Avodah (Temple Service) of the Day of Atonement which almost

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<sup>54</sup> I have not made a systematic attempt to survey the literary corpora to which I shall refer in this section, but have sampled them as well as I have been able to with the help of colleagues and indices. I should like to thank, in particular, my former student Avi Shmidman, then a graduate student in medieval Hebrew poetry and now Lecturer at the Department of Literature of the Jewish People at Bar-Ilan University, for useful bibliographical guidance in the area of piyyut.

<sup>55</sup> On early targumic poems, see the introductory material in J. Yahalom and M. Sokoloff, *Jewish Palestinian Aramaic Poetry from Late Antiquity: Critical Edition with Introduction and Commentary* [Hebrew] (Jerusalem: Israel Academy of Sciences and Humanities, 1999) and J. Heinemann, "Remnants of Ancient Piyyutim in the Palestinian Targum Tradition" [Hebrew], *Hasifrut* 4 (1973): 362–75 (reprinted in J. Heinemann, *Studies in Jewish Liturgy* [Hebrew] [ed. A. Shinan; Jerusalem: Magnes Press, 1981], 148–67). On the targumic poetry preserved in the Cairo Geniza, see also M.L. Klein, "Targumic Poems from the Cairo Genizah," *HAR* 8 (1984): 89–99.

286 always contain “historical” surveys culminating with the Temple.<sup>56</sup> We shall | see that a number of facets of the motifs which we have discussed appear in these poems.

The acrostic targumic poem *'Amar Yiṣḥaq* appears in a number of manuscripts as well as in the eleventh-twelfth century liturgical collection *Mahzor Vitry* as one of the Aramaic poems which introduce the targumic renditions of almost all of the ten commandments which are the Torah reading for Shavuot.<sup>57</sup> According to these traditions, *'Amar Yiṣḥaq* serves as the introduction to the reading of the fifth commandment, honoring one's parents, presumably because Isaac displays filial piety toward his father Abraham who is about to sacrifice him. J. Heinemann, however, has argued cogently that the poem originally belonged to the Torah reading for the second day of Rosh Hashanah on which the lection was Genesis 22, the Aqedah.<sup>58</sup>

The outline of this piyyut can readily be identified from the several parallels to it in the Palestinian targum translation tradition (partially cited above, 277 [1.336–337]) where it appears at the high point of the story, Gen. 22:10, as Abraham stretches out his hand to slaughter his son. After a dramatic dialogue between Abraham and Isaac regarding the building of the altar, the other preparations for the sacrifice, and Abraham's readying himself to slaughter his son, all of which are intended either to supplement or to replace the expanded Aramaic version of the scene, the angels appear:

<sup>56</sup> Cf. Z. Malachi, ה"עבודה" ליום הכיפורים : אופיה, תולדותיה והתפתחותה בשירה העברית, [“The ‘Avodah’ for Yom Kippur: Its Nature, History and Development in Hebrew Poetry”] (Jerusalem: Hebrew University Ph.D. Dissertation, 1973), English summary, 1.2, “The narrative is divided into two parts: a historical description from Genesis to the inception of the priesthood, and a description of the Avoda service of the High Priest on Yom Kippur.”

<sup>57</sup> Sokoloff and Yahalom, *Jewish Palestinian Aramaic Poetry*, 124–31; S. Hurwitz, ed., *Mahzor Vitry* (Nuremberg: I. Bulka, 1923), 336–43.

<sup>58</sup> Heinemann, “Remnants of Ancient *Piyyutim*,” 366–67, and n. 17, where he writes, “It was intended without a doubt to serve as an expansion of the targum of the section on the Aqedah (presumably on Rosh Hashanah), and its place is after Gen. 22:10 or in place of the targum of this verse.” Yahalom-Sokoloff print the text among the *piyyutim* for Shavuot. (I have not seen the edition of this text in A. Tal [Rosenthal], *The Aramaic Poems for Shavuot* (Jerusalem: Hebrew University M.A. Thesis, 1966). This poem is quite old according to Heinemann, 367–72, who has noted the linguistic and stylistic similarities between it and *'Ezel Moshe* (“Go, Moses”), an acrostic poem which was recited on the seventh day of Passover when Exodus 14–15, the story of the crossing of the Red Sea and the accompanying song, was the assigned reading. A version of that text on papyrus from the Fayyum, dated to about the fourth-fifth century, was published initially by J. Yahalom in “‘Ezel Moshe’—According to the Berlin Papyrus,” [Hebrew] *Tarbiz* 47 (1978): 173–84 and recently reprinted by him and M. Sokoloff in *Jewish Palestinian Aramaic Poetry*, 82–86. It would be nice if *'Amar Yiṣḥaq* were also that ancient, but it need not be in order to be of interest to us.

| The angels arose, entreating their Lord: "Please have mercy on the youth, for we remember the kindness of his father, the one in whose home we ate salt [i.e., whose hospitality we enjoyed]." <sup>59</sup> 287

This poem introduces explicitly a new wrinkle to the pleas of the angels on behalf of Abraham and Isaac. It may be related to the angels' weeping over Abraham's unrewarded hospitality which we saw in Genesis Rabbah and other midrashic texts related to the verse in Isa. 33:7, but the fact that the angels here link it to their own experience in the house of Abraham (Genesis 18) makes the claim more poignant and links it explicitly with the actual biblical narrative.

Simon b. Megas (sixth–seventh century), described by Yahalom as "an important link connecting... Yannai... and the later, better known, El'azar Haqallir... apparently wrote a new composition for his public every week."<sup>60</sup> These poems introduce biblical and midrashic themes related to the weekly Torah reading into the 'Amidah liturgy. Simon furnishes an example of the angel motif in a poem for an "ordinary" Sabbath when the lection was Genesis 22, the Aqedah, writing,

When the celestial beings who derive from fire saw, they approached and murmured. "The angels of peace cried bitterly" (Isa. 33:7). You protected him from fire and destruction; he spoke to him from heavenly realms. "Behold the mighty ones cry on the outside" (Isa. 33:7).<sup>61</sup>

A reference to angels employing language similarly based on these verses in Isaiah is found in a *Qerovah* for the Day of Atonement by Yannai (sixth century), "The angels (*hašmalim*) cried outside 'Have mercy!' They bitterly poured out a flow of tears."<sup>62</sup> In Simon's text the angels weep; in Yannai's they also intervene. The references are brief and allusive, employing the same biblical text which we have seen cited in the midrashim and may have been intended to recall to the poets' audiences an already well-known motif.

Many of the Day of Atonement *Avodah* poems, beginning with the earliest, contain references to the Aqedah as a defining event in Jewish history. Although the details to be stressed in the narrative, as well as the

<sup>59</sup> Yahalom-Sokoloff, *Jewish Palestinian Aramaic Poetry*, 129–30, lines 37–40 (letters *qof* and *resh* of the acrostic).

<sup>60</sup> J. Yahalom, *Liturgical Poems of Šim'on bar Megas: Critical Edition with Commentary and Introduction* (Jerusalem: Israel Academy of Sciences and Humanities, 1984), v.

<sup>61</sup> Yahalom, *Šim'on*, 68.

<sup>62</sup> Z.M. Rabinovitz (ed.), *The Liturgical Poems of Rabbi Yannai According to the Triennial Cycle of the Pentateuch and the Holidays* (Jerusalem: Bialik Institute, 1987), 2.212.



288 scope of the retelling, were subject to the discretion of the poet, | in both of the anonymous very early versions published recently by Yahalom, the angel motif is present.<sup>63</sup> In “*’Az be’ein kol*,” the Aqedah, beginning with the birth of Isaac, takes up twenty-two lines, and we find two elements of the motif. “You strove to demonstrate the devotion of the one who loves you, to glorify your name among those who said ‘What is man?’” (lines 493–94).<sup>64</sup> Here we see the same midrashic theme as we saw in Bereshit Rabbati, for example, where Abraham is held up to the angels by God as a model, leading to the “jealous angel motif” as a stimulus for the Aqedah. The author of the poem can be said, at most, to allude to the theme in these lines, since there is no explicit connection between the claim of the angels and the instigation of the Aqedah.

The second reference, on the other hand, in my view confirms the fact that the anonymous author of the poem has that midrash in mind. After Isaac is bound upon the altar, “the celestial beings thundered and the mighty ones made noise, when they saw the slaughterer joyful and the one to be slaughtered happy. You made known his ??? in the great assembly [that of the angels], when you showed that not for naught did you create man” (lines 509–12).<sup>65</sup> As we saw in the later Midrash Vayosha, God throws back into the face of the angels their assertion at the time of Creation “Who is man that you are mindful of him?” Since the reference in the poem is not to the weeping of the angels, but rather to their “thundering” (רעשו), it is possible that we have here something like the “singing angels” motif.<sup>66</sup> The dual references to Psalm 8, before and after the Aqedah, are reminiscent of the dual citation of that text in Tosefta Soṭah.

289 | The other early poem published by Yahalom, which he suggests might have been entitled “*Aromem La’el(?)*,” also devotes a significant amount

<sup>63</sup> J. Yahalom, *Priestly Palestinian Poetry: A Narrative Liturgy for the Day of Atonement* (Jerusalem: Magnes Press, 1996). Yahalom considers these two texts to be earlier than Yose ben Yose (fifth century), the earliest named liturgical poet of whom we know.

<sup>64</sup> Yahalom, *Priestly Palestinian Poetry*, 119.

<sup>65</sup> Yahalom, *Priestly Palestinian Poetry*, 121. The reading of the first word of line 511 is difficult, according to the editor, as is its meaning. I have followed Yahalom’s interpretation of רבו in line 509 as meaning something like “produce a sound,” based on the parallelism with רעשו, although it strikes me as possible to translate “grew weak,” as if the angels’ reaction to the horrific sight of the near-sacrifice terrified them (already suggested by Kister, “Observations,” 13). Kister, 12–13 and 28 n. 50, who had an opportunity to examine this poetic text in advance of its publication, already began to establish its place in the complex of midrashim on the theme of angelic opposition to man’s creation.

<sup>66</sup> Yahalom, *Priestly Palestinian Poetry*, 121, actually cites the passage in Tosefta Soṭah, but it is not clear whether he understands the noise of the angels here as the parallel to the song there.

of space (twenty lines) to the Aqedah. A different feature of the “angel motif” is presented,

those sparkling brightly [the angels] wept bitterly when they saw the single heart of the slaughterer and the slaughtered. Their eye wept tears [upon] the sharp edge of the knife, but he [Abraham] continued not to hold back until he heard God (269–72).<sup>67</sup>

Here we have the “weeping angels,” complete with an allusion to Isa. 33:7, blunting or melting the knife as we saw in several midrashim.<sup>68</sup> In a cursory survey of liturgical poetry referring to the Aqedah, we have thus seen a spectrum of references to the angel motifs which we are studying. Some are expressed more fully than others, but the very presence of the enigmatic and cryptic versions probably point to the subject matter being somewhat familiar to the poets’ audiences.<sup>69</sup>

## V. CONCLUSION

What results have we achieved in this study? This sort of investigation from a formal perspective of the rewriting or interpretation of a biblical narrative does not automatically supply theological insights as so many other approaches to the early interpretation of the Aqedah have attempted to do. It does not bear directly on whose test it is, Abraham’s or Isaac’s, on the themes of martyrdom or atonement, or on the relationship between the binding of Isaac and the death of Jesus. Its contribution must rather lie in the pattern which it reveals of affinities among interpretive traditions, and the foundation for exegetical history which it thus aids in furnishing. We have shown that there is indeed a pervasive presence of angels in almost all of the Jewish versions of the Aqedah which come down from antiquity through the | rabbinic period, and that

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<sup>67</sup> The term describing the angels נצצי קלל is based on Ezek. 1:7 נחשת בעץ נחשת קלל. I follow Yahalom’s restoration הסבין הקלל.

<sup>68</sup> In Yose b. Yose’s *Avodah* poem “*Azkir Gevurot*,” the “weeping angel” reference is “reduced” to “At the moment that the slaughterer of the lamb seized the knife, the angels of peace cried out bitter weeping” (Yosse ben Yosse [sic], *Poems* [Hebrew], [ed. A. Mirsky; 2nd ed.; Jerusalem: Bialik Institute, 1991], 143). In Yose’s other *Avodah* poems, “*Attah Konanta ‘Olam*” and “*Asapper Gedolot*,” the angel motif is not found.

<sup>69</sup> Avi Shmidman informs me (email of 2 June 2000) that S. Elitzur’s just-published edition of *Qedushta’ot* of the sixth-seventh century El’azar ha-Qallir (which I have not seen) contains two more texts which allude to the angel motif. One is a passing reference employing the language of Isa. 33:7, and the other refers to angels watching the Aqedah and praying for Isaac.

the appearance of angels at specific points in the narrative seems to be a characteristic element in all of these retellings. Aside from any theological grounds for the introduction of the angels, all of the motifs serve to vivify the narratives in which they appear, either (1) by furnishing an actualized context for the initiation of the test, or (2) by suspending the action at the most climactic moment of the narrative (Gen. 22:10) or (3) by shifting the audience's attention from the drama on earth to a different one in heaven. In addition to retarding the onset of the denouement, the non-biblical figures and dialogue enhance the dramatic portrayal. The importance of the latter functions should not be overlooked in our zeal to probe early interpretive traditions for exegesis of the modern sort.

Could these midrashic dramas have developed independently in pre-rabbinic and rabbinic literature, without a strong common tradition? I believe that an argument could be made that the "demonic accusing angel," Mastema or Satan, might have been created independently by different interpreters who shared an insight into the parallels between the Aqedah story and Job. On the other hand, the "jealous accusing angels," if I am correct to categorize this as a separate motif, do not seem to respond to a clear textual or other exegetical stimulus, and it is therefore much more likely that they are the product of shared exegetical or midrashic traditions.

The "watching/weeping/interfering angels" motif is also linked weakly at best to the biblical text, since in its various forms it precedes the call of the angel to Abraham in Gen. 22:11. I suggested very tentatively above that only an angel who was watching the drama unfold would be able to call at the proper moment, and that such an interpretive observation lies at the root of the motif. Some of the rabbinic texts, such as *Pesiqta Rabbati* and *Midrash ha-Gadol*, actually link the angels interceding with God to the command to an angel to interrupt the sacrifice, but this appears to be a secondary development within the midrashic traditions. This approach also cannot explain the weeping holy angels of 4Q225, for example, who do not interact with the human plane.

Another approach to explaining the origin of the "watching etc. angels" motif would be to link it to literature like *Jubilees* which is pervaded with angels and demons even without textual stimuli.<sup>70</sup> Once the test | of the

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<sup>70</sup> Cf. the remarks of O.S. Wintermute, "Jubilees: A New Translation and Introduction," *OTP*, 2.47–48.



Reading and Re-Reading Scripture at Qumran  
Volume 2

# Studies on the Texts of the Desert of Judah

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Volume 2

*By*

Moshe J. Bernstein



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For my mother

Adina Gerstel Werfel Bernstein

Who never gets enough credit

שמע בני מוסר אביך ואל תטש תורת אמך  
(Proverbs 1:8)



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INTRODUCTION TO VOLUME 2:  
LAW, PESHER AND THE HISTORY OF INTERPRETATION

The fifteen essays in this volume are more loosely held together than those in Volume 1, and they cover a broader variety of texts and topics. The first two are surveys of biblical interpretation at Qumran, written from somewhat different angles. The first (16) “The Contribution of the Qumran Discoveries to the History of Early Biblical Interpretation,” looking at Qumran treatments of the Bible from the vantage point of the history of biblical interpretation, focuses on the impact that the Qumran discoveries had on what was, at the time of their publication, only a nascent field at best. We find that the Qumran texts did not merely supply material for the study of early biblical interpretation; they virtually created the field by forcing scholars to study them and a whole variety of other Second Temple texts that had been neglected as repositories of interpretation. This is one small way in which the impact of the Qumran discoveries on the study of “Judaism in late antiquity” had a ripple effect that reached far more widely than the scrolls, the caves and the habitation at Khirbet Qumran.

The second survey article (17) “The Dead Sea Scrolls and Jewish Biblical Interpretation in Antiquity: A Multi-Genre Perspective,” focuses on a half dozen interpretive texts from Qumran, belonging to a variety of genres, ranging from “rewritten Bible” of two sorts (Reworked Pentateuch and Genesis Apocryphon) to Aramaic translation (Job targum), to commentaries of two sorts (Commentary on Genesis A and 4QpIsa<sup>b</sup>) to a collection of biblical legal material (4Q159—Ordinances<sup>a</sup>). Each text is discussed in some detail, in an attempt to avoid the superficiality to which many surveys of this type are susceptible, and the overall discussion concludes with remarks on the survival or non-survival of these genres in later Jewish and Christian biblical interpretation. Although the picture drawn by the analysis of a limited number of texts is perforce incomplete and cannot be comprehensive, I believe that the essay succeeds in delineating a substantial portion of the diverse spectrum on which the Qumran texts that address biblical material lie.

One of the characteristic literary techniques or methods of Second Temple compositions related to the Bible is pseudepigraphy, and the third essay in this collection (18) “Pseudepigraphy in the Qumran Scrolls: Categories and Functions,” evaluates the way in which this technique was

employed in the Qumran scrolls. Although this term originally had a fairly narrow connotation, referring to works ascribed falsely to a well-known author of antiquity, as is evidenced in the second volume of R.H. Charles's once standard edition, for example, it has by now lost that specificity.<sup>1</sup> In the context of the Qumran scrolls, that terminological problem is complicated by the employment of "pseudo-X" and "Apocryphon of Y" as titles of hitherto unknown works, where "Apocryphon" has a misleading implication about connection to some "canonical" text, and "pseudo-" has lost its emphasis on false attribution of authorship. This is another example of how some less-than-optimal choices in nomenclature made in the early days of Qumran scholarship continue to hinder us today.

We cannot ever know whether all or any practitioners of pseudepigraphy were seeking to deceive their reading audiences, or whether in some circles and some contexts, it was accepted as a literary device that did not make authorial claims. One of my goals in the essay, therefore, is to distinguish among levels and functions of pseudepigraphy in divergent literary works. Thus it is likely that *Jubilees* needs what I call "authoritative pseudepigraphy" of the strongest nature for the work to be believable as divine revelation, prescribing binding legal practices.<sup>2</sup> The same is probably true of prophetic or apocalyptic predictions placed into the mouths of ancient speakers. Testamentary works, on the other hand, may be said to require a weaker level of authoritative pseudepigraphy. I tentatively label other forms of pseudepigraphy as "convenient," for works that are anonymous but contain pseudepigraphic voices within them, and "decorative," for works whose association with ancient authors or speakers is completely superficial and not meant to carry any real weight. If we are going to keep our terminology strict, only works that are authoritatively pseudepigraphic should be considered pseudepigraphy, since the impact of works that are more "weakly pseudepigraphic" often would be the same without that compositional feature.

The subject of the largest group of essays in this volume is legal material of various sorts in the Qumran texts, and it is introduced by a discussion of the ways in which laws are presented and derived at Qumran (19)

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<sup>1</sup> *Apocrypha and Pseudepigrapha of the Old Testament. Volume 2: Pseudepigrapha* (Oxford: Clarendon, 1913). By the time we reach the (now standard) English translation of J.H. Charlesworth, *Old Testament Pseudepigrapha* (Garden City: Doubleday, 1983–85), the texts included in the second volume of that collection demand a far broader employment of the term.

<sup>2</sup> Works containing law like "Reworked Pentateuch" and the Temple Scroll raise particularly knotty questions vis-à-vis their pseudepigraphic nature.



“The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods.” Too often neglected in discussions of Qumran biblical interpretation, biblical exegesis underlies much of the legal material that we find in Qumran texts, although quite frequently the exegesis is not explicit, and we often have to “reverse engineer” the hermeneutical process that apparently generated the law.<sup>3</sup> The first portion of the article discusses the forms taken by explicit and implicit legal interpretation in texts as different as the Temple Scroll and CD/4QD. The latter section of the essay presents a way of categorizing some of the methods of legal interpretation, working first from the premise that we can uncover the reading technique of the Qumran legists, and then proceeding to sort out the types of analogical reasoning that seem to underlie many of the laws. For heuristic purposes I consciously employ terminology borrowed from later rabbinic hermeneutic to describe what the Qumran texts are doing, despite being aware of objections of scholars like Steven Fraade, who argues that this leads to a kind of circular reasoning.<sup>4</sup> I believe that, if sufficient care is taken, that risk is avoidable and is outweighed by the benefit in clarity of expression. Although this study was meant only as an initial probe into a very broad topic, the challenge it offered has not yet been taken up by the field, and, although more Qumran legal material has recently become the object of analysis by a variety of scholars, the technical legal methodology of the Qumran texts still remains largely unstudied.<sup>5</sup>

The subsequent essay (20) “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” approaches the question of the biblical or non-biblical nature of the manuscripts currently identified as 4QReworked Pentateuch (4Q158; 4Q364–67) from the vantage point of their treatment of biblical legal material. This facet of those texts has unfortunately been ignored in most discussions of their status as biblical/non-biblical or canonical/non-canonical, and, as a result,

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<sup>3</sup> The term is borrowed from James L. Kugel, *In Potiphar's House: The Interpretive Life of Biblical Texts* (San Francisco: Harper and Row, 1990), 251–53.

<sup>4</sup> Steven D. Fraade, “Looking for Legal Midrash at Qumran,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden: Brill, 1998), 62 (reprinted in idem, *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarians and Sages* [JSJSup 147; Leiden: Brill, 2011], 148–149).

<sup>5</sup> I note as a welcome exception the recently published essay by Vered Noam, “Embryonic Legal Midrash in the Qumran Scrolls,” in *The Hebrew Bible in Light of the Dead Sea Scrolls* (ed. N. David et al.; FRLANT 239; Göttingen: Vandenhoeck & Ruprecht, 2012), 237–262.

the evidence employed to weigh the many questions that these texts raise, and the conclusions that have been drawn regarding the genre and status of 4QRP, have been based almost exclusively on inferences drawn from non-legal material. Examining the surviving legal portions of 4QReworked Pentateuch, manuscript by manuscript, indicates that much greater freedom is evident in handling the laws in them than in any other known pentateuchal textual tradition (including the Samaritan Pentateuch which exhibits much more freedom than other traditions in non-legal areas). We observe that laws are omitted from their original locations in the Pentateuch, and, almost without exception, do not reappear in a new location (granting, of course, the fact that we have only fragments of the manuscripts). There also appears to be almost no exegetical reworking of the laws that do survive. Our conclusions are that we should not presume that each of the 4QRP manuscripts was one of the entire Pentateuch, and, furthermore, that their omission of legal material should probably be one of the factors that lead us to characterize some, if not all, of them as non-biblical.

The next three essays (21–23) address an unusual “legal” text, originally published by John Allegro in DJD 5 and designated with the not very useful nomenclature “Ordinances<sup>a</sup>.”<sup>6</sup> It presents its interpreters (of which there have not been many) with a variety of challenges, having to do with (to borrow from the title of one of my articles), nomenclature, text, exegesis and genre. Composed of three main fragments, it consists largely of legal material relating on the whole to the book of Deuteronomy, so that its overall genre appears to be legal, but a closer look demonstrates that there are at least two features of the text that should not allow for that generic assignment: the historical material in frg. 1, and the historical material and especially the term “peshar” in frg. 5. The “identification” of this text by its designation as another copy of 4Q513–514 (Ordinances<sup>b-c</sup>) on the basis of extremely tenuous textual evidence has also created obstacles to its correct interpretation. I believe that it is very unlikely that these are all copies of the same document, and that such cavalier identifications actually furnish an impediment to accurate interpretation of texts named in similar fashion.

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<sup>6</sup> My work on these essays is preliminary to the text and commentary that will appear in the re-edition of DJD 5 on which I am currently working with George J. Brooke and a team of other scholars.

In my study of 4Q159, I have re-arranged the fragments, which were originally numbered on the basis of size (as was frequently the case early in Qumran scholarship), to follow a sequence that has some logical coherence, moving through the laws associated with Deuteronomy in the order of the biblical text. Following this reasoning, fragments 2–4 that I discussed and analyzed in the Y. Elman Festschrift (21) “The Re-Presentation of ‘Biblical’ Legal Material at Qumran: Three Cases from 4Q159 (4QOrdinances<sup>a</sup>),” precede fragment 1 that I treated in the Copenhagen volume (22) “4Q159: Nomenclature, Text, Exegesis, Genre.” This sequence, with the legal material of fragment 1 ending with material related not to Deuteronomy but to Exodus 30, also clarifies the hitherto enigmatic fragment 5 that I studied in the Tov Festschrift (23) “4Q159 Fragment 5 and the ‘Desert Theology’ of the Qumran Sect,” which many scholars claimed did not even belong to this manuscript. Although it is not of a legal nature, and even contains the unexpected term פֶּשֶׁר, it is related to Exodus 33, and therefore can be seen to follow closely upon the material in fragment 1.

Even after my proposed resolutions to many of the questions that arise from a careful reading of 4Q159, we are left with fundamental questions, in addition to the question of what we should call it, about the genre of this document in particular, and of some other anomalous “legal” texts from Qumran in general. How do we understand their organizing principles and, in the case of 4Q159, what do we do about the odd juxtaposition of law, narrative, and pesher that this text contains? Absent further textual discoveries, some of these questions remain simply unanswerable.

I had begun thinking about the subject of (24), the use of scripture in 4QMMT, the so-called “halakhic letter,” before its publication, when it was still circulating in *samizdat* photocopies of the editor’s hand-copy. I therefore had the opportunity to present one of the first discussions of this topic, shortly after its official publication in 1994, in a volume that I believe was the first volume of essays devoted completely to this text.<sup>7</sup> Since it is formulated as a “letter” delineating differences in certain areas of legal practice between the author’s group and some other Jews, 4QMMT is a very different kind of “legal” text from CD or the Temple Scroll or 4Q159.

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<sup>7</sup> *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John Kampen and Moshe J. Bernstein; Symposium 2; Atlanta: Scholars Press, 1996). The next major step in the analysis of this important issue was taken by George J. Brooke in “The Explicit Presentation of Scripture in 4QMMT,” in *Legal Texts and Legal Issues: Second Meeting of the IOQS, Cambridge 1995. Published in Honor of Joseph M. Baumgarten* (ed. M.J. Bernstein et al.; STDJ 23; Leiden: Brill, 1997), 67–88.

As a result, the questions about the biblical interpretation that it generates differ from the ones that we might ask of those other documents.

There is a series of narrowly focused queries regarding MMT's use of Scripture that, taken together, comprise an overall question, which cannot always be answered definitively. The language of the document is suffused with biblical style (despite one of its editors describing it as "proto-Mishnaic Hebrew"), but when the text employs biblical language, is it for stylistic reasons, or does it reflect biblical exegesis? Does the "citation formula" *כַּתוּב כַּאֲשֶׁר בַּתּוֹרָה* precede both quotations and paraphrases of the biblical text, as I think, or only the latter, as Qimron asserts? Is the hortatory epilogue biblically based only in style or in theology as well? Does 4QMMT have anything to say about a tripartite biblical canon in light of the words "in the book of Moses[ and] the book[s of the pr]ophets and of Davi[d]" in 4Q397 IV:10? It is probably the last-mentioned question that has received more attention than any other issue pertaining to Bible in 4QMMT.<sup>8</sup> We are not surprised to see that the "big" questions, which are often unanswerable, are dealt with more frequently than the "nuts and bolts" issues that are actually more susceptible to solution if sufficient and appropriate effort is applied to them.

The next two essays (25–26) deal with a by-now-famous text in 11QTemple that was published by Y. Yadin in advance of the publication of the whole document, the passage regarding hanging/crucifixion in column 64.<sup>9</sup> The broader essay on the "hanging passage" in the Temple Scroll was my first foray into Qumran scholarship, and, although I think that most of the argumentation in it is still quite defensible, I know enough by now to wish that I had chosen (or found) a term different from "*midrash halakhah*" to employ in the title of the article. In attempting to trace the process of composition of 11QT 64:6–13, one of the questions that I wished to answer (similar to the one in the later MMT article) was whether the author of the Qumran text was employing biblical language simply as a model for composing law that he was including in his legal work, or whether there was some sort of interpretation going on. So, even though

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<sup>8</sup> E.g., Jonathan G. Campbell, "4QMMT(d) and the Tripartite Canon," *JJS* 51 (2000): 181–190; Eugene C. Ulrich, "The Non-attestation of a Tripartite Canon in 4QMMT," *CBQ* 65 (2003): 202–214; Katell Berthelot, "4QMMT et la question du canon de la Bible Hébraïque," in *From 4QMMT to Resurrection: mélanges qumraniens en hommage à Émile Puech* (ed. Florentino García Martínez, et al.; *STDJ* 61; Leiden: Brill, 2006), 1–14.

<sup>9</sup> In "Peshet Nahum (4Q pNahum) Reconsidered," *IEJ* 21 (1971): 1–12, Yadin discussed the possible connection between the Temple Scroll passage and the reference to "hanging alive" in 4QpNahum.

I still believe one can use rabbinic exegetical terminology heuristically to describe what Qumran legists are doing, using it in that title was not a particularly good idea.

The Temple Scroll in columns 62–64 follows the sequence of the laws in Deuteronomy 20–21 fairly closely, until it arrives at this point, where the laws in 64:6–13, demanding execution by “hanging” for certain offenses, replace the law of post-mortem exposure of an executed corpse found in Deuteronomy 21:22–23. I was interested in the way that completely new, non-biblical material is blended with text that is, in some way, loosely associated with the text of Deuteronomy. My conclusion, based on a careful study of the “bumps” in the language of the passage, is that the author of this passage in its final form (who is not likely to be the original author of the Temple Scroll) took advantage of the unspecific biblical law about hanging, and employed it as the source for capital punishment of political criminals. Strictly speaking, then, there is no *midrash halakhah* in the traditional sense in this passage of the Temple Scroll.

One of the most interesting features of that rewriting of Deut 21:22–23 in the Temple Scroll is its replacement of קללת אלהים תלוי, “a curse of God is [a] hanged [one]” with the somewhat awkward מקוללי אלהים ואנ- שים תלוי על העץ, “the accursed (pl.) of God and men [is] hanged (s.) on the tree.” Aside from the text-critical issue of the presence of “on the tree” (a reading found in Galatians 3:13 as well), the most notable feature is the Temple Scroll’s sharing with LXX (and Galatians) the reading of the construct chain as a subjective genitive (in which “God” is the subject of the verb implied in “curse”), rather than the objective genitive (in which “God” is the object) that is otherwise ubiquitous in ancient Jewish exegesis. In the companion essay to the previous one on the Temple Scroll, I studied the range of interpretations given to the words קללת אלהים תלוי from the Septuagint and Qumran and Josephus to the Aramaic versions and rabbinic literature.<sup>10</sup> I show that there are at least two independent objective genitive exegeses, and one, or possibly two, subjective genitive interpretations, with the Temple Scroll possibly not exhibiting the same reading as LXX, in contrast to the claim of earlier studies. As is frequently the case when studying seemingly parallel traditions in early biblical

<sup>10</sup> One significant later study of this issue must be mentioned, David Henshke, “‘For a Hung Body is an Affront to God’: On the Difference in Exposition Between the Sages and the Sectarrians, and the Mishna and the Tosefta,” (Hebrew) *Tarbiz* 69 (2000): 507–537.

interpretation, a simple picture became more complex when close attention was paid to all the details.

The essay on “Women and Children” (27) technically focuses on Qumran law, rather than biblical law, but so much of the material touched upon in it is biblical at the core that it earns its place in this collection. For example, the questions of polygamy and incest revolve around scriptural interpretation. We see how biblical texts are employed metaphorically in 4QD and 4QMMT to advise against inappropriate marriages. Biblical regulations, such as that of the beautiful war-bride, are modified at Qumran in ways that would restrict their unlikely occurrence even further. We find innovations vis-à-vis the biblical law in the cases of the bride accused of pre-marital sexual activity in 4Q159 and the *soṭah* in 4Q270. Purity regulations concern themselves with the laws of Leviticus 12 and 15, and some of them reflect stringencies beyond the biblical that are not surprising in a community that was particularly meticulous about the maintenance of purity. In the treatment of women’s vows in CD, there is further interpretive specification of the biblical laws of Numbers 30, whereas the same material in the Temple Scroll remains virtually unchanged from the biblical original. Although it was not one of the goals of the original writing of the paper, upon re-reading it serves to locate this particular group of Qumran laws in its appropriate relationship to Hebrew Scripture.

The essay on citation and re-citation formulas (28) is a combination of a fairly thorough survey and analysis of the data on the topic as well as a reflection on the way in which the order of discoveries and the history of scholarship affects the way in which we perform our scholarly tasks. In the course of reading and teaching pesher Habakkuk and other pesharim, and observing the ways in which citation formulas were employed, it became clear to me that, despite what I had read in commentaries and handbooks, the first pesher to be discovered could not be employed as a paradigm for at least this aspect of how pesharim were composed because it was atypical in its behavior. That discovery impelled me to gather all the citation formula data that are presented in the article, both from the so-called “continuous pesharim” and the so-called “thematic pesharim,” and to attempt to discern whether there is any manifest pattern in terms of the function of different formulas in different texts, quotation vs. re-quotation, citations from within the work under scrutiny vs. from other works, preference for אמר or כתוב, and consistency in the employment of formulas within individual works.

I found that, when working on fragmentary pesharim while having the virtually integral pesher Habakkuk as a model, scholars have had a

tendency to presume that the other pesharim followed that model, and, furthermore, have often predicated their reconstructions of the fragmentary pesharim on it. At least one peshar, 4QpIsa<sup>c</sup>, first needs to be removed from the category of “continuous pesharim,” and then needs to be re-analyzed, in terms of the function in it of citation formulas, since they appear to have different roles in the pesharim that are not of a “continuous” nature. Citation formulas are used similarly in texts such as 4Q174 (Florilegium) and 4Q177 (Catena<sup>a</sup>), and are considerably more complex in form and function even than the ones in 4QpIsa<sup>c</sup>, although the formulas cannot prove or disprove the identity of those two documents as a single text.

This study has significant conclusions in two areas, one narrow and one broad: First, it delineates comprehensively the diverse ways in which biblical quotation and re-quotation is carried out in the peshar literature, and stresses the diversity of both formula and function that attends the biblical citations. Second, it underlines the importance of not allowing firstness or completeness to dominate analysis of subsequent or fragmentary texts. This is true not only of pesharim and of citation formulas, but of a variety of aspects of many categories of Qumran texts.<sup>11</sup> Eighteen years after the publication of this essay, with so many “new” Qumran documents added to the mix, it is perhaps even more necessary now to avoid attempts to fit them into the Procrustean beds of the early, whole and better-known texts.

A brief article on the restoration and interpretation of a passage in 4QpHosea<sup>a</sup> (ii 15–17) based on intertextuality (29) is the last narrowly-focused one in the collection. Is the plural of מוֹעֵד in this text formed as both מוֹעֵדִי and מוֹעֵדוֹת, or is the surviving portion of the latter word actually a whole word, to be translated as “witness, testimony”? Coupled with that reading question is the matter of how one of the verbs in the passage is to be read and how two of them are to be related to one another. I suggest that this passage in the peshar is related to a passage in *Jubilees*, which itself seems to be modeled on the text of Hosea 2:13, and shares the language of “walking in the festivals of the Gentiles.” I believe that the author of the peshar, in interpreting the verse in Hosea, followed the approach of *Jubilees* which read Hosea as alluding to improper calendrical

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<sup>11</sup> The oft-made distinction between *two* types of Qumran legal texts, the CD-type and the Temple Scroll-type, without allowing for the existence of a variety of other sorts at points along the spectrum between those two examples, strikes me as being a valuable analogue.

practice. If that fundamental point is accepted, there are several options, ranging from radical to conservative, in reconstructing the fragmentary peshet text that I propose in the rest of the article.

This volume, and the collection as a whole, concludes appropriately with an article (30) that is consciously both retrospective and prospective. Delivered in Jerusalem in July 2008 at a conference marking the 60th anniversary of the discovery of the scrolls, the first, retrospective, half of the essay reviews the state of scholarship on biblical interpretation at Qumran in three stages: a broad assessment of the first forty years, followed by a slightly more detailed survey of 1987–1997 and a longer evaluation of 1997–2007. Especially in the latter segment, an attempt is made to furnish the reader with an up-to-date bibliographical review of as many topics as possible. In its second, prospective, half, I turn to what I consider to be desiderata for the near future in this area of scholarship. Some of the recommendations are practical, suggesting where scholarly activity, such as the production of commentaries on a variety of Qumran texts, is liable to pay the highest dividends, while others are of a more theoretical nature, such as the development of broad scholarly consensus regarding the ways that we refer to Qumran documents and their genres. And just as is true of other subfields of the study of the Dead Sea Scrolls, the integration of “biblical interpretation at Qumran” into “biblical interpretation in antiquity” will also aid in establishing it in its proper place as a key component of the study of Judaism in late antiquity rather than merely an esoteric and marginal curiosity.



## CHAPTER SIXTEEN

### THE CONTRIBUTION OF THE QUMRAN DISCOVERIES TO THE HISTORY OF EARLY BIBLICAL INTERPRETATION

#### I. INTRODUCTION

The discovery and publication of the Qumran texts have marked a watershed in the study of virtually all aspects of Judaism in antiquity.<sup>1</sup> Two aspects of their importance need to be stressed: first, these are primary documents which come down to us “directly” from the classical period, often as the only surviving textual material from certain segments of that era; second, these manuscripts have not been subject to editing and rewriting through the intervening centuries in the way that other texts which owe their survival to transmission within Jewish or Christian tradition often were. The scrolls often fill in gaps which had existed in our sources previously, and surpass the quality of many of those already known sources by virtue of being unaffected by the biases of subsequent transmission. Access to the Dead Sea Scrolls now allows more direct, unfiltered light than was heretofore possible to be shed on this critical epoch in the development of Judaism and, later on, Christianity, spanning roughly the third century B.C.E. to the first century C.E.

One major impact which these texts have had is in their contribution to the literary history of the Second Temple era (still labeled by some Christian scholars as the “intertestamental” era). Today, in discussions of the literature of Judaism in antiquity, we expect to find chapters such as “Palestinian Adaptations of Biblical Narratives and Prophecies” in Kraft and Nickelsburg, *Early Judaism and Its Modern Interpreters*, and “Stories of Biblical and Early Post-Biblical Times” and “The Bible Rewritten

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<sup>1</sup> Early versions of this paper were delivered as “Biblical Interpretation Before and After Qumran,” at the First International Symposium, Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, Institute of Jewish Studies, The Hebrew University of Jerusalem, Jerusalem, Israel, May 1996 and as “The Impact of the Qumran Discoveries on the History of Early Biblical Interpretation,” at the Fiftieth Anniversary International Jubilee Celebration on the Dead Sea Scrolls, Princeton Theological Seminary, Princeton, NJ, November 1997 (at the invitation of Professor James H. Charlesworth). It gives me great pleasure to dedicate this essay to James L. Kugel, one of the foremost scholars of early Jewish biblical interpretation in our generation.

and Expanded” in Stone, *Jewish Writings of the Second Temple Period*.<sup>2</sup> Mulder’s *Mikra* contains chapters on the use, authority, interpretation, and exegesis of Scripture in Qumran, Apocrypha, and Pseudepigrapha, as well as the minor Hellenistic Jewish authors and in Philo, Josephus, rabbinic literature, and the church fathers.<sup>3</sup> Before the Qumran discoveries, such syntheses would not have been and, in fact, were not, written. In that sense, the very sub-discipline of Jewish biblical interpretation in antiquity has been reshaped, virtually reinvented, by the discovery of the Dead Sea Scrolls.

## II. EARLY JEWISH BIBLICAL INTERPRETATION BEFORE THE QUMRAN DISCOVERIES

In order to get a sense of how early Jewish biblical interpretation was portrayed before the Qumran discoveries it is useful to examine reference works dating to before 1950. For example, in Emil Schürer’s classic *Geschichte* of the late 19th-early 20th century (the suitably titled *History of the Jewish People in the Age of Jesus Christ*),<sup>4</sup> Palestinian Jewish literature is divided into historical writing, psalmodic poetry, wisdom literature, hor-  
 217 tatory narrative, prophetic pseudepigrapha, and | sacred legends. There is no chapter titled “Biblical Interpretation” or “Biblical Exegesis.” By way of contrast, the same section in the Vermes-Millar-Goodman revision of the 1970s and 1980s contains a chapter on “Biblical Midrash,” aside from

<sup>2</sup> The chapter “Palestinian Adaptations of Biblical Narratives and Prophecies” consists of the following: Daniel J. Harrington, “The Bible Rewritten (Narratives),” and Maurya P. Horgan, “The Bible Explained (Prophecies),” in *Early Judaism and Its Modern Interpreters* (ed. R.A. Kraft and G.W.E. Nickelsburg; Atlanta: Scholars Press, 1986), 239–47 and 247–53, respectively; George W.E. Nickelsburg, “Stories of Biblical and Post-Biblical Times,” and “The Bible Rewritten and Expanded,” in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (CRINT 2.2; ed. M.E. Stone; Assen: Van Gorcum; Philadelphia: Fortress, 1984), 33–87 and 89–156, respectively.

<sup>3</sup> Martin J. Mulder, ed., *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (CRINT 2.1; Assen: Van Gorcum; Philadelphia: Fortress, 1990). Mulder’s volume and Magne Sæbø, ed., *Bible/Old Testament: The History of Its Interpretation: From the Beginnings to the Middle Age* (vol. 1; Göttingen: Vandenhoeck & Ruprecht, 1996), which is the first of a series of volumes on the history of biblical interpretation, are indicative of the growing importance of the history of interpretation as a subdiscipline of biblical studies.

<sup>4</sup> Emil Schürer, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* (3 volume edition; Leipzig: Hinrichs’sche Buchhandlung, 1901–1909), 3:188–406 (§32), E.T. of volume 3, §§32–34 = E. Schürer, *The Literature of the Jewish People in the Time of Jesus* (ed., with an introduction, N.N. Glatzer; New York: Schocken, 1972).

the completely new chapter on the "Writings of the Qumran Community" which has a long subchapter on "Bible Interpretation."<sup>5</sup> This is not to say that many of the works which were composed during this period were not acknowledged to be interpretations of Scripture, but that biblical interpretation seems not to have been acknowledged as a genre or a discipline. Similarly, Pfeiffer's catalogue of Jewish literary history in Eretz Yisrael from 200 B.C.E. to 100 C.E. in his *History of New Testament Times* (1949) included terms such as lyric poetry, wisdom poetry, history, fiction, legends and exhortations, apocalypse, and polemic, but the realm of biblical interpretation went unnoticed.<sup>6</sup>

What caused this area of ancient Jewish intellectual endeavor to be ignored as an independent unit or element worthy of consideration? The apparent scholarly neglect of the discipline of early Jewish biblical interpretation in the pre-Qumran era, by which I mean the first half of the twentieth century, the period before the Qumran discoveries, was due only in part to the paucity of relevant material. That deficiency could be, and eventually was, remedied by the discovery of new texts. More significant, however, was probably the failure to recognize the variety of generic forms which biblical interpretation could adopt. It led to the classification of a variety of works which are basically exegetical or interpretive under a variety of generic rubrics, thus placing in diverse pigeonholes material which should have been juxtaposed for analysis. These two concomitant phenomena prevented the recognition of the major role which biblical interpretation, defined loosely, played in Judaism in its various manifestations during this crucial era.

| Furthermore, the works which constituted the corpus of early Jewish biblical interpretation, formally speaking, were scattered over centuries, among languages, and across diverse forms of Judaism. Until recently, we lacked any ancient textual material in their original languages many works, including such apocryphal texts as Ben Sira (Ecclesiasticus) and

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<sup>5</sup> Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 B.C.–A.D. 135)* (rev. and ed. G. Vermes, F. Millar, and M. Goodman; Edinburgh: T&T Clark, 1973–1986), 3.1:308–41 and 420–51, respectively.

<sup>6</sup> Robert H. Pfeiffer, *History of New Testament Times with an Introduction to the Apocrypha* (New York: Harper & Brothers, 1949), 60–61. If we include his categories for Jewish-Hellenistic writings, we add legendary history, epic and drama, philosophy, propaganda, autobiography and apologetics. Robert H. Charles, *The Apocrypha and Pseudepigrapha of the Old Testament in English: Pseudepigrapha* (vol. 2; Oxford: Clarendon, 1913), likewise classifies the Pseudepigrapha as "primitive history written from the standpoint of the Law," "sacred legends," "apocalypses," "psalms," "ethics and wisdom literature," and "history."

Tobit, and pseudepigraphical ones like *Jubilees*, *1 Enoch*, and the *Testament of Levi*.<sup>7</sup> Definition by arbitrary or artificial collection, such as the Apocrypha, and according to hypothetical sectarian source such as Pharisee, Judeo-Christian, or the like, rather than by literary category, also hindered the emphasis on biblical interpretation as category worthy of investigation. Under the constraints of prevailing historiographical currents, there was little intrinsic interest in the period of the Second Temple except as the ground from which rabbinic Judaism and early Christianity sprang. Early treatments of post-biblical Jewish literature sought therefore merely to bridge the historical gap between Jewish literature of the *Tanakh* and the *mishnah*, or between the two testaments of which Christian Scripture is composed. The systematic study of Jewish literature in antiquity, a significant portion of which constitutes early Jewish biblical interpretation, seems not to have piqued academic interest.

A further deterrent to scholarly interest in Jewish biblical interpretation in antiquity was the fact that the form of biblical commentary with which we are most familiar and which is most recognizable as commentary, i.e., the lemmatized type which cites a biblical text and supplies a comment upon it, appeared to be lacking from Jewish antiquity. To be sure, it existed in Philo and, later on in rabbinic midrash, but each of these had a quality which allowed them to be further discounted or ignored. Philo's interpretations of scripture from a philosophical perspective could easily be considered idiosyncratic and atypical because they represent commentary written with a goal in mind (Philo's dressing the pentateuchal story in the garb of Neoplatonism) other than the exegesis and interpretation of the text. Furthermore, his works represent a Diaspora perspective, differing geographically (Alexandria) and linguistically (Greek) from the primary objects of our investigation which happen to be works written in Hebrew or in Aramaic in Eretz Yisrael. Rabbinic material had the obvious disadvantage of being later, and often in final form *much* later, than the Second Temple period on which we are focusing. Although it has much stronger links than Philo to the earlier documents of biblical interpretation from this period, as has been demonstrated by scholars from Vermes to Kugel, rabbinic literature nevertheless appeared to stand much more in virtual isolation before the Qumran discoveries.<sup>8</sup> There was rarely an

<sup>7</sup> Several of these works survive in "original" languages in medieval manuscripts. We are not always certain whether the medieval versions are original or re-translations.

<sup>8</sup> Compare, for example, Géza Vermes, *Scripture and Tradition in Judaism* (2nd ed.; Leiden: Brill, 1973); and James L. Kugel, *In Potiphar's House: The Interpretive Life of Biblical*

attempt, with Louis Ginzberg's monumental *Legends of the Jews* being a notable exception, to locate rabbinic treatments of Scripture in the context of any other ancient interpretation.<sup>9</sup>

As we have noted, the "commentary form" of interpretation is largely lacking from Jewish antiquity. Much early biblical interpretation achieved its goal by rewriting the biblical story as Josephus did, introducing material which solved real or perceived exegetical difficulties, and sometimes giving an ideological twist to the narrative. "Offensive" material, in a like fashion, was omitted or de-emphasized. Generically, then, the literary form named by Vermes "rewritten Bible" constituted one of the major pieces in the uncomplicated puzzle of early biblical interpretation which existed before the Qumran discoveries (although Vermes's use of the terminology actually postdates the Qumran discoveries).<sup>10</sup>

| What representatives of this genre did pre-Qumran scholars have available? Josephus's *Antiquities* 1–11 in the first century C.E. furnishes an outstanding example of this type, as he rewrites the biblical story adding and subtracting as he sees fit. This detailed retelling of virtually the whole of the narrative of the Hebrew Bible is probably the most extensive example of this genre of biblical commentary. In the collection called the Apocrypha, which is scriptural for certain Christian churches, the Greek version of Esther with its additions similarly shapes and revises our understanding of the story as told in the Hebrew text. The story is given a more

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*Texts* (San Francisco: HarperCollins, 1990); idem, *The Bible as It Was* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1997); idem, *Traditions of the Bible: A Guide to the Bible as It Was at the Start of the Common Era* (Cambridge, Mass.: Belknap Press of Harvard University Press, 1998).

<sup>9</sup> Louis Ginzberg, *Legends of the Jews* (7 vols.; Philadelphia: Jewish Publication Society, 1909–1938).

<sup>10</sup> On the genre "rewritten Bible," see (among many others) Vermes, *Scripture and Tradition*, 95; Philip S. Alexander, "Retelling the Old Testament," in *It is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars, SSF* (ed. D.A. Carson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1987), 99–121; Emanuel Tov, "Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QParaphrase of Gen and Exod," in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. E. Ulrich and J.C. VanderKam; CJS 10; Notre Dame: University of Notre Dame Press, 1994), 111–34; Sidnie White Crawford, "The 'Rewritten' Bible at Qumran: A Look at Three Texts," *Erlsr* 26 (1999): \*1–\*8; George J. Brooke, "Rewritten Bible," in *The Encyclopedia of the Dead Sea Scrolls* (ed. L.H. Schiffman and J.C. VanderKam; 2 vols.; New York: Oxford University Press, 2000), 2:777–81, and my "Rewritten Bible: A Generic Category Which Has Outlived Its Usefulness?" *Textus* 22 (2005): 169–196 (above 1.39–62). Although there are some scholars who forbear to use this term because of the implications it appears to have regarding the canonicity and authority of the "Bible" during this period, I believe that it is too useful to give up provided that it is used with care.

Jewish cast, in an attempt to override the “un-Jewish” atmosphere of the Persian court which prevails in the original. In a somewhat different vein, the Wisdom of Solomon, in its second half, contains a retelling of the Exodus from a sapiential perspective which can often be seen as commentary or interpretation of the Hebrew (or Greek) text of the book of Exodus.<sup>11</sup> It should be stressed that all of these examples were preserved in their Greek originals and that only Josephus can be said to have a connection with the center of Jewish life in Palestine, although his *Antiquities* was written in Greek.

Pre-Qumran scholarship also had available two other works which belong to the same genre of re-written Bible: *Jubilees*, now known from the Qumran texts to have been written originally in Hebrew, and the less well known *Liber Antiquitatum Biblicarum* (“Book of Biblical Antiquities”), whose author goes by the name Pseudo-Philo and which is generally also held to have had a Hebrew original and to have been written probably in Palestine.<sup>12</sup> Each of them covers less ground than Josephus does, but more than any of the apocryphal material mentioned earlier, but neither  
 221 of them attracted much attention | at all. The fact that both existed only in translation, and in the case of *Jubilees* only in a secondary translation into Ethiopic, probably did nothing to appeal to scholarly interest.

In the pre-Qumran period of scholarship, therefore, there was no impetus to integrate the study all of these disparate documents under the single rubric of biblical interpretation. Philo and rabbinic midrash, Josephus and *Jubilees* were points on a plane which did not beg to be connected. The phenomenon of biblical interpretation, if we may so describe it, was simply too multi-dimensional to be perceived easily. The discovery of the Qumran texts therefore had far broader implications for the literary history of the Second Temple period, particularly in the area we are discussing,

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<sup>11</sup> There are two recent treatments of the Wisdom of Solomon material as interpretive: Peter Enns, *Exodus Retold: Ancient Exegesis of the Departure from Egypt in Wis 10:15–21 and 19:7–9* (HSM 57; Atlanta: Scholars Press, 1997); and Samuel Cheon, *The Exodus Story in the Wisdom of Solomon: A Study in Biblical Interpretation* (JSPSup 23; Sheffield: Sheffield Academic, 1997). The apocryphal additions to Jeremiah and Daniel, on the other hand, cannot be so easily categorized as interpretation, even though they employ the figures of the biblical story. In this area, there will always be disagreement regarding certain works as to whether their expansions of stories about biblical figures in ways which do not explicitly interpret the biblical text are to be adjudged biblical interpretation.

<sup>12</sup> Compare Howard Jacobson, *A Commentary on Pseudo-Philo's Liber Antiquitatum Biblicarum with Latin Text and English Translation* (2 vols.; AGAJU 31; Leiden: Brill, 1996); and Daniel J. Harrington, trans., “Pseudo-Philo,” in *The Old Testament Pseudepigrapha* (ed. J.H. Charlesworth; 2 vols.; Garden City, NY: Doubleday, 1985), 2:297–378.

than merely the availability of the documents preserved in the caves per se.

### III. THE QUMRAN CONTRIBUTION TO THE HISTORY OF EARLY JEWISH BIBLICAL INTERPRETATION<sup>13</sup>

#### A. *Stage One: 1947–1968*

The period after the Qumran discoveries can be divided into two parts from the perspective of the history of early biblical interpretation, although the line of demarcation between them is not completely clear. I should place the break roughly in the decade between Allegro's publication of the first volume of Cave 4 fragments in 1968 and Yadin's publication of the Temple Scroll in 1978.<sup>14</sup> The significance of this separation will be discussed later. |

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Already upon the discovery and publication of the scrolls from Cave 1, it was eminently clear that Qumran would force us to reconsider our picture of early biblical interpretation. The lion's share of attention was focused on the *pesharim* from Caves 1 and 4, particularly 1QpHab. They furnished a new type of ancient exegesis, new in form, in exegetical method, and in content. The Qumran *pesharim* now provided an earlier example of the formal commentary genre than anything that we had possessed before their discovery. While it may be argued that they, like the commentaries of Philo, are very different from what passes for commentary in the twentieth century, the employment of the lemma + comment technique made

<sup>13</sup> Most of the works we shall discuss in our review of the Qumran contribution to the history of biblical interpretation are those which, employing a variety of literary forms, interpret or retell the Bible overtly, and whose exegetical or interpretive aspect is therefore obvious to the reader. We should be remiss, however, if we were not to mention, at least in passing, a variety of genres at Qumran which have furnished the contemporary student of early biblical interpretation with forms and examples of exegesis that are more subtly expressed. The Qumran authors were thoroughly imbued with the text and spirit of the Hebrew Bible, and their stylistic and literary borrowings from biblical texts therefore often possess an interpretive dimension. Among the genres in which implicit interpretations may be found are the recensions of the *Hodayot*, the Thanksgiving Hymns found in both Caves 1 and 4, and the wisdom and prayer texts found scattered throughout the Qumran corpus. Even among those Qumran writings which do not reflect explicit or implicit exegesis of the Bible, there is hardly one among them whose literary form and style does not owe a great deal to the Hebrew Bible, even when not interpreting it.

<sup>14</sup> J.M. Allegro, with A.A. Anderson, *Qumran Cave 4.1 (4Q158–4Q186)* (DJD 5; Oxford: Clarendon, 1968); Yigael Yadin, ed., *The Temple Scroll (Megillat haMiqdash)* (3 vols.; Jerusalem: Israel Exploration Society, 1978 [Hebrew] and 1983 [English]).

it clear that from a formal standpoint we were dealing with the genre “commentary.” Scholars began to compare and contrast the hermeneutics of these newly discovered documents with those of the New Testament, targumim, and rabbinic midrash.<sup>15</sup> We were blessed with a corpus of new texts but had not yet realized that we also needed new paradigms, and so we continued to read Qumran document as if they still fitted into our preconceived literary patterns, not realizing that new models had to, and indeed were beginning to, emerge.

223 Soon the *pesharim*, too, were found not to be as uncomplicated as they first appeared to be. Texts were published by Allegro from Cave 4 with names appended to them like *Florilegium* (4Q174), *Catena* (4Q177), and *Pesher on the Periods* (4Q180–181), and by van der Woude from Cave 11 called *nQMelch*, all of which exhibited the familiar lemma + comment form, but in which not all biblical citations derived from the same book.<sup>16</sup> Regardless of whether we accept wholly or partially, and with some or much modification, Carmignac’s classic distinction among types of *pesharim*—*thématique* (based on verses | collected from different books in support of a single theme) and *continu* (following a single biblical book more or less continuously)—the texts which are subsumed broadly under the category *pesher* really subdivide themselves into narrower classifications.<sup>17</sup> It is now possible to distinguish among even the continuous *pesharim* from a variety of perspectives, but what they have in common is the citation of biblical text followed by remarks upon it. Even if the comments frequently do not really explicate the text at all but merely apply it to contemporary circumstances, the form is indubitably that of commentary. We can observe, at times, sensitivity to biblical intertextuality in the association of verses from different parts of the Bible in some of

<sup>15</sup> Typical titles of such early scholarship: William H. Brownlee, “Biblical Interpretation among the Sectaries of the Dead Sea Scrolls,” *BA* 14 (1951): 54–75; Frederick F. Bruce, *Biblical Exegesis in the Qumran Texts* (London: Tyndale, 1960); Elieser Slomovic, “Toward an Understanding of the Exegesis in the Dead Sea Scrolls,” *RevQ* 7 (1969–71): 3–15.

<sup>16</sup> Allegro’s texts are to be found in DJD 5; Adam S. van der Woude’s in “Melchisedek als himmlische Erlösergestalt in den neugefundenen eschatologischen Midraschim aus Qumran Höhle XI,” *OTS* 14 (1965): 354–73. Not only these “thematic” *pesharim*, but the “continuous” *pesharim* 4QpIsa<sup>c</sup> as well, cite more than on biblical book. For a broad discussion of the various types of *pesharim*, based on the way in which they do or do not introduce citations of the biblical text with fixed formulas, cf. my “Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim: Observations on a Peshar Technique,” *DSD* 1 (1994): 30–70 (below 2.635–673).

<sup>17</sup> Jean Carmignac, “Le document de Qumran sur Melkisédeq,” *RevQ* 7 (1969–71): 360–61, cited approvingly by Maurya P. Horgan, *Pesharim: Qumran Interpretation of Biblical Books* (CBQMS 8; Washington, D.C.: Catholic Biblical Association, 1979), 3.



these texts, a technique which alerts us to the author's broader knowledge and comprehension of Scripture.

The other major contribution of Cave 1 to early biblical interpretation was not a new genre, like the *pesharim*, but a new representative of the genre "rewritten Bible." The *Genesis Apocryphon*, from which substantial material of previously unpublished columns has recently been published, covers, in its extant portions, no greater range than Genesis 5–15.<sup>18</sup> It retells the biblical "story," sometimes ranging far beyond the outlines of the biblical text with insertion of large chunks of extra-biblical material, and sometimes hewing fairly close to the words of the Bible and presenting us with a virtual translation into Aramaic. Early discussion of it focused on whether it belonged to the genre of targum or of midrash; so much were old categories still shaping our analysis.<sup>19</sup> Rabbinic literature and its forms still set the terms of the discussion, even though the connections of the *Apocryphon* to non-rabbinic texts like *1 Enoch* and *Jubilees* were | recognized from the beginning. As more research was done on the 224  
badly preserved document, scholars gradually became more independent of the earlier classifications and began to read it on its own and in the light of other Second Temple texts with which it share exegetical, narrative, and stylistic features.

Having mentioned the connections of the *Genesis Apocryphon* with the Enochic literature and *Jubilees*, I should note that James Charlesworth has made the point on several occasions that the kind of limited vision which I described in pre-Qumran discussions of early Jewish biblical interpretation caused the "Pseudepigraphical Literature," as a whole, to be overlooked as biblical exegesis as well. A great many of the texts belonging to that amorphous collection, in fact, convey, in different ways, insights into

<sup>18</sup> *Editio princeps*: Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon* (Jerusalem: Magnes, 1956); Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd edition; BO 18/B; Rome: Pontifical Biblical Institute, 2004); Jonas C. Greenfield and Elisha Qimron, "The *Genesis Apocryphon* Col. XII," in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77; and Matthew Morgenstern, Elisha Qimron, and Daniel Sivan, "The Hitherto Unpublished Columns of the *Genesis Apocryphon*," *AbrN* 33 (1995): 30–54; Daniel Machiela, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009).

<sup>19</sup> The following may serve as typical titles of articles on the *Apocryphon* at this time: Manfred R. Lehmann, "1Q Genesis Apocryphon in the Light of the Targumim and Midrashim," *RevQ* 1 (1958–59): 249–63; and Gerard J. Kuiper, "A Study of the Relationship between *A Genesis Apocryphon* and the Pentateuchal Targumim in Genesis 14:1–12," in *In Memoriam Paul Kahle* (BZAW 103; ed. M. Black and G. Fohrer; Berlin: Töpelmann, 1968), 149–61.

the way their authors read and understood Scripture. But I do not think that I am exaggerating in suggesting that a good deal of this renewed interest in the “Pseudepigrapha” in the last half-century is due directly to the attention which the Qumran scrolls focused on Jewish literature in antiquity, even though the publication of Charles’s massive volume and its German analogues had already begun the job of rescuing the Pseudepigrapha from oblivion.<sup>20</sup> Qumran was more than a little responsible for the resurgence of study of the Pseudepigrapha, and the Qumran texts, now taken together with the Pseudepigrapha, forced us to deal with a genre (or genres) which had not been acknowledged properly before, and expand the definition of what we meant by biblical interpretation the Second Temple era. In a sense, Qumran presented background, parallels, and connection which helped furnish a context to the previously “unconnected” works of the Pseudepigrapha.

A turning point in our evaluation of Qumran biblical interpretation and, with it, Second Temple biblical exegesis more generally came with Yadin’s publication of the Temple Scroll in 1978. This text differed radically from earlier Qumran documents, and in a great many ways: in its  
 225 considerable length, in its genre—rewritten | Bible of a legal nature (as opposed to the earlier examples which were all primarily narrative)—and in its relative completeness. It therefore furnished an impetus for analysis from a variety of scholarly perspectives. One of those, of course, was the question of its relationship to the Hebrew Bible, not textually, but exegetically.<sup>21</sup> Legal exegesis at Qumran had been fairly neglected on the

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<sup>20</sup> James H. Charlesworth presents six “misconceptions” which “hinder the perception of the Pseudepigrapha as exegetical works” (“In the Crucible: The Pseudepigrapha as Biblical Interpretation,” in *The Pseudepigrapha and Early Biblical Interpretation* [JSPSup 14; ed. J.H. Charlesworth and C.A. Evans; Sheffield: Sheffield Academic, 1993], 21–27). In note 2 he anticipated the point which I observed above independently, employing Schürer as evidence that the definition of exegesis held in the early part of the century was excessively narrow. The interpretive aspect of texts which are not commentaries or translations, strictly speaking, was not seen or stressed.

<sup>21</sup> See, in addition to Yadin’s introduction and commentary (Yadin, *Temple Scroll*), Jacob Milgrom, “The Qumran Cult: Its Exegetical Principles,” in *Temple Scroll Studies* (JSPSup 7; ed. G.J. Brooke; Sheffield: Sheffield Academic, 1989), 165–80; idem, “The Scriptural Foundations and Deviations in the Laws of Purity of the Temple Scroll,” in *Archaeology and History in the Dead Sea Scrolls* (JSPSup 8; JSOT/ASORM 2; ed. L.H. Schiffman; Sheffield: JSOT Press, 1990), 83–99. Lawrence H. Schiffman, in an extended series of articles on specific texts within the Temple Scroll [many of which have now been collected in *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (ed. Florentino García Martínez; STDJ 75; Leiden: Brill, 2008)], has attempted to analyze systematically the relationship of the Qumran material to the underlying biblical text.

whole for two reasons: first, outside of CD (the Damascus Document or Zadokite Fragment), found in the Cairo Genizah by Solomon Schechter and later in about ten copies in the Qumran caves, not many texts provided legal material and second, most (Christian) Qumran scholars had little interest in *halakhah*, Jewish law in its various manifestations.

As a result of our knowledge of the Temple Scroll, *Jubilees* now demanded renewed attention from a legal perspective (attention which it still has not yet fully received), and CD, that pre-Qumranic Qumran document, now had a possible relative with which to be compared. Some of the laws in CD, which had seemed strange to students of that text in the first half of the 20th century because they did not conform to the prevalent notion that all Jewish legal texts were assumed to be rabbinic, and these clearly were not, now had parallels in the scripturally formulated laws of the Temple Scroll. Looking forward from the last pre-Christian centuries of the Qumran corpus, rabbinic *midrash halakhah* now had something with which it might be correlated, not formally, but from the perspective of comparative legal exegesis.<sup>22</sup> We could even look into the Qumran texts and see a (the?) legal system against which the rabbis, at times, were struggling.

The publication of the Aramaic text of *1 Enoch* by Milik stimulated further interest in that pseudepigraphic apocalyptic work which, although it is related directly to only a few verses in Genesis 5–6, should probably be considered to represent one extreme boundary | of the exegetical process.<sup>23</sup> The availability of the Qumran fragments influenced the study of Ethiopic *Enoch*, stirring up renewed interest in the Enochic literature as a whole. Discussions of the Qumran Enoch material, which is not limited to the book of *1 Enoch*, but which is part of a large complex of literary material which highlights the antediluvian period, are also to be considered among the important ways in which Qumran stimulated the study of the Pseudepigrapha and its biblical interpretation.

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<sup>22</sup> Compare Moshe J. Bernstein and Shlomo A. Koyfman, "The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods," in *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids: Eerdmans, 2005), 61–87 (below, 2.448–475).

<sup>23</sup> Josef T. Milik, ed., *The Books of Enoch: Aramaic Fragments of Qumrân Cave 4* (Oxford: Oxford University Press, 1976).

B. *Stage Two: 1978–present*

In the long run, however, I believe that despite the significant contributions which the first three decades of Qumran scholarship made to our understanding of ancient biblical interpretation, it is the more recent publications of fragmentary scrolls from Qumran which will make the largest contribution to our study of biblical interpretation in antiquity. This is the case despite the fact that, in so many ways, the more recently published documents are more fragmentary and more enigmatic. There has been a rapid expansion in the recent past of the volume of new documents from Qumran related to the Bible. The “parabiblical” texts published in DJD 13, 19, 22, and 30 taken together supply a range of textual material which will affect our picture of early biblical interpretation on at least two levels.<sup>24</sup> On the first, more elementary, plane, the sheer number of texts which have been published furnishes considerable grist for the scholarly mill; the part of the picture which we have already drawn can be made more clear.

More significantly, however, these newly published documents represent more literary types, a greater variety of the genres which belong to the broad category, “biblical interpretation”; this variety in the recent Cave 4 material contrasts somewhat with the earlier period when the new texts, the *pesharim*, were all cut from rather similar cloth. It is difficult to think of significant work on early biblical interpretation in that first period of Qumran studies which did not focus on the *pesharim*, the *Genesis Apocryphon*, or variant biblical | texts. A good example of the scholarly neglect to which I allude might be 4Q158, published by Allegro as “Biblical Paraphrase,” which did not get the attention it probably deserved until the publication, less than a decade ago, of the 4QReworked Pentateuch (4Q364–367) material, which some scholars believe to represent the same text as 4Q158.

To begin at one generic extreme, the Reworked Pentateuch texts, which make up the lion’s share of DJD 13, are new texts which raise the issue of biblical interpretation in antiquity at almost the most elemental

<sup>24</sup> Harold Attridge et al. in consultation with James VanderKam, *Qumran Cave 4. VIII: Parabiblical Texts, Part 1* (DJD XIII; Oxford: Clarendon, 1994); Magen Broshi et al. in consultation with James VanderKam, *Qumran Cave 4. XIV: Parabiblical Texts, Part 2* (DJD XIX; Oxford: Clarendon, 1995); George J. Brooke et al. in consultation with James VanderKam, *Qumran Cave 4. XVII: Parabiblical Texts, Part 3* (DJD XXII; Oxford: Clarendon, 1996); Devorah Dimant, *Qumran Cave 4. XXI, Parabiblical Texts, Part 4, Pseudo-prophetic Texts* (DJD XXX; Oxford: Clarendon, 2001).

level. I am not certain that we are even ready yet to respond to some of the questions which they raise, but the issues are far-reaching and touch upon areas of biblical studies beyond biblical interpretation: When does the writing of a biblical text cease and when does interpretation begin? When and where do we stop talking about Bible and begin talking about rewritten Bible?<sup>25</sup> There is inconsistency in the fact that we continue to refer to the Samaritan Pentateuch as a biblical text, but to 4Q364–367 as Reworked Pentateuch.<sup>26</sup> Sanderson's very important remarks in her book on the paleo-Hebrew Exodus scroll about the writing and editing of the biblical text in the Second Temple period have established useful parameters to begin the discussion of these questions, but the Reworked Pentateuch texts present us with some apparently paradoxical material.<sup>27</sup>

| Tov has characterized the Reworked Pentateuch material as “a running text of the Pentateuch interspersed with exegetical additions and omissions.”<sup>28</sup> On the one hand, the rewriting, rearranging, and supplementation which is found in these texts falls far short of the classical examples of rewritten Bible—*Jubilees*, Josephus, Pseudo-Philo and the *Genesis Apocryphon*—but they also seem beyond the boundaries which define the Samaritan and proto-Samaritan texts as of the Bible. Either the scope needed to qualify for the title “rewritten Bible” has been narrowed, or the spectrum of re-edited biblical texts has been broadened. Regardless,

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<sup>25</sup> Compare the arguments of Michael Segal, “4QReworked Pentateuch or 4QPentateuch?” in *The Dead Sea Scrolls Fifty Years After their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997* (ed. L.H. Schiffman et al.; Jerusalem: Israel Exploration Society and the Shrine of the Book, 2000), 391–99.

<sup>26</sup> Eugene Ulrich maintains that “it is possible that yet a third edition [other than MT and SP] of the Pentateuch was circulating within Judaism in the late Second Temple period. It is arguable that the so-called ‘4QRP’ (4Q364–367 plus 4Q158) is mislabeled and should be seen as simply another edition of the Pentateuch.” Ulrich is of the opinion that the variants between MT and SP are “exactly the types of variants occurring between the MT and ‘4QRP’” (“The Qumran Biblical Scrolls—The Scriptures of Late Second Temple Judaism,” in *The Dead Sea Scrolls in Their Historical Context* [ed. T.H. Lim et al.; Edinburgh: T&T Clark, 2000], 67–87, here 76). I have argued in “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch” *DSD* 15:1 (2008): 24–49, that, from the standpoint of the legal material in 4QRP, at least, 4QRP goes well beyond the method and guidelines of SP, making it very unlikely that it, too, is to be considered an edition of the Pentateuch.

<sup>27</sup> Judith E. Sanderson, “Editorial and Scribal Processes in the Late Second Temple Period as Exhibited in the Text of Exodus,” in *An Exodus Scroll from Qumran: 4Qpaleo-Exod<sup>m</sup> and the Samaritan Tradition* (HSS 30; Atlanta: Scholars Press, 1986), 261–306. Compare also, Crawford, “The ‘Rewritten’ Bible at Qumran”; eadem, “Reworked Pentateuch,” in *The Encyclopedia of the Dead Sea Scrolls* (ed. L.H. Schiffman and J.C. VanderKam; 2 vols.; New York: Oxford University Press, 2000), 2:775–77; and Brooke, “Rewritten Bible,” 2:778.

<sup>28</sup> Tov, DJD 13:191.

the resolution of the major problems deriving from the Reworked Pentateuch texts may have a ripple effect on the way in which we discuss genres to either side on the textual/exegetical spectrum. I leave aside for now the question of the purpose of these texts, which Tov elsewhere called “a literary exercise.”<sup>29</sup> I am perplexed by the nature of the literary exercise but have no more constructive suggestion to offer. Further study is certainly demanded.

But it is not only the Reworked Pentateuch texts which force us to rethink so much about the rewritten Bible in antiquity. DJD 13 also contains a wealth of *Jubilees* texts in their Hebrew original, the remains of eight manuscripts. It is by now a truism that *Jubilees* must have played a significant role at Qumran, but further thought must be given, in light of the many texts of *Jubilees*, as to the relationship between Genesis and *Jubilees*, on the one hand, and between those two texts and other Qumran and Second Temple interpretation of Genesis, on the other. As we are enriched by discovery and publication of such texts from Cave 4, constant re-evaluation of earlier texts and their interrelationship must continue. *Jubilees* may be considered rewritten Bible from one perspective, but is a quasi-canonical text, perhaps itself the object of commentary or the source of exegesis, from another.

229 Just as we have seen that the boundary between biblical text and rewritten Bible cannot always easily be discerned, it is also hard to tell where rewritten Bible ends and some other, harder to define genre, begins. When we move away from the Reworked Pentateuch texts and *Jubilees*, we leave the realm of those texts which I am comfortable characterizing as “rewritten Bible”<sup>30</sup> and turn our attention to a group of texts which possess certain similarity to that genre, but which do not have the continuity or scope which I believe that that term demands. They have been given names like “pseudo-Jubilees” (4Q225–227), “Exposition on the Flood” (4Q370), “Exposition on the Patriarchs” (4Q464), “4QApocryphal Pentateuch A and B” (4Q368 and 4Q377), and “Paraphrase of Genesis-Exodus” (4Q422). As I have noted elsewhere, the names which these texts have

<sup>29</sup> Tov, “Biblical Texts as Reworked,” 134.

<sup>30</sup> In “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” I argue for a return to the fairly narrow definition of rewritten Bible which was employed by Vermes when he first used the term in *Scripture and Tradition*, a substantial narrative where “the midrashist inserts haggadic development into the biblical narrative—an exegetical process which is probably as ancient as scriptural interpretation itself” (95). Texts which do not fulfill fairly narrow criteria should be subsumed, in my view, under a different rubric, perhaps employing the term “parabiblical.”

been given in the course of their publication often promise more than the fragments actually deliver in terms of the scope and contents of the text.

4Q464 is a rather summary type of narrative touching on a variety of events in the patriarchal period, as far as we can tell from its sparse fragments. Although I have not made this point earlier in my discussion, I believe that we should always be more than a little interested in just which portions of the Bible recur in the treatments of early interpretation. Such delineations can aid us in our being able to focus on the exegetical interests of the early interpreters. 4Q464 stands out from many of the other Qumran texts of this kind which focus on the pre-patriarchal period and certain specific events in the lives of the patriarchs, particularly Abraham, by virtue of its more complete coverage of a broader range of details drawn from the whole patriarchal narrative. I have examined this issue of the distribution of the narrative Genesis material in the interpretive literature of Qumran elsewhere, and I believe that it may contain one of many keys giving us insight into the interests of the exegete-rewriter.<sup>31</sup>

A text like 4Q422 illustrates further by its selectivity in rewriting how the genre "interpretation" intersects with others. Its surviving material contains two columns of material from Genesis 1–3 and 6–8 and one describing the plagues of Egypt. Once again, the issue of scope is raised by the distribution of the material. This does not appear to be rewritten Bible of a consecutive narrative type, although it does not resemble 4Q464 as far as I can tell, and I believe strongly that all cases of selectively rewritten Bible need to be analyzed together to determine what they have in common, and whether, because not every detail of the biblical text or story is replicated in them, they represent in any sense strides toward biblical commentary.

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The narrative of 4Q422 has overtones of what has been called psalmodic wisdom and perhaps should sensitize us to biblical interpretation from a sapiential vantage point. Creation, the first sin of man, the flood, and the plagues of Egypt are selected from the pentateuchal narrative because their subject matter conforms to the didactic goals of the interpreter. As has been shown by Chazon, Collins, and Elgin, there may be connections between the biblical interpretation in a work like 4Q422 and such

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<sup>31</sup> Moshe J. Bernstein, "The Contours of Genesis Interpretation at Qumran: Contents, Contexts and Nomenclature," in *Studies in Ancient Midrash* (ed. J.L. Kugel; Cambridge, Mass.: Harvard Center for Jewish Studies/Harvard University Press, 2001), 57–85, esp. 73–74 and 81–82 (above 1.63–91).

generically different texts as Ben Sira, *Dibre Hame'orot*, and the recently published sapiential works from Cave 4.<sup>32</sup>

231 The tone of a work such as 4Q370, "an admonition based on the flood," resembles that of 4Q422 in the interests of its author in the disobedience-punishment cycle but does not have even the resemblance to a rewritten narrative possessed by the latter text. In a few lines, the author contrasts God's bestowal of bounty on the earth in the antediluvian era with the rebelliousness of man at that time which led to the flood, followed by an allusion to the rainbow and the covenant which accompanied it. It is quite clear, particularly from the remains of the next column, that the story has been told for a didactic purpose and not in order to interpret its narrative. Such retelling, needless to say, also reflects interpretation. This material from Qumran points toward the existence of a trend in biblical interpretation of wisdom retelling, and we would do well to re-examine | pre- and extra-Qumranic wisdom texts and texts with wisdom overtones in order to determine whether the Qumran material is to be located in a larger Second Temple context.

Although the lion's share of Qumran rewriting or retelling of the Pentateuch relates the stories in Genesis, particularly through the Aqedah, there is a group of texts that center on portions of the biblical narrative which focus on Moses. Among them are "Words of Moses" (1Q22), "Apocryphal Pentateuch A" (4Q368), and "Apocryphal Pentateuch B" (4Q377).<sup>33</sup> They all contain, in various proportions, text which is based on the pentateuchal narratives of Exodus, Numbers, and Deuteronomy and freely composed material integrated into the biblical story. But each of these texts is so fragmentary that we can have no sense of any sweeping narrative in any of them: 1Q22 reflects several passages in Deuteronomy,

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<sup>32</sup> Esther G. Chazon, "The Creation and Fall of Adam in the Dead Sea Scrolls," in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. J. Frishman and L. Van Rompay; *Traditio Exegetica Graeca* 5; Louvain: Peeters, 1997), 13–24; John J. Collins, "Wisdom, Apocalypticism and the Dead Sea Scrolls," in *Jedes Ding hat seine Zeit . . . Studien zur israelitischen und altorientalischen Weisheit Diethelm Michel zum 65. Geburtstag* (ed. A.A. Diesel et al.; Berlin: de Gruyter, 1996), 19–32, esp. 26–27; and Torleif Elgvin, "Admonition Texts from Qumran Cave 4," in *Methods of Investigation of the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (Annals of the New York Academy of Science 722; ed. M.O. Wise et al.; New York: New York Academy of Sciences, 1994), 179–96, esp. 188.

<sup>33</sup> 1Q22 in D. Barthelemy and J.T. Milik, *Qumran Cave 1* (DJD 1; Oxford: Clarendon, 1955), 91–97; 4Q368 and 4Q377 in D.M. Gropp, *Wadi Daliyeh II: The Samaria Papyri from Wadi Daliyeh*; J. VanderKam and M. Brady, consulting eds., *Qumran Cave 4.XXVIII: Miscellanea, Part 2* (DJD 28; Oxford: Clarendon, 2001), 131–49 and 205–17, respectively.



the remains of 4Q368 contain material from Exodus and Numbers, and 4Q377 seems to refer to events in the wilderness, including the revelation at Sinai, although the state of the text does not allow us to say much more than that. These texts, among others, should reinforce the *caveat* that we cannot make the Qumran fragments say more than they actually do, and, although it is fascinating to note that there were apparently documents which dealt with the wanderings of the Israelites in the desert, focusing on Moses, we know almost nothing about their scope, their nature, or their balance between biblical and extra-biblical material. Their contribution, then, to the history of early biblical interpretation is both limited and frustrating.

Several texts described by VanderKam, somewhat reluctantly I believe, as pseudo-Jubilees clearly belong to the area of biblical interpretation, although their genre is unclear.<sup>34</sup> They are not rewritten | Bible, since their goal seems not to be the retelling of the extended biblical narrative, unless we expand further the range of that already strained genre. It is not clear even that all of these belong to a single category, and they thus highlight one of the problems which the wealth of new material from Qumran poses to the student of early biblical interpretation. We operated before Qumran with few examples, relatively speaking, of biblical interpretation, even after we include texts which we can now consider to be exegetical, but which were not acknowledged as such in the early part of the century. These pre-Qumran texts possess insufficient generic variety to able to provide classifications or categories for so much of the new exegetical material from Qumran. It is possible that the association of the new texts on the grounds of occasional linguistic similarity with the previously known work, *Jubilees*, is not strongly justified and may even

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<sup>34</sup> "The texts employ language that is familiar from and to some extent characteristic of *Jubilees*, but the documents themselves are not actual copies of *Jubilees*" (VanderKam, DJD 13:142). Subsequently, VanderKam moved to a different sort of description of the relationship between *Jubilees* and pseudo-Jubilees: "*Jubilees* and 4Q225 appear to be markedly different kinds of compositions. For all we know, they could be two largely independent embodiments of exegetical traditions, or, if the author of 4Q225 knew *Jubilees*, he manifestly altered it in his retelling of Genesis 22. There appears to be no justification for classifying the cave 4 text as 'pseudo-Jubilees' because it is not, as nearly as we can tell, pretending to be the work of this author, nor is there any indication that anyone thought it was. 4Q225 seems to be another, extra-Jubilean interpretation of Genesis passages, another more independent witness to the importance of Genesis at Qumran" ("The *Aqedah*, *Jubilees* and Pseudo-Jubilees," in *Quest for Context and Meaning: Studies in Biblical Intertextuality in Honor of James A. Sanders* [BIS 28; ed. C.A. Evans and S. Talmon; Leiden: Brill, 1997], 241–61 [261]).

be misleading at times. But the temporary association is understandable as we struggle to make sense out of the newly discovered corpus in light of earlier material.

The distribution of biblical material in these Qumran texts also appears to break new ground when compared with already known documents. Thus whereas 4Q225, pseudo-Jubilees<sup>a</sup>, seems to retell with supplementation a small selection of the stories of Genesis and Exodus, 4Q226, pseudo-Jubilees<sup>b</sup>, contains a reference to the Aqedah, but also references to Moses' not crossing the Jordan, while 4Q227, pseudo-Jubilees<sup>c</sup>, has one text referring to Moses and another one to Enoch. We cannot easily classify these documents generically in the light of earlier material, and perhaps we need to look for fresh terminology and categories in order to make our overall pattern of early biblical interpretation a coherent one. I have suggested elsewhere that these works which resemble rewritten Bible, but with very limited scope, may represent the first steps toward recognizable biblical commentary.<sup>35</sup>

233 Cave 4, additionally, does provide works which genuinely merit the designation commentary, and this is the nomenclature which their editor, George Brooke, has decided upon for them (4Q252-253-253a-254-254a), replacing their former, less appropriate, | classification as *pesharim* on Genesis.<sup>36</sup> This redefinition also serves to point up how our conceptions about biblical interpretation which developed in the early days of Qumran scholarship are now subject to the same sort of re-evaluation that our pre-Qumranic views were. In the 1950s and early 1960s, the only kind of commentary which Qumran offered was *peshet*, Qumran's new contribution, and in the classification process these commentaries were likewise assigned that name.<sup>37</sup> Our growing familiarity with the broader range of material from the caves, which may have differed both from pre-Qumran texts and from the Qumran documents which were published early, forces us to maintain a more flexible stance in classifying the new in light of the old.

<sup>35</sup> Bernstein, "Contours of Genesis Interpretation," 66 and 84 (above 1.71-72 and 89-90).

<sup>36</sup> These five texts have been published in DJD 22:185-236; 4Q253a is a "commentary" on Malachi, not Genesis.

<sup>37</sup> It should be admitted that the first publication of material from the final columns of 4Q252 Commentary on Genesis A by Allegro under the name "4Qpeshet Patriarchal Blessings" misled scholars. That portion of the text, commenting on Jacob's blessings in Genesis 49, is more "*peshet-like*" than anything else in the document, and the word פשרו ("its interpretation") actually occurs in column 4, line 5.

Just what kind of commentary 4Q252 (Commentary on Genesis A) is has been the subject of a running discussion between George Brooke and myself, and there is no need to repeat it here.<sup>38</sup> What is important is that we both see it as differing generically from anything we possessed before, either within or outside of Qumran material.<sup>39</sup> The other Genesis “commentaries” bear their classification less easily, and, although it is clear that they belong to the broad genre of biblical interpretation and that they pertain in parts to Genesis, they do not resemble Commentary on Genesis A at all.<sup>40</sup> Some of the fragments of 4Q254 (Commentary on Genesis C) seem unconnected with Genesis, raising the kind of scope problem which we saw also regarding pseudo-Jubilees. In the case of the pre-Qumran material | we could at least look at whole works which we were able to classify in known genres. We should always be cognizant of the fact that the fragmentary nature of the Qumran texts may preclude clear generic identification, but at the same time we must realize that our knowledge of the field is still insufficient for us to be able to recognize what we see.

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In addition to the range of genres represented in the works which contain pentateuchal interpretation at Qumran, the Dead Sea Scrolls have expanded the range of the known treatments in Jewish antiquity of material from the section of the Hebrew Bible known as the Prophets.<sup>41</sup> While before the Qumran discoveries there was a very limited amount of early Jewish exegesis which focused on the prophets, such as the narrative material in Josephus (*Ant.* 5–11.303) and in Pseudo-Philo (*L.A.B.* 20–65), the scrolls present several new genres based on the prophets, in addition to the *pesharim* discussed earlier.<sup>42</sup> Granted the very limited number of

<sup>38</sup> See George J. Brooke's articles, “The Genre of 4Q252: From Poetry to Peshar,” *DSD* 1 (1994): 160–79; “The Thematic Content of 4Q252,” *JQR* 85 (1994–95): 33–59; and “4Q252 as Early Jewish Commentary,” *RevQ* 17 (1996): 385–401. Compare my treatments, “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994): 1–27; and “4Q252: Method and Context, Genre and Sources. A Response to George J. Brooke,” *JQR* 85 (1994–95): 61–79 (above, 1.92–125 and 133–150). Our positions on the interpretation of this text have grown closer in the course of our vigorous dialogue on the topic.

<sup>39</sup> I find it very difficult to accept Tov's inclusion of this text in the category “rewritten and rephrased Bible texts from Qumran” (DJD 13:187).

<sup>40</sup> I have discussed these issues in a bit more detail in “Contours of Genesis Interpretation,” 69–70 (above 1.74–76).

<sup>41</sup> In order not to enter into a discussion about the possible anachronistic use of the term, I merely refer to the implicit division of the Bible which is implied in 4QMMT<sup>d</sup> (4Q397 14–21 10), the translator's prologue to Ben Sira, Luke 24:44, and Josephus *C. Ap.* 1.37–43, regardless of whether a tripartite division is implied in any of them.

<sup>42</sup> For a survey of some of this material, as well as other texts related in different ways to the prophets, see George J. Brooke, “Parabiblical Prophetic Narratives,” in *The Dead Sea*

texts previously available which pertain to the prophets, the two or three works of which we are about to take notice are equivalent to several times that number of works pertaining to the Pentateuch.

One of them, the *Apocryphon of Joshua*, is a work which has reconstructed by Emanuel Tov on the basis of a variety of texts which had originally been given diverse names.<sup>43</sup> He “cautiously suggests” that these “six manuscripts cover different themes and episodes from the book of Joshua” and comments further that “the term ‘apocryphon’ is probably not the most appropriate name for this composition and, in fact, a term like ‘paraphrase of Joshua’ would be more appropriate.”<sup>44</sup> Tov argues that 4Q522, formerly known as “Work with Place Names,” is connected to 235 4Q378–379, originally | published as 4QPsalms of Joshua and now named 4QapocrJosh<sup>a,b</sup>.<sup>45</sup> He compares the nature of the biblical paraphrase to “that of the Book of Jubilees, the second half of the Temple Scroll, 4QparaGenExod (4Q422) and several other fragmentary compositions” in the way the text sometimes follows and sometimes moves away from the biblical text. In summarizing the “coverage” of the hypothetical document, Tov points out that “segments of most of the chapters of the book of Joshua are represented.”<sup>46</sup> In the likely event that Tov’s reconstruction is correct, and despite the fragmentary nature of the text, this new Qumran text expands the range of Second Temple treatments of the biblical story much more than another treatment of the Pentateuch would.

The other two major recent Qumran contributions to the “interpretation” of the prophets in antiquity are the texts published by Devorah Dimant in DJD 30 under the rubrics 4QPseudo-Ezekiel and 4QApocryphon of Jeremiah. The delay in their publication was due significantly to the fact that they were among the most difficult of the Qumran documents to sort and classify, and the ultimate assignment of the names by which

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*Scrolls After Fifty Tears: A Comprehensive Assessment* (ed. P.W. Flint and J.C. VanderKam; 2 vols.; Leiden: Brill, 1998), 1.271–301.

<sup>43</sup> Emanuel Tov, “The Rewritten Book of Joshua as Found at Qumran and Masada,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. M.E. Stone and E. Chazon; STDJ 28; Leiden: Brill, 1998), 233–56. Earlier studies are cited by Tov in nn. 1–8 on 234–37.

<sup>44</sup> *Ibid.*, 233.

<sup>45</sup> *Ibid.*, 247–49. The other texts which Tov attempts to integrate into this “apocryphon” are 5Q9 (“Ouvrage avec toponymes”), Mas 11 (MasParaJosh=Mas 1039–211), and possibly 4Q123 (4QpaleoParaJosh).

<sup>46</sup> *Ibid.*, 253.

they are now known was the result of a long process.<sup>47</sup> These heretofore unknown texts rewrite and interpret the prophecies of Jeremiah and Ezekiel, and it should be (and has been) noted that neither of these prophetic books is represented by dedicated *pesharim* in the surviving manuscripts at Qumran,<sup>48</sup> while the prophetic works which do have *pesharim*, notably Isaiah, do not seem to have been treated in the fashion of Jeremiah and Ezekiel.

According to Dimant, "The two compositions differ noticeably with regard to style and content."<sup>49</sup> Other than the obvious distinctions in content, such as the fact that pseudo-Ezekiel mentions Ezekiel by name and rewrites some of his canonical prophecies while pseudo-Jeremiah is modeled primarily on Deuteronomy and Jeremiah,<sup>50</sup> it is striking to note that "the extant passages from *Pseudo-Ezekiel* deal with eschatological issues, while *Apocryphon of Jeremiah C* produces a review of history. *Pseudo-Ezekiel* reveals no trace of sectarian terminology, while *Apocryphon of Jeremiah C* betrays many stylistic and ideological affinities with sectarian literature."<sup>51</sup> Of particular interest is the concern of pseudo-Ezekiel to interpret Ezekiel's vision of the "Dry Bones" (preserved in three copies of the text) as "presenting the future reward for the righteous in the form of resurrection . . . the most ancient witness to such an exegesis of Ezek 37:1–14, later popular with Jewish and Christian authors."<sup>52</sup>

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Unlike pseudo-Ezekiel, the newly published "Apocryphon of Jeremiah C" is a review of history, addressed to the prophet Jeremiah, running through the Second Temple era and ultimately reaching the eschaton.<sup>53</sup> Dimant has presented a coherent reconstruction of the six fragmentary manuscripts which she believes belong to this apocalyptic work, including

<sup>47</sup> Dimant's publication of this material in DJD 30 must be the starting point for any study. For a compact review of these and some related texts, written before the final DJD edition, see Brooke, "Parabiblical Prophetic Narratives," 278–90.

<sup>48</sup> Dimant notes (DJD 30:13) that there are *pesharim* interpretations of Ezekiel in CD III:21–IV:2 and XIX:11–13, in 4QFlorilegium 1–2 I 16–17, and perhaps in 4Q177 (4QCatena A) 7 3–5, despite the fact that there is no surviving continuous *pesharim* on Ezekiel.

<sup>49</sup> Dimant, DJD 30:7.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid., 9. Dimant attempts to locate the pseudo-Ezekiel material in the broader context of ancient Jewish and Christian literature (9–12).

<sup>53</sup> Ibid., 91. Dimant (95) labels 4Q383 "Apocryphon of Jeremiah A," but rejects 4Q384 ("papApocryphon of Jeremiah B?") published by Mark Smith in DJD 19:153–93, from belonging together with these two MSS.

a narrative frame into which the historical vision of Jeremiah is inserted.<sup>54</sup> Differing from other Jeremiah material surviving from antiquity, it stretches from the desert wanderings of the Israelites to the monarchy to the destruction of the First Temple in the past of “Jeremiah” and proceeds into the future depicting Israel’s sin and further domination by the “angels of Mastemot,” until the eschaton which seems to be alluded to in several fragments.

237 The substance of the Jeremiah Apocryphon is much less anchored in the biblical book of Jeremiah than the pseudo-Ezekiel texts are in the book of Ezekiel. As a result, the student of early biblical interpretation is presented with two types of expansion of biblical prophetic books. This should lead students of these two documents in the near future to consider the following question: How do the differing genres of these works deriving from biblical prophetic works affect the way in which we evaluate them as interpretation of the Bible, as | opposed to stories which adopt a biblical framework but do not put much effort into the elucidation or the comprehension of the biblical text? It would appear upon cursory examination that pseudo-Ezekiel offers more overt opportunity for its author to reflect upon the meaning of the Bible than does the Apocryphon of Jeremiah. To refer to the latter, then, as biblical interpretation is to stretch our spectrum of works which we feel interpret the Bible, but we include it in our survey as a reminder that at Qumran, as in the Second Temple period more broadly, there is often no sharp dividing line between works which offer interpretation of the biblical text and those which use the Bible as a springboard for what are in effect freestanding, often ideologically motivated, compositions.

#### IV. CONCLUSIONS

How then have the Qumran discoveries changed the picture of early biblical interpretation? In general, the Dead Sea Scrolls have enabled us to develop a more profound understanding of the roles—and not merely the role—which the Bible played in all aspects of Jewish intellectual life and creativity in Second Temple times. In particular, they have contributed in at least four specific ways: first, they have aided in putting interpretation on the map as an independent discipline; second, they have provided

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<sup>54</sup> Dimant summarizes the contents (*ibid.*, 6–99), and presents a schematic outline (*ibid.*, 99–100).

us with a substantial body of new texts involving biblical interpretation which can be dated within fairly narrow chronological boundaries, relatively speaking; third, they have added new works, like the *Genesis Apocryphon*, to genres already known; and fourth, by furnishing examples of new genres, beginning with the *pesharim* and extending to the generically problematic parabiblical texts from Cave 4 with a variety of texts in between, they have broadened the range of the genres which constitute biblical interpretation. The material which existed before the Qumran discoveries—whether already the object of academic inquiry, then, like rabbinic literature, Philo, or Josephus, or relatively neglected, like the Pseudepigrapha—now can be read as part of a much broader body of literature, and not in isolation from one another. Together with the Pseudepigrapha, Qumran has driven home the message that commentary is not the only form of biblical interpretation and that such interpretation in Second Temple Judaism took a heretofore-unimaginable number of forms. |

So what could be bad? As I stressed earlier, Qumran does not furnish only solutions; it furnishes problems as well. The major problem presented may be the very ease of focusing all of our scholarly attention on Qumran because it is exciting and (relatively) new. There is a slight danger of a pan-Qumranism if we allow Qumran and its texts to dominate our understanding of early biblical interpretation too much. It is an attractive temptation; scholars, like the public, can be seduced by the lure of Qumran. As we read these new and unusual Qumran texts, we must go back and re-read long-known Qumran texts, as well as biblical interpretation of which we were aware before the Qumran discoveries. It is probably wrong to let any form, time-period, or corpus dominate our conception of the variegated field of early biblical interpretation. Qumran, although clearly an independent subdiscipline from certain perspectives, must be acknowledged to be only a piece of a much larger composite of early biblical interpretation which begins with material within the Hebrew Bible itself and includes the Apocrypha, Pseudepigrapha, Hellenistic Jewish writers, Josephus, Philo, New Testament, and rabbinic literature.

We must acknowledge what the Qumran texts can and cannot contribute to drawing the picture of early Jewish biblical interpretation. The texts from Qumran, as challenging and fascinating as we find them, must be admitted to be only what they are and not more: fragments of works of uncertain scope, function, and context. As such, they can only be dots on the lines which connect the Hebrew Bible to later Jewish literature, and since those dots can be connected in many different ways, they do not

form a clear continuum, either within the Qumran writings or with other works of interpretation outside of Qumran. We also are limited to the genres which these texts preserve; we should like to have more explicit legal texts, for example, to contrast with rabbinic material; we should like more whole texts of any genre, but we are stuck with what survived, and not more. Only if we are able to maintain a proportioned focus on Qumran interpretation as only a part of a broader collection of corpora will our comprehension of both the microstructure of Qumran exegesis and the macrostructure of Jewish biblical interpretation in antiquity as a whole be enhanced.



## CHAPTER SEVENTEEN

### THE DEAD SEA SCROLLS AND JEWISH BIBLICAL INTERPRETATION IN ANTIQUITY: A MULTI-GENERIC PERSPECTIVE\*

#### I. INTRODUCTION

One of the most striking features of Qumran biblical interpretation is the range and variety of the genres in which the interpretation is expressed. My goal in this paper is to survey the field of biblical interpretation at Qumran from a generic perspective, to demonstrate, within a somewhat limited framework, the range of contributions that the Qumran discoveries have made to our understanding of diverse forms of biblical interpretation in antiquity. When I employ the expression “Qumran biblical interpretation,” I mean “biblical interpretation found in the scrolls from the Qumran caves,” with no assertion or implication that all these texts were products of the Qumran community.

Despite my choosing not to follow an historical orientation for this discussion, one historical observation must be made, and that is the fact that the discovery and publication of the Qumran scrolls virtually created, and certainly reshaped, the very sub-discipline of Jewish | biblical

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\* This essay is a synthesis of several papers that were presented at different venues during commemorations of the 60th anniversary of the discovery of the Dead Sea Scrolls: “Three Ways of Interpreting the Bible at Qumran” delivered at the Society of Biblical Literature Annual Meeting in San Diego, CA in November 2007; “The Dead Sea Scrolls and Jewish Biblical Interpretation in Antiquity,” two lectures with identical titles, but somewhat diverse content, presented at the Association for Jewish Studies Annual Conference in Toronto, Canada in December 2007 and at “The Dead Sea Scrolls at 60: The Scholarly Contributions of NYU Faculty and Alumni,” New York University’s 60th anniversary celebration of the Scrolls in March 2008. The cross-section of Qumran texts (and genres) analyzed below consists of the sum of those discussed in those lectures, but is by no means intended to be a comprehensive overview of Qumran biblical interpretation. I believe that the pattern that it depicts, nonetheless, is representative of the broader picture. The SBL lecture was one of three presented at the Annual Meeting in conjunction with an exhibit of some of the Scrolls in the San Diego Natural History Museum at the same time, and therefore focused on three of the manuscripts (4QpIsa<sup>b</sup> [4Q162], 4Q *Commentary on Genesis A* [4Q252] and 11QtgJob [11Q10]) in that exhibit.

interpretation in antiquity.<sup>1</sup> Before the Qumran discoveries, syntheses of Jewish biblical interpretation during the Second Temple simply were not written, and in the area of biblical interpretation as in so many others, the Qumran texts have been responsible for a paradigm shift in the way that we approach Second Temple Jewish history and literature.

What had caused this area of ancient Jewish intellectual endeavor to be ignored as an independent unit or element worthy of consideration? The apparent scholarly neglect of the discipline of early Jewish biblical interpretation in the period before the Qumran discoveries was due in part to the paucity of relevant primary material to analyze. More significant, however, was probably the failure to recognize the variety of generic forms which biblical interpretation could adopt; as I noted earlier, one of the most important features of Qumran biblical interpretation is the pluriformity which it exhibits, but in the pre-Qumran era the conception of what constituted a biblical commentary was very constricted—only works which looked like what we thought commentaries should look were considered to belong to the genre. This led to the classification of a variety of works which are basically exegetical or interpretive under a variety of generic rubrics, thus placing in diverse pigeonholes material which should have been juxtaposed for analysis. Definition by arbitrary or artificial collection, such as the Apocrypha, and according to hypothetical sectarian source, such as Pharisaic, Judeo-Christian, or the like, rather than by literary category, also hindered the emphasis on biblical interpretation as a category worthy of investigation.

The form of biblical commentary with which we are most familiar and which is most recognizable as commentary, i.e., the lemmatized type which cites a biblical text and supplies a comment upon it, appeared to be lacking, on the whole, from Jewish antiquity. To be sure, it existed in Philo and, later on, in rabbinic midrash, but each of these had a quality which allowed it to be further discounted or ignored. Philo's interpretations of scripture, written in Greek in the Diaspora from an Hellenistic perspective, could easily be considered | idiosyncratic and atypical because they were aimed at superimposing a philosophical system on the text, not the elucidation of its basic meaning. Rabbinic material, in addition to often

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<sup>1</sup> The following section borrows heavily from my earlier, more historically oriented, presentation in "The Contribution of the Qumran Discoveries to the History of Early Biblical Interpretation," in *The Idea of Biblical Interpretation* [Festschrift for James L. Kugel] (ed. Hindy Najman and Judith H. Newman; JSJSup 83; Leiden: Brill, 2004), 215–38 (above 2.363–386, esp. 364–369).

being eisegetical rather than exegetical, also had the obvious disadvantage of being later, and often in final form *much* later, than the Second Temple period on which we are focusing. Although it has much stronger links than Philo to the earlier documents of biblical interpretation from this period, as has been repeatedly demonstrated by scholars from Vermes to Kugel, rabbinic midrash nevertheless appeared to stand much more in virtual isolation before the Qumran discoveries.<sup>2</sup>

Much of the biblical interpretation in late antiquity achieved its goal by rewriting the biblical story, introducing along the way solutions to real or perceived exegetical difficulties, and sometimes giving an ideological twist to the narrative. In his classic definition of the genre “rewritten Bible,” Géza Vermes wrote:

In order to anticipate questions, and to solve problems in advance, the midrashist inserts haggadic development into the biblical narrative—an exegetical process which is probably as ancient as scriptural interpretation itself. The Palestinian Targum and Jewish Antiquities, Ps.-Philo and Jubilees, and the recently discovered ‘Genesis Apocryphon’ . . . , each in their own way show how the Bible was rewritten about a millenium [*sic*] before the redaction of Sefer ha-Yashar.<sup>3</sup>

The significant insight which perhaps generated this term was the observation that much early biblical interpretation achieved its goal by rewriting the biblical story rather than by writing lemmatized commentaries. The rewriting or retelling of the biblical narrative—and note that Vermes’ initial formulation applies to narrative only—in order to contain within it the commentary, must rewrite the whole story. The interpretation is inseparable, in a sense, from the text which it interprets. The literary form named by Vermes “rewritten Bible” thus constituted one of the major pieces in the uncomplicated puzzle of early biblical interpretation that existed before the Qumran discoveries | (although Vermes’ use of the terminology actually postdates the Qumran discoveries).<sup>4</sup>

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<sup>2</sup> Géza Vermes, *Scripture and Tradition in Judaism* (2nd ed.; Leiden: Brill, 1973) and James L. Kugel, *In Potiphar’s House: The Interpretive Life of Biblical Texts* (San Francisco: HarperSanFrancisco, 1990); idem, *The Bible as It Was* (Cambridge: Belknap Press, 1997); and idem, *Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* (Cambridge: Harvard, 1998).

<sup>3</sup> Vermes, *Scripture and Tradition*, 95.

<sup>4</sup> On the genre “rewritten Bible,” see (among many others): Philip S. Alexander, “Retelling the Old Testament,” in *It is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars, SSF* (ed. D.A. Carson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1987), 99–121; George J. Brooke, “Rewritten Bible,” *EDSS*, 2.777–81; my “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169–

What representatives of this genre did pre-Qumran scholars have? Josephus in *Jewish Antiquities* 1–11 retells in detail virtually the whole of the narrative of the Hebrew Bible, and is thus probably the most extensive example of this form of biblical commentary. In the collection called the Apocrypha, which is scriptural or canonical for certain Christian churches, the Greek version of Esther with its additions similarly shapes and revises our understanding of the story as told in the Hebrew text. The story is given a more Jewish cast, in an attempt to override the “un-Jewish” atmosphere of the Persian court which prevails in the original. In a somewhat different way, the *Wisdom of Solomon*, in its second half, retells the Exodus from a sapiential perspective which can be seen as commentary on (or interpretation of) the Hebrew (or Greek) text of the book of Exodus.<sup>5</sup> It should be stressed that all these were preserved in their Greek originals, and that only Josephus can be said to have a connection with the center of Jewish life in Eretz Yisrael, even though his *Jewish Antiquities* were written in Greek.

Pre-Qumran scholarship also had available two other works that are generally assigned to the same genre of rewritten Bible: *Jubilees*, which survives completely only in Ethiopic, but now known from the Qumran texts to have been written originally in Hebrew, and the | less-well-known  
59 *Liber Antiquitatum Biblicarum* (Book of Biblical Antiquities), whose author goes by the name pseudo-Philo and which survives only in Latin but is generally also held to have had a Hebrew original, and to have been written in Palestine.<sup>6</sup> Each of them covers less ground than Josephus does, but more than any of the apocryphal material mentioned earlier, but neither of them attracted much attention at all.

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96; Daniel K. Falk, *The Parabiblical Texts: Strategies for Extending the Scriptures among the Dead Sea Scrolls* (LSTS 63; CQS 8; London: T&T Clark International, 2007), 2–17; and Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008), 9–15. Although there are some scholars who forbear to use this term because of the implications it appears to have regarding the canonicity and authority of the “Bible” during this period, I believe that it is too useful to give up provided that it is used with care. I also think that we probably ought to expand Vermes’ definition beyond narrative works, in order to include within it a non-narrative work like the *Temple Scroll* (11QT).

<sup>5</sup> Cf. Peter Enns, *Exodus Retold: Ancient Exegesis of the Departure from Egypt in Wis 15–21 and 19:1–9* (HSM 57; Atlanta: Scholars, 1997) and Samuel Cheon, *The Exodus Story in the Wisdom of Solomon: A Study in Biblical Interpretation* (JSPSup 23; Sheffield: Sheffield Academic Press, 1997).

<sup>6</sup> Cf. Howard Jacobson, *A Commentary on Pseudo-Philo’s Liber Antiquitatum Biblicarum with Latin Text and English Translation* (AGJU 31; Leiden: Brill, 1996; 2 volumes) and Daniel J. Harrington, tr., “Pseudo-Philo,” in *The Old Testament Pseudepigrapha* (ed. James H. Charlesworth; Garden City: Doubleday, 1985), 2.297–378.

In the pre-Qumran period of scholarship, therefore, there was no impetus to integrate the study all of these disparate documents under the single rubric of biblical interpretation. Philo and rabbinic midrash, Josephus and *Jubilees* were points on a plane which did not beg to be connected. The phenomenon of biblical interpretation, if we may so describe it, was simply too multi-dimensional to be perceived easily. The discovery of the Qumran texts, therefore, had far broader implications for the literary history of the Second Temple period, particularly in the area we are discussing, than merely the availability of the documents preserved in the caves per se.

In the ensuing presentation, I shall demonstrate the richness of the Qumran contribution to this field by examining six works of different sorts from the Qumran caves that interpret the Bible. We will be able to see, even from this very limited and selective survey, the variety in the forms that Qumran biblical interpretation takes. After this discussion, we shall touch briefly on the question of the continuity and discontinuity of interpretive genres beyond the boundaries of Qumran.

## II. REWRITTEN BIBLE: (A) THE REWORKED PENTATEUCH TEXTS

The first set of works that I should like to address confront the modern scholar with a dilemma that was probably unknown to previous generations, that of determining whether a text that looks biblical really is biblical. The Qumran caves contained a variety of recensions or editions of some biblical books, particularly of the Pentateuch, as | Mark Smith discussed in his paper in the volume where this essay originally appeared.<sup>7</sup> 60 Regarding much of this material that diverges from the Masoretic Text, there is no disagreeing with the fact that it is biblical. There exists, however, a small group of manuscripts that appear biblical to some scholars and nonbiblical to others, and they posed for me the question of whether I should include them in this survey. These are the texts which have been designated 4QReworked Pentateuch, five manuscripts which diverge from

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<sup>7</sup> Mark S. Smith, "What is a Scriptural Text in the Second Temple Period? Texts between Their Biblical Past, Their Inner-Biblical Interpretation, Their Reception in Second Temple Literature, and Their Textual Witnesses," in *The Dead Sea Scrolls at 60: Scholarly Contributions of New York University Faculty and Alumni* (ed. L.H. Schiffman and S.L. [Berrin] Tzoref; STDJ 89; Leiden: Brill, 2010), 271–98.

the standard Pentateuch in various ways and to various degrees.<sup>8</sup> Recently, Professor Emanuel Tov, the editor-in-chief of the DSS publication project, has revised his earlier view of these texts and has decided that they are indeed biblical manuscripts. He thus joins a small group of scholars with whom he has disagreed in the past over the generic identification of these documents.<sup>9</sup>

I, for one, am not willing to concede that anything which remotely resembles a biblical text *was considered* a biblical text at Qumran, and  
 61 I think that we should conceive of a spectrum of texts, ranging from |  
 “biblical” to “maybe biblical” to “definitely not biblical.” There must have been a point at which any copyist or scribe (and the point need certainly not have been the same for all copyists) would have conceded that he was not copying a biblical text, but was writing down something else. One of the tasks which remains most difficult in the study of some of the biblical and similar texts from Qumran is the attempt to determine where that line may have been. For the purpose of this argument, that line is

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<sup>8</sup> Official publication of 4QRP<sup>b-c</sup> (4Q364–67): Emanuel Tov and Sidnie White (Crawford), “Reworked Pentateuch,” in *Qumran Cave 4.VIII: Parabiblical Texts, Part I* (ed. Harold W. Attridge et al., in consultation with James C. VanderKam; DJD 13; Oxford: Clarendon, 1994), 187–351. 4QRP<sup>a</sup> (4Q158) was first published with the nomenclature “Biblical Paraphrase: Genesis, Exodus” by John M. Allegro, in *Qumrân Cave 4.I (4Q158–186)* (DJD 5; Oxford: Clarendon, 1968), 1–6, but has since been renamed. In addition to the debate over whether they are biblical or not, there has also been considerable discussion of whether they are copies of a single text or not; in my opinion, they are not. It is generally agreed that the expansive textual tradition to which (at least some of) these manuscripts belong is the one which in a later form becomes familiar as the Samaritan Pentateuch.

<sup>9</sup> In “Reflections on the Many Forms of Hebrew Scripture in Light of the LXX and 4QReworked Pentateuch,” in *From Qumran to Aleppo: A Discussion with Emanuel Tov about the Textual History of Jewish Scriptures in Honor of his 65th Birthday* (ed. A. Lange et al.; FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009), 11–28, he documents his new position in which he suggests that 4QRP<sup>a-c</sup> may have to be renamed 4QTorah<sup>a-c</sup>. I thank Professor Tov for sharing this article with me well in advance of its publication. Cf. also his “From 4QReworked Pentateuch to 4QPentateuch (?),” in *Authoritative Scriptures in Ancient Judaism* (ed. M. Popovic; JSJSup 141; Leiden/Boston, 2010), 73–91. Earlier, Eugene C. Ulrich, “The Qumran Biblical Scrolls—The Scriptures of Late Second Temple Judaism,” in *The Dead Sea Scrolls in Their Historical Context* (ed. Timothy H. Lim et al.; Edinburgh: T&T Clark, 2000), 76, wrote “it is possible that yet a third edition [other than MT and SP] of the Pentateuch was circulating within Judaism in the late Second Temple period. It is arguable that the so-called ‘4QRP’ (4Q364–367 plus 4Q158) is mislabeled and should be seen as simply another edition of the Pentateuch.” Likewise, Michael Segal, “4QReworked Pentateuch or 4QPentateuch?” in *The Dead Sea Scrolls Fifty Years After their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society/Shrine of the Book, 2000), 395, claimed “4Q364–5 should also be viewed as a biblical text, entitled 4QPentateuch, and not characterized as a parabiblical composition.”

the demarcation of where “biblical” ends, and something else begins. To put the matter most crassly, how much changing, adding, subtracting, and rearranging do you have to do to a biblical text before it starts being something else?<sup>10</sup> And does it matter what the scribe/editor is thinking as he writes? I do not know the answers to these questions, but I stress that they lie at the most fundamental level of the issues we are discussing. Although I think that the 4QRP texts are not biblical, I confess that I cannot tell you what they are or what the purpose of extensively rewriting texts with only minimal changes from the Bible would have been.<sup>11</sup>

I should like to examine two kinds of handling of the biblical text which characterize 4QRP and which can be considered “interpretive”: juxtaposition of like material and gap-filling. The former technique “improves” upon the organization of material, either narrative or legal, in the Pentateuch, by placing passages that are related, but that appear in the Pentateuch in diverse locations, in proximity to one another. Thus, in 4Q366 frg. 4 i, the laws of Sukkot from Deut 16:13–14 immediately follow the passage from Num 29 which describes at length the daily sacrifices for that holiday, as follows:

These are what you shall offer to the Lord on your festivals, aside from your vows and freewill offerings, your burnt offerings and grain offerings, your libations and your peace offerings. And Moses said to the Israelites according to all that the Lord had commanded Moses. |

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The Festival of Tabernacles shall you make for yourself for seven days, when you harvest from your threshing floor and winepress. And you shall rejoice in your festival, you and your son . . .

This passage is virtually unique, even in 4QRP, because it collocates with one another two sets of laws pertaining to the same festival, as opposed to juxtaposing narrative material.

The same technique is applied in another 4QRP manuscript, 4Q365, to a combination of narrative and legal material. In frg. 36, we find the laws of inheritance, generated in the biblical narrative by the claims of

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<sup>10</sup> In my opinion, the excessive freedom with which the scribes or editors of these texts treated the legal material in the Pentateuch, apparently omitting some substantial sections of it, makes me fairly certain that either these are not biblical texts or that we must conceive of scribes or editors who felt free to treat the Pentateuch in a far more cavalier fashion than we could have heretofore imagined. See my discussion in “What Has Happened to the Laws? The Treatment of Legal Material in 4Q Reworked Pentateuch,” *DSD* 15 (2008): 24–49 (below, 2.476–497).

<sup>11</sup> Even if they are biblical, they demonstrate interpretation of the earlier form of the biblical text which underlies them.

the daughters of Zelophehad in Num 27, juxtaposed to the request by the leaders of their tribe, which in the Pentateuch is recorded in Num 36, that those laws not diminish the size of their tribal inheritance.<sup>12</sup> In this instance, it is likely that the juxtaposition of the two narrative incidents engenders the rearrangement, but in both cases the association of like with like appears intended to create a more coherently arranged text.<sup>13</sup>

Gap-filling can be of different sorts. Thus Exod 15:20–21 reads, “And Miriam the prophetess, sister of Aaron, took the tambourine in her hand, and all the women followed her out, drumming and dancing. And Miriam sang out to them, ‘Sing to the Lord for He is indeed exalted, horse and driver He has cast into the sea.’” The following verse, Exod 15:22 continues, “And Moses made Israel set out from the Sea of Reeds, and they went forth into the desert of Shur.” One of the Reworked Pentateuch texts, 4Q365, frg. 6a ii + 6c, supplies an insert between those two verses:

Miriam the prophetess, sister of Aaron, took the tambourine in her hand, and all the women followed her out, drumming and dancing. And Miriam sang out, “[ ] *You have despised . . . For the arrogance of . . . You are great, delivering . . . The hope of the enemy has perished and come to an end (?) . . . have perished in mighty waters. The enemy . . . Extol the one who is exalted; [you] have given [re]demption . . . performing gloriously.*” And Moses made Israel set out from the Sea and they went into the desert of Shur . . .

- 63 | The italicized text furnishes something which the author of this manuscript or its *Vorlage* felt was apparently lacking, namely the song sung by Miriam and the women (beyond the language which they repeat from Moses’ song). If Miriam sang a song, the author/scribe/editor of this 4QRP manuscript felt that his text should include it, even if the “Bible” omitted it. The language of the song is biblical, drawing upon a variety of passages throughout the Bible. White Crawford calls this “scribal exegesis,” demonstrating “the skilful use of other texts to create something new.”<sup>14</sup>

<sup>12</sup> It is possible that this handling of the material in 4Q365 is indebted to the biblical text on which it is based because there appears to be insertion of material from Numbers 27 into Numbers 36 in 4QNum<sup>b</sup> which is a biblical manuscript, thus pointing to a text-type which could have served as a *Vorlage* for 4Q365.

<sup>13</sup> 4Q365 frg. 28 similarly presents a juxtaposition of Num 4:49, concluding the assignment of the Levites to their tasks in the tabernacle, to Num 7:1, the offerings of the heads of the tribes on the occasion of its dedication.

<sup>14</sup> White Crawford, *Rewriting Scripture*, 49. Kugel, *Traditions*, 597, classifies this passage under the motif-heading “Miriam’s Separate Song.”



The same Reworked Pentateuch manuscript, after the equivalent of Lev 24:2a, diverges from the biblical continuation found in all other texts and versions of Leviticus, and inserts in frg. 23 a commandment to the Israelites to bring a wood offering regularly, upon their entry into the land, for use upon the altar:

And the Lord spoke to Moses, saying, "Command the Israelites as follows, 'When you arrive in the land which I am giving you as an inheritance, and you dwell upon it securely, you shall bring wood for burnt offering and for all the wor[k] of the house which you shall build for me in the land, to arrange it on the altar of the burnt offering... for paschal sacrifices and peace offerings and thanksgiving offerings and freewill offerings and burnt offerings, day by [day]... and for the doors and for all the work of the house they shall brin[g]... the festival of (New) Oil they shall bring the wood, two... who bring on the first day, Levi...'"

It is virtually certain that this text comes to "justify" the passage in Neh 10:35 "And we cast lots over the wood-offering (קרבן העצים), the priests, the Levites, and the people, to bring to the house of our God, the house of our ancestors, at specified times, year by year, to burn on the altar of the Lord our God, *as it is written in the Torah.*"<sup>15</sup> This is probably the most anomalous legal text in 4QRP, but the rationale for it is fairly easy to understand. The passage in Nehemiah asserts that something was written "in the L/law;" understanding "Law" to mean "the Torah," *the law par excellence*. The tradition in 4QRP back references on a large scale, writing the passage into the Pentateuch, and | introducing it into a section that begins with the standard "the Lord spoke to Moses saying." The gap that it fills would not be visible to a reader of the Pentateuch in the way that he would notice Miriam's missing song, but would be to the reader of Nehemiah, and we therefore suggest that both are employing the same technique.

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### III. ARAMAIC TRANSLATION

Turning to our survey of the texts from Qumran which are certainly not biblical and which contain biblical interpretation, I should like to touch upon, at least briefly, a text which is often overlooked in discussions of

<sup>15</sup> This suggested sequence of events is far more likely than the assumption that the passage was found in the version of Leviticus that the author of the passage in Nehemiah read.

Qumran biblical interpretation, the Aramaic version of Job from cave 11, 11QtgJob.<sup>16</sup> This translation can best be described as a fairly literal one, and it is in this way that it diverges most of all from the later Aramaic versions. The Qumran Job targum lacks large interpretive expansions, and also differs from the later Aramaic versions by not having a strong anti-anthropomorphic tendency. It furnishes us, however, with an Aramaic translation closer to the period of the Septuagint than any other and offers us one more point on the spectrum of Jewish biblical translation. We should not forget that all translations are interpretations, and this text is therefore fair grist for our mill.

65 What is probably most surprising about the Aramaic version of Job found in Cave 11 is the very fact that it exists at all; if we had asked scholars to guess what texts were likely to be discovered at Qumran, this one would not have ranked high on their list of possibilities. There are only three manuscripts with Aramaic translation of the Bible at Qumran: a very fragmentary one from Cave 4 with a little bit of Leviticus (4Q156), a very fragmentary one with a few words of Job from Cave 4 (4Q157), and the very substantial remains of the text under discussion, covering, it has been estimated, about fifteen | percent of the book of Job (11Q10).<sup>17</sup> From the paucity of these remains, it is reasonable to surmise that Aramaic translations were not a major component of the scroll collection of the group which lived at Qumran, and that there was certainly no systematic attempt to preserve or re-create Scripture in Aramaic form. And yet, two of the three targum texts to survive from the caves are of the book of Job!

The book of Job is certainly one of the most challenging, if not the most challenging, in the Hebrew Bible, and not the least challenging aspect of Job is the one which immediately confronts its student when s/he sits down to study it—its language. That difficulty may indeed be the reason that we find a translation of Job into Aramaic in the Qumran caves, and not translations of works of greater significance and, probably, popularity, such as the Pentateuch. And it may be the very same phenomenon which

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<sup>16</sup> The *editio princeps* is J.P.M. van der Ploeg and A.S. van der Woude, *Le Targum de Job de la Grotte XI de Qumran* (Leiden: Brill, 1971); DJD edition: Florentino Garcia Martinez et al., “11Q10. 11QtargumJob,” *Qumran Cave 11, II.11Q2–18, 11Q20–31* (DJD 23; Oxford: Clarendon, 1998), 79–180. Other important studies are Michael Sokoloff, *The Targum of Job from Qumran Cave 11* (Ramat Gan: Bar Ilan University, 1974), Bruce E. Zuckerman, “The Process of Translation in 11QTGJOB: A Preliminary Study” (Ph.D. diss.; Yale University, 1980), and David Shepherd, *Targum and Translation: A Reconsideration of the Qumran Aramaic Version of Job* (Studia Semitica Neerlandica 45; Assen: Royal Van Gorcum, 2004).

<sup>17</sup> Shepherd, 3, citing the *editio princeps*, 2.

makes Job the only book of the Hagiographa whose Aramaic translation is mentioned in tannaitic sources in rabbinic literature.<sup>18</sup> The book is that hard to master in the original. But, when all is said and done, we still may wonder what is it which possessed the men of Qumran to translate the book of Job, or, at least, to have it in their “library”? We know of no liturgical circumstances, either at Qumran or in later Judaism, which utilized the book of Job and which might have demanded some familiarity with its meaning, so a liturgical employment of the Aramaic versions such as that with which we are familiar from later rabbinic tradition and practice appears to be precluded in the case of this Aramaic text.<sup>19</sup>

A translation, especially an ancient translation, could not present its reader with a text as obscure as its original or as full of rare and peculiar grammatical forms or lexical elements as its original. Modern translators have the advantage of annotations and marginal notes, | which can inform the reader that the text is hopelessly corrupt, or intractable for some other reason, or that emendation yields a superior reading, or that an alternative rendering is possible. None of these options were available to a translator in antiquity. These limitations lead to a dilemma for the student of any of the ancient translations, especially the earliest ones into Greek and Aramaic; we often cannot tell whether the translator had a different Hebrew text in front of him or whether he was doing the best he can with the Hebrew text that we have, struggling to make sense of it in Aramaic for his readers.

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Since studying translations of translations is both a hazardous and not terribly exciting activity, the best way for us to gain access to the Job targum is to observe some of the ways in which it deviates from a literal rendering of our Hebrew text, while acknowledging that at times such deviation may be due to the translator’s following a different text, a phenomenon which is of somewhat greater interest to textual critics than to historians of interpretation. What we shall observe is that in some ways

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<sup>18</sup> Cf. *t. Shab.* 13:2; *b. Shab.* 115a; *y. Shab.* 16:1 (15c). From the initial announcement of the discovery of this targum onward, there has been much scholarly speculation regarding the possibility that the Qumran Aramaic text is the one referred to in those talmudic passages, and, if it was, whether its Qumran connection could have been the reason for its harsh treatment by R. Gamliel.

<sup>19</sup> For rabbinic rules on the practice of targum, cf. *m. Meg* 4:4,5,9–10; Anthony D. York, “The Targum in the Synagogue and in the School,” *JSJ* 10 (1979): 74–86; and Ze’ev Safrai, “The Targums as Part of Rabbinic Literature,” in *The Literature of the Sages: Second Part. Midrash and Targum, Liturgy, Poetry, Mysticism, Contracts, Inscriptions, Ancient Science and the Languages of Rabbinic Literature* (ed. Shmuel Safrai et al.; CRINT 2.3b; Assen/Minneapolis; Van Gorcum/Fortress, 2006), 245–49.

this Aramaic version adopts many of the same techniques with which we are familiar from the later rabbinic targumim, while in others it takes a very different path.

Like the later Aramaic versions of both biblical prose and poetry, this Job targum adds words to the translation which are perhaps implicit in the original, relieving the reader of the responsibility of knowing where the text needs to be supplemented. Many of these are quite trivial, but they are typical of the targumic attempt to present a more complete and improved text to the reader. At times the targum inserts a word which creates balance between the clauses, something which the later targumim do very frequently; thus Job 38:7 *בני יחד כוכבי בקר ויריעו כל בני אלהים*, “when the morning stars sang together, and all the celestial beings shouted,” lacks the adverb *יחד*, “together,” in the second half line, so the targum adds it. In the same verse, we note, the targum renders *בני אלהים* as *מלאכי אלהא*, “angels of God,” showing that it stands in the same broad tradition of Jewish translation as the Septuagint to Gen 6:2, as well as Job 67 1:6, 2:1 and our passage, that interpreted “sons of god” as “angels.”<sup>20</sup> |

Sometimes ancient translators of Hebrew poetry ignore the parallelistic structure which characterizes the poetry and turn the poetry into what we would call prose. For example, Job 38:26 reads *להמטיר על ארץ לא איש בו מדבר לא אדם בו להנחתה על ארע מדבר די לא אנש בה*, “to rain on land without man, a desert with no person in it;” in column 31:3–4, the Job targum renders *להנחתה על ארע מדבר די לא אנש בה*, “to bring down [rain] on desert land which has no man in it,” compressing the two parallel clauses of the Hebrew original into one. On the other hand, however, there are instances in which the targum presents more than the Hebrew text had, as in 36:26 where the Hebrew reads “Behold God is greater than we can know; the number of His years is incalculable.” This Aramaic translation apparently adds a clause to the Hebrew: “God is great and His [ma]ny days [we do not know]; and the number of His years which do not end.” Similarly perhaps, and once again like the later Aramaic versions, the Job targum sometimes will translate a single Hebrew word with a pair of synonyms in Aramaic, such as 39:20 *אימה*, “fear,” which is rendered *ודחלה אימה*, “fear and terror.”

The textual difficulties of Job have left their mark on the Aramaic version in a variety of ways. At times it seems to have vocalized the Hebrew differently from MT, as in 37:11 *יפיץ ענן אורו*, “He scatters His light-cloud,”

<sup>20</sup> For a brief discussion of this issue, cf. Philip S. Alexander, “The Targumim and Early Exegesis of ‘Sons of God’ in Genesis 6,” *JJS* 23 (1972): 60–71.

where the translation (29:1) *וַיִּנְפֹּק מִן עֲנַן נוֹרָה* (“He shall bring forth His fire from a cloud,” indicates that the first noun has been read as an absolute, not a construct, form, and the second as *’ûrô*, and not *’ôrô*.<sup>21</sup> This necessitated the insertion of the preposition *מִן* before *עֲנַן* in order to integrate it into the syntax of the sentence.

In the following verse, 37:12 *וְהוּא מַסְבוֹת מִתְהַפֵּךְ בְּתַחְבוּלָתוֹ לַפְעֵלִים כֹּל* and *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן עַל כֹּל דִּי בְרָא*, the first four words of the extremely difficult first half are rendered by the targum in a way which resembles neither the Hebrew of MT nor any other ancient version.<sup>22</sup> It would appear that his translation *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן עַל כֹּל דִּי בְרָא*, “He says, ‘let them obey Him;’ and they go about their tasks over all that He created,” is merely filler to get to the first word that he can handle, *לְעַבְדֵיהוֹן* which corresponds to *לַפְעֵלִים*. It also seems, although this is less certain, that the translator has punctuated differently from MT which has its major break in the sentence at *לַפְעֵלִים*. In the Job targum, *עַל כֹּל דִּי בְרָא* must modify *לַפְעֵלִים*, and not *יִשְׁמְעוּן עַל אֲנָפֵי תַבְלִין* which corresponds to *עַל כֹּל דִּי בְרָא* (note that the targum does not render *וְהוּא אֹמֵר יִשְׁמְעוּן עַל אֲנָפֵי תַבְלִין*).<sup>23</sup> It is difficult to be certain of all the factors which impelled the translator to adopt the approach to the verse that he did, beyond the intractability of the first few words, but it is fairly clear that the combined issues of vocabulary and syntax have led him to a rendering which diverges in several ways from the Hebrew text.

In the renowned answer to Job out of the whirlwind, the Hebrew text of Job 38:4–8 contains a series of rhetorical questions addressed by God to Job, while verses 9–11 present God speaking of His own deeds in the first person, and verse 12 returns to a rhetorical question addressed to Job. It appears that 11QJob has turned those first person statements by

<sup>21</sup> The targum may also have felt that the object “cloud” is not apt for the verb *יִפְיִן*.

<sup>22</sup> Cf. Sokoloff’s note ad loc., 143, “until *lp’lm* is translated in a completely free manner, and ... corresponds neither to MT nor to any of the ancient versions.” Garcia Martinez, 147, on the other hand, suggests that *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן* and *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן* is represented by *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן* and *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן* “gives a free rendering of” *וְהוּא אֹמֵר יִשְׁמְעוּן לֵה וְאֹזְלִין לְעַבְדֵיהוֹן*.

<sup>23</sup> This reading diverges from the translations in both Sokoloff’s and Garcia Martinez’s editions which end the first clause with *לַפְעֵלִים*. But cf. Dhorme’s comment “It has long been noted that *לַפְעֵלִים* belongs not to the first, but to the second part of the verse. The complement of the verb is *יִשְׁמְעוּן עַל אֲנָפֵי תַבְלִין*, with which it forms one whole” (Edouard Dhorme, *A Commentary on the Book of Job* [tr. H. Knight; London: Thomas Nelson, 1967], 566). The presence of this rendition in the targum indicates that the resolution of the Hebrew was probably recognized even longer ago than Dhorme thought, even though the Aramaic version separates it from its translation of *יִשְׁמְעוּן עַל אֲנָפֵי תַבְלִין*. Garcia Martinez translates as he does because he thinks that the targum “rendered two variant readings of M[T]: *יִשְׁמְעוּן* and *יִצוּם*.”

God into further rhetorical questions for Job, thus presenting an unbroken sequence of questions from 4–12. Assuming that the targum is not based on a divergent text here, we can explain its choices as an attempt to “improve” the flow of the original and to avoid presenting the reader with a divine speech which lacks the coherence and smoothness which the targumist is able to furnish in his translation.

69 One of the issues which has concerned students of the manuscript which we call 11Q10 is whether it deserves the appellation “targum,” or whether it should just be called a translation into Aramaic.<sup>24</sup> The | term “targum,” after all, is generally employed for the Aramaic translations of Scripture that we find in the rabbinic tradition, and the Aramaic translation of Job which we have discussed briefly does not manifest a variety of the qualities which are said to typify the rabbinic form, as we have noted. In my view, however, distinguishing artificially between the types of Aramaic translation in this fashion is not an appropriate reaction to the differences between versions which are separated by hundreds of years as well as cultural and sociological divides. What should be stressed, I think, by those of us like myself who are interested in both the Qumran texts and the later Aramaic versions are the points of similarity between them, as we locate them as points on a spectrum representing the history of Jewish biblical translation and interpretation. It is the good fortune of the student of the later Aramaic targumim that he or she now has a collateral ancestor to study in the form of the targum of Job from Cave 11 at Qumran.

#### IV. REWRITTEN BIBLE: (B) THE GENESIS APOCRYPHON

Turning from this anomalous targum text back to texts which are more typical of the Qumran “library,” we note that two of the paradigmatic examples which satisfy Vermes’ initial and fairly tight characterization of “rewritten Bible” are found at Qumran, *Jubilees* and the *Genesis Apocryphon*. The former, represented at Qumran by the remains of more than fifteen copies, covers the whole of Genesis and the beginning of Exodus, supplementing the retold biblical story with details that flesh out the biblical narrative, sometimes clearly motivated ideologically and sometimes

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<sup>24</sup> For example, Shepherd’s concluding sentence, 286, is “the Qumran Aramaic translation of Job is no more deserving of the title ‘targum’ than is its counterpart in the Syriac translation tradition.”

not, but in all instances presenting a fuller version of the story than is found in the Bible. Although some of the substantial inserted sections may appear to digress from the narrative of Genesis, the fundamental story line never does, and the biblical framework can be seen to govern its direction at all times.

We should note in passing that at the other end of the narrative spectrum at Qumran is Enoch, the Aramaic equivalent of 4/5 of the work known as *1 Enoch*, which is also represented in the caves by the remains of more than 10 manuscripts. Works like *1 Enoch*, in my opinion, are not to be included under the rubric of “rewritten Bible,” if that heading is to remain meaningful. I prefer the term “parabiblical” for works like Enoch which use the Bible only as a starting point, | in this case the narrative about Enoch and the “sons of god” at the end of Genesis 5 and the beginning of Genesis 6. Its story line and contents bear little real connection to the Bible. Such works, nevertheless, certainly include biblical interpretation in the narrow sense wherever they are in close proximity to the biblical narrative, and although their expansions of the biblical story are not interpretation in the technical sense, they typify one of the prominent approaches to the Bible which characterize Second Temple Jewish literature.

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The *Genesis Apocryphon* does not have the very broad scope of *Jubilees*, and in its surviving fragmentary form encompasses only Genesis 5 through 15, but it clearly covered more material both before and after those points.<sup>25</sup> The first segment (hereafter, Part I), dealing with Lamech, Noah and the aftermath of the Flood, clearly is closely related to the Enoch literature both in style and content, while the last four columns (hereafter, Part II), dealing with Genesis 12 through the beginning of 15, remains much more closely tied to the biblical text and story, and might be said

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<sup>25</sup> Fragments of 23 columns survive, customarily numbered 0–22, but there is no reason to assume that column 0 was the first column; column 22 breaks off in the middle of a sentence and the sheet that follows it was cut off in antiquity so that we do not know how far beyond its current end point it extended. The first publication, limited, more or less, to columns 2 and 19–22, is Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes Press and Heikhal Ha-Sefer, 1956), and the rest of the readable textual material was published by Jonas C. Greenfield and Elisha Qimron, “The Genesis Apocryphon Col. XII,” in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Louvain: Peeters, 1992), 70–77 and Matthew Morgenstern, Elisha Qimron, and Daniel Sivan, “The Hitherto Unpublished Columns of the Genesis Apocryphon,” *Abr-Nahrain* 33 (1995): 30–54. The standard commentary is Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd edition; BibOr 18/B; Rome: Pontifical Biblical Institute, 2004).

to resemble a *Jubilees*-like treatment in that regard.<sup>26</sup> But throughout the surviving columns, even in the Lamech-Noah section, we can observe the many ways in which the author or redactor grapples with the biblical text and rewrites it.

71 | In fact, one of the striking features of the *Genesis Apocryphon* is the very variety of techniques that it employs in rewriting and interpreting the Bible, ranging from virtual translation of the Hebrew text to the sort of gap-filling that we saw in the Reworked Pentateuch manuscripts to creative exegesis of the Hebrew text to rearrangement of textual details to insertion of material which is freely composed and only loosely connected to the biblical original. These techniques clearly do not all serve the same goals. The material that I have selected to demonstrate the approaches of the *Apocryphon* to biblical material is taken from both parts of the composition, but with a greater emphasis on Part II since it is both more complete and stands closer to the biblical original.<sup>27</sup>

It is unsurprising that in a work that retells the biblical story we should find phrases and sentences which resemble translations of the biblical text, and there are far more of those in Part II than in Part I. Some of them blend the translation with extra-biblical supplementation in a way that might remind of us of some of the later Palestinian targumim.<sup>28</sup> In the following lengthy citation, the italicized words represent the Hebrew text of Gen 14:13–19:

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<sup>26</sup> I have argued in “Divine Titles and Epithets and the Sources of the Genesis Apocryphon,” *JBL* 128 (2009): 291–310, that the two parts of the *Genesis Apocryphon*, the Lamech-Noah material and the Abram material, ultimately derive from two sources. Despite the apparent generic mismatch between these segments which I have claimed in “The Genre(s) of the Genesis Apocryphon,” in *Aramaica Qumranica: The Aix-en-Provence Colloquium on the Aramaic Dead Sea Scrolls* (ed. Katell Berthelot and Daniel Stökl Ben Ezra; STDJ 94; Leiden; Brill, 2010) 317–343, I should still maintain the unity and integrity of the final form of the work on a certain level, as I indicate in “Is the Genesis Apocryphon a Unity? What Sort of Unity Were You Looking For?” *Aramaica Studies* 8:1/2 (2010): 107–134 (above, 1.195–216, 1.217–238, and 1.239–265, respectively).

<sup>27</sup> For a much fuller discussion of this issue, see my “The Genesis Apocryphon: Compositional and Interpretive Perspectives,” *A Companion to Biblical Interpretation in Early Judaism* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2012), 157–179.

<sup>28</sup> I avoid the use of the term “targum” as referring to the translations in the *Apocryphon* in this discussion because it is clear that the *Genesis Apocryphon* is not a targum, nor, in my view, were Aramaic translations or “targumim” available to its author. For further discussion on the *Genesis Apocryphon* and the targumim, see my “The Genesis Apocryphon and the Aramaic Targumim Revisited: A View from Both Perspectives,” *The Dead Sea Scrolls in Context: Integrating the Dead Sea Scrolls in the Study of Ancient Texts, Languages, and Cultures* (ed. Armin Lange, Emanuel Tov and Matthias Weigold; VTSup 140; Leiden; Brill, 2011) 2:651–671 (above 1.266–285).



*There came to Abram one of the shepherds whom Abram had given to Lot who had escaped from the captivity, and Abram was then dwelling in Hebron, and he told him that Lot his nephew had been captured with all his flocks, but had not been killed, and that the kings had set forth by way of the Great Valley to their country, taking captives, plundering, destroying and killing, and that they were on their way to the city of Damascus. Abram then wept for Lot his nephew, and summoned up his courage and arose and chose from his servants three hundred eighteen selected for war. Arnem, Eshkol and Mamre set forth with him. And he was pursuing them until he reached Dan, and he found them | camped in the valley of Dan. And he attacked them at night from four sides, and he was killing among them by night; and he smashed them and was pursuing them, and all of them were fleeing from him until they reached Helbon which is north of Damascus. And he retrieved from them everything that they had captured and everything that they had plundered and all their goods; and also Lot his nephew he saved and all his flocks. And he brought back all the captives whom they had captured. And the king of Sodom heard that Abram had brought back all the captives and all the booty and he went up to meet him and came to Shalem which is Jerusalem while Abram was encamped in Emeq Shaveh which is the Valley of the King, the Valley of Bet Ha-Kerem. And Melchizedek, king of Salem, being priest to God Most High, brought out food and drink for Abram and all his men. And he blessed Abram and said "Blessed is Abram to God Most High Lord of heaven and earth." (Genesis Apocryphon 22:1–14)*

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The biblical text can be seen here to serve explicitly as the framework for the expansion of the details of the narrative by the *Apocryphon*. And the expansion is of a fairly minimal nature, staying within the boundaries of that biblical framework.

A fine combination of narrowly focused exegesis and broad expansions is found in the *Apocryphon's* version of Gen 9:20–21. The single biblical verse about Noah's planting a vineyard becomes in the *Apocryphon's* rewriting a story about his observing the laws pertaining to the drinking of the first wine, found in Lev 19:23–25 regarding fruit trees; he does not drink from the wine until the beginning of the fifth year, following a Qumran interpretation of that law.<sup>29</sup> The family celebration which is depicted is reminiscent of *Jub.* 7:3 "On that day he made a feast with rejoicing."

<sup>29</sup> See the discussion by Menahem Kister, "Some Aspects of Qumran Halakhah," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* (ed. J. Treballe Barrera and L. Vegas Montaner; STDJ 11; Leiden: Brill, 1992), 2576–86. Cf. also 4QMMT B 62–64 and *Jub.* 7:1–2. Rabbinic law demands that the owner take the fourth-year produce and consume it in Jerusalem. Kister suggests that there are two different legal traditions reflected in *Jubilees*, one of which matches the one in the *Genesis Apocryphon* and the other that in 4QMMT.

The story of Noah's drunkenness which follows that single verse is transformed into a positive experience through a clever piece of exegesis. After the feast Noah lies down and sleeps, according to the best reading of 12:19, and the divine revelation which he then experiences is probably linked to  
 73 the author's exegesis of Gen 9:21 ויִתְגַּל, which in context means "he was | uncovered," as "he was revealed," i.e., he was the recipient of the extra-biblical revelation which covers columns 13–15.<sup>30</sup> His waking afterward is partially preserved in the text (15:21) נוֹחַ מִן שְׁנָתִי [ואתעירת אנא], "[I,] Noah [woke] from my sleep," and is probably based on Gen 9:24 "Noah woke from his sleep."

Gap-filling in the *Apocryphon*, too, is of various sorts; on the one hand it can respond to a marked omission in the text, and, on the other, to a "perceived" omission. Both sorts are to be found in the Abram story just when he and Sarai enter Egypt. First Abram has a dream about a palm tree and a cedar in which the palm saves the cedar from being cut down by crying out that they stem from one root (19:14–17). He interprets the dream as foretelling an impending threat to him and Sarai, with an attempt on his life which only she can avert by declaring that he is her brother. This creativity on the part of the author of the *Apocryphon* is most likely directed at resolving one or more exegetical difficulties ("perceived" gaps) in the biblical story: first, how does Abram know that the Egyptians will seize Sarai, and second, why does he adopt the amoral solution of lying in order to save the situation?<sup>31</sup> The interpretation is not derived from the text, but is consonant with the method of rewritten Bible to tell the story in such a fashion as to avoid questions which could arise from a reading of the biblical text itself.

The other sort of gap-filler responds to an "omission" in the biblical text of the sort that texts like the Samaritan Pentateuch (and 4QRP) and exegetes like the rabbis noticed frequently, but which in this instance seems not to have been noticed and responded to except by the author of the *Apocryphon*.<sup>32</sup> Gen 20:13 reads "And it was when God made me wander

<sup>30</sup> This interpretation, which I find quite convincing, was first suggested by Daniel Machiela. See Daniel A. Machiela, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009), 102–104.

<sup>31</sup> For a discussion of this and other ancient "solutions" to these problems, see James L. Kugel, *Early Biblical Interpretation* (Philadelphia: Westminster, 1986), 76.

<sup>32</sup> I discussed this example in detail in "Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon," *DSD* 3 (1996): 50–55 (above 1.188–192) where I refer to it as a "constructive harmonization."

from my ancestral home that I said to her “This be the kindness that you do with me, wherever we arrive, say regarding me “He is my brother.”” Nowhere earlier in the adventures of Abra(ha)m and Sarai/Sarah do we find this quotation; how could | that be? The author of the *Apocryphon* 74 therefore skillfully integrates this verse into his equivalent of Gen 12:12–13 “When the Egyptians see you, they will say, ‘She is his wife,’ and they will kill me and let you live. Please say that you are my sister so that it will go well with me on your account, and my soul will live because of you,” as follows: “They will seek to kill me and leave you alone. *But let this be the whole kindness which you shall do with me, wherever we are, say regarding me that ‘he is my brother.’* And I shall live because of you and my soul shall escape for your sake” (19:19–20). Now the later statement by Abraham is vindicated by a passage earlier in Genesis.

Several examples of the *Apocryphon’s* rearranging the details of the biblical narrative of Part I can be seen in the following major deviations from the sequence of events in Genesis 8 and 9–11. First, the *Apocryphon* seems to have omitted (or to have displaced) the contents of Gen 8:5–14, including the sending out of the birds to see whether the earth has dried up.<sup>33</sup> Second, and perhaps more significant, according to the *Apocryphon*, Noah offers sacrifices while he is still on the ark, as we can see from the sequence: the ark rests in 10:12, the sacrifices follow in 10:13, and in the opening line of column 11 Noah is still at the entrance of the ark.<sup>34</sup> In the Bible, he exits from the ark (Gen 8:15–19) and then offers sacrifices (8:20–21).<sup>35</sup> In Genesis, the descendants of Noah are listed in chapter 10, but the *Apocryphon* shifts the position of that section to column 12 before presenting the story of Noah’s vineyard which appears in Genesis 9:20–27. The change is probably made to create a smoother, more | seamless, 75

<sup>33</sup> *Jubilees* omits this element of the story as well, while 4Q252, *Commentary on Genesis A*, includes the dove, but omits the raven.

<sup>34</sup> The possibility that these sacrifices on the ark are not parallel to the ones in Genesis, and that those took place later in the *Apocryphon*, is precluded by the fact that there is no room for the sacrifices of Genesis 8 in column 11 which is parallel to Genesis 9.

<sup>35</sup> I have suggested (“From the Watchers to the Flood: Story and Exegesis in the Early Columns of the Genesis Apocryphon,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran, Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002* [ed. Esther G. Chazon, et al.; STDJ 58; Leiden: Brill, 2005], 59–60) (above 1.169–170) that the reason for the displacement of the sacrifices was to accomplish the purification of the earth before Noah leaves the ark so that he and his fellow survivors would not immediately be rendered impure upon exit.

narrative.<sup>36</sup> So while the *Apocryphon* on the whole follows the biblical narrative, both displacement and omission appear to be acceptable to it.

Finally, the author of the *Apocryphon* shows a broad knowledge of the Bible in at least two ways: First, in retelling the story, he employs phrases which appear in passages other than the one that he is interpreting; he appears to have biblical idiom at his fingertips. The following text (*Genesis Apocryphon* 20:16–23) makes use of biblical phraseology from at least three passages other than the one being retold:

On that night, God Most High sent against him [*Pharaoh*] a pestilential spirit to afflict him and all the men of his household, an evil spirit, and it was afflicting him and all the men of his household. He was unable to approach her, and did not know her, although he was with her for two years. And at the end of two years, the afflictions and plagues against him and all the men of his household grew more intense, and he sent and called all the wise men of Egypt and all the magicians with all the doctors of Egypt, if they might cure him and the men of his household from this affliction. And all the doctors and the magicians and wise men were unable to stand to heal him because the spirit was afflicting all of them, and they ran away.

The first italicized words derive from Gen 12:17, but they are followed (in order) by borrowings from Gen 20:4 and 41:8, and Exod 9:11. The first of those citations, from the story of Sarah and Avimelekh, could be attracted to the context in order to highlight the fact that Sarai remained untouched in this incident as in the later one. We cannot know whether the other “virtual citations” are introduced into the narrative by an author who has consciously or unconsciously used another biblical text as a model for his own, or whether in a subtle manner he means to hint that there are links between what happens to this Pharaoh and later Pharaohs. The latter option would suggest a very sophisticated level of composition.

Another indicator of the detailed knowledge of the Bible by the author of the *Apocryphon* is the embedding of its exegesis in such a fashion that only a reader who knows the Bible broadly will recognize it as such. Thus Abram says that he then reached Hebron which had just been built, and remained there for two years (19:9–10). Later | on (19:23) we are told that he was in Egypt for five years before Sarai was taken from him by Pharaoh Zoan. Only by putting these two texts together and recalling a text in Numbers, do we realize that we have here an interpretation founded on

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<sup>36</sup> I have analyzed this rearrangement in “Re-Arrangement, Anticipation and Harmonization,” 40–44 (above, 1.178–181), suggesting a number of ways in which it might have made the story flow better.

Numbers 13:22 “Hebron had been built seven years before Zoan of Egypt.”<sup>37</sup> Or, to put it differently, the author of the *Apocryphon* (or his source) sees the passage in Numbers as related to the chronology of the Abram narrative, and indicates it as such.

Our emphasis to this point has been on the various ways in which the *Apocryphon* deals with the Bible when it remains relatively close to it. In order to give a fuller picture of how it operates, however, we need to point out the substantial passages, almost exclusively in Part I, where the *Apocryphon* moves away from close adherence to the biblical narrative of Genesis by introducing expansions which are virtually unconnected to the biblical text. The dialogue between Lamech and his wife Bitenosh in column 2, the ensuing conversation of Methuselah and Enoch in 3–5, and most of the Noah material leading up to the missing flood narrative are all inserted freely into, or superimposed upon, the Hebrew narrative. The revelation to Noah in 13–15, mentioned above, and the detailed description of the division of the earth among his sons (16–17) are also independent compositions with little or no exegetical link to the text of Genesis. In the Abram section, on the other hand, almost all the non-biblical supplements to the narrative, such as the description of Sarai’s beauty in column 20 and Abram’s viewing and circumambulation of the Land in column 21, can be said to grow organically from it, and this, of course, marks one of the most substantial dichotomies between these two segments.

That *Enoch*, *Jubilees* and the *Genesis Apocryphon* are related to each other is virtually indubitable, although the precise nature of the relationship, particularly between the latter two works, is still debated.<sup>38</sup> They share both interpretive and ideological traditions, but | the pictures which they paint are hardly identical. They thus enrich the student of Second Temple biblical interpretation both with their agreements, which present a common tradition that can be contrasted with other Second Temple or rabbinic approaches, and with their disagreements, which demonstrate

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<sup>37</sup> Provided we make the very reasonable assumption that Pharaoh built the city named after him at this time.

<sup>38</sup> Avigad and Yadin, the original editors of the *Apocryphon*, wrote (*A Genesis Apocryphon*, 38) “We may confidently emphasize the close connection between the scroll and many parts of the *Book of Enoch* and the *Book of Jubilees*, leading at times to the conclusion that the scroll may have served as a source for a number of stories told more concisely in those two books” [emphases in the original]. This position had been largely rejected as regards both *Enoch* and *Jubilees*, but there has recently been a revival of the view that places the *Apocryphon* before *Jubilees* by scholars such as Esti Eshel, Daniel Machiela, and Cana Werman. James Kugel, Daniel Falk and I are among those arguing for the priority of *Jubilees*.

the divergences and dichotomies that developed even within a single tradition of interpretation in antiquity.

## V. COMMENTARIES

Turning from the “rewritten Bible” mode of interpretation to the commentary form, we find at least two different models at Qumran. The pesher form is certainly far better known, being represented by *Pesher Habakkuk* (1QP<sup>Hab</sup>), one of the first seven scrolls to be discovered, and about a dozen other texts, while the form represented by *Commentary on Genesis A* (4Q252) is rarer and less well-known. We shall nevertheless begin with the latter because it is more accessible as a commentary, and resembles better what we used to expect a commentary to look like.

### A. 4Q252 (*Commentary on Genesis A*)

In its coverage, *Commentary on Genesis A* is selective; it does not rewrite or comment on every line of Genesis, but moves through the book from Chapter 6 to Chapter 49, remarking at will, briefly or at length, on individual passages, but omitting the large majority of the text from its coverage. Not all of its comments are of the same nature; some appear to be addressing questions which the biblical text would pose to any interpreter, while others seem to be motivated by particularly Qumranic interests, while yet others do not respond to any exegetical difficulty, but superimpose a Qumranic theological reading on the text. Finally, because of the very divergent nature and styles of the comments, it is very possible that we do not have here a commentary written by an “author,” but one selected by a collector of remarks from several earlier works of possibly differing genres.

78 If that is correct, a | variety of further interesting questions are raised, but that is beyond the scope of this paper.<sup>39</sup>

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<sup>39</sup> Official publication in *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (DJD 22; ed. George J. Brooke et al.; Oxford: Clarendon, 1996), 185–207. For two slightly differing, but complementary, approaches to 4Q252, cf. George J. Brooke, “The Thematic Content of 4Q252,” *JQR* 85 (1994): 33–59 and “4Q252 as Early Jewish Commentary,” *RevQ* 17 (1996): 385–401, and my “4Q252: From Re-Written Bible to Biblical Commentary,” *JJS* 45 (1994): 1–27 and “4Q252. Method and Context, Genre and Sources (A Response to George J. Brooke, ‘The Thematic Content of 4Q252’)” *JQR* 85 (1994): 61–79 (above 1.92–125 and 1.133–150, respectively). The crux of my disagreement with Brooke (as well as with Ida Fröhlich, “Themes, Structure and Genre of Pesher Genesis,” *JQR* 85 [1994]: 81–90) is whether *Commentary on Genesis A* can be said to manifest thematic unity of some sort. More recent general treatments of 4Q252 are S. White Crawford, *Rewriting*, 130–43, and Falk, *Parabiblical*, 120–39.

One of the goals of any commentary, ancient or modern, is to clarify biblical passages which are ambiguous or which can be understood in more than one way. Such a verse is Genesis 6:3 **לֹא יָדוֹן רוּחִי בְּאָדָם לְעוֹלָם** “My spirit shall not abide (?) in man forever, inasmuch as he is flesh, *and his days shall be one hundred and twenty years.*” Putting aside the problem of the very difficult Hebrew word **יָדוֹן**, for which this Qumran text actually reads the much simpler **יָדוֹר**, “shall dwell,”<sup>40</sup> to what do the 120 years of the verse refer? Already in antiquity there were at least two interpretations of the verse circulating: either man’s lifespan would be in the future limited to 120 years, or the flood would take place in 120 years.<sup>41</sup>

The Qumran interpreter chose the latter interpretation, writing, “in the 480th year of Noah’s life, their time came to Noah, seeing that God had said, ‘my spirit shall not dwell in man forever, and their days shall be determined at 120 years until the time of the waters of the flood’” (4Q252 1 i 1–3). Perhaps the commentator adopts this reading because he knows that later in the Pentateuch we find individuals living longer than 120 years, but his choice presents yet another difficulty. The text has already told us in Genesis 5:32 that Noah was 500 years old when he began to have children, and the flood begins in Noah’s six hundredth year (Gen 7:6). The Qumran exegete therefore highlights the problem which his interpretation raises, and notes explicitly that this message from God to Noah came in Noah’s 480th year! He shows that he, like the rabbis of the midrash later on, is willing to postulate that the biblical text does not always present its information in chronological order.

Later on in 4Q252, we find a very brief lemma plus comment which anticipates later commentary form in a striking manner. Gen 9:24–25 reads “Noah woke from his sleep and realized what his youngest son had done to him. Then he said, ‘Cursed be Canaan, may he be the lowliest slave to his brothers.’” Every reader should be puzzled by the fact that it is Ham’s son whom Noah curses, rather than Ham who has done the dastardly deed, whatever that may have been. *Commentary on Genesis A* (1 ii 5–7) therefore writes, “And he did not curse Ham, but rather his son,

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<sup>40</sup> For discussion of the text-critical value of **יָדוֹר**, compare my discussion in “4Q252 i 2 **לֹא יָדוֹר רוּחִי בְּאָדָם לְעוֹלָם**: Biblical Text or Biblical Interpretation?” *RevQ* 16/63 (1994): 421–27 (above 1.126–132) with George J. Brooke’s in “Some Remarks on 4Q252 and the Text of Genesis,” *Textus* 19 (1998): 8–9.

<sup>41</sup> Life span of man: *Genesis Rabbah* 26:3; pseudo-Philo, *LAB* 3; Josephus, *Ant.* 1.75. Time until flood: all the Jewish Aramaic versions; *Mekhilta de-Rabbi Yishmael* Shirta 5; *Genesis Rabbah* 30:7; *b. Sanh.* 108a; ARN A 32.

because God had blessed the sons of Noah.” It sees a reasonable solution to the question within the biblical text itself—Noah cannot curse his son Ham because Ham is included in the blessing which God had bestowed on Noah and his sons in Genesis 9:1, “The Lord blessed Noah and his sons.” Noah’s curse could not trump God’s blessing, so he does the next best thing and curses Canaan. This text, which is unusual at Qumran, nevertheless furnishes us with an example of what later commentaries would look like.

Now the very same plausible interpretation is found several hundred years later in the rabbinic midrash *Genesis Rabbah* 36:7, “Ham sins and Canaan is cursed—how can that be? . . . Because it is written ‘God blessed Noah and his sons,’ and there is no curse in the place of blessing, therefore ‘he said “cursed be Canaan etc.”’” The tantalizing question which remains is whether the rabbinic commentary knew and shared the Qumran tradition, which, if it were provable, would be a very significant datum for the history or the development of biblical interpretation, or whether the two independent exegetical sources have arrived at such a common reading independently.

80 The penultimate column of this scroll, and the last one with much text on it, was first published by Allegro in 1956 by itself, and the whole text was therefore given the premature name *4QPatriarchal Blessings* because of those contents.<sup>42</sup> The text under discussion is the | blessing of Judah by Jacob in Gen 49:10 *לֹא יִסּוּר שֵׁבֶט מִיְהוּדָה וּמַחְקֵק מִבֵּין רַגְלָיו עַד כִּי יִבֹּא שִׁילָה* “the scepter shall not depart from Judah nor the ruler’s staff from between his feet, until tribute shall come to him and the homage of peoples be his.”<sup>43</sup> The commentary starts slowly, not giving away its Qumran origins, “A ruler shall not depart from the tribe of Judah while there is dominion to Israel, [and there shall not be c]ut off one sitting on David’s throne. For the *מַחְקֵק* (ruler’s staff) is the covenant of the kingdom, [and the th]ousands of Israel are the standards (4Q252 has *הַדְּגָלִים* agreeing with SP according to Brooke, rather than MT *רַגְלָיו*.)” Until this point, there is

<sup>42</sup> John M. Allegro, “Further Messianic References in Qumran Literature,” *JBL* 75 (1956): 174–76. I should note here that some of the text earlier in 4Q252, such as the exegesis in columns 1–2 which puts the chronology of the Flood at exactly 364 days, the solar year favored in many Qumran works, would also be particularly conducive to a Qumran context.

<sup>43</sup> I follow the NJPS translation for the moment, knowing that no translation of this verse will satisfy everyone, not least because of its employment in messianic exegesis in both Judaism and Christianity.



nothing to indicate a Qumran context for the commentary, for we are reading an interpretation of the first half of Gen 49:10 which might be found in a variety of Jewish interpreters in antiquity.

But then the author reveals his local loyalties, and we find ourselves placed clearly in a Qumran milieu as he continues, “until the righteous messiah, the branch of David (צמח דוד) comes, for to him and his seed was given the covenant of the kingdom of his people for eternal generations because he kept [...] the Law with the men of the community (יחד) because [...] is the assembly of the men of...” The term צמח דוד occurs in at least three (and perhaps four) other places in eschatological or messianic contexts at Qumran, and appears to be a term which the Qumran group employed for a future figure whom they awaited. “יחד,” needless to say, is the name by which the group referred to themselves. The biblical text under scrutiny in this portion of the commentary is a prophetic blessing, and we can understand quite well why it might attract the kind of interpretation which it does, unlike the kind of comments which we find in the earlier portions of this text. If it had not been found at Qumran, but elsewhere, we might have been drawn to suggest Qumran origins because of its final passage, but we also might have wondered about the very “un-Qumranic” straightforward reading of the biblical text which precedes it. We see that not all biblical interpretation at Qumran, even in a single manuscript, is necessarily cut from the same cloth.

| B. *Pesher: 4QpIsa<sup>b</sup>*

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As we noted above, in the history of the Qumran discoveries the first commentary published was the pesher on the book of Habakkuk from Cave 1, and its firstness has perhaps given it and its form an undue primacy in discussions of Qumran commentaries. In the pesher form, the interpreter is not necessarily interested in the simple meaning of the verses in the prophetic text, but only in what they have to say about his own times. The form which the pesher adopts is the familiar lemma plus interpretation, but the nature of the commentary is completely different from what we are accustomed to recognize as commentary.

The pesharim tell us more about the author, his group, his opponents and the history of their times than they do about the meaning of the biblical text. Unfortunately, the pesher technique conceals almost all of the specific characters behind code names and sobriquets, like Ephraim and Manasseh, “seekers after smooth things,” “the wicked priest,” “the man of the lie,” and “the preacher of lies,” so we cannot identify the specific cast

of characters in many, if not most, cases. Qumran scholars would willingly pay dearly for an ancient text which contained the solution to the coded names. For the author of the pesher, the true message of the prophetic text, or the texts from Psalms which were treated the same way, did not pertain to the world of the prophet or poet who wrote them, but referred to him and the world around him. Even the prophets themselves could not understand the meaning of their own prophecies as well as the Teacher of Righteousness (or Righteous Teacher) from Qumran.

An interesting and somewhat unusual example of the pesher form is represented by the single fragment of the manuscript named 4Q162 or 4QpIsa<sup>b</sup>.<sup>44</sup> As we expect of a pesherist, the interpreter is not necessarily interested in the simple meaning of the verses in Isaiah, but only in what they have to say about his own times. It is unfortunate that the best-surviving column of this text seems to have more biblical quotation than commentary, but we can nonetheless get a sense for how the author is applying the words of Isaiah to his own day.

82 | The opening of column 2, the least fragmentary section of the document, seems to be an interpretation of Isa 5:8–10, which was presumably quoted at the end of the previous column that is no longer extant. The prophet there describes greedy land acquisition, “joining house to house and field to field” which will then be followed by the desolation of great estates and a catastrophic decline in the productivity of the land. Although the prophet Isaiah is speaking of his own day in this passage, the Qumran interpreter, or perhaps better “employer,” of these verses attaches them to his own era. The commentary is introduced by one of the standard pesher formulas, פֶּשֶׁר הַדָּבָר, “the interpretation of the matter,” continuing לאַחֲרֵית הַיָּמִים לְחֻבַּת הָאָרֶץ מִפְּנֵי הַחֶרֶב וְהָרַעֵב וְהָיָה בְּעֵת פְּקֻדַּת הָאָרֶץ, “it refers to the end of days at the destruction of the land because of sword and famine. It shall take place at the time of the visitation of the land.”<sup>45</sup>

<sup>44</sup> Originally published by Allegro in DJD 5 (above n. 8), 15–17, my text and translation are based on my edition of this text with commentary that will appear in the revision of Allegro’s edition of DJD 5 which I am preparing with George Brooke and a number of other co-operating scholars.

<sup>45</sup> Although the word חֻבַּת appears to mean “guilt” or “debt” (and this would be its first appearance with this meaning in Hebrew), I follow the interpretation originally suggested by Allegro that it here means “destruction” (although for philological reasons differing from his), and that it serves as the pesher of לְשֹׁמֵה, “for desolation” in Isa 5:9b. The omission of the *resh* of חֻבַּת is not a scribal error, but a feature of Qumran phonology; cf. Elisha Qimron, *Hebrew of the Dead Sea Scrolls* (Atlanta: Scholars, 1986), 26–27, ¶200.14, and the literature cited in n. 8. He notes, “Such omissions occur for the most part near gutturals,”

The pesher applies the words of the prophet to “the end of days,” an expression which must carry some eschatological weight, although its exact sense in Qumran literature has been the subject of some discussion.<sup>46</sup> “Sword and famine,” then, are the pesherist’s interpretation of 5:10 which describes a precipitous decline in agricultural productivity. All this will take place, according to the pesher, at the time of the visitation of the land. The term פקדה is one which is often employed in Qumran Hebrew, and we can probably consider an idiom such as this one to be analogous to קץ הפקודה, “the period of visitation” which is found in the *Damascus Document* (7:21 and | 19:10–11) and דור הפקודה, “the generation of visitation,” found in 4QpHos<sup>a</sup> (4Q166 1:10). The author thus assigns Isaiah’s prophecy to a time described by the following combination of terms—“the end of days,” “the destruction of the land,” and “the visitation of the land.”

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The pesher then continues with Isa 5:11–14, parts of which verses have often perplexed modern commentators, and writes, “they are the Scoffers who are in Jerusalem, the ones who ‘despised the Torah of the Lord and rejected the word of the Holy One of Israel,’” linking the previous citation of Isaiah with verses somewhat distant from it, Isa 5:24–25. The term “Scoffers” is typical of the pesharim which often characterize their opponents by a variety of sobriquets, giving the opportunity to modern scholars to exercise their ingenuity in guessing at just whom the author of the pesher has in mind. The full phrase itself is borrowed from Isa 28:14, and is used in the *Damascus Document* 20:10–11, also in the context of those who reject the law. One of the opponents of the Qumran group referred to at the opening of the *Damascus Document* (1:14) is the אִיִּץ, the “Scoffer” who could very well be the leader of those pointed at in this passage.

Although the phrase “who ‘despised the Torah of the Lord and rejected the word of the Holy One of Israel’” is part of the citation from Isa 5:24,

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and the proximity of *het* fulfills that criterion. Although I believe that this reading is likely to be the correct one, an alternative pointed out by Shani Tzoref in the course of editing this essay ought to be mentioned. Following Gary Anderson’s discussion of the metaphor of sin as debt (“From Israel’s Burden to Israel’s Debt: Towards a Theology of Sin in Biblical and Early Second Temple Sources,” *Reworking the Bible: Apocryphal and Related Texts at Qumran*, [above n. 35] 1–30, esp. 9–18), she suggested a link between this phrase in the pesher and Lev 18:25 וְתִטְמָא הָאָרֶץ וְאֶפְקֹד עֲוֹנָהּ עָלֶיהָ וְתִקָּא הָאָרֶץ אֶת יִשְׁבִּיָּהּ 18:25; the possible link between the uses of פקד strengthens the possibility that חובת is to be taken as synonymous with עונה and to have the later meaning of “guilt” or “sin.”

<sup>46</sup> Cf. Annette Steudel, “אחרית הימים” in the Texts from Qumran,” *RevQ* 16 (1993): 225–46.

it appears that the author of this pesher employs the citation as part of his characterization of his opponents. A similar idiom is found in 1QpHab 1:11 and 5:11 where it is said of opponents of the group and of the man of the lie that “they rejected the law of God.” We know that at the root of much of the conflict between the Qumranites and their opponents are their divergent approaches to the practice of Jewish law. This is perhaps made clearest in 4QMMT which is an attempt to sway the addressee of the so-called “halakhic letter” to follow the religious and legal practices of the Qumran group and not those of their opponents. So the interpretation of this historically oriented commentary on Isaiah’s prophecies coincides well with what we know to have been the view of the Qumran community as reflected in their other writings. Even in this brief fragment of a pesher which contains more biblical text than interpretation we can see how the Qumran exegete manipulates the prophetic text in order to derive from it a message which is pertinent to his group and its opponents in the circumstances of the present, not the future.

Legal biblical interpretation in antiquity before the Qumran discoveries was virtually limited to the rabbinic tradition, and it was this fact that led some early readers of the *Damascus Document*, and even of the book of *Jubilees* to presume that they derived from some sort of Pharisaic or proto-rabbinic group, so deeply was the bias ingrained that only Pharisees or rabbis were engaged in the interpretation of biblical law.<sup>47</sup> Once the fuller corpus of legal texts from Qumran was published, however, including the *Damascus Document*, the *Community Rule* and other Rule texts, the *Temple Scroll*, MMT or the *Halakhic Letter*, and others, the place of legal biblical interpretation in the Qumran world became more prominent.

It is my view that we can characterize the modes of legal exegesis at Qumran employing the terminology of rabbinic legal exegesis, even

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<sup>47</sup> Robert H. Charles writes (“The Book of Jubilees,” in *APOT*, 2.1), “The Book of Jubilees was written in Hebrew by a Pharisee between the year of the accession of Hyrcanus to the high-priesthood in 135 and his breach with the Pharisees some years before his death in 105 BC.” Louis Ginzberg asserts in the “Preface” (dated 1916) to his study of what we now call CD, *An Unknown Jewish Sect* ([tr. R. Marcus et al.]; New York: Jewish Theological Seminary, 1976), xviii, “The results of these detailed investigations of the Halakah in the fragments can be summarized in the following words. The Halakah of the sect represents the Pharisaic view in all essential questions of law. . . .”

though a good deal of the exegesis is inferential and not explicit.<sup>48</sup> The methodology employed by the Qumran legists is similar enough to that of the rabbis that such analogies are appropriate with the proper caveats. Even in the *Temple Scroll*, which employs the literary form of rewritten Bible, we can often discern the organizational and exegetical principles which underlie the particular rewriting of the biblical text. The legal sections of the *Damascus Document* do not resemble rewritten Bible, and even a text such as 4Q159—Ordinances<sup>a</sup>, which bears some resemblance to rewritten Bible, forces us to pay closer attention to the way in which biblical material has been rewoven into a new form. It is not rewritten Bible, but biblical legal material reshaped and reformed under exegetical and interpretive constraints. |

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For our discussion, I choose a passage from 4Q159 frg. 2–4 8–10 which is fairly clear despite the somewhat fragmentary manuscript.<sup>49</sup> The final law which survives in this fragment is that of the bride accused of pre-marital unfaithfulness (Deut 22:13–21):<sup>50</sup>

- 8 Should a man malign an Isra[e]lite virgin, if on th[e day] of his taking her he says it, then there shall examine her  
 9 reliable [women]. If he has not lied regarding her, she shall be put to death, but if he has testified against her fals[ely], he shall be fined two minas [and his wife] he shall [not]  
 10 divorce all of his days.

It is clear that this passage is an exegetical rewriting of the passage in Deuteronomy, even though it is quite selective in which details of the biblical text to include in its composition, beginning by compressing the opening two verses of the pentateuchal account into the words “should

<sup>48</sup> For a broad preliminary discussion of legal exegesis at Qumran, see Moshe J. Bernstein and Shlomo A. Koyfman, “The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods,” in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2005), 61–87 (below 2.448–475).

<sup>49</sup> Originally published by Allegro in DJD 5 (above n. 8), 6–9; this translation too, is based on my edition of this text with commentary that will appear in the re-edition of DJD 5. I discuss 4Q159 at considerably greater length, and from a broader perspective, in “The Re-Presentation of ‘Biblical’ Legal Material at Qumran: Three Cases from 4Q159 (4QOrdinances<sup>a</sup>),” in *Shoshannat Yaakov: Ancient Jewish and Iranian Studies in Honor of Professor Yaakov Elman* (ed. Shai Secunda and Steven Fine; BRLJ 35; Leiden: Brill, 2012), 1–20, and in “4Q159: Nomenclature, Text, Exegesis, Genre,” in *The Mermaid and the Partridge. Essays from the Copenhagen Conference on Revising Texts from Cave Four* (ed. G.J. Brooke and J. Høgenhaven; STDJ 96; Brill, 2011), 33–55 (below 2.498–517 and 2.518–539, respectively).

<sup>50</sup> The *Temple Scroll* (11QT) 65:7–66:??, also presents the same law, although unsurprisingly, it contains virtually no interpretation of the law, and its language is modeled completely on the language of the biblical text.

a man malign an Israelite virgin.”<sup>51</sup> The formulation is extremely strange unless the reader is expected to understand the full implication of these words from his familiarity with the biblical account. Further reduction is evident in the almost total omission of Deut 22:15–17 which indicate the actions of the parents of the bride; in this Qumran composition, in fact, it is not clear whether the parents have any role at all. Just in case there was any doubt, in light of the omission of the introductory details found in the Pentateuch, that this law deals with a bride, the author expands the biblical law with the introduction of a time-frame for the accusation, 86 ב[י]ו]ם קחתו אותה | “on the day he marries her.” The time when the husband has a right to charge his wife is limited to that immediately following the marriage, and is of course reminiscent of later rabbinic discussions in mishnah *Ketubbot* 1:1 and related texts.

Once the husband has made this accusation, our document demands some objective testimony about the status of the woman. Whereas the Bible places the obligation of demonstrating the virginity of the bride on her parents, with the words ופרשו השמלה לפני זקני העיר, “they shall spread the garment before the elders of the city,” 4Q159 moves it to [נשים] גאמנות, “reliable women,” according to the reading proposed by Jeffrey Tigay and probably confirmed by a similar passage in several of the Cave 4 copies of the *Damascus Document* (4Q271 3 12–14; cf. 4Q269 9 6–8 and 4Q270 5 20–21). “Let no one marry any woman regarding whom an evil rumor circulated while she was in her unmarried state in her father’s house, *except after examination by trustworthy, reliable and knowledgeable women* at the command of the *mebaqqer* over the Many.”<sup>52</sup>

On the one hand, this clause aids in our comprehension of how the Qumran legist understood the biblical text. The time-frame for the husband’s bringing these charges is limited, since such trustworthy women

<sup>51</sup> We note that the law preceding this one in 4Q159, lines 6–7, is an expansion of the biblical prohibition on cross-dressing (Deut 22:5), coming from earlier in the same chapter, but modeled more closely on its biblical original: “Let there not be male garments upon a woman, any [nor shall a man] [7] cover himself with woman’s outer clothing, nor shall he wear the tuni[c] of a woman for it is an abomination.”

<sup>52</sup> Jeffrey H. Tigay, “Examination of the Accused Bride in 4Q159: Forensic Medicine at Qumran,” *JANESCU* 22 (1993): 129–34. Aharon Shemesh offers two further significant discussions of this passage in “4Q271.3: A Key to Sectarian Matrimonial Law,” *JJS* 49 (1998): 244–63 (252–61), and “Two Principles of the Qumranic Matrimonial Law,” in *Fifty Years of Dead Sea Scrolls Research: Studies in Memory of Jacob Licht* (ed. Gershon Brin and Billah Nitzan; Jerusalem: Yad Izhak Ben Zvi, 2001), 181–203 [Hebrew]. The latter article discusses in detail the divergences in exegesis and law between the Qumran text and later rabbinic halakha.

would be able to determine whether the bride had been virgin at the time of the marriage only immediately after the wedding. Furthermore, Menahem Kister has made the insightful suggestion that the author of 4Q159 found support for his legal “innovation” in his exegesis of the very words *השמלה ופרשו* of Deuteronomy, interpreting it to mean that the garment worn by the accused woman is to be spread so that the women can examine her.<sup>53</sup> On the other hand, if we consider what it is that this text tells us about the social group for which it was composed, we can infer, as we do regarding the parallel passage in 4QD, that it was a society which not only was | not celibate and male only, but even included women who were trained for or expert at this sort of evaluation.

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The author of this Qumran text continues in his not very close adherence to the biblical text of this section by compressing and inverting the two options which the Bible presents. In Deuteronomy, the first case presented is that where the husband is lying (22:18–19), and the second where he is truthful (22:20–21). In 4Q159, they are reversed, and a single line (9–10) suffices for four biblical verses. The penalties are equivalent to those in the Bible—death if his claim is correct, and a fine (expressed in the monetary terms of the Second Temple period) if he is lying. Once again, there is no reference to the parent(s) of the woman as the recipient(s) of the fine paid by the lying husband.

As we noted earlier, the law would make no sense as formulated if the reader was unaware of the passage in Deuteronomy, but the author appears to avoid modeling it too closely on that text. We are reading an interpretation of the law in Deuteronomy, once the passage has been stripped of some of its details. The distance between the pentateuchal text and the Qumran law, however, is not so great that we cannot easily recognize that the latter is the rewriting of the former. And from our perspective in this essay, that is all we need to observe to be able to assert that what we have before us is a Qumranic interpretation of a piece of pentateuchal legislation. I think that all legal texts from Qumran need to be examined in this fashion, with an eye to understanding how the biblical text which underlies them has been handled. Judicious analysis of this sort will be of value to the student of both Qumran law and Qumran biblical interpretation (and, not infrequently, to students of rabbinic law as well).

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<sup>53</sup> M. Kister, “Studies in 4QMiḡṣat Ma’āše Ha-Torah and Related Texts: Law, Theology, Language and Calendar,” *Tarbiz* 68 (1999): 332–33, n. 69 [Hebrew].

## VII. CONCLUSION

We have examined in the preceding discussion six texts, which belong to at least four genres, depending on how narrowly we define our genres. Let us consider for a moment what these forms of Qumran biblical interpretation might contribute to a history of the development of biblical interpretation. It is fairly clear that the reworked Pentateuch form, with its comprehensive rewriting of the biblical text with minimal interpretive insertions does not survive beyond the era of the Qumran texts. Whether or not it was biblical for its composer, | it did not furnish a model for similar extensive rewritings later on in either Judaism or Christianity. The less-biblical rewritten Bible form like the *Genesis Apocryphon* is also quite rare in extant rabbinic literature, with its only real representative being the much later (8th or 9th century CE) *Pirqei de-Rabbi Eliezer*. It has recently been suggested by a distinguished scholar of early Christianity, Lucas van Rompay, that the *Genesis Apocryphon* may have descendants in the Syriac biblical commentaries of Ephrem (d. 373 CE).<sup>54</sup> If this tentatively expressed hypothesis could be verified, it would fill in another piece in the largely empty jigsaw puzzle that depicts the development of early biblical interpretation, and we should then have new questions to ask, both historical and literary.

Biblical translation, of which Qumran furnishes a substantial example only in the Aramaic version of Job, existed before Qumran in literary form in the Septuagint, and continued afterward in the various rabbinic Aramaic translations of the Bible, the Syriac Peshitta, and early Christian biblical versions. In this case, the Qumran text need not be seen as, and probably was not, a major link in the chain, but, as noted earlier, furnishes us with a chronologically significant piece of the larger picture. Its value lies primarily in what it can offer to comparative studies.

The two sorts of commentary forms that we looked at would seem to have had different fates. The pure pesher form, with its technical vocabulary and employment of sobriquets, appears to have been unique to Qumran. When Qumran ends, it appears that the pesher genre as a Jewish mode of interpretation terminates as well, although there have been

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<sup>54</sup> Lucas van Rompay, "Between the School and the Monk's Cell: The Syriac Old Testament Commentary Tradition," in *The Peshitta: Its Use in Literature and Liturgy. Papers Read at the Third Peshitta Symposium* (ed. Bas ter Haar Romeny; Monographs of the Peshitta Institute Leiden 15; Leiden: Brill, 2006), 41–42 and nn. 37–40. I am grateful to Professor van Rompay for pointing out to me this confluence of our diverse research activities.



suggestions that pesher forms of interpretation are to be found in Christian Scripture.<sup>55</sup> Perhaps pesher could only exist in a community which believed that it was living on the verge of the eschaton and led by a leader who had inspired interpretive gifts.<sup>56</sup> 89

The *Commentary on Genesis A* form, if my view that it is a sort of selective commentary is accepted, would seem to stand in the tradition of later Jewish and Christian scriptural commentaries which blended side-by-side simple sense interpretations of the text with ideologically driven ones

<sup>55</sup> Speaking of Qumran interpretation of prophecy, George J. Brooke writes in "Biblical Interpretation in the Qumran Texts and in the New Testament," in *The Dead Sea Scrolls and the New Testament* [Minneapolis: Fortress, 2005], 60:

[T]his controlling influence of Scripture in the *pesherim* needs to be stressed, not least because many New Testament commentators have been tempted to describe the interpretative activity of many of the New Testament authors as *pesher*-like. It can be put quite simply: in *pesher* the primary or base scriptural text always precedes the interpretation; in the New Testament, such as in Matthew's infancy narrative or in the use of the Psalms in the passion narratives, the scriptural text, in the way the narrative is presented, follows after the event.

For a critique of the view that sees a Qumran genre, "midrash pesher," in Paul, see Timothy H. Lim, "Midrash Pesher in the Pauline Letters," in *The Scrolls and the Scriptures: Qumran Fifty Years After* (ed. Stanley E. Porter and Craig A. Evans; JSPSup 26; Sheffield: Sheffield Academic Press, 1997), 280–92.

<sup>56</sup> Naphtali Wieder claimed in *The Judean Scrolls and Karaism* (East and West Library; London: Horowitz, 1962) and several earlier studies that the Karaites employed a pesher-type of exegesis. Meira Polliack, however, has argued ("On the Question of the Pesher's Influence on Karaite Exegesis," in *Fifty Years of Dead Sea Scrolls Research* [above n. 52], 275–94 [294 and n. 48] [Hebrew]) that the "connection between the two exegetical approaches—that of the pesher and that of [the Karaite] Al Kumisi—to which Wieder and other scholars drew attention is fundamentally external." She introduces a recent, considerably lengthier, discussion as follows:

this article questions the long-held thesis concerning the existence of a viable connection between Qumranic pesher and the early Karaite model and method of interpreting biblical prophecy and some other biblical texts, as argued primarily by N. Wieder, and later adopted in other studies. The hypothesis proposed here is that while the parallels identified in the exegetical texts of both groups reflect a similar orientation in the history of Jewish Bible interpretation, this should not be confused with Qumranic sources actually influencing early Karaite literature . . . The following analysis of three major aspects of the comparative sources (the conceptual framework of interpretation, its methodology, and its terminology), shows that there is no substantive continuity between the interpretive systems of the Qumranites and Karaites ("Wherein Lies the Pesher? Re-questioning the Connection Between Medieval Karaite and Qumranic Modes of Biblical Interpretation," *JSIJ* 4 [2005]: 151–200 [154]). (<http://www.biu.ac.il/js/JSIJ/4-2005/Polliack.pdf>).

For Qumran and the Karaites more generally, see now Albert I. Baumgarten, "Karaites, Qumran, the Calendar, and Beyond: at the Beginning of the Twenty First Century, in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. Adolfo Roitman, Lawrence H. Schiffman, and Shani Tzoref; STDJ 93; Leiden, Brill, 2010), 603–19.

and all sorts in between. From the standpoint of actual literary-historical connections, we must ask, once again, whether this form of commentary that we find at Qumran was discovered or developed there, or whether Qumran simply preserves for us a form which was shared by a variety of Jewish groups in the late Second Temple period. Did later employers of this literary form inherit a Qumran model or a pan-Jewish Second Temple one? This question must unfortunately remain unanswered, barring the availability of further evidence, but the possibility remains that the shared  
90 formal qualities of these texts were not merely coincidental. |

Finally, our brief glimpse at a text containing biblical interpretation in a legal context gave us a glimpse at a post-biblical formulation of laws that differs, on the one hand, from the style of the *Temple Scroll* which remains closer to biblical idiom, but is also quite unlike the style that we find in rabbinic literature in the mishna and the tosefta. It is difficult to speak of a strict line of development in this area, since even at Qumran we find a variety of ways in which legal material is being rewritten in diverse legal texts. It is much easier to compare the contents and the methods of the legal analysis of the biblical material at Qumran and in rabbinic literature than the literary forms in which they survive. We may certainly surmise, however, that even the literary form of 4Q159 may have resembled biblical style too much for the rabbis to have integrated something like it into an Oral Law which could not resemble the Written.

So it appears that the importance of Qumran biblical interpretation, beyond its intrinsic significance, cannot be shown to lie in any major direct impact that it had on the development of subsequent Jewish biblical interpretation. In those areas, such as Aramaic translation and non-pesher commentary, where we can point to similarities between Qumran and later material, the similarity is not likely to be the product of direct development or influence. The significance of the Qumran interpretive corpus from an historical perspective can therefore be said to lie in its filling in another blank section of the jigsaw puzzle described above, as well as in preserving for us remnants of interpretive lineages and forms which died out and did not survive antiquity.

## CHAPTER EIGHTEEN

### PSEUDEPIGRAPHY IN THE QUMRAN SCROLLS: CATEGORIES AND FUNCTIONS\*

#### I. INTRODUCTION

The purpose of this paper is to investigate the practice of pseudepigraphy in the scrolls found at Qumran. Two matters need to be clarified at the outset. The first, rather obvious, fact is that due to the diverse nature of the Qumran library, there is no assurance that we are studying a practice which was prevalent *at* Qumran. The second, more complex, issue relates to the term “pseudepigraphy,” whose meaning needs to be clarified. First, I shall introduce its better-known relative, “pseudepigrapha.”

The perception of the importance of the body of writings generally referred to as the Pseudepigrapha has increased over the last half century, since the discovery of the Dead Sea Scrolls.<sup>1</sup> The term “pseudepigrapha,” however, has been employed in two different ways in recent scholarship and a very important distinction must be made for the purpose of this paper. Originally, “pseudepigrapha” was used to describe texts falsely ascribed to an author (usually of great antiquity) in order to enhance their authority and validity. Gradually, the connotation of this word was expanded to include a collection of Jewish and Christian writings dating from the last centuries BCE to the first centuries CE which did not become part of the canon in either religion.<sup>2</sup> Although the term “apocrypha,”

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\* Effective collegial criticism is one of the most valuable aspects of scholarship. At the oral presentation of this paper in Jerusalem in January 1997, critical comments were voiced by Professors Albert Baumgarten, Devorah Dimant, Sara Japhet, George Nickelsburg and Emanuel Tov. Their remarks compelled me to rework some of my ideas in a more nuanced fashion and have been taken into consideration, to the best of my ability, in the preparation of the written form of this article. No doubt there remain areas where they fail(ed) to convince me as I fail(ed) to convince them. At a later stage of writing, the paper benefited from the criticism of Professors Alan Brill and Yaakov Elman and Ms. Shani Berrin and, from beginning to end as usual, from that of Ms. Judith C. Bernstein.

<sup>1</sup> An excellent example of a broad treatment of the relationship between the Qumran texts and the Pseudepigrapha is M.E. Stone, “The Dead Sea Scrolls and the Pseudepigrapha,” *DSD* 3 (1996): 270–95. See particularly 270–74, “Definitions of Scrolls and of Pseudepigrapha.”

<sup>2</sup> Cf. Stone’s remarks in “Dead Sea Scrolls and Pseudepigrapha,” 270–71.

- 2 which accompanies it in the | phrase “Apocrypha and Pseudepigrapha” (the pairing perhaps ultimately owes its existence to E. Kautzsch and R.H. Charles), can be defined fairly narrowly as a particular group of deuterocanonical works which appear, with some variation, in the Roman Catholic, Greek, Slavonic and Ethiopic Bibles, the term “pseudepigrapha” has lost much of its specificity. Indeed, the first volume of Charlesworth’s *Old Testament Pseudepigrapha*,<sup>3</sup> “Apocalyptic Literature and Related Works,” generally follows the narrow generic definition of pseudepigrapha, works ascribed falsely to an author of antiquity. The second volume, with the unwieldy subtitle, “Expansions of the ‘Old Testament’ and Legends, Wisdom and Philosophical Literature, Prayers, Psalms and Odes, Fragments of Lost Judeo-Hellenistic Works,” demands the broader understanding of the classification. There are in fact many more works in the second volume which are not technically pseudepigraphic than there are in the first.

The relationship between the pseudepigrapha and the Qumran scrolls has become increasingly significant in contemporary scholarship as it has become evident that these two corpora share certain works, genres, and historical contexts. To begin with an obvious though important fact, copies of works which belong to the narrowly-defined pseudepigrapha, such as *Jubilees*, *1 Enoch* and early forms of the *Testaments of Levi* and *Naphtali*, have been discovered in the Qumran caves. Less obvious, however, but perhaps more significant is the way in which the apocrypha and pseudepigrapha have subtly influenced the manner in which we name, define and characterize fragmentary Qumran documents.

- As the known Qumran corpus has grown in scope, we have been introduced to the fragments of many heretofore-unknown works connected with the Hebrew Bible. Scrolls editors have sometimes resorted to indicating the relationship to biblical texts by adding “pseudo-” or “apocryphal” to the name of the appropriate biblical text or figure. Thus, we find Apocryphon of Moses, Pseudo-Moses, Apocryphon of Samuel-Kings, Apocryphon of Jeremiah, Pseudo-Ezekiel, Pseudo-Daniel, Pseudo-Jubilees, Apocryphal Psalms, Non-Canonical Psalms, as well as the Apocrypha of Jacob, Judah, and Joseph. In the naming of Qumran texts, the categories “apocryphal” and “pseudepigraphical” have become virtually synonymous or often overlapping terms. The salient feature of pseudepigraphy, the false attribution of authorship, appears no longer to be relevant in the categorization of works as “pseudo-X.” I am convinced that the | practice of using this
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<sup>3</sup> J.H. Charlesworth, ed., *Old Testament Pseudepigrapha* (2 volumes; Garden City: Doubleday, 1983–85).

terminology in naming Qumran texts has obscured their true nature in many instances. The term "apocryphal" should, *prima facie*, denote a relationship to a body of material which is canonical or non-apocryphal from the standpoint of the author or audience but this is not always the case. Although the term "pseudo-" sometimes implies that the ancient author is consciously writing pseudepigrapha, in other instances it means only that the work has some unexpressed relationship to a biblical or other work on the same theme. While we need a common set of references for these documents, our terminology should be more discriminating.

Thus I use the term "pseudepigraphy" rather than "pseudepigrapha." I am interested in studying the phenomenon, at Qumran, of composing texts or portions of texts which are placed into the mouth of ancient figures. I hope to distinguish between works which are "genuinely" pseudepigraphic (if that not be too harsh an oxymoron) and those to which, out of convenience or expedience, the term "pseudo-" was attached by their editors. In the course of this analysis, I shall introduce the following categories:

- 1 Authoritative pseudepigraphy,
- 2 Convenient pseudepigraphy, and
- 3 Decorative pseudepigraphy.

Once we perceive the range of the use of pseudepigraphy in the Qumran texts, I shall focus on the classification and functions of pseudepigraphy.

I admit that I still have more questions than answers and that I do not have a ready alternative in each instance where I reject a title. It is, of course, easy to find fault with other scholars' work, particularly when it was done in the early, more naïve, period of Qumran scholarship. I intend to highlight the problems and to offer some preliminary clarifications in the hope that others will take up the challenge and provide further solutions.

## II. PSEUDEPIGRAPHY "BEFORE" QUMRAN

What is the nature of the pseudepigraphy in works which were known before the Qumran discoveries?<sup>4</sup> If we were to survey lists of Second

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<sup>4</sup> The question of pseudepigraphy in the Bible itself is beyond the scope of this discussion but a salient difference between biblical and Second Temple literature must be noted. It is fairly clear that, unlike most of the biblical authors, the Second Temple authors were

- 4 Temple works which are technically pseudepigraphic, we would | certainly find a common core of documents such as *Jubilees*, *1 Enoch*, *4 Ezra*, *2 Baruch*, the *Psalms of Solomon*, the *Prayer of Manasseh* and, allowing for some chronological freedom, perhaps the *Testaments of the Twelve Patriarchs*. It is clear that during the later Second Temple period the technique of pseudepigraphy was frequently employed. Yet we cannot be certain whether pseudepigraphy functioned as a convention whose audience knew that the words were not those of the ancient writer but of a contemporary or whether they were “fooled” by the pseudonymous attribution into accepting the document as one of genuine antiquity.<sup>5</sup> Perhaps at different times, in different places, in different circles, pseudepigraphy had different implications. In instances where pseudepigraphy may have been an accepted method of composition, the use of the term “pseudepigraphy” by modern scholars may nevertheless carry a pejorative overtone, since “pseudo-” tends to mean “not genuine.” This development reflects a modern attitude concerning the morality or appropriateness of writers adopting the voices of others, despite the fact that no such stigma may have been attached to the genre in antiquity.

The literary forms which employ pseudepigraphy are varied and include rewritten Bible (both narrative and legal, such as in *Jubilees*),<sup>6</sup> expansions of biblical stories in *1 Enoch* and similar books, testaments, prophetic visions, sapiential literature, prayer and poetry. It is clear, however, that the phenomenon of pseudepigraphy does not always operate the same

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writing against the background of something “canonical,” “authoritative,” “official,” “authorized,” or “approved,” i.e., the Bible. Which versions, sections or texts, which authorities determined their status and the component parts, if any, into which the “Bible” was to be divided are not germane to this point. The fact that the Second Temple authors acknowledged the authority of the Bible as a point of reference enables us to employ terms such as “apocryphal” and “pseudepigraphical” in the context of their literary works.

<sup>5</sup> One perspective is adopted by J.H. Charlesworth, “Pseudepigrapha, OT,” *ABD* 5:539b, who writes “Why did the authors of these writings attribute them falsely to other persons? These authors did not attempt to deceive the reader. They, like the authors of the Psalms of David, the Proverbs of Solomon, the Wisdom of Solomon, and the additions to Isaiah, attempted to write authoritatively in the name of an influential biblical person. Many religious Jews attributed their works to some biblical saint who lived before the cessation of prophecy and who had inspired them.” It must be noted, however, that the Second Temple authors, lacking the perspicacity of modern biblical scholars, probably did not assume that any of those biblical works was pseudepigraphical and therefore could not have employed them as models for their own work.

<sup>6</sup> We shall argue that the pseudepigraphy of *Jubilees* differs from that of most other examples of rewritten Bible. This phenomenon relates to the apocalyptic and legal aspects of the text and not to its recapitulation of biblical narrative.

way or to the same end. One of our goals is to clarify its distribution and function.

After surveying literature from the last decades on pseudepigraphy, I have found that a great deal of the scholarship focuses on | the function of pseudepigraphy in the context of apocalyptic literature.<sup>7</sup> Several of the works and genres which I listed above belong, to greater or lesser degrees, to that family. Once prophecy was believed to have come to an end, the cycle of history, visions of the future (especially eschatological rewards and punishments), the revelation of cosmic truths and the disclosure of long-hidden secret doctrines were most effectively expressed through the mediation of a sage or visionary whose words bore the mark of divine authority and approval. Since everything prophesied before the time of the actual author could be “foreseen” with great accuracy, greater weight was given to future predictions. The authors of these works may have regarded themselves as heirs (or even *redivivi*) of the writers whose names they borrowed, mediating and reproducing the message of biblical figures in the post-biblical age.

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<sup>7</sup> A representative selection of references:

- “The vision is not published under its writer’s name, but is attributed to a famous figure drawn from the past. This pseudepigraphy is typical of the apocalypses. . . .” (M.E. Stone, “Apocalyptic Literature,” in *Jewish Writings of the Second Temple Period* [ed. M.E. Stone; CRINT 2.2; Philadelphia: Fortress; Assen: Van Gorcum, 1984], 383);
- “Pseudepigraphy as such is a common feature of very much of the literature, Jewish and pagan alike, of the Hellenistic-Roman age. In Jewish literature it is particularly widespread in this period, very few of the Apocrypha and Pseudepigrapha being other than pseudepigraphic in attribution. Yet, it can be claimed that the pseudepigraphy of the apocalypses forms a special class in the Jewish writings because of the nature of the claims made for their content and teaching” (ibid., 427).
- “The *pseudepigraphic form* [emphasis in the original] necessarily became a firm rule for Jewish apocalyptic, since the apocalyptists’ unheard-of claim to revelation could only be maintained by reference to those who had been endowed with the spirit in ancient times” (M. Hengel, *Judaism and Hellenism: Studies in Their Encounter in Palestine During the Early Hellenistic Period* [Philadelphia: Fortress, 1974], 1.205).
- “Generally speaking, it is true that Jewish apocalyptic is pseudonymous. The several writers throw their prophecies into the remote past and write in the name of some honoured figure of antiquity who, it is claimed, had received divine revelations which he recorded in a book and passed onto those who succeeded him” (D.S. Russell, *The Method and Message of Jewish Apocalyptic* [London: SCM Press, 1964], 127–28).
- “A much cherished literary genre was pseudepigraphic-apocalyptic prophecy, where exhortation is based on special revelations which the authors claim to have received concerning the future destinies of Israel. Pseudepigraphy, i.e. the placing of the revelations in the mouths of the great men of the past, endowed the admonitions and consolations with special prestige and great authority” (E. Schürer, G. Vermes and F. Millar, *The History of the Jewish People in the Time of Jesus Christ [175 BC–AD 135]* [Edinburgh: T&T Clark, 1973–87], III.1.179).

6 The Enoch literature, 2 *Baruch*, 4 *Ezra* and the *Testaments* certainly belong to this category, and *Jubilees*, because of its apocalyptic | perspective, probably does as well. The function of pseudepigraphy in these examples is to strengthen the work's authority. This phenomenon I term "strong" or "authoritative" pseudepigraphy. Prophecies are placed in the mouth of the ancient patriarch or prophet to make them more convincing. In the case of *Jubilees*, however, apart from its apocalyptic component, the author has adopted a pseudepigraphic stance to promulgate legal truths and a correct system of halakhah.<sup>8</sup> How better to verify that the halakhic interpretation of the Pentateuch which you are presenting is faithful to the original intent of its divine Author and human author, than by presenting it as the revelation of what is found on heavenly tablets by a high-ranking angel to the recipient of the Mosaic Torah at the very time when he received that Torah? We shall observe that it is particularly prescriptive legal material and prophetic/apocalyptic predictions which are best suited to strong, authoritative pseudepigraphy.

In the case of the testamentary literature, what better way to inculcate morals and values in a society which needs chastisement than through the patriarchs of old?<sup>9</sup> The loosely authoritative, even prescriptive, nature of the pseudepigraphy remains, but the technique is adopted to convey a moral message. This "convenient" pseudepigraphy is a "lighter" or "weaker" form of authoritative pseudepigraphy. We shall see other examples of convenient pseudepigraphy where the authoritative dimension is lacking completely. The model of the Testaments is actually intermediate between the purely authoritative and the purely convenient techniques.

Sapiential works such as *Ecclesiastes* and the *Wisdom of Solomon* are ascribed to Solomon because he was the wise man, *par excellence*, of antiquity. Words of wisdom are placed in his mouth and adorned with his reputation and authority to enhance their acceptability. Authorial assertion is less critical for sapiential literature than for works, such as *Enoch* and *Jubilees*, which might have fallen on deaf ears without this claim. The Solomonic authorship of biblical wisdom books may have established a tradition to which later writers of sapiential literature felt they belonged,

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<sup>8</sup> Cf. the remarks of M. de Jonge, *Outside the Old Testament* (Cambridge: Cambridge University Press, 1985), 2: "Moses and the angel are the authorities behind this view of Israel's earliest history and this particular interpretation of its *halakhah* (binding regulations)."

<sup>9</sup> Pseudepigraphy of this type may not seem as dissonant to the modern reader as the prophetic/apocalyptic's *post eventum* pronouncement of truths to buttress arguments about the future or the assertion that the correct legal interpretations of the Mosaic Pentateuch were written by Moses in *Jubilees*.



in contrast to the more artificial assumption of the prophetic mantle by the authors of *Enoch* or *Jubilees*. This is also a weaker form of authoritative pseudepigraphy.

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In the *Prayer of Manasseh*, pseudepigraphy facilitates biblical interpretation or expansion. This work attempts to fill in the gap left by 2 Chron. 33:12 and it lacks even the lighter *Tendenz* characterized above. It seems to owe its existence to the biblical story, although there is no reference to Manasseh in the text itself.<sup>10</sup> But, based on its contents, it could have been just another extra-biblical poem of its genre. Similarly, the *Psalms of Solomon* apparently owe their attribution not to any internal "evidence" but to the similarity between the messianic *Ps. Sol.* 17 and the canonical Psalm 72 which is explicitly headed "To/of Solomon." It is not clear whether the Solomonic authorship would have affected the reader of these poems. The fact that these works are pseudepigraphic only "externally" (i.e., by title and not by content) is worth keeping in mind. The term which I suggest for this type is "decorative" pseudepigraphy.

This brief survey of pseudepigraphy outside Qumran is intended to establish a framework in which we can examine the issue at Qumran. In these texts we have seen what I call a range of degrees of "pseudepigraphicity," as well as its roles or functions. There is, however, a quality which is shared by most of these works and which is critical to the way that pseudepigraphy should be examined and evaluated: this is the fact that they are *externally* and *internally* wholly pseudepigraphic (the *Prayer of Manasseh* and the *Psalms of Solomon* are exceptions). Their "pseudepigraphicity" is an essential feature of the work and the pseudepigraphic stance is maintained throughout (some modification of the latter statement might be required in the case of *1 Enoch*). These qualities furnish useful standards for comparison with the Qumran material.<sup>11</sup>

<sup>10</sup> M. Smith, "Pseudepigraphy in the Israelite Literary Tradition," in *Pseudepigrapha I* (ed. K. von Fritz; Entretiens sur l'antiquité classique; Vandœuvres-Genève, 1972), 212, actually speaks of "the anonymous prayers attributed to Azariah and Manasseh and the anonymous psalms attributed to Solomon." G.W.E. Nickelsburg suggested at the oral presentation of this paper that it was worth considering whether the *Prayer* was created for an expanded account of Manasseh's life such as we find in the *Didascalia*. In that case, the pseudepigraphy would be more than what I shall term "decorative."

<sup>11</sup> Albert Baumgarten (electronic mail communication May 11, 1998) suggests a conceptual distinction between the terms "pseudonymity" and "pseudepigraphy" which might prove valuable in further study of this topic. In the former, any name from the past will do for the purported author, while in the latter there is a need for an authoritative figure who is brought back on the stage of history. Examples of pseudonymity would be the author of the *Letter of Aristæus* or *Scriptores Historiæ Augustæ*. The particular names chosen by

## A. Introduction

As I have already noted, we may be creating an artificial corpus by speaking of the “Qumran scrolls.” Even a descriptive approach must be used with caution in light of the haphazard nature of the collection. With this point in mind, our first step is an acknowledgment of the obvious fact that Qumran literature is largely anonymous and not pseudonymous.<sup>12</sup> The major whole documents of the Dead Sea Scrolls, the Community Rule, the War Scroll, and the Zadokite fragments or Damascus Document do not indicate their authorship. Neither do the Thanksgiving Hymns, the Songs of the Sabbath Sacrifice, the pesharim or the document known as *Miqsat Ma’ase ha-Torah*, however we may classify it generically. Whether the Teacher of Righteousness or any other particular Qumran figure wrote these texts, whether a unique personal imprint exists in the Thanksgiving Hymns, whether the interpretations of the pesharim are divinely inspired, none of this is known because no names are found internally or externally.

Among the works found only at Qumran, what might be considered pseudepigraphic and by what definitions? Here I return to my earlier remarks on nomenclature to demonstrate the complexity of the endeavor. Having remarked on the varied and often unenlightening official names of some Qumran texts, we may add to that list other works which need to be evaluated in regard to pseudepigraphy, such as 4QReworked Pentateuch, testament-type works attributed to Levi, Naphtali, Qahat, and Amram, to mention but a few, the Apocryphon of Joshua (formerly Psalms of Joshua) and other scripturally-based texts such as the Genesis Apocryphon. Furthermore, on the dust jacket of a very recent English translation of the Dead Sea Scrolls, we find the following assertion: “Twelve texts not included in the Bible *that claim Moses as their author* [my emphasis]. New psalms attributed to King David and to Joshua.”<sup>13</sup> These claims and the titles highlight the difficulty. Scholars have not yet examined carefully many of these texts and they certainly have not examined the entire

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the authors of both are not as significant as the choice of Enoch for *1 Enoch* or the angel/Moses for *Jubilees*.

<sup>12</sup> M. Smith, “Pseudepigraphy,” 212: “The first two books of the *Maccabees* are not pseudepigrapha, but anonymous. So are the great majority of the works found at Qumran.”

<sup>13</sup> M. Wise, M.G. Abegg, Jr. and E. Cook, *The Dead Sea Scrolls: A New Translation* (New York: Harper, 1996).

corpus in detail to see just what *claim* is made by the texts themselves | 9 regarding authorship and speaking voice. The fact that terms like “apocryphal” are, at least in part, dependent on the existence of a canon makes our analysis even more complex.

Names are not attached explicitly, as far as we can tell, to most of the fragmentary legal texts found at Qumran, with the possible exception of the Ordinances where Moses’ name seems to appear (4Q159 5 4 and 7). Regardless of the fact that many of them<sup>14</sup> are written in an overtly biblical style or employ language which paraphrases or borrows from the Pentateuch, we do not sense that we are reading texts whose personal authorial voice is loud and clear. From the complete texts of the community rules as well as their fragments, and those of other, more Scripture-like legal texts, it appears that pseudepigraphy was superfluous for the writing of legal codes. If pseudepigraphy were ever *de rigueur* at Qumran as a literary device, it may have been used only in texts which were attempting to proclaim a legal or theological doctrine to the outside world and considered unnecessary in works intended for insiders. Otherwise, we would expect to find an authoritative figure such as Moses as the putative author of various legal texts at Qumran.<sup>15</sup>

#### B. “Classic” Pseudepigraphic Texts at Qumran

Of the presence of pseudepigraphic texts at Qumran there can be no doubt, since the “library” possessed multiple copies of *Jubilees* and *1 Enoch* as well as testament-type works. It is important to note that neither of these works is claimed by scholars to be of Qumranic origin. Moreover, I believe that one could argue that fully-pseudepigraphic works such as these were not composed at Qumran. It might even be claimed, based on the authoritative status of *Jubilees* within other Qumran texts, that its pseudepigraphy was taken at face value, that is, that its ascription to Moses was accepted just as Second Temple authors generally accepted the Mosaic authorship of the Pentateuch.<sup>16</sup>

<sup>14</sup> We must remember that we are dealing with fragments in many instances.

<sup>15</sup> For further discussion of legal pseudepigraphy at Qumran, see L.H. Schiffman’s essay, “The Temple Scroll and the Halakhic Pseudepigrapha of the Second Temple Period” in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls: Proceedings of the Second International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Related Literature, 12–14 January, 1997* (ed. M.E. Stone and E.G. Chazon; STDJ 31; Leiden: E.J. Brill, 1998), 121–32, and my remarks on the Temple Scroll and Moses pseudepigrapha below.

<sup>16</sup> Cf. CD 16:3 and 4Q228 1 i 2 and 9.

The Aramaic Levi Document (ALD), the Hebrew Testament of Naph-  
 tali and the Aramaic fragments of testament-like works assigned to Jacob,  
 10 Judah and Joseph (very fragmentary) and Qahat and Amram | (a bit more  
 substantial) are indubitably also pseudepigraphic in the fullest sense.  
 They are “autobiographical,” as far as we can tell, containing exhortations  
 for virtuous behavior to the descendants of the speaker and prophetic  
 visions of the eschaton. ALD also includes prescriptive priestly halakhah  
 which might have required strong pseudepigraphy for its authority. In all  
 these texts, pseudepigraphy intersects with apocalyptic, and authoritative  
 pseudepigraphy is characteristic of their composition.

These are the indisputable examples of pseudepigraphy at Qumran.  
 Turning now to a group of substantially-preserved Qumran documents, we  
 shall examine to what degree they are pseudepigraphic and how pseude-  
 pigraphy functions in them. We shall then scrutinize less well-preserved  
 documents for any light that they may shed. Because a number of them  
 belong to the category usually labeled “rewritten Bible,” some remarks on  
 the nature of pseudepigraphy within that genre need to be prefaced to  
 the discussion.

### C. *Rewritten Bible*

#### 1. *Introduction*

Unlike prophecies or testaments, legal texts and narratives need not  
 have an explicit author. A rewritten Bible text makes no claim to strong  
 pseudepigraphy if the text does not speak in the first person, whether in  
 the name of, or as a narrative about, an ancient figure. Likewise, narrative  
 texts which retell a biblical story but make no explicit or implicit claim  
 to be part of a canonical work also lay no claim to strong pseudepigraph-  
 y. *Jubilees* is thus the exception to the model of most rewritten Penta-  
 teuch texts because it claims the authorship of the angel/Moses. Unlike  
*Jubilees*, narratives which include first person speeches by characters in  
 the story ought not be construed as authoritative pseudepigraphy but  
 rather as convenient pseudepigraphy. The goal of convenient pseudepigraph-  
 y is, in this case, obvious. The retelling and expansion of the bibli-  
 cal story is accomplished more easily, and the narrative rendered more  
 vivid, through the creation and insertion of speeches into the mouths of  
 characters. At an early stage of biblical exegesis, before the development  
 of the commentary form, rewriting offered one of the few literary options  
 for interpretation. The rewriter/interpreter was able to put words into the

mouths of characters to convey his reading without creating an authoritatively pseudepigraphic work since the work as a whole makes no claim to authority or to pseudepigraphy.

| 2. *Reworked Pentateuch*

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The Reworked Pentateuch manuscripts published in DJD 13 remain very difficult to classify. Most of the text is quite literally rewritten Bible, wherein a passage from the Pentateuch has been adjusted by slight rearrangements, the addition of exegetical comments and occasional omissions. How do we assess, from the standpoint of pseudepigraphy, a text like 4QRP which rewrites pentateuchal material in a minimal fashion as if it were literally rewriting the Bible?<sup>17</sup> Assuming that the author of RP conceives of the Bible as the backdrop against which he is rewriting, shall we conclude that 4QRP has employed pseudepigraphy in the rearrangement and slight modification of pentateuchal material? (By that token, we might even have to speak of the Samaritan Pentateuch as pseudepigraphic!) If we take into consideration the possibility that the author intended to rewrite a *biblical* text and “improved” it by rearranging certain details, harmonizing contradictions and juxtaposing like material, then perhaps we should not think of this technique as pseudepigraphy. We could conclude instead that this is a form of editorial work which makes no claim to authorship.

Amid various minor adjustments and insertions, however, the author of RP has inserted some atypical passages which have received much public attention in advance of the publication of DJD 13. Such passages include 4Q364 3 ii, which contains a narrative addition to Gen. 28:6 in the form of a dialogue between Rebecca and Isaac; 4Q365 6a ii–c, the Song of Miriam; and 4Q365 23 4 ff., a completely extra-biblical legal addition inserted after Lev. 23:42–44 which details the wood festival, already presumed to be part of the Qumran calendar on the basis of the reconstruction of the Temple Scroll (columns 23–24 and 43).

The first two additions present us with a specific question: how are we to evaluate the larger adjustments made to a work which is fundamentally

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<sup>17</sup> The analysis of 4QRP is still in its initial stages. There is currently a good deal of discussion concerning whether all the manuscripts identified as 4QRP belong to a single work. A question has also been raised whether one or more is to be considered a “real” biblical text, rather than a “reworked” one. This issue can complicate the question of the work’s pseudepigraphy.

the Hebrew Bible, slightly enlarged and expanded? Herein lies one of the key distinctions between works which are wholly pseudepigraphic and those which can be described as containing “pseudepigraphic interpolations.” From the perspective of the writer of Miriam’s song or Rebecca’s dialogue with Isaac about Jacob, this composition is an addition to the biblical text and, | although written in the style of the biblical text, the author was not trying to mislead the reader as to its authenticity. After all, that was the conventional manner in which to retell the biblical story and to include interpretive remarks. If Scripture said that Miriam sang a song, then adding that song would be appropriate.

If we are to characterize this literary activity as pseudepigraphy, it is of the type that I call convenient, rather than authoritative, pseudepigraphy. It is simply a formal way to supplement the biblical text and to introduce exegetical or interpretive remarks without rewriting the whole in a non-pseudepigraphic style, an approach which seems not to have been available as yet. This is the same kind of convenient pseudepigraphy which we will find in the Genesis Apocryphon, where it is less obvious because it is not surrounded by biblical passages written in biblical style. I would suggest, therefore, that convenient pseudepigraphy not be considered evidence of intent to deceive on the author’s part.

The legal passage regarding the wood festival, on the other hand, cannot be categorized as convenient pseudepigraphy, for the author of RP introduces the law with *וידבר ה' אל משה לאמור*, “The Lord spoke to Moses, saying.” He attempts to give the force of Mosaic law to a practice which was apparently important to his group and its calendar and which, furthermore, has scriptural precedent (Neh. 10:35; 13:31).<sup>18</sup> The author of RP (or his source, if the final editor of 4QRP is not responsible for the composition of this passage) meant the reader to take it as a divine imperative, to be obeyed like the remainder of the commandments in the Pentateuch. This phrase constitutes an internal claim to pseudepigraphy in a way in which the above-mentioned additions to Genesis and Exodus do not. It forces us to consider whether this work, which we would not have defined as pseudepigraphic on the basis of the rest of its contents, is actually a pseudepigraphon, with the pseudepigraphy being employed to give authority to halakhic rulings, as we saw on a broader scale in *Jubilees*. This characterization is awkward, however, since the passage is

<sup>18</sup> Cf. Y. Yadin, ed., *The Temple Scroll* (Jerusalem: Israel Exploration Society, 1983) 1.122–24.

surrounded by the biblical text and does not merely resemble it or build upon it, as *Jubilees* does. The alternative is to suppose that the composer of RP assumed that he had the authority to add to the biblical text in this fashion, and therefore did not consider what he composed to be pseudepigraphic. From the perspective of the modern reader, however, this passage (but not the work as a whole) must be considered pseudepigraphic in the strongest, authoritative, sense. |

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### 3. *4Q158 Biblical Paraphrase*

4Q158, published by Allegro under the title *Biblical Paraphrase*, is close enough to 4QRP for the editors of 4QRP, Emanuel Tov and Sidnie White Crawford, to have claimed that it is another copy of the same text.<sup>19</sup> Like 4QRP, large pieces of 4Q158 are pentateuchal. The supplementary material, however, is far more extensive and this phenomenon has led me to conclude that 4Q158 is not a copy of RP or even an example of the genre of minimally rewritten Bible.<sup>20</sup> I believe that the extrabiblical additions in 4Q158 are not pseudepigraphic in spirit. Rather, the attempt by its composer to clarify the biblical text through rearrangement and supplementation is a form of interpretation. Any pseudepigraphic qualities which the text possesses are “convenient” rather than “authoritative.” Thus, while some aspects of the status of 4QRP as a biblical or pseudepigraphical text may be open to debate, 4Q158 should be considered an example of rewritten Bible with no functional pseudepigraphic overtones at all.

### 4. *The Temple Scroll*

Much better known than the “Reworked Pentateuch” texts and probably more significant for our discussion is 11QT, the *Temple Scroll*.<sup>21</sup> Here the arguments for “pseudepigraphicity” are more concrete but the situation is slightly more complex.<sup>22</sup> A large part of 11QT consists of large segments of rewritten Pentateuch.

<sup>19</sup> J.M. Allegro, ed., *Qumran Cave 4, I (4Q158–186)* (DJD 5; Oxford: Clarendon, 1968) 1–6; S. White Crawford and E. Tov, *Qumran Cave 4. VIII: Parabiblical Texts, Part 1* (ed. H.W. Attridge et al.; DJD 13; Oxford: Clarendon, 1994) 189–91.

<sup>20</sup> A view similar, although not identical, to mine has been argued by Michael Segal in “Biblical Exegesis in 4Q158: Techniques and Genre,” *Textus* 19 (1998): 45–62.

<sup>21</sup> On 11QT, see especially Schiffman’s essay (above, n. 15), “The Temple Scroll and the Halakhic Pseudepigrapha,” 121–32.

<sup>22</sup> Many scholars, for example, do not consider 11QT to be a product of the Qumran group and this may be important for the overall picture of pseudepigraphy at Qumran.

One of the most characteristic features of the scroll is the author's quoting of whole chapters as they appear in the Pentateuch—or in the version which he accepted—but changing their grammar to the first person to dispel any doubt that God is speaking. This type of change . . . is in fact one of the principal characteristics of certain pseudepigraphic works as well.<sup>23</sup>

14 Thus, whenever Deuteronomy says, “which the Lord your God . . .,” 11QT reads “which I . . .” Furthermore, as Yadin pointed out, many | of the supplementary laws in 11QT are also phrased in the first person. Our initial impression is that the composer of 11QT wanted to present the laws of the deuteronomic portion of his Pentateuch as divine utterances, like the earlier sections of the Torah.

The composer of 11QT was not, however, composing a pseudepigraphon in the manner of *Jubilees* or creating a document which was completely “pseudo-God” in authorship, for in many columns God is referred to in the third person using the Tetragrammaton. Yadin believes

that the author of the scroll converts the words of Moses from the Deuteronomic source into the words of God by transposing the text from the third to the first person, but that he leaves in the third person the words found in the priestly sources and transmitted from God's lips.<sup>24</sup>

This theory, however, attributes a great deal of sophisticated source criticism to the ancient composer. Is it not equally plausible that in the process of composing the Temple Scroll from various, not necessarily biblical, sources, the composer integrated texts which referred to God in different ways? Indeed, the text from which he borrowed the first person recasting of Deuteronomy may well deserve the title pseudepigraphon but the Temple Scroll *as a whole* may not be a pseudepigraphon. If the author intended to convince his audience that the Temple Scroll was the genuine word of God, he failed because he did not maintain the transformation to pseudepigraphon throughout. The portions of the Pentateuch which appear unedited in the Temple Scroll should perhaps be viewed as a copying of the Torah and not as a new Moses pseudepigraphon. If the author of the reworked portions intended his material to be taken as divine in origin, that is to say, if he were employing pseudepigraphy, then his juxtaposition of genuine pentateuchal material with his new composition would

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For our limited purposes, however, I do not think that we can divorce it from the Qumran corpus as easily as we might *Jubilees*, for example.

<sup>23</sup> Yadin, *The Temple Scroll*, 1.71.

<sup>24</sup> *Ibid.*, 73.



constitute a significant facet of his pretense. Although 11QT is internally pseudepigraphic, it is so only in part. In my view, the composer's failure to sustain his pretense precludes us from considering the entire work as a pseudepigraphon.

It is interesting that neither Yadin nor Wise considers the Temple Scroll to be pseudepigraphic, but for different reasons. Responding to Moshe Goshen-Gottstein's characterization of the Temple Scroll as "a 'halakhic pseudepigraph'," Yadin writes,

In my opinion there is no warrant for applying the modern concept 'pseudepigraph' to a work whose author believed himself to be presenting a true Law, revealed to him under unique circumstances, whether by authority of tradition or divine inspiration.

| He continues:

I have not the slightest doubt that we must consider this problem from the exclusive point of the author and his readers, that is, if they *believed* that the scroll construed a true Law of the Lord. It is perhaps of interest that, contrary to some of the pseudepigraphical books which intentionally attribute their words to a particular historical personality and often mention geographical sites and historical persons, the scroll deliberately avoids this.<sup>25</sup>

Michael Wise chooses one of Yadin's options and writes,

This man [the author of 11QT] conceived of himself as a new Moses; hence the Temple Scroll is, properly speaking, not a pseudepigraphon. The redactor was not writing in the name of a long-dead hero of the faith, claiming that he had discovered a lost writing which that hero had produced. Rather his claim was to the same relationship with God that Moses had.<sup>26</sup>

The focus of Yadin and Wise on authorial intent is important and leads me to ask the following question: From how many perspectives must the question of pseudepigraphy in a work such as 11QT be considered? 1) That of the ancient author who might have believed what Yadin or Wise think he did; or 2) that of the ancient audience who might have accepted the belief of that ancient author or, alternatively, might have accepted the

<sup>25</sup> Ibid., 391–92, n. 8. Goshen-Gottstein's classification of the scroll as a pseudepigraphon is meant to exclude the possibility that the author is writing what he believes to be Torah, while Yadin denies the work's pseudepigraphy by claiming that the author is writing what he believes to be Torah. Schiffman, "The Temple Scroll and the Halakhic Pseudepigrapha," 125, sets the question, "Is the Temple Scroll a Moses pseudepigraphon or a divine pseudepigraphon?"

<sup>26</sup> M.O. Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: The Oriental Institute, 1990), 200.

notion of pseudepigraphy as a literary convention; or 3) that of the modern scholar, whose perspective is much more limited and best served by employing descriptive terminology?<sup>27</sup> The answer to this question is critical for establishing an agenda for the broad analysis of the phenomenon of pseudepigraphy.

### 5. *Genesis Apocryphon*

A substantial Qumran text with stronger claims to pseudepigraphy than most other examples of rewritten Bible is the Genesis Apocryphon of Cave 1. A first person narrative by a biblical persona must be considered more  
 16 pseudepigraphical on the formal level than first person speeches embedded in a third person narrative. In the | Genesis Apocryphon, not only are the speeches pseudepigraphical but so are large portions of the narrative. The Apocryphon has not one but three speakers/narrators of this type. Lamech, Noah and Abraham all narrate their own adventures but—and this is a critical point—not all of the text is first person narrative. The portions of the Lamech segment where he is off-stage, as it were, while the action focuses on his father Enoch and grandfather Methuselah, are narrated by an unnamed narrator. Some of the story of Noah's division of the earth among his sons appears to refer to Noah in the third person (16:12 חלק "he divided"; 17:6 חולקא די פלג לה ויהב לה אבוהי, "the portion which Noah his father apportioned to him and gave to him") side-by-side with first-person narrative by Noah.<sup>28</sup> It is well known that Abraham tells his own story from his initial appearance in column 19 (= early in Genesis 12) to the middle of column 21 (= end of Genesis 13). The Apocryphon moves to a third person narrative at the beginning of Genesis 14 and continues to Genesis 15, whose equivalent is interrupted by

<sup>27</sup> From the standpoint of Yadin's reader, rather than his author, the Temple Scroll may be pseudepigraphy if he does not share the author's preconceptions.

<sup>28</sup> Examination of the recently published fragments of the Genesis Apocryphon by J.C. Greenfield and E. Qimron. "The Genesis Apocryphon Col. XII," in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77 and M. Morgenstern, E. Qimron and D. Sivan, "The Hitherto Unpublished Columns of the Genesis Apocryphon," *Abr-Nahrain* 33 (1995): 30–52, indicates that the only clear-cut first-person reference to Noah in the passages about apportioning the earth is 16:7, ושם ברי [ח]לקה, "Shem my son [di]vided it among his sons." Were it not for the suffix on בר, it would be tempting to suggest that the section of the Apocryphon about the division of the earth was not treated as a first person speech by Noah, and the discussion of this section as pseudepigraphy would be excluded.

the end of the manuscript (end of column 22). All three of the extant sections of the Apocryphon employ both first and third person narration.

Whatever the reasons for the shifts from first person narrative to third, the fact remains that the first person parts of the text show, at first glance, an appearance of strong pseudepigraphy. In the case of 1QGenAp, unlike some examples of rewritten Bible, we can view this problem from two perspectives, that of these sections of the work and that of their likely hypothetical sources.<sup>29</sup> It is possible that some sources of the Apocryphon may have been completely pseudepigraphic, both externally and internally, from a formal standpoint and that the editor of the Apocryphon integrated their first person form into his narrative. That is to say, these sources could have been pseudepigraphic works which purported to speak in the voices of | Lamech, Noah and Abraham. But from the standpoint of the final author/composer of the Apocryphon (and possibly his sources, if they were not authoritatively, but conveniently, pseudepigraphic), this form of convenient pseudepigraphy should be recognized as another example of a technique employed by the earliest biblical interpreters.

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In order to retell the story vividly and to rewrite in a fashion which commented on, but did not directly interfere with, the biblical text, some rewriters (going beyond the examples of rewritten Bible discussed above where only first person speeches are introduced) apparently chose to place their stories in the mouths of characters in the narrative who are clearly different from the biblical narrator. Moreover, the author of the Genesis Apocryphon avoided the appearance of forgery by writing in Aramaic.<sup>30</sup> Of course, the author of the Apocryphon in its final form makes no attempt to maintain the pseudepigraphic stance overall, probably for the same reason suggested above for the *disiecta membra*, the separate parts of the whole. When convenient, he employs strong (but not authorial) pseudepigraphy in the form of first person narrative but, where

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<sup>29</sup> On the question of the sources of the Genesis Apocryphon, at least as far as the Noah material, see most recently R.C. Steiner, "The Heading of the Book of the Words of Noah on a Fragment of the Genesis Apocryphon," *DSD* 2 (1995): 66–71, and my "Noah and the Flood at Qumran," in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. E. Ulrich and D. Parry; STDJ 30; Leiden: E.J. Brill, 1998) 199–231. (above 1.291–322)

<sup>30</sup> In this way, we can distinguish very strongly between the sort of rewritten Bible we find in the Genesis Apocryphon or Jubilees and that found in the so-called Reworked Pentateuch texts where the question of imitation, copying or forgery of the biblical original is of paramount importance.

inappropriate, he readily lets the mask drop and reverts to the third person narrative with which we are familiar from the Bible.<sup>31</sup>

#### D. 11QPs<sup>a</sup>—*Psalms Scroll and Non-Canonical Psalms*

18 The Psalms Scroll, 11QPs<sup>a</sup> is another substantial text where the issue of pseudepigraphy may be raised from two different | perspectives. The narrow perspective, of course, is that of Psalm 151A and B, known prior to the Qumran discoveries as LXX Psalm 151. Unlikely to be historically Davidic, we might consider 151A pseudepigraphic only in the sense that other psalms ascribed to David in MT, LXX or the Syriac tradition are pseudepigraphic. To David, the poet *par excellence*, was ascribed the authorship of later songs, just as his son Solomon, the wise man *par excellence*, became the author of later wisdom works. Such pseudepigraphy I term “decorative” because it is even less functional than convenient pseudepigraphy; it is not organic to the text and often the supposed author is linked to the text only by the title. Psalm 151A, however, demonstrates a closer relationship with David than do other decoratively pseudepigraphic psalms. Not only is it associated with his life (other psalms are similarly associated, in their titles) but it even describes events in David’s life autobiographically. The voice of the psalm is David’s voice. This individual text is thus externally and internally completely pseudepigraphic. The same was probably true of Psalm 151B when complete; however it breaks off in the middle at the end of the scroll. These psalms are poetic examples of strong pseudepigraphy which we might compare either to the prose rewritten Bible or, perhaps, to the testamentary genre.<sup>32</sup>

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<sup>31</sup> G.W.E. Nickelsburg, in a very interesting recent article, “Patriarchs Who Worry About Their Wives: A Haggadic Tendency in the Genesis Apocryphon,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in the Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden: E.J. Brill, 1998), 137–58, focuses on the issue of first person narrative in the Apocryphon (156–57) and suggests that this is one of the major contributions of the author of the Apocryphon. He distinguishes correctly between *Jubilees* and the Apocryphon and suggests that the Apocryphon “provides reliability for its narrative by placing it on the lips of the characters themselves.” I am not certain whether the first person speeches and narratives are directed at asserting reliability or creating vividness. I hope that this essay responds in part to Nickelsburg’s call for “further work . . . on the use of first person narration, its characteristics, the forms in which it occurs, its relationships to other types of ‘rewritten Bible’ and [especially] the broader phenomenon of pseudepigraphy . . .” (157).

<sup>32</sup> I owe the suggestion of the testamentary analogy to my colleague Professor Yaakov Elman.

A larger pseudepigraphic question may be raised regarding the Psalms Scroll. In light of the prose passage listing David's compositions (11QPs<sup>a</sup> 27 2–11), are we to assume that the compiler of the scroll considered all of the texts Davidic? This matter is of course related to the better known problem of whether the Psalms Scroll is a biblical or a liturgical document. Even granting that the text is to be considered biblical or canonical, was everything in it believed to be Davidic? The question can be taken back, theoretically, another step: Did the authors of those non-biblical texts included in the Psalms Scroll intend them to be taken as Davidic? We can mix and match the answers: the texts could be pseudepigraphic on both levels, on neither level or on either level, since there is nothing internal to them which makes them Davidic and nothing explicit in the document which asserts their Davidic authorship.

Among other poetic texts, we find pseudepigraphic attributions in the titles of four psalms published by Eileen Schuller in *Non-Canonical Psalms*. Two are named (Obadiah and Manasseh), while a third is connected to a "king of Judah" and a fourth to "the man of God."<sup>33</sup> | She has discussed these attributions and their connection to the rest of the collection, asking the key question

about the relationship between the psalm titles and the psalms themselves. Were the works in 4Q380 and 4Q381 in fact composed as pseudepigraphic psalms, i.e., as the utterances of a specific biblical figure, or do we have a collection of psalms in which the titles ascribing them to biblical characters were added secondarily?<sup>34</sup>

Schuller concludes on the basis of the limited evidence that "the attribution of these psalms to historical figures seems to be only secondary, and the principle of pseudepigraphy was probably not the guiding factor in their composition."<sup>35</sup> We thus have another instance of decorative pseudepigraphy which is unconnected with the body of the work.

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<sup>33</sup> E.M. Schuller, *Non-Canonical Psalms from Qumran: A Pseudepigraphic Collection* (HSS 28; Atlanta: Scholars, 1986). 4Q381 33 8 reads "Prayer of Manasseh, King of Judah, when the King of Assyria imprisoned him" (151), and 4Q380 1 ii 8 "Tehillah of Obadiah" (251). The anonymous king of Judah appears in 4Q381 31 4 (128) and the man of God in 4Q381 24 4 (115). "The Pseudepigraphic Attribution of the Psalms" is discussed by Schuller in her Introduction, 27–32.

<sup>34</sup> Schuller, *Non-Canonical Psalms*, 30. She notes that the latter is the usual explanation for the titles in the canonical Psalter (as well as in LXX and the Talmud).

<sup>35</sup> Schuller, *Non-Canonical Psalms*, 32.

E. *Other Moses Pseudepigrapha*

Beyond these large examples, there are many other texts about which the issue of pseudepigraphy may be raised. If we recall the remark on the dust jacket of Wise, Abegg and Cook's translation, concerning a dozen non-biblical texts found at Qumran which claim Moses as their author,<sup>36</sup> we wonder to which texts those translators are referring. The Temple Scroll is probably the best known but I question whether we should refer to it as "pseudo-Moses" or "pseudo-God" since, in its rewriting of the Pentateuch, God becomes the speaker of more of the text than before. I do not believe that we should refer to 4QRP in those terms since any pseudepigraphy which it contains is not only partial but minimal in its overall scope. 4Q374 is correctly seen by Newsom *not* to be a Moses apocryphon, despite its earlier classification as such. It is a pseudo-prophetic text but we cannot tell with whom to associate it.<sup>37</sup> Further, and more | important for the current discussion, it is also not clear on what level pseudepigraphy functions in this text.

Some texts which have been seen as pseudo-Mosaic have no incontrovertible internal evidence that they are ascribed to Moses while others need to be examined further. 1Q22 (*Dibre Moshe/Dires de Moïse*) is a good example.<sup>38</sup> There is no doubt that it is a narrative about Moses in which he speaks, again raising the question of its being "pseudo-God," "pseudo-Moses" or neither, but this is not a text composed independently. Rather, it is constructed completely out of pentateuchal verses with supplementation. The revisions in this text are much more extensive than those in 4QRP and portions of biblical verses are even rearranged into new combinations. Since the text makes no claim to Mosaic authorship but appears to be an anonymous narrative, the pseudepigraphy is not authoritative but convenient, as in rewritten Bible. The laws which are included in 1Q22 are all found already in the Pentateuch, and therefore there is no question of legal pseudepigraphy, which might narrowly be a form of strong pseudepigraphy.

<sup>36</sup> Note 13, above.

<sup>37</sup> C.A. Newsom, "4QDiscourse on the Exodus/Conquest Tradition" in *Qumran Cave 4.XIV: Parabiblical Texts, Part 2* (ed. M. Broshi et al.; DJD 19; Oxford: Clarendon, 1995), 100, precludes its being a Moses pseudepigraphon and allows for the possibility that the speaker may be Joshua.

<sup>38</sup> D. Barthelemy and J.T. Milik, ed., *Qumran Cave 1* (DJD 1; Oxford: Clarendon, 1955) 91–97.

There are, however, several other texts which are likely to be Moses pseudepigrapha in which the function of the pseudepigraphy is stronger. These are the apparently legal texts 4Q375–376 and 1Q29, which overlaps with them. In 4Q375, the speaker addresses the people directly in biblical style (although not explicitly in the name of God).<sup>39</sup> Following pentateuchal material about the law of the false prophet, the speaker continues with additional regulations concerning the testing of this individual.<sup>40</sup> This constitutes the introduction of legal pseudepigraphic material into a larger context, similar in some ways to what we have seen earlier in 4QRP. Strugnell has argued that 4Q376 (which overlaps with 1Q29) is another copy of 4Q375 (with which it has no overlap), containing non-pentateuchal material on the use of the Urim and Tummim. According to | Strugnell, these three texts, and perhaps 1Q22 which has no clearly extra-pentateuchal material, are Moses apocrypha.<sup>41</sup>

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Strugnell distinguishes these works from *Jubilees* and 11QT: in *Jubilees* the dictating angel is the pseudepigraphic author, while in 11QT it is apparently God. In both cases, then, “Moses functions only as an amanuensis.”<sup>42</sup> I think that he is right to exclude *Jubilees* from the comparison but what the other texts, including the Moses pseudepigrapha and 11QT, have in common is the introduction of new legal material into what is fundamentally a biblical framework. We might compare the law of the king in 11QT with the law of the trial of the false prophet in 4Q375–376. It is strong legal pseudepigraphy and it is likely that in certain circles this form of composition was required in order to maintain the notion that all law has

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<sup>39</sup> I am not certain that the distinction made by Strugnell (“4QApocryphon of Moses,” DJD 19.130) and approved of by Schiffman (“Temple Scroll and Halakhic Pseudepigrapha,” 128–29), between Moses speaking *ex parte sua* and Moses speaking *ex parte Domini*, is compelling. For a Jewish reader in the Second Temple period, if a text described Moses presenting legal material, the presumption would be that the source of the laws was God. It is only from a formal standpoint that we can discuss the purported author of the pseudepigraphy; practically, the function would have been the same. For a more thorough discussion of “pseudo-God” vs. “pseudo-Moses,” see Schiffman, 124–25; for “Moses the pseudepigrapher” at Qumran, see Strugnell, 133–36.

<sup>40</sup> Text in DJD 19.113–15.

<sup>41</sup> Strugnell suggests that “1Q22 would provide the dramatic and pseudepigraphic framework of 4Q375” (118). As we have seen, though, the laws which survive in 1Q22 are not pseudepigraphic and stand in sharp contrast to those of 4Q375–376.

<sup>42</sup> DJD 19.132. Strugnell classifies these texts as belonging “to the genre of ‘proclamation of law’ by Moses (who speaks in the first-person singular) to a ‘thou’ (which is Israel or sometimes Aaron, but not Moses), God being usually referred to in the third-person masculine singular.” The model, of course, is the biblical book of Deuteronomy.

a divine/Mosaic source. Dimant, in differentiating these texts from 4Q390 (see below), writes that they

have none of the literary features or the religious concerns characteristic of the known apocalyptic pseudepigrapha attributed to Moses, such as the Testament of Moses or Jubilees. The Qumran documents are rather a kind of rewritten-Torah pieces [*sic*], a rewriting of mainly legal materials. They can be labeled as Moses apocrypha only to the extent that they rewrite the Torah. In this respect, they resemble the Temple Scroll rather than the Moses-pseudepigrapha.<sup>43</sup>

Dimant's criteria for inclusion in Moses pseudepigrapha differ considerably from mine (and perhaps from Strugnell's). Although I agree with Dimant that perhaps we ought to distinguish between legal and apocalyptic Moses material, they may both be categorized by their technique as pseudepigraphy. In my classification, if it claims to be by Moses, it is Moses pseudepigrapha.

In this context, it is worth observing that many Qumran legal texts, including those whose style resembles biblical idiom like 4Q251 Halakha, make no pretense of pseudepigraphy and simply | present lists of laws without specifying a source. There is no clear allusion in the surviving fragments to either God or Moses as the authoritative promulgator of the laws. It is tempting to refer to one form of legal code as modeled on a scriptural paradigm and the other as "proto-mishnaic", where laws are enumerated without scriptural support. For now, it must suffice to distinguish between pseudonymity and anonymity.

Regarding 4Q390 which, according to Dimant, is a Moses pseudepigraphon from Qumran, I remain ambivalent about the evidence that it is pseudo-Mosaic, although it is certainly pseudo-prophetic. If it is Mosaic, however, Dimant is correct to stress the difference between this Moses apocryphon, which is apocalyptic, and the ones which are not (e.g., 1Q22, 1Q29 and 4Q375–376).<sup>44</sup> Although Dimant suggests that we might compare 4Q390 with 2Q21, I think that the latter text is not particularly different from 1Q22; it supplies exegesis or extra-biblical supplementation to explain what Moses did in the Tent of Meeting outside the camp. The

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<sup>43</sup> D. Dimant, "New Light from Qumran on the Jewish Pseudepigrapha," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March 1991* (ed. J. Trebolle Barrera and L. Vegas Montaner; STDJ 11; Leiden: E.J. Brill, 1992), 2.410, n. 18. A similar comment is made by Stone, "Dead Sea Scrolls and Pseudepigrapha," 273, n. 9.

<sup>44</sup> Dimant, "New Light," 410 and n. 18.



difference between 2Q21 and 4Q390 is likely to be the difference between narrative pseudepigraphy, which is convenient and where the text makes no claim to authoritative pseudepigraphy, as is characteristic of most examples of rewritten Bible, and prophetic pseudepigraphy which is, by its very nature, strong and authoritative. Dimant groups 4Q390 with *Jubilees*, ALD, 11QT and non-Qumranic texts, arguing that it does not derive from Qumran but from a related group. Regardless of the pseudonymous author, whether Moses or a later prophet, Dimant's conclusion coincides with my tentative hypothesis that pseudepigraphic apocalyptic was not written at Qumran.

#### F. *Prophetic Pseudepigraphy*

When we think of the "authors" of pseudepigrapha which were known before the Qumran discoveries, the names which immediately come to mind are Moses, David, Solomon and Baruch. Qumran adds Ezekiel to this group in the various representations of the text called pseudo-Ezekiel (or Second Ezekiel) by Dimant. It appears to be a pseudepigraphic interpolation into a prophetic text, similar to several of the legal texts in which new laws were introduced into a pre-existing framework and made to appear part of it. Thus pseudo-Ezekiel contains pseudonymous autobiographical narrative (strong or authoritative pseudepigraphy) side-by-side with visions which correspond to canonical Ezekiel. A fuller picture awaits Professor Dimant's publication of all of the texts she has assigned to this group.

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Similarly, 4Q384 (4QpapApocryphon of Jeremiah B?) shares with the rest of the pseudo-Moses, pseudo-Ezekiel and pseudo-Jeremiah material the usual problems of the assignment of fragments, as well as the use of nomenclature and the presence of citation formulas.<sup>45</sup> Its editor, Mark Smith, underlines the issue of naming when he writes, "Originally designated by J. Strugnell as 'Pseudo-Jeremiah,' D. Dimant labels this collection of manuscripts [a selection from 4Q385–390] as 'An Apocryphon of Jeremiah,' which describes the prophet's life in third-person narrative."<sup>46</sup> He makes the further observation that some of the fragments appear to be pseudo-prophetic and should thus be assigned to "pseudo-Jeremiah" rather than "Apocryphon of Jeremiah." My reaction to his comment is that a non-biblical narrative about a prophet is not strong pseudepigraphy and

<sup>45</sup> M. Smith, "4QpapApocryphon of Jeremiah B?" in DJD 19.137–52.

<sup>46</sup> DJD 19.137.

that the term “apocryphon” may be applied (although I believe that it begs certain questions of canon and the author’s intent). Nonbiblical prophecy by a biblical prophet, on the other hand, constitutes strong pseudepigraphy. Only if 4Q384 is found to contain such material should we label it pseudepigraphy, although we cannot be certain whether the pseudepigraphy is authoritative or convenient. If we find “prophecies” which seem to be directed primarily at members of Jeremiah’s generation and are linked to the narrative, the pseudepigraphy may still be labeled as convenient. If, however, it is clearly directed across the ages at the Jews of the Second Temple period, it is likely to be strong, authoritative pseudepigraphy.

The final group of non-pentateuchal texts on which I would like to comment are those presented by Emanuel Tov in the proceedings of the first Orion Symposium (4QapocrJosh<sup>a,b,c,etc.</sup>).<sup>47</sup> He suggests that “paraphrase” would be a better term than “apocryphon” for these works, a sentiment with which I wholly agree, since it describes a sort of rewritten Bible.<sup>48</sup> If Tov has correctly integrated these texts, then we have another example of that common form of convenient pseudepigraphy which pervades all rewritten Bible texts containing speeches. The text as a whole is not pseudepigraphic but anonymous because there is no authorial voice. The function, or strength, of the pseudepigraphy of Joshua’s speeches is thus attenuated. However I | do not agree with Tov’s characterization of the paraphrase of Joshua as similar to “the Book of Jubilees, the second half of the Temple Scroll, 4QparaGenExod (4Q422) and several other fragmentary compositions.”<sup>49</sup> *Jubilees* contains the strongest authoritative pseudepigraphy and the Temple Scroll, although not totally pseudepigraphic, contains elements of authoritative pseudepigraphy and gives an overall impression of pseudepigraphy which seems to add authority to its contents. 4Q422, on the other hand, like most Qumran narrative texts, is not pseudepigraphic at all, as far as I can tell. It makes no claim to speak in a voice other than its own. I would rather compare the Joshua Apocryphon material to 1Q22, 4Q377 (Moses Apocryphon C [now 4QapocrPent. B])<sup>50</sup> or to 4Q368, which integrates biblical text with non-biblical data and

<sup>47</sup> E. Tov, “The Rewritten Book of Joshua as Found at Qumran and Masada,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in the Light of the Dead Sea Scrolls*, 233–56.

<sup>48</sup> Tov, “Rewritten Book of Joshua,” 233.

<sup>49</sup> Tov, “Rewritten Book of Joshua,” 248.

<sup>50</sup> This text is more likely, in my view, to be a piece of rewritten Pentateuch about Moses than a Moses pseudepigraphon.

which bears the unproductive official title, “Pentateuchal Apocryphon” [now 4QapocrPent. A].<sup>51</sup>

### G. *Where Do We Not Find Pseudepigraphy at Qumran?*

It is worthwhile to observe where we do not find pseudepigraphy, although we might have expected it based on a comparison with other Second Temple literature. For example, to the best of my knowledge we do not find at Qumran sapiential literature attributed to Solomon or to any other sage of antiquity. Despite the tradition of the Solomonic authorship of Proverbs and Ecclesiastes (continued by the Wisdom of Solomon and other works), none of the sapiential texts published in DJD 20, nor 4QInstruction A,<sup>52</sup> nor the already known 4Q184, “Wiles of the Wicked Woman,” and 4Q185 in praise of wisdom, nor the wisdom hymn found in 11QPs<sup>a</sup> and in Ben Sira, is attributed to anyone. All of these are anonymous, even when the author speaks in the first person. Although a pseudepigraphic incantation against demons is attributed to Solomon (11Q11 1) together with one to David (11Q11 4), a precursor of later magical tradition found in rabbinic literature and the Testament of Solomon, Solomon’s absence from the wisdom texts should make us consider the larger picture.

| We also observe that the eschatological-apocalyptic War Scroll, 1QM, stands out by not having an ancient prophet or sage as its speaker. Frequently, in Second Temple literature, predictions of the “end of days” are put into the mouths of speakers such as Daniel, Enoch, Moses, Baruch, Ezra or the twelve patriarchs. Authoritative pseudepigraphy is thus quite common in this genre and we might have expected the War Scroll also to adopt this form of strong pseudepigraphy. Arguments from silence are extremely hazardous, to be sure, but these two observations, regarding Wisdom Literature and the War Scroll, taken together, tend to support a

<sup>51</sup> For the texts of 4Q368 and 4Q377, see, for the moment (based on a reconstruction of the original transcriptions of J.T. Milik and J. Strugnell), *A Preliminary Edition of the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave Four* (ed. B.Z. Wacholder and M.G. Abegg; Washington, DC: Biblical Archaeology Society, 1995) 3.135–39 and 164–66, respectively. [They have now been published in *Wadi Daliyeh II: The Samaria Papyri from Wadi Daliyeh* (ed. Douglas M. Gropp) and *Qumran Cave 4. XXVIII: Miscellanea, Part 2* (ed. Moshe Bernstein et al. in consultation with James Vanderkam and Monica Brady; DJD 28; Oxford: Clarendon, 2001), 131–148 and 205–217, respectively.]

<sup>52</sup> Qumran Cave 4.XV: Sapiential Texts, Part 1 (ed. T. Elgvin et al. DJD 20; Oxford: Clarendon, 1997); *Qumran Cave 4. XXIV: Sapiential Texts, Part 2: 4QInstruction (Musār lemēvīn): 4Q415ff.* (ed. John Strugnell et al.; Oxford: Clarendon, 1999).

position to which I have alluded very tentatively, that the writings of the Qumran group avoid authoritative pseudepigraphy.

#### IV. CONCLUSIONS

My investigation into the topic of pseudepigraphy at Qumran, its levels, roles, and functions, is still in an initial phase. My conclusions, such as they are, must be considered tentative; perhaps at this stage it would be more appropriate to call them observations.

1. There are at least two major (and one minor) levels of pseudepigraphy in ancient literature:
  - a. Authoritative: the speaker of the work is purported to be a figure of antiquity.
  - b. Convenient: the work is anonymous and individual pseudepigraphic voices are heard within the work.
  - c. Decorative: the work is associated with an ancient name with regard neither for content, nor, more significantly, for effect.

Convenient pseudepigraphy is particularly important for the genre we call rewritten Bible, since much rewritten Bible is anonymous, like Scripture itself. *Jubilees* is an exception to that rule and its strong authoritative pseudepigraphy makes it stand out (in contrast to 4QRP, for example). The addition of pseudepigraphic speeches to rewritten biblical narrative creates a localized, weaker form of pseudepigraphy which is completely conventional and which functions to render the work more vivid.

2. We should distinguish between texts which are both internally and externally pseudepigraphic, and thus strongly pseudepigraphic, and those which are pseudepigraphic only internally, where the pseudepigraphy is convenient. Only the former can be said to function pseudepigraphically as a whole. Decorative pseudepigraphy is only external.
3. We should probably employ the term "pseudepigraphy" only for authoritatively pseudepigraphic works.
4. Works which are partially pseudepigraphic, either through interpolation of legal material or of speeches, should not be classified as pseudepigraphic *in toto*. |
5. Prophetic literature is only to be considered pseudepigraphic if it is authoritative and if the prophecies are pseudepigraphic. Narratives about prophetic figures are the same as any other rewritten Bible.

6. The terms “apocryphal” and “pseudepigraphic” should be used very sparingly in characterizing the Qumran texts. The nature of the authorship should not generate the title of the work. In particular, the term “apocryphal” should be limited because of its implications regarding canon. Because their goal is to interpret and clarify the Bible, the works described as rewritten Bible should probably never be classified as apocrypha or pseudepigrapha.
7. There appear to be several kinds of legal texts at Qumran: pseudepigraphic and anonymous, biblically styled and non-biblically styled. Within the pseudepigraphic, some are pseudo-Moses and some are pseudo-God.
8. There appear to be no pseudepigraphic apocalyptic texts native to Qumran.
9. The absence of pseudepigraphy from certain genres at Qumran should be noted since this omission may mark a distinction between Qumranic and other Second Temple literature.

CHAPTER NINETEEN

THE INTERPRETATION OF BIBLICAL LAW IN THE DEAD  
SEA SCROLLS: FORMS AND METHODS

(with Shlomo A. Koyfman)\*

62 Legal interpretation in the Dead Sea Scrolls, as a subdivision of biblical interpretation at Qumran, has been the subject of academic discourse since even before the Qumran scrolls were discovered. Louis Ginzberg, in his still significant *An Unknown Jewish Sect*, already attempted to characterize the biblical interpretation in the legal portion of the document we now know as CD.<sup>1</sup> To this day, most discussions of biblical interpretation at Qumran focus on non-legal texts such as the *pesharim*, or the portion of CD called the “Admonition,” or the *Genesis Apocryphon*. Legal interpretation nevertheless gets its due, although usually not systematically and often peripherally, in discussions of texts which happen to contain legal material. There is no room, in an essay of this scope, for a review of the scholarship on the subject of legal interpretation, so passing references in the notes will have to suffice. From those allusions, it | should be clear to the reader that without the groundbreaking work in this field of scholars like Joseph Baumgarten, Jacob Milgrom, Lawrence Schiffman, and Yigael Yadin our task would have been considerably more difficult.<sup>2</sup>

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\* Portions of this essay appear in slightly different form in Koyfman’s honors thesis at Yeshiva College, “Legal Biblical Exegesis in the Dead Sea Scrolls and Its Implications for Jewish Intellectual History,” written under the supervision of Bernstein. We should like to thank Professor Matthias Henze for inviting us to participate in the volume *Biblical Interpretation at Qumran*; Dr. Shani Berrin, Professor Yaakov Elman, Dr. Aaron Koller, and Dr. Michael Segal for their comments on earlier drafts of this essay; and Mr. Michael S.N. Bernstein for stylistic and editorial remarks.

<sup>1</sup> L. Ginzberg, *An Unknown Jewish Sect* (New York: Jewish Theological Seminary of America, 1976); it is the English translation of *Eine Unbekannte Jüdische Sekte*, originally published in 1922. There is no distinct treatment of CD as an exegetical document, but discussions of the interpretations that underlie the laws are pervasive.

<sup>2</sup> See for example, J.M. Baumgarten, *Studies in Qumran Law* (SJLA 24; Leiden: Brill, 1977), and subsequent articles; J. Milgrom, “The Scriptural Foundations and Deviations in the Laws of Purity of the *Temple Scroll*” in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin* (ed. L.H. Schiffman, JSOT/ASOR Monographs 2; Sheffield: JSOT Press, 1990), 83–99; and idem, “The Qumran Cult: Its Exegetical Principles,” in *Temple Scroll Studies* (ed. G.J. Brooke; JSPSup 7; Sheffield: JSOT Press, 1989), 165–80; L.H. Schiffman, *The Halakhah at Qumran* (Leiden: Brill, 1975); idem,

The text of the Hebrew Bible often does not furnish sufficient detail regarding the ways in which the laws contained in it were to be carried out. Often the mere principles of a law are expressed without any details at all.<sup>3</sup> Any Jew or group of Jews observing Jewish law during the Second Temple era would have needed a way to supplement the legislation of the Hebrew Bible in order to determine how to lead their lives. Scripture did not cover adequately all the issues which arose in everyday life. Changing historical, cultural, and religious situations, furthermore, raised new legal questions which had no explicit answers to be found in the Bible. Even if we grant the existence of older oral interpretive legal traditions which may have pointed the way to clarifying some of them,<sup>4</sup> numerous cases still probably emerged in | the course of time which needed to be resolved. It is clear that by the time of the Second Temple period a variety of traditions and methods had developed for the expansion of scriptural foundations to support novel legislation which had not been explicitly delineated in the Bible.<sup>5</sup> The most fully developed form of such a system is

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*Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code* (Chico, Calif.: Scholars Press, 1983); idem, *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity the Lost Library of Qumran* (ABRL; New York: Doubleday, 1994), 218–22, 275–87; and a series of articles on specific laws in the *Temple Scroll* [most now published in idem, *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (ed. Florentino García Martínez; STDJ 75; Leiden/Boston: Brill, 2008)]; Y. Yadin, *The Temple Scroll (Megillat haMiqdash)*, vols. 1 and 2 (Jerusalem: Israel Exploration Society, 1978 [Hebrew] and 1983 [English]) (all references in this essay to “Yadin” are to this English edition unless specified otherwise). More recently, Steven Fraade, Menahem Kister, and Aharon Shemesh have made significant contributions to the discourse in this area. After this article had been completed, there appeared two significant contributions to this discussion that could not be taken into consideration in our essay: A. Shemesh and C. Werman, “Halakhah at Qumran: Genre and Authority,” and A. Yadin, “4QMMT, Rabbi Ishmael, and the Origins of Legal Midrash,” *DSD* 10 (2003): 104–29 and 130–49, respectively.

<sup>3</sup> Many contemporary students of early biblical interpretation have made this point. For example, G. Vermes employs as his examples of juridical texts which lack sufficient detail “Thou shalt do no work on the Sabbath day” and the law of divorce in Deut. 24:1–4, and discusses the latter in detail (“Bible and Midrash: Early Old Testament Exegesis,” in *Cambridge History of the Bible* [Cambridge: Cambridge University Press, 1970], 1.65–67). J.L. Kugel stresses the question in his aptly titled second chapter of *Early Biblical Interpretation*, “The Need for Interpretation” (Philadelphia: Westminster, 1986), 27–39, and discusses Sabbath law and other legal examples on 31–33.

<sup>4</sup> For discussion of the history of such traditions, cf. the section on “Legal Exegesis” in M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985), 91–277, and his conclusions, 525–43.

<sup>5</sup> This is not to suggest, of course, that all laws in the Qumran system needed to be derived from the Bible, despite Schiffman’s assertion, *The Halakhah at Qumran*, 19, that “we can state with certainty that the Qumran legal traditions are derived exclusively through exegesis.” J. Maier, “Early Jewish Biblical Interpretation in the Qumran Literature,” in *Hebrew Bible/Old Testament: The History of Its Interpretation. 1/1: Antiquity*, (ed. M. Sæbø;

to be found, of course, in later rabbinic literature, but there is little doubt that in this case, as often, the rabbinic system was only one manifestation of broader religious and intellectual currents.

We cannot be certain of how or under what circumstances the Qumran group (or the authors responsible for the production of the Qumran scrolls) produced their various legal interpretations of the biblical texts, nor of the oral traditions which may underlie those readings.<sup>6</sup> Our focus shall be almost | exclusively on the ways in which the biblical texts appear to have been read and understood by the composers of the documents available to us—a method similar to the one James Kugel has aptly termed “reverse engineering”—and we acknowledge the caveat that we are witnesses only to the final result.<sup>7</sup> We must acknowledge, as well, that this

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Göttingen: Vandenhoeck & Ruprecht, 1996), 113, criticizes well such a “biblicist” approach to Qumran law. His remarks, although somewhat overstated, are well taken. Kister’s formulation (“Some Aspects of Qumranic Halakhah,” in *The Madrid Qumran Congress. Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* [ed. J. Trebelle Barrera and L. Vegas Montaner; STDJ 11; Leiden/Madrid: Brill/Editorial Complutense, 1992], 2:575–76) is more nuanced: “The Qumran sect . . . attempted to base all religious observance on the written law, *wherever possible*” (italics ours). In “Nominalism and Realism in Qumranic and Rabbinic Law: A Reassessment,” *DSD* 6 (1999): 157–83, a response to D.R. Schwartz’s characterization of the dichotomy between Qumranic and rabbinic law, J.L. Rubenstein emphasizes the significance of the exegetical factor in the Qumran legal system, and we believe that further close study of the relationship between Qumran law and Scripture will substantiate that position further. It is certainly clear, nonetheless, that sometimes some other “logic” alone is sufficiently compelling, such as the well-known case of *nišsoq* (4QMMT B 55–58), where it is reasoned that a column of liquid joining two vessels unites them for the purpose of transmitting impurity and renders the upper vessel unclean, or the law that grasshoppers must be killed either by water or by fire “for that is the nature of their creation” (CD 12:14–15). In neither of these cases does there seem to be any effort to invoke scriptural support for the law.

<sup>6</sup> Cf. S. Fraade, “Looking for Legal Midrash at Qumran,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden: Brill, 1998), 75 n. 56, who correctly cautions, “we have little way of knowing which of the sectarian laws found in the scrolls were the product of the Qumran community and which had been inherited from previous, pre-Qumranic contexts, or were shared with other Jewish groups.” Since in this survey we are examining biblical interpretation as it appears in the texts in their final forms, we shall not distinguish between pre-Qumranic and Qumranic texts. In a more extensive study, such distinction might be a desideratum.

<sup>7</sup> Kugel, *In Potiphar’s House: The Interpretive Life of Biblical Texts* (San Francisco: Harper and Row, 1990), 251–53. Fraade, “Legal Midrash,” 62, demurs from this methodology because of “an uncomfortable circularity in employing rabbinic midrash halakhah to uncover the midrashic methods by which Qumran rules can be said to have been exegetically created, and then to claim from the results proof that these methods were there all along.” Fraade’s point is valid against the claim that specific rabbinic hermeneutic methods, as



study, as a survey, makes no claim to all-inclusiveness, although we believe it incorporates the major forms and methods which can be observed in the corpus. We shall not, furthermore, treat the significant theme of interpretive authority to the degree it deserves to be treated, attempting to ascertain whence the authors of these texts claimed to derive the right to read the texts in the way they do and to promulgate these readings. In our view, the methods of reading can be, and should be, studied independently of that very central issue in the social and intellectual history of the Qumran group. Finally, we shall also not tackle the somewhat disputed, yet very significant, topic of the interplay between revelation and interpretation within the Qumran community.<sup>8</sup> Such discussions would take us far beyond the boundaries we have set for this essay, and the methodological focus we adopt forces us to leave these important issues for another occasion.

Which Qumran texts are most likely to furnish us with useful data for this endeavor? The most obvious, of course, are texts such as CD (*Damascus Document*; certainly a Qumran text although the MS was not found at Qumran) and its Qumran ancestor 4QD (4Q266–273), 4QMMT (the so-called “Halakhic Letter”; 4Q394–399), and 11QT (*Temple Scroll*), all of which are well-known repositories of Qumran laws.<sup>9</sup> These three texts differ considerably among themselves generically. CD, a combination of legal and non-legal material often divided into “Admonition” and “Laws,” presents in the form of mini-codes much of the legal material it contains, while 4QMMT appears to be a letter which summarizes a series of sectarian positions regarding halakhic disputes, some, but not all, of which are based on biblical interpretation. The *Temple Scroll* which is an extended and perhaps unique example of the genre legal “rewritten Bible,”<sup>10</sup> is so

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such, were available at Qumran, but, in our view, does not carry weight against our proposed methodology.

<sup>8</sup> For recent studies of these issues see Fraade’s “Looking for Legal Midrash at Qumran” and “Interpretive Authority in the Studying Community at Qumran,” *JJS* 44 (1993): 46–69, as well as earlier studies by Baumgarten and Schiffman.

<sup>9</sup> Where appropriate, less well-known, more fragmentary legal texts will be introduced where they are particularly germane to our discussion.

<sup>10</sup> We employ the term “rewritten Bible” in the strict sense it had when introduced by G. Vermes, *Scripture and Tradition in Judaism* (Leiden: Brill, 1961), 95, over fifty years ago, rather than in the broad sense which has been given to it by many contemporary scholars. Our only departure from Vermes’ category is that we acknowledge the existence of a *legal* as opposed to *narrative*, form of the genre in the case of the *Temple Scroll*, a document then not available to Vermes. The broader usage of the term which includes much Bible-based and parabiblical material under this rubric renders it virtually useless as a meaningful

biblical in style and formulation that it is easy to forget that it contains interpretation of the Bible as well.<sup>11</sup> The fact that the *Temple Scroll* presents its laws as “Scripture” does not mean that we cannot see pentateuchal interpretation at work in it, even if the author of the scroll did not present it that way and wrote his text employing pseudepigraphic devices.<sup>12</sup> These generic differences among the documents point toward differences in the forms in which interpretation is expressed within them, even when they share an interpretive conclusion.

### I. FORMS OF INTERPRETATION

66 Before engaging in the more significant analysis of the *methods* or *types* of legal interpretation found in the scrolls, let us examine briefly some of the variety of *forms* in which exegesis is presented.<sup>13</sup> By *form*, we mean the way the interpretation | is articulated; by *method*, we mean the way the interpretation is arrived at.<sup>14</sup> Categorizing by form and categorizing

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category. Cf. M.J. Bernstein, “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?” *Textus* 22 (2005): 169-196. (above 1.39-62)

<sup>11</sup> Legal interpretation in the Reworked Pentateuch texts (4QRP: 4Q158, 4Q364-367) is virtually nonexistent, and we shall not discuss those texts in our analysis. There is virtually no material included in those documents that is not found in the Pentateuch, although we do find some rearrangement of legal material (e.g., in 4Q366) which is probably interpretive on some level. What should be emphasized is that the example of the non-pentateuchal material on the Wood Festival, including an allusion to the New Oil Festival, in 4Q365 23 4-12, is very much the exception to the handling of legal material in those five texts. Cf. “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” (below, 2.487-488).

<sup>12</sup> Schiffman, *Sectarian Law*, 17, contrasts the *Temple Scroll* and other texts from Qumran, claiming that the latter “see the extrabiblical material as derived from inspired biblical exegesis,” while “the author of the *Temple Scroll* sees it as inherent in the biblical text.” But those differences have to do with the interpretive stance of the different documents and the way they formulate law, and not with the way their authors read the Pentateuch.

<sup>13</sup> Fraade, “Legal Midrash,” 60, makes the observation that “for all the midrash and halakhah found within the scrolls, textually they evidence very little *midrash halakhah*: the *explicit* citation and interpretation of Scripture as a source of or justification for law. Instead, the vast majority of legal texts from Qumran (as elsewhere in Second Temple Judaism) adapt a form of ‘rewritten Bible,’ or paraphrase.” Although, as indicated above, we would disagree strongly with Fraade’s characterization of most legal texts from Qumran (with the exception of the *Temple Scroll*) as “rewritten Bible,” his remark on the stark formal differences between Qumran “interpretation of biblical law” and rabbinic *midrash halakhah* is fundamentally correct, provided that our focus is only on form. When it comes to the *methods* of reading the biblical text, as we shall see, the dichotomy between Qumran and the rabbis may be much narrower.

<sup>14</sup> We acknowledge that “form” is far from a perfect term for that which we intend by it. We employ “form” for all external aspects of the presentation of the interpretation: its

by method are not mutually exclusive: different methods of interpretation often share certain forms, while a variety of forms may sometimes express a single method of exegesis; the form of the interpretation, at times, is linked to the form or genre of the document in which it appears. A study of the relationship between form and method is perhaps a desideratum, but goes far beyond the boundaries we have set down for this essay. For our purposes, it is important to bear in mind the fact that the interplay between the two is not clearly defined.

#### A. *Organization as Interpretation: Internal Interpretation*

The stance of an interpreter may be “inside” or “outside” the biblical text, depending upon the genre of interpretation. It is easier to recognize “external” interpretation because the interpreter standing outside the biblical text expresses his understanding of the text in ways that are more overt. But one of the most significant documents of legal interpretation at Qumran, 11QT (*Temple Scroll*), is characterized by what we would call “internal” interpretation because its genre is “rewritten Bible.” The author of the *Temple Scroll* is often able to grant his reader access to his understanding of how various legal units of the Bible relate to each other by mere arrangement of the pieces of legal material, without the need to impose his own “extrabiblical locution” onto the original texts. In doing so, he allows the Bible to speak for itself, as it were. It is to this form of interpretation—“interpretation by organization”—that we turn first, for its shape remains closest to that of the biblical texts themselves. We shall examine two categories of this form of interpretation.<sup>15</sup>

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shape, its mode of presentation, its arrangement and the disposition of its material; in short, for everything other than the method of interpretation.

<sup>15</sup> Our use of the term “interpretation” is consciously quite broad and includes even the way the biblical text is handled, arranged, and manipulated, even when no actual interpretive material is added. Cf. G. Vermes, “Bible Interpretation at Qumran,” *Erlsr* 20 (1989): \*185 (ed. A. Ben-Tor et al.), who defines the class “implicit exegesis of an editorial type” as consisting of “a rearrangement of biblical texts by means of harmonization, conflation, supplementation, etc., resulting in a clarified, improved or altered meaning, without entailing, as a rule, any added interpretation.” The *Temple Scroll* is, of course, the prime example of such interpretation. Vermes’ terminology differs somewhat from ours, although we are certainly observing some of the very same phenomena. It should be stressed, however, that our respective usages of the term “implicit” exegesis (see “Implicit Interpretation” below) differ considerably.

67 | 1. Collocation/Integration (11QT)<sup>16</sup>

One of the most characteristic ways in which the legal “rewritten Bible” of the *Temple Scroll* sets out its interpretation of the Bible is by collecting within a narrow compass laws which deal with the same or similar topics. On the most basic level, these juxtapositions need not entail any rewriting or modification of the original text; the mere linking together of passages with common themes is an act of interpretation.<sup>17</sup> 11QT 48:7–11 provides an excellent example of this phenomenon in a very brief compass. Into the context of the mourning customs of Deuteronomy 14:1

לא תתגודדו ולא תשימו קרחה בין עיניכם למת (“You must not gash yourselves or shave the front of your heads for the dead”), the scroll introduces a virtual citation of Leviticus 19:28 | ושרט לנפש לא תתנו בבשרכם וכתבת קעקע | 18 לא תתנו בכם (“You shall not make any gashes in your flesh for the dead or make any tattoo marks upon you”), before returning to Deuteronomy 14:2a, כי עם קדוש אתה לה’ אלהיכה מה [sic] (“For you are a people holy to the Lord your God”). The Pentateuch itself presents an integration of the prohibitions of קרחה (baldness) and שרטת (gashes) in Leviticus 21:5, and the author of the scroll (perhaps following that scriptural example) sews together the verses on a single theme from Deuteronomy 14 and Leviticus

<sup>16</sup> Since so many other texts containing law from Qumran are fragmentary, it is difficult to ascertain very much about their structure or its logic. It might very well be that if more integral portions of works like 4QD and 4QHalakha A had survived, we might see such collocation in documents of less broad scope than the *Temple Scroll*. In June 2004, Aharon Shemesh presented a convincing paper at the third Annual Meeting of the Haifa Workshop for Research in the Dead Sea Scrolls on “4Q251: Midrash Mishpatim,” arguing that this text is systematically based on Exod. 21–23. It has now appeared as “4Q251: ‘Midrash Mishpatim,’” *DSD* 12 (2005) 280–302.

<sup>17</sup> Yadin, 1.73–74, distinguishes between “merging commands on the same subject” and “unifying duplicate commands (harmonization)”. The former is really part of the author’s broad compositional technique and not his exegetical arsenal, if we may distinguish, for the moment, between them. Milgrom, “Exegetical Principles,” 170–71, has already faulted Yadin for confusing “unification” (our “collocation”) with “harmonization.” He concedes that true harmonization is to be found in three cases, two of which (rape/seduction and division of the spoils), following Yadin, we shall discuss under the rubric “Harmonization and Reconciliation,” and the third (covering the blood) we shall discuss as an example of *binyan ab* under the subheading “*Binyan Ab* (Homogenization).” We feel that the term “harmonization” can be employed even for passages where there is no contradiction between the texts when the author has chosen to integrate the passages literarily. Vermes, “Bible Interpretation,” \*185–\*186, speaks of “grouping and collating parallel texts,” with the integration in 11QT 51:19–52:3 of the idolatrous practices prohibited in Deut. 16:21–22 and Lev. 26:1 serving as his example.

<sup>18</sup> 11QT reads לוא תכתובו בכמה ושרטת על נפש (“you shall not inscribe upon yourselves”). See Yadin’s commentary *ad loc.* for discussion.

19 in the context of the former. The result is (with the section from Leviticus emphasized):

בנים אתמה לה' אלוהיכמה לוא תתגדדו ולוא תשימו קורחה בין עיניכמה למת  
 ושרטת על נפש לוא תתנו בבשרכמה וכתבת קעקע לוא תכתובו בכמה כי  
 עם קדוש אתה לה' אלוהיכה מה.

You are children of the Lord your God. You must not gash yourselves or shave the front of your heads for the dead. *You shall not make any gashes in your flesh for the dead or inscribe any tattoo marks upon you.* For you are a people holy to the Lord your God.<sup>19</sup>

The disposition of the laws pertaining to vows furnishes an example on a grander and more complex scale. Taking its cue from Deuteronomy 12:26, the command to bring vows and *sancta* to the “place which the Lord shall choose,” 11QT 53:9 proceeds to a discussion of vows on a broader plane, concluding its paraphrase of Deuteronomy 12:26 with *או נדרתה בפיוכה* (“or vowed with your mouth”; 53:10), language borrowed from Deuteronomy 23:24. This enables the scroll to introduce the equivalent of Deuteronomy 23:22–24 (53:11–14), which deals with the gravity of vows and the serious penalties involved in not fulfilling them. From there the scroll moves to Numbers 30, the pentateuchal pericope on personal vows and the rights of fathers and husbands to annul those made by daughters and wives (53:14–54:5). Having integrated the pentateuchal passages on vows, the scroll returns to Deuteronomy 13:1 (54:5), at the approximate point where this large topic began.

## 2. *Harmonization and Reconciliation*

In addition to juxtaposing the various biblical texts that deal with a particular law, the author of the *Temple Scroll* also had to address the problem of | varying, and sometimes contradictory, biblical laws.<sup>20</sup> The Pentateuch contains two similar laws regarding virgins who have been

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<sup>19</sup> Yadin, 1.75, writes that this pericope is “another typical example of harmonizing three similar commands,” claiming that it combines Lev. 21:5 pertaining to the priests with Lev. 19:28 and Deut. 14:1–2 which apply to all Israel. But, other than the lexeme *שרטת* replacing *שרט*, there is no mark of Lev. 21 on the language of the *Temple Scroll*.

<sup>20</sup> While harmonization is often employed to resolve contradictory biblical passages, Schiffman has pointed out that certain biblical contradictions are preserved in the *Temple Scroll*, such as what is done with the offerings of the firstborn animals. Cf. L.H. Schiffman, “Priestly and Levitical Gifts in the Temple Scroll,” in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* (ed. D. Parry and E. Ulrich; STDJ 30; Leiden: Brill, 1999), 480–96 (483).

engaged “unwillingly” in sexual activity before marriage. Exodus 22:15–16 employs the word *יפתה*, “seduce,” to describe the action of the male involved, and Deuteronomy 22:28–29 uses *ותפשה*, “seize (her).” The former passage requires that he pay the bride-price (*מהר*) for her as a wife, and if her father refuses the marriage, to pay the bride-price for a virgin. The latter text demands that he pay fifty silver pieces to her father and marry the woman with no right to divorce her, without indicating any right of the father to prevent the match. In 11QT’s rewriting (66:8–11) of the section of Deuteronomy where the latter law occurs, a single subtle change is made which indicates that the author is treating the two laws as one; the section begins with the language of Exodus, *כי יפתה איש* (“should a man seduce”), and omits any equivalent of *ותפשה* (“seize”), the description of the act in Deuteronomy. Beyond that, the passage is completely modeled on the biblical text in Deuteronomy.<sup>21</sup>

It appears that the author of the *Temple Scroll* identified these two passages with each other and therefore blended or homogenized them in his rewritten Bible. Seduction and rape are to be considered as identical offenses and carry the same penalty in the eyes of the author of the scroll. The one question we might pose is: Does the author of the scroll maintain the right of paternal refusal of the marriage (which appears in Exodus but not in Deuteronomy)? Yadin asserts that the *Temple Scroll* denies the father the right to refuse in either case, and notes that rabbinic halakhah harmonized the texts in the other direction, permitting refusal both in the case of seduction and in the case of rape on the basis of an *a minore ad maius* (*qal vahomer*) argument.<sup>22</sup> We believe it is dangerous to argue confidently from silence, as Yadin does here, that the *Temple Scroll* would compel such a marriage against the father’s will, although it is certainly conceivable that it might.

70 The treatment of the law of the division of war spoils in the *Temple Scroll* is an example of “harmonization” which is particularly unusual. There appears to be a contradiction between the pentateuchal description of how | the spoils captured in the war against Midian (Num. 31:27–28) were to be allocated and the recounting of David’s division of his captured booty in 1 Samuel 30:24–25.<sup>23</sup> Numbers orders the booty to be divided

<sup>21</sup> The significant addition of *והיא רויה לו מן החוק* (“provided that she is permitted to him by the law”) is not germane to our issues.

<sup>22</sup> Yadin, 1.369.

<sup>23</sup> This example differs from the others involving legal exegesis of prophetic texts that we shall discuss below, because it is only the implications of the narrative which stand in

equally between the warriors, who then give 1/500th of their half of the booty to the priests, and the rest of the nation, which is obliged to give 1/50th of their half of the spoils to the Levites. 1 Samuel, however, attests to David's initiating a policy of halving the spoils equally between the warriors and those who remain with the baggage, without the mention of any tax whatsoever.

11QT 58:13–14 records a practice which differs, on the surface, from both biblical accounts. From the total booty, 1/10th is to be given to the king, 1/1000th to the priests, 1/100th to the Levites, and the remaining spoils are to be divided equally between the warriors and the people. How are we to explain the amounts awarded to the priests and Levites? Yadin suggests that this aspect of the law is composite, the result of harmonization of the passage in Numbers with that in Samuel. He explains that the author of the *Temple Scroll* harmonizes the biblical texts by viewing each of them as referring to a different stage in the overall process. First, the shares of the king, the priests, and the Levites were taken from the total booty, as described in Numbers, and only afterward were the remaining spoils halved equally between the warriors and the noncombatants as mandated by 1 Samuel.<sup>24</sup> The law in the *Temple Scroll* is then a harmonization of the law in Numbers and the narrative in 1 Samuel 30.<sup>25</sup>

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contrast with the pentateuchal law. Nevertheless, it should be added to the others introduced later in the section on non-pentateuchal sources for law. Rabbinic literature treats the Midianite narrative as not establishing precedent for the future (*b. Menah. 77b*).

<sup>24</sup> Note that the groups are termed תופשי המלחמה ("the warriors") and אחיהמה אשר הניחו בעריהמה ("their brothers whom they left in their cities"). The former is the term employed by Numbers, and the latter is more analogous to העדה ("the congregation") of Numbers than to הישב על הכלים ("the one who stays by the baggage") of 1 Sam. 30:24. Y. Yadin, *The Temple Scroll: The Hidden Law of the Dead Sea Sect* (New York: Random House, 1985), 77, writes that the author of TS

used the text of the situation in Numbers, with its provisions for the priests and Levites, but altered the stages at which those were to be allocated, so that their shares came 'off the top,' as fractions of the *total* booty. Thus, the scroll gave one thousandth of the total to the priests, which is the equivalent of one five-hundredth of the half as in Numbers, and one hundredth of the total to the Levites, equaling one fiftieth of the half. Thereafter, the balance was divided evenly between the warriors and the others, as prescribed by David in the Book of Samuel.

<sup>25</sup> There is one aspect of this law on the division of the spoils which cannot be explained on the basis of "organization as interpretation"—the assigning of one-tenth of the spoils to the king. It is the result of some analogical form of midrash (see further below). It is likely, as Yadin has suggested, 1.360, that "Although there is no clear biblical basis for prescribing that the king is to be given one tenth of the booty, a likely source seems to be the section on the ways of the king which prescribes that the king is to be given one tenth of the grain, of the vineyards and of the flocks" (1 Sam. 8:15–17). The author of the law has extended the rights of the king from a tenth of the produce to a tenth of the war booty as well. Yadin

When we turn to most other forms of Qumran legal interpretation, found in texts which do not take on the shape of “rewritten Bible,” and in which the stance of the interpreter is outside the biblical text, a further significant distinction can be drawn from a formal standpoint between “explicit” and “implicit” interpretation. In the former, the biblical text which gives rise to the law is cited, and we can observe the connection between the biblical verse and its Qumranic reading. In the latter, which is perhaps more common in Qumran “codes,” the biblical verse which underlies the law is not cited explicitly, and the relationship between the law and the verse must be inferred by the reader, often based on the imitation of the biblical language by the Qumran interpreter.

### 1. *Legal Interpretation with Citation*

At times, the law is conjoined with its interpretation through the use of a citation, almost always with a formula, such as **כַּאֲשֶׁר כָּתוּב**, “as it is written,” or **כַּאֲשֶׁר אָמַר**, “as it states.”<sup>26</sup> This employment of a formula constitutes the clearest evidence that a given law relies on a specific biblical text. Such use is found in several passages in CD. The Sabbath code in CD (10:14–11:18) is framed by biblical citations; that is to say, the first and last laws in the list are “justified” by explicit scriptural texts: **אֵל יַעַשׂ אִישׁ בְּיוֹם הַשִּׁישִׁי מְלֵאכָה מִן הָעֵת אֲשֶׁר יִהְיֶה גִלְגַּל הַשֶּׁמֶשׁ רְחוֹק מִן הַשַּׁעַר מְלוֹאוֹ כִּי הוּא** 72 **אֲשֶׁר אָמַר שְׁמוֹר אֶת יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ** | (10:15–17; “No one should do work on the sixth day, from the moment when the sun’s disk is at a distance of its diameter from the gate, *for this is what it says, ‘Observe the Sabbath day to sanctify it.’*”), and **אֵל יַעַל אִישׁ לְמִזְבֵּחַ בַּשַּׁבָּת כִּי אִם עוֹלַת הַשַּׁבָּת כִּי כֵן**

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also suggests that tithing in the context of war booty might be suggested by Abram giving a tithe to Melchizedek in Gen. 14:20.

<sup>26</sup> Cf. M.J. Bernstein, “Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim: Observations on a Peshar Technique,” *DSD* 1 (1994): 30–70, (below 2.635–673) for a discussion of the use of these formulas in nonlegal material. To the best of our knowledge, no thorough survey has been done of their employment in legal passages. 4QMMT presents a unique usage of formulas in legal contexts in that it employs **כָּתוּב** (“written”) even in situations where the Bible is paraphrased and not quoted. Elisha Qimron, in Qimron and John Strugnell, eds., in consultation with Y. Sussmann and with contributions by Y. Sussmann and A. Yardeni, *Qumran Cave 4. V: Miqṣat Ma’āṣe Ha-Torah* (DJD 10; Oxford: Clarendon, 1994), 140–41, insists that the term never introduces a citation in 4QMMT, but cf. M.J. Bernstein, “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” in *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John Kampen and Moshe J. Bernstein; Symposium 2; Atlanta: Scholars Press, 1996), 38–46. (below 2.563–570)



**כתוב מלבד שבתותיכם** (11:17–18; “No one should offer anything upon the altar on the Sabbath, except for the burnt offering of the Sabbath, *for thus it is written, ‘Except your [offerings of] the Sabbath.’*”). Both interpretations could be open to question; “keeping the Sabbath to sanctify it” (Deut. 5:12) need not refer to the cessation from prohibited activities some length of time before the actual onset of the Sabbath, nor need “apart from your Sabbaths” imply that only the Sabbath offerings were to be placed on the altar on that day. According to the exegesis of CD, however, those are indeed the intentions of those verses. More striking, however, is the fact that none of the intervening laws regulating behavior on the Sabbath is explicitly justified by citation. Isaiah 58:13, **דבר ודבר דבר** (‘‘serving your own interests, or pursuing your own affairs’’), seems to underlie 10:19–20 **לעשות את עבודת הפצו** (‘‘He is not to speak about matters of work . . . to do the work which he wishes’’), and 11:2 **לעשות את הפצו ביום השבת** (‘‘to do what he wishes on the Sabbath day’’), but it could be argued that the usage is stylistic and not exegetical, since the verse is not explicitly cited in support of the law.<sup>27</sup> Thus the code reflects both explicit and implicit biblical interpretation, while also containing laws which have no discernible scriptural foundation whatsoever.<sup>28</sup>

## 2. *Implicit Interpretation*

The last-cited passage from Isaiah in CD leads us to two further issues on which we must touch, at least briefly. The first is the kind of implicit | interpretation which points to a particular reading of a biblical text, even though the text is not cited verbatim. Some of these, like the CD formulations based on Isaiah, indicate by the closeness of their formulation to the biblical original that they are “reading” the biblical text, while others do

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<sup>27</sup> Fraade, “Legal Midrash,” 73 and n. 50, notes that *Mekhilta de-Rabbi Yishmael, Bahodesh 7*, cites this verse in its remarks on Exod. 20:8, “Remember the Sabbath day to sanctify it.” He stresses the ways in which CD’s formulation diverges from that of the rabbinic text.

<sup>28</sup> On occasion, biblical verses are employed explicitly, with citation formulas, to justify regulations which we would probably describe as sectarian rules. Thus we read in 1QS that non-members of the community are to be kept at a distance based on **כִּי־אֵין כִּתוּב** (“for thus it is written”) Exod. 23:7 **דְּבַר שִׁקְרָא תִּרְחַק** (מִכּוֹל) (‘‘from every speaker (דְּוִבֵיר) of falsehood stay away’’ (where MT lacks **כִּל**, “every,” but LXX has a word for “every”). Nor shall free gifts be taken from them based on **כִּי־אֵין כִּתוּב**) Isa. 2:22 **חֲדְלוּ לָכֶם** (‘‘Turn away from mortals, who have only breath in their nostrils, for of what account are they?’’), although it is not clear why the nonmember of the group should be defined as “the one whose breath is in his nostrils,” or why this biblical verse should be employed in a legal interpretation.

not manifest such overt connections. One example from 4QMMT is worth noting. Leviticus 22:16 **והשיאו אותם עון אשמה באכלם את קדשיהם** (“causing them to bear iniquity requiring a guilt payment, when they eat their sacred donations”), can be interpreted in more than one way, depending on the subject and meaning of **והשיאו** (“causing to bear”) and the referent of **אותם** (“them”). 4QMMT B 11–13 asserts that certain offerings are to be eaten on the day they are brought, adding **ראו להזהיר [ים] הכוהנ[ים]** **כי לבני[ם] הכוהנ[ים]** **בדבר הזה בשל שלוא י[היו] מסיא[ים] את העם עוון** (“it is proper that the [sons of] the priest[s] be careful in this matter so that they [should] not cause the people to be[a]r guilt.” Leviticus 22:16 is not cited with **כאשר** **כתוב** (“as it is written”) or **כאשר אמר** (“as it says”) as the basis of the law, but there is no doubt from MMT’s formulation that it is the biblical source for this sentence, warning the priests not to cause laypersons to incur guilt. MMT has applied the passage to the law regarding the proper time for the consumption of offerings because of the words “when they eat of their holy things” in Leviticus, even though those words themselves are not cited in the formulation of MMT.

### C. *Non-Pentateuchal Legal Interpretation*

The other aspect of Qumran legal exegesis which the Isaiah verse highlights is significant for the way it differs from later rabbinic interpretation. It is well-known that rabbinic literature was reluctant to rely on non-pentateuchal passages for legal exegesis, with the Babylonian Talmud indicating this tendency with expressions like **לא ילפינן** **דברי תורה מדברי קבלה** (b. *Hag.* 10b and b. *B. Qam.* 2b) and **דנין דברי תורה ואין דנין דברי קבלה** (b. *Nid.* 23a).<sup>29</sup> At Qumran, on the other hand, there appears to have been no such unwillingness to link legal practices to passages in the Prophets and Hagiographa, although there does not appear to be a | substantial number of such instances. What is quite interesting, however, is the manner in which these texts are “cited” and employed. CD 11:19–20 prohibits the sending of offerings to the altar via an impure

<sup>29</sup> Cf. *Encyclopedia Talmudit* [Heb.], s.v. **דברי קבלה** (Jerusalem: Talmudic Encyclopedia Publishing, 1956), 7:106–14, especially 112–14. Another formulation may be **אין נביא רשאי לחדש דבר מעתה** (b. *Meg.* 2b). Ginzberg, *An Unknown Jewish Sect*, 184–90, who is committed to the basic identification of the group in which CD arose as Pharisaic, struggles to show, on the one hand, that in rabbinic Judaism, too, laws are actually linked with non-pentateuchal passages, and on the other, that the passages we shall discuss belong to the rabbinic category **אסמכתא**, “supports” for the law, rather than its midrashic source. The latter portion of his position is probably untenable.

emissary and “cites” as the prooftext Proverbs 15:8, אל ישלח איש למזבח, עולה ומנחה ולבונה ועץ ביד איש טמא באחת מן הטמאות להרשותו לטמא (‘No one should send to the altar a sacrifice, or an offering, or incense, or wood, by the hand of a man impure from any of the impurities, so allowing him to defile the altar, for it is written, *‘The sacrifice of the wicked is an abomination, but the prayers of the righteous are like an agreeable offering.’*’).<sup>30</sup> What appears in the original biblical context to be a contrast between the sacrifice of the wicked and the prayers of the righteous is turned by CD into logical support for a prohibition.

The section of CD dealing with oaths, ועל השבועה אשר אמר לא תושיעך, ידך לך (9:9; ‘Concerning the oath, as for what it says, ‘You shall not do justice with your own hand . . .’”), paraphrases 1 Samuel 25:26, מנעך ה' מבוא, כי הוא (‘the Lord has restrained you from bloodguilt and from taking vengeance with your own hand’), which is a narrative statement implying divine disapproval of acting on one’s own behalf without judicial process, and turns the verse into a prohibition, reformulating the citation as an apodictic statement. Finally, in a passage which remains somewhat obscure, a prooftext is brought for the prohibition against “declaring the food of [one’s] mouth holy [to G]od,” from Micah 7:2 כי הוא חרם (‘This is what it says, ‘They hunt each other with nets.’”). The exegesis of חרם, which means “net” in its biblical context, in the sense of “vow” is a good example of midrashic exploitation at Qumran of potential multiple meaning in the biblical text.<sup>31</sup> |

<sup>30</sup> MT reads ותפלת ישרים רצונו (‘The sacrifice of the wicked is an abomination to the Lord, but the prayer of the upright is his delight’); nevertheless, it is clear that this verse is being referred to by CD. There is a need for further study of “inaccurate” or “variant” citations from biblical texts at Qumran preceded by words like אמר and כתוב to determine whether we should really expect verbatim quotations in such cases. It is known that MMT furnishes an exception to such expectations, as do this text from Proverbs and the verse from 1 Samuel cited below. For this phenomenon in the *pesharim*, cf. Bernstein, “Citation and Re-Citation,” 53–54 nn. 67 and 70, and 57 (below 657 and nn. 66 and 69, and 660, respectively).

<sup>31</sup> For other examples of legal exegesis of non-pentateuchal texts, cf. the interpretation of Isa. 2:22 in 1QS cited above (n. 28) and our earlier discussion of the integration of Numbers and 1 Samuel in the law of dividing the booty. Ezek. 45:11 is cited in three different passages as evidence for the equivalence of the *ephah* and the *bat* as a tenth of a *homer*: 4Q159 (4QOrdinances<sup>a</sup>) 1 ii 13; 4Q271 2 2, and 4Q513 (4QOrdinances<sup>b</sup>) 1–2 i 4.

## II. METHODS OF INTERPRETATION

There are several fundamental distinctions that we can draw between and among different methods of legal exegesis through which we can better appreciate the broader framework of interpretation as well as its details.<sup>32</sup> Schiffman distinguishes between *perush* and *midrash* as the two most important terms for legal interpretation at Qumran, defining *perush* as “an exegesis based only on the analysis of the text in question, without recourse to other passages from Scripture,” and *midrash* as “an exegesis in which a corroborative passage in Scripture plays a part” and “an exegetical form in which a passage is interpreted in light of a second passage.”<sup>33</sup> In other words, while *midrash* deals with some intertextual hermeneutic technique, *perush* represents the way in which the authors of the scrolls read the biblical texts straightforwardly. Our first division, then, of the “methods” of interpretation will employ Schiffman’s distinction.<sup>34</sup>

A. *Perush*1. *Definition and Limitation*

There are passages in the Pentateuch which, despite the fact that the words they employ are not unusual, are open to more than one reading. Thus Numbers 5:13 describes the woman who is to be put to the *soṭah* ordeal with the words *וְעַד אִין בַּהּ וְהִיא לֹא נִתְפְּשָׁה*, “there being no witness against her and she was not *נתפשה*.” The final word can be translated either “caught (in the act)” or “seized,” i.e., raped. A fragmentary copy of 4QD (4Q270 4 3) reads *אָמְרָה אֲנוֹסָה הִתִּי* [אם], “[if] she says, ‘I was forced,’” implying that the word *נתפשה*, “seized,” was given the latter interpretation, and perhaps also that a woman who defended herself with such a claim was exempt from the ordeal.<sup>35</sup>

<sup>32</sup> We have already discussed the category of “organization as interpretation,” which relates to the way interpretation is expressed.

<sup>33</sup> Schiffman, *The Halakhah at Qumran*, 3 and 76 respectively.

<sup>34</sup> We did not set out our initial classification to employ Schiffman’s terminology. After we had established categories and were searching for nomenclature, it became clear to us that this distinction supplied the very rubrics for which we were looking.

<sup>35</sup> For text and commentary, cf. J.M. Baumgarten, *Qumran Cave 4, XIII: The Damascus Document (4Q266–73)* (DJD 18; Oxford: Clarendon, 1996), 152–53. As Baumgarten notes, *Sifre Numbers 7* contains the same exegesis, including the employment of the term *אֲנוֹסָה*, “forced.”

| At times in legal passages the Bible employs terms which were no longer current in the Second Temple era, and one of the responsibilities of a biblical interpreter at that time was to make the Bible meaningful to his audience, by “translating” the term into language his audience understood. An interesting example of this feature of Qumran legal interpretation may be found in 4Q251 (4QHalakha A). Despite its fragmentary nature, it is quite clear that we have an interpretation of Exodus 22:28, *לֹא תִאָחֵר בְּכוֹר בְּנִיךָ תִתֶּן לִי מְלֵאֲתֶךָ וְדַמְעֶךָ* (“You shall not delay the *fullness* [of your harvest] and the *outflow* [of your presses]. The firstborn of your sons you shall give me”), in which both of the emphasized terms are obscure. The Qumran text reads: *אֵל יֹאכֵל אִישׁ דָּגַן וְתִירָשׁ וְיִצְהַר כִּי אִם [הַנִּיף הַכוֹהֵן] רֵאשִׁיתָם הַבְּכוֹרִים הַמְּלֵאָה אֵל יֹאחֵר אִישׁ כִּי [הַתִּירוֹשׁ] מְלֵאָה [הוּא] הוּא הַדְּמֵעַ [וְהַ]דָּגַן הוּא הַדְּמֵעַ* (4Q251 9 1–2).<sup>36</sup> It appears that the Qumran legal text defines (note the use of *הוואה* and *הווא*) *מְלֵאָה* as referring to the wine and *דַּמְעַ* as referring to the grain, which are subject to being brought as firstfruits. We should translate “[No one is to consume grain, wi]ne or oil until [the priest has waved] their first part, the firstfruits. *Let no one delay the מְלֵאָה, for the first part of the מְלֵאָה is [the wine], [and] the דַּמְעַ is the grain.*” From a formal standpoint, this formulation of the exegesis is strikingly similar to that which is already familiar from non-legal material at Qumran: e.g., *כִּי־אֵל הַלְּבָנוֹן הוּא עֵצַת הַיַּחַד* (1QpHab 12:3; “For Lebanon is the council of the Community”), *וְהַמְּחֻקֵּק הוּא דוֹרֵשׁ* (CD 6:7; “And the staff is the interpreter of the law”), and the series *הַמֶּלֶךְ הוּא הַקֶּהֶל...וְהַכּוֹכֵב הוּא דוֹרֵשׁ הַתּוֹרָה...הַשֶּׁבֶט הוּא נְשִׂיא כָל הָעֵדָה* (CD 7:17–20; “The king is the assembly... and the star is the interpreter of the law... and the scepter is the prince of the whole congregation”).<sup>37</sup>

Another sort of clarification of an obscure phrase is to be found in the Qumran interpretation of Leviticus 19:16, *לֹא תֵלֵךְ רְכִיל בְּעַמֶּיךָ* (“You shall not go around as a slanderer among your people”), which, in its biblical context, prohibits talebearing or gossiping about a fellow Israelite. In 11QT 64:6–7 this law is reformulated as *כִּי יִהְיֶה אִישׁ רְכִיל בְּעַמּוֹ וּמִשֶׁ-*

<sup>36</sup> Text according to E. Larson, M.R. Lehmann, and L.H. Schiffman, “4QHalakhah A,” in *Qumran Cave 4. XXV: Halakhic Texts* (ed. J. Baumgarten et al.; DJD 35; Oxford: Clarendon, 1999), 34, with our addition of the definite article before *תִּירוֹשׁ* and *דָּגַן* in the restorations. The editors, 35, translate “for [wine] is the choice part of the flow [and] grain is the best part.” Our suggested translation emphasizes the definition which we believe is the import of the language.

<sup>37</sup> Admittedly in those passages the biblical word is followed by the identification, whereas here, if we are correct, the identification precedes the biblical term. Nevertheless, we see them to be functionally equivalent.

77 לים את עמו לגוי נכר ועושה רעה בעמו | (“If a man passes on information against his people or betrays his people to a foreign nation, or does evil against his people”), where the biblical phrase is explicitly quoted (as is unsurprising in this “rewritten Bible”) and then interpreted in the following two clauses. Whereas in the Bible the רכיל (slanderer) is one who defames another individual, in the *Temple Scroll* he is one who betrays his people and acts against their best interests. The law is followed by the condemnation of one who, already under sentence of death, יברח אל תוך, הִגּוּאִים וִיקַלֵּל אֶת עַמּוֹ (9–10; “he flees among the nations and curses his people”). When 4Q270 (4QD<sup>c</sup>) lists among its offenders אֲשֶׁר יְגַלֶּה אֶת רֵז עַמּוֹ לְגּוֹאִים אוֹ יְקַלֵּל אֶת עַמּוֹ (2 ii 12; “who reveals the secret of his people to the nations, or curses h[is people]”), the formulation is unbiblical, but clearly based on the kind of interpretation of the verse in Leviticus which we saw in the *Temple Scroll*. Note the juxtaposition of “revealing secrets” and “cursing” which is likely to be parallel to the two cases in the *Temple Scroll*.<sup>38</sup>

## 2. Specificity of Detail

The laws regarding the number of witnesses required for testimony in court are found in two places in the Pentateuch, Deuteronomy 17:6 and 19:15.<sup>39</sup> The former passage demands “two or three witnesses” for a capital crime and explicitly excludes a single witness for the imposition of the death penalty. 19:15 denies a single witness any standing at all לְכָל עוֹן (regarding any crime or wrongdoing), and asserts that facts can be established (יָקוּם דְּבַר) only on the basis of two or three witnesses.<sup>40</sup>

<sup>38</sup> Lev. 19:16 is employed in a third passage as well, and we see how Qumran legal interpretation need not be completely consistent. 1QS 7:15–17 reads וְהָאִישׁ אֲשֶׁר יֵלֵךְ רְכִיל בְּרֵעֵהוּ . . . וְאִישׁ בְּרִיבִים יֵלֵךְ רְכִיל בְּעַמּוּד (‘‘And whoever goes round slandering his fellow . . . whoever goes round slandering the Many’’). The biblical בְּעַמּוּד (‘‘among your people’’) appears to be read in two slightly differing ways: (1) ‘‘against [one within] your people,’’ or ‘‘among your people,’’ and (2) ‘‘against your people.’’ The former, of course, is probably the intention of the biblical passage, while the latter reads the *bet* of בְּעַמּוּד the same way 11QT does, but without restricting the ‘‘defamer’’ to the traitor described there. The rabbis referred to the multiple application of a single scriptural text as יוֹצֵא אֶחָד לְכַמָּה טַעְמִים, ‘‘a single verse goes forth to several meanings.’’

<sup>39</sup> Num. 35:30 indicates that a murderer is to be executed לְפִי עֵדִים, with no number specified, and denies to a single witness the right to have the death penalty imposed based on his testimony.

<sup>40</sup> For discussion of the meaning of the biblical text, as opposed to the history of its interpretation, see B.S. Jackson, ‘‘Two or Three Witnesses,’’ in *Essays in Jewish and Comparative Legal History* (SjLA 10; Leiden: Brill, 1975), 153–71.

The exegetical problem is | quite clear: If two witnesses suffice, why does the Pentateuch demand three?<sup>41</sup> Some of the Qumran regulations for the acceptance of testimony are found in CD 9:16–23, and they include implicit interpretation of the verses in Deuteronomy.<sup>42</sup> In a capital crime, if a man is reported to have “sinned against the law” three separate times, with only one witness testifying to each event, the testimonies are accepted and “his judgment is complete.” In monetary matters, however, two trustworthy witnesses are acceptable. Sandwiched in between these two laws is an ambiguous formulation within the capital punishment category. “And if they are two, and they testify on a different matter,” the testimony is only sufficient to exclude the suspect from the pure food, but not to incriminate him fully.<sup>43</sup> The law is a result of the reading of the words “two or three witnesses” in the biblical text. Under normal circumstances, two witnesses are effective even in capital cases; under unusual circumstances, namely, the repetition of an offense three times with a single witness each time, three witnesses are needed. There is thus no superfluity in the biblical text; the Qumran text does not need to go formally through the elaborate rabbinic presentation of the problem and its resolution, but resolves it implicitly by laying out the rules in the different cases.<sup>44</sup>

<sup>41</sup> The question, of course, is predicated on the assumption that Scripture does not contain extraneous language, and that apparently superfluous terminology must be explained. For the mishnaic response to the question, cf. *m. Mak.* 1:7–9. Although Qumran does not manifest the rabbinic tendency to “omnisignificance,” the attribution of meaning to every aspect of the text, a case such as this one clearly begged for interpretation far more than the “extra” *vavs* which sometimes generate rabbinic exegesis.

<sup>42</sup> This passage engendered a series of studies by B.A. Levine, J. Neusner, L.H. Schiffman, N.L. Rabinovitch, and B.S. Jackson in the mid-1970s in *RevQ* (8 and 9). They focused on its legal significance, rather than the exegetical issue in which we are interested.

<sup>43</sup> Reading רֵאֵר, “another,” with the MS of CD, and not with the emendation to רֵאֵר (one) accepted by many scholars. According to the unemended text, two witnesses testifying to the same capital offense on two different occasions suffice to preclude the offender from the *tohorah* of the community. Among contemporary scholars, B.S. Jackson, “*Testes Singulares* in Early Jewish Law and in the New Testament,” in *Essays in Jewish and Comparative Legal History*, 176–77, and Yadin, 1.380, also accept the MS reading.

<sup>44</sup> Schiffman, *Sectarian Law*, 74–81, does not accept the dichotomy between two and three witnesses as referring to a single or repeated act(s), and claims that this Qumran text always demands three witnesses for capital offenses and two for others. In his reading, too, the apparently superfluous terminology carries exegetical significance. He notes correctly, 74, “that from the point of view of hermeneutics, the sect maintained that in groups of numbers, each had to have its own significance.” The parallel he adduces is the assignment of significance to each of the numerical terms in the case of the dual limit of 1,000 and 2,000 *ammot* outside the levitical cities in CD 10:5–6 and 21.

1. *Varieties of Analogical Reasoning*

When characterizing the forms of analogical reasoning that we believe are found in the scrolls, it is convenient to employ the terminology which is utilized later in rabbinic literature for similar techniques. We are fully aware that such usage runs the risk of anachronism as well as of giving the misleading impression that the authors of the Qumran texts themselves thought in just these terms. Even if they did, it is clear they did not formulate their interpretations in language which makes the methodology obvious, and, it must be admitted, our observations are therefore largely inferential. Nevertheless, by using “rabbinic” terminology we obviate the need to invent new terminology, and underline what in our opinion is the very significant phenomenon that Qumran and rabbinic legal interpretation are ultimately not unrelated to one another. Many of the classic rabbinic *middot* are forms of analogy, based on similarities of laws in location, circumstance, language, or logic.

a. *Qal vaḥomer (a minori ad maius)*

Rabbinic tradition claims that this mode of argumentation from the less significant to the more significant appears already in Scripture.<sup>45</sup> Fundamentally, it is an argument from analogy supported by logic.<sup>46</sup> Although *qal vaḥomer* is quite common in later rabbinic law, we know of only one (or perhaps two) possible example(s) of it in the scrolls. At CD 4:20–5:2 the sin of taking more than one wife is delineated and supported by three verses: Genesis 1:27 regarding the creation of humankind in the person of one male female couple, Genesis 7:9 regarding the animals entering the ark two by two, and Deuteronomy 17:17 regarding the king who is not permitted to multiply wives for himself. Regardless of the relative function of the three cited texts as prohibitions, it appears clear to us that the citation of Deuteronomy 17:17 ולא ירבה לו נשים (“and he must not acquire many wives for himself”) argues that *even* the king, who might be thought to have special privileges, is not permitted to marry more than one wife, and therefore the passage is likely to be a good example of a *qal vaḥomer*.<sup>47</sup>

<sup>45</sup> *Gen. Rab.* 92:7, including such pentateuchal examples as Gen. 44:8; Exod. 6:12; Num. 12:14; and Deut. 31:27.

<sup>46</sup> We owe this characterization of *qal vaḥomer* to Rabbi Jeremy Wieder.

<sup>47</sup> Ginzberg, *An Unknown Jewish Sect*, 182–83 and n. 125, is the only other treatment we are familiar with which refers to this passage as a *qal vaḥomer*; but he could not see the possibility of legal reasoning from the two verses cited from Genesis since they were not



| b. Binyan Ab (*Homogenization*)

Milgrom has dubbed one of the exegetical techniques used in the scrolls “equalization or homogenization,” defining it as an interpretive process in which “a law which applies to specific objects, animals or persons is extended to other members of the same species.”<sup>48</sup> He points out that the “exegetical technique of homogenization most closely resembles the later rabbinic hermeneutical rule of *binyan ’āb*, lit. a structure (emerging out) of the father.”<sup>49</sup>

When the *Temple Scroll* draws together from different portions of the Pentateuch legal material which is or appears to be contradictory, it needs to synthesize and harmonize the texts so that the laws are in agreement or,

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quoted with citation formulas and since in his view CD followed the rabbinic principle of not deriving law from pre-Mosaic narratives! It is unsurprising that 11QT 57:17 interprets לא ירבה as “not take more than one,” in full agreement with the exegesis in CD. If our analysis is accepted, the general implications of Milgrom’s remarks in his appendix to Yadin, 1:161, “the Qumran sectarians did not resort to hermeneutical principles like this *argumentum a fortiori*, but based themselves solely on Scripture,” need to be modified. In fact, Milgrom himself, “Laws of Purity,” 94–95, furnishes another possible example of this hermeneutic technique, although he avoids use of the terminology: if minor impurities require ablutions and sunset for purification, certainly major impurities should require them as well. According to our view, this is probably a *qal vahomer*.

<sup>48</sup> Milgrom, “Exegetical Principles,” 171, noting that Yadin does not deal with this technique. Milgrom, 175, goes so far as to suggest that “the Temple Scroll’s technique of homogenization is the forerunner of rabbinic *binyan ’āb*” He furnishes one example each of homogenization of objects, animals, and persons. In “Qumran’s Biblical Hermeneutics: The Case of the Wood Offering,” *RevQ* 16 (1993–95): 449, Milgrom asserts “that Qumran exegesis can be broken down into four types: conflation, harmonization, homogenization and application.”

<sup>49</sup> Milgrom, “Exegetical Principles,” 175. He cites *Sifrei* on Num. 15:27, which comments on the command to bring a she-goat in her first year (עז בת שנתה) for a sin offering: “this is a *binyan ’āb*: any place that it says ‘a she goat’ it must be a yearling.” Cf. בנין אב in *Encyclopedia Talmudit* [Heb.], 4:1–11 (ET with slightly less documentation, s.v. בנין אב/*Binyan Ab*, *Encyclopedia Talmudica* [Jerusalem: Talmudic Encyclopedia Institute, 1992], 4.410–20). There are a number of principles based on analogical reasoning in the rabbinic exegetical arsenal, and we should note here that despite significant similarities, this exegetical tool differs from the one called *heqesh*. The last mentioned article (418) formulates the difference as follows: “If the comparison between the source and the derivative is derived from their proximity, then it is a *heqesh*, not a *Binyan Ab*.” The narrowest sense of *heqesh* is “the comparison of two things which are mentioned in the same verse” (היקש, *Encyclopedia Talmudit* [Heb.], 10:558), equating the laws of two different legal topics based on their juxtaposition. The only example of *heqesh* in the narrow sense of which we know in the Qumran corpus was noted by Y. Elman, “Some Remarks on 4QMMT and the Rabbinic Tradition, Or, When Is a Parallel Not a Parallel?” in J. Kampen and M.J. Bernstein, eds., *Reading 4QMMT: New Perspectives on Qumran Law and History* (Symposium 2; Atlanta: Scholars Press, 1996), 101–2. The “human limb” of Num. 19:8 is taken by 11QT 50:5–6 to be a limb from a corpse, and not from a living person, because the rest of the verse deals with “one slain by the sword, or a corpse.”

81 at | least, non-contradictory. In such instances, the *Temple Scroll* responds to exegetical/interpretive difficulties which are created by the Pentateuch itself. By omitting, rephrasing, limiting, and otherwise modifying the integrated passages, it offers resolutions for the difficulties. In Leviticus 17:13 the Bible charges a person who hunts and slaughters an animal or bird *ועפר בעפר את דמו וכסהו*, “to spill out its blood and cover it with dust.” In Deuteronomy 12:23–24 and 15:23, however, we read regarding one who slaughters an animal: *על הארץ תשפכנו כמים* “spill it [the blood] out on the ground, like water.” The requirement of covering the blood is absent in the two verses in Deuteronomy. 11QT 52:11–12 and 53:5–6 “resolve” this discrepancy by introducing into the paraphrase of Deuteronomy’s instruction to spill the blood the commandment from Leviticus to cover the blood with dirt (*וכסיתו בעפר*).<sup>50</sup>

Another sort of analogical reasoning is the basis for the consistent ruling in the scrolls which forbids marriage between uncle and niece. This prohibition is found in the *Damascus Document* (CD), the *Temple Scroll*, and 4QHalakha A.<sup>51</sup> While no explanation is given in *Temple Scroll*, CD, due to its polemical character, provides an extremely insightful elaboration:

And each one of them takes as a wife the daughter of his brother and the daughter of his sister. But Moses said: ‘Do not approach your mother’s sister, she is a blood relation of your mother.’ The law of prohibited marriages is written for males, and like them [applies equally] to females; and if the brother’s daughter uncovers the nakedness of her father’s brother, and she is a blood relation.<sup>52</sup>

Here, too, we see another clear illustration of extending the biblical regulation to an analogous circumstance, something like homogenization.<sup>53</sup>

<sup>50</sup> Yadin, 1.75, overstating more than a little, calls this resolution “an extreme example of the author’s method of harmonization by merging two variant commands.” Vermes, “Bible Interpretation,” \*186, calls this technique “harmonizing expansion.” The solution differs, of course, from that of the rabbis, who distinguish the verses in Leviticus and Deuteronomy from one another, reading the former narrowly to refer only to fowl and non-domesticated animals and the latter to domesticated animals.

<sup>51</sup> CD 5:7–11; 11QT 66:15–17; 4Q251 17 2–5. Although the context in the last instance is fragmentary, it appears that the prohibition is expressed twice, once forbidding a man to marry his brother’s or his sister’s daughter, and once enjoining a woman from marrying her father’s or mother’s brother.

<sup>52</sup> We have translated the last phrase awkwardly because its syntax is virtually intractable in the Hebrew. Is it possible that the text should read *ואיך תגלה* for *ואם תגלה*, “How can a brother’s daughter uncover . . . seeing that she is . . .?”

<sup>53</sup> This example may be especially significant when considering Milgrom’s claim that “though some of the rabbinic *middot* are attested in the Qumran documents, homogenization, the forerunner of *binyan ’ab*, is amply and exclusively represented in the Temple

While the biblical text specifies only the illicit relationship of an aunt and a nephew, CD extends this law to the case of an uncle and niece. In this case, CD provides a sort of logical justification for its position, an explanation of its legal reasoning. In accounting for the problem of the absence of uncle-niece relationships within the biblical listing of illicit relationships, the author of CD appears to argue that the text was written for males but should be applied equally to females. How does he know this? It may be the simple observation that the degrees of kinship of the two cases are identical that forces the logical conclusion that the law must be applied to the one not mentioned in Scripture as well.

It is possible that analogical reasoning of this sort operates on a much larger scale as well in the scrolls. The Qumran calendar included several festivals which were not listed in the Pentateuch (cf. 11QT 19–21 and 43, as well as 4Q365 23 [above, n. 11]). The Bible associates only one festival explicitly with new grain. A fifty-day counting period beginning with the Day of Waving the Sheaf (עמר) culminates in the Feast of the Firstfruits of Wheat (= Festival of Weeks), on which a new cereal offering (מנחה חדשה) is to be brought (Lev. 23:9–22 and Num. 28:26–31). Yadin assumes—quite reasonably—that the author of the *Temple Scroll* along with all other Jews in late antiquity identified the sheaf as an offering from the new barley and the new cereal offering as coming from the new wheat.<sup>54</sup> Fifty days later for the *Temple Scroll* was the Feast of the Firstfruits of Wine, and after another fifty days, the Feast of the Firstfruits of Oil. Milgrom suggests that the motivation for the calendrical innovation is homogenization based on the common obligation to bring new oil, wine, and grain as firstfruits (Num. 18:12).<sup>55</sup> To employ our formulation, analogical reasoning demands that if new grain has a festival, new oil and new wine should have one as well, since the three items are associated with each other several times in the Pentateuch. The author of the *Temple Scroll* posits via homogenization the existence of new wine and new oil festivals, and

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Scroll" ("Exegetical Principles," 175). The prohibition of uncle/niece relationships, which is found in CD as well, seems at least to mitigate his contention. Ginzberg, *An Unknown Jewish Sect*, 183, calls the rule involved here a שקפה (*heqesh*). It is also possible that this is an even stronger exegetical technique than harmonization because the biblical law and the Qumran addendum are virtually mirror images of each other.

<sup>54</sup> Yadin, 1.102.

<sup>55</sup> Milgrom, "Exegetical Principles," 172–73.

further “homogenizes” them by placing them at fifty-day intervals from each other.<sup>56</sup>

### 83 | c. *Metaphorical Analogy*

Another fascinating variation of the analogical approach to exegesis can be seen in laws recently published in some of the 4QD fragments and in 4QMMT. In the former, in a passage which survives sufficiently in four copies (4Q267 7 12; 269 9 1–2; 270 5 14–15; and 271 3 7–9) to be restored virtually to completeness, we read of the responsibility of a father to inform his prospective son-in-law regarding all his daughter’s physical blemishes: “why should he bring upon himself the judgment of the curse which says ‘whoever leads a blind man astray from the path?’” Deuteronomy 27:18 reads בדרך עור משגה עור ארור (“cursed be anyone who misleads a blind person on the road”), whose simple sense is indisputable as a prohibition against misdirecting the blind. But in the exegesis of 4QD the essence of the curse is divorced from its literal context and applied to a case in which a similar injustice is being perpetrated. On the surface, the situations are not, strictly speaking, the same; the literal commandment is being read metaphorically in 4QD. But, once again, analogical reasoning indicates that misleading a prospective son-in-law by not informing him of the potential bride’s defects is of the same nature as leading a blind person astray.

The same text in 4QD (4Q267 7 13; 269 9 2–3; 270 5 15–17; 271 3 9–10) continues with a second example of this method of biblical interpretation. The father is warned not to give his daughter to one who is not fit for her, “for that is two kinds (כלאים), an ox and an ass, and woolen and linen clothing together,” a reference to two biblical injunctions against mingling species (Deut. 22:10–11). 4QMMT B 75ff., in a section dealing with improper marriages, alludes to all three types of forbidden mixtures: animals, fibers, and sowing.<sup>57</sup> It is clear that, in the view of the Qumran legists, the biblical texts dealing with mixing diverse kinds (in addition to their literal

<sup>56</sup> The New Wood Festival is a complicated topic that we shall not deal with here. For the present, see Yadin, 1.122–31, and Milgrom, “Qumran’s Biblical Hermeneutics,” 449–56. It is certainly worth noting that the wood offering festival does not seem to share the same properties as the New Wine and New Oil festivals. This is best reflected in the lack of a fifty-day interval between the New Oil and New Wood festivals, a detail we would expect to see if the New Wood Festival was also derived from the same “homogenization” as the other festivals.

<sup>57</sup> Qimron and Baumgarten disagree as to whether it is a question of intermarriage between priests and laypersons or Israelites and foreigners. Cf. Qimron and Strugnell, *Qumran Cave 4. V: Miqṣat Ma’ase Ha-Torah*, 55.

interpretations) are to be taken metaphorically as the equivalent of the union of inappropriate couples. While this interpretive technique is significantly different from “homogenization,” it is still fundamentally a form of analogical reasoning.<sup>58</sup>

| 2. Gezera Shava (*Argument from Analogous Expressions*)

84

We have seen analogical reasoning which appears similar to the rabbinic *binyan ab*, where broad similarity in some details of the law is the only analogical feature. There are, in addition, other kinds of legal exegesis where the analogy is not to be found in the circumstances of the laws, but in some other factor such as linguistic similarities in their biblical formulation. This methodology appears most similar to the later rabbinic hermeneutic technique of *gezera shava*.<sup>59</sup> There are several likely illustrations of *gezera shava* in the *Temple Scroll*. In 11QT 51:11–18 the author collocates material from Deuteronomy that deals with honest judgments and the prohibition to accept bribes, conflating the verses from Deuteronomy 16:18–20 with those from Deuteronomy 1:16–17. The latter passage contains the phrase *לֹא תִגְוֹרוּ מִפְּנֵי אִישׁ* (“you shall not fear anyone”). In employing this phrase at the conclusion of the homogenized text, the author writes *וְהָאִישׁ אֲשֶׁר יִקַּח שוֹחֵד וַיִּטֶּה מִשְׁפֵּט צְדָק יוֹמַת לֹא תִגְוֹרוּ מִמֶּנּוּ לְהַמִּיתוּ* (51:17–18; “the person who takes a bribe and perverts righteous judgment shall be put to death; you shall not fear him to put him to death”). Yadin notes quite correctly that the scroll imposes the death penalty because the phrase *לֹא תִגְוֹרוּ* (“you shall not fear”) has only one other pentateuchal occurrence, that in the law of the false prophet (Deut. 18:22 *לֹא תִגְוֹר מִמֶּנּוּ*; “You shall not fear him”), a case in which the death penalty is imposed. The author of the *Temple Scroll* apparently extrapolates, based on the

<sup>58</sup> Dr. Shani Berrin [Tzoref] pointed out to us that Ben Sira 25:8 contains the antecedent of this correlation of incompatible marriages and plowing with mixed breeds. Rabbinic literature observes that the marriage of a Jew to a Gentile woman violates all the laws of mixed kinds and compares that of Hamor to Dinah (Gen. 34) to plowing with ox and donkey together (*Yalqut Shim'oni* 931 ad Deut. 22:10 and *Tanhuma Vayishlah* 7, respectively). For another example of metaphorical analogy employing the same biblical law, but in a wisdom, as opposed to a legal, context, cf. 4Q418 (4QInstruction<sup>d</sup>) 103 ii 6–9.

<sup>59</sup> For rabbinic *gezera shava*, see s.v. “גזרה שוה/G'zeyrah Shavah,” in *Encyclopedia Talmudica* [Eng.], 6.304–16, and M. Chernick, *Gezerah Shavah: Its Various Forms in Midrashic and Talmudic Sources* (Hebrew) (Lod: Haberman Institute for Literary Research, 1994). What is significant for our first example is Chernick's remark that “the basic formal rule for ‘plain’ *gezerah shavah* [*sic*] is that its source is a word or phrase repeated only twice in the Pentateuch” (page 1 of unpaginated English abstract; cf. “The Types of the ‘Plain’ *Gezera Shava*,” 12–37).

common linguistic usage, that the law must be identical in the case of accepting bribes.<sup>60</sup> Although Yadin does not employ the term *gezera shava*, this is a very likely example of that hermeneutic, especially since the words appear exactly twice in the Pentateuch. It should also be noted that the author of the scroll draws his language from Deuteronomy 18 and not Deuteronomy 1 when he writes לא תגורו ממנו להמיתו, rather than לא תגורו מפניו להמיתו, thus making his exegetical process clearer to us.

85 Another likely occurrence of *gezera shava* involves the age of the participant in the consumption of the paschal sacrifice. It is not completely clear from the language of this passage which pentateuchal passage about the | paschal offering forms the model for its composition. The author of the *Temple Scroll* (11QT 17:6–8) records an age restriction of twenty years (line 8 שנה ומעלה [ם] עשרי) for those who may participate in the offering. Although the Pentateuch does not stipulate, either in Exodus 12 or in Deuteronomy 16, the age at which an individual may participate in the paschal meal, it is likely that the *Temple Scroll* finds an exegetical source for the number. Numbers 1:1–3 specifies that the census is to include מבן עשרים שנה ומעלה בני ישראל... (“the whole assembly of the Israelites... from twenty years upward”); of the paschal sacrifice it is written וּשְׁחַטוּ אֹתוֹ כָּל קְהַל עֵדֶת יִשְׂרָאֵל (“the whole assembly of the congregation of Israel shall slaughter it”). According to Yadin, “The analogy [היקש in the Hebrew version] is obvious.”<sup>61</sup> But why should there be an analogy between the census and the paschal offering without any external connecting feature?<sup>62</sup> Therefore we are inclined to believe that, if this legal detail is dependent on exegesis and is not a free addition to the text, it is more likely to belong to some category of what rabbinic exegesis calls *gezera shava*, rather than analogy of a less specific sort. It is interesting that the book of *Jubilees* (49:17) records a similar age restriction for performing the paschal sacrifice.

As we noted earlier, one of the needs of legal exegesis is the specification of terms. The expression דרך רחוקה, “far away (lit., ‘a distant way’),” is a classic example of such a case. One is permitted to avail himself of the opportunity to bring the “Second Passover” (cf. Num. 9:9–14) if he is בדרך רחוקה; the right to redeem second tithe crops for money and spend that money in “the place which the Lord has chosen” is permitted כי ירחק

<sup>60</sup> Yadin, 2.229.

<sup>61</sup> Yadin, 1.97.

<sup>62</sup> Whether Yadin’s description of this technique as *heqesh* was meant to connote the term in the narrow sense or not, his language still seems imprecise.

ממך המקום (Deut. 14:24; “should the place be too distant for you”); the latter phrase also furnishes the criterion for the availability of non-sacral slaughter of animals in Deuteronomy 12:21. In the two surviving parallels to these three instances, the *Temple Scroll* replaces this biblical רחק with the precise distance of three days.<sup>63</sup> Living a distance of three or more days’ journey from the temple allows the landowner to bring the monetary value of the second tithe produce to Jerusalem (11QT 43:12) and permits the slaughtering and eating of meat without having to bring it to the temple as an offering (52:14).

The obvious question, of course, is what prompts the equation of “distance” with “a three days’ journey”? Yadin has suggested that the source is verses like Exodus 3:18 ועתה נלכה נא דרך שלשת ימים במדבר ונזבחה | לה' אלהינו רחוק ( “let us travel *three days* in the desert and sacrifice to the Lord our God”).<sup>64</sup> This is a very loose sort of “analogical reasoning,” since there is no particular reason to compare the two passages. Schiffman, on the other hand, has suggested quite convincingly that the author of the *Temple Scroll* used *gezera shava* to identify the precise meaning of the biblical term.<sup>65</sup> He points to Exodus 8:23-24 where Moses asserts that the people will travel דרך שלשת ימים ( “a three days’ journey”) into the desert to sacrifice, and Pharaoh replies, רק הרחק לא תרחיקו ללכת ( “only do not go too far away”).<sup>66</sup> The use of רחק (go away) in conjunction with “three days” furnishes a *gezera shava* for other places where רחק is employed, to mean “a three days’ journey.”

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### 3. “Nontechnical” Midrash

While there exist in the legal material in the scrolls many examples of “technical” midrash, deriving from various types of analogical reasoning and often paralleling hermeneutical tools of the later rabbis, not all Qumran midrash fits this characterization. Some midrash satisfies our

<sup>63</sup> Unfortunately, that portion of the *Temple Scroll* which deals with the Second Passover has not survived.

<sup>64</sup> Yadin, 1.317. Vermes, “Biblical Interpretation,” \*186, does not seem to envision any exegetical reason for the specification, categorizing it under “Clarifying Additions.”

<sup>65</sup> L.H. Schiffman, “Sacral and Non-Sacral Slaughter according to the *Temple Scroll*,” in *Time to Prepare the Way in the Wilderness* (ed. D. Dimant and L.H. Schiffman; STDJ 16; Leiden: Brill, 1995), 77.

<sup>66</sup> Schiffman’s suggestion seems much more plausible than that of Yadin mentioned above and that of A. Shemesh, “‘Three Days’ Journey from the Temple’: The Use of This Expression in the *Temple Scroll*,” *DSD* 6 (1999): 126–38, who believes the term is meant to denote the halakhic boundaries of the Land of Israel.

initial requirement, borrowed from Schiffman, of “an exegesis in which a corroborative passage in Scripture plays a part,” but does not exhibit any definable hermeneutic technique. A good example is CD’s treatment of the “Sabbath limits.” CD 10:21 forbids a man from walking outside his city על אלף באמה (“more than a thousand cubits”). Schiffman writes,

This law is clearly the result of *midrash halakhah*. Ex. 16:29 was understood by means of *perush* to apply not only in the desert period but to all time. However, the verse does not define the limits of *tahtaw* or *meqomo*. The process of *midrash* was used to define these terms.<sup>67</sup>

87 Like their tannaitic counterparts, the sectarians used the description of the boundaries of the levitical cities recorded in Numbers 35:2–5 to clarify the ambiguous terms in Exodus. They applied both of the measurements of 1,000 and 2,000 cubits found in Numbers in defining the Sabbath limits (rabbinic תחום שבת). No man was allowed to walk 1,000 cubits outside of the camp, unless he did so while | pasturing his animals, in which case the limit was extended to 2,000 cubits (CD 11:5–6).<sup>68</sup> Several centuries later, R. Akiva (*m. Soṭah* 5:3), asserting, against the majority view among the *tannaim*, that the Sabbath limit is a biblical rather than rabbinic injunction, understood the 1,000-cubit limit as describing the levitical pastureland (מגרש), and applied only the 2,000-cubit limit to defining the *tehum Shabbat*. This Qumran ruling is a clear illustration of the use by the sectarians of midrash which does not conform to any familiar hermeneutic technique. On the one hand, the interpretation is not based on the verse in Exodus alone, but on the other, there is no device to which we can point which links to it the verse in Numbers. This represents one of many instances of midrash that cannot be classified among the other types of midrash we have detailed.

### III. CONCLUSION

As we noted earlier, to date there has been no systematic study of legal biblical exegesis at Qumran, and the work which has been dedicated to this topic has often been non-systematic and frequently treated legal

<sup>67</sup> Schiffman, *The Halakhah at Qumran*, 91.

<sup>68</sup> אל ילך איש אחר הבהמה לרעותה חוץ מעירו כי אם אלפים באמה (“No one should go after an animal to pasture it outside his city more than two thousand cubits”). As Schiffman points out, the parallels between the formulations of both of the laws in CD and the limits detailed in Numbers are indisputable.



exegesis as a marginal subject under the larger rubric of biblical interpretation at Qumran. In this initial foray into the subject, we have attempted to bring together, categorize, and examine some of the fundamental ways in which the sectarians, and/or their predecessors, approached the legal portions of Scripture. We hope this paper will encourage further investigation into the “hows” and “whys” of legal interpretation per se, as well as some of the crucial issues that unfortunately remained beyond the scope of the present study. The further study of topics such as interpretive authority, “biblical” and “extrabiblical” legislation, and the relative roles which inspiration and exegesis played in the interpretation of legal texts will not only deepen our understanding of the group of Jews whom we refer to as the Dead Sea sect, but will also undoubtedly provide insight into the relationship between them and other groups of Jews in late antiquity. As we hope to demonstrate in future studies, we believe that the conclusions derived from such investigation will prove to be indispensable to an analysis of what different groups of Jews in late antiquity held in common and what set them apart. The overall result is likely to shed light both on the Jews who produced the Qumran writings in the late Second Temple period and on those who produced the mishnaic, talmudic, and midrashic corpora during the rabbinic period.

## CHAPTER TWENTY

### WHAT HAS HAPPENED TO THE LAWS? THE TREATMENT OF LEGAL MATERIAL IN 4QREWORKED PENTATEUCH\*

#### I. INTRODUCTION—THE REWORKED PENTATEUCH TEXTS

##### A. *Prefatory Remarks*

The five texts (4Q158 and 4Q364–367) which have been named by their official editors, Emanuel Tov and Sidnie White Crawford, “Reworked Pentateuch<sup>a-e</sup>”<sup>1</sup> present scholars with rich material for study from a

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\* This paper was presented at “Reading Between the Lines: Scripture and Community in the Dead Sea Scrolls. A Symposium in Honor of James C. VanderKam,” University of Notre Dame, Notre Dame, Ind., 5–6 March, 2006 and dedicated to Jim as a small token of our friendship which has grown closer, both personally and professionally, as the years have passed. Earlier presentations of the data in this essay were at a meeting of the International Organization for Qumran Studies in Basel in August 2001 and at the Institute for Advanced Studies of the Hebrew University in September 2001. With the aid of a number of colleagues, some of whom are mentioned in the notes to this paper, I have continued to refine my thinking about this material since those initial presentations. As will come clear in the course of the paper, much of the foundation for my work was laid by Professors Emanuel Tov and Sidnie White Crawford in a variety of publications on the 4QRP texts. I am also indebted to the work of my former student Dr. Michael Segal. Professor George J. Brooke was kind enough to share with me during my early work on this paper some of his research on the relationships among 4Q158 and 4Q364–367 which subsequently appeared in “4Q158: Reworked Pentateuch<sup>a</sup> or Reworked Pentateuch A?” *DSD* 8 (2001): 219–241. Dr. Segal and Dr. Shani Berrin were both kind enough to comment meticulously on the paper several times in its later stages, and, after my presentation at Notre Dame, Mr. Andrew Teeter and Ms. Molly Zahn presented constructive challenges to some of my arguments in conversation, and made useful comments on the final draft. Ms. Judith C. Bernstein furnished her customary invaluable editorial assistance.

<sup>1</sup> Official publication of 4QRP<sup>b-e</sup>: E. Tov and S. White (Crawford), “Reworked Pentateuch,” *Qumran Cave 4. VIII: Parabiblical Texts, Part I* (ed. H. Attridge, et al. in consultation with J. VanderKam; DJD 13; Oxford: Clarendon Press, 1994), 187–351. 4QRP<sup>a</sup> was first published with the nomenclature “Biblical Paraphrase: Genesis, Exodus” by J.M. Allegro in *Qumran Cave 4. I (4Q158–186)* (ed. J.M. Allegro and A.A. Anderson; DJD 5; Oxford: Clarendon Press, 1968), 1–6. This edition must be used with caution and must be accompanied by J. Strugnell, “Notes en marge du volume V des ‘Discoveries in the Judaeen Desert of Jordan,’” *RevQ* 7 (1969–71): 168–76 (a new edition of the material in DJD 5 is being prepared by Professor Brooke and myself together with a group of co-operating scholars). Both Tov and White Crawford have discussed various aspects of these texts in other publications before and after the DJD volume.

variety of perspectives. But, as has often been the case in the study of other documents from Qumran, the legal material in the text has been largely ignored in earlier discussions.<sup>2</sup> The focus in the scholarly literature on this | group of documents has hitherto been almost exclusively on non-legal material (generally narrative), which has parallels in the Pentateuch, and to the few striking passages found in them which have no pentateuchal parallel. 26

The legal material in 4QRP has consequently been excluded from the evidence employed to weigh the many questions which these texts have raised, and the conclusions which have been drawn regarding the genre and status of 4QRP have been based almost exclusively on inferences drawn from non-legal material.<sup>3</sup> Whether it be the issue of all the manuscripts of 4QRP being copies of the same text; or their fundamental nature, biblical or non-biblical,<sup>4</sup> or the related issues of their scope, textual tradition and genre; or the implications that they have for understanding the development of the text and canon of the Bible and its interpretation during the Second Temple period, it would appear that the legal material in 4QRP has been deemed to have nothing to contribute to any of them. This paper seeks to fill in this gap in the analysis of 4QRP by focusing on the legal material and its handling and then examining what contribution the evidence accrued from that portion of 4QRP makes to our understanding of the documents as a whole. I define “legal” somewhat loosely, as well, to include virtually anything in the Pentateuch which is not narrative or poetry, although I exclude from consideration the Decalogue since, despite its prescriptive nature, it is fundamentally part of a narrative text.

When I first began my study of this material, I had hoped to address some of the following questions in the course of my survey | (acknowledging, of 27

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<sup>2</sup> The neglect of the legal portion (the “Laws”) of CD, as opposed to the non-legal section (the “Admonition”), in the early stages of Qumran scholarship comes to mind immediately.

<sup>3</sup> The exception to this observation is the many discussions engendered by 4Q365 23. It should be noted, however, that it is the *non-biblical* festivals of that text which get discussed, and not anything actually in the Pentateuch. This fragment will yet prove significant to our discussion, albeit in an oblique fashion.

<sup>4</sup> It is often claimed that the employment of the terms “biblical” and “non-biblical” to describe texts of the second temple period is anachronistic, but, in my view, the refusal to employ (with appropriate care) terms like “biblical” (and perhaps even “canonical”) precludes a variety of productive discussions. To put it most simply, no matter how broad the spectrum of “biblical texts” might have been for some individuals in the second temple period, it was not an open-ended spectrum. Here must have been a point (or different points for different individuals) beyond which texts were not acknowledged or claimed to be “biblical.” To assert otherwise is redolent of post-modernism.

course, that the fragmentary nature of the material would limit the certainty of my answers): What rearrangement and rewriting of legal texts is to be found in 4QRP? How much? Can we learn anything about legal exegesis at Qumran from the way that these texts are handled? Is the treatment of legal material by the various “Reworked Pentateuch” texts identical? In what instances is it valuable to compare the methodology of the handling of legal material in 4QRP with that of other Qumran legal texts? I know now that those questions may very well not be the ones we should be asking of this material because there is not sufficient “treatment” for us to get answers to most of them. This is not to say that our investigation will be without results, but they may be somewhat different from the ones that I sought initially.

### B. *The Identity of the 4QRP Manuscripts*

Tov and White Crawford asserted in their official publication of 4Q364–367 that those four texts, as well as 4Q158, published by John Allegro in 1968, are copies of the same text, and they are therefore now referred to as 4QReworked Pentateuch<sup>a–e</sup>. Their suggestions regarding the contents, exegetical method and arrangement of the material in DJD 13 and elsewhere have been largely based on that hypothesis. Typical of their position is White Crawford’s characterization that:

All five manuscripts are different exemplars of the same composition, a text of the Pentateuch that contained a running biblical text reworked by scribal intervention. This reworking consisted of exegetical additions and a differing sequence of passages from that of the received texts. The additions usually were short, of one or two lines, although in two instances in the Reworked Pentateuch<sup>c</sup> they are more substantial.<sup>5</sup>

Michael Segal, George J. Brooke, and I, and subsequently White Crawford as well, disagree with that conclusion and are of the opinion that these are not all copies of the same text, although we do not agree among ourselves about just how much they differ from one another.<sup>6</sup>

<sup>5</sup> S. White Crawford, “Reworked Pentateuch,” *EDSS* (eds. L.H. Schiffman and J.C. VanderKam; 2 vols.; New York: Oxford University Press, 2000), 2.775.

<sup>6</sup> M. Segal, “Biblical Exegesis in 4Q158: Techniques and Genre,” *Textus* 19 (1998): 45–62 and “4QReworked Pentateuch or 4QPentateuch?” *The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997* (ed. L.H. Schiffman, E. Tov, and J.C. VanderKam; Jerusalem: Israel Exploration Society/Shrine of the Book, 2000), 391–99; G.J. Brooke, “4Q158: Reworked Pentateuch<sup>a</sup> or Reworked Pentateuch A?” *DSD* 8 (2001): 219–41; M.J. Bernstein, Review of DJD 13 in *DSD* 4 (1997): 103–4 and

| The question whether all the 4QRP manuscripts represent a single text need not be of major significance for our theme, the treatment of legal material in 4QRP, because the issue of how legal material is handled remains the same regardless of whether they are several copies of a single text or diverse texts. In the ensuing analysis, therefore, I shall accept, for the purpose of initial argument, the identification of these five manuscripts as belonging to a loosely related group but shall examine and evaluate each one separately before addressing any questions to them as a corpus. It is possible, of course, that, if we find that legal material is not handled in the same way in all of these documents, we may conclude that they are not all copies of the same work. 28

### C. *The Scope of the 4QRP Manuscripts*

Tov has delineated synoptically the contents of 4QRP,<sup>7</sup> noting that there are substantial chunks of the Pentateuch from which there is no extant text in 4QRP.<sup>8</sup> He writes: | 29

There is no intrinsic reason to believe that any of these segments would have been lacking from 4QRP, although it is not impossible that this would have been the case for the beginning and/or final chapters of the Pentateuch.<sup>9</sup>

This very plausible assertion about the scope of 4QRP is fundamental to at least one of the key issues which we should like to clarify: Is there any reason to assume that pentateuchal text which is missing from its appropriate place in 4QRP would have appeared somewhere else in it, or does 4QRP belong, in some sense, to those texts which have been described

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"Interpretation of Pentateuchal Texts," *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (ed. P.W. Flint and J.C. VanderKam; Leiden: E.J. Brill, 1998), 134 n. 7 (above 1.16). White Crawford, "The 'Rewritten' Bible at Qumran: A Look at Three Texts," *Erlsr* 26 (1999): 1\*-8\*, writes (6\* n. 12):

If I am correct in arguing that 4QRP is the result of scribal intervention in a previously established text rather than a composition by an author, then the division into separate compositions is less meaningful. Each manuscript is simply the product of more or less scribal intervention.

In an e-mail communication of 4 October 2002, she wrote, "I agree that the five manuscripts are not copies of each other... but are a group of scribally reworked texts." Segal is actually of the opinion that not only are these manuscripts not copies of the same text, but that some of them are biblical while others are not.

<sup>7</sup> E. Tov, "4QReworked Pentateuch: A Synopsis of Its Contents," *RevQ* 16 (1995): 647-53.

<sup>8</sup> Tov, "4QReworked Pentateuch," 647.

<sup>9</sup> Tov, "4QReworked Pentateuch," 647-48.

as excerpted?<sup>10</sup> The further possibility suggested by Eugene Ulrich, that 4QRP may be an edition of the Pentateuch, probably requires that Tov's assertion that these texts covered the whole Pentateuch be correct.<sup>11</sup> The legal material which does survive in the extant portions of the various 4QRP MSS is indeed diverse, and it derives from the legal portions of the Pentateuch from Exodus through Deuteronomy (and from a single quasi-legal text in Genesis 32).

On the other hand, if Tov's assumption is not correct, and 4QRP in its original form never covered the entire Pentateuch, then 4QRP must fall into a category other than "biblical," and one place we could think to place it among "excerpted biblical texts." Tov has noticed the similarity between excerpted texts and "rewritten Bible texts" and distinguishes between them by defining the "excerpted texts" as:

- 30 | Biblical texts, excerpted for a special purpose, and presented without a commentary, while rewritten Bible texts, whose contents are often very close to what we are used to calling biblical manuscripts, do not pretend to present the text of the Bible. They were meant to rewrite the biblical books in various ways, and in various degrees of closeness to the text of the Bible. Their exegesis is manifest in omissions from, additions, and changes to the biblical text.<sup>12</sup>

I think that the typology is more complicated than Tov suggests in that statement, although his point about the excerpted texts (as we generally understand them) not containing commentary is very well taken. And, in point of fact, it must be admitted that 4QRP does not really resemble any of the texts which Tov has classified as "excerpted."

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<sup>10</sup> From the standpoint of legal material, the fact that nothing may survive of Genesis before the birth of Isaac is irrelevant, but the omissions in Leviticus, Numbers and Deuteronomy are significant unless they are fortuitous. Calling a text with selections from the Pentateuch "excerpted," of course, does not solve the riddle of its genre, except by taking it out of the category "pentateuchal," for example, and placing it in a different pigeonhole. There may be a variety of reasons, which have to be faced in any discussion of "excerpted" material, for creating a manuscript out of pentateuchal selections. See the full discussion of texts labeled "excerpted" in E. Tov, "Excerpted and Abbreviated Biblical Texts from Qumran," *RevQ* 16 (1995): 581–600. For a full understanding of 4QRP, if it is excerpted, we should need to ask what is the effect of combining an excerpted Pentateuch text with non-pentateuchal material.

<sup>11</sup> See the discussion of Ulrich's view in this paper, 2.482–484, and n. 14 below.

<sup>12</sup> Tov, "Excerpted and Abbreviated Biblical Texts," 583. His leading example of "rewritten biblical texts" in that article and elsewhere is 4QRP. We shall note below, however, that Tov has revised his long-held opinion and now believes that 4QRP are biblical texts.

D. *Biblical or Non-biblical?*

The initial editors also asserted in that first publication that these manuscripts were not biblical texts, with Tov, for example, writing (immediately following the citation in our last paragraph) that:

The largest of these rewritten texts, now called 4QReworked Pentateuch<sup>a-e</sup> (represented by 4Q364–7 and 4Q158), is very close to the text of the Bible, yet its frequent exegetical omissions, additions, and transpositions, leave no doubt regarding its nonbiblical nature. It contains long stretches of text which would have been understood as representing biblical manuscripts, had the remainder of those extensively preserved manuscripts not been known. As a consequence, even though the fragments of 4QRP bear on the textual criticism of the Bible, they should be considered as representing a text that goes beyond the Bible, and not as a witness to the biblical text.<sup>13</sup>

This position was subsequently challenged by Ulrich, who maintains that “it is possible that yet a third edition [other than MT and SP] of the Pentateuch was circulating within Judaism in the late Second Temple period. | It is arguable that the so-called ‘4QRP’ (4Q364–367 plus 4Q158) is mislabeled and should be seen as simply another edition of the Pentateuch.”<sup>14</sup> This position has been supported by Segal with regard to some of the manuscripts and has most recently been adopted by Tov himself in a significant recantation of his earlier views.<sup>15</sup>

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Both of these issues, the scope covered by the 4QRP manuscripts and their generic identification as biblical or non-biblical, are central to our discussion of the legal material. The very name given to the texts as a

<sup>13</sup> Tov, “Excerpted and Abbreviated Biblical Texts,” 583.

<sup>14</sup> E. Ulrich, “The Qumran Biblical Scrolls—The Scriptures of Late Second Temple Judaism,” in *The Dead Sea Scrolls in Their Historical Context* (ed. T.H. Lim et al.; Edinburgh: T&T Clark, 2000), 76.

<sup>15</sup> Segal, “4QReworked Pentateuch or 4QPentateuch?” 395: “4Q364–5 should also be viewed as a biblical text, entitled 4QPentateuch, and not characterized as a parabiblical composition.” Professor Tov delivered a lecture in Jerusalem in 2006, and announced that he had revised his opinion of these texts, and that he now believed that they are “biblical” in nature. When I was informed of this by members of his audience and asked Professor Tov for further details regarding this change of opinion, he was kind enough to share with me the text of a lecture (delivered at a conference in Vienna in 2006) documenting his new position. That paper has now been published as “Reflections on the Many Forms of Hebrew Scripture in Light of the LXX and 4QReworked Pentateuch,” in *From Qumran to Aleppo: A Discussion with Emanuel Tov about the Textual History of Jewish Scriptures in Honor of his 65th Birthday* (ed. A. Lange et al.; FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009) 11–28. Cf. also E. Tov “From 4QReworked Pentateuch to 4QPentateuch (?)” in *Authoritative Scriptures in Ancient Judaism* (ed. M. Popovic; JSJSup 141; Leiden/Boston, 2010), 73–91.

group, “Reworked Pentateuch,” implies, on the one hand, that they cover the whole Pentateuch, and, on the other, that they are something quite different from “Pentateuch.” The nomenclature “reworked” may weigh, perhaps unfairly, against the view of those scholars who claim that the texts are biblical.<sup>16</sup> On the other hand, the decision as to what fragments belong to these manuscripts, as we shall see in the case of 4Q365 and 4Q365a, may itself be predicated on what we call these texts and how we expect them to behave. Regardless of the position that we take on the biblical or non-biblical nature of the manuscripts, we run the risk of employing a sort of circular reasoning if we exclude from belonging to them texts which would imply that they behave in a way different from our expectations, or if we include as belonging to them texts which imply that they behave in an unusual fashion.

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| E. *The “Text-type” of the 4QRP Manuscripts*

It appears to be generally accepted that the biblical text which underlies 4QRP is of a “pre-Samaritan” nature and that certain characteristic features of the Samaritan text are already reflected in 4QRP. The back-referencing of material which is alluded to but not expressed in the pentateuchal text is one example. Thus 4Q364, like SP, introduces a description of Jacob’s dream following Gen. 30:36 at the time that he would have dreamed it, before he retells it to his wives in 31:11–13. Another example is the introduction of passages from Deuteronomy into the parallel stories in Exodus and Numbers in order to produce a narrative which is more fully parallel.<sup>17</sup> Thus Ulrich is of the opinion that the variants between MT and SP are “exactly the types of variants occurring between the MT and ‘4QRP,’” and

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<sup>16</sup> Tov, in the paper referred to in n. 15, raises the possibility of renaming these documents.

<sup>17</sup> See M. Segal, “The Text of the Hebrew Bible in Light of the Dead Sea Scrolls,” *Materia Giudaica* Anno XII/1–2 (2007): 5–20. Segal has proposed a description of the compositional technique of SP which is more nuanced than the standard picture. In particular, he objects to the term “harmonistic” to describe the approach of this recension, presenting several cogent arguments for the inappropriateness of this term. While conceding that “there are no large-scale additions in the legal sections of the Torah,” Segal claims that “there is no indication that in any other characteristics, the transmission of the legal material in the (pre-)Samaritan Pentateuch differed in any way from the narrative.” If this analysis proves to be correct, I believe that it would have only minimal impact on my discussion of the legal material in 4QRP, although it may be of major significance for broader discussions of the transmission of the biblical text in the second temple era. I thank Dr. Segal for sharing this paper with me in pre-publication form.



this forms one of the linchpins in his argument for the biblical nature of these manuscripts.<sup>18</sup>

Although the characterization of the text-type of 4QRP as similar to that of SP has become a supporting argument for arguments in favor of the biblical nature of these manuscripts, what has not been stressed sufficiently (although Sidnie White Crawford seems to be aware of the phenomenon) is that 4QRP, while following the pre-Samaritan model in some of its treatment of biblical narrative, goes well beyond it in some of its technique in handling legal material. SP never rearranges, adds to, or omits legal material, or juxtaposes like with like, by moving legal pericopes | around, in order to create a better integrated legal code.<sup>19</sup> In fact, there is virtually no serious editorial tampering with the legal material in SP. The editorial revision in SP is exclusively, as far as I can see, on narrative, non-legal, portions of the Pentateuch. I do not know whether this negative feature has been observed in the study of SP, but, from a comparative perspective, there is nothing that should highlight a major dichotomy between SP and 4QRP more sharply. The technique of editorial rearrangement of legal material, of course, is one of the characteristic features of the Temple Scroll, but it is possible that 4QRP furnishes an earlier model for the handling of legal material which the Temple Scroll might have followed (despite our inability to be certain of their relative chronology).

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So while Ulrich is correct that many of the variant readings in 4QRP, particularly those found in the handling of narrative material, are of the same nature as those in SP, the divergence in the treatment of legal material, in a fashion that goes far beyond what we can describe as textual variants, highlights the ways in which 4QRP goes well beyond SP as well as any other text which has been to date acknowledged as pentateuchal. To my mind, this fundamental characteristic of 4QRP makes it very unlikely that some, if not all, of these manuscripts are to be considered an edition of the Pentateuch, *unless we allow for the possibility of an editorial or redactional process which goes far beyond anything else with which we are familiar*. In other words, before 4QRP can be said to represent a manuscript or manuscripts of the Pentateuch, its radically free and highly idiosyncratic

<sup>18</sup> Ulrich, "The Qumran Biblical Scrolls," 76.

<sup>19</sup> The oft-discussed pericope in Exodus 22:4, where SP shares an addition to MT along with LXX and 4Q158, is of a different nature from what we are discussing. It probably belongs to the level of the *Vortage* of all of those texts and is not an example of textual supplementation on the part of SP.

handling of legal material must be acknowledged to be possible in a pentateuchal manuscript.

34 Since our focus is not on the textual features of 4QRP, we shall not be concerned with “minor” (as we see them) deviations from (or differences with) MT, unless such distinctions appear to be meaning-laden. Even if there are differences between 4QRP and MT, which imply an interpretive reworking of MT, they can likely be attributed to the textual substructure of 4QRP if they appear already in the Samaritan Pentateuch, and, indeed, most of the minor exegetical variations in 4QRP can be seen to belong | to that category. Our working hypothesis is that 4QRP is based on some SP-like version of the Pentateuch which has then been handled in such a fashion as to produce the results which we see.

## II. THE LEGAL MATERIAL IN THE 4QRP MANUSCRIPTS

### A. 4Q364<sup>20</sup>

There are only two legal texts preserved in 4Q364, small fragments of Exod. 21:14–22 and Deut. 14:24–26, but neither one shows any significant signs of editing, rewriting or other exegetical treatment.<sup>21</sup> In other words, the text is that of the Pentateuch with no apparent substantial reworking. There is one addition, however, in a passage which is not strictly speaking “legal,” when 4Q364 inserts the language of Deut. 16:19 into Deut. 1:17 and thus juxtaposes with each other similar injunctions to judges.<sup>22</sup> The Samaritan Pentateuch has no such harmonizing juxtaposition in either passage in Deuteronomy.<sup>23</sup> The author of 4Q364 included the prohibition of judges receiving bribes in Deuteronomy 1, and the rest of the line should prob-

<sup>20</sup> This manuscript of 4QRP, out of the five given that name, contains probably the least radical manipulation of the non-legal material in the Pentateuch. Once we assume that it is of “pre-Samaritan” text-type, its overall deviations are minimal, with the major examples being the dialogue between Isaac and Rebecca inserted into Genesis 28 in fig. 3 ii and some rearrangement of Exodus 19 and 24 in fig. 14. In light of this, as well as the fact that its handling of legal material is neutral, it is the only one of the 4QRP manuscripts which I might be willing to classify as “biblical.”

<sup>21</sup> Whatever filled the brief lacunae in 4Q364 32 4–5 was almost certainly not legal exegesis.

<sup>22</sup> The restored form of the text of 4QRP matches neither MT’s 2nd m.s. nor LXX’s 3rd m.pl. (= 11QT 51:12) of Deut. 16:19. I suspect that 4QRP had MT’s 2nd m.s. and pluralized it to fit the context of Deut. 1:17.

<sup>23</sup> It is interesting that the Temple Scroll in its rewriting of Deut. 16:18–20 seems to have been influenced by Deut. 1:17 in its employment of the phrase *ולא תגורו ממנו* (11QT 51:17).

ably be restored with an abbreviated version of the motive clause at the end of Deut. 16:19. If this analysis is correct, I would | characterize the method of 4Q364 here as collocation, which is one of the leading formal and organizational features of the Temple Scroll.<sup>24</sup> 35

### B. 4Q365

Our discussion is served better by 4Q365, which preserves a number of passages with legal content, particularly from Leviticus. At Lev. 11:17–19, as the editors note (DJD 13.284), there is not sufficient room in 4Q365 15a–b 2 for the list of all the unclean birds found in those verses following the words **וְאֵת הַשְּׁלֵךְ**, but it is virtually impossible to determine whether the omission was deliberate (and therefore significant) or accidental (perhaps by parablepsis among the several occurrences of **וְאֵת**).<sup>25</sup> Furthermore, it is interesting that the editors indicate that if frg. 17a–c is reconstructed to contain all of the text of Lev. 11:39–46 which appears in MT or SP, the line counts are excessively long and seem to demand a lengthy addition between 11:33 and 11:39. On the other hand, if the text of this section as a whole has been compressed in some fashion, several of the apparent difficulties disappear.<sup>26</sup> Either way we look at it, the biblical text has been modified in some fashion, but, as almost always in 4QRP, we do not get to see any expansive re-handling of legal material. On the other | hand, frg. 24 of 4Q365, dealing with the counting of sabbatical years which leads up to the jubilee year, seems to have had a slightly longer text than our other surviving witnesses, although we cannot be certain of the significance of the text which might have appeared in the missing piece of 36

<sup>24</sup> Cf. M.J. Bernstein and S.A. Koyfman, “The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods,” *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids: Eerdmans, 2005), 61–87 (67–68) (above 2.454–455).

<sup>25</sup> Working with the assumption that the 4QRP texts represent a single composition, the editors suggest the possibility (DJD 13.285) that this fragment might have been juxtaposed to 4Q366 5, which presents the list of unclean birds according to Deuteronomy 14. As they note in their comments on the latter fragment (343), however, there was no integration of the lists and we cannot, therefore, explain the omissions in line 2 as due to the harmonization. I believe that at the current point in the study of 4QRP we would do best to confine our theorizing to the data which we have (which are often very difficult to interpret) and not hazard unprovable hypotheses about the contents of the lacunae. If, nonetheless, I were to hazard a guess, I should suggest that the apparently extra space in line 5 might be attributable to a paragraph break which is not found in any of our other textual witnesses after verse 22.

<sup>26</sup> The same would appear to be true of 4Q365 19, as noted by the editors (DJD 13.288): “The text of 4Q365 may have been shorter than that of the other textual witnesses if indeed the identification at the beginning of line 2 is correct.”

line 3. But beyond the “merely” textual, we do not see any exegetical or other modifying handling of the texts in question.

The apparent omission of legal passages is another noticeable aspect of the treatment of legal material in 4QRP. 4Q365 28 moves from Num. 4:49, the conclusion of the census and assignments of the Levites in the Tabernacle, to Num. 7:1, the offerings of the heads of the tribes on the occasion of its dedication. Our first, and probably appropriate, reaction to this sequence is to view this as a re-arrangement with the goal of juxtaposing these two sections of the Pentateuch which relate to the Tabernacle and its ministers. What we usually do not stop to consider, however, is the two chapters worth of primarily legal material which have been omitted in this progression: the exclusion of the ritually unclean from the camp, an *'asham* sacrifice, the ordeal of the wife accused of adultery, and the laws of the Nazirite.

If we were not focusing on the fact that the narrative governs the sequence, we could very well, and probably should, ask whether these laws appeared elsewhere in 4Q365, together or separately, or whether what looks to us like a re-arrangement is in fact simultaneously (and more significantly) an omission of the legal texts. I am not suggesting that we should claim that those laws did not appear anywhere else in 4Q365, but only that a concentration on the story as governing the order of the text can prevent us from paying attention to what happened to the legal material which has been omitted from the rewritten narrative. Once again, the presumption of the editors of 4QRP appears to be that material has not been omitted in the rewriting, but if the legal material was not given a place somewhere else in this manuscript, then we would have to drop the presumption that 4QRP covered everything that is found in the Pentateuch.

In the case of frg. 36 of this MS, we can perhaps be more certain of what is going on. Once again, it is the narrative which appears to govern the sequence and arrangement of the texts. We find the laws of inheritance, generated in the biblical narrative by the claims of the daughters of Zelophehad in Numbers 27, juxtaposed to the request by the leaders of their tribe, which in the Bible is recorded in Numbers 36, that those laws not diminish the size of their tribal inheritance. The editors of 4QRP (DJD 13:310) are not certain where in the pentateuchal narrative this

37 | section would appear, whether in the equivalent of Numbers 27 or that of Numbers 36. I suspect that the assumption that it belongs in Numbers 36 would involve much more serious reordering of the narrative, and that it should therefore be located in Numbers 27. Regardless, however, we

see that the legal material is here clearly subordinate to the narrative in rewriting, since even in Numbers 27 the presentation of the laws of inheritance is a product of the narrative. When we consider the re-arrangement of these texts, we should recognize that the controlling principle is not the reordering of legal material, but the smoothing out of the flow of the story. It thus probably cannot teach us anything about the handling of strictly legal material.<sup>27</sup>

4Q365 23 has been, of course, the most widely discussed legal passage in 4QRP, not only because it contains the most extensive “extra-biblical” addition to a legal text, but because of the debate over whether it belongs to 4Q365 or 4Q365a, a text related to 11QT<sup>a</sup>, the Temple Scroll.<sup>28</sup> Many of the arguments in the debate over the nature of 4Q365a itself and whether or not it belongs to 4Q365 are circular, predicated on preconceived notions about what a “rewritten text” is, what a “reworked text” is, and what relationship between apparently “extrabiblical” and “biblical” material can be allowed to exist in a “Reworked Pentateuch” text. Once again, the presuppositions, definitions and terminology with which we are working affect our analysis in a way which is not always manifest.

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The editors of 4QRP write (DJD 13.293), “This fragment differs from all the other fragments of 4Q365, and indeed of 4QRP as a whole, as it introduces completely new, nonbiblical material,” and they distinguish it (correctly in my view) from 4Q365’s expansion of the Song of Miriam in Exodus 15. The Song is built on a pentateuchal foundation, albeit a slight one, the reference to Miriam’s leading a song in Exod. 15:20–21, and 4QRP

<sup>27</sup> The editors note (DJD 13.310) that N. Jastram, the editor of 4QNum<sup>b</sup> in DJD 12, sees the insertion of material from Numbers 27 into Numbers 36 in that text. It is thus possible that the handling of the material in 4QRP<sup>c</sup> is indebted to its treatment in the biblical text on which it is based.

<sup>28</sup> First published by Y. Yadin, *The Temple Scroll* (3 vols.; Eng. ed.; Jerusalem: Israel Exploration Society, 1983), 1.128 and 2.44; it has been discussed by M.O. Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: The Oriental Institute of the University of Chicago, 1990), 44–60; B.Z. Wacholder, *The Dawn of Qumran: The Sectarian Torah and the Teacher of Righteousness* (Cincinnati: Hebrew Union College Press, 1983), 205–6 (see especially John Strugnell’s letter about “wild’ Pentateuch texts”); S. White (Crawford), “4Q364 & 365: A Preliminary Report,” *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March, 1991* (eds. J. Treballe Barrera and L. Vegas Montaner; STDJ 11; 2 vols.; Leiden: E.J. Brill, 1992), 1.217–228. For 4Q365a, as a whole, which is published separately from 4Q365 by Tov and White Crawford (DJD 13.319–33), see below. Without entering further into the complex question of the potential relationship between 4QRP, 11QT, and these fragments, we note only that the assignment of these fragments to any of them usually is predicated on a preconceived notion of the nature of the reworking in 4QRP.

expands that allusion with the “text” of the Song. Fragment 23, on the other hand, as is well known, represents an attempt to find a “pentateuchal” source for the wood-offering of Neh. 10:35 which refers to that practice as ככתוב בתורה “as written in the L/law.” The stimulus for the expansion in 4QRP comes from a non-pentateuchal text which is searching for a place in “the Law” or its rewriting.<sup>29</sup>

This is not the place to reiterate the arguments which have been put forth on either side of the issue, claiming that frg. 23 is or is not a part of 4QRP, although I am inclined to accept the case for its belonging, primarily because of the circularity and self-serving nature of most of the arguments for its not belonging. And, if it is part of 4Q365, it makes this manuscript stand out even more sharply from the others which share the same nomenclature, by virtue of the extent to which it differs from anything else within them as well as in the canonical Pentateuch. The very fact that the passage is introduced with the familiar and pentateuchal וידבר ה' אל משה לאמר must influence significantly the way in which we analyze it generically and attempt to associate it with one or another of the Qumran texts which reflect biblical law. To my mind, those words furnish the strongest possible evidence for the “biblical” nature of 4Q365, although I am as yet unconvinced that they outweigh the alternative possibility.<sup>30</sup>

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## | C. 4Q365a

Our discussion of 4Q365 23 leads most naturally into the question of whether 4Q365a is part of 4Q365 and, hence, “Reworked Pentateuch,” or whether it belongs to some other text written by the same scribe. We cannot discuss the handling of pentateuchal legal material in 4Q365a, since the fragments of that manuscript are *ab initio* denied standing as part of 4Q365, and hence as fragments of 4QRP, by virtue of their lacking any such explicitly pentateuchal material.<sup>31</sup> Arguing against Strugnell’s claim that these fragments are part of 4Q365, the official editors write:

<sup>29</sup> The question whether this mode of composition constitutes pseudepigraphy, for instance, must be considered.

<sup>30</sup> Is it too implausible to suggest that 4QRP<sup>c</sup>, while not pentateuchal itself, is based on a pentateuchal text which had already been expanded with the passage on the wood offering? That appears to be the position of García Martínez (see n. 33). I do not believe it possible that Nehemiah’s pentateuchal text contained this passage.

<sup>31</sup> As D.D. Swanson puts it in “How Scriptural is Re-written Bible?” *RevQ* 21 (2004) 422: “On its own, then, 4Q365a is clearly not a ‘biblical’ text.”

Unlike the fragments of 4Q365 (including frg. 23; see pp. 290–6), however, which, like the other manuscripts of 4QRP, contain a text of the Pentateuch that has been systematically reworked, these five fragments do not include any biblical material. Because of this, it is very unlikely that they belong to 4QRP.<sup>32</sup>

And this, once again, becomes the crux of the issue; the nature of 4QRP and the connection to it of any specific manuscript material have been defined by modern scholarship employing circular methodology. If we were to allow the scribal hand of the fragments to determine what belongs to 4Q365, without preconceptions about the genre or nomenclature of the text, then 4Q365+4Q365a would be treated as it was originally by Strugnell, as a single manuscript, and we should have to analyze it without the biases created when the nomenclature “Reworked Pentateuch” was created, and rules for it were established.

This position is indeed the one held by Florentino García Martínez, who writes:

It is thus reasonably certain that these five fragments now labeled 4Q365a are part and parcel of 4Q365, a copy of the ‘Reworked Pentateuch’ incorporating materials known from and related to biblical manuscripts, materials known from and related to other compositions as [*sic*] the Temple Scroll, and material previously unknown.<sup>33</sup>

| If all these fragments belong to the same manuscript, then by virtue of the extensive Temple Scroll-like passages it would contain, 4Q365 would not belong with any of the other manuscripts which have been described as 4QRP. What would we then call it? I am not ready to make a suggestion, but it has to be a name which distinguishes it from 4Q158 and 4Q364, and 4Q366–67, since it is obviously radically different generically from the remains of all of those texts. 40

From the standpoint of our interest in the handling of legal material, however, we see that the “fuller” 4Q365 *either omits or rearranges* pentateuchal laws, on the one hand, *and* that it furthermore adds to pentateuchal legislation, on the other. Those additions are of at least two types: the wood festival which is analogous to material found in the Pentateuch and is clearly formulated in imitation of it, and other texts about

<sup>32</sup> DJD 13:319.

<sup>33</sup> F. García Martínez, “Multiple Literary Editions of the Temple Scroll?” *The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997* (ed. L.H. Schiffman, E. Tov, and J.C. VanderKam; Jerusalem: Israel Exploration Society/Shrine of the Book, 2000), 364–71 (370).

sacrifices and the Temple courts which resemble what we find in 11QT. But separating the fragments of 4Q365 into 4QRP-type and 11QT-type on those grounds alone simply denies the reality of what we find in front of us and superimposes modern conceptions about genre and the handling of texts on the ancient evidence. Whether or not the combined text 4Q365+4Q365a was a source for the Temple Scroll is not critical to our current discussion. From our perspective, it is a text which *by its addition of legal material alone* differs sharply from the other material which has been labeled 4QRP.

#### D. 4Q366

The five surviving fragments of 4Q366 all happen to contain some material which is legal in nature, but that tells us nothing about the nature of the whole composition. Two of the fragments, however, furnish cases of legal material which has undergone “handling.” The editors reconstruct 4Q366 frg. 2 such that the fragmentary remains of the first two lines represent Lev. 24:20–22, which are then followed by Lev. 25:30–43. This presents us with another example in 4QRP of the juxtaposition of laws which do not occur together in the Pentateuch.<sup>34</sup> There does not seem to be any obvious reason for their juxtaposition, or to put it differently, for their re-arrangement in such proximity. Tov and White Crawford suggest that it “is probably instigated by the phrase ‘one law for the sojourner (גר) and native’ in 24:22 and the sale of the Hebrews who are to be treated as sojourners (תושב) in 25:40.”<sup>35</sup> In the light of the absence of common Hebrew terminology for “sojourner,” that reasoning strikes me as rather tenuous, and I should like to propose an alternative theoretical approach, although without a great deal of confidence.<sup>36</sup>

Rather than looking at a principle of organization based on why laws might have been juxtaposed, let us consider a different option, focusing on what is omitted rather than what is present. The laws which follow the *lex talionis* in Leviticus 24 are those of the sabbatical and jubilee years,

<sup>34</sup> The editors’ comment (DJD 13:339) that the juxtaposition is the same as that of two laws which are together in Exod. 21:24–25 and 26–27 is not fully accurate. Whereas the *lex talionis* is the first law in each case, the two laws regarding servants are quite different.

<sup>35</sup> DJD 13:339.

<sup>36</sup> Segal (“4QReworked Pentateuch?” 397) also notes the absence of common terminology. He suggests that perhaps Lev. 25:35–38, which in 25:35 contains the term גר, was located before Lev. 24:20–22 which contains that term as well. But that does not explain why 25:35–38 and 39–43, which cohere so well in the biblical original, should ever have been separated.



the laws of redemption of fields and houses, and the prohibition against charging interest. If this legal material were treated elsewhere in 4QRP, earlier or later, or if these laws were for some reason not included in 4QRP, then the result would be the “juxtaposition” of the *lex talionis* with the laws of the Israelite slave.<sup>37</sup> To be sure, this way of looking at the laws presumes a freedom of rearrangement or, even more radically, of omission which we have not seen in frequent operation in the legal material in 4QRP, but I believe that it deserves consideration in our attempt to comprehend the ways in which the legal texts are handled. If we must work from the assumption that 4QRP covered the entire Pentateuch, then we must choose between these two approaches to the omission of the passages between the laws which are found juxtaposed in our manuscript. Of course, if the entire Pentateuch was not covered by 4QRP, then we need only seek reasons for the omissions of laws, not for their “juxtaposition.”

Fragment 4 i of 4Q366 actually contains one of the few examples of the juxtaposition in 4QRP of legal texts on a common topic which appear separately in the Pentateuch. The laws of Sukkot from Deut. 16:13–14 | are attached to the passage in Numbers 29 which describes at length the daily sacrifices for that holiday. I stress, once again, that this type of rearrangement is not found in legal material in the Samaritan Pentateuch, where laws from Deuteronomy are not inserted into those in Exodus–Numbers, and therefore probably does not belong to the hypothetical textual level of the *Vorlage* of 4QRP. Tov and White Crawford suggest that:

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In the original text of 4QRP, this fragment may have been followed by another text on Sukkot, now contained in the parallel manuscript 4Q365 23 (Lev 23:42–24:2, followed by a large nonbiblical addition). It is not known at which place in the original composition this fragment was located: Numbers, Deuteronomy, or elsewhere.<sup>38</sup>

Since I am still reluctant to assume that all of the 4QRP manuscripts contain completely the same material, I am not ready to hazard further hypotheses about potential juxtapositions which do not appear in any of them. Based on the remains which we do have, this is a highly unusual rearrangement for the purposes of juxtaposition and cannot be taken to

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<sup>37</sup> Admittedly, we might have “expected” the law of the Israelite slave to have been treated at its first occurrence in the Pentateuch, Exodus 21, but we have no way of knowing how the editor/scribe of this particular manuscript handled the repetition of those laws in Exodus 21, Leviticus 25, and Deuteronomy 15.

<sup>38</sup> DJD 13.341.

show more than what it is, namely, a text which certainly rearranges some laws and perhaps also omits others.

The point which Tov and White Crawford make, however, is nonetheless significant. Because the material which we have from the various 4QRP texts is quite sparse, we cannot tell the degree of rearrangement which might have taken place regarding such repeated laws as those of the festivals. We also note the presence in frg. 4 ii (DJD 13.342) of text which has not yet been identified, indicating that there appears to have been some other non-pentateuchal material juxtaposed with these passages on the festivals.<sup>39</sup> If that text were to be identified as pentateuchal, we would have to make a very different observation on the juxtapositions in this manuscript; if it should prove to be non-pentateuchal, it would  
43 | affect our judgment of what constitutes “Reworked Pentateuch” in yet another way.

This manuscript, in the two fragments we have discussed, once again brings to the fore two aspects of Reworked Pentateuch texts which are too frequently overlooked: where did the omitted material go when texts were juxtaposed, and what was the overall compositional principle of their “author(s)”? Regarding the former, I believe that it stretches the bounds of credibility to assert that all the omitted legal material found a place elsewhere, and that it is only due to the vagaries of preservation that there are no other surviving examples of such treatment other than 4Q366 4 i. This likelihood, in my opinion, undermines the fundamental assumption that all 4QRP texts covered the entire Pentateuch with no omissions. On the other hand, the compositional criteria of the “author(s)” are unfortunately inaccessible to us.

#### E. 4Q367

All that remains of the biblical text in 4Q367 comes from Leviticus, but two of its three fragments present textual material which appears to involve radical displacement compared with any version of the book known heretofore. The text of frg. 1 is virtually identical with that of MT of

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<sup>39</sup> Compare the observation in n. 37, above, regarding the laws of the Israelite slave. If the rearrangement and juxtaposition of laws on common themes were to have been carried out thoroughly, a document even more complicated in its reworking of legal material than the Temple Scroll would have been produced. If the 4QRP texts represent a single tradition, the non-integration of the lists of unclean birds in 4Q365 15 and 4Q366 5 also at most points in the direction of juxtaposition being a goal of the compiler, rather than synthesis and harmonization.

Lev. 11:47–13:1, with the exception of space for a few extra words toward the end of 12:5.<sup>40</sup> Frg. 2a–b moves from Leviticus 15 to Leviticus 19, omitting the detailed description of the Day of Atonement ritual, laws pertaining to the appropriate place of sacrifice and the treatment of blood, and those concerning forbidden sexual partners.<sup>41</sup> Once again, it is appropriate to suggest that the reason for the current appearance of the text is | not to be sought in a rationale for juxtaposing Leviticus 15 and Leviticus 19, but rather in the fact that certain material has been omitted from 4QRP or displaced from the location in which it is found in the surviving versions of the Hebrew Bible. As indicated above, I do not think that the term “excerpted” would be the right one even if the material has been omitted because we have conventionally agreed to employ that term for material which is generically different from 4QRP.<sup>42</sup> If, however, the material has been displaced, it is quite understandable that Leviticus 16 could have been relocated in a context dealing either with festival law or temple practice, and the few omitted verses from Lev. 19:5–8 could have appeared in a segment dealing with the laws of sacrifice as well.

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In the case of 4Q367 frg. 3, on the other hand, I can offer no creative solution to the odd combination of textual material which it offers us. If the opening lines contain the words of Lev. 20:13 preceded by some “non-biblical” words, I can see no reason for them to be followed directly by the concluding verses of Leviticus. In this instance, we cannot argue, as we have on occasion above, for the omission of material as the explanation rather than juxtaposition, because here Lev. 27:30–33 would follow from the context of Leviticus 27 better than they do from an odd verse in Leviticus 20.<sup>43</sup> It is thus striking that 4Q367 in two of its three fragments exhibits one of the more striking manipulations of legal material which

<sup>40</sup> The space toward the end of line 12 = Lev. 12:8, which the editors (DJD 13.347) mark with query, could easily be filled with *לע(ו)לה ואחד לחטאת* as in MT.

<sup>41</sup> The editors (DJD 13.349) restore Lev. 15:14–15 at the beginning of the fragment on the grounds that Lev. 15:29–30, the other possible restoration, does not mark the end of a section. This would extend the omitted text to include the second half of Leviticus 15 which contains the purity laws regarding seminal emissions, menstruation and women with irregular flow. If we allow for the possibility that the author of 4QRP chose to omit the summary statement in Lev. 15:31–33, then we can restore the opening lines of the fragment as Lev. 15:29–30, which would then mark the end of a section, and we would not have to explain the omission of the second half of chapter 15.

<sup>42</sup> Segal (“4QReworked Pentateuch?” 398) feels no such compunction and writes: “It is tempting to describe this scroll (367) as an excerpted text of Leviticus . . .”

<sup>43</sup> The suggestion of the editors (DJD 13.351) that the missing link is *מות יומת* of Lev. 27:29 which is juxtaposed with *מות [יומתו ד]מיהם במ* of Lev. 20:13 is not convincing. We have now seen several times how the best attempts to explain some of the

we have seen in 4QRP (other than the added passages). Does this indicate a way in which the “reworking” of 4Q367 differs from that of other 4QRP MSS or is it merely coincidental?

#### F. 4Q158

45 I have indicated elsewhere my view that even if 4Q364–367 were to be attributed to a work called 4QReworked Pentateuch, it is clear to me that | the nature of the additional material and the sort of rearrangement which are present in 4Q158 mark it as distinct from the documents we have discussed to this point.<sup>44</sup> Nevertheless, for the joint purposes of completeness and comparison, let us remark on the legal material in 4Q158 from Exodus 21, some of which overlaps with material preserved in 4Q364 and 4Q366. Brooke, by attempting more detailed reconstructions than those of Allegro, has demonstrated that there are subtle distinctions between the texts of Exodus 21 as they are presented in 4Q158, 4Q364 and 4Q366.<sup>45</sup> Both frg. 9 and frgs. 10–12 of 4Q158 appear to be virtually unchanged biblical text if restored in accordance with the Samaritan Pentateuch.<sup>46</sup> Once we acknowledge this textual affiliation, however, there is no treatment of legal material in this text that goes beyond its handling in SP.

The one other passage in 4Q158 which contains legal material is located in Gen. 32:33 and discusses the prohibition to consume the sciatic nerve.<sup>47</sup> We may reconstruct the text loosely as follows (4Q158 1–2, 11–13):

וירא אלוהים	vacat?	ירכו	על צולע	ל והוא	פנוא	את עבר	את פנוא	[ל והוא	צולע	על ירכו	11
											אל יעקוב]
											12
											ביום ההוא ויאמר אל תא[כל את גיד הנשה אשר על (שתי) כפות הירך על כן
											לא יואכלו בני ישראל את גיד הנשה אשר]
											13
											על שתי כפות הירך עד ה[יום הזה

collocations in 4QRP can suggest only loose verbal associations with no compelling conceptual connection.

<sup>44</sup> See references in n. 6 above. The nature of supplementation and rearrangement in fragments 1–2 and 14 differs from what we have seen on the whole in 4Q364–367.

<sup>45</sup> Brooke observes correctly that Allegro’s reconstructions in DJD 5 are “minimalist,” thus avoiding the editor’s distracting of the reader. In his article on 4Q158 (above n. 1), Brooke has attempted some detailed reconstructions of this text for the express purpose of comparing it with 4Q364–67, and I am relying upon them in this portion of my discussion.

<sup>46</sup> Frg. 9 2–3, representing Exod. 21:19, is a bit too long, but that fact probably is of no concern to our discussion.

<sup>47</sup> My remarks on this section of 4Q158 have the benefit of being informed by a discussion on this text by the “Qumran and Related Apocryphal Literature Group” on 6 December 2001, led by Professor Menahem Kister at the Institute for Advanced Studies of the Hebrew University.

| The Qumran text expands the biblical etiology for the custom of not eating the sciatic nerve into a formal command by God. The reason for this is presumably to make it clear that this food prohibition is not merely a custom, but a divine injunction. This is an interesting kind of expansion in a legal passage, but since this commandment is one of few injunctions found in Genesis, we probably cannot expect to find this technique employed elsewhere.<sup>48</sup> The stress on the prohibition of both sciatic nerves, however, may be polemic since later rabbinic law contains a dispute over whether one or both are prohibited, and it is possible that the sectarian view sides strongly with one of the opinions in rabbinic literature.<sup>49</sup> 46

### III. CONCLUSIONS

What have we observed in our survey of the legal material in the surviving portions of the manuscripts which have been officially designated 4QRP? And what inferences may we draw from those observations? First of all, it seems clear that there is very little exegetical reworking of the 4QRP legal material, either in the way that there is reworking of its narrative material or in the way that there is exegetical re-arrangement and harmonization in the legal material in 11QT. In the 4QRP manuscripts, where the legal material is transmitted, there does not appear to be any interference with the text with the exception of the “anomalous,” if we may use that term, passage in 4Q365 regarding the wood offering (and, of course, the non-biblical material in 4Q365a). Texts may be moved, removed, or juxtaposed, but there appears to be almost nothing done to the language of those texts which would indicate that the goal of 4QReworked Pentateuch was any reinterpretation of legal material, explicit or | implicit.<sup>50</sup> Second, some of these manuscripts (4Q365–367) exhibit a variety of passages where legal material is not present where it is present in the Pentateuch, implying either omission or rearrangement. Third, there are virtually no examples of a legal passage which has been omitted from its pentateuchal location 47

<sup>48</sup> The technique is reminiscent of Jubilees, although it is strikingly peculiar that Jubilees itself omits treatment of this law (as was noted already by Kister, “על שני מטבעות, לשון בספר יובלים,” *Tarbiz* 70 [2001]: 289–300). For a similar treatment in *Jubilees*, cf. *Jub.* 28:6–7, which transforms the custom of not marrying the younger daughter before the older (words spoken by Laban) into a law that is found on the Heavenly Tablets. I thank Dr. Segal for a productive email exchange on this issue.

<sup>49</sup> TḤul 7:1; Gen. Rab. 78:6 ad Gen. 32:33 (Theodor-Albeck, 923–24).

<sup>50</sup> We might consider the handling of the material on the prohibition against the eating of the sciatic nerve to be an exception to this observation.

being moved to someplace other than where it appeared in the Pentateuch in order to collocate laws of a similar nature. The legal equivalent of “smoothing out of the flow of the story” is a technique almost unattested in these manuscripts.<sup>51</sup> I conclude that as a working principle we should not presume that everything in the Pentateuch once appeared within 4QRP, even though my evidence is fundamentally *argumentum e silentio*. The conservative position of not assuming the scope of texts beyond what they exhibit is likely to lead to fewer misleading conclusions.

What can this study contribute to an overall perspective on these four or five Qumran manuscripts? Does it tell us anything about whether they are biblical or not? Conclusions of such a broad nature based on the foregoing discussion must be drawn with greater reluctance than narrower ones demand. If we were to sketch a spectrum of “reworked” texts which contain legal material (using the term most loosely), then 4QRP would probably occupy a space (if indeed we allow all the manuscripts called by this name only one space) between the virtually invariant Samaritan Pentateuch on one side and the rewritten and rearranged Temple Scroll on the other. I believe that the most significant positive observation which we have made is that which pertains to the way that these texts, or some of them, go beyond SP in the way legal material is handled. Whatever else may be true about the way in which SP handles other material which also appears in MT, the legal portions of the MT Pentateuch seem to have been “sacrosanct,” if that is the correct word, for the editors of SP. 4QReworked Pentateuch exhibits no such qualms about dealing with legal texts; whether the intention(s) of its author(s) was to rearrange, rewrite, replace, reinterpret or revise the Pentateuch, in whatever form (t)he(y) received it, legal passages were not safe from his/their pens. Unfortunately, the fragmentary nature of our texts precludes us from being able to assert more than that in terms of scope or method.

48 | In this regard, if we may employ a comparison with another Qumran text to which we have already alluded, 4QReworked Pentateuch, even 4Q365, is a far cry from 11QTemple. Even if we include the fragments of 4Q365a with 4Q365 as belonging to a single work that might be said to resemble 11QT in more ways than any of the other 4QReworked Pentateuch manuscripts, the text of the 4Q365 portion has not been handled with anything like the freedom of rewriting with which 11QT rewrites pentateuchal legislation. If these texts are to be viewed as genetically related in some

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<sup>51</sup> The only example, I believe, is the juxtaposition of the Sukkot laws in 4Q366.

sense, I should prefer to describe their relationship as successive levels in an evolutionary development. I still do not know how to characterize the non-4Q365 material, but perhaps we can suggest that 4Q365+4Q365a is a stage in the process where the pentateuchal text is supplemented by other material (whether frg. 23 or the fragments of 4Q365a), but the pentateuchal text itself is not rewritten very much. That later stage is evident in the Temple Scroll which radically rewrites the Pentateuch itself, while at the same time supplementing it with non-pentateuchal data.

Are the 4QRP manuscripts biblical? My response after all this is “which ones?” As I noted above, 4Q364 might very well be, but regarding the others I suggest “probably not.” If it weren’t for *וידבר ה' אל משה לאמר* of 4Q365, I should say “almost certainly not.” That is to say, if they are biblical, they represent a kind of biblical text which relates to its predecessors in a way differing from all other pentateuchal versions.<sup>52</sup> If a large amount of pentateuchal legal material is omitted, as I think it is, then the phenomenon of large-scale deletion (as opposed to rearrangement) of legal material is totally anomalous and unexpected in a biblical text. Can we imagine and explain a text of the Pentateuch which did not contain all of its legal material? And even if, as I believe is unlikely, the legal material is only rearranged and not deleted, the degree of freedom with which 4QRP would apparently be manipulating its biblical legal material is both unparalleled and unexpected based on all other available evidence. The question then becomes: Can we imagine a text of the Pentateuch which has | disarranged some of its legal material in the way that 4QRP seems to have done? Only if we are prepared to take the legal material into consideration and to evaluate its completely anomalous treatment when compared with all other pentateuchal textual traditions should we be prepared to identify 4QRP (or some manuscripts of 4QRP) as biblical manuscripts and not as some sort of parabiblical text.

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<sup>52</sup> I am inclined to believe that the Pentateuch is *sui generis* among biblical texts, when it comes to our discussion of its textual history. As a result, I do not think that two recensions of Jeremiah, for example, can serve as models for our discussion of recensions of the Pentateuch such as MT, SP and, potentially, 4QRP.

CHAPTER TWENTY-ONE

THE RE-PRESENTATION OF “BIBLICAL”  
LEGAL MATERIAL AT QUMRAN:  
THREE CASES FROM 4Q159 (4QORDINANCES<sup>a</sup>)\*

The Qumran literary corpus is comprised of texts that encompass a broad spectrum of literary genres, including many documents that are “legal” in nature.<sup>1</sup> An attempt has been made to categorize and classify the legal texts, like the rest of the scrolls, in the final volume of the official publication of the Dead Sea Scrolls, *Discoveries in the Judean Desert*.<sup>2</sup> But the classification of this material is far from simple, and the categories that are selected to describe them are often unenlightening, or even

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\* For Yaakov Elman—שׂכֵן טוֹב. For more than two decades, our near-adjacent offices have given us the opportunity to schmooze about Torah and *madda*, *talmud Torah* and *jüdische Wissenschaft*, Jews and Judaism, *halakhah* and *aggadah*, and so much more. Whether our views converged or diverged, our conversations were never boring, usually memorable, and almost always productive. In addition to his ground-breaking publications on the Middle Persian context of the Babylonian Talmud, and his research on rabbinic *midrash halakhah*, the biblical commentaries of Nahmanides and the thought of R. Zadok haKohen of Lublin, Yaakov somehow also found time to bring his insights on Jewish legal material to bear on the Qumran text 4QMMT in two valuable articles: “Some Remarks on 4QMMT and the Rabbinic Tradition: or, When Is a Parallel not a Parallel?” in *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. J. Kampen and M.J. Bernstein; Symposium 2; Atlanta: Scholars Press, 1996), 99–128 and “MMT B 3–5 and its Ritual Context,” *DSD* 6 (1999): 148–156. More recently, he has linked his interests in the Babylonian world to that of the Dead Sea Scrolls in “Zoroastrianism and Qumran,” in *The Dead Sea Scrolls at 60: Scholarly Contributions by New York University Faculty and Alumni* (ed. L.H. Schiffman and S.L. [Berrin] Tzoref; STDJ 89; Leiden: Brill, 2010), 91–98. I offer this brief study of some pre-rabbinic legal material from Eretz Yisrael in tribute to his creative and multifaceted contributions to *talmud Torah* in so many of its forms. My thanks to Dr. Richard Hidary, Dr. Alex P. Jassen, and Dr. Shani L. Tzoref for their critical comments on the penultimate version of the essay. Professor Steven Fraade was kind enough to comment on an earlier version.

<sup>1</sup> By “legal,” I mean only that they contain laws, not that the laws contained therein were necessarily binding or effective for any particular community at a particular time. The question of which of the legal documents among the Dead Sea Scrolls were actually operative for the Qumran or any other community is a significant one that we probably are still not ready to answer even after more than sixty years of research.

<sup>2</sup> A. Lange and U. Mittman-Richert, “Annotated List of Texts from the Judaean Desert Classified by Content and Genre,” in *The Texts from the Judaean Desert—Indices and an Introduction to the Discoveries in the Judaean Desert Series* (ed. E. Tov; DJD 39; Oxford: Clarendon, 2002), 115–64. The legal material is dealt with on 132–33.



misleading. The overall section is characterized as "Texts Concerned with Religious Law," what we might call the broad generic rubric, with | sub- 2  
 categories "community rules," "eschatological rules," "purity rule," "other rules," "halakhic midrash," "parabiblical texts concerned with religious law," and "unclassified texts concerned with religious law."<sup>3</sup> Underneath those specific, yet still vague, rubrics we find the "named" texts, such as the Community Rule, Damascus Document and War Rule, while the text that we shall be discussing in this essay 4Q159 (Ordinances<sup>a</sup>), as well as two texts that may be related to it (4Q513–14—Ordinances<sup>b,c</sup>), are relegated to the "other rules" heading together with documents called 4QHalakhah A (4Q251) and 4QMiscellaneous Rules (4Q265).

"Religious Law" is a very broad category that might very well include everything from pentateuchal laws to later interpretation, enhancement, or expansion of those laws, to sectarian legislation for the present or the future. And other than the terms "midrash" and "parabiblical," which, it must be admitted, are not terribly descriptive, there is no indication in any of these categories regarding the texts' relationship to the Pentateuch, whether exegetical or otherwise. This latter point is of particular significance if we are interested in studying the relationship of the laws in the Qumran texts to the Hebrew Bible, or the ways in which the composers of these texts read, interpreted, and used biblical laws in the formation of their own, or the ways in which their laws and legal interpretation converge with or diverge from later rabbinic legislation.

The text containing the laws I shall discuss in this essay was originally published by John M. Allegro.<sup>4</sup> 4Q159 is a fragmentary text of which parts | of two columns can be reconstructed, and most of which consists of laws 3

<sup>3</sup> 4QMMT has its own subcategory "epistolary treatise concerned with religious law."

<sup>4</sup> Frg. 1 as "An Unpublished Fragment of Essene Halakhah (4QOrdinances)," *JSS* 6 (1961): 71–73, and then all the fragments in J.M. Allegro, *Qumrân Cave 4.I (4Q158–4Q186)* (DJD V; Oxford: Clarendon, 1968), 6–9. Allegro's work, as is well known, cannot be employed without constant reference to the review by John Strugnell, "Notes en marge du volume V des 'Discoveries in the Judaean Desert of Jordan,'" *RevQ* 7 (1969–71): 163–276 (175–179). My work on this manuscript is part of the revision of this volume of DJD that I am editing together with George J. Brooke of Manchester University, with the participation of an international group of Qumran scholars. The very name of the text, "Ordinances" is itself not a particularly satisfactory one, especially in light of the fact that the entire document is not composed totally of legal material, but it is still being retained for reasons of convenience. Whether or not it is one of three copies of the same document as 4Q513–514 remains very much open to question. I have discussed some of the broader issues involved in editing and interpreting 4Q159 in "4Q159: Nomenclature, Text, Exegesis, Genre," in *The Mermaid and the Partridge. Essays from the Copenhagen Conference on Revising Texts from Cave Four* (ed. George J. Brooke and Jesper Høgenhaven; STDJ 96; Leiden: Brill, 2011), 33–55

that appear to be related to legal material in the Pentateuch, particularly the book of Deuteronomy. Because of both its fragmentary remains and somewhat enigmatic nature, however, 4Q159 has not attracted the attention of scholars to the degree that other, more tractable, Qumran legal texts, such as the Temple Scroll and the Damascus Document, have.<sup>5</sup> The difficulties with this text present themselves on two levels: first, on that of its microstructure, we need to analyze, to the best of our ability, each of the laws that it contains from a variety of perspectives; and second, on that of its macrostructure, we have to try to work out what principles of organization and composition govern the document as a whole.

In this essay, since we shall be discussing only some of the laws, our concern will be primarily with the level of microstructure. In the ensuing discussion, we shall analyze three consecutive laws from frg. 2–4 of 4Q159, focusing on the very different ways that this single Qumran collection presents “pentateuchal” material. At the conclusion of our study, after having examined these laws, we shall return briefly, and in a limited fashion, to the broader question of the overall nature of the document.

The legal material that survives in 4Q159 consists of the following:<sup>6</sup>

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(below 2.518–539). The space constraints of this article require that the reader be referred there for a fuller treatment of the diverse issues involved in the interpretation of 4Q159.

<sup>5</sup> The text as a whole has received almost no full treatment, with the only broad treatments being F.D. Weinert, “4Q159: Legislation for an Essene Community Outside of Qumran?” *JSJ* 5 (1974): 179–207 and idem, “A Note on 4Q159 and a New Theory of Essene Origins,” *RevQ* 9 (1976–78): 223–230, and C. Hempel, “4QOrd<sup>a</sup> (4Q159) and the Laws of the Damascus Document,” in *The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the International Congress in Jerusalem* (ed. E. Tov, et al.; Jerusalem: Israel Exploration Society, 2000), 372–376. Most scholarly attention has been focused on the laws of payment of the half-sheqel: e.g., D. Flusser, “הודבר יהודה ואצל כת מדבר יהודה,” *Tarbiz* 31 (1962): 150–156 (= “The Half-shekel in the Gospels and the Qumran Community,” *Judaism of the Second Temple Period. Vol. I: Qumran and Apocalypticism* [Grand Rapids/Jerusalem: Eerdmans/Magnes, 2007], 327–333); M. Beer, “הכיתות ומחצית השקל,” *Tarbiz* 31 (1962): 298–299; J. Liver, “The Half-Shekel Offering in Biblical and Post-biblical Literature,” *HTR* 56 (1963): 173–198; and the accused bride: e.g., J.H. Tigay, “Examination of the Accused Bride in 4Q159: Forensic Medicine at Qumran,” *Journal of the Ancient Near Eastern Society* 22 (1993): 129–134; A. Shemesh, “4Q271.3: A Key to Sectarian Matrimonial Law,” *JJS* 49 (1998): 244–263 (252–261); idem, “Two Principles of the Qumranic Matrimonial Law,” in *Fifty Years of Dead Sea Scrolls Research: Studies in Memory of Jacob Licht* (ed. G. Brin and B. Nitzan; Jerusalem: Yad Ben Zvi, 2001), 181–203 (Hebrew).

<sup>6</sup> The fragments were originally numbered by size, as was frequently the case in the early days of Qumran research. The sequence that I am following here is based on the subject matter of the text, following the order of the laws that appear in Deuteronomy. The sequence has few implications for the analysis of the texts that ensues. Hempel, “4QOrd<sup>a</sup>” (above n. 5), 374–5, noted the sequence of Deuteronomy material in frg. 2–4, but did not draw the same inference regarding the sequence of the fragments that I do.

## | Fragments 2–4:

4

- laws of an Israelite sold to non-Jew (Lev. 25);
- the requirement for a court of [ten] Israelites and two priests for capital cases (apparently related to Deut. 17);
- the prohibition of transvestism (Deut. 22:5);
- the bride accused of non-virginity (Deut. 22:13–21);

## Fragment 1:

- laws of leaving for the poor in the granary and field (Deut. 23:25–26; 24:19–21);
- money of valuation/half-sheqel (Exod. 30:12–13; 38:25–26).

There does not seem to be any obvious unifying factor operative in these laws being found together (other than perhaps the sequence of some of them in Deuteronomy, if my arrangement is accepted). Further complicating any attempt to understand the entire document from a generic perspective is the fact that the last two lines of frg. 1, as well as the whole of frg. 5, appear to be of a non-legal nature.<sup>7</sup>

The first two laws to be discussed appear in frgs. 2–4, lines 3–7:<sup>8</sup>

[עשרה מישראל] וה[יו] אנשים	3
וכוהנים שנים ונשפטו לפני שנים העשר האלה ] <sup>o</sup> וכי יהיה	4
דבר בישראל על נפש על פיהם ישאלו ואשר ימרה [את פיהם ולוא ישמע אל דבריהם]	5
יזמת אשר עשה ביד רמה אל יהיו כלי גבר על אשה כול] וגבר אל	6
יכס בשלמות אשה ואל ילבש כתונ[ת] אשה כיא [ת]ועבה היא vacat	7

- 3 And there shall be [ten] men [of Israel]
- 4 and two priests, and they shall be judged before these twelve [ And should there be]
- 5 any capital case in Israel they shall ask their opinion. And whoever rebels [against their opinion and does not listen to their words]
- 6 shall be put to death for he has acted high-handedly. Let there not be male garments upon a woman, any [ nor shall a man] |

5

<sup>7</sup> I have discussed frg. 5 (and its possible link to frg. 1 16–17), its restoration, and its interpretation in “4Q159 Fragment 5 and the ‘Desert Theology’ of the Qumran Sect,” in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. S.M. Paul et al.; SVT 94; Leiden: Brill, 2003), 43–56 (below 2.540–553).

<sup>8</sup> The text and translation are based on my provisional edition, appearing in E. Tov, ed., *The Dead Sea Scrolls Electronic Library* (rev. ed.; Leiden/Provo, UT: Brill/Brigham Young University, 2006). Both are the end results of scholarship that began almost a half-century ago with Allegro and his many critics, including, for this passage, Y. Yadin, “A Note on 4Q159 (Ordinances),” *IEJ* 18 (1968): 250–252, in addition to those mentioned in n. 5.

- 7 cover himself with woman's outer clothing, nor shall he wear the tuni[c] of a woman for it is an abomination. *vacat*

There is neither a break nor *vacat* between the preceding material dealing with slave law, which itself unfortunately lacks any real context, and the first of our laws, nor between these two laws themselves. They follow one upon the other with about a letter-space separating them. On the other hand, despite the fragmentary state of the manuscript, the *vacat* in line 7 between the second law and the law of the accused bride that follows it is quite clear.

Our first observation regarding these laws is that they relate to the Bible in very different ways. We shall argue that the first law, in lines 3–6, is scripturally based, even though it does not seem, *prima facie*, to employ language that is modeled on any single biblical passage. As for the second, in lines 6–7, no sophisticated analysis is demanded for us to see that it is a rewriting of the Bible with a minimal number of changes. Although we should not have any *a priori* assumptions about how biblical law ought to be rewritten at Qumran, the very fact that two juxtaposed laws in the same text are formulated so differently vis-à-vis their scriptural “originals” is certainly noteworthy, and raises fundamental questions about the genre of the text.

The first law requires the establishment of a duodecimal court consisting of two priests and ten non-priests before whom certain proceedings are to take place.<sup>9</sup> As we have just noted, this law might appear to be extra-scriptural since its language does not resemble closely that of any legislation in the Pentateuch. It is likely, however, that this regulation that demands a court on which both priests and Israelites are to be found is related to Deut. 17:9 *ובאת אל הכהנים הלויים ואל השפט אשר יהיה בימים ההם* “you shall come to the levitical priests and to the judge who will be in those days.” In light of the fact that the rabbis in commenting on this verse also recommend that courts include both priests and Levites, we should not presume that it is only the priestly atmosphere of Qumran that demands the presence of priests on the court to which difficult issues were to be presented.<sup>10</sup>

<sup>9</sup> The restoration “ten” is certain because of the number “twelve” in the next line, and “from Israel” is likewise almost certain based on the similar material discussed below.

<sup>10</sup> Cf. Sifrei Deut. 153 to Deut. 17:9 (ed. Finkelstein, 206). I employ the term “recommend” because the full statement of Sifrei concludes, “even though it does not contain priests and Levites it is valid (בשר).” Cf. also *m. San.* 1:3 for other instances that require a priest on an adjudicatory body, and *m. San.* 4:2 for the requirement that judges in

| We should not discount, on the other hand, the possibility that this rule is "sectarian" in some sense, since there exist several other texts from Qumran that insist on the presence of priests on judicial or similar bodies: Thus CD 10:4–6 reads *וזה סרך לשפטי העדה עד עשרה אנשים ברורים מן העדה לפי העת ארבעה למטה לוי ואהרן ומישראל ששה מבוגנים בספר ההגי* ("This is the rule for the judges of the community: there shall be ten select men from the community, according to the time; four for the tribe of Levi and Aaron, and from Israel six, well-versed in the Book of Meditation."<sup>11</sup>) In the Temple Scroll LVII:11–14, the king is to be aided by a body of 36, 12 priests, 12 Levites, and 12 "from his people," "who will sit with him for judgment and law" (*אשר יהיו יושבים עמו יחד למשפט ולתורה*).<sup>12</sup>

Although the sense of the law is clear, some of the language in which it is expressed is a bit unusual. Thus the *niph'al* of שפט ("engage in dispute") is employed only once with לפני in the Bible (1 Sam. 12:7), and there is no other parallel usage at Qumran,<sup>13</sup> but it is obvious that the idiom refers to entering into judicial proceedings before a judge or judges. Although the end of line 4 is unfortunately missing, something like my reconstruction is necessary, leaving only about 18 letter spaces, which probably contained the subject of the verb ונשפטו or described something else about the court, unaccounted for.<sup>14</sup> The continuation, *וכי יהיה להם דבר על נפש על פיהם ישאלו*, seems to indicate that one of the functions of this court was the adjudication of capital offenses on some level, since *דבר על נפש* would appear to be the | equivalent of the rabbinic *דיני נפשות*, "capital crimes," although to the best of my knowledge

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capital cases be priests, Levites, and Israelites of pure lineage. For further discussion, see L.H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code* (BJS 33; Chico: Scholars, 1983), 24–25.

<sup>11</sup> Parallels (with no significant variants) at 4Q266 8 iii 4–5 and 4Q270 6 iv 15–17.

<sup>12</sup> With the Temple Scroll, cf. 1QM 2:1–3. Two other texts have references to bodies of (at least) 12, including priests: 1QS 8:1 *בעצת היחד שנים עשר איש וכוהנים שלושה תמימים* (and note the similarity of the language to that of our passage), and 4QpIsa<sup>d</sup> 1 3–5 *מאירים על שנים עשר* [ ] *במשפט האורים והתומים*. The first group, however, is not likely to be a judicial body according to most interpreters, and the second, in a context that is likely to be eschatological, may be composed of all priests, rather than priests and non-priests. Cf. Yadin, "A Note on 4Q159 (Ordinances)," 251–52 n. 4, and, for a discussion of these issues and texts in the context of Qumran judicial practice more broadly, cf. Schiffman, *Sectarian Law in the Dead Sea Scrolls*, 23–28.

<sup>13</sup> 1QH 15:28 *יצדק לפניכה בהשפטו* comes closest, but there *לפניכה* modifies *יצדק*, not *בהשפטו*.

<sup>14</sup> Based on the almost complete line 8, where the restoration of [נשים] at the end of the line is almost universally accepted.

it is an idiom unattested elsewhere.<sup>15</sup> The phrase שאל על פה also does not occur elsewhere, as far as I can tell, and I suggest that in this instance the author has been influenced by the passage in Num. 27:21 וישאל לו במשפט and וישאל לו במשפט that describes the relationship of the future leader Joshua to Elazar the high priest, and perhaps also by Deut. 21:5 ועל פיהם יהיה כל ריב וכל נגע, in a verse that describes some of the functions of the priesthood.

In one of the most striking features of this passage, when describing the responsibility of litigants to adhere to the decisions of the court, 4Q159 does not employ what might have been the expected language of Deut. 17:10–12 ועשית על פי הדבר אשר יגידו לך... ושמרת לעשות ככל אשר יורוך על פי התורה אשר יורוך ועל המשפט אשר יאמרו לך תעשה לא תסור מן הדבר אשר יגידו לך ימין ושמאל והאיש אשר יעשה בזדון... ומת האיש (“you shall act in accordance with that which they tell you... and be careful to do according to all that they teach you. According to the law which they teach you and the rule that they say to you, shall you act; you shall not deviate from the verdict that they give you right or left. But the individual who acts presumptuously... shall die.”). The author adopts, rather, an idiom which in my opinion must be based on Joshua 1:8 כל איש אשר ימרה את פיך ולא ישמע את דבריך לכל אשר תצוונו יומת (“whoever rebels against your command and does not obey everything you order him shall die”). I have based my (perhaps too confident) restoration on that verse for a number of reasons, particularly the fact that Joshua 1:8 is the only occurrence of ימרה in the Hebrew Bible.<sup>16</sup>

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<sup>15</sup> The forensic use of דבר is quite common, as noted by Yadin, “A Note on 4Q159 (Ordinances),” 252 n. 5; cf., e.g., Ex. 22:8 (*bis*), 24:14, and compare with the restoration of the end of line 4 Ex 18:16 וישפטתי בא אלי ושפטתי כי יהיה להם דבר בא אלי ושפטתי. Yadin, “A Note on 4Q159 (Ordinances),” 252 n. 6, followed by Schiffman, *Sectarian Law in the Dead Sea Scrolls*, 26 and 44 n. 49, renders על נפש as “concerning anyone.” Schiffman’s defense of that reading, “This is more likely than ‘in a capital case,’ as the sect used *devar mawet* to indicate capital cases,” is unconvincing, not least because it assumes that a uniform technical halakhic vocabulary was employed by the writers of the diverse Qumran scrolls.

<sup>16</sup> The length of the restoration conforms quite well to the nearly complete line 8. If hypotheses may be pyramided on one another, might the fact that Num. 27:21, suggested above as a possible source for the idiom ישאלו על פיהם, refers to Joshua indicate that the author is thinking about Moses’ successor while composing this section? Aharon Shemesh, “Law and Prophecy: False Prophet and Rebellious Elder,” in *Renewing Jewish Commitment: The Work and Thought of David Hartman* (Hebrew) (ed. A. Sagi and Z. Zohar; Jerusalem: Shalom Hartman Institute and Hakibbutz Hame’uhad, 2001), 2.925 n. 6, observes that the rabbinic employment of the term זקן ממרא for the rebellious elder may be anticipated by the Qumran usage in 4Q159, but does not note the likely link of both of those with the verse in Joshua.

| The failure to adopt the readily available pentateuchal text as the model for formulating this law about a court would be striking enough even if the prophetic text were as good a "source" for the law as the pentateuchal one would have been. I think that, other things being equal, the Pentateuch might be expected to be the source of law rather than later portions of the Bible.<sup>17</sup> The passage from Joshua, however, is not even as strong a parallel to the Qumran text as the one from Deuteronomy would have been, since it deals with an individual leader while the text from Deuteronomy deals with a court as does 4Q159.<sup>18</sup> For this somewhat paradoxical phenomenon I have no ready explanation. And if, furthermore, the employment of the passage in Joshua is not merely stylistic, but conceptual, with the author actually "deriving" (to use the term that we would employ in discussing rabbinic literature) the law from this verse, then it may be quite significant that this Qumran document views rules that are formulated biblically for an individual leader as being transferred to the court.<sup>19</sup>

The reason for the death penalty, אשר עשה ביד רמה, is then furnished in language borrowed from a pentateuchal text, Num. 15:30 והנפש אשר תעשה ביד רמה את ה' הוא מגדף ונכרתה ("the person who acts high-handedly blasphemes against the Lord and shall be cut off"). This formulation is noteworthy for two reasons: first, it employs the biblical phrase in a fashion syntactically different from the way it is used in its original location. In Numbers, אשר introduces a relative clause ("who"), whereas in 4Q159 it appears to be causal ("because").<sup>20</sup> Second, and probably more significant, the use of the formulation from Numbers once again appears

<sup>17</sup> I believe that the gap in the manuscript cannot be filled satisfactorily with language based on this passage in Deuteronomy, even if the exact restoration that I am proposing is not accepted.

<sup>18</sup> Note that the law of Deut. 17:9a $\beta$ –13 is found in the Temple Scroll LVI:1–11 (the parallel to 17:8–9a $\alpha$  appeared in the now lost upper lines of the column). Its language remains very close to that of Deuteronomy with only the replacement of Deuteronomy's ועשית על פי הדבר אשר יגידו לך מן המקום שהוא אשר יבחר ה' ושמרת לעשות ככל אשר יורוך ועשית על פי התורה אשר יגידו לכה ועל פי הדבר אשר יואמרו לכה מספר perhaps tendentious ועשית על פי התורה ויגידו לכה באמת מן המקום אשר אבחר לשכין שמי עליו ושמרתה לעשות ככול אשר יורוכה being particularly noteworthy.

<sup>19</sup> For a brief discussion of the employment of non-pentateuchal texts in legal contexts at Qumran, see M.J. Bernstein and S.A. Koyfman, "The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods," in *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids: Eerdmans, 2005), 73–74 (above 2.460–461).

<sup>20</sup> This, of course, depends on the acceptability of my restoration in line 5. If it is not accepted, אשר could begin a relative clause "he who acted high-handedly will be put to death."

- 9 | to reject the obvious available language of Deut. 17:12 **והאיש אשר יעשה** in favor of **בזדון** . . . ומת האיש ההוא אשר עשה ביד רמה. Here, however, we may ascribe the choice of the author, at least in part, to the fact that **בזדון** is a term almost never used at Qumran, while the more or less synonymous **ביד רמה** seems to be a favorite of the Qumran writers.<sup>21</sup>

If the foregoing analysis is accepted, is it still appropriate to describe this law as biblical? It seems to articulate ideas which are related to the law of the court in Deuteronomy 17, but, at the same time, appears almost consciously to avoid expressing them in language that recalls that passage even when such language appears to be the most obvious choice. Why does the author work so hard to avoid the scriptural formulation of the law? This method of composition becomes even more puzzling when we examine the next law in the document, which is far more closely modeled on a biblical original.

- That law is a version of Deut. 22:5, the prohibition of cross-dressing, with very slight expansion. The biblical text reads **לא יהיה כלי גבר על אשה ולא ילבש גבר שמלת אשה כי תועבת ה' אלהיך כל עשה אלה** “a woman may not put on man’s clothing, nor may a man dress in women’s garments, for whoever does these is an abomination of the Lord.”<sup>22</sup> Both halves of the verse are expanded in this rewriting: the enhanced version of the prohibition for female cross-dressing is broken off in the manuscript, but the double prohibition of **שלמות** and **כתנו[ת]** for males is evident in the text. A new verb, **יכס** (probably jussive *pi’el* rather than *niph’al*), is introduced to govern the biblical object **שלמות**, while the biblical verb **ילבש** now

<sup>21</sup> The only occurrences of **בזדון** at Qumran are 11QT LVI:8 and LXI:4, both of which paraphrase biblical texts in Deuteronomy (17:12 and 18:22, respectively). According to the Historical Dictionary of the Hebrew Language (Ma’agarim; <http://hebrew-treasures.huji.ac.il>), aside from two occurrences in Ben Sira (9:12, 16:10), these are the only post-biblical appearances of **בזדון** before rabbinic literature. **ביד רמה**, on the other hand, which occurs only three times in the Bible, appears about a dozen times in Qumran literature in works as diverse as CD, 1QS, 4QpPs<sup>a</sup>, 4QCatena B, and 4QapocJer C in addition to 4Q159. After this essay was completed, Dr. Tzoref drew my attention to Gary A. Anderson, “Intentional and Unintentional Sin in the Dead Sea Scrolls,” in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom* (ed. D.P. Wright, et al.; Winona Lake: Eisenbrauns, 1995), 49–64, where he anticipates this point and goes beyond it in drawing attention (51–52 and nn. 6–7) to the shift from **בזדון** to **ביד רמה** in the context of his discussion of the Qumran vocabulary of sinning.

<sup>22</sup> The plural verb **יהיו** in 4Q159 indicates that the following noun was vocalized as *kelei* rather than *keli*; LXX has a plural noun **ἡγεῖα**, as well. The same difference exists between singular **שמלת** in MT and plural **שלמות** in 4Q159. 4QDeut<sup>1</sup> reads **שלמת**, perhaps singular.



governs the new object [כתנון].<sup>23</sup> This is an interesting compositional technique which recalls the kind of expansions of single expressions into double ones employed by certain targumim and midrashim in their rewriting of the biblical text.<sup>24</sup> But why did the composer of this text see a need for more details in the formulation of this fairly simple biblical law? Was there a need to specify a prohibition on both inner and outer garments for some reason? It would also be interesting to know why the reference to God at the end of the law in the biblical text was omitted in 4Q159, and whether that tells us something about the speaking voice of the document, but not enough of the text survives to know whether this is typical in any way. Putting those questions aside, however, the law that we read is indubitably the biblical law, in both content and formulation, unlike the ones that precede and follow it.

The final law which survives in this fragment is that regarding the bride accused of pre-marital sexual activity.<sup>25</sup> The biblical verses on which this text is based read (Deut. 22:13–21):

<sup>23</sup> Joseph M. Baumgarten, *Qumran Cave 4. XIII: The Damascus Document* (DJD XVIII; Oxford: Clarendon, 1996), 175, restores 4Q271 (4QDf) 3:3–4 with a version of this law אל האל היא כי תועבה היא [גבר על איש ואשה] כאחת כי תועבה היא "also occurs in 4Q159 2–4 7." Note that that phrase is the only echo of 4Q159 in the surviving text, and I am therefore not fully convinced of the reconstruction on this basis of it alone. The use of כאחת to mean "in common," furthermore, seems a bit awkward, and the meaning of that Qumran text is unlikely to be the meaning of the biblical one.

<sup>24</sup> For example, Ps 68:19 לקחת מתנות באדם is rendered by the targum of Psalms אליפת פתגמי אוריתא יהבתא יתהון מתנן לבני נשא and is assigned a new direct object, while יהבתא, which has no parallel in the Hebrew text, governs the emphasized object that stands for מתנות באדם. Admittedly this technique is employed more in the interpretation of poetry than of prose, and especially in the treatment of particularly intractable verses, but the technique in this passage of 4Q159 appears, nevertheless, to be similar.

<sup>25</sup> We find another Qumran presentation of this law in 11QT LXV:7 to the missing top of column LXVI, although, unsurprisingly, it contains virtually no interpretation of the law, and its language is almost completely dependent on the language of the biblical text. Thus there are parallel treatments in the Temple Scroll for two of the three passages in 4Q159 that we are examining, and in each example, we can see just how far different Qumran representations of the same law can diverge from each other. The most recent treatment of this passage in its biblical context is Adele Berlin, "Sex and the Single Girl in Deuteronomy 22," in *Mishneh Todah: Studies in Deuteronomy and Its Cultural Environment in Honor of Jeffrey H. Tigay* (ed. Nili Sacher Fox et al.; Winona Lake: Eisenbrauns, 2009), 95–112 (108–112). For recent discussion of early interpretation of Deut 22:13–29, cf. M. Halbertal, *Interpretative Revolutions in the Making: Values as Interpretative Considerations in Midrashei Halakhah* (Hebrew) (2nd edition; Jerusalem: Magnes, 1999), 84–92. He unfortunately did not include 4Q159 in his analysis.

- 11 | Should a man take a woman in marriage and hate her, and set trumped up charges against her and defame her, saying “I took this woman as a wife, and when I approached her I discovered she was not a virgin.” Then the father of the young woman and her mother shall bring forth the virginity of the woman to the elders of the city at the gate. The young woman’s father shall say to the elders, “I gave my daughter in marriage to this man, but he hated her. And he now trumped up charges against her saying ‘I have not found your daughter to be a virgin,’ but here is the evidence of her virginity.” And they shall spread out the garment before the elders of the city. The elders of that city shall take the man and discipline him and fine him one hundred silver pieces and give them to the father of the young woman, for he has defamed an Israelite virgin. She shall remain his wife, and he shall not have the right to divorce her. But if this charge proves to be true, that the young woman was not a virgin, then the young woman shall be taken out to the doorway of her father’s house and the inhabitants of her city shall stone her to death for she acted shamefully in Israel, fornicating while in her father’s house, and you shall do away with evil from your midst.

Compare the length and detail of that law with the much briefer version in 4Q159:

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|----|--|
| 8  | כי יוצי <sup>26</sup> איש שם רע על בתולת ישראל [א]ל אם ב[יום] קחתו אותה יואמר<br>ובקרוה [נשים] |
| 9  | נאמנות ואם לוא כחש עליה והומתה ואם בש[קר] ענה בה ונענש שני מנים<br>ואת אשתו לוא]               |
| 10 | ]ישלח כול ימיו]  |
- 8 Should a man malign an Isra[e]lite virgin, if on th[e day] of his taking her he says (it), then [women] shall examine her who are  
9 reliable. If he has not lied regarding her, then she shall be put to death, but if he has testified against her fals[ely], he shall be fined two minas [and his wife] he shall [not]  
10 divorce all of his days.

However we evaluate the first two laws that we examined above, it is clear that the author of this one is employing a compositional model or technique that differs from both of them. Despite the fact that it contains fewer than two and one half lines compared to Deuteronomy’s nine verses, it is clear that this passage in 4Q159 is presenting the same law as the passage in Deuteronomy. The formulation and structure of this very brief summary of the biblical law is particularly noteworthy, especially in

<sup>26</sup> Either a phonetic spelling, or haplography in light of the next word’s beginning with *aleph*.

| light of the fact that it adds two critical supplements to the otherwise very abbreviated law. 12

The opening words **כי יוצי איש שם רע על בתולת ישראל** are typical of the formulation of a casuistic law in the Pentateuch (as is the biblical text's **כי יקח איש אשה ובא אליה ושנאה**), but the following words, **אם ביום** [קחתו אותה יואמר] break the syntactic flow and lead one to wonder whether this text itself has been abbreviated from something longer.<sup>27</sup> The opening two verses of the pentateuchal account, furthermore, have been compressed into the words "should a man slander an Israelite virgin," a formulation that is extremely strange unless the reader is expected to understand the full implication of these words from his familiarity with the biblical account where the idiom **שם רע הוציא** occurs in Deut. 22:14 and 19. In other words, if the reader did not recognize the biblical "original," would he immediately comprehend the meaning of the passage in 4Q159?

On the other hand, the author then expands the biblical law with the first of his expansions, the introduction of a time-frame for the accusation, **ביום** [קחתו אותה], "on the day he marries her." This is a significant legal detail that is independent of the biblical text. The time when the husband has a right to charge his wife with pre-marital sexual activity is limited to immediately following the marriage, and the restriction is of course reminiscent of later rabbinic discussions in *m. Ket.* 1:1 **בתולה נשאת ליום הרביעי ואלמנה ליום החמישי שפעמים בשבת בתי דינין יושבין בעיירות ביום השני וביום החמישי שאם היה לו טענת בתולים היה משכים לבית דין** ("Virgins are married on Wednesday... since courts are in session twice a week... and on Thursday, so that if he had a claim of non-virginity, he could proceed immediately to court.") and related texts. The law's formulation with a clause beginning **אם ביום** might have led us to believe that we will also be told what the rule is **ואם לא ביום**, but the text of 4Q159 has no such clause, again leading us to wonder about the mode of composition of the document. Did a scribe copy one clause from his *Vorlage* and accidentally omit another? Or is there some other explanation for the syntactic peculiarity and the apparent omission?

One of the significant divergences of the Qumran version of this law from the biblical one is the complete removal of the parents of the bride

<sup>27</sup> The closest analogue that I can find in pentateuchal law is Deut. 24:1 **כי יקח איש אשה ובעלה והיה אם לא תמצא חן בעיניו כי מצא בה ערות דבר וכתב לה ספר כריתת ונתן בידה ושלחה**. But the presence of **והיה** makes a big difference.

13 | from the discussion, both in the almost total omission of Deut. 22:15–17 which delineate their actions, and in the shift in language from “they shall fine him one hundred silver pieces and give it to the woman’s father” to “he shall be fined” later on in the passage. The result (or perhaps the cause) of that omission is that the parents do not bear the responsibility for proving their daughter’s virginity as the biblical text demands. Is this change a meaningful one, consciously reflecting social circumstances that differ from those in the Bible? Or is it merely a product of the desire of the composer of the law to abbreviate the biblical material as much as he can, leaving out the extraneous details?

In the Qumran law, once the husband has made this accusation within the proper time-frame, some objective testimony is required to determine the status of the woman, and this is the second major addition to this biblical law in 4Q159. The evidence is furnished by thorough examination (ובקרוה) by נאמנות [נשים], “reliable women,” according to the reading proposed by Jeffrey Tigay and probably confirmed by a similar passage in several of the Cave 4 copies of the Damascus Document (4Q271 3 12–14; cf. 4Q269 9 6–8 and 4Q270 5 20–21): “Let no one marry any woman regarding whom an evil rumor circulated while she was in her unmarried state in her father’s house, *except after examination by trustworthy, reliable and knowledgeable women* at the command of the *mebaqqer* over the Many.”<sup>28</sup> The burden of proof is no longer on the parents of the bride, but on an objective group of outsiders. It is for this reason that the time-frame for the husband’s bringing these charges is limited, since the trustworthy women would be able to determine whether the bride had been virgin at the time of the marriage only immediately after the wedding. The omission of the parents from the legal narrative has transformed the nature of the transgression from one that reflects on the woman’s family (“to fornicate while in her father’s house”) to one that is apparently her responsibility alone.

The summary aspect of the presentation of this law by the author of this Qumran text is once again manifest in his compression and inversion of the two possible outcomes of the case that the Bible presents. In 4Q159, a single line (9–10) suffices for the equivalent of four biblical verses. In Deuteronomy, the first case presented is that where the husband is lying, although that fact is never stated explicitly (22:18–19), and the second where he is truthful (22:20–21); the Qumran text inverts the order, but this may not be particularly significant if its goal is to summarize,

<sup>28</sup> Tigay, “Examination of the Accused Bride in 4Q159,” 129–134.

rather | than present the details of, the biblical law. The penalties are equivalent to those in the Bible—death if his claim is correct, and a fine (note that it is expressed in the monetary terms of the Second Temple period: two *minas* = one hundred silver pieces) if he is lying. And just as the parents of the bride have been removed by 4Q159, so have the elders of the city who appear in the biblical text, explicitly or implicitly in every verse from 15 through 19. The woman is “put to death,” and the male “is punished,” without any allusion to who carries out either of these actions. The concluding segment of the law coincides with the biblical regulation that the husband may never divorce the bride whom he accused of premarital immoral behavior.<sup>29</sup>

This final law under discussion demands that we ask of it questions that the first two did not elicit. First and foremost, we must ask whether the deviations from the biblical form of the law indicate that we are dealing with a text that was meant to be applied and effective in a given society. From the standpoint of social history, can we infer, as we do regarding the parallel passage in 4QD, that this was a society that not only was not celibate and male only, but even included women who were trained for or expert at this sort of evaluation? Were the omissions of the parents and elders from the formulation of the law intended to adjust the law to a particular social context, or merely to reduce it to its bare essentials? Or was this “legal interpretation” of the Bible never intended to be applied in reality, belonging rather to the category that the rabbis would later denote as *דרוש וקבל שכר*, “interpret exegetically, and receive reward for it.”<sup>30</sup>

As we noted earlier, this law would probably make little sense as formulated if the reader was unaware of the passage in Deuteronomy, and it would be almost an exaggeration to speak of what we are reading as an *interpretation* of the law in Deuteronomy. Perhaps we should speak of it as a stripped-down *version* of that law. But what then was the point of abridging this law and recording it in this fashion in this document? Why deviate to such a great degree from the biblical text? Why would not the approach of the Temple Scroll that often introduces expansions into its

<sup>29</sup> The restoration at the end of line 9 is *exempli gratia*, but the text must have contained something resembling those words. The following words in fig. 2-4+8 10 seem to begin a new law about women *אשר כול [א]שה*, but the surviving text is insufficient to allow us to speculate further in this context.

<sup>30</sup> E.g., *t. San.* 11:6 *בן סורר ומורה לא היה ולא עתיד להיות ולמה נכתב לומר דרוש וקבל שכר* and similar passages.

15 | “rewritten” biblical text have been acceptable to the author of 4Q159 in this case?

If we stand back and view the contents of this column together, we observe that the three laws that we have examined differ radically from each other in style and in relationship to the Hebrew Bible. The first is a “non-biblical law,” but one which is modeled on a biblical one, albeit partly through the employment of a non-pentateuchal text. The second is a biblical law which has been rewritten minimally, with some variation from MT and slight expansion as compared with the biblical original. The third is a biblical law which has been summarized in its presentation, with details being both added and deleted. Were any or all of these laws intended for practical observance? If so, for what sort of community? And to repeat the critical question asked earlier, what brought them together into this one text?

The most attractive feature of my hypothesis that we are dealing here with laws based on a section of Deuteronomy is that it furnishes some sort of principle of selection on the basis of which the laws for this document were chosen. The weakness in the theory lies, however, in accounting for the material that did not survive between the laws in frg. 2–4, ending with something parallel to Deut. 22:13–21, and the law of leaving for the poor in the field in frg. 1 column ii that appears to be based on Deut. 23:25–26.<sup>31</sup> If the pattern that I have suggested was followed, there must have been at least one column between the two fragments that included some of following: the laws of adultery, the two cases of *na’arah me’orasah* (the betrothed virgin), rape, incest with one’s father’s wife, prohibitions on ‘entry’ into the congregation of the maimed, the *mamzer*, the Ammonite, the Moabite (+reason), the entry of the Edomite and the Egyptian, camp purity, runaway slaves, the *qadesh* and *qedesha*, usury, and fulfillment of vows. The missing material would had to have concluded with subject matter leading into the fragmentary opening of column ii that contains the words “his com[ma]ndments and to atone for all [t]heir rebellious acts.” I have not yet found a satisfactory solution to that compositional issue. And even if the argument from the sequence in Deuteronomy is valid to justify the selection of the laws, it certainly does not help in explaining

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<sup>31</sup> A justification of where the Leviticus 25 material at the beginning of frg. 2 came from would also be necessary, as well as a reason for the author’s jumping from Deuteronomy 17 to Deuteronomy 22.

the radically different treatments and methods of presentation that they receive.

| Although to this point we have discussed the three laws independently of the work in which they appear, it is now appropriate to turn our attention, if only briefly, to consider the document as a whole. Making the very reasonable assumption that it is some sort of legal document (or at least a largely legal one), let us begin by asking what kind of legal document it is. That is to say, putting aside what we call it, what is it? We can see quite clearly that it is not "rewritten Bible," by any definition of that currently nebulous genre whose best legal example is the Temple Scroll. Nor does it appear to be a law code, or part of a law code, laying out systematically rules or guidelines for the behavior of some group of Jews in antiquity, analogous to the legal material in the Damascus Document or the Serekh texts, although a number of scholars have associated 4Q159 with CD in earlier discussions.<sup>32</sup> Generically, it thus seems to be neither fish nor fowl, and belongs to some as yet undiscovered or undefined genus. The collection of laws in it that we have analyzed in this paper points in the same direction, since, whether taken together or separately, they do not give the impression of belonging to any readily identifiable genre. Francis Weintert

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<sup>32</sup> Aharon Shemesh and Cana Werman have argued ("Halakhah at Qumran: Genre and Authority," *DSD* 10 [2003]: 104–129) that the Temple Scroll and CD/4QD represent the two fundamental halakhic genres at Qumran. In the former, the language is thoroughly biblical and the source material is indistinguishable from any exegetical innovation, while in the latter, distinction is made between the source and its exegesis, the organization is topical (occasionally with section headings) and the "laws themselves are mainly worded apodictically, without scriptural proof" (113). From a very broad perspective, this is a valuable dichotomization, but a binary distinction between Temple Scroll-type and CD-type is too narrow to be accepted as prescriptive for the study of Qumran *halakha*. They write further, 115, "We classify the halakhot in the texts designated Ordinances as belonging to the same genre as the Damascus Document. This premise relies on, among other features, the presence of the 'concerning X' rubric, characteristic of the Damascus Document, which prefaces the ordinance related to the half-shekel for the sanctuary." With the latter verdict, I cannot concur at all. The "evidence" from a single heading in frg. 1 of 4Q159 is far too weak an indicator to claim any kind of analogy with the Damascus Document and its relatives, and further suggestions based on the other so-called "Ordinances" manuscripts beg the question even further in light of the debatable identification of all the "Ordinances" manuscripts with one another. Joseph M. Baumgarten had made the same argument in appropriately weaker form ("The Laws of the *Damascus Document* in Current Research," in *The Damascus Document Reconsidered* [ed. M. Broshi: Jerusalem; Israel Exploration Society, 1992], 56), "Of the models presently available [my emphasis, MJB], 4Q159 appears to best approximate the method and form of the religious law in CD." But the generic and typological study of the legal manuscripts from Qumran has not reached maturity yet, and all manuscripts should be considered to represent independent genres or types until more rigorous criteria for generic identification and specification can be developed.

asserts, in one of the few earlier discussions of 4Q159 as a whole, that these laws were “an affirmation of specific biblical laws being interpreted  
 17 | in a new way,” continuing, “determination of the genre of 4Q159, then, will depend on the function that this legislation was meant to perform.”<sup>33</sup> I do not agree with his suggested interpretation of the document as a whole, but in my opinion he has put his finger on a key issue that is too often ignored.

It is important to note, furthermore, that none of the laws in 4Q159 frg. 2–4 is the subject of controversy between the Qumran group and other Jews, although the constitution of the court in the first law shows certain similarity to other Qumran regulations on the same theme.<sup>34</sup> 4Q159 is thus also unlike 4QMiqṣat Ma’ase haTorah, the famous “halakhic letter,” which presents a list of laws where the authors’ practice differed from that of other groups. And this leads us to a further, and perhaps naïve, question—in what way is this a “Qumran” text? Or to formulate the question a bit less naively, how are we to evaluate this sort of “legal” text without serious Qumran overtones that we find in the Qumran caves? I am not quite ready to follow Weinert’s too radical (in my view) claim that “what 4Q159 lacks compounds the case against a Qumran origin. For example, none of the polemic against alternate Jewish religious groupings that emerges at an early stage in other Qumran literature . . .”<sup>35</sup>

Charlotte Hempel has noted that various sorts of similarities between CD and 4Q159 have been pointed out in the past in Qumran scholarship.<sup>36</sup> Her contribution to the discussion consists of the observation that “five of the seven stipulations preserved in 4Q159 contain material also dealt with in the recently published legal material from 4QD.”<sup>37</sup> Regarding at least two of those, the alleged parallels between the prohibition of transvestism in 4Q159 and in the reconstruction of 4Q271 3 3–4 (discussed above n. 23), and the “cases where a groom challenges his bride’s virginity” (4Q159 2–4 8–10 and 4Q271 3 12–15), I am unconvinced that the parallels actually

<sup>33</sup> Weinert, “Essene Community,” 181.

<sup>34</sup> It is only the law of the half-sheqel, which according to fragment 1 is to be given only once in a lifetime, that we can be sure was the subject of conflict between the Qumran group and others, notably the Pharisees. The other fairly strong “Qumran” marker in the text is the employment of the term פֶּשֶׁר in frg. 5, albeit in a commentary on a narrative, not a prophetic or poetic, text.

<sup>35</sup> Weinert, “A Note on 4Q159,” 228.

<sup>36</sup> Thus, Weinert, “Essene Community,” 206, suggests that both texts point to a non-Qumran location for their origin, and Baumgarten, “The Laws of the *Damascus Document*,” 56, argued for formal similarities between them.

<sup>37</sup> Hempel, “4QOrd<sup>a</sup>,” 373.



exist. In the latter instance, the law in 4Q159 is as Hempel describes it, an allegation of pre-marital sexual activity. In 4Q271, however, the law prohibits a man from marrying a woman whose behavior while single has been called into question unless she is examined by trustworthy women at the command of the *mebaqqer*. There are analogies between the two situations, but they are not the same law despite Hempel's claim that they both deal with "the issue of the defamation of a bride's virginity."<sup>38</sup> It is thus unlikely that the law in 4Q271 can be related analytically to Deut. 22:13–21, which is clearly the source of the law in 4Q159.

As a result, I doubt that the parallels between 4Q159 and CD/4QD are striking enough for us to build connections between the two documents upon them, as Hempel herself is careful to note. She suggests that "redactor/compiler responsible for the Laws of the D[amascus] D[ocument] in their present form drew upon a collection of traditional legal material not dissimilar to 4QOrdinances<sup>a</sup>."<sup>39</sup> If this is correct, we gain insight into the conceptual lineage of the 4QD material, but are no further along in solving the generic and related questions that we have raised regarding 4Q159.

Although we may have succeeded in achieving the limited goals that we set out for ourselves at the beginning of this paper, the delineation of the ways that these three laws reflect or relate to the parallel laws in the Pentateuch, the limitations on our success draw attention to the barriers to full comprehension of any fragmentary Qumran text, especially those of this sort. The fundamental questions of genre and function simply cannot be answered satisfactorily on the basis of the limited textual data available to us. And we should stress that it is not the fact that we did not treat the entire document that precludes fuller success. In point of fact, an attempt to analyze all the laws in the manuscript, and its non-legal contents as well, would only have multiplied the number of unanswered (and unanswerable) questions that we face.

What then, have we accomplished, beyond the details of our analysis of these laws against their hypothetical biblical backgrounds? Perhaps the most important result that should emerge from our study of this part of 4QOrdinances is an acknowledgment of the variety that the Qumran library exhibits in legal genres. What we have observed, over and over, regarding 4Q159 is that it does not behave the way we "expect" legal

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<sup>38</sup> C. Hempel, *The Laws of the Damascus Document: Sources, Traditions and Redaction* (STDJ 29; Leiden: Brill, 1998), 68.

<sup>39</sup> Hempel, "4QOrd<sup>a</sup>," 376.

19 material from Qumran to behave, that is to say, like the paradigmatic legal texts, | whether the Temple Scroll or the Damascus Document. “Pluriformity” is a term that is often employed in recent discussions of the biblical text in antiquity, particularly at Qumran,<sup>40</sup> and it appears to us that its application to the Dead Sea manuscripts containing legal material is equally appropriate. We have been too restrictive in the ways that we talk about the forms of legal texts from Qumran.

The formal categorization of legal texts in the scrolls to which we referred in our opening paragraphs is in need of revision, and not only for the sake of making it more accurate. It is not only an issue of what we call a legal text or the rubrics under which we (carefully) group them. Each text containing legal material related (or unrelated) to the Pentateuch must be studied independently for the list of laws that it presents, the language in which it formulates them, the way in which it arranges them, and the type of exegesis it employs to derive them. For the purposes of that analysis, which, on the whole, has not been carried out, the differences among the manuscripts may be more important than their similarities; we need to be “splitters” rather than “clumpers.” The dichotomy between the 11QT-type and the CD/4QD-type, as we observed above, is valuable as long as it does not create a binary bind that forces us to allocate all Qumran legal texts to one category or the other.

In this regard, then, the effort that we have made on these issues in the context of 4Q159 needs to be repeated for all the “minor” texts from Qumran that contain legal material. When the texts contain both legal and non-legal material, as CD/4QD and 4Q159 do, there are further questions that must be asked, particularly as regards the purpose or function of such texts. Until such an approach is employed, we shall not be able to describe accurately the mosaic of legal texts that comprise a significant portion of the corpus of Qumran documents. And the ramifications of such accurate description can be very broad. Whether our ultimate goal is the study of

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<sup>40</sup> Eugene C. Ulrich, “Pluriformity in the Biblical Text, Text Groups, and Questions of Canon,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; STDJ 11; Leiden: E.J. Brill, 1992), 1.23–41; Adam S. van der Woude, “Pluriformity and Uniformity: Reflections on the Transmission of the Text of the Old Testament,” in *Sacred History and Sacred Texts in Early Judaism: A Symposium in Honour of A.S. van der Woude* (ed. J.N. Bremmer and F. García Martínez; Kampen: Kok Pharos, 1992), 151–169; Magne Sæbø, “From Pluriformity to Uniformity: The Emergence of the Massoretic [sic] Text,” *On the Way to Canon: Creative Tradition History in the Old Testament* (Sheffield: Sheffield Academic Press, 1998), 36–46.

Qumran legal exegesis, the actual observance of one law code or another at Qumran, the theoretical historical sequence of the | composition of the Qumran legal texts, or the way the texts that combine legal and non-legal elements may have functioned within Qumran society, if the method we have suggested is applied, our future conclusions will be based on much firmer foundations. 20

## CHAPTER TWENTY-TWO

### 4Q159: NOMENCLATURE, TEXT, EXEGESIS, GENRE<sup>1</sup>

The text discussed in this essay, 4Q159—*Ordinances*<sup>a</sup>, is the second in the series of texts published by Allegro in DJD V, and is the only one in that collection, other than 4Q158 (and, much more distantly, 4Q180–181) that is related to the Pentateuch.<sup>2</sup> In many ways, the issues and difficulties that the fragments of this manuscript present to us characterize, in microcosm, many of the obstacles that re-editing this whole group of 29 texts entails. None of these documents is a manuscript of a previously known work, and the task of reconstruction is therefore often a speculative and hazardous one. Of course, when dealing with works closely related to the Bible, such as 4Q158<sup>3</sup> and the pesharim, our knowledge of the biblical text is obviously a very valuable tool in reconstruction. In the case of 4Q159, on the other hand, the decision how much to base the reconstruction on the biblical text is dependent on what sort of work the editor thinks that it is.

The task of the editor, then, once the fragments that belong to a single text have been identified, would appear to begin with the establishment of the best possible text. But in order to reconstruct the text correctly, we have to first decide what kind of text it is, i.e., to what “genre” does it belong?<sup>4</sup> We do not yet have to name it, to call it by its proper designation, but we do have to have a sense for what it is. One of the key questions in determining genre, in the case of almost all the texts in DJD V, is to clarify the nature of their relationship, if any, to the Hebrew Bible (or,

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<sup>1</sup> My thanks to Professor Steven Fraade for commenting on an early version of this essay, and to Dr. Shani Tzoref for reading a later one.

<sup>2</sup> Fragment 1 was first published by John M. Allegro in “An Unpublished Fragment of Essene Halakhah (4QOrdinances),” *JSS* 6 (1961): 71–3, followed by the publication of all of the fragments in John M. Allegro, ed., *Qumrân Cave 4.I (4Q158–4Q186)* (DJD V; Oxford: Clarendon Press, 1968), 6–9. The whole document was republished by Lawrence H. Schiffman, “Ordinances and Rules,” in *The Dead Sea Scrolls: Hebrew, Aramaic and Greek Texts with English Translations. Volume 1. Rule of the Community and Related Documents* (ed. J.H. Charlesworth; PTSDSSP; Tübingen: J.C.B. Mohr, 1994), 145–57.

<sup>3</sup> Since I do not believe that 4Q158 is to be identified with the other so-called “Reworked Pentateuch” manuscripts (4Q364–367), the possible identification of the others as “biblical” has no implications for our generic classification of 4Q158.

<sup>4</sup> I am employing the term “genre” fairly loosely, as a heuristic device.

if you prefer, to what becomes the Hebrew | Bible). The degree that our reconstruction stays close to or deviates from the biblical text depends on how we perceive that relationship. So the generic identification and textual reconstruction can easily lead us into a circular trap. How can we determine genre without reconstructing the text? How can we reconstruct a text without having some idea of the genre? 34

The question of nomenclature is related, although not quite as critical. The names that were assigned to Qumran texts in the early years of Qumran scholarship often gave an exaggerated sense of the scope and contents of a work.<sup>5</sup> Even though one might argue that scholars should know better than to be misled by the titles created in modernity, we all know that names can be very influential upon the ways in which later scholarship will approach a text. Finally, as we have learned over the past sixty years, not every text found in the Qumran caves is a “Qumran text,” and, although the neat division of the texts into “sectarian” and “non-sectarian” can certainly be misleading at times, we need to evaluate each text in terms of relationship to the “library” found in the caves and the group that may have produced many of these documents.

Only some of the foregoing is exaggerated; all these elements of attacking a new Qumran text are related to one another, and we thus run the risk of circular reasoning at every turn. This may be true even when the “new” text has been in the public domain for fifty years, because these methodological issues do not automatically disappear even with the passage of half a century, and often are ignored when the sands of time cover them over. It is possible that it is the very fact that this text as a whole does not easily lend itself to comprehensive analysis, in terms of either its structure or its content, that has hitherto precluded almost all attempts at full or overarching handling.<sup>6</sup> Because 4Q159 has received limited thorough treatment in the past, some of my analysis will read as if the text really was a “new” one.

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<sup>5</sup> I have discussed this matter with reference to narrative texts in “The Contours of Genesis Interpretation at Qumran: Contents, Contexts and Nomenclature,” in *Studies in Ancient Midrash* (ed. James L. Kugel; Cambridge, MA: Harvard Center for Jewish Studies/Harvard University Press, 2001), 57–85 (above 1.63–91).

<sup>6</sup> The only broad treatments are two essays by Francis D. Weinert, “4Q159: Legislation for an Essene Community outside of Qumran?” *JStJ* 5 (1974): 179–207, and “A Note on 4Q159 and a New Theory of Essene Origins,” *RevQ* 9/34 (1976–78): 223–30; and one by Charlotte Hempel, “4QOrd<sup>a</sup> (4Q159) and the Laws of the Damascus Document,” in *The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the International Congress in Jerusalem* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society, 2000), 372–6.

35 | The remains of this manuscript consisted originally of nine fragments, but two (6 and 9) now appear to be missing. They can be combined into three major groups: 1+9, 2-4+8, and 5.<sup>7</sup> One of the first tasks of the editor of a text like 4Q159 is to try to determine whether a reasonable sequence can be postulated for the fragments and then to explain it. In the earliest days of Qumran scholarship, when no obvious sequence of fragments presented itself immediately to the editors, fragments were often numbered, more or less, based on their size, and, in the case of texts like 4Q159, the result of that tendency was to ignore possible internal clues in the text to both the order and perhaps the source of its contents.

I therefore propose to re-arrange the material following a sequence of the fragments that I believe is likely based on their contents, and not based on the numeration of the fragments by the original editors. The contents are as follows:

*Fragments 2-4+8 (to be referred to henceforth as frag. 2)*

Laws of Israelite sold to non-Jew (Lev 25:47, 53, 42)<sup>8</sup> (lines 1-3)

Court of [ten] Israelites and two priests for capital cases (no explicit biblical source, but apparently related to Deut 17) (lines 3-6)

Prohibition of transvestism (Deut 22:5) (lines 6-7) followed by *vacat*

Husband's claim of non-virginity of bride and its consequences (Deut. 22:13-21) (lines 8-10)

*Fragment 1+9 (to be referred to henceforth as frag. 1)*

A reference to "atonement for all their iniquities" (lines 1-2)

Laws of leaving for the poor in the granary and field (Deut 23:25-26; 24:19-21) (lines 3-5)

Money of valuation/half-sheqel (Exod 30:12-13; 38:25-26) (lines 6-7)

"Digression" detailing the collection of the half-sheqel in the wilderness (lines 7-12)

Two lines about *ephah* = *bath* and three *'esronim* (cf. Ezek 45:11) (lines 13-14) followed by *vacat*

Two lines with reference to Moses and burning (Golden Calf?) (Exod.32:20?) (lines 16-17)

*Fragment 5*

A passage containing a reference to Exod. 33:7 with two occurrences of the term פֶּשֶׁר.

<sup>7</sup> Fragment 8 is restored in 2-4 10, following an oral suggestion by Elisha Qimron, and fragment 9 in 1 II 4 following John Strugnell, "Notes en marge du volume V des 'Discoveries in the Judaean Desert of Jordan'," *RevQ* 7 (1969-1970): 163-276 (177).

<sup>8</sup> I suspect that the author originally intended to follow the biblical verse order, employing a paraphrase of Lev 25:55, but unconsciously slipped into the text of 25:42 which closely resembles it.

| My ordering of the fragments is based on the following observations: 36  
 frag. 2 contains material from Deut 22 and frag. 1 from Deut 23; frag. 1  
 concludes with material related to Exod. 32, and frag. 5 appears to be con-  
 nected to Exod. 33.<sup>9</sup> Our tentative suggestion, therefore, and I stress “ten-  
 tative,” is that the fragments should be ordered 2, 1, 5.<sup>10</sup> If my suggestion  
 for the “re-organization” of 4Q159 is accepted, placing frag. 2 before frag. 1,  
 then we may further observe that many of the laws are based on Deuter-  
 onomy, and, furthermore, that we have laws related to 22:5, 22:13–21, and  
 23:25–26 in that order. According to my hypothesis, then, the first, almost  
 completely missing, column of frag. 1 (and perhaps one or more columns  
 that preceded it) would then have contained regulations linked in some  
 way to Deut 22:22 through 23:24. We have thus arranged the material  
 based on its relationship to material in the Hebrew Bible, even though  
 there is no further internal evidence within the document for such an  
 arrangement.

I make this suggestion knowing full well that there are questions which  
 immediately arise for which I have no ready answer, such as what explains  
 the opening lines of frag. 2 which are linked to Lev. 25, | and on what is 37

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<sup>9</sup> A number of scholars have suggested, since the earliest days of the study of 4Q159, that frag. 5 does not belong to the same manuscript as the others, hence avoiding the generic conundrum that it generates. Thus, for example, Joseph A. Fitzmyer in his review of Allegro, *CBQ* 31 (1969): 237, “The fifth fragment of this text (4Q159) is so different in content from the rest that one wonders if it rightly belongs to this group of fragments.” Francis D. Weinert, “Legislation for an Essene Community,” 203–4, comments, “The total absence of any such [pesher] formulae in all the rest of 4Q159 makes the conclusion unavoidable that fragment 5 is not derived from the same text as 4Q159.” Lawrence H. Schiffman, “Ordinances and Rules,” 145, writes “Fragment 5 was misidentified and does not belong with this manuscript. It is in fact a *pesher*, probably to Leviticus 16:1.” When I consulted Dr. Ada Yardeni in the fall of 2001 for her paleographic evaluation of the fragments, she indicated, after a brief examination of photographs of the fragments of 4Q159, that she felt that all the fragments had been written by a single hand. Frag. 5 thus qualifies to be part of 4Q159 from a paleographic standpoint, and can only be excluded from belonging to this manuscript with the admittedly not unreasonable claim that this scribe wrote more than one manuscript which survived at Qumran. In my view, it is those juxtaposed chapters in Exodus which furnish the key to understanding the connection of frag. 5 to the other fragments. I have reconstructed frag. 5 based on the assumption that it belongs together with the other fragments of 4Q159 and interpreted it in relationship to the other fragments in “4Q159 Fragment 5 and the ‘Desert Theology’ of the Qumran Sect,” in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. Shalom M. Paul et al.; VTSup 94; Leiden: Brill, 2003), 43–56 (below 2.540–553).

<sup>10</sup> Hempel, “4QOrd<sup>a</sup> (4Q159) and the Laws of the Damascus Document,” 374–5, noted the sequence of Deuteronomy material in frag. 2, but did not draw the same inference regarding the sequence of the fragments that I do.

the transition to the Deuteronomy material based?<sup>11</sup> And even assuming that the law that follows about courts in 2 3–6 is related to Deut. 17, why is there no material from Deut. 17 through Deut 22 treated in the text?

This arrangement of the fragments, furthermore, is also based on the premise that 4Q159 would have followed the order of the biblical material on which it appears to be based, and that the text functions as the “restatement” or “rewriting” (to choose somewhat neutral terms) of a variety of laws deriving from, or related to, the Bible, with the biblical order governing the order in the manuscript. While this is quite plausible as a working hypothesis, we have to remember that it is, after all, just a hypothesis. This assumption then leads to a series of further questions, since at first glance, and perhaps at second and third as well, there does not seem to be any rhyme or reason for these particular laws being selected, rewritten and placed in proximity to one another (beyond their order in Deuteronomy). In the forms that they take in 4Q159, furthermore, they may be abbreviated, or expanded; clarified, or merely restated; they may even really be “new,” in their not really resembling a particular pentateuchal text in any but the most superficial fashion. The divergent nature of the relationship of the different laws to the Bible thus also appears to complicate our analysis.

Since my goal is not to present a full preliminary edition and commentary on the text in this paper, but to employ this document as a model for the sorts of difficulties confronted in revising DJD V, I have chosen to present here the textual analysis of one passage in 4Q159 that I have not discussed elsewhere, consisting of the two relatively readable laws in frag. 1 II. In order, however, to contextualize them in the document appropriately, I need to say a few words about the laws in frag. 2.<sup>12</sup> Those three relatively complete laws in frag. 2 differ radically from each other in their style and in their relationship to | the Hebrew Bible. The first is a “non-biblical law,” calling for a court of twelve, including at least two priests, to

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<sup>11</sup> If we accept my working hypothesis that Deuteronomy serves as the framework for the laws in this text, it is just possible that this Lev 25 material on the Israelite slave was introduced following textual material (that is now missing) based on Deut 15:12–18 that deals with the same topic, but this suggestion must be regarded as extremely tenuous in the absence of some further evidence to confirm the theory.

<sup>12</sup> A relatively full discussion of the three “complete” laws in frag. 2 is to be found in my essay “The Re-Presentation of ‘Biblical’ Legal Material at Qumran: Three Cases from 4Q159 (4QOrdinances),” in *Shoshannat Yaakov: Ancient Jewish and Iranian Studies in Honor of Professor Yaakov Elman* (ed. S. Secunda and S. Fine; BRLJ 35; Leiden: Brill, 2012), 1–20 (above 2.498–517).



hear capital cases. It is, however, apparently modeled on the biblical law in Deut 17, although partly through the employment of a non-pentateuchal text. The second, dealing with transvestism, is much more recognizable as a biblical law that has been rewritten very minimally, with some variation from mt, and slight expansion as compared with the biblical original. The third, the law of the bride accused of pre-marital sexual activity, is a biblical regulation that has been summarized and compressed in its presentation in 4Q159, with many details in the biblical text being omitted, while a number of non-biblical particulars have been added. Taken together, they exemplify many of the phenomena that perplex the student of this text: they are not juxtaposed in the Pentateuch, they are characterized by very different modes and degrees of rewriting, they have nothing in common topically, and they are not uniquely “Qumranic” in nature.

With that background, we turn to frag. 1, col. II. Its first two lines clearly continue a topic from the previous column (a column which itself survives in only a few letters at its leftmost edge), with only a few letters on the first line of column II, and with the second concluding אל את [מ.צ]ותיו ולכפר לכול פשעיה [ם]. Suffice it to say that none of the earlier attempts at reconstruction are sufficiently convincing for me to translate them, explain them, or even to suggest a context for them.

Frag. 1 II, 3–5 then continues<sup>13</sup>

- |   |   |  |  |
|---|---|--|--|
| 3 | [ | י <sup>14</sup> עשה איש ממנה גורן וגת הבא לגורן ולגת |  |
| 4 | [ | אשר בישראל אשר אין לו יאוכלנה וכנס לו ולב[יתו]       |  |
| 5 | [ | השדה יאכל בפיהו ואל ביתו לוא יביא להניחו]            |  |
- 3 [ should] a man make of it a threshing-floor or winepress, whoever comes to the threshing floor[ or the winepress ]
- 4 [anyone] in Israel who has nothing may eat it and gather it in for himself, and for his ho[usehold ]
- 5 [in] the field may eat with his mouth, but may not bring it into his house to store it up ]

| We should probably restore at the beginning of line 3 (and perhaps at the end of line 2) something along the lines of “should they harvest their produce and someone makes...” or “when they gather in the produce of the land and someone makes...” The antecedent of ממנה in line 3

<sup>13</sup> The text and translation are based on my provisional edition, appearing in Emanuel Tov, ed., *The Dead Sea Scrolls Electronic Library* (rev. ed.; Leiden: Brill; Provo, UT: Brigham Young University, 2006). Both are the end results of scholarship that began almost a half-century ago with Allegro and his many critics.

<sup>14</sup> The restoration ועשה is also conceivable.

must be a feminine noun such as תבואה or ארץ that stood in the now missing text.<sup>15</sup>

The conclusion of line 4 (the end of the first law, or of the first part of a single law) is probably to be completed לו ולב[יתו] וכנס, “he shall gather in for himself and his household;” the leavings of the threshing-floor/winepress may either be eaten there or be taken home (as might be indicated by the employment of the same preposition ל), as opposed to those taken in the field (line 5) which may only be eaten on the spot, but not taken home (and where the structure with preposition ואל seems to be contrastive). This reading and interpretation diverges from a number of earlier translations and commentaries which furnish a negative following ולב[יתו], along the lines of “he may gather in for himself, but [not take] for his household,” thus prohibiting the taking of food home and making this case parallel to the next one.<sup>16</sup> The latter is clearly an interpretation of Deut 23:25 ואל כליד לא תתן, understanding the purpose of placing the grain into one’s vessels as being to transport it home to store up for later use.

As we have just observed, this material presents either one law with two parts, or perhaps two laws, that appear to be related to laws in Deut

40 23:25–26 |

<sup>15</sup> The fragmentary nature of the text precludes any more certainty about the nature of the restoration.

<sup>16</sup> Florentino Garcia Martinez, *The Dead Sea Scrolls Translated* (tr. W.G.E. Watson; 2nd ed.; Leiden: Brill; Grand Rapids: Eerdmans, 1996), 86, translates with a negative after the equivalent of ולב[יתו], as do Weinert, “Essene Origins,” 225, and Schiffman, “Ordinances and Rules,” 150–1, although Schiffman’s interpretation, 151 n. 7, actually contradicts the reading which he furnishes; Michael O. Wise et al., *The Dead Sea Scrolls: A New Translation* (New York: HarperSanFrancisco, 1996), 205, add the negative, but with a question-mark. Weinert reads the law in l. 5 as explaining the one in ll. 3–4. Allegro and Géza Vermes, *The Complete Dead Sea Scrolls in English* (rev. ed.; London: Penguin, 2004), 529, render as we do, while Jean Carmignac, *Les textes de Qumran: traduits et annotés* (Paris: Letouzey et Ané, 1963), 2.297, does not restore the line, but offers both possibilities in his note. Aharon Shemesh, in a recently published volume co-authored with Cana Werman, :*לגלות נסתרות: פרשנות והלכה במגילות קומראן (Revealing the Hidden: Exegesis and Halakha in the Qumran Scrolls)* (Jerusalem: Bialik Institute, 2011), 198–199, suggests that there are two laws in the passage, the first dealing (lines 3–4) with the tithe of the poor, thus explaining why it is given at the גורן וגת, and the second, like the biblical law, dealing with the individual entering the field who is permitted to eat only on the spot. His evidence for his first law being the tithe of the poor does not appear particularly compelling to me. (I express my sincere thanks to Professor Shemesh for sharing the relevant portion of his book with me long in advance of its publication in order for me to be able to take it into consideration when doing my own work on 4Q159, especially this article.)

כי תבא בכרם רעד ואכלת ענבים כנפשך שבעך ואל כליך לא תתן: כי תבא  
בקמת רעד וקטפת מלילת בידך וחרמש לא תניף על קמת רעד:

When you enter your neighbor's vineyard, you may eat grapes until your appetite is satisfied, but you may not put any into your vessel. When you enter your neighbor's standing grain, you may pluck stalks with your hand, but you may not wave a sickle over your neighbor's standing grain.

The relationship of the Qumran laws to the law in Deuteronomy appears to be primarily stylistic modeling, since they differ from the original in both language and content. And even that modeling appears to be rather weak, so that 4Q159, for example, does not employ the terms כרם and קמה, "vineyard" and "standing grain" of Deuteronomy, but first refers to גורן וגת, "threshing floor and winepress" and then to שדה, "field."

This is the kind of feature that it makes our characterization of 4Q159 particularly difficult; on the one hand, the law in the Qumran text resembles the biblical law, but, on the other, quite clearly diverges from it. The biblical text permits someone to eat of the grapes in a neighbor's vineyard, but not to collect them into a vessel; and to break off ears of grain in a neighbor's field, by hand but not with an implement. In the first law in 4Q159, there is no stricture against taking home from the threshing floor or winepress, while in the second law there appears to be a distinction made between the threshing floor/winepress and the field in terms of the permissibility of taking some of the food back to one's home, although the biblical distinction between hand and implement does not appear in the surviving text.<sup>17</sup>

More significantly, we must ask, who are the subjects of the law in 4Q159 who are permitted to enter private property and collect food? Whereas later rabbinic interpretation on the whole interprets this text |  
of Deuteronomy as pertaining to what is allowed to workers while they

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<sup>17</sup> 4QDeut<sup>a</sup>, 4QDeut<sup>f</sup>, 4QDeut<sup>i</sup>, 4QDeut<sup>k2</sup> show no substantive variants from MT. Jacob Liver, "The Half-Shekel Offering in Biblical and Post-biblical Literature," *HTR* 56 (1963): 193, agrees that l. 5 is based on Deuteronomy, but claims that Allegro "is not correct in viewing ll. 3-4 as an expansion of that same biblical law." He asks, 193-4, "Why should the ruling be lenient for produce already on the threshing floor and in the wine-vat, after the labor of the harvest and vintage, and more severe for produce in the field?" The question is a good one, but need not be answered only by his hypothesis that once the produce had been brought in to the threshing floor and winepress, that which remained in the field was available to the poor. In fact, the formula "whoever comes to the threshing floor" appears to fly in the face of his claim. It is more likely that what is being made available to the poor is whatever is left over after the threshing floor or winepress has been cleared out.

harvest in someone else's field,<sup>18</sup> our text adopts a straightforward reading of the biblical text that implies that it does not pertain to employees but to the poor.<sup>19</sup> There is no explicit biblical regulation providing for the poor going into the threshing-floor or winepress to collect the leavings there, although Deut 24:19–21 teaches of practices that must be observed in the *field* and the *vineyard* during the grain-harvest or other time of collection.

כי תקצר קצירך בשדך ושכחת עמר בשדה לא תשוב לקחתו לגר ליתום ולא למנה יהיה למען יברכך ה' אלהיך בכל מעשה ידיך: כי תחבט זיתך לא תפאר אחריו לגר ליתום ולא למנה יהיה: כי תבצר כרמך לא תעולל אחריו לגר ליתום ולא למנה יהיה:

When you reap your harvest in your field, and have forgotten a sheaf in the field, you may not go back to get it; it shall belong to the stranger, the fatherless, and the widow; so that the Lord your God may bless you in all your handiwork. When you beat your olive-tree, you may not go over the boughs again; it shall belong to the stranger, the fatherless, and the widow. When you gather the grapes of your vineyard, you may not glean after it yourself; it shall belong to the stranger, the fatherless, and the widow.

<sup>18</sup> For rabbinic treatments of these verses, see Joseph Heinemann, “The Status of the Labourer in Jewish Law and Society of the Tannaitic Period,” *HUCA* 35 (1954): 263–325, esp. 310–6 (before the Qumran discoveries) and Meir Ayali, “When You Come into Your Neighbor’s Vineyard . . .,” *Heqer Veiyun: Studies in Judaism* [Hebrew] (ed. Yaacov Bahat, Mordechai Ben-Asher and Terry Fenton; Haifa: University of Haifa, 1976), 25–38 (for which latter reference I thank Professor Alexander Rofe). The overwhelming majority of rabbinic texts asserts that these verses deal only with the rights of workers, and emphasizes that even they are to be limited in the amount that, and the circumstances under which, they may eat. The view of Issi ben Aqavya in *y. Ma’asrot* 2:4 (cited in *b. B. Meši’a* 92a as Issi ben Yehuda), however, differs from that “standard” rabbinic position and insists that “this verse deals with all other individuals” and not just workers. The reference to not waving the sickle, according to Issi, indicates that the right of all individuals to eat is only “at the time of the waving of the sickle,” i.e., during the harvest. The version in the Babylonian Talmud in *B. Meši’a* reads, “Rav said, ‘I found a secret scroll in the house of R. Ḥiyya in which it was written that Issi ben Yehuda says “Should one enter one’s neighbor’s vineyard’ speaks of the entry of anyone” (בכל אדם הכתוב מדבר). Rav said further, ‘Issi would not allow anyone to live.’”

<sup>19</sup> Ayali, “When You Come into Your Neighbor’s Vineyard . . .,” 28, points out, that the language of the biblical verse, “should you enter . . . you may eat,” might very well be understood to deal with one who enters the field with permission. He subsequently writes that “one should not discount the possibility that regarding the leftovers (ספּיחִים) of the Sadducees and Boethusians this interpretation [permitting entry into the fields by the poor] remained the only legitimate interpretation” (37). It is perhaps symptomatic of the state of the knowledge of Qumran material among those who studied rabbinic halakhah in the 1970s that he did not bring our text to bear on his analysis and on that suggestion.

| It is possible that the author of this document inferred from the pentateuchal references to כרם and קמה in Deut 23 that different (and more lenient) rules apply in places other than כרם and קמה, such as the threshing-floor and winepress. שדה in the Qumran text would then represent the biblical כרם and קמה where the restrictions on how much may be taken are more severe, while at the גורן וגת, the inferential addition of the author of 4Q159, the restrictions on how much may be taken are more lenient. From a compositional perspective, however, it remains a bit strange that he leads off with גורן וגת and only then proceeds to שדה, a sequence inverted from the one that we should have expected.<sup>20</sup> His reading, like that of the rabbis, may be intended to limit the sense of the biblical verse, which itself seems to place no such limitations on who may take from the produce, and which perhaps implies that passersby may do so, despite the obvious problem involved in permitting incursions into and consumption of private property.<sup>21</sup>

If that be the case, then the author of 4Q159 and the rabbis both felt that the simple sense of the biblical text required modification of some sort to protect the interest of the landowner, but they adopt two | different sorts of restrictive modification. The rabbis limit Deut 23:25–26 to workers at the time of the harvest, while the author of 4Q159 adopts the standard of לוי אין לו, “not having anything,” an extremely impoverished

<sup>20</sup> The term כהן המחזור/המסבב על הגרנות exists in rabbinic literature (*b. Ketub.* 105b; *Tanḥ. Vayehi* 10) to describe a priest who goes from threshing floor to threshing floor to collect priestly emoluments and הגרנות בין המחזורין (t. *Pe'ah* 2:18 [ed. Lieberman, p. 49]) refers to the poor who go to the threshing floors to collect the poor tithe.

<sup>21</sup> Josephus, *Ant.* 4.8.21 (234), on the other hand, is often thought to maintain the most liberal interpretation, writing that passersby are permitted to eat from the field or from what the vintners are taking to the winepress. Ayali, “When You Come into Your Neighbor’s Vineyard . . .,” 32, although he is careful to avoid the assertion that Josephus’s reading indicates that this was the “rabbinic” reading in his day, claims “that the simple sense of the text was understood in his generation as pointing to a liberal law, allowing any passerby to turn aside to eat in a vineyard, and the regulation that limits this permission was not yet widespread when Josephus still lived in Eretz Yisrael.” A careful reading of Josephus’s law however, indicates that he, too, may have limited the biblical text in a way that protected the rights of the landowner. Josephus speaks only of “those walking on the road,” not of those who enter into a field, and of those who meet the vintners on the way to the winepress, not of those entering the vineyard. Josephus presents each of the two biblical cases in such a fashion as to minimize the circumstances which allow for unchecked entry into private property and consumption of its produce. Ayali suggests as further evidence that the rabbinic law, limiting the right to workers, was not in effect in the first century the fact that Jesus and his disciples are faulted only for plucking grain on the Sabbath (Matt 12:1–8 and parallels), and not for plucking from a field as passersby. That inference is somewhat weak, considering the relative severity of the violation of the Sabbath compared to entry into the fields and eating from the produce.

state, for one entering a private domain, wine-press or threshing-floor, and collecting charity to take home. The surviving text of 4Q159 does not allow us any insight into the way in which it protected the landowner's rights in the second instance. It would appear that for entry into fields and consuming food on the spot such a low level of poverty is not demanded by 4Q159 as is required for entry to the threshing-floor or winepress.<sup>22</sup>

The next segment of frag. 1 is composed of two parts, one legal and brief (6–7c), and one that I must call “historical” and rather lengthier (7d–12). This passage is the only one in this portion of the text which has indubitably “Qumranic overtones.”

6	ע]לן דבר [כסף הערכים אשר נתנו איש כפר נפשו מחצית] השקל תרומה	
		[ליהוה]
7	רק °[פעם] אחת יתננו כול ימיו עשרים גרה השקל ב]שקל הקודש ויהי כסף	
		[הכפורים]
8	לשש מא[ו]ת האלף מאת ככר לשלישית מחצית הככר] ולחמש המאות חמשה	
		[מנים]
9	ולחמשים מחצית המ[ג]ה [עשרים ו]חמשה שקל הכול] בשקל הקודש [	
10	המנה ש] °[ ]ל[ ]וש לעשרת המנים]	
	חמ[ ]שה [כס]ף מעשר ה]מנה	]
	שק]ל הקודש מחצ]ית	]
	האיפה והבת תכון א]חד	]
	ש]לושת העשרונים	]
	]	]
	]	]

- 6 [Rega]rding [the matter of the] money of valuation which they gave, each one as the ransom for his life, half [a sheqel as an offering to the Lord;]
- 7 only one [time] in his days shall he give it. The sheqel is twenty *gerah* by the sa[n]ctuary sheqel. And the atonement money was]
- 8 for the six h[un]dred thousand, one hundred talents; for the third (?), half a talent, [and for the five hundred, five minas]
- 9 and for the fifty, half a m[in]a, [twenty-]five sheqel. Al[1] by the sanc-tuary sheqel ]
- 10 the mina. š[ ] l [ ] wš for the ten minas[ ]
- 11 [ fi]ve [silv]er pieces, a tenth of a m[ina]
- 12 [ ]sanctuary [sheq]el, ha[lf]
- 13 [ ]the *ephah* and the *bath* are [on]e measure [ ]
- 14 [ ] the [th]ree tenths [ ]
- 15 [ ]vacat [ ]

44 | The opening lines of the text are clearly modeled on Exodus 30: 12–13,

<sup>22</sup> Rabbinic literature (e.g., *m. Pe'ah* 8:7–9) also discusses the level of poverty to be demanded of those seeking to take advantage of differing modes of charity.

כי תשא את ראש בני ישראל לפקדיהם ונתנו איש כפר נפשו לה' בפקד אתם ולא יהיה בהם נגף בפקד אתם: זה יתנו כל העבר על הפקדים מחצית השקל בשקל הקדש עשרים גרה השקל מחצית השקל תרומה לה':

When you take a census of the Israelites, each shall give his life's ransom to the Lord when they are counted, so that there be no plague among them when they are counted. This shall they give, all who pass among the counted, a half-sheqel by the holy sheqel; the sheqel is twenty *gerah*, half a sheqel as an offering to the Lord.

Even though the term ערכים is usually applied to the valuations of Lev 27:aff., where its root ערך appears frequently, its usage here seems to refer rather to the half sheqel offering whose nature was the subject of debate among Jewish groups during the Second Temple era.<sup>23</sup> A similar expression וכסף הערכים לפדוי נפשם, “valuation money for the redemption of their souls,” appears in a broken context in 4Q270 2 II 9 in a list of donations which are assigned to the priests. It is very possible, if not likely, that 4Q270 is also referring to the half-sheqel donation rather than the passage in Leviticus because of the idiom “redemption of their souls,” which resembles כפר נפשו, “ransom of his soul” in Exodus, both of which presumably refer to the souls of the payers.<sup>24</sup> The text in Lev 27 makes no reference to any sort of redemption or ransom.

According to the explicit ruling in 4Q159, the half-sheqel tax was to be paid but once in the lifetime of an individual.<sup>25</sup> Qimron reads 11QT XXXIX, 7–10 as referring to the same regulation: |

לוא תבוא בה אשה וילד עד יום אשר ישלים חוק על[ומיו ונתן פדיו]ן נפשו ליהוה מחצית השקל לזכרון במושבותיהמה עשרים גרה השקל vacat וכאשר ישאו ממנו את מחצית הש[קל] [ישב]ע לי אחר יבואו מבן עשרים [שנ]ה ולמעלה

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<sup>23</sup> *Contra* Liver, “The Half-Shekel Offering in Biblical and Post-biblical Literature,” 195, who believes that “the valuation money is treated independently in the end of l. 5 and the beginning of l. 6; then the subject of the half-shekel offering is treated, beginning with the biblical text, introduced by the word אשר.” The text of 4Q270 which was unknown to him makes his comment indefensible.

<sup>24</sup> The text of Exodus reads further לכפר על נפשתיכם, “to atone for your souls,” in 30:15 and 16.

<sup>25</sup> Although there has been considerable discussion of the innovation of the annual half-sheqel assessment (cf. David Flusser, “מחצית השקל באוונגליון ואצל כת מדבר יהודה,” *Tarbiz* 31 [1962]: 150–6 [= “The Half-shekel in the Gospels and the Qumran Community,” *Judaism of the Second Temple Period Vol. I: Qumran and Apocalypticism* (trans. Azzan Yadin; Grand Rapids: Eerdmans; Jerusalem: Magnes, 2007), 327–33]; Moshe Beer, “הכיתות ומחצית השקל,” *Tarbiz* 31 [1962]: 298–9; Liver, “The Half-Shekel Offering in Biblical and Post-biblical Literature,” 173–98), there is no reason to assume, as does Liver, 195, that the annual half sheqel “is an obligation that was fixed after the sect had sequestered itself from the community and the temple.” The traditionalist outlook of the Qumran group might very well have opposed such halakhic novelty even before they distanced themselves geographically.

No woman or child may enter it until the day that he completes the portion of his yo[uth and gives the redempti]on of his soul to the Lord a half-sheqel as a memorial in their settlements, twenty *gerah* being the worth of the sheqel. *Vacat* And when they take from him the half-sheq[el he shall swea]r to me; afterward they may enter from twenty [yea]rs and upward.<sup>26</sup>

The implication is that this fee was to be paid only once by an individual, upon his reaching maturity.<sup>27</sup> That payment of the half-sheqel tax was known to have been disputed in antiquity even before this passage was published. *Megillat Ta'anit* records a controversy between the Pharisees and Boethusians regarding the source out of which the daily sacrifice in the Temple was to be brought.<sup>28</sup> This has been linked in modern scholarship with the dispute about the annual payment of the half-sheqel, as has  
46 Matt 17:25–27.<sup>29</sup> What is further interesting is the fact that whereas the most reasonable reconstructions of both the | *Temple Scroll* and 4Q159 have the donation being given “to the Lord,” 4Q270, if indeed it is dealing with the same payment, has it on the list of emoluments which are given to the sons of Aaron, a position consistent with other gifts 'לה, “to the Lord” in Qumran exegesis.<sup>30</sup>

After the series of laws related to Deuteronomy, we have been perhaps a bit surprised to find this law deriving from Exodus in our text, but that is a minor astonishment when compared with what follows. The text moves from the two-line expression of the law to a very detailed specification of the amount of this tax which had been collected in the desert according to Exod 38:25–26 **ובסף פקודי העדה מאת ככר ואלף ושבע מאות וחמשה**

<sup>26</sup> Elisha Qimron, *The Temple Scroll: A Critical Edition with Extensive Reconstructions* (Beer Sheva: Ben-Gurion University of the Negev Press; Jerusalem: Israel Exploration Society, 1996), 56. He notes there, “My reading of this column differs from Yadin’s in many details (see *Leshonenu* 42 [1978], 144–5 vs. Yadin’s English edition).”

<sup>27</sup> Liver, 197, who did not know the *Temple Scroll*, intuited well in writing, “Perhaps the sect understood the Pentateuchal ordinance of the life-ransom as referring exclusively to a first census when a man reached adulthood, at which time his name was recorded for the first time in the census registers, and not to the annual ceremony of entering the covenant and reviewing the registers, which was apparently not considered a ‘census’ for those whose names already appeared in the registers.”

<sup>28</sup> Cf. Vered Noam, *Megillat Ta'anit: Versions, Interpretation, History with a Critical Edition* [Hebrew] (Jerusalem: Yad Ben Zvi Press, 2003), 165–73, esp. 173, and *b. Menah.* 65a. For other possible Qumran allusions to this dispute, cf. Albert I. Baumgarten, “Rabbinic Literature as a Source for the History of Jewish Sectarianism in the Second Temple Period,” *DSD* 2 (1995): 20–1, and the literature cited there.

<sup>29</sup> For the NT material, see Flusser, “Half-Shekel.”

<sup>30</sup> It is very possible that the sect derived this principle by an analogical ruling based on Lev 23:20 לכהן יהיו לה' קדש יהיו לה' לכהן, “they shall be holy for the Lord, for the priest,” inferring that anything which is declared by the Pentateuch to be 'לה is assigned to the priests.



ושבעים שקל בשקל הקדש: בקע לגלגלת מחצית השקל בשקל הקדש לכל העבר על הפקדים מכן עשרים שנה ומעלה לשש מאות אלף ושלשת אלפים: וחמש מאות וחמשים: "one hundred talents and 1,775 sheqels." It does not take too much in the way of restoration or higher mathematics to realize that 4Q159 furnishes the same amount in Second Temple currency. This historical recollection places a "wilderness" perspective on the passage, even though it is not a narrative located in past time, and contributes to our need to view the document as not purely legal in genre.<sup>31</sup> But why did the author feel the need to engage in this historical bookkeeping in this document? Can it tell us anything about the nature of the document as a whole? I admit that I have no answers, for the present, to either of those questions.

Lines 13–14 in 4Q159 are even more difficult to understand than the preceding few fragmentary lines which appear merely to present the totals for the census tax in several forms, because they do not seem at all connected with any pentateuchal law. The passage in Ezek 45:11 **האיפה והבת** תהיה **אחד** יהיה **תכן אחד** יהיה, which is apparently cited here (as well as in 4Q513 1–2 I 4 and 4Q271 2 2) as **אחד** [א] **הבת תכון** [א] **האיפה והבת**, deals in its original context with the need for exact and just measures for contributions to communal offerings in the Temple. The context in 4Q513 | deals with impurity, containing the words **מהמה הטמאה** twice,<sup>32</sup> and that in 4Q271 with priestly(?) gifts, neither of which seems to be relevant to our passage in 4Q159. Even granted the fragmentary context of our lines, we cannot see how any connection with either of those topics would have been made.

47

The attempt to identify 4Q159 and 4Q513–514 as different manuscripts of the same work should therefore be considered an excellent example of the scholarly tendency to seek to link Qumran texts with one another rather than to dichotomize them and analyze them individually. The two possible overlaps between 4Q159 and 4Q513 appear to have been weighted

<sup>31</sup> Schiffman, "Ordinances and Rules," 153 n. 21, thinks that the amounts are now broken down according to mustering units: 1000, 100, 50, 10, with each subtotal then being furnished. Although that description is correct, it does not explain why these extensive details find their place in a text which seems to be characterized by brevity.

<sup>32</sup> Joseph M. Baumgarten, "Halakhic Polemics in New Fragments from Qumran Cave 4," in *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem, April 1984* (ed. Janet Amitai; Jerusalem: Israel Exploration Society/Israel Academy of Sciences and Humanities in cooperation with the American Schools of Oriental Research, 1985), 391, perhaps overstates when he writes "The first step toward understanding the intent of the text is to note that both here [4Q513] and in Ezekiel the measures are used to separate the priestly *terumah*." The thrusts of the two passages appear to be somewhat different.

far more heavily by scholars than the overall implications of the style and contents of the two manuscripts.<sup>33</sup> A careful reading of those two texts seems to indicate that they are not at all the same sort of legal document. We have described the contents of 4Q159 sufficiently to demonstrate that, whatever we name it and to whatever genre we assign it, a work such as 4Q513 whose contents appear to be so heavily oriented toward purity and the Temple does not resemble it at all.<sup>34</sup>

48 | This must lead at least to the consideration of the likely possibility that these “overlaps” are coincidental and that there is no more reason to identify 4Q159 and 4Q513 as two manuscripts of the same work than there is to identify it as another manuscript of 4QD because of the overlap with 4Q271. The issue of the reason for the appearance of this passage in 4Q159, parallel to those in 4QD and 4Q513, should remain an open question at this point. The more significant question, one for which I unfortunately have no constructive suggestion, is what impelled the author of 4Q159 to introduce this material at this point in his text?

If frag. 1 II were to have broken off immediately after the list of values and volumes, my question would not be as strong or my dilemma so profound. We might have surmised that the text continued in such a fashion as to make some coherent sense. But alas, the following text does survive, and it sharpens the question. 4Q159 returns from the mathematical data to narrative material from Exodus 32 after a *vacat*, thus following reasonably after the census material from Exodus 30 (and then continuing in frag. 5 according to my reconstruction with material from Exodus 33).<sup>35</sup>

<sup>33</sup> Even Maurice Baillet’s restoration of 4Q513 1–2 I 2–5 to be the same text as 4Q159 is somewhat problematic. He restores line 2 on the basis of 4Q159 1 II 12, but needs to insist on a very large gap between *לשקל הקודש* and *מחצית* in 4Q513 in order to justify the restoration. His completion of lines 4–5 with *עשרה עשרנים כאיפת* [האיפה וה] *בת תכון אחד* [עשרה עשרנים כאיפת] is less open to question, although it is far from certain. The text of 4Q513 continues with further remarks on quantities and impurity for which there is certainly no place in the reconstruction of 4Q159. There remains a nagging suspicion that Baillet restored 4Q513 on the basis of 4Q159, and then proceeded to identify them as copies of the same manuscript on the basis of his restoration! The other alleged overlap between 4Q513 17 2–3 *אשר* [הער] *כבים* [הער] *בפיהו ושנת* and lines 5–6 of 4Q159 *אשר* [על] *דבר* [כסף הערכים אשר] is also doubtful since the reading in line 2 is simply not the same as the one in 4Q159, and the one in line 3 is very tenuously restored.

<sup>34</sup> The apparent reference in frags. 3–4 to “waving a sheaf” appears to refer to the well-known calendrical dispute between the Sadducees and Pharisees regarding the day for bringing the *omer* offering. The text accompanying it indicates that it is the debate over calendar that is at issue.

<sup>35</sup> Cf. n. 9 above.

This suggested “coherence” of texts from the book of Exodus, if I have understood it correctly, makes the intervening lines stand out even more as strange, and undermine further, in my view, any identification of this text with 4Q513.

This last section of 4Q159 1 II can thus serve us well as the transition from the close analysis of the two laws that we have presented to the larger issues that the interpretation of this manuscript raises. In the midst of a document that appears to be composed of legal material, albeit one whose organizational principle or selectivity is not clear, the text moves to legal material which does not follow consequently in the slightest fashion on that which preceded it, and from there digresses to a series of texts that are fundamentally narrative in nature. It does all this without any obvious, or even covert, rationale. This simultaneously calls into question our implicit and tentative identification of this as a “legal” document, demolishes our limited observations about its apparent sequential connection to Deuteronomy, and presents further serious obstacles to its interpretation. All at once, significant doubts regarding our initial thoughts on nomenclature, genre, and relationship to the Pentateuch have been raised.

| We are therefore compelled to return to the larger concerns that we raised in our prefatory remarks to this paper. Although throughout our treatment to this point we avoided as much as possible the circularity of reasoning with which we were concerned by paying little attention to genre or nomenclature in our restoration of the text, we have no choice but to confront those issues now. These two questions are inevitably connected, and we shall begin by asking what we shall call this text, the question in microcosm, before asking to what genre it belongs, the macrocosmic one.

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The original editor named this document “Ordinances,” an admittedly strange name for a Jewish legal document.<sup>36</sup> There is no term within the text itself that would seem to attract such nomenclature, and Strugnell’s first critical remark regarding Allegro’s edition of 4Q159 is “mieux vaut ne plus utiliser ce titre moderne.”<sup>37</sup> But we can perhaps sympathize with Allegro’s inability to do a better job of naming the document, even as we disagree with his choice of terms. There is simply no obvious terminology that can be employed to describe a text such as 4Q159 that contains

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<sup>36</sup> It received its superscript “a” because it was seen as linked (on grounds that are somewhat insubstantial, in my view) with 4Q513 and 4Q514, “Ordinances<sup>b</sup> and <sup>c</sup>” that were later published by Maurice Baillet in DJD VII.

<sup>37</sup> Strugnell, “Notes en marge,” 175.

laws of diverse sorts (as well as material that is not, strictly speaking, legal). There is no convenient adjectival modifier for “ordinances,” or for “laws” or “statutes” or “commandments” or “regulations,” for that matter, that would limit the noun in such a way as to describe our text more appropriately.

The dilemma of naming and classifying legal texts from Qumran can perhaps best be demonstrated by the way in which they are categorized in DJD XXXIX. The overall unit is called “Texts Concerned with Religious Law,” furnishing a broad generic rubric, with sub-categories “community rules,” “eschatological rules,” “purity rule,” “other rules,” “halakhic midrash,” “parabiblical texts concerned with religious law,” and “unclassified texts concerned with religious law.”<sup>38</sup> Texts such as the *Community Rule*, *Damascus Document* and *War Rule* are placed under specific headings, while 4Q159 and 4Q513–514 are placed | under the “other rules” rubric together with *Halakhah A* (4Q251) and *Miscellaneous Rules* (4Q265).<sup>39</sup> Note that the latter two “titles” are as unspecific and unenlightening as *Ordinances*. “Religious Law” is also excessively broad as an overarching heading since it might very well include everything from pentateuchal laws to later enhancement of those laws to sectarian legislation for the present or the future. We might have expected the significant issue of the possible connection of Qumran laws to the Pentateuch to have been marked in some of the names, but, other than the terms “midrash” and “parabiblical,” there is no indication in the title of any of these documents regarding the text’s relationship to the Pentateuch, whether exegetical or otherwise. We make these points not to suggest that the classification of these documents was a simple or trivial task that should have been carried out more effectively, but rather to emphasize its difficulty. It is therefore a desideratum, in the ongoing re-study of all legal material from Qumran, that more specific and descriptive categories should be sought for many of these texts.

Even if we attempt to describe 4Q159 rather than name it or classify it, we find that our task is not much easier. Our suggested “freeing” it from its connection with 4Q513–514 unfortunately does not offer much immediate

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<sup>38</sup> Armin Lange and Ulrike Mittmann-Richert, “Annotated List of Texts from the Judean Desert Classified by Content and Genre,” in *The Texts from the Judean Desert—Indices and an Introduction to the Discoveries in the Judean Desert Series* (ed. Emanuel Tov; DJD XXXIX; Oxford: Clarendon, 2002), 132–3. 4QMMT has its own subcategory “epistolary treatise concerned with religious law.”

<sup>39</sup> It is worth noting, if only for the purpose of contrast, that Vermes, *Complete Dead Sea Scrolls*, while placing 4Q251, 4Q265 and 4QMMT under “Rules,” locates 4Q159 and 4Q513–514 “Ordinances or Commentaries on Biblical Law,” under the rubric “Bible Interpretation.”

assistance in this direction beyond removing some potential constraints on our analysis. The one significant observation is of a negative nature: 4Q159, with the exception of the half-sheqel passage, does not appear to be focused on issues that divided the Qumran group from their halakhic opponents.<sup>40</sup> In that regard, it differs radically from another somewhat anomalous “legal” text from Qumran, *MMT*, whose stance and orientation are quite explicitly polemical. It is striking, furthermore, that none of the surviving fragments of 4Q159 | deals with the purity laws or festal regulations which play such a significant role in the remains of 4Q513 and other Qumran legal texts.<sup>41</sup> We might succeed in describing what 4Q159 is not by comparing it to two other Qumran texts that are often employed as divergent exemplars of legal material, CD/4QD and the *Temple Scroll* (11QT), and concluding that it is unlike either of them.<sup>42</sup> Such an approach would still fail to furnish us with a positive orientation towards the document. It is not just that it differs from other Qumran legal texts, but that its own compositional techniques are so enigmatic and unclear. We have to realize that the fundamental problem with 4Q159 is not what we name it or to what genre it belongs, but rather “what is it?” There is very little about this text which is straightforward or obvious, neither its selection of

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<sup>40</sup> The demand in 2 3–6 that a particular court consist of both priests and Israelites is typical of Qumran legislation (e.g., CD X, 4–6 and 11QT LVII, 11–14), but is unlikely to be polemic since the rabbis in commenting on the same verse in Deuteronomy also recommend that courts include both priests and Levites (cf. *Sifre Deut.* 153 to Deut 17:9 [ed. Finkelstein, p. 206]). The number twelve demanded for that court, however, might be characteristic of Qumran, since there are several texts in the Dead Sea Scrolls that refer to bodies of twelve or its multiples for various functions (cf. 11QT LVII, 11–14; 1QS VIII, 1; 4QpIsa<sup>d</sup> 1 3–5; and my comments in “The Re-Presentation of ‘Biblical’ Legal Material at Qumran” [Elman Festschrift], 6, n. 12 [above 2.503]).

<sup>41</sup> Weinert, “Essene Origins,” 228, takes this point too far, claiming that “what 4Q159 lacks compounds the case against a Qumran origin. [e.g.] none of the polemic against alternate Jewish religious groupings that emerges at an early stage in other Qumran literature . . .” The occurrence of the term פשר in frag. 5 would also point strongly to a Qumran origin, and the use of ונענש in 2 9 in place of the biblical ונש (Deut 22:19) recalls the employment of this term 48 times in 1/4QS, CD, 4QD and 4Q265.

<sup>42</sup> It has been suggested by Aharon Shemesh and Cana Werman, “Halakhah at Qumran: Genre and Authority,” *DSD* 10 (2003): 104–29, that those two works represent the two fundamental halakhic genres at Qumran, but it appears to me that a narrow, binary, classification of Qumran legal texts is far too constricting. And I certainly cannot concur with their fundamentally unproven claim that the halakhot in the Ordinance texts belong “to the same genre as the Damascus Document” (115), or even with Joseph M. Baumgarten’s weaker formulation of the same assertion (“The Laws of the *Damascus Document* in Current Research,” in *The Damascus Document Reconsidered* [ed. Magen Broshi; Jerusalem: Israel Exploration Society, 1992], 56). We need to stress the differences among the legal works from Qumran in order to understand them fully rather than lump them together on the basis of superficial similarities, thus blurring the significant distinctions among them.

laws, nor its relationship to the Bible, nor the diverse ways in which the laws are rewritten.

Weinert suggests that “determination of the genre of 4Q159, then, will depend on the function that this legislation was meant to perform.”<sup>43</sup> I agree with very little of Weinert’s subsequent analysis, but I think that he is one of the few to have asked one of the right questions. He may be too confident, however, when he employs the term “legislation” and implies that it had a “function . . . to perform.” We have to be very careful when we suggest that legal texts from Qumran were intended to “function” in some fashion. His concluding remarks, furthermore, go too far, in my view, when he suggests that “4Q159 is | an exposition of biblical legisla-  
52 tion taken almost exclusively from the Pentateuch and it is faithful for the most part to the sense of the laws that it cites.”<sup>44</sup> I am not sure what he means by “exposition,” but it is clear to me, based on my analysis of the three laws that I discuss in the Elman *Festschrift* and the two that we have seen in this essay, that we cannot speak of the laws in the surviving fragments of 4Q159 as “faithful to the sense” of the pentateuchal laws on which they are modeled. I have wondered on occasion whether we can describe 4Q159 as a kind of legal commentary, rather than a law code, but I am left with the feeling that changing the name in this way does not really help us understand more about its contents.

It is quite striking that the two most distinguished scholars of Qumran halakhah, Joseph M. Baumgarten and Lawrence H. Schiffman, have each independently alluded, en passant of another text, to the fact that 4Q159 does not “fit” our standard categories. Baumgarten writes, regarding 4Q159 and 4Q265, another text that is not easy to categorize, “The genre of these miscellaneous legal and narrative texts should now be added to the heterogeneous classifications of Qumran compositions, although their functional purpose has yet to be clarified.”<sup>45</sup> Note that Baumgarten refers to these texts as “legal and narrative,” since neither is purely legal, and points to the need for the clarification of their purpose, while not suggesting one or drawing any further conclusions. Schiffman, also discussing 4Q265, states, “In any case, this text can be considered in light of other Qumran texts that appear to be anthologies. Especially to be compared is 4QOrdinances, which seems to be a legal anthology of some kind. All

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<sup>43</sup> “Legislation for an Essene Community,” 181.

<sup>44</sup> *Ibid.* 204.

<sup>45</sup> Joseph M. Baumgarten, “4Q265. Miscellaneous Rules,” in *Qumran Cave 4.XXV: Halakhic Texts* (ed. J.M. Baumgarten et al.; DJD XXXV; Oxford: Clarendon, 1999), 60.

this points to the complex literary history of the larger Dead Sea Scroll texts, an area of research begun only recently and already bearing important results.”<sup>46</sup>

Charlotte Hempel has observed that “five of the seven stipulations preserved in 4Q159 contain material also dealt with in the recently published legal material from 4QD.”<sup>47</sup> I am not sure that the parallels are striking enough for us to build connections between the two documents upon them, as Hempel herself is careful to note. She suggests that the “redactor/compiler responsible for the Laws of the DD in their present form drew upon a collection of traditional legal material not | dissimilar to 4QOrdinances<sup>a</sup>.” If she is correct, that would give us some insight into the conceptual lineage of the 4QD material, but would not necessarily offer direct help in solving the generic and related questions that we have raised regarding 4Q159.

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If we consider for a moment the language employed by the three scholars whom I just cited, it becomes clear that there is a great deal that we do not know about the genres of Qumran “legal” texts and their literary histories. Baumgarten speaks of “miscellaneous legal and narrative texts” and “heterogeneous classifications,” stressing the unusual combination of legal and non-legal material and the generic uncertainty; Schiffman of “legal anthology,” a term which clearly carries no definable generic implications; and Hempel of “collection of traditional legal material,” employing an even less formal term than Schiffman’s “anthology,” one that does not imply a reason for bringing the material together. Taken together, they underline the fact that we need to rethink the way that we approach the study of the “legal” corpus in the Dead Sea Scrolls, and we need to reflect on an underlying issue that is more encompassing than the superficial ones of nomenclature and genre to which we have alluded throughout this essay, because those focus on one text at a time.

The larger matter, which I do not think has been the subject of very much discussion, is the picture, as far as we are able to sketch it, of the development of post-biblical legal writing furnished by the Qumran scrolls. It would seem reasonable to assume that the efforts to “rewrite” or “rearrange” biblical law took on various forms, and what we see at Qumran represents some of the evidence of those attempts. We should not allow the convenient dichotomy between the 11QT-type and the CD/4QD-type

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<sup>46</sup> Lawrence H. Schiffman, “Serekh-Damascus,” *EDSS*, 2, 868a.

<sup>47</sup> Hempel, “4QOrd<sup>a</sup> (4Q159) and the Laws of the Damascus Document,” 373.

to create a binary constraint that forces us to allocate all Qumran legal texts to one category or the other. It is much more likely that in the process of developing ways to (re)write biblical law in the post-biblical period, a variety of “genres,” or literary forms, were experimented with before the one(s) that worked best was/were determined. It is too simplistic to presume that there were only two sorts.

I therefore suggest that we begin to employ the term “pluriformity,” which has been employed frequently in recent discussions of the biblical text in antiquity, particularly at Qumran, when speaking of the Dead Sea manuscripts containing legal material.<sup>48</sup> What I have | observed, over and over, regarding 4Q159 is that it does not behave the way we “expect” legal material from Qumran to behave, that is to say, like the “paradigmatic” legal texts, the *Temple Scroll* and the *Damascus Document*. This indicates to me that we should treat it, and probably all the other “minor” legal texts from Qumran, like 4Q251 and 4Q265, 4Q513 and 4Q514, as independent entities, analyzing separately for each one the list of laws that they present, the language with which they formulate them, the ways in which they are arranged, and the type of exegesis employed to derive them. For the purposes of that analysis, which, on the whole, has not been carried out, the differences among the manuscripts may be more important than their similarities. Once the differences have been established, we may begin to look for points of commonality between and among the documents, with an eye toward establishing conceptual and historical links whenever that might be possible.

The question of the possible applicability or observance, and the function or role or social context of each of those “legal” texts is, needless to say, also very significant, but its investigation should probably be deferred until the literary and exegetical issues that we are raising here are worked out. The internal analysis of these documents, as fraught with ambiguity

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<sup>48</sup> In this section, I reiterate a number of points made in the essay on 4Q159 in the Elman *Festschrift*. For “pluriformity” in discussions of the biblical text, cf., e.g., Eugene C. Ulrich, “Pluriformity in the Biblical Text, Text Groups, and Questions of Canon,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, March 1991* (ed. Julio Treballe Barrera and Luis Vegas Montaner; STDJ 11; Leiden: Brill, 1992), 1.23–41; Adam S. van der Woude, “Pluriformity and Uniformity: Reflections on the Transmission of the Text of the Old Testament,” in *Sacred History and Sacred Texts in Early Judaism: A Symposium in Honour of Adam S. van der Woude* (ed. Jan N. Bremmer and Florentino Garcia Martinez; Kampen: Kok Pharos, 1992), 151–69; Magne Sæbø, “From Pluriformity to Uniformity: The Emergence of the Massoretic [sic] Text,” in *On the Way to Canon: Creative Tradition History in the Old Testament* (Sheffield: Sheffield Academic Press, 1998), 36–46.



as it may be, is still considerably more concrete than any attempt to locate them in social or historical context. And when the texts contain both legal and non-legal material, as CD/4QD and 4Q159 do, there are further questions that must be asked regarding the nature and context of such texts.<sup>49</sup>

| If we adopt such an approach, separating texts from one another rather than linking them generically, we shall suffer the temporary inconvenience of having more pigeonholes than we really want for our Qumran legal texts, but that is a small price to pay for the ability to describe more accurately the mosaic of legal texts that comprise such a significant portion of the corpus of Qumran documents. Whether we are studying Qumran legal exegesis, or the practice of halakhah at Qumran, or the development of post-biblical legal compositions, our future conclusions based on a more accurate description of the Qumran legal corpus will be based on much firmer foundations. 55

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<sup>49</sup> CD is probably the paradigmatic example of this sort of text, and it has been bifurcated for a very long time into “Admonition” and “Laws,” a division that does not do much to help us understand the fundamental nature of the document. For a recent attempt to understand the relationship of the two so-called sections of CD, see Steven Fraade, “Law, History and Narrative in the Damascus Document,” *Meghillot: Studies in the Dead Sea Scrolls* 5–6 (2007): 35–55. Fraade further pointed out in commenting on an early draft of this paper that “the need to categorize ‘legal’ and ‘non-legal’” is the problem of the 21st century scholar, not that of the Qumran authors.

CHAPTER TWENTY-THREE

4Q159 FRAGMENT 5 AND THE “DESERT THEOLOGY”  
OF THE QUMRAN SECT<sup>1</sup>

INTRODUCTION

One of the texts in *Discoveries in the Judaean Desert* 5, which I am in the process of re-editing together with Professor George Brooke, is 4Q159, named by its initial editor, J.M. Allegro, “Ordinances.”<sup>2</sup> The bulk of the substantial remains of this text, fragments 1 and 2–4, contains legal material which is related to laws found in the Pentateuch, hence its official designation. Virtually every scholar who has dealt with 4Q159, however, has questioned the relationship of fragment 5, which was also published by Allegro as part of this manuscript, to the other fragments, both on the grounds that it does not contain legal material as the other fragments do, and that it contains terminology, such as פֶּשֶׁר and וְאִשֶּׁר אָמַר, with which we are familiar from non-legal Qumran literature. As a result, frg. 5 has been ignored in almost all subsequent scholarly discussions of 4Q159.<sup>3</sup> | Joseph Baumgarten, I believe, has been the only scholar to con-

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<sup>1</sup> I had the pleasure of presenting a paper on my preliminary work on 4Q159, including this fragment, at a monthly symposium of the Bible department of the Hebrew University held on December 12, 2001 in the home of Professor Emanuel Tov, in whose honor this essay is being published. Most of the work on this text was carried out during my tenure as a fellow at the Institute for Advanced Studies at the Hebrew University during the fall 2001 semester. In my work there on 4Q159, I profited from productive conversations with Professors Joseph Baumgarten and Elisha Qimron. At the penultimate stage of writing, I had the benefit of the criticism of Professor James C. VanderKam.

<sup>2</sup> J.M. Allegro, ed., *Qumran Cave 4, I (4Q158–186)* (DJD 5; Oxford: Clarendon, 1968), 6–9.

<sup>3</sup> Typical is the comment of J.A. Fitzmyer in his review of Allegro, *CBQ* 31 (1969): 237, “The fifth fragment of this text (4Q159) is so different in content from the rest that one wonders if it rightly belongs to this group of fragments.” F.D. Weinert, “4Q159: Legislation for an Essene Community outside of Qumran?” *JSJ* (1974): 179–207 (203–204) comments, “The total absence of any such [pesher] formulae in all the rest of 4Q159 makes the conclusion unavoidable that fragment 5 is not derived from the same text as 4Q159.” L.H. Schiffman, “Ordinances and Rules,” *The Dead Sea Scrolls: Hebrew, Aramaic and Greek Texts with English Translations. Volume 1. Rule of the Community and Related Documents* (ed. J.H. Charlesworth; Tübingen: J.C.B. Mohr, 1994), 145–57, writes (145), “Fragment 5 was misidentified and does not belong with this manuscript. It is in fact a *pesher*, probably to Leviticus 16:1.” J. Strugnell, “Notes en marge du volume V des ‘Discoveries in the Judaean Desert of Jordan’,” *RevQ* 7 (1969–71): 175–79 must of course be consulted in any work on this text.

tinue to work with the assumption that frg. 5 is part of 4Q159, working from a starting point that there is an analogy between 4Q159 and 4Q265 (“Miscellaneous Rules”) as texts which combine narrative and halakhic material.<sup>4</sup> Although I cannot accept fully his typological comparison between 4Q159 and 4Q265, some of his brief remarks on 4Q159, in the introduction to his edition of 4Q265, anticipate certain aspects of my treatment of 4Q159, although without the fuller restoration of the fragment and its interpretation that I shall attempt.

The apparent reluctance of scholars to accept the initial identification of fragment 5 as belonging to this text derives fundamentally from two related concerns. The first, as noted above, is the insistence that there is sufficient generic dissimilarity between frg. 5 and the other fragments to preclude their belonging to the same MS.<sup>5</sup> I reject this view which is predicated on what I believe to be an excessively rigid sense of genres at Qumran, in this case the alleged phenomenon that in a text which apparently is of a legal nature we cannot expect to find non-legal material. The other argument consists of the absence of any obvious connection in content between fragment 5 and the remainder of the text that would lead us to consider them related, even in the face of their apparent generic dissimilarity.

The former claim, which is an *a priori* assumption, is difficult to refute. But in this essay, which I happily dedicate to the editor-in-chief of the publication series in which the original edition of this text appeared, I shall attempt to demonstrate, by ordering the fragments in a slightly different sequence, that there indeed exists a possible connection between fragments 1 and 2–4, on the one hand, and fragment 5, on the other. Following that demonstration, I shall venture a somewhat speculative suggestion regarding the possible significance of the text of this fragment to the ideology of the community that lived at Qumran.

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<sup>4</sup> “4Q265, Miscellaneous Rules,” in *Qumran Cave 4.XXV: Halakhic Texts* (ed. J. Baumgarten et al.; DJD 35; Oxford: Clarendon, 1999), 58–60.

<sup>5</sup> When I consulted Dr. Ada Yardeni for her paleographic evaluation of the fragments, she asserted, after a brief examination of photographs of the fragments of 4Q159, that she felt that they were all written by a single hand. Paleographically, then, fragment 5 qualifies to be part of 4Q159, and can only be excluded with the admittedly not unreasonable claim that this scribe wrote more than one manuscript which survived at Qumran.

## 4Q159 FRAGMENT 5

Fragment 5, with minimal reconstruction, reads:

ם[ אל וימותו פשר] הדבר  
 י vacat [ בני לו]  
 במשפט ואשר אמ]ר  
 בקחת מושה את]   
 יצאו שמה פשר הדב]ר  
 לד[רוש התורה<sup>7</sup> בצוקה ו?]  
 אש]ר דבר מושה  
 כול]

There can be little doubt that the central context of the fragment is that of Exod. 33:7 המחנה הרחק מן המחנה ונטה לו מחוץ למחנה אשר מועד אשר מחוץ למחנה וקרא לו אהל מועד והיה כל מבקש ה' יצא אל אהל מועד אשר מחוץ למחנה ("Moses would take the tent and pitch it outside the camp, far away from the camp and would call it the tent of meeting. Whoever was seeking the Lord would go out to the tent of meeting which was outside the camp."), based minimally on the occurrences of the words *בקחת מושה* and *יצאו* in the fragment.<sup>8</sup> At the first glance, then, the arguments against its belonging to the same document as the other fragments of 4Q159 seem plausible: on the one hand, fragment 5 does not contain legal material, but, on the other hand, it does contain the only occurrences in a Qumran narrative text of the idioms *פשר הדבר* and *ואשר אמ]ר*. Both of these formulas are characteristic of the pesharim and related texts, and we are not accustomed to finding them in legal (or narrative) documents.<sup>9</sup>

46 | It might be suggested that the so-called Reworked Pentateuch texts (4Q158, 364–367) can furnish an analogous genre to this document as a whole, since they, too, contain both legal and narrative material side by

<sup>6</sup> Strugnell, 178–79, reads the *mem* as ני (noting both letters as doubtful), completing the word as ני]פ and connecting it with Lev 16:1 because before the word *פשר* we expect a biblical text. This reading has been accepted in several of the subsequent discussions of the text. I believe both that the *mem* is a more likely reading (VanderKam, in private communication, concurs, pointing to the ני in the next line), and that the context of Exodus 33 recommends a restoration along the lines which I shall suggest.

<sup>7</sup> The remains of the first *heh* of התורה are admittedly strangely shaped, but no other reading suggests itself, *pace* Weinert.

<sup>8</sup> We shall see further that לד[רוש התורה is probably related to כל מבקש ה' of the biblical text.

<sup>9</sup> The term *פשר* in CD is not to be drawn into the discussion, as it seems to be employed there in the same sense as it is in the pesharim, indicating the interpretation or actualization of the prophetic message.

side. This loose descriptive analogy, however, is flawed since those texts are overtly modeled on the Pentateuch which itself is composed of a mixture of legal and non-legal material, while neither the legal nor the non-legal portions of 4Q159 can be said to follow a biblical paradigm. Fragment 5, in particular, which is the central text in our discussion, cannot be claimed to be similar stylistically to the non-legal sections of those texts in any way.<sup>10</sup> The peculiarity of a pesher on narrative text is not the only strange feature of this fragment; there is the added difficulty that the words before פשר] הדבר in line 1 do not coincide with any biblical text which we know.<sup>11</sup> Since this is the only example of a pesher in this type of text, we have no comparative data from which to derive any criteria for the nature of what we should expect to precede the pesher formula, be it text or paraphrase.<sup>12</sup> Since, however, the words פשר] הדבר in line 5 also are not preceded by a biblical citation, we should not insist on restoring a citation before them in line 1.

| CONTEXT: FRAGMENTS 1–4

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Before proceeding to the presentation of our arguments regarding fragment 5, we must first present the background against which, in my view, it appeared in 4Q159. The larger, “legal,” fragments of 4Q159 cover the

<sup>10</sup> Baumgarten, 60, draws an analogy between 4Q265 and 4Q159 “in the variety of [their] legal contents and in [their] mixed literary form,” since both contain legal material which does not seem to be organized according to any overt pattern, as well as “biblical quotations and narrative allusions which are not strictly halakhic, but may have served as support for the rules propounded by Qumran exegetes.” In the case of 4Q159, there may have been an ideological purpose in the inclusion of this non-narrative material, as we shall suggest.

<sup>11</sup> The suggestion of Strugnell to read something from Lev 16:1 would produce at best *בקרבתם לפני אל וימותו*, which is also not a verbatim citation since the Tetragrammaton has been replaced by אל as occasionally occurs in the writings of Qumran (a point noted already by Schiffman, 157, n. 49). Furthermore, such a “quotation” does not connect with the following lines of the fragment in the way that the reading that we shall suggest later does. The same can be said for Weinert’s restoration (203 [בקרבת] אל וימותו), in which, he suggests, n. 72, that אל represents לפני ה of the Pentateuchal text.

<sup>12</sup> I have touched upon this question with regard to “standard” pesharim in “Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim: Observations on a Pesher Technique,” *Dead Sea Discoveries* 1 (1994): 30–70 (below 2.635–673). It seems clear that in 4QMMT citation formulas do not have to (and rarely do) introduce verbatim citations of Hebrew Bible; see my treatment in “The Employment and Interpretation of Scripture in 4QMMT: Preliminary Observations,” *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John Kampen and Moshe J. Bernstein; Symposium 2; Atlanta: Scholars Press, 1996), 29–51 (39 and n. 23) (below 2.563).

following themes (accepting, for the moment, the order of the fragments as published by Allegro):<sup>13</sup>

*Fragment 1*

Laws of leaving for poor in granary and field (Deut 23:25–26; 24:19–21) (lines 3–5)

Money of valuation/half-sheqel (Exodus 30:12–13; 38:25–26) (lines 6–7)  
“Digression” detailing the collection of the half-sheqel in the wilderness (lines 7–12)

Two lines concerning measurements *ephah=bath* and three *’esronim* (Cf. Ezek 45:11) (lines 13–14)

Two lines referring to Moses and burning (Exodus 32:20?) (lines 16–17)

*Fragments 2–4*

Laws of Israelite sold to non-Jew (Lev 25:47, 53, 42) (lines 1–3)

Court of [ten] Israelites and two priests (no explicit biblical source, but relating to Deut 17) (lines 3–6)

Transvestism (Deut 22:5) (lines 6–7)

Bride accused of non-virginity (Deut 22:13–21) (lines 8–10)

I suggest that the final lines (16–17) of fragment 1 (which follow a *vacat* and thus have no immediate surviving context) are to be reconstructed as follows:

הזה ע[ל העם ועלב[ג]די[הם]ה <sup>14</sup>	16
ואת העגל אשר עשו בני י[שראל שרף מוש[ה]ה <sup>15</sup>	17

16	[He sprinkled o]n the people and on their garments [
17	[And the calf which the children of I]srael [had made] Mose[s] burnt[

48 | Admittedly, my overall reconstruction of these lines is predicated, in part, on their proximity to language based on Exodus 30:12–13, the command to

<sup>13</sup> There is no indication in Allegro's publication why he numbered the fragments 1 and 2–4 (as opposed to 1–3 and 4, for example), and the re-ordering which I shall propose does not run counter to any argument known to me.

<sup>14</sup> The proclitic spelling of ועל בגדיהם as one word is a phenomenon encountered occasionally in the Qumran corpus. Cf. E. Qimron, *The Hebrew of the Dead Sea Scrolls* (Atlanta: Scholars, 1986), 42 (§200.27.d).

<sup>15</sup> Baumgarten, 59, reconstructed the second line exactly as I do, and in his discussion suggests that “the first line probably alludes to the purification of the people by sprinkling after the making of the golden calf.” Although he does not furnish a reading, it would seem that he would reconstruct the first line along the lines that I have.

take a census, which appears earlier in frg. 1 (lines 6–7), and the story of the golden calf in Exodus 32, as well as on the basis of our text in frg. 5. It could be argued, therefore, that there is an apparent circularity in my argumentation. But this reconstruction works not only in terms of the factors which I have just indicated, but on internal grounds as well. Furthermore, regardless of how we reconstruct and interpret them, these lines appear to break the strictly legal flow of the contents of 4Q159, and therefore already furnish at least a limited parallel to the presence of frg. 5 in the document.

In our reconstruction of line 16, something was sprinkled on the people and their garments, with the idiom following along the lines (although probably not the context) of the descriptions in Exodus 29:21 *והזית על* and Lev 8:30 *על אהרן ועל בניו ועל בגדי בניו* and *על אהרן ועל בניו ועל בגדי בניו*.<sup>16</sup> The reconstruction of line 17 is based on Exodus 32:20 *ויקה את העגל אשר עשו וישרף באש*.<sup>17</sup> The only occurrences of the verb *שרף* in conjunction with Moses in the Pentateuch are this one and its parallel in Deut 9:21 *ואת חטאתכם אשר עשיתם את העגל ואת חטאתי ואשרף אתו באש*.<sup>18</sup> The only other possible context for these words, if they are not based directly on biblical idiom, would appear to be the covenant ceremony in Exodus 24 where, in 24:8, Moses sprinkles half of the blood on the people, but "clothing" is not mentioned in that passage. Nor is the verb *שרף* found there | (it would have to allude, uncharacteristically for that root, to burning of sacrifices or the like which Moses is also not said to have performed and for which we should have expected the verb *הקטיר*). Our suggestion therefore remains the most plausible scenario based on the surviving textual material for the location of these last two lines of fragment 1.

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With that reconstruction of fragment 1 in mind, if we now examine the distribution in the Pentateuch of the material found in the other fragments of 4Q159, and re-order them so that fragments 2–4 precede fragment 1,

<sup>16</sup> Baumgarten suggests, 60, that what was sprinkled could have been the purifying ashes of the red heifer, implying that the worship of idolatry (presumably the golden calf) imparts corpse impurity. The suggestion is attractive, but unprovable, and is subject to the further counterclaim that the commandment regarding the ashes of the red heifer does not appear in the Pentateuch until Numbers 19.

<sup>17</sup> J. Liver, "The Half-Shekel Offering in Biblical and Post-biblical Literature," *HTR* 56 (1963): 193, writes somewhat strangely, "L. 17 is apparently based on Exodus 32:20; that is to say, here also the subject matter is biblical and relates to cult practices."

<sup>18</sup> The verb *עשה*, in the context of the making of the calf and with the people as subject, is found in both of the just-cited verses, as well as in Exodus 32:8, 35 and Deut 9:12, 16.

a pattern does emerge. We observe that the material deriving from passages in Deuteronomy then appears in the sequence of the biblical book, and, perhaps more significant for fragment 5, it is then followed by text which derives from Exodus 30 (census) and, according to my suggested reconstruction, from Exodus 32 (Moses and burning) as well. My hypothesis thus is that frg. 5 is to follow frg. 1 and that the link between them is their connection with the sequence of events in the narrative of the sin of the golden calf.

This narrowly focused answer to the relationship of fragment 5 with fragment 1 does not contain the answers to some of the larger questions about 4Q159, such as why it seems to move through Deuteronomy as it does, or why it then proceeds to texts from Exodus, or the largest question, what principle governs its overall selection from and readings of biblical law, but that should not vitiate its efficacy in responding to the limited question. Of course, the given name of the text, “Ordinances,” would then no longer be fully descriptive of the text as a whole, much in the same way as the former designation, “Joseph Apocryphon<sup>a-c</sup>,” based only on 4Q372 frg. 1, was deemed inappropriate for the whole of 4Q371–373, now renamed “Narrative and Poetic Composition<sup>a-c</sup>.”<sup>19</sup> Once again, a *prima facie* generic identification which appears reasonable for the large part of a Qumran text may be seen to be inappropriate for its entirety.<sup>20</sup>

We now proceed to our fuller reconstruction of frg. 5, suggesting that it be read as follows:

בהקציפ]ם אל וימותו פשר] הדבר  
 vacat [ בני לז]י  
 [ במשפט ואשר אמ]ר  
 [ בקחת מושה את] האוהל ויט אותו מחוץ למחנה והיה כול  
 5 מבקשי יהוה]יצאו שמה פשר הדב]ר  
 [לד]רוש התורה בצוקה ו?]  
 [אש]ר דבר מושה]  
 [כול]

<sup>19</sup> Cf. E. Schuller and M. Bernstein, “4QNarrative and Poetic Composition<sup>a-c</sup>: Introduction,” in *Wadi Daliyeh II: The Samaria Papyri from Wadi Daliyeh and Qumran Cave 4.XXVIII: Miscellanea, Part 2* (ed. D. Gropp et al.; *DJD* 28; Oxford: Clarendon, 2001), 151–54.

<sup>20</sup> Baumgarten, 60, writes similarly regarding 4Q159 and 4Q265, “The genre of these miscellaneous legal and narrative texts should now be added to the heterogeneous classifications of Qumran compositions, although their functional purpose has yet to be clarified.”



When] they [angered] God and they died. The *peshet*[ of the matter  
 ] *Vacat* Sons of Lev[i  
 ]in judgment. And as for that which say[s  
 ] When Moses took the [tent and pitched it outside the camp, then all who]  
 5 [sought the Lord] would go out thither. The *peshet* of the matte[r  
 [to se]ek the Law in distress, v[  
 whi]ch Moses spoke[  
 ]all[

### Notes on Reconstruction

L. 1 The assumption of my interpretation is that the passage deals with the aftermath of the incident of the golden calf, and I have reconstructed the first line accordingly. The verb *הקציף* with God as direct object is employed of this incident in Deut 9:8 *ה' ובחרב הקצפתם את ה'*.<sup>21</sup>

Ll. 2–3 If the reconstruction is correct, these lines refer to the actions of the sons of Levi in punishing the Israelite sinners after Moses' descent from the mountain (Exodus 32:26–28), or perhaps to their reward for doing so (Exodus 32:29).

L. 4 In Exodus 33, Moses, in the aftermath of the golden calf incident, establishes a tent as a “meeting tent” outside the camp where all who sought the Lord could approach for guidance. There is | little doubt that lines 4–5 reflect that passage and we have restored accordingly.<sup>22</sup> 51

L. 6 *יד*[רוש is also possible, “who seeks;” the choice would depend on the syntax of the missing material.

### INTERPRETATION AND IMPLICATIONS

In a recent discussion of the role of Moses in the Dead Sea Scrolls, J.M. Bowley notes that “Quantitative evidence from the sectarian scrolls would suggest that the role of Moses merits attention if only because Moses is the biblical figure most often referred to in all of the sectarian texts

<sup>21</sup> Alternatively, a form like *בהכעיס* [ם might be suggested, with similar meaning. Baumgarten, “4Q265,” 59, suggests reading *אל בנגפ* [ם אל, “when God plagued them,” but I believe that my suggestion is more likely, both because of the parallel usage in Deuteronomy and the fact that the genitive is more likely to be subjective with *אל* as object, than objective, with *אל* as subject.

<sup>22</sup> Baumgarten, *ibid.*, suggests *מבקשי אל* rather than *מבקשי ה'*. In light of the replacement, at times, of the Tetragrammaton by *אל* at Qumran, this reading should be considered as well. But cf. *ה' מבקשי ה'* in 4Q521 24 ii 3 *אדני מבקשי אדני*.

found at Qumran.”<sup>23</sup> His section on “Moses in Sacred History,” divided into “Moses and the Past” and “Moses and the Future,” seeks to determine which episodes in the life of Moses were prominent in the Qumran literature, and the role that they play therein. He finds that the Moses material is employed to provide historical examples of such significant issues as “the struggle between cosmic forces of life and darkness” in CD 5:17–19, to provide “a historical example with the object of encouragement,” and to remember “the intercessory role of Moses” and its meaning for contemporary worship.<sup>24</sup> It is unfortunate that Bowley did not consider this text in his discussion of Moses in the scrolls, because it may present another way in which Moses provided a model for the later sectarians. Furthermore, the fact that the passage appears to be treated in a pesher context may be of special significance for the ideology of the Qumran group. Although based on our understanding of other Qumran texts it is reasonable to assert that pesher on historical narrative material is out of character at Qumran, this text may nonetheless be an exception to that assertion and the “pesher” in it may make perfectly good sense.<sup>25</sup>

52 | We noted above the oddity that the words before פשרן הדבר in line 1 do not coincide with any biblical text which we know, so the missing preceding text cannot offer us any aid in reconstructing the main portion of fig. 5. I am inclined, therefore, to focus upon the text which follows and is more easily identifiable as the primary guideline in reconstructing even the opening line of the fragment. Since lines 4–5 clearly derive from Exodus 33:7, I believe that the most reasonable reconstruction of the whole passage would place the text being commented upon within the story of the golden calf which the Israelites worshiped after the revelation at Mt. Sinai. References to the Israelites having angered God and then dying, the Levites, and “judgment” all fit plausibly into such a context before the allusion to Exodus 33.

It is those lines whose context seems clear, furthermore, that may give us the greatest insight into the goal of this “pesher.” According to a straightforward reading of the narrative in Exodus 33, these biblical verses describe Moses’ actions in the wake of the sin with the golden calf

<sup>23</sup> J.E. Bowley, “Moses in the Dead Sea Scrolls: Living in the Shadow of God’s Anointed,” in *The Bible at Qumran: Text, Shape and Interpretation* (ed. P.W. Flint; Grand Rapids: Eerdmans, 2001), 159–81 (159).

<sup>24</sup> *Ibid.* 171–172.

<sup>25</sup> This line of reasoning develops a brief suggestion made by Elisha Qimron (personal communication, October, 2001) after I discussed with him my reconstruction and interpretation of fragment 5.

and involve his isolating himself from the sinful people and establishing a location outside the Israelite camp where “seekers of the Lord” could achieve their goal. This is an enigmatic passage to the modern scholar, although it may not have seemed so to the ancient reader. What might have made it particularly of interest to the Qumran interpreter is its similarity to his own situation. It is known that the Qumran group saw its habitation in the Judean desert as analogous to the Israelite camp in the wilderness.<sup>26</sup> VanderKam begins his treatment of “The Judean Desert and the Community of the Dead Sea Scrolls” with the remark, “They opted to construct their communal buildings in the forbidding Judean wilderness at the northwest corner of the Dead Sea. As we might expect for a group so keenly attuned to the details and predictions of the scriptures, they found biblical warrant for their location.”<sup>27</sup> We suggest that Exodus 33 was understood by 4Q159 fragment 5 in such a fashion so as to give further scriptural support for departure to the wilderness, or at least from Jerusalem to a place like the wilderness. What might פֶּשֶׁר mean in a text such as this one? Talmon writes,

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the *pesher* preponderantly is employed as a means by which to prove that the events which befell the ‘last generation’—that is to say, the Sectaries—were actually foreshadowed in Biblical prophetic literature . . . The *pesher* technique is rarely, if ever, applied to traditions of a definable one-time historical nature.<sup>28</sup>

This text may serve as a very significant exception to Talmon’s rule, employing a narrative text in a *pesher* context, and indicating the need to actualize a biblical narrative text by adopting a particular course of behavior. That is to say, the *pesher* is not the interpretation of a text, but of an historical event, treating the event as prefiguring or typologizing an event

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<sup>26</sup> Cf. Shemaryahu Talmon, “The ‘Desert Motif’ in the Bible and in Qumran Literature,” in *Biblical Motifs, Origins and Transformations* (Texts of the Philip L. Lown Institute of Advanced Judaic Studies 3; ed. A. Altman; Cambridge: Harvard University Press, 1966), 31–63 (57–63); G.J. Brooke, “Isaiah 40:3 and the Wilderness Community,” in *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992* (ed. G.J. Brooke with F. Garcia Martinez; STDJ 15; Leiden: Brill, 1994), 117–32, especially 128–29; and James C. VanderKam’s paper referred to in the next note.

<sup>27</sup> James C. VanderKam, “The Judean Desert and the Community of the Dead Sea Scrolls,” in *Antikes Judentum und Frühes Christentum: Festschrift für Hartmut Stegemann zum 65. Geburtstag* (ed. B. Kollmann et al.; BZNW 97; Berlin/New York: De Gruyter, 1999), 159–71 (159).

<sup>28</sup> Talmon, 59.

in the future.<sup>29</sup> I suggest that the Qumranites (or whatever we are to call the initial group who separated themselves at that site) may have seen in this pentateuchal passage a model or precedent in Moses' separation of himself from the Israelite camp, after the biblical Israelites had sinned with the golden calf, for their own departure to the desert to isolate themselves from the sinful remainder of contemporary Israel.<sup>30</sup>

The biblical "camp," furthermore, in certain Qumran texts is identified with Jerusalem in halakhic contexts; e.g., 4QMMT B59–62 **כי ירושלים היאה** מחנה הקדש והיא המקום שבחר בו מכל שבטי ישראל כי ירושלים היא ראש 54 מחנות ישראל | ("for Jerusalem is the holy camp and it is the place which He has chosen from all the tribes of Israel, for Jerusalem is the foremost of the camps of Israel").<sup>31</sup> In our passage, the author of 4Q159 might have seen Moses' pitching his tent "outside the camp" as offering a recommendation for the same type of behavior in analogous circumstances on the part of the Qumran community, signifying that they ought to move their own location to outside the camp (= Jerusalem).

It is possible, furthermore, that the words **בני לוי** [י], if that plausible reconstruction is correct, may then be particularly significant since they would refer to the Levites' having stepped forward to exercise judgment on the sinners (perhaps the allusion in **משפט**?) and having been selected as a result. The Qumran group, many of whom were apparently of priestly

<sup>29</sup> Might this explain the absence of a verbatim quotation from the text, since it is the event which is being "peshered" and not the text?

<sup>30</sup> Talmon, 60–61, suggests that initially the desert was for the Qumran group "a place of refuge from persecution," and "the flight into the desert effected their secession from their sinful contemporaries." Even if this was the historical sequence of events, subsequent reflections upon the departure to the desert need not have followed the actual order, and the scriptural "justification" may be a *post hoc* invention. Cf. also D. Schwartz, "Desert and Temple: Religion and State in Judea in the Days of the Second Temple," in *Priesthood and Monarchy: Studies in the Historical Relationships of Religion and State* [Hebrew] (ed. I. Gafni and G. Motzkin; Jerusalem: Zalman Shazar Center for Jewish History, 1987) 61–78 (= "Temple and Desert: On Religion and State in Second Temple Period Judaea," *Studies in the Jewish Background of Christianity* [Tübingen: J.C.B. Mohr (Paul Siebeck), 1992], 29–43). Beginning with Josephus' depiction of a number of Jewish leaders who led their followers in the desert in the turbulent years before the destruction, Schwartz proposes that certain groups felt that the Temple had to be abandoned and that God was to be sought in the desert (68; E.T., 37–38).

<sup>31</sup> Similarly, 4QMMT B29–32. See the discussion in Elisha Qimron and John Strugnell, eds. in consultation with Y. Sussmann, with contributions by Y. Sussmann and A. Yardeni, *Qumran Cave 4.V: Miqṣat Ma'ase Ha-Torah (DJD 10)*; Oxford: Clarendon, 1994), 143–45, and D. Henshke, "The Sanctity of Jerusalem: Between the Sages and Sectarian Halakhah," (Hebrew) *Tarbiz* 67 (1998): 5–28, esp. 22–27.

or Levitical descent, would be following the model of their ancestors in the tribe of Levi by separating themselves from rest of sinful Israel.

The potential significance of this passage for the ideology of Qumran would be heightened further if the very logical reconstruction of Exodus 33:7 were accepted. The presence of the biblical phrase *ה' מִבְקֵשׁ (י)* (or *מִבְקֵשׁ אֱל*), even without its pesher, would point toward a theme which is found often at Qumran, that of seeking after God, at times expressed via the verb *בִקֵּשׁ* and at others via *דְרַשׁ*, both of which idioms are fairly common in biblical Hebrew.<sup>32</sup> Significant instances of these terms occur in the openings of both 1QS and CD.<sup>33</sup>

Even more significant, however, may be the pesher on the reconstructed *ה' מִבְקֵשׁ כֹּל* of the biblical text, an interpretation that identifies “seeking for the Lord” as “seeking after the Torah.”<sup>34</sup> It is well known that the *דוֹרֵשׁ הַתּוֹרָה* was clearly envisioned as a titled figure in the past and future history of the Qumran sect.<sup>35</sup> But the term *דְרַשׁ בַּתּוֹרָה* clearly has broader

<sup>32</sup> The Exodus passage contains the only biblical occurrence of *ה' מִבְקֵשׁ*; the plural *מִבְקֵשׁ י*, which I believe is likely to have appeared in the paraphrase of the biblical text in 4Q159, is found at Isa 51:1; Ps 105:3 (= 1 Chr. 16:10); and Prov. 28:5.

<sup>33</sup> 1QS 1:1–2 [*כֹּל לֵב וּבְכוּל נִפְשׁ*] *לְדְרֹשׁ אֱל*: CD 1:10 *שְׁלָם דְרִשְׁוֹהוּ* (cf. also 1QS 5:10–11 *לֹא בִרְיָתוֹ בְּרַשְׁבוּ לֹא הֵחֵשְׁבוּ בְּרַשְׁבוּ כִּי אֱלֹהִים הֵי* [modeled on Zeph. 1:6 *וְאֵשֶׁר ה' וְאֵשֶׁר לֹא בִקְשׁוּ אֶת ה'*]). Note that in the latter passage, “seeking God” is accomplished through his statutes. Most similar to the reconstructed text of 4Q159, however, is 4Q521 ii 3 *וְלֹא מִבְקֵשׁ אֱדַנִּי*. I am not concerned here specifically with the use of *דְרַשׁ/מְדַרְשׁ* as indicating a particular form of scriptural interpretation at Qumran; for that issue, cf. the detailed discussion by S.D. Fraade, “Looking for Legal Midrash at Qumran,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls: Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May, 1996* (ed. M.E. Stone and E.G. Chazon; STDJ 28; Leiden/Boston/Cologne: Brill, 1998), 59–79, esp. the references in nn. 1, 16, 19, 22, 24, 27, and 29.

<sup>34</sup> Frequently the idioms *ה' דְרַשׁ* and *ה' בִקֵּשׁ* are rendered in the Aramaic versions of the Bible as “seeking teaching from before the Lord” (cf. my “Torah and Its Study in the Targum of Psalms,” in *Ḥazon Naḥum: Studies in Honor of Dr. Norman Lamm on the Occasion of His Seventieth Birthday* [ed. J. Gurock and Y. Elman; Hoboken: Yeshiva University Press, 1997], 64–65, on the employment of this term in the targum of Psalms). This, indeed, is the translation of Targum Onqelos here; *ה' מִבְקֵשׁ* is rendered by *ה' מִן קֵדָם*, “who sought teaching from before the Lord.” The consonance between the Qumran document and the later targumim is striking but should not be considered unusual.

<sup>35</sup> The title *דוֹרֵשׁ הַתּוֹרָה*, according to M.A. Knibb, “Interpreter of the Law,” *Encyclopedia of the Dead Sea Scrolls* (ed. L.H. Schiffman and J.C. VanderKam; New York: Oxford University Press, 2000), 1.383, “occurs four times in the Dead Sea Scrolls but it is used in different ways.” At times it refers to an individual who is a figure of the past and decider of the Law (CD 6:7), while at others it alludes to an eschatological priestly figure who would accompany the royal messiah (4Q174 [Florilegium] 1–2 i 11). Talmon, 58–9, actually suggests that the “very image of the ‘Teacher of Righteousness,’ and certainly that of the ‘Law

usage as well; e.g., 1QS 6:6 ואל ימש במקום אשר יהיו שם העשרה איש referring to members of the group who would take turns in being דורש the Torah.<sup>36</sup> Thus the pesher's employment of the language לדרוש\ידרוש בתורה בצוקה to interpret the biblical מבקש ה' is certainly uniquely appropriate for a group one of whose leaders was called the דורש התורה and which saw לדרוש בתורה as one of the responsibilities of their members at all times.<sup>37</sup> The goal of going away from the camp (= Jerusalem) was to find a proper way of seeking the Lord and studying the Torah away from the sinful remainder of Israel.<sup>38</sup> The use of בצוקה, "in distress," furthermore, may indicate a perception of a specific historical time of crisis when the act of "seeking the Torah" was being, or had been, performed.<sup>39</sup> But further hypothesizing regarding a possible context for these comments would be too fanciful.

We have admitted *ab initio* that this final suggestion is quite speculative, and its possible attractiveness should not allow us to forget that very important fact. The restoration of fragment 5 itself, I believe, is fairly close to certain, as far as we have attempted it. The challenge to our interpretation has to do with its relationship to the other fragments of 4Q159. If

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Interpreter,' undoubtedly was patterned upon the image of Moses . . . Moses further had been entrusted with bringing 'the Law' to the Children of Israel in the desert, and again the 'Teacher' follows the same pattern." In this he was following N. Wieder, "The 'Law-Interpreter' of the Sect of the Dead Sea Scrolls: The Second Moses," *JJS* 3 (1952): 158–75.

<sup>36</sup> Accepting the interpretation of עליפות as the equivalent of תורה, "in turn." Cf. also 1QS 5:9 רצונו ודורשי הברית שומרי הכהנים צדוק המצוה, "the Zadokite priests, keepers of the covenant, and seekers of his favor." The term מדרש התורה also occurs in 1QS 8:15 (and parallels, in a desert context, no less) and CD 20:6.

<sup>37</sup> The equivalent phrase בקש תורה occurs several times at Qumran: 4Q398 11–13 7 (MMT) והם מבקשי תורה, referring to the righteous kings of Israel; 4Q216 ii 13 (= *Jub.* 1:12) [וי]בקשו את התורה ואת [ת] המצוה 2 3 and 4Q306 1 את מבקשי [ה]תורה ירדופו. The *Jubilees* passage is particularly interesting as it refers to the future persecution of the "seekers of the Torah," a term and a circumstance which the Qumranites could easily have applied to themselves.

<sup>38</sup> We might even see in 1QS 8:12–16, which, as VanderKam (168–169) notes, explains "the purpose and location of the separated group," and which contains references to separating "from the habitation of men of iniquity to go to the desert" (based on a reading of Isa. 40:3) and to the "midrash of the Torah [which] he commanded through the hand of Moses," something which looks like the result of a pesher on the text in Exodus. On the Isaiah passage in 1QS, see Brooke, "Isaiah 40:3," 117–28. Our reading would also serve as a counter to the claim of N. Golb, *Who Wrote the Dead Sea Scrolls?* (New York: Scribner, 1995), 75, that nowhere "in the Qumran texts is it proposed that sectarians literally leave their habitations in order to go to the desert, either to study or for any other purpose."

<sup>39</sup> Could the use of צוקה be predicated on Prov. 1:26–28 בבוא . . . באיכם אשחק . . . אז יקראני ולא אענה ישחרני ולא ימצאני גם אני באיכם אשחק, understood as a reference to seeking God?

fragment 5 indeed belongs to 4Q159, and if we arrange the fragments in the order 2-4, 1, and then 5, and if we accept the restoration at fragment 1, lines 16-17, then our reading of the texts together is more than defensible, despite the problems which it might then raise regarding the mixed genre of 4Q159 as a whole. That issue must be left to a subsequent discussion.<sup>40</sup>

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<sup>40</sup> Some of the promised discussion can be found in the two essays preceding this one in this collection.

## CHAPTER TWENTY-FOUR

### THE EMPLOYMENT AND INTERPRETATION OF SCRIPTURE IN 4QMMT: PRELIMINARY OBSERVATIONS<sup>1</sup>

#### I. INTRODUCTION

One of the few universally agreed-upon characteristics of Qumran literature is its bibliocentricity, the crucial role which Hebrew Scripture plays as source and model for the themes, language and subject matter of the various kinds of documents from the Dead Sea caves. In the course of our surveying a “new” Qumran text like 4QMMT, one of our first tasks must therefore be to examine its relationship to Hebrew Scripture. Such a study should ideally be as multifaceted as possible, including issues of language and vocabulary, style, exegesis, and, probably, theology as well. This kind of analysis is particularly important in the evaluation of a legal document, which 4QMMT at least in part is, because it may give us particular insight into the ways in which Scripture and halakhah were related for its author or authors.

30 Although “biblical interpretation at Qumran” has been the subject of more than a few studies, careful examination of the themes of these books and articles shows that most of the treatments of this question have dealt with non-legal texts.<sup>2</sup> It is particularly premature, therefore, | to engage in

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<sup>1</sup> Thanks are due to my co-editor, Professor John Kampen, and to Professor Lawrence H. Schiffman for commenting on an earlier version of this paper.

<sup>2</sup> G. Vermes, “Biblical Interpretation at Qumran,” *Eretz Israel* 20 (1989): 190, nn. 1–9, furnishes a substantial list of earlier treatments of Qumran biblical exegesis which serves as the foundation for the following: F.F. Bruce, *Biblical Exegesis in the Qumran Texts* (Grand Rapids: Eerdmans, 1959); O. Betz, *Offenbarung und Schriftforschung in der Qumransekte* (Tübingen: Mohr [Siebeck], 1960); G. Vermes, *Scripture and Tradition in Judaism* (Leiden: Brill, 1973); id., *Post-Biblical Jewish Studies* (Leiden: Brill, 1975); id., “Biblical Proof-Texts in Qumran Literature,” *JSS* 34 (1989): 493–508; E. Slomovic, “Toward an Understanding of the Exegesis in the Dead Sea Scrolls,” *RevQ* (1969–71): 3–15; D. Patte, *Early Jewish Hermeneutic in Palestine* (Missoula: Scholars, 1975); M.P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington, D.C.: Catholic Biblical Association, 1979); H. Gabrion, “L’interprétation de l’Écriture dans la littérature de Qumran,” *ANRW* 19.1 (Berlin: Walter de Gruyter, 1979), 779–848; G.J. Brooke, *Exegesis at Qumran: 4QFlorilegium in its Jewish Context* (JSOTSup 29; Sheffield: JSOT Press, 1985); D. Dimant, “Qumran Sectarian Writings,” in *Jewish Writings of the Second Temple Period* (CRINT 2.2; ed. M.E. Stone; Philadelphia: Fortress, 1984), 503–514; M. Fishbane, “Use, Authority and Interpretation of Mikra



comparative analysis before we have studied carefully the employment of Scripture within a legal text like 4QMMT. There is no reason to assume that 4QMMT, presumably composed early in the Qumran sect's history, must adhere to the same exegetical methodology as other legal material deriving from the group. The focus of this paper therefore is 4QMMT alone, and not the comparative interpretation of Scripture in Qumranic halakhah. If our independent examination of 4QMMT indicates that there is some shared practice with other texts, our cautious approach will have been vindicated.

Virtually any study of 4QMMT will find its starting point in the recently published edition by Qimron and Strugnell, and this one is no exception. We must always keep in mind, however, as we work from the composite text which they reconstructed, that many questions still remain regarding individual readings of the text and the integration of the six fragmentary manuscripts.<sup>3</sup> Theories about the legal system of the authors, about their attitude to Scripture and halakhah, as well as the identity of their opponents, have an effect on both the reconstruction and interpretation of the fragments. Here, too, I have attempted, as far as possible, to pursue the study of Scripture and its interpretation in 4QMMT with as few preconceptions as I could. At | times, the lack of a theoretical construct has left me unable to answer many questions with any degree of certainty, but I prefer, at this early stage of our study of 4QMMT, to distinguish clearly between what we know, however tenuously, and what we do not know. Some of my hesitation with regard to the work of Qimron and Strugnell is due to my insistence on extrapolating as little as possible from the text at this time. In a few cases, I shall suggest readings or reconstructions of the text which differ from those of Qimron and Strugnell.

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at Qumran," in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (CRINT 2.1; ed. M.J. Mulder; Minneapolis: Fortress, 1990), 339–377; J. Milgrom, "The Qumran Cult: Its Exegetical Principles," in *Temple Scroll Studies* (JSPSup 7; ed. G.J. Brooke; Sheffield: JSOT Press, 1990), 165–180; id., "The Scriptural Foundations and Deviations in the Laws of Purity of the Temple Scroll," *Archaeology and History in the Dead Sea Scrolls* (JSPSup 8; JSOT/ASOR Monograph 2; ed. L.H. Schiffman; Sheffield: JSOT Press, 1990), 83–99.

<sup>3</sup> Elisha Qimron and John Strugnell ed. (in consultation with Y. Sussmann, with contributions by Y. Sussmann and A. Yardeni), *Qumran Cave 4.V: Miqṣat Ma'āse Ha-Torah* (DJD 10; Oxford: Clarendon, 1994). In my discussion of the text below, I rely on the composite text except where I specify otherwise. The only text bracketed in my citations will be material not found, according to the editors, in any of the manuscripts. This mode of citation differs from that of the editors in the composite text, and the citations in this paper therefore will look different from their presentation in the composite text.

## II. EDITORIAL PRESUMPTIONS ABOUT THE ROLE OF SCRIPTURE IN 4QMMT

In describing 4QMMT Qimron asserts that “MMT, however (unlike the Sadducean Book of Decrees), does allude to the biblical source of most of its halakhot.”<sup>4</sup> He claims further:

In most of the halakhot there are allusions to the biblical passages on which the particular halakha is based. Some words from each biblical parallel occur in the halakha of MMT (sometimes in a grammatical form different from that of the source).<sup>5</sup>

For Qimron, this familiarity with the sources of the halakhot helps to elucidate them even when the text is damaged. But it is not yet clear to me that even scriptural allusions can clarify all of the difficulties in the phraseology of the halakhot in a fragmentary text.<sup>6</sup>

Qimron concludes his brief summary of the formulation of the halakhot by writing, “In fact, MMT actually consists of certain precepts of the Pentateuch as understood by the sectarians.”<sup>7</sup> This in fact is true of |  
32 some of MMT, but not of all of it. There are laws in MMT which seemingly have no scriptural source. We should not strive too hard to make the possibly Sadducean authors of MMT the kind of “Scripture-only” figures which rabbinic Judaism attempted to make of them. For example, the laws in B 49–54 forbidding entry into the Temple for certain groups and B 55–58 regarding the impurity of poured liquids show no signs of scriptural derivation in 4QMMT.<sup>8</sup> Once it becomes clear that some of the laws

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<sup>4</sup> DJD X, 132. This is not the place to discuss Qimron’s apparent acceptance of the rabbinic description of the Sadducean ספר גזירותא. The first interpretation in the scholion to Megillat Ta’anit for the fourth of Tammuz (ed. H. Lichtenstein, *HUCA* 8–9 [1931–32] 331) describes it as a Sadducee list of capital punishments, which does not cite biblical authority. I simply raise the question whether we are to rely on a comparatively late rabbinic source for the nature of this lost and enigmatic document. In light of the presumed Sadducee preference, according to rabbinic tradition, for literalist readings of Scripture, the scholion is at least a little bit puzzling, and Qimron’s reliance on it is perhaps misplaced.

<sup>5</sup> *Ibid.*, 136.

<sup>6</sup> Qimron himself writes, DJD X, 133, n. 23, “It should be noted that MMT deals with the observance of the commandments, not with the manner in which they are deduced; it makes only passing reference to such fundamental questions.” Even if this statement is not taken to be at variance with those quoted immediately above, it certainly de-emphasizes the relationship of the laws in 4QMMT to Scripture.

<sup>7</sup> DJD X, 136. Is there an echo of מעשי התורה in “certain precepts of the Pentateuch”?

<sup>8</sup> L.H. Schiffman, “The Prohibition of the Skins of Animals in the *Temple Scroll* and *Miqṣat Ma’aseh Ha-Torah*,” *Proceedings of the Tenth World Congress of Jewish Studies*:

in MMT do not derive from the interpretation of biblical verses, another aspect of the document becomes more perplexing. Although the dispute between the author of the document and his opponents does not revolve solely around scriptural interpretation, we can see no distinction in the arrangement of this text between disputes which are scripturally-oriented and those which are not. In other words, the basis of the dispute does not at first glance affect the literary structure of 4QMMT. This matter will not be touched upon in our subsequent discussion, and we merely point it out as an area which demands further study from the perspectives of the structure of 4QMMT and of the nature of the disputes between the author and his opponents.

### III. BIBLICAL LANGUAGE AND STYLE

When I mentioned the topic of this paper to a number of my graduate students in advance of the AJS meetings, one of them looked at me quizzically. She had studied some of 4QMMT as an undergraduate when it circulated only in *samizdat* copies, and wondered whether there was any Scripture or scriptural interpretation in it at all. Her questioning glance was not out of place. Despite the fact that we are all familiar with the fairly accurate truism mentioned above that the literature of Qumran is heavily scripturally-oriented, it is noteworthy, for our purposes, to recall that 4QMMT was once titled 4QMishnique, presumably on the basis of language as well as content.<sup>9</sup> | Even fairly recently, John Strugnell described

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*Division A* (Jerusalem: World Union of Jewish Studies, 1990), 193, writes, citing Y. Yadin, *The Temple Scroll* (Jerusalem: Israel Exploration Society, 1983) 1.309, concerning 11QT 47:7–15, which presents material partially parallel to 4QMMT B 18–23: “The attempt to suggest a biblical derivation for this law is highly unsuccessful.” Schiffman prefers to see the law as deriving from “legal argumentation.” I believe that the same is true of B 18–23 despite the law of Lev 11:39–40.

<sup>9</sup> J.T. Milik, “Le travail d’édition des manuscrits du Désert de Juda,” in *Volume du Congrès Strasbourg 1956* (VTSup 4; Leiden: Brill, 1957), 24: “deux pièces de papyrus appartenant à un ouvrage apocalyptique . . .,” and proceeds to cite language from section C of 4QMMT, including the words *התורה מעשי במקצת*. Cf. id., *Ten Years of Discovery in the Wilderness of Judaea* (tr. J. Strugnell; London: SCM, 1959), 130 regarding “two works found in several copies in Cave IV . . . which are written in a neo-classical Hebrew with features, however, proper to the Mishnaic dialect (such as the frequent use of the participle instead of the indicative and of the relative *š* instead of *ašer*).” He cites material from 4QMMT in his discussion of 3Q15 (Copper Scroll) in DJD III, 225, as “étude pseudépigraphique mishnique.” E. Qimron and J. Strugnell write (“An Unpublished Halakhic Letter from Qumran,” in *Biblical Archaeology Today: Proceedings of the International Conference on Biblical Archaeology Jerusalem, April 1984* [Jerusalem: Israel Exploration Society, 1985], 405), “The initial

MMT as being “written in a form of proto-Mishnaic Hebrew, not in Qumran’s typical biblicizing Hebrew.”<sup>10</sup>

Qimron’s thorough linguistic survey and analysis of 4QMMT makes it eminently clear that, despite such initial perceptions, the language of MMT owes a good deal to biblical Hebrew. Identifying the nature of this debt, however, will present us with a significant, although not unusual, analytical difficulty. In its style 4QMMT resembles neither 11QTemple which is formulated in the mode of legal material from the Hebrew Bible nor other Qumran legal texts such as CD and its Cave 4 ancestors. The unusual “epistolary” genre of this text may be responsible for both the very different style of formulation of law in 4QMMT and its very different handling of the biblical text and idiom from that found in other Qumran legal material. We must ask ourselves whether the employment of scriptural language in the central legal portion of a work like MMT is to be understood as biblical exegesis in those passages where the law seems to be related to a biblical passage, or whether it is merely the stylistic employment or imitation of convenient terminology, without regard to the derivation of the law. A good illustration of this problem can be found in my treatment below of the text on sufferers from skin-disease.

34 | Likewise, in attempting to restore lacunae in the text, when ought we to be guided by biblical formulae, and when should we allow for freer composition by the author? The description and analysis of biblical interpretation can thus be more elusive even than the search for biblical language. The fact that there is no comprehensive, or even large-scale, treatment of legal exegetical methodology at Qumran available for comparative purposes complicates the issue further.

This study will be limited to Sections B and C of MMT and, even then, we will deal with only some of the potential sub-topics of our topic. Concerning the subject of the utilization of biblical language in the scroll, and specifically its vocabulary, our study would add little to the presentation

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impression created by the language of MMT is that it differs from that of the other Dead Sea Scrolls, and is very similar to MH. However, a closer examination of the linguistic components proves that the similarity to MH is restricted to vocabulary and to the use of the particle  $\Psi$ , whereas in areas of grammar (spelling, phonology, morphology, and syntax) there is a very great similarity to the Hebrew of the other Dead Sea Scrolls.” For Qimron’s most recent position, cf. DJD X, Chapter 3, “The Language,” 65–108, especially 3.7, “MMT’s Language and its Relation to Other Types of Hebrew,” 104–108.

<sup>10</sup> J. Strugnell, “The Qumran Scrolls: A Report on Work in Progress,” in *Jewish Civilization in the Hellenistic-Roman Period* (ed. S. Talmon; Sheffield: Sheffield Academic Press, 1991), 99.

by Qimron in Chapter III of his edition.<sup>11</sup> Classifying the lexical elements into four groups, Qimron attempts to locate the language of 4QMMT amid biblical, Second Temple and mishnaic Hebrew. He notes that a certain amount of the vocabulary from biblical Hebrew which does not appear in later Hebrew is to be found in MMT; most of this vocabulary, however, does occur elsewhere at Qumran so that its appearance here is unsurprising. A few words such as בַּדָּד, which are not typical of Qumran literature, owe their presence in MMT to biblicizing contexts.<sup>12</sup> A question which we pose for future examination is: Why does the author of 4QMMT at times employ biblical vocabulary and at times deviate from it? Is the employment of biblical vocabulary in any way related to the particular law's being scripturally-based or not?

A good deal of scriptural imitation is evident in the idiom of MMT, like that of so many other Dead Sea Scrolls. At B 14, the language והסורף אותה והאוסף את אפרה והמזה את [מי] החטאת ("he who burns it, he who gathers its ashes, and he who sprinkles the [water of] purification")<sup>13</sup> derives from expressions employed in Num 19:8, 10, 21. An expression like ולהיות יראים מהמקדש ("they should be reverential of the Sanctuary"; B 49) is clearly based on Lev 19:30 ומקדשי תיראו ("you shall revere my sanctuary"), and a phrase such as [להיו]תם עצם אחת | ונשים [לוקחים] ("they take [wives in order to] become one bone"; B 40) derives from Gen 2:23–24 מעצמי ("bone from my bone and flesh from my flesh... they shall be as one flesh"), with only a slight adjustment. In both of these cases, there is no interpretation of the underlying scriptural text which appears to be employed purely stylistically. In the "hortatory epilogue," the description of David as איש חסדים (C 25) is based on a complex of allusions in Scripture which associate David with the Hebrew root חסד, at times referring to his actions and at times to God's. Thus, 2 Sam 7: 15 ממנו לא יסור מחסדו; Isa. 55:3 דוד הנא־חַסֵּד; Ps. 89:50 (cf. also 25, 29, 34) איה חסדיך הראשונים אדני נשבעת לדוד; and Chron. 6:42 זכרה לחסדי דויד עבדך. This is more than mere

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<sup>11</sup> DJD X, 65–108. Lexical elements are dealt with, on 83–101. This section should be supplemented by his article "Observations on the History of Early Hebrew (1000 BCE–200 CE) in the Light of the Dead Sea Documents," in *The Dead Sea Scrolls: Forty Years of Research* (ed. D. Dimant and U. Rappaport; STDJ 10; Leiden/Jerusalem: Brill/Magnes, 1992), 349–361.

<sup>12</sup> DJD X, 84.

<sup>13</sup> Translations from 4QMMT are, as far as possible, my own. Occasional coincidence with Qimron and Strugnell's rendition was, however, unavoidable.

stylistics and probably represents the borrowing of a biblical theological frame of reference more than anything else.

Qimron writes that the concluding lines of 4QMMT (C 31–32) ונחשבה לטוב לנו כל הימים לחיתנו כהיום הזה וצדקה תהיה “(it shall be reckoned for you as righteousness when you do that which is upright and good before Him, so that it be good for you and for Israel”) are “perhaps influenced by Deut 6:24–25” לטוב לנו כל הימים לחיתנו כהיום הזה וצדקה תהיה “(it shall be reckoned for you as righteousness when you do that which is upright and good before Him, so that it be good for you and for Israel”). He refers further to Deut 12:28 למען ייטב לך ולבניך אחריו עד עולם כי תעשה הטוב ה' אלהינו כאשר צונו בעשותך לך ולבניך אחריו עד עולם כי תעשה הטוב ה' אלהינו as the model for the phrase beginning בעשותך לך ולבניך אחריו עד עולם כי תעשה הטוב ה' אלהינו. This passage indicates the difficulty with determining the biblical model for the language of a text like MMT. If Qimron is correct in his reference to Deut 6:24–25, then Deut 6:18 ועשית הישר והטוב בעיני ה' למען ייטב לך ובעשותך הישר והטוב לפנו is more likely than Deut 12:28 to be the model for בעשותך הישר והטוב לפנו, since it is more proximate to the other passage which influences the context, and furthermore, since, uniquely in the Hebrew Bible, it shares with MMT the word order הישר והטוב. But there is no question that ונחשבה לטוב לנו כל הימים לחיתנו כהיום הזה וצדקה תהיה is modeled either on Gen 15:6 והאמן בה' ויחשבה לו צדקה or Ps. 106:31 ותחשב לו לצדקה.<sup>14</sup> I wonder | whether the employment of Gen 15:6 in 4QMMT is not meant to convey an overtone of proper belief or of taking something on trust (והאמן), as well as proper practice.

#### IV. SCRIPTURAL EXEGESIS IN SECTION B

##### A. *Implicit Scriptural Exegesis*

Turning to Scripture as the source for the law in 4QMMT, we begin with a passage like (כי לבני הכהנים) ראוי להזהר בדבר הזה בשל שלוא י[היו] לצדקה עון (“[for] it is right [for the pr]iests to be careful in this matter so that they [should not] cause the people to b[e]ar guilt;” B 11–13), despite the fact that there is no citation formula present. Qimron notes correctly that MMT reads Lev 22:16 והשיאו אותם עון אשמה (“they shall cause them to bear the iniquity of guilt”) as meaning that the priests

<sup>14</sup> Qimron, DJD X, 63.

<sup>15</sup> Qimron does not refer to these passages *ad loc.*, but alludes to them, 84, as well as the phrase ויתחשב לו לצדקה, deriving from Gen 15:6, which he cites from J.T. Milik's edition of the Copper Scroll (above, n. 9), 225. The text in which that phrase appears (4Q225 2 i 8 [Ps-Jub<sup>a</sup>]) has just been published by James C. VanderKam in DJD XIII, 145 and Plate X, with the reading ותחשב לו לצדקה. The first three letters are only partially preserved, but there is clearly no ל before צדקה.

shall cause the laymen to bear guilt. We must add to his observation that it is the following words in Lev 22:16 באכלם את קדשיהם (“when they eat their sacred food”) which suggest to the interpreter that the subject of the biblical text is the proper time for eating sacrifices, which is the very point at issue in MMT. The phraseology of 4QMMT thus indicates an implicit interpretation of the biblical passage. The same may be true of B 72–74 ועל [טמאת נפש] האדם אנחנו אומרים שכול עצם ש[היא...] ושלמה כמשפט (“and regarding the [impurity of a] human [corpse] we say that any bone w[hich is...] and whole has the law of the dead or the slain”) where the equation of bone with dead or slain derives from, or is modeled on, Num 19: 16 או במת או חרב או בחלל השדה בחלל חרב או במת 19:18 or בעצם אדם הנגע בעצם או בחלל או במת 19:18.<sup>16</sup>

ואף על 37 | The laws regarding fourth year produce and animal tithe מטעת עצי המאכל הנטע בארץ ישראל כראשית הוא לכוהנים ומעשר הבקר ועצם ש[היא...] ושלמה כמשפט (“and also regarding the planting of food trees, that which is planted<sup>17</sup> in the land of Israel belongs like firstfruits to the priests; and the tithe of cattle and sheep belongs to the priests”; B 62–64) are obviously based on Lev 19:23–24 וכי תבאו אל הארץ ונטעתם כל עץ וכל מעשר 27:32 and מאכל... ובשנה הרביעת יהיה כל פרוי קדש הלולים לה' בקר, respectively, although the scriptural foundations and exegesis are only inferential.<sup>18</sup> Only the terms עצי מאכל and מעשר הבקר והצון are biblical, as noted by Qimron, but the nature of the connection to Scripture is not difficult to extrapolate. In particular, the limitation of the law to planting in the land of Israel is based on the words אל הארץ in Lev 19:23, and the assignment to the priests derives from the expression “holy to the Lord” in both passages in Leviticus.<sup>19</sup> It is likely that the common assignment of these products to the priests,

<sup>16</sup> For discussion, see DJD X, 170–71. I believe that Qimron's restoration עצם ש[היא...] ושלמה [חסרה] is unlikely, since חסרה ושלמה is a very improbable combination (Qimron renders “[whether it] has flesh on it or [not]”). I should suggest, fairly unconfidently, עצם ש[היא...] ושלמה (“a bone w[hich is complete] and whole”), implying that whereas flesh conveys impurity in very small quantity, a bone needs to be whole in order to do so. This exegesis, that only a complete bone is called a bone, would then compare only whole bones to the dead or slain.

<sup>17</sup> I read על מטעת עצי המאכל as a heading, with the law beginning with הנטע. I am not certain whether the latter is to be vocalized *nittā'* (Niph'al participle) or *neṭa'* (noun, as in the Mishnaic רבעי רבעי).

<sup>18</sup> Qimron, DJD X, 53, writes “Curiously enough, neither fruits nor the fourth year are explicitly mentioned in this halakhah, and the content can be deduced only from the linguistic allusions to Lev 19:23.”

<sup>19</sup> Qimron, DJD X, 164, lays out the linguistic resemblance between the biblical and Qumran texts. It is also possible that the language of Lev 19:25 “In the fifth year you shall

based on the identical exegesis of very similar verses, is what generates their juxtaposition in 4QMMT.

A passage like B 39–41 is difficult to characterize with regard to its relationship to the biblical text because of its fragmentary nature. Before the text of B 40 cited above which began ונשים לוקחים (“and they take wives”), but not immediately before it because there is clearly a gap in the text, we read in MMT ועל העמוני והמואבי [ו]הממזר ופ[צוע הדכה וכו']ת השפכת (“and regarding the Ammonite and Moabite [and] bastard and one crushed in his genitals and cut in his member who enter the congregation”). This clearly refers to Deut 23:2–4 where a number of groups are prohibited from entry בקהל ה' (“into the Lord’s assembly”). The context of 4QMMT implies furthermore that prohibited marriages are being | discussed. So far the law does not appear to be one on which there could be dispute, as it merely restates the biblical injunctions agreed to by all Jewish groups at this time.

Qimron’s reconstruction of B 41 adds the words ובאים למקדש (“and they enter the Sanctuary”), which could imply double exegesis of the idiom “to enter the assembly of the Lord,” i.e., the prohibition of intermarriage as well as the injunction against entry into the Temple. Conceptually, this proceeds along the lines which are implied in 4Q174 (Florilegium)<sup>20</sup> 1–2 i 3–4 הוואה הבית אשר לוא יבוא שמה [איש אשר בבשרו מום] עולם ועמוני 3–4 (“That is the house where no [one with a] permanent [defect in his body] or an Ammonite or Moabite or bastard or foreigner or proselyte may enter forever”). But since the only unrestored reference to the sanctuary in this context in MMT is B 49 ולה- מהמקדש, which is a bit distant, I am far from convinced by Qimron’s restoration in line 41, despite the fact that it adds something to the biblical regulation which could be the subject of dispute between the author and his opponents.<sup>21</sup> The simple sense of MMT is that the subject under discussion is the law of marriage, not of the Temple.

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eat its fruit” implies “but not before the fifth year!” See further Qimron’s valuable comments, 164–166, on the relationship of these texts to other Second Temple legal sources.

<sup>20</sup> I accept for the purpose of my analysis here the reading of Qimron, DJD X, 159, following Y. Yadin (“A Midrash on 2 Sam VII,” *IEJ* 9 [1959]: 96). For fuller discussion of other possible readings and an interpretation of this section of Florilegium, see G.J. Brooke, *Exegesis at Qumran* (above, n. 2), 86, 100–101, 227.

<sup>21</sup> Qimron asserts, DJD X, 158, that Lam 1:10 לא אשר צויתה כי ראתה גוים באו מקדשה אשר צויתה לא יבאו בקהל לך (“For she saw nations enter her Sanctuary whom You commanded shall not enter into Your assembly”) understands the phrase “to enter into the assembly of the Lord” in Deuteronomy “as referring to entry into the sanctuary, while the rabbis explained it as referring to marriage with Jewish women.” But the verse in Lamentations need not be



B. *Exegesis Including כתוב-Formulas*

Let us turn to an examination of one of the most interesting “scriptural” features of 4QMMT, its employment of the citation formula כתוב, which generally introduces direct quotations of Scripture elsewhere at Qumran and in rabbinic literature as well.<sup>22</sup> | According to Qimron’s index, the term כתוב appears in the manuscripts of 4QMMT six times in B and five times in C, to which the editors have added reconstructed occurrences (which I believe are superfluous) at B 10 and B 77.

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B 27–28 reads מחוץ [או ישחט או ישחט] [ויעל שא כתוב] איש כי ישחט במחנה או ישחט [and re]garding that which is written [should an individual slaughter in the camp or slaughter] outside the camp an ox, sheep or goat”). If reconstructed correctly, this text is a paraphrase of Lev 17:3 איש איש מבית ישראל אשר ישחט שור או כשב או עז במחנה או אשר ישחט מחוץ למחנה (“should any individual from the house of Israel slaughter an ox, sheep or goat in the camp or should he slaughter outside the camp”). The biblical text continues by imposing the penalty of *karet* for one who slaughters anywhere outside of the tabernacle. It is immediately clear that כתוב in MMT need not precede a quotation, but that paraphrase is to be considered כתוב as well.<sup>23</sup> This fact may be very important when we

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reinterpreting Deuteronomy. It more likely presents an *a fortiori* argument: these nations are not permitted even to marry into the Israelite nation (and certainly not to enter the Temple), but they have now entered the Temple. If there is any reference in the lacuna of MMT to the prohibition against entering the Temple, it is likely to be based on the inference from the text in Lamentations.

<sup>22</sup> Citation formulas at Qumran have been studied since the earliest period of Dead Sea Scroll scholarship. The following is a selection from the literature: F.L. Horton, “Formulas of Introduction in the Qumran Literature,” *RevQ* 7 (1969–71): 505–14; J.A. Fitzmyer, “The Use of Explicit Old Testament Quotations in Qumran Literature and in the NT,” *Essays on the Semitic Background of the New Testament* (London: Geoffrey Chapman, 1971), 3–58; Horgan, *Pesharim* (above, n. 2), 239–44; Fishbane (above, n. 2), “Use of Citations and Citation Formulae,” 347–356; D. Dimant, “The Hebrew Bible in the Dead Sea Scrolls: Torah Quotations in the Damascus Covenant,” [Hebrew] in *Sha’arei Talmon: Studies in the Bible, Qumran and the Ancient Near East Presented to Shemaryahu Talmon* (ed. M. Fishbane and E. Tov; Winona Lake: Eisenbrauns, 1992), 113\*–122\*; Vermes, “Proof-Texts” (above, n. 2); J.M. Baumgarten, “A ‘Scriptural’ Citation in 4Q Fragments of the Damascus Document,” *JJS* 43 (1992): 95–98; M.J. Bernstein, “Introductory Formulas for Citation and Re-Citation of Biblical Verses in the Qumran Pesharim: Observations on a Peshar Technique,” *DSD* 1 (1994): 30–70 (below 2.635–673).

<sup>23</sup> Qimron, *DJD* X, 140–41, writes of the use of כתוב, “This word is known in MH as a technical term introducing scriptural citations. In MMT it never introduces biblical verses. It sometimes precedes a description or paraphrase of a biblical verse” as at B 76–77, 66–67, and 70. “At B 38 it does not refer to any specific verse at all. It would therefore seem that כתוב is not intended to introduce a verbatim quotation from Scripture, but rather to introduce the statement which was derived from such a verse. This use of the word

- 41 come across passages throughout Qumran literature which purport by | their introductory formulas to be biblical citations, but which are at variance with MT.<sup>24</sup> The introduction of non-citations by כתוב might at times explain such “variant” quotes.

The second occurrence of the citation formula כתוב comes at the end of a passage dealing with the slaughter and eating of a pregnant animal and its fetus (B 36–38).<sup>25</sup>

[ועל העברות א]נחנו חו[שבים שאין לזבוח א]ת האם ואת הולד ביום אחד  
[. . . ועל] האוכל [אנח]נו חושבים שאיכיל את הולד  
[שבמע]י אמו לאחר שחיתתו ואתם יודעים שהו[א] כן והדבר כתוב עברה

[And regarding pregnant animals w]e th[ink that one ought not to sacrifice] mother and child on one day. [. . . and regarding] one eating, [w]e think that the fetus [in its mother’s innards] may be eaten [(only) after its slaughter and you know that it i]s so, *and the matter is written (about?) a pregnant one.*

The biblical verse on which these laws are based is, of course, Lev 22:28 ושור או שה אתו ואת בנו לא תשחטו ביום אחד. Regarding the biblical law prohibiting the slaughter of the parent animal together with its offspring, no Pharisee or other Second Temple Jew would have disagreed (putting aside the issue whether the prohibition pertains to male as well as female parents).

The uniqueness of the Qumran treatment, according to Qimron’s restoration, is the association of Lev 22:28 with the prohibition against slaughtering a pregnant animal and the requirement to slaughter a fetus found alive in the womb of its dead mother.<sup>26</sup> This must be the subject of the

כתוב is distinctive of MMT, but כתוב (or אמר) followed by a paraphrase is also found in the Damascus Covenant.” He cites as evidence L. Ginzberg, *An Unknown Jewish Sect* (New York: JTSA, 1976), 192–200 and Baumgarten “‘Scriptural’ Citation.” That כתוב need not introduce a quotation in 4QMMT is clear; whether it can is another issue.

<sup>24</sup> See the discussion in Baumgarten, “‘Scriptural Citation.’” I have discussed briefly the issue of non-MT citations (or paraphrases) introduced by כתוב in the pesharim in “Citation and Re-Citation,” 53–54, nn. 67 and 70, and 57 (below 657, nn. 66 and 69, and 660).

<sup>25</sup> Qimron, DJD X, 158, assumes that the first half of the law refers only to sacrificial animals, based on the juxtaposition with B 35 which concludes במקדש שוחטים (“[they] do not slaughter in the sanctuary”) and on the context of the related passage in the Temple Scroll which deals only with sacrifices. His arguments, however, are not completely compelling, as even he agrees that the second part refers to non-sacred slaughter. If the entire law deals with non-sacred slaughter, the restoration לזבוח (“to sacrifice”) can be replaced by לשחוט (“to slaughter”) without difficulty. See the brief discussion in L.H. Schiffman, “*Miqṣat Ma’āseh Ha-Torah and the Temple Scroll*,” *RevQ* 14 (1990): 448–451.

<sup>26</sup> DJD X, 157. The law of not sacrificing pregnant animals is juxtaposed with the law of not sacrificing parent and child on the same day also in 11QTemple 52:5–7 which introduces to the context also the rule not to take the mother bird with its young.

dispute between the author of 4QMMT and his opponents. Granted the difficulty of restoring the gaps in this passage, how are we to understand “[and you know that i]t is so and the matter is written about a pregnant one”? The syntax of the Hebrew (emphasized in the citation above) is very awkward, and there is certainly no obvious way of reading the biblical text which would imply that slaughtering pregnant animals is prohibited,<sup>27</sup> and it is even more difficult to infer from the text that a fetus found in a slaughtered animal must be slaughtered separately. The “argument” of MMT (if we may dignify it with that name) asserts, nevertheless, that this is the implication of Scripture. This appears to be the effect of the employment of the term כתוב based on Qimron’s restoration of the preceding material. But so much of B 36–38 is reconstruction that a debate on the employment of כתוב cannot be grounded on hard facts.

The next two occurrences of כתוב are in the laws pertaining to skin-disease (צרעת) where the context is less fragmentary (B64–72).

ואף על הצרועים אנחנו  
א[ומרים שלוא י]בואו עם טהרת הקודש כי בדרך  
י[היו] [מחוץ לבית וא]ף כתוב שמעת שיגלה וכבס [י]שב מחוץ  
[לאוהל] שבעת י[מים] ועתה בהיות טמאתם עמהם  
הצרועים באים ע[ם] טהרת הקודש לבית ואתם יודעים  
[שעל השוגג שלוא יעשה את המצוה] ונעלה ממנו להביא  
חטאת וע[ל] העושה ביד רמה [כת]וב שהוא בזה ומגדף  
[וכול עוד היות לה]מ[ה]ט[מאות] נ[גע] אין להאכילם מהקו[ד]שים  
עד בוא השמש ביום השמיני

And also regarding those suffering skin-disease, we s[ay that they shall not e]nter with the sacred pure (food) but they shall be alone [outside the house]<sup>28</sup> And *i]t is also written* that from the time that he shaves and washes [he shall] remain outside of [his tent for seven d]ays. But now, while their impurity is upon them, those suffering skin-disease enter | wi]th sacred pure (food) into the house. And you know [that it is incumbent on one unintentionally not performing a commandment] from whom it is hidden to bring a sin-offering, whil[e regarding one who acts presumptuously *it is wr]itten*

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<sup>27</sup> One could claim that בננו ואתו could be expanded to include the pregnant animal and its fetus, but the masculine forms in the biblical text might argue against such an extension.

<sup>28</sup> I translate here Qimron’s text; for an alternative restoration, see below. Qimron, DJD X, 55, renders “(and) outside any house.” I believe that this is too strong a reading of a reconstituted text. It is more likely that it is to be translated as I have suggested. Likewise, the phrase in B 68 טהרת הקודש לבית ע[ם] should be rendered, contra Qimron, with a definite article. The fundamental meaning of the passages, however, remains the same.

that he is a contemner and a blasphemer. [And as long as t]he[y have<sup>29</sup> the im]purity of d[isease], one should not allow them to eat of holy thin[gs] until sunset on the eighth day.

In this passage, we can see the biblical text which underlies the law more clearly. MMT juxtaposes a phrase from Lev 13:46 כל ימי אשר הנגע בו יטמא (“All the days that the disease is upon him he shall remain impure; he is impure, *alone shall he remain, his residence is to be outside the camp*”),<sup>30</sup> paraphrased as בדד [י]היו [מ]חוץ וכבס המטהר את Lev 14:8 according to Qimron, with a paraphrase of ובגדיו וגלח את כל שערו ורחץ במים וטהר ואחר יבוא אל המחנה וישב מחוץ לבית according to Qimron, with a paraphrase of Lev 14:8 וכבס המטהר את ובגדיו וגלח את כל שערו ורחץ במים וטהר ואחר יבוא אל המחנה וישב מחוץ לבית according to Qimron, with a paraphrase of Lev 14:8 (“the one being cleansed shall wash his garment and shave all of his hair, wash his flesh in water and become pure; afterward he shall enter into the camp and he shall remain outside his tent for seven days”). The use of וכבס, with *vav* consecutive, in B 66 marks the citation as biblical even more clearly.

According to Qimron’s restoration, the paraphrase of Lev 13:46 is purely stylistic, with the language of the biblical text which pertains to a leper during his full impurity taken (perhaps misleadingly to us) out of context.<sup>31</sup> The meaning of the Qumran text then must be that during the first stage of purification the leper may not enter houses. On the other hand, the contrast with ועתה בהיות טמאתם עמהם הצ[רועים באים ע]ם טהרת לבית (“But now, while their impurity is upon them, those suff[er]ing skin-disease enter wi]th sacred | pure (food) into the house”) shows how literally MMT takes לאהלו מחוץ in its paraphrase of Lev 14:8. It appears that MMT understands the reason for the biblical exclusion of the healing leper from his home to be his defilement of any pure food which is to be found therein.<sup>32</sup>

<sup>29</sup> I prefer something along the lines of this reading to Qimron’s [מ]ה [ו]אף בהיות לה (“and also while they have”) which creates more of a break from the previous line. My restoration might be said to resemble ועתה בהיות טמאתם עמהם of B 67.

<sup>30</sup> Qimron, DJD X, 168, quite surprisingly, assumes that מחוץ למחנה מושבו which we translate “his residence is to be outside the camp,” means “outside ‘the camp of his dwelling,’” without noting that such a translation demands revocalizing the Hebrew text to read לְמַחְנֶה as a construct where MT has the absolute form with definite article לְמַחְנֶה.

<sup>31</sup> Qimron, DJD X, 169, writes, in defense of his restoration לבית מחוץ, “The passage is then no more than the heading to the polemic mentioned in the two lines that follow.”

<sup>32</sup> This may be the simple sense of the biblical text, although rabbinic exegesis interprets אהלו as a euphemism for אשתו, and bars the *mesora’* from sexual intercourse. Cf. J. Milgrom, *Leviticus 1–16: A New Translation With Introduction and Commentary* (Anchor Bible 3; New York: Doubleday, 1991), 842–43, who cites this passage in 4QMMT as proof of his interpretation of the biblical passage.

As the impetus for the restoration seems to be the invariable position of the editors that the author of MMT must be polemicizing on all points to which he alludes, a posture which I believe is open to question, the certainty with which the restoration is posited is also unsure. Accepting, nevertheless, a polemical motive for these lines, I suggest the following restoration and interpretation as a heuristic alternative: *מחוץ יהיו* [מחוץ] *בדד יהיו* ("They shall be alone [outside the city. And] it is also written that from the time that he shaves and washes [h]e shall remain outside [his house for seven d]ays").<sup>33</sup> In this reading, both paraphrases of the biblical text are exegetical, rather than stylistic. The author of MMT believes that the correct interpretation of the biblical text is that those with skin-disease are to be kept out of cities (interpretation of biblical *מחנה*) and, furthermore, that during the seven-day purification period they are to be kept from their homes (biblical *אהלו*). The polemic of the sectarian author against his opponents *ועתה בהיות טמאתם עמהם הצ[רועים באים ע]ם טהרת הקודש* and *ועתה בהיות טמאתם עמהם הצ[רועים באים ע]ם טהרת הקודש* applies to both aspects of the treatment of skin-disease sufferers; they are not kept out of all cities during their impurity and they are not barred from their homes during the first stage of purification.<sup>34</sup>

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Because of the apparent reference in B 70 to Num 15:30–31 *את ה' הוא מגדף ונכרתה . . . כי דבר ה' בזה ואת מצותו הפר* to refer the missing portion of B 69 *שעל השוגג שלא יעשה את המצוה*

<sup>33</sup> The first part of this restoration is equivalent to the reconstruction with *למחנה* which Qimron proposes and rejects, DJD X, 168–169, on the grounds that "this solution seems forced and hardly fits the continuation, which concerns the isolation of the healed leper." I think that the reading and interpretation suggested here is not subject to Qimron's objections. Qimron, DJD X, 169, n. 170, claims that his reconstruction *מחוץ לבית* is supported by 4QToh<sup>a</sup> (4Q274) 1 i 1–2 *בדברו אמה עשרה שתיים עשרה מן הטהרה ישב ורחוק מן הטהרה ישב ורחוק כמדה הזוהר* ("Apart from all the unclean shall he remain, and twelve cubits distant from the purity when speaking with him. And he shall remain northwest of every residence by that distance." Complete text and translation in J. Milgrom, "4QTohora<sup>a</sup>: An Unpublished Qumran Text on Purities," in *Time To Prepare the Way in the Wilderness: Papers on the Qumran Scrolls by Fellows of the Institute for Advanced Studies of the Hebrew University, Jerusalem, 1989–90* [ed. D. Dimant and L.H. Schiffman; STDJ 16; Leiden: Brill, 1995], 60–61 and J.M. Baumgarten, "The Laws About Fluxes in 4QTohora<sup>a</sup> [4Q274]," *ibid.*, 1–3.) If Qimron and Milgrom are correct *contra* Baumgarten (and I think that they are), that this passage refers to the *mešora*' the cited text may simply be the definition of *מחוץ* of the biblical text, or of my reconstructed *לעיר*.

<sup>34</sup> It is also plausible that not every section of every law cited by the author of 4QMMT needs to be cited for polemic reasons. Thus even if we deny Qimron's assertion (DJD X, 169) that B 64–66 is only a heading, it is possible that the term *אנחנו אומרם* ("we say") introduces the whole section which consists of two laws, even though MMT disagrees with its opponents only in the second law, where the opponents are accused of allowing those still in a state of impurity to enter houses which may contain pure food.

to the unintentional violation of the commandments as implied in Num 15:27 (with the extant continuation apparently based on Lev 5:2), and the missing portion of B 70 on the basis of Num 15:30 **בִּיד וְהִנֵּפֵשׂ אֲשֶׁר תַּעֲשֶׂה בִּיד רַמָּה**.<sup>35</sup> If it were not for the appearance of the citation formula **כְּתוּב** followed by language reminiscent of Num 15:30–31, I should have thought that the resemblances to the biblical text were stylistic and not exegetical. In any event, the contextual employment of the biblical verse is difficult to understand; it appears to interrupt the laws of **צְרַעַת** which continue in B 71–72. Why in the middle of the critique of his opponents' practices in regulating skin-disease does the author of MMT cast a more general aspersion against them? Qimron, sensitive to this problem, writes,

45 Here MMT draws the attention of the addressees to the fact that the opponents of the sect, in allowing the lepers to touch pure food before | completing the last stage of their purification, are intentionally transgressing. In such a way, they are despising God.<sup>36</sup>

If he is correct, the biblical text is not being employed only for stylistic reasons, but for its halakhic context as well. Perhaps, while accepting Qimron's reconstruction of B 70, we should restore the first half of B 69 on the basis of Lev 5:2 or 5:3, including a reference to **טוּמְאָה** ("impurity") which is a theme of those verses, although I do not have a specific reconstruction to recommend. The flow of the argument in the text then would be that even one who violates the laws of purity unintentionally must bring a sin-offering and that willful violation is to be treated even more severely.

B 76 and 77 have two certain occurrences of the **כְּתוּב**-formula, and another is restored by Qimron in B 77. Regarding immorality practiced by the people, MMT writes **וְהֵמָּה בְּ[נֵי זֶרַע] קֹדֶשׁ מִשְׁכַּתוֹב קוֹדֵשׁ יִשְׂרָאֵל** ("and they are children of] holy [seed] as it is written, 'holy is Israel'"). Qimron asserts that **כְּתוּב** "can hardly introduce a quotation of Jer 2:3. It states rather that Israel is holy according to the Scripture."<sup>37</sup> Nevertheless, I believe that what we have here is a two-word biblical citation which affirms the sanctity of Israel. When a quotation is inexact, we may surely characterize it as a paraphrase, but there is no reason to claim that **כְּתוּב**

<sup>35</sup> DJD X, 54. In the chapter on the halakhah, DJD X, 169, Qimron writes, "We believe that **מִמְנוּ וְנִעְלָה מִמְנוּ** should be compared to **מִמְנוּ וְנִעְלָה מִמְנוּ** in Lev 4:13–14, 5:1–4, and that the words **וּמִגִּדְף וּמִבֹּזֵה** should be compared to **בֹּזֵה** and **גִּדְף** in Num 15:27–31."

<sup>36</sup> DJD X, 169.

<sup>37</sup> Qimron, DJD X, 55.



Whether this apparent independence from Scripture is a product of the unusual genre of 4QMMT, as we suggested above, or whether our very sense of the scriptural orientation of most Qumran halakhah is itself an exaggeration, will require further investigation.

#### V. SCRIPTURE IN SECTION C, “THE HORTATORY EPILOGUE”

47 When we turn to the third, non-legal, section of MMT, called “the hortatory epilogue” by the editors, the language of the document seems to become more biblical. I am not convinced that Section C begins with the fragmentary remains of MS d which are labeled C 1–7, but suspect that those lines are actually the conclusion of the halakhic | section which the editors label B. The references to ועל הנשיׁם (“And regarding the women;” C 4) and והזנות (“and the fornication;” C 6) could very well follow a section on immorality or sexual transgressions of various sorts which would naturally follow the concluding section of B (75–82) which was just discussed above.

The first citation in C 5–7 is מקורׁ [בגלל] החמס והזנות אבדׁ [ו הרבה] מקורׁ is מות [ואף] כתוׁ [ב בספר מושה ולו] א תביא תועבה א [ל ביתכה כי] התועבה שנואה היאה (“... [Because of] violence and immorality [many places] were destroy[ed]. [It is also] *writt[en]* in the book of Moses, ‘You shall n[ot] bring an abomination in [to your house’ for] the abomination is hated”). Once again, I restore the latter portion as a quotation of Deut 7:26, while Qimron reads it as a paraphrase, שלוא תביא תועבה. This citation would be a fitting conclusion to the halakhic section, with the epilogue beginning with [ואתם יודעים ש] פרשנו מרוב העׁם (“[You know that] we have separated from the multitude of the peop[le]”). The word שנואה (“hated”) is seen by Qimron as an interpretation of the biblical תועבה (“abomination”),<sup>42</sup> but it is far more likely in my view that we have here another harmonistic reading of two scriptural texts. Deut 12:31, in the context of idolatry, reads כי כל תועבת הׁ אשר שנא לאלהיהם עשו (“for every abomination of the Lord which he hates they did for their gods”). 4QMMT is using Deut 12:31, which contains both תועבה and שנא, to explain or comment upon the word תועבה in Deut 7:26. The possible employment

<sup>41</sup> I do not see Qimron’s reading מקומות [מקצת] (“some places”). If the source for the text is Deut 12:2 כל המקומות את כל האבד תאבדון את כל המקומות, as Qimron, DJD X, 58, also holds, I think that the reconstruction הרבה corresponds to the biblical כל better than מקצת does.

<sup>42</sup> Qimron, DJD X, 58.



or imitation of Deut 12:2 in C 5–6 also may aid in indicating the biblical context of these lines.

C 11 has an enigmatic **כתוב ובספר** attested in two manuscripts, although there is no trace of the subsequent text to be reconstructed. But its presence, followed by that of the two citation terms in C 12, signifies that we are in a more heavily Scripture-based atmosphere than we saw in B. C 12–16 reads

ואף כתוב שת[סור] מהד[ר]ך וקרתך הרעה וכתוב  
והיא כי  
[יבו]א עליך [כו]ל הדבר[ים] האלה באחרית הימים הברכה  
והקללא [והשיבות]ה אל ל[בב]ך ושבתה אלו בכל לבבך  
וב[כו]ל נפשך [באחרית] [ ]

| And it is also written that you will [turn away] from the p[at]h and evil will  
befall you. And it is written, ... “It shall be when [al]l these thin[g]s c[ome]  
upon you in the end of days, the blessings [and] the curse, [you shall bring  
(it) ba]ck to your he[ar]t and you shall return to him with all your heart and  
with [al]l [your] soul” ... in the end of. ...

48

The first “citation” derives from Deut 31:29 **כי ידעתי אחרי מותי כי השחת תשחתון וסרתם מן הדרך אשר צויתי אתכם וקראת אתכם הרעה באחרית** (“For I know that after my death you shall certainly become corrupt and *turn from the path* which I commanded you, and *evil shall befall you* in the end of days when you do what is evil in the eyes of the Lord to anger Him with your handiwork”). The author of 4QMMT has paraphrased the biblical texts and shifted to the singular from the plural original. MMT continues with a longer selection based on Deut 30:1–2 **והיה כי יבאו עליך כל הדברים אשר האלה הברכה והקללה אשר נתתי לפניך והשבת אל לבבך בכל הגוים אשר הדיחך ה' אלהיך שמה. ושבת עד ה' אלהיך ושמעת בקלו ככל אשר אנכי מצוך** (“It shall be when all these things come upon you, the blessing and the curse which I have set before you, *then you shall return to your heart* amid all the nations where the Lord your God has thrust you. *And you shall return to the Lord your God* and heed his voice in accord with everything which I command you today, you and your children, *with all your heart and with all your soul*”). The words **באחרית הימים** (“at the end of days”), which do not occur in those verses, probably derive from Deut 31:29 which was cited just above.<sup>43</sup>

<sup>43</sup> Florentino García Martínez also noticed this phenomenon in “4QMMT in a Qumran Context,” in *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John

It is clear that the author of MMT understands the content of 31:29, the misfortune which will befall the people in the end of days, to be the same as the curse of 30:1. Thus that text also can be located at the end of days. The further reference in C 20–21 | ואנחנו מכירים שבאו מקצת הברכות | והקללות שכתוב בס[פר מו]שה וזה הוא אחרית הימים שישובו בישר[אל] 49 לת[ורה] “we recognize that some of the blessings and curses which is [*sic*] written in the bo[ok of Mo]ses have come, and this is the end of days when they will return in Isr[ael] to the T[orah]”) is also based on the integration of Deut 30:1–2 and 31:29.<sup>44</sup> The continuation of C 16, according to Qimron’s translation of the composite text, is “at the end [of time so that you may live . . .],” but there is no text, extant or restored beyond [ ] וח[ ] באחרית[ ] which appears in the composite text facing that rendering.<sup>45</sup> It appears that Qimron is restoring something along the lines of וחייית ורבית וברכך 30:6. באחרית [העת] וח[יית] 46 This seems to echo Deut 30:6 באשר אשר אתה בא שמה לרשתה ה’ אלהיך בארץ אשר אתה בא שמה לרשתה thereby keeping the focus of this part of section C at the end of Deuteronomy.

Finally, the Bible plays a further role in section C in addition to the citations from its text. At the beginning of the exhortation (C 10–11), in an extremely broken passage, the author of MMT advises his addressee שתבין בספר מושה [ו]בספר[י הנ]ביאים ובדו[י]ן . . . במעשי דור ודור (“that you ponder the book of Moses [and] the book[s of the pr]ophets and Davi[d . . . the deeds of] every generation”), implying that proper analysis of biblical history will show him the error of his ways.<sup>47</sup> After the phrases from the latter chapters of Deuteronomy just examined, there

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Kampen and Moshe J. Bernstein; SBL Symposium 2; Atlanta: Scholars, 1996), 21. Qimron refers to this phrase (DJD X, 55) as “an addition to MT.” It should also be noted, however, that Deut 4:30 ושמעת ה’ אלהיך ושבת עד ה’ אלהיך ובדו[י]ן . . . במעשי דור ודור could have had an impact on the formulation.

<sup>44</sup> This is true whether we translate הוא אחרית הימים וזה to mean “this is” or “this was.” Qimron’s reference (DJD X, 61) to “the term אחרית הימים refer[ring] to the days of Saul” in 4Q252 1 iv 1–2 is based on a common misunderstanding of that passage. I believe that I have shown convincingly in “4Q252: From Rewritten Bible to Biblical Commentary,” *JJS* 45 (1994): 15–16 and n. 51 (above 1.111) that the reference in that text must be to the eschaton. In our MMT passage, אחרית הימים is not to be translated “at the end of days,” but “the end of days” as Garcia Martinez also points out in “4QMMT in a Qumran Context,” *ibid.* Like Garcia Martinez and others, I restore the final word as לתורה and not לתמיד.

<sup>45</sup> DJD X, 60–61

<sup>46</sup> Qimron, DJD X, 37, in his readings of 4Q398, MS e, restores העת without traces (cf. C 30 באחרית העת).

<sup>47</sup> Although Qimron restores מעשי דור ודור (4QD<sup>e</sup> (4Q270 2 ii 21) ובהינכם במעשי דור ודור (“and when you contemplate the deeds of every generation”), perhaps we ought to follow the biblical model of Deut 32:7 שנות דור ודור and read שנות דור ודור.

follows a historiography of the Bible which asserts that the blessings and curses alluded to in the Pentateuch have already been partially fulfilled in the | time from Solomon and Jeroboam through the exile of Zedekiah.<sup>48</sup> 50  
 The author of MMT believes that אחרית הימים (“the end of days”) is now here, and entreats his addressee to contemplate further the history of the kings of Israel. It is clear that מלכי ישראל (“kings of Israel”) is not employed, as it often is in the Bible, in contrast to מלכי יהודה (“the kings of Judah”) since the reference is to positive lessons which can be learned from them, and since David is included among them. It is possible that the author of 4QMMT is here following the model of the Chronicler who seems to use the term מלכי ישראל of Judean kings in such passages as 2 Chr. 28:27, 33:18 and 35:18. The adoption of Chronicles as a model by 4QMMT is worthy of further consideration.

## VI. CONCLUDING REMARKS

Scholarship is just beginning to scratch the surface of this fragmentary document. In this examination, we have begun to probe the employment of Scripture in MMT, and, at this point, we still have more questions than answers. In the legal section, we need to know whether MMT is exegetically Scripture-based or whether the laws are at times more loosely related to the Bible as in certain aspects of rabbinic *Torah she-b'e'al peh* (“Oral Law”). Some of the more difficult and fragmentary laws, whose relationship to Scripture we did not discuss above (e.g., B 5–8 and 9–11), require further study and analysis from this perspective. The hortatory epilogue, in particular, demands further analysis of its approach to and use of biblical history, as well as a full comparison with CD/4QD and the many other Qumran texts which employ the rewriting of biblical history as a part of their theological framework. There is a need, for example, to determine whether the attitude of the Qumran authors to biblical history remained constant, or whether it underwent development as the group developed its unique identity. We have not touched on the significance of 4QMMT for the question of biblical canon.<sup>49</sup> Finally, | suffice it to say 51

<sup>48</sup> I am inclined to agree with Qimron and Kister against Strugnell regarding the placement of the crucial fragment C 18–24 at this point in the document. I suggest as a possible reading in C 18 דויד בן דוד שלומה בן דוד ו[בימי דויד ו] ב[ימי דויד ו] (“[the bles]sings which ca[m]e in [the days of David and] in the days of Solomon son of David.”)

<sup>49</sup> Qimron, for example, DJD X, 59, considers C 10 בספר משה ו[בספר] הנביאים ו[בספר] הנביאים ו[בספר] הנביאים ו[בספר] הנביאים (“in the book of Moses [and] in the book[s] of the p[ro]phets and in Davi[d]”) as

that, although the employment of Scripture is not the fundamental issue in the interpretation of MMT, very close attention will have to be paid to the presence and absence of scriptural interpretation in order to achieve full comprehension of this important text from both exegetical and theological perspectives.

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“a significant piece of evidence for the history of the tripartite division of the Canon.” In remarks on the historical setting of MMT, DJD X, 111–112, he expands on that comment. The spacing of the surviving words on the three fragments which make up this line is extremely uncertain, as Qimron marks in the text. I find it surprising that the author of MMT would refer even to the book of Psalms as דויד; we certainly should have expected דויד ספר or the like (e.g., in 11QMelch ii 9–10 we read אשר כתוב עליו בשירי דויד [“as it is written about him in the songs of David”]). As for the third part of a tripartite canon, I remain unconvinced.

CHAPTER TWENTY-FIVE

MIDRASH HALAKHAH AT QUMRAN?  
11Q TEMPLE 64:6-13 AND DEUTERONOMY 21:22-23\*

In June 1967, Professor Yigael Yadin obtained the longest of the Dead Sea Scrolls, a document some 28 feet in length which he then provisionally entitled the Temple Scroll (11QT).<sup>1</sup> The copy of the scroll is dated to the Herodian period on paleographical grounds, but there exists one fragment of the important section termed the *torat hammikdash* which dates (at the latest) to the last quarter of the second century BCE.<sup>2</sup> The document is an halakhic work, in biblical style, purporting to be a description of the New Temple presumably envisioned by the Dead Sea sect, including the laws of the altar, festivals, sacrifices, tithes and impurities, as well as the sectarian codification of a variety of other laws.

The final section of the scroll, columns 51-66, contains a restatement of several laws of Deuteronomy 12-22, but follows the biblical text neither exactly nor completely. Other biblical passages of related content are skillfully integrated into the Deuteronomic paraphrase, primarily by association.<sup>3</sup> Although a good portion of the text of 11QT is virtually a paraphrase of Deuteronomy, some of the laws are, in fact, sectarian principles which are couched in biblical language. We shall be concerned in this paper with

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\* The author would like to thank Dr. Yeshayahu Maori in whose seminar the research into this subject was begun, Rabbi Shalom Carmy for editorial and stylistic comments, and Mr. Zvi Erenyi for a number of productive conversations. At the time of the initial publication of this article, Yadin's English edition had not yet appeared, but references to it have been introduced into the current version.

<sup>1</sup> Y. Yadin, *The Temple Scroll* (Hebrew; Jerusalem: Israel Exploration Society, 1977; English (hereafter Eng.); Jerusalem: Israel Exploration Society, 1983); the three volumes comprise an Introduction, Text and Commentary, and Plates with Supplementary Plates (in two parts). In this essay, we shall refer to the introductory volume as I and the text-commentary volume as II, with no further description. The circumstances of Yadin's acquisition of the scroll are still somewhat shrouded in mystery, and the account in I, 1-4 (Eng. I, 1-5) reads like a thriller. An excellent summary of the scroll's contents, with analysis of some portions and comments on some of the questions it raises, is to be found in J. Milgrom, "The Temple Scroll," *BA* 41 (1978): 105-120.

<sup>2</sup> I, 295 (Eng. I, 386).

<sup>3</sup> Milgrom, 108, discusses the organization of this portion of the scroll.

one of the first passages of 11QT to be made public prior to the publication of the entire document, column 64, lines 6–13.<sup>4</sup>

146 | The text of the segment to be scrutinized reads as follows:

כ	יהיה איש רכיל בעמו ומשלים את עמו לגוי נכר ועושה רעה בעמו ותליתמה אותו על העץ וימת על פי שני עדים ועל פי שלשה עדים יומת והם יתלו אותו העץ כי יהיה באיש חטא משפט מות ויברה אל תוך הגואים ויקלל את עמו, את בני ישראל ותליתמה גם אותו על העץ וימות ולוא תלין נבלתמה על העץ כי קבור תקוברמה ביום ההוא כי מקוללי אלוהים ואנשים תלוי על העץ ולוא תטמא את האדמה אשר אנוכי נותן לכה נחלה	6 7 8 9 10 11 12 13
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This passage is preceded by the laws of the captive wife (11QT 63:10–top of column 64 missing; parallel to Deut. 21:10–14), the recalcitrant son (11QT 64:2–6; Deut. 21:18–21), and, presumably between them, the rights of the first-born son (top of column 64 missing; Deut. 21:15–17). It is followed by the injunction not to refrain from returning lost property (11QT 64:13–65: top missing; Deut. 22:1–3) and other laws of Deut. 22, including that of the mother bird and her young (11QT 65:2–5; Deut. 22:6–7).

The text of this section differs quite sharply in its relationship to the underlying biblical passage from the paraphrases surrounding it; it seems to depart much more freely from its biblical model to the point that its hybrid nature is clearly recognizable. When we observe the degree to which this section goes beyond the paraphrastic standards set by the material around it, a number of questions arise: What is the literary relationship of the segment in 11QT to Deut. 21:22–23? What is the cumulative effect of the individual changes from and additions to the biblical original? Are we able to learn anything about the biblical text or its interpretation from the 11QT passage? Does it teach us anything about the presence or nature of a particular sort of biblical exegesis at Qumran? If we can determine that it is not merely biblical exegesis which is at the root of the changes, are there any other factors which can be perceived as responsible for them? In the following pages, we shall attempt to deal with some of these questions

147 | in the context of this passage in 11QT and perhaps draw some tentative | conclusions about one sort of Qumranic biblical exegesis. Throughout our discussion, we shall not be concerned with the attitude of the author or

<sup>4</sup> Y. Yadin, "Peshet Nahum (4QpNahum) Reconsidered," *IE* 21 (1971): 59 (hereafter referred to as "Peshet"); II, 202–4 (Eng. II, 288–91). Yadin employed this passage of the scroll in an attempt to elucidate a difficult text in the *peshet* (commentary) on Nahum found in cave 4 at Qumran.

reader of the text, within its sectarian framework, to the finished product; rather, we are interested in the way it was produced.<sup>5</sup>

## I

Although it appears that there are two laws before us, we cannot emphasize too strongly the fact that there is really but one, with two categories. The words *מקוללי* (line 12) and *תקוברמה* and *נבלתמה* (line 11) must refer to both of the offenders under consideration, and the phrase *גם אותו* (line 10) emphasizes that the second case is seen as closely allied to the first. Since, in addition, these are the only two political crimes in 11QT, as well as the only two for which hanging is the penalty, it is evident that the two laws are actually variant cases of the same legal principle. The concluding lines of our segment (11–13) form the conclusion to both cases together and impel us to examine closely any features which they have in common. Nevertheless, each case must also be studied individually, particularly in order to determine its literary affinities, and it is with the aforementioned *caveat* against treating them as two distinct laws that we proceed to analyze each separately.

Given the preceding material in the document, we undoubtedly expect, at this point in the scroll, a law reflecting the material of Deut. 21:22–23,

וכי יהיה באיש חטא משפט מות והומת ותלית אותו על עץ לא תלין נבלתו על  
העץ כי קבור תקברנו ביום ההוא כי קללת אלהים תלוי ולא תטמא את אדמתך  
אשר ה' אלהיך נתן לך נחלה

<sup>5</sup> Since we are interested in analyzing but one specific passage in 11QT and its possible relationship to a biblical original, this essay will not deal with the exegetical terminology of Qumran, *per se*. The terms “midrash” and *midrash halakhah* will be used without consideration of whether the sectarian author or reader would have called his exegetical process by that name. L.H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: Brill, 1975), 22–77, discusses “Halakhic Terminology at Qumran”; for *perush* and *drsh-midrash*, see 36–41 and 54–60, respectively. Cf. also, J.M. Baumgarten, “The Unwritten Law in the Pre-Rabbinic Period,” *JSJ* 3 (1972): 26 and n. 1, and his comments on the exegesis of 11QT in his review of Yadin’s edition, *JBL* 97 (1978): 587. A proper study of all Qumranite laws derived or seemingly derived from biblical texts must be done before we can fully understand the precise meaning of the exegetical terminology used at Qumran. 11QT will be particularly important in any such study since it is so closely modeled, in places, on the biblical text. Schiffman’s observation, 8, written before the publication of 11QT, “The *Temple Scroll* seems to link its *halakhot* with Scripture. This text should allow more detailed study of the methods by which sectarian law was determined... it is certain that the publication of the scroll will necessitate modifications in the interpretations of individual problems and texts,” is to be taken quite seriously.

Our first surprise, then, is to find our passage beginning in terms which derive from Lev. 19:16a **לֹא תֵלֵךְ רֵכִיל בְּעַמֶּיךָ**. The clause **כִּי יִהְיֶה אִישׁ רֵכִיל בְּעַמּוֹ** (“should one be an informer against his people”) is explained by the following two clauses, **וּמְשָׁלִים אֶת עַמּוֹ לְגוֹי נָכַר וְעוֹשֵׂה רָעָה בְּעַמּוֹ** (line 7), which indicate the particular crime(s) of which he is guilty. The *bet* of **בְּעַמּוֹ** means “against” in this context, unlike that of the biblical **בְּעַמֶּיךָ** which seems to mean “among” (cf. LXX, NJPS, | NEB).<sup>6</sup> Yadin asserts that **רֵכִיל** = **מְרַגֵּל** (“informer,” “spy”) which may indeed be reasonable in context, but he wrongly attributes this interpretation to the Targumim and medieval Jewish commentaries on Lev. 19:16.<sup>7</sup> The Targumim represent the phrase with the idiom **אֲכַל קוֹרְצָא** = “slander,”<sup>8</sup> and the medieval commentators take **רֵכִיל** either as a merchant who trades in information (cf. **רוֹכֵל**; Ibn Ezra and Ramban) or who goes about to collect information (Rashi).<sup>9</sup> The expression **דִּילְטוֹר** (*y. Peah* 16a), cited as a parallel to **רֵכִיל** by Yadin, means “slanderer” rather than “spy”, and is associated in the talmudic text with tale-bearing, not treason (cf. for **דִּילְטוֹר** also *b. Sanh.* 11a).

The use of **הֵלֵךְ רֵכִיל** in 1QS 7:15–16, cited as a Qumranic analogue by Yadin, makes that passage more similar to biblical usage than to 11QT.<sup>10</sup> Licht assumes that the author of 1QS understood **בְּעַמֶּיךָ** of Lev. 19:16a as parallel to **רַעַךְ** of 19:16b, as did the author of T<sub>1</sub> with his translation **בְּרַעַךְ עַמְךָ**.<sup>11</sup> Within a community or society, **הֵלֵךְ רֵכִיל** seems to mean “slander” or “be a tale-bearer,” neither of which fits precisely into the international political framework demanded by the text in 11QT. Lev. 19:16b, too, seems to define an area of private responsibility within a community.

<sup>6</sup> In 1QS 7:15–16, it seems to mean “against” as well.

<sup>7</sup> “Peshet,” 6; II, 203a (Eng. II, 289).

<sup>8</sup> **לֹא תֵהוּוֹן בְּתֵר לְשׁוֹן** T<sub>1</sub> = “you shall not slander;” **לֹא תֵיכּוֹל קוֹרְצִין בְּעַמְךָ** TO **לֹא תֵיכּוֹל קוֹרְצִין**... למיכּוֹל קוֹרְצִין Peshitta **לֹא תֵאכֵל קְרָצָא דְעַמְךָ**; תליתאי... למיכּוֹל קוֹרְצִין *Targumim etc.*, 1425, s.v. קרץ III, and J. Payne Smith, *A Compendious Syriac Dictionary*, 521, s.v. קרצא. This idiom occurs already in Biblical Aramaic, Daniel 3:8.

<sup>9</sup> Rashi ad Lev. 19:16, s.v. **לֹא תֵלֵךְ רֵכִיל**, does indeed discuss the linguistic relationship of **רֵכִיל** and **מְרַגֵּל**, but does not equate **רֵכִיל** and **מְרַגֵּל**, although he does use the OF word **אֶשְׁפִּימְנָט** (= *espient*). What Rashi does emphasize—and Yadin should have noted—is the almost constant use of **הֵלֵךְ** with **רֵכִיל** in the Bible, something which in 11QT is conspicuous by its absence. Of the six occurrences of **רֵכִיל** in the Bible, only in Ezek. 22:9 **אֲנָשִׁי רֵכִיל הֵיוּ בְךָ** does it occur without **הֵלֵךְ** and there **בְךָ** means “among you” rather than “against you.”

<sup>10</sup> II, 203a (Eng. II, 289).

<sup>11</sup> J. Licht, *Megillat Hasserahkim Mimmegillot Midbar Yehudah* (Jerusalem: Bialik, 1965), 165. This is presumably the source of **בְּרַעְוָה** in 1QS. In 1QH 5:25–26 (Sukenik; = current 13:25–26), where the phrase **בִּי יִלְכוּ רֵכִיל** appears, it is not clear whether **בִּי** is to be taken with **יִלְכוּ רֵכִיל** or with **חַבְתָּהּ**.



We may therefore consider this usage of **היה רכיל ב-** as a coinage of the author of 11QT.

The clauses **ומשלים את עמו לגוי נכר ועושה רעה בעמו** are thoroughly extra-biblical in content and partially so in style.<sup>12</sup> We can either understand **ומשלים . . . ועושה** as indicating two actions of the **רכיל**, or perceive the latter clause as explanatory of the former, describing the effect of **עושה רעה** in a military sense, comparing II Kings 8:12, but such an interpretation is not certain.<sup>13</sup> Compare, for example, in a political context which is not necessarily military, **אם תעשה עמנו רעה** (Gen. 26:29).<sup>14</sup>

The offense in this case, which carries the penalty of hanging, can probably be best understood as the betrayal of | information to the enemy, with the consequent weakening of the people's position. The death penalty of hanging adduced for this offense would seem, *prima facie*, to be related to sectarian interpretation, or a variant reading, of Deut. 21:22,<sup>15</sup> despite the fact that the rest of the passage is not overtly based on biblical law, and the actual paraphrase of Deut. 21:22–23 has not yet begun. We shall withhold discussion of the relationship to the biblical text of the penalty of hanging until we see it in the fuller form of the second case.<sup>16</sup>

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<sup>12</sup> Note the use of **שלם** in the Hiphil = "betray"; such usage is unbiblical. See Yadin, II, 203a (Eng. II, 289). Rabbi Shalom Carmy points out that Amos 1:6 **שלמה גלות שלמה** על הגלותם גלות שלמה may contain a play on the word **שלם** in the sense of "betrayal, handing over." Yadin calls the language of the inscription of the En Gedi synagogue **כל מן דיהיב** פלגו בן גבר לחבריה **הי אמר לשון ביש על חבריה לעממיה הי גניב צבותיה דחבריה הי מן דגלי רזה דקרתה לעממיה** (cf. J. Naveh, *On Stone and Mosaic: The Aramaic and Hebrew Inscriptions from Ancient Synagogues* [Hebrew; Jerusalem: Israel Exploration Society, 1978], 107ff.) "a similar text, although with a different meaning." The parallel is quite misleading, at least as far as **לשון ביש על חבריה לעממיה** is concerned; 11QT speaks only of the community, not of the individual being informed against. The imprecation against one who betrays city secrets to the enemy is more likely to be a commonplace in both the inscription and the scroll, since there is no reason to connect idioms from periods separated by a long period of time merely because of a general similarity between them. There is no hint of the inscription's being connected in any way with a biblical idiom or a particular biblical law.

<sup>13</sup> "Peshet," 6; II, 203a–b (Eng. II, 289).

<sup>14</sup> The usage of **רעה** in Ju. 11:27 and 15:3 would, however, tend to support Yadin's interpretation.

<sup>15</sup> Cf. M. Wilcox, "Upon the Tree"—Deut 21:22–23 in the New Testament," *JBL* 96 (1977): 90.

<sup>16</sup> We shall not be concerned in this paper with the light which our text might shed on Qumranic law of testimony. On this subject, see the statements and rejoinders of B.A. Levine, J. Neusner, N.L. Rabinovitch, L.H. Schiffman, and B.S. Jackson which appeared in RQ 8–9 (1973–78), as well as Yadin, I, 290–91 (Eng. I, 379–80), II, 203b (Eng. II, 289–90), and 11QT 61:6–7.

The second case in our passage resumes the modified paraphrase of Deuteronomy which had been interrupted by lines 6–9. The biblical commandment of post-mortem hanging for certain unspecified offenders and the corollary prohibition against allowing the corpse to hang overnight have been so thoroughly rewritten by the author of 11QT that the passage bears little relationship in content to its original. The biblical law, brief and elliptical, is open to interpretation. But the author of the scroll does not merely interpret the biblical law; he redefines and limits it.

The author of 11QT inserts “and he flee among the nations and curse his people (and) the children of Israel” after the biblical “Should a man be guilty of a crime incurring the death penalty.”<sup>17</sup> It is unclear whether the additional phrase is explanatory of the first one, in which case it is the combination of fleeing to the enemy and cursing the people which is the capital offense, or whether a previous death sentence was the stimulus for another offense, namely fleeing and cursing.<sup>18</sup> It is more likely that the phrase is explanatory, since a change of death penalty for an additional offense sounds rather peculiar, and since we observe a certain sort of parallelism between the phraseology *כי יהיה איש רכיל בעמו ומשלים את* . . . *כי יהיה באיש חטא משפט מות ויברח . . . ויקלל עמו . . . ועושה רעה* . . . Just as in the first case, the two clauses following the introduction clarify it, the same is likely to be true in the second. The two offenses are quite similar; both involve going over to the enemy and committing a verbal crime against the people, whether by betrayal or by cursing.

150 | The appearance, once again, of *ותליתמה . . . וימות* is a bit more startling in the second case since it is based on a biblical verse which reads *והומת ותלית*, and there is almost universal agreement that the biblical text refers to post-mortem exposure. In fact, until the discovery of 11QT, the only other source which seemed to interpret the verse as referring to the mode of execution was the Peshitta, rendering *ונתקטל על קיסא ונתקטל* “and he be hanged on a tree and die” or “be put to death.”<sup>19</sup> At this point in our discussion, however, we can only observe this phenomenon, since

<sup>17</sup> The *ו* of *ואת* was added later by the scribe.

<sup>18</sup> Yadin, I, 286 (Eng. I, 373–74), accepts the first alternative, rather than the second which he had suggested, “Peshet,” 7. On I, 286 (Eng. I, 374), he also suggests the (unlikely) possibility that the criminal had already been convicted, but fled before a death penalty could be imposed.

<sup>19</sup> The Sifre 221 (ed. Finkelstein, 254) *עושה* בדרך שהמלכות *עושה* need not, despite Yadin’s argument, “Peshet,” 4 n. 13, reflect any real practice of hanging as a mode of execution among Jews.

we are not in a position to consider whether it reflects a textual variant, an exegetical tradition, or neither.

The paraphrase of Deut. 21:23 begins quite smoothly, with the major change being the shift from the singular to the plural already noted above (147=577). The biblical phrase **בִּי קָלֵלְתָּ אֱלֹהִים תְּלוּי**, however, appears in 11QT as **בִּי מִקּוֹלֵי אֱלֹהִים וְאֲנָשִׁים תְּלוּי עַל הָעֵץ**. 11QT construes **קָלֵלְתָּ אֱלֹהִים** as a subjective genitive, unlike the interpretation found in early rabbinic sources, but coinciding with that of LXX (*κατατηράμενος ὑπὸ θεοῦ*) and Targum Neofiti **ה' לֵיט קָדַם ה'**.<sup>20</sup> Of course, since the reading is quite natural, there need be no relationship between 11QT and the other traditions which read the phrase in this fashion. The most striking feature of the scroll's paraphrase is the addition of the word **וְאֲנָשִׁים**, which has no biblical counterpart, to the text. The singular **תְּלוּי**, following upon the plurals **מִקּוֹלֵי** and **תְּקוּבְרָמָה**, also seems strange, as it maintains the form found in the biblical verse despite the shift in context in 11QT. The conclusion of the passage returns to the first person narration characteristic of the scroll, replacing the biblical **ה' אֱלֹהֶיךָ אֲשֶׁר ה' אֲשֶׁר אֲנוּבִי** by **אֲשֶׁר ה' אֱלֹהֶיךָ אֲשֶׁר ה' אֲשֶׁר אֲנוּבִי**.<sup>21</sup>

A great deal has been done to Deut. 21:22–23 in order to transform it into 11QT 64:6–13. Another law, not derived from Deuteronomistic material, has been prefixed to it by way of introduction, and that law, too, bears only superficial resemblance to its stylistic original, Lev. 19:16. The biblical text which the cases in 11QT replace is quite clear in its lack of specificity. The **חַטָּא מִשְׁפַּט מוֹת** is not described, nor is the death penalty by which the criminal is executed. The author of 11QT | has substituted for that law two situations, the offense in each of which involves going over to the

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<sup>20</sup> There are two ways to understand the syntactic relationship of the words **קָלֵלְתָּ אֱלֹהִים**: the subjective genitive, “cursed by God,” and the objective genitive “a curse [or reproach] against God.” Rabbinic exegesis, as well as T<sub>1</sub>, Symmachus, Peshitta and Josephus, adheres to the latter construction, explaining **קָלֵלְתָּ אֱלֹהִים** as referring to either the action of the blasphemer who is hanged (*b. Sanh.* 45b) or the insult to God implicit in allowing the body of a human being who is made in His image to remain exposed overnight (*b. Sanh.* 46b; *t. Sanh.* 9:7). Although it is difficult to understand the former interpretation as being a literal reading of the verse since it gives the reason for the exposure of the body rather than its being lowered as demanded by the logic of the text, the latter interpretation is quite smooth. The former interpretation may never have been intended as a serious reading of the verse. Cf. Y. Maori, *The Peshitta Version of the Pentateuch and Its Relationship to the Sources of Jewish Exegesis* (Ph.D. thesis, Hebrew University, 1975) 174, n. 1. For fuller discussion of the early Jewish exegesis of this verse, see my “**בִּי קָלֵלְתָּ אֱלֹהִים תְּלוּי**” (Deut. 21:23): A Study in Early Jewish Exegesis,” *JQR* 74 (1983): 21–45 (below 2.592–613).

<sup>21</sup> Cf. Yadin, I, 60 (Eng. I, 71) and J. Fitzmyer, “Crucifixion in Ancient Palestine, Qumran Literature, and the New Testament,” *CBQ* 40 (1978): 503, on the effect of the author's writing in the first person. See also Yadin, I, 69–70 (Eng. I, 81–82).

enemy and either betraying or maligning the people of Israel. We might characterize the difference between the two cases as follows: In the first instance, crossing over to the enemy and giving away vital information is the crime, and the death penalty seems quite justified. In the second, however, although no actual additional damage seems to be accomplished by the cursing of the people, the penalty again is death by hanging. This order could almost be called an example of a *lo zo af zo* arrangement (not only the obvious case, but a less obvious one as well), as is sometimes found in the Mishna.<sup>22</sup>

## II

Our analysis of the relationship of 11QT 64:6–13 to the biblical text which it replaces has demonstrated that there are more differences between them than we should expect in the type of paraphrase we find in this section of the scroll. Not only is there significant textual variation from the biblical original, but there appear to be major distinctions between the literal interpretation of the verses in Deuteronomy and that of 11QT. We must now confront the way in which the author of 11QT read the biblical text so that, if the law of 11QT is derived from it, we can understand the sort of exegesis involved.

The first, non-Deuteronomic, case which introduces this law in 11QT diverges from its biblical original not only in the idiom יהיה איש רכיל and its understanding of the word רכיל, as we noted earlier, but also in creating a new legal situation which is unrelated to the biblical context. The biblical injunction against malicious talebearing (“acting basely”: NJPS) has been transformed into a warning against betrayal of the country to the enemy. There seems to be no connection between the law in Leviticus and this case in 11QT. The death penalty has no basis at all in this biblical passage, even if we were to assume that לא תלך רכיל בעמך is a prohibition against military betrayal. The rewritten law bears only the faintest relationship to the original, to the degree that it would be difficult to call it even a *midrash halakhah* on the verse, and its appearance in this segment of 11QT remains somewhat enigmatic.

When we turn to the second case under consideration, although it is more relevant to a paraphrase of Deuteronomy than is the first, we again

<sup>22</sup> Cf. the talmudic comments at *b. Eruvin* 75a, *b. Yevamot* 19a, *b. Gittin* 15b, *b. Bava Mezia* 38a, and *b. Horayot* 2a.

are confronted with phraseology which cannot be shown to be connected with the text of Deut. 21:22. The specificity of the law in 11QT raises the first problem in its relationship to its biblical original. The lines which read **וַיְבַרַח אֱלֹהִים אֶת יִשְׂרָאֵל וְאֶת בְּנֵי יִשְׂרָאֵל** are a description of the **חַטָּא מִשְׁפָּט מוֹת** for the author of 11QT, but there is no trace of these clauses in the biblical text. Yadin argues that the second phrase is one of the author's "interpretations of 'a curse of God is the hanged one' of Deut. 21:23, i.e. that hanging is the penalty for the curser"<sup>23</sup> and that "cursed by God and men" represents the other.<sup>24</sup> He compares the exegesis of the verse in *m. Sanh.* 6:4 **כִּי הָיָה בַּיּוֹם הַהוּא כִּי קָבַר טָרְפוֹתָא דְּבְרִיתָא דְּרַבִּי עֲזַרְיָה בְּרִי חֲסִיָּא בְּיָמֵי חֲסִיָּא דְּרַבִּי עֲזַרְיָה בְּרִי חֲסִיָּא בְּיָמֵי חֲסִיָּא** where hanging is, on the one hand, the penalty for the blasphemer, and the hanged man, on the other hand, is an offense towards God.<sup>25</sup> If this reasoning be correct, then, not only do we understand the source of the law in line 10, but, much more importantly, we have before us a genuine piece of *Qumranic* midrash halakhah.

But it is still not obvious that the scroll manifests any sort of "double exegesis" of **קָלְלַת אֱלֹהִים**. The two interpretations of the Tannaim are based on the same grammatical construction (objective genitive), and, more importantly, each of them takes fully into consideration both words in the phrase **קָלְלַת אֱלֹהִים**. The exegesis of 11QT, according to Yadin, is not only founded on two different syntactic analyses (objective genitive in line 10a and subjective genitive in line 12), which would not, by itself, furnish a serious objection to his case, but it omits any reference to the crucial word **אֱלֹהִים** in the first instance.<sup>26</sup> We cannot say that 11QT understands **קָלְלַת אֱלֹהִים** as merely "cursing" in line 10, for it is "blasphemy" which the two words must | mean, and it is only in that sense that the Tannaim operate within the framework of two interpretations.

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Yadin's own observation, that the author of the scroll may be synthesizing in line 10 Exod. 22:27 **לֹא תִקְלַל אֱלֹהִים** ("Do not

<sup>23</sup> II, 204a (Eng. II, 291). Yadin suggests that the rabbinic-targumic exegesis of Exod. 22:27 (*b. Sanh.* 66a), which interprets the verse as referring to the cursing of judges as well as blasphemy, is to be compared with the text of 11QT. Neither this verse, nor the *Mekhilta Mishpatim* 5, commenting on Exod. 21:17, which Yadin also cites as a parallel, explains how **קָלְלַת אֱלֹהִים** became, through the exegesis of the sect, **קָלְלַת הָעָם**. There are too many steps necessary between them for such a development to have occurred, i.e. **אֱלֹהִים** = God to **אֱלֹהִים** = judges, to **עֲמַךְ אֱלֹהִים בְּעֲמַךְ**.

<sup>24</sup> II, 204b (Eng. II, 290).

<sup>25</sup> "Peshet," 7; I, 289–90 (Eng. I, 379).

<sup>26</sup> Unless we accept Yadin's somewhat circuitous exegesis (above, n. 23) that in this passage **אֱלֹהִים** = **עֲמַךְ**.

blaspheme God or revile a prince among your people”; traditionally taken to include the cursing of judges) with Deut. 21:23, presents us with a more likely insight into the composition of the passage. There is no “double exegesis” of קללת אלהים, but a combination of two verses where קלל is interpreted as not referring to blasphemy. The appearance of בעמך in Ex. 22:27b and עמו in 11QT 64:10 makes this tenuous possibility somewhat attractive. Exegesis of the verse in Deuteronomy, however, contributes nothing except, perhaps, an echo of קלל, to ויקלל את עמו.

As far as the phrase כי מקוללי אלוהים ואנשים תלוי על העץ is concerned, on the other hand, we may be dealing with exegesis. The phrase in 11QT is directly derived from that in Deuteronomy. Fitzmyer asserts that “the author has modified the biblical text and insured its interpretation [as a subjective genitive].”<sup>27</sup> Wilcox calls the shift from קללת אלהים to מקוללי אלוהים and the addition of ואנשים “midrashic developments, albeit very early ones.”<sup>28</sup> It is not clear whether “modification” and “midrashic development” are identical; yet the same phenomenon is referred to in both terms. Fitzmyer’s terminology seems preferable in this instance, since it is a bit more flexible, and does not carry overtones of exegesis with it as the expression “midrash” does. If the author of 11QT was aware of the two readings possible in the phrase כי קללת אלהים תלוי, he may have selected this one as a way of describing the severity of political crimes against the people of Israel.

154 If, as we have attempted to show, the two cases are so closely related that the plurals in lines 10 and 11 refer to both, the final plural form מקוללי presents us with an interesting problem. The two offenders (the betrayer and the curser) are classified as “accursed by God and men.” But are we to | translate the entire sentence (disregarding the slight problem in number) “accursed of God and man is the one hanged on the tree,” or “it is the accursed of God and men who is hanged on the tree”? While the former is the intent of LXX, Neofiti and Paul’s citation in Galatians 3:13, as is made clear by the addition of “all” (כָּל, *πάς*) before the word for “hanged one”, the latter, one suspects, may have been the meaning of 11QT.<sup>29</sup> The offenses described in lines 6–10 are so heinous that the author characterizes the criminals as “accursed”, and asserts that only those who are so wicked are hanged. Hanging is the punishment of one who is already

<sup>27</sup> Fitzmyer, 507.

<sup>28</sup> Wilcox, 89.

<sup>29</sup> For similar word order, cf. Ps 37:22 יברתו ומקלליו ירשו ארץ ומקלליו יברתו.

accursed, not the factor which results in his being cursed.<sup>30</sup> If this is correct, and if the phrase is directly derived from the biblical *קללת אלהים*, as seems quite likely, then we have an interpretation of the biblical verse which understands the construction as a subjective genitive, but reads the syntax of the remainder of the clause in a manner heretofore unknown. The shift from *ותלית ותומת* in the Masoretic text to *ותליתמה* in 11Q<sup>T</sup> presents probably the most controversial question regarding the exegesis in our passage. It was this phrase which prompted Yadin's interpretation of *peshet* Nahum in light of the expression *אשר יתלה אנשים חיים* in that document. The publication of this passage stimulated a good deal of discussion of the historical use of hanging (or crucifixion) as a death penalty in Jewish sources.<sup>31</sup> But whether Shimon ben Shetaḥ's hanging of the witches in Ashkelon (*m. Sanh.* 6:4; *y. Sanh.* 23c; *y. Hag.* 77d; Rashi to *b. Sanh.* 44b, s.v. *דבעיא מוכסא*) reflects the normative practices of his time or whether it was due to the extraordinary circumstances of the case, it is in no way relevant to the exegesis of this verse. There is no implication in any rabbinic source that Shimon's actions were based on Deut. 21:22, and, in light of the intricate historical and legal aspects of this incident, it would be foolhardy to read such a motivation back into it.<sup>32</sup>

We have but two sources which discuss hanging as a mode of execution in the context of Deut. 21:22, 11Q<sup>T</sup> and the Peshitta. The consensus seems to be that 11Q<sup>T</sup> derived hanging as a mode of execution from the biblical verse by some sort of exegesis.<sup>33</sup> But, in light of the radical departure of this

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<sup>30</sup> It is rather interesting that according to this interpretation of 11Q<sup>T</sup> the phrase *כי תלוי קללת אלהים תלוי* gives both the reason for the exposure of the body and the reason for its being lowered.

<sup>31</sup> Cf. J. Baumgarten, "Does TLH in the Temple Scroll Refer to Crucifixion?" *JBL* 91 (1972): 472–81; M. Hengel, *Crucifixion* (tr. J. Bowden; Philadelphia: Fortress, 1977), 84–5; J. Heine-mann, "The Targum of Exodus XXII, 4 and the Ancient *Halakhah*," [Hebrew] *Tarbiz* 38 (1969): 296; E. Urbach, "The Sanhedrin of Twenty-three and Capital Punishment," *Proceedings of the Fifth World Congress of Jewish Studies* (Jerusalem: World Union of Jewish Studies, 1972), volume 2, Hebrew section, 43–45.

<sup>32</sup> Hengel, 84–5; E. Schürer, *The History of the Jewish People in the Time of Jesus Christ (175 B.C.–A.D. 135)* (new English version revised and edited by Géza Vermes and Fergus Millar; Edinburgh: Clark, 1973), 1.231 and n. 7.

<sup>33</sup> A. Dupont-Sommer, "Observations nouvelles sur l'expression 'Suspendu vivant sur le bois' dans le *Commentaire de Nahum* (4QpNah II 8) à la lumière du *Rouleau du Temple* (11Q<sup>T</sup>Tempel [sic] Scroll LXIV 6–13)," *CRAIBL* [116] (1972): 717, speaks of the rigorous interpretation of the biblical text which makes hanging alive the penalty. Fitzmyer, 505, writes, "It seems to me that 11Q<sup>T</sup> Temple is seeking precisely a pentateuchal basis for the 'hanging' of which it speaks in the crimes mentioned." Wilcox, 90, is a bit less emphatic, speaking of "an early midrashic interpretation" which makes the text refer to crucifixion, even though it did not originally. Baumgarten, "TLH," 476–77, claims, "According to Qumran exegesis

segment of 11QT from its biblical original, can we really speak of the derivation of any aspect of this law from the text via serious exegesis? The fact that the Peshiṭta, according to Maori, reflects an ancient Jewish exegetical tradition interpreting ותלית והומת as a sort of *klal ufrat* and requiring execution by hanging, does not give much support to the supposed exegesis in the Qumranic source.<sup>34</sup> It is too easy to connect similar “exegeses” which, in reality, were arrived at independently. If the sect executed (whether in practice or theory) its traitors by hanging (whether strangulation or crucifixion), or if it approved of the actions of one who did so, it would have codified the law in this fashion, regardless of the source of the law. The fact that the crime is completely extrabiblical must be taken into consideration before we can be sure that ותליתמה וימות is a product of sectarian exegesis rather than sectarian composition in the style of Deut. 21:22.

The question of exegesis or imitation vis-à-vis ותלית והומת ותליתמה וימות points up the difficulty in labeling the relationship of the two cases in 11QT 64:6–13 to a biblical original. It is very easy to write, “These [treason and cursing] are clearly developments of the Deuteronomic text itself, specifying the crimes for execution.”<sup>35</sup> But, as we have shown, neither from the literary nor from the exegetical standpoint are these laws bound with any biblical original, and the first case, we may add, is not even Deuteronomic in origin. The assumption that differences and similarities between the biblical text and 11QT reflect the development of sectarian biblical exegesis is one which needs to be questioned very closely. The exegesis of the author must be distinguished from his independent creations; those portions of his phraseology which clearly indicate readings of the biblical text, and those which are clearly extrabiblical, present the least difficulty. There are gray areas, however, where it is difficult to be certain whether the text produced by the author is the result of some form of exegesis or merely imitates the style of its biblical model.

156 There is no question that there are laws in 11QT which are | independent creations of the author, the two outstanding examples being the *torat hammikdash* and the *torat hammelekh*. Yadin attempts to find for such laws an *asmakhta mikra’it*, beginning with the assumption that the author of 11QT is writing what for him is a part of “God’s true Torah.”<sup>36</sup> He finds them in broad references in the biblical text to the specific laws found in

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the penalty for treason was death by תלייה,” and “the fact that the law clearly paraphrases Deut. 21:22 shows that this penalty was held to have biblical sanction.”

<sup>34</sup> Maori, 171–73.

<sup>35</sup> Fitzmyer, 504.

<sup>36</sup> I, 69–73 (Eng. I, 81–88).



the scroll. In light of all the differences between Deut. 21:22–23 and 11QT 64:6–13 in style, vocabulary and content, perhaps we ought to stress its independence of rather than dependence on the biblical text. Deut. 21:22–23 is the *asmakhta mikra'it* for the cases of 64:6–13 which are a completely new construct, underived from the biblical text although based on biblical phraseology. Lacking an explicit biblical text for the capital punishment of political criminals, the author of 11QT seized upon the inexplicit terms of Deut. 21:22–23 which was before him at this point of his paraphrase, combined it with the language of Lev. 19:16, Deut. 17:6–7, and perhaps Exod. 22:27 as well, and produced the law in our text. But the law is not dependent exegetically on the material in Deuteronomy; it is a relatively free composition like the *torat hammikdash* or the *torat hammelekh*.

### III

If, indeed, the links which join 11QTemple 64:6–13 and Deuteronomy 21:22–23 are not as strong as they appeared at first glance, we can search for some other factor which, in the absence of exegetical tradition, might have affected the composition of this new law. We may find it in the historical circumstances said to surround the creation of this passage. Although Yadin dates the composition of the scroll to the end of the second century BCE, asserting that “the scroll was composed in the days of John Hyrcanus I (135/4–104 BCE) or the beginning of the days of Alexander Jannæus (103–76 BCE),”<sup>37</sup> he is also of the opinion that our text, particularly its latter portions (lines 9–13), reflects a “specific historical incident,” as does the passage referring to hanging in 4QpNahum.<sup>38</sup>

| The actions of Alexander Jannæus in crucifying many of the Pharisees who had supported the incursion of Demetrius III Eucærus into Judaea (88 BCE; Josephus, *Ant.* 13.14.2 [380], *War* 1.4.5 [97]) were believed justified by the authors of the *pesher* and 11QT, according to Yadin.<sup>39</sup> The Pharisees were guilty of the serious crime of betrayal to the enemy, which justifies hanging, and the sectarian law was codified to include such punishment.<sup>40</sup>

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<sup>37</sup> I, 295 (Eng. I, 386).

<sup>38</sup> I, 285 (Eng. I, 374); cf. J.M. Allegro, *Qumran Cave 4:1* (DJD V; Oxford: Clarendon, 1968), 38–9. Baumgarten, “TLH,” 475, n. 13, sees no constraint to connect the material in 11QT with a particular historical incident.

<sup>39</sup> For the historical incident, see also Schürer, 1.223–25, esp. n. 22.

<sup>40</sup> It is still not clear why, if the Temple Scroll is a sectarian document, the sectarians would codify *for themselves* a law which manifests approval of the actions of Jannæus, even if, in reality, they approved of his behavior.

This passage, then, according to Yadin, must be one of the later compositions in the scroll.<sup>41</sup> But if this segment (64:6–13) is to be dated late, can we not question the dating of the entire section in which it appears, i.e. the running paraphrase of Deuteronomic law which makes up the final portion of the document? Ought not any doubts raised about column 64 affect our judgment on the date, and perhaps authorship of the whole latter part? A broad discussion of the relationship of the various segments of 11QT to one another is, however, far too broad a matter to be included in the scope of this paper.

The problem raised by the dating of the scroll and the historical data said to be reflected therein, however, may shed useful light on the interpretation of our passage, and its relationship with a biblical original and with the material surrounding it. Accepting, for the moment, Yadin's hypothesis that this passage was written in response to an historical event,<sup>42</sup> we may still maintain his dating of the scroll to the late second century BCE, including the portion in which 64:6–13 is found. The excessively free handling of the biblical "*Vorlage*" in this section of 11QT, which presents a problem vis-à-vis the closer paraphrase surrounding it, may provide a clue to the mode of its own composition.

We suggest that 64:6–13 be considered an interpolation into 11QT, but not one inserted without any prior connection.<sup>43</sup> It is our contention that an "original" version of 11QT contained a passage which paraphrased Deut. 21:22–23 more closely, after the fashion of the recasting of the biblical material in the surrounding portions. At some point, perhaps, *but*  
 158 *not necessarily*, for the reasons suggested by Yadin, a sectarian law was | superimposed on the biblical paraphrase, and the passage was rewritten.<sup>44</sup> There are a number of indications that this may have been the case.

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<sup>41</sup> In "Peshar," 9 n. 30, Yadin admits that 88 BCE would be a *terminus post quem* for this text, but he does not repeat this fact in his full edition of the scroll, to the best of my knowledge. In the following note in "Peshar" he suggests that there may have been other historical incidents of a similar nature earlier, but rather enigmatically does not furnish the details of his reasoning, calling it "speculation." One suspects that his equivocation is due to the tension between the date he has arrived at for the composition of the major portion of the scroll, based on the script of the fragment of the *torat hammikdash* which he dates quite early, and his desire to connect the law reflected in our passage with an historical incident which occurred later.

<sup>42</sup> Fitzmyer, 504, accepts the suggestion as reasonable while calling it unprovable.

<sup>43</sup> Yadin, "Peshar," 8, actually uses the term "interpolation" for this passage, but without the implications which it has for us.

<sup>44</sup> It should be made quite clear, however, that our suggestion that this passage is from a hand different from the hand of the author of the "original" 11QT is not dependent on Yadin's dating criteria. Although first conceived as a possible solution to the chronological inconsistency, there are other indications which might lend some credence to it, particu-

The segment under consideration begins with a paraphrase and reinterpretation of Lev. 19:16a which bears no relationship at all to the Deuteronomic material preceding it, or to the verses it replaces, until the references to hanging. Despite Yadin's contention that the author of the scroll intends this passage to be first and foremost an interpretation of Deut. 21:22–23, the fact is that he has introduced the law with the phraseology of Lev. 19:16, and continued the law in thoroughly unbiblical language.<sup>45</sup> It would be rather strange to consider the material preceding the actual paraphrase of Deut. 21:22–23 to be a comment on that verse. In the course of the restatement of Deuteronomic laws in the scroll, other biblical laws are generally introduced only after the Deuteronomic text furnishes a pretext to integrate them.<sup>46</sup> The unbiblical phraseology of this passage might also betray its originality, but an argument of this sort must be applied with great caution.

In the second section of our passage, the awkward insertion of *ויברח* אל תוך הגואים ויקלל את עמו ואת בני ישראל, with its concomitant difficulties of interpretation, may also be the mark of a later hand.<sup>47</sup> The shift from singular to plural in *נבלתמה* etc., which, as we have already demonstrated, is an indicator that there is only one legal category under consideration, underlies the fact that both subcategories are tied to the original paraphrase of Deut. 21:22–23. It is also possible that the abrupt return from plural to singular in *תלוי . . . מקוללי* may mark the boundary of the "interpolation." The interpolator rewrote the passage before him (whether the biblical text or a close paraphrase thereof), introducing the laws and language as he saw fit, but failed to re-connect it smoothly to the original text. The singular *תלוי* may be a remnant of the original paraphrase of Deuteronomy which had but one case or category which merited hanging (which may have been post-mortem).

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larly the radical departure of the style and language from Deut. 21:22–23. Even if we deny that the passage was composed for a given historical reason, our argument that it is an interpolation of a sort may yet stand or fall on its own merits. There may never have been a version of 11QT which contained a close paraphrase of Deut. 21:22–23; the free composition could be a product of the original author if we disregard the chronological strictures which Yadin's dating involves.

<sup>45</sup> I, 286 (Eng. I, 373–74).

<sup>46</sup> Cf. I, 55–60 (Eng. I, 64–70), where Yadin tabulates the main scriptural basis for each of the passages in 11QT, beginning with column 51; it is clear that the texts from Deuteronomy furnish the framework for the citation of other scriptural laws.

<sup>47</sup> Actually it is the phrase *חטא משפט מות* which may be awkward. Were the law to have begun *כי יברח איש אל תוך הגואים*, the awkwardness would be removed, but so would the connection with Deut. 21:22–23.

The interruption of the paraphrase of Deuteronomy in 11QT by a passage of a very different type ought to alert us to the fundamental differences between 64:6–13 and the surrounding material. Whether we assume that the entire second part of 11QT, which contains this passage, is later than the *torat hammiqdash*, or only this passage is to be dated post-88 BCE, or even that there is no positive historical allusion in the text and we cannot date it with confidence, the material changes which the author of 11QT (or at least of this portion) has introduced into the text present us with a possible explanation of the way it was composed. Whether this passage is based on a reading of the biblical text, or whether the rewritten text merely serves as a convenient anchor for the sectarian law, we can speak of the author of this segment as a biblical exegete. We must distinguish, however, between exegesis which reflects a serious attempt to comprehend the biblical text and exegesis which superimposes meaning upon the text rather than deriving meaning from it.

Those scholars who presume that this passage is derived from the biblical text through some unspecified hermeneutical principles stress that which is similar in the Deuteronomic verses and 11QT.<sup>48</sup> Their definition of *midrash halakhah* includes not only exegesis which involves a legitimate reading of the text qua text, but also that which achieves its goal by a much looser connection to the biblical original. Although *midrash halakhah* may, indeed, operate in this fashion at times, our text must be considered a *midrash halakhah* on Deut. 21:22–23 only if we assume that a law derived from those verses must appear at this point in 11QT. The external linguistic similarities between 64:6–13 and the biblical text are not, however, sufficiently cogent grounds for calling the Qumranic composition a *midrash halakhah*. Moreover, if, as Yadin claims and as Fitzmyer agrees, the author of 11QT considers his writing authoritative Torah like the biblical text itself, the term *midrash halakhah* becomes even more misleading.

160 | Our distinction between *midrash halakhah* which represents a serious reading of the biblical text, and that which is composed independently and then suspended from the biblical framework (*asmakhta mikra'it*), is of some importance for our comprehension of the development of Qumranic *halakha* and biblical exegesis. If the author of 11QT is presenting us with a *midrash halakhah* (in the strict sense) on Deut. 21:22–23, then we may assume that, for the sect, the new law was contained somehow

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<sup>48</sup> Cited above, n. 33.

in the biblical verses. But if our passage only *replaces* Deut. 21:22–23 in 11QT, then no clarification of the meaning of the biblical text was ever intended by the author. His confluents with other biblical verses, expansion in a somewhat unbiblical idiom, and perhaps even his inversion of MT's *והולית והומת*, can tell us nothing about the way he or the sect understood the Deuteronomic verses in their original context. It is only where we can show direct contact between the biblical and Qumranic texts that we should feel free to speak of sectarian interpretation of biblical law.

To the sectarians, it may have ultimately made no difference whether the law in 11QT was an interpretation of the biblical text or a totally new construct modeled on a biblical original. The effect of its codification in 11QT would presumably have been to give it the same credence in their eyes as biblical law, just as rabbinic midrash produces authoritative *halakha*. But from our perspective, as we attempt to evaluate and classify the methodology of early biblical exegesis, the distinction between the two possibilities is critical. If Yadin's dating is correct, there may be valuable historical material embodied in this section; there is no doubt that the scroll is an important document for the study of *halakha* in a pre-mishnaic form. But, if our arguments against this passage's being derived exegetically from Deut. 21:22–23 are valid, then we cannot learn much about *halakhic* biblical exegesis at Qumran from a text such as 11QTemple 64:6–13, even if we understand the text as being a loose sort of *midrash halakhah*. Although it appears in a context which might lead one to consider it to be directly related to Deut. 21:22–23, it is now clear that this segment of 11QTemple | is a free composition, using a biblical text of a broad, nonspecific nature as a framework for sectarian law.<sup>49</sup>

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<sup>49</sup> In the originally published version of this essay, I drew attention in a very lengthy footnote, appended to the article at the last moment, to the then-recently-published articles by I. Rabinowitz, "The Meaning of the Key ('Demetrius')—Passage of the Qumran Nahum-Pesher," *JAOs* 98: (1978), 394–99. Rabinowitz's thesis is that the widely held identification of the Demetrius of 4QpNahum with the third king of that name is incorrect, and that the passage actually refers to Demetrius I Soter (162–150 BCE). This interpretation and dating of the data in the *pesher* clearly would have ramifications for the interpretation and dating of the passage in the Temple Scroll that we discussed above, as well as the identifications of a number of figures in Qumran history and literature. Since this note was added to the article after the final stage of writing, I did not have or take the opportunity to evaluate and criticize Rabinowitz's position. Time has not been kind to his suggestion, and it has been rejected virtually universally in subsequent scholarship. See Shani L. Berlin [Tzoref], *The Pesher Nahum Scroll from Qumran: An Exegetical Study of 4Q169* (STDJ 53; Leiden: Brill, 2004), 90, "Despite the speculation of some scholars, there is no historical evidence of a situation that involved the hanging deaths of Hellenizing Jews;" and the more extensive trenchant criticisms of Hanan Eshel, *The Dead Sea Scrolls and the Hasmonean State* (Eerdmans: Grand Rapids/Yad Ben Zvi: Jerusalem, 2008), 122–23 n. 13. I have therefore omitted the bulk of the footnote, since it has become a scholarly curiosity at best.

CHAPTER TWENTY-SIX

כי קללת אלהים תלוי (DEUT. 21:23):  
A STUDY IN EARLY JEWISH EXEGESIS\*

The first passage from the Temple Scroll published and discussed at length by Yadin, column 64, lines 6–13, maintains a prominent place in the scholarly arena, even after the remainder of the document has been made available.<sup>1</sup> Attention has been focused on the relationship between the exegesis in the Scroll and that in 4QpNahum, and concomitant conclusions have been drawn on the use of hanging/crucifixion as a Jewish death penalty in the late Second Commonwealth, conclusions which, in turn, may shed light on a variety of NT passages dealing with crucifixion.<sup>2</sup>

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<sup>1</sup> Y. Yadin, "Peshet Nahum (4QpNahum) Reconsidered," *IEJ* 21 (1971): 1–12; *idem*, *The Temple Scroll* (Hebrew: Jerusalem: Israel Exploration Society, 1978; English: Jerusalem: Israel Exploration Society, 1983); J. Baumgarten, "Does TLH in the Temple Scroll Refer to Crucifixion?" *JBL* 91 (1972): 472–81. See also the works referred to in notes 2 and 3, below.

<sup>2</sup> A. Dupont-Sommer, "Observations nouvelles sur l'expression 'Suspendu vivant sur le bois' dans le *Commentaire de Nahum* (4QpNah II 8) à la lumière du *Rouleau du Temple* (11QTemple Scroll LXIV 6–13)," *CRAIBL* [116] (1972): 709–20; M. Hengel, *Crucifixion* (tr. J. Bowden; Philadelphia: Fortress, 1977), 84–85; M. Wilcox, "'Upon the Tree'—Deut 21:22–23 in the New Testament," *JBL* 96 (1977): 85–99; J. Fitzmyer, "Crucifixion in Ancient Palestine, Qumran Literature, and the New Testament," *CBQ* 40 (1978): 493–513; D.J. Halperin, "Crucifixion, the Nahum Peshet, and the Penalty of Strangulation," *JJS* 32 (1982): 32–46; O. Betz, "The Death of Choni-Onias in the Light of the Temple Scroll from Qumran," *Jerusalem in the Second Temple Period: Abraham Schalit Memorial Volume* (ed. A. Oppenheimer et al.; Jerusalem: Yad Yizhak Ben Zvi, 1980), 84–97 (Hebrew); J. Baumgarten, "Hanging and Treason in Qumran and Roman Law," *Eretz-Israel* 16 (1982): 7–16. We shall not be concerned in this paper with the meaning of תלוי, i.e., whether it means "hanged," "crucified," or even "strangled." The mode of execution presupposed in this passage (and for that matter, in 4QpNahum) seems to bear little on the exegesis of the clause כי קללת אלהים תלוי as

Since the documentation of this mode of execution, | if only in a sectarian context, appears to be the major historical contribution of this passage, an equally significant contribution to the history of exegesis, the nature of the relationship of the two verses Deut. 21:22–23 to 11QTemple 64:6–13 has been all but ignored.<sup>3</sup> 22

One of the startling revelations in the Temple Scroll, aside from the reference to execution by hanging, was its paraphrase of *כי קללת אלהים* by *העץ על תלוי* *בי מקוללי אלוהים ואנשים תלוי על העץ*. Although the phrase has drawn attention, the fact that we have here a needed witness to ancient exegesis of this biblical text has not been sufficiently stressed. Most discussions of the passage have been concerned with “hanging” rather than “cursing,” and as a result, the significance of the Temple Scroll exegesis in the context of other Jewish interpretations has not been realized. In particular, there has been a failure on the part of scholars to analyze carefully the full range of tannaitic and targumic material pertinent to this verse before viewing the Qumran passage in its ancient perspective.<sup>4</sup> In the present paper, I shall set the newly found exegesis of this text against its other ancient interpretations | in an attempt to determine precisely where in the broad exegetical pattern it belongs. 23

וכי יהיה באיש חטא משפט מות והומת ותלית אותו על עץ. לא תלין נבלתו על העץ כי קבר תקברנו ביום ההוא כי קללת אלהים תלוי ולא תטמא את אדמתך אשר יהוה אלהיך נתן לך נחלה.

(Deut. 21:22–23)

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a whole. I hope to deal elsewhere with the problem of *תלה* and “related” terms in ancient exegesis.

<sup>3</sup> I have discussed in detail the exegetical and stylistic relationship of the passage in the Temple Scroll to the verses in Deuteronomy in “*Midrash Halakhah* at Qumran? 11QTemple 64.6–13 and Deuteronomy 21:22–23,” in *Gesher* 7 (1979): 145–66 (above 2.575–591).

<sup>4</sup> Although 4QpNahum is often discussed in conjunction with our passage in the Temple Scroll, no clear exegesis of Deut. 21:23 can be extrapolated from the clause *כי לתלוי חי על העץ* [יק] (4QpNahum 3–4 i 8). The phrase *קללת אלהים* has simply left no overt mark there. Allegro, in his initial publication of the text, “Further Light on the History of the Qumran Sect,” *JBL* 75 (1956): 91, n. 0–0, had cited with approval Cross and Freedman’s suggestion that the words *קללת אלהים* “have been avoided for pietistic reasons, the writer and readers knowing full well what was intended.” The intent of the author was “Scripture calls the one hanged alive on the tree [cursed by God].” However, in the “official” publication of the text, *DJD* V, 38–41, Allegro translates otherwise, and does not even mention his earlier version as an alternative. For a variety of approaches to the enigmatic *pesher*-Nahum passage, see M.P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington D.C., 1979), 178–79; for a recent attempt to see exegesis of Deut. 21:23 in 4QpNahum see below, n. 25.

Should a man be guilty of a capital offense, and he be put to death, and you (or, “then you shall”) hang him on a tree, you shall not allow his corpse to remain (or, “his corpse shall not remain”) overnight on the tree, but (or, “for” = כִּי) you shall certainly bury him on that day, for (כִּי) a curse of God is [a] hanged [one], and (or, “so that”) you shall not render unclean the land which the Lord your God is giving you as an inheritance.

The reason for the prohibition against overnight exposure of the executed individual may be found in any of the succeeding phrases, and this ambiguity in logic contributes to the syntactic ambiguity present in the phrase “a curse of God is a hanged one.” The ambiguous phrase קללת אלהים, “a curse of God,” can be understood as either an objective genitive, “a curse towards God” (cf. perhaps, קללתך “the curse on you,” Gen. 27:13), or a subjective genitive, “a curse from God” (cf. קללת יותם: “the curse of [i.e., pronounced by] Yotham,” Judg. 9:57).<sup>5</sup> Once the syntactic analysis of the phrase קללת אלהים has been determined, its logical relationship with the remainder of the clause and sentence must be understood. One of our tasks is to ascertain the precise translation of the clause כִּי קללת אלהים תלוי implicit in each exegesis that we shall examine. We shall discover that both the | objective and subjective genitive readings give rise to more than one interpretation of the entire clause כִּי קללת אלהים תלוי.<sup>6</sup>

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Since the group of sources reflecting the subjective genitive reading is smaller and less complex, let us begin our investigation with it. The Septuagint is the oldest source which manifests the subjective genitive, translating *κακατηράμενος ὑπὸ θεοῦ πᾶς ὁ κρεμάμενος ἐπὶ ξύλου* (“Cursed by God is everyone hanged on a tree.”). The *Vorlage* of LXX may indeed have differed from MT, as witness the “every” before “hanged” and the addition

<sup>5</sup> In the subjective genitive, the *nomen rectum* (סומך) is the subject of the verb implied in the *nomen regens* (נטמך); in the objective genitive, the *nomen rectum* is the object of the verb implied in the *nomen regens*. Depending on the context, the same noun as *nomen regens* may serve as either subjective or objective genitive: e.g., מהמס אחיך (Obad. 10) is objective genitive, i.e., “the violence done to your brother;” whereas כל הישבים בה (Ezek. 12:19) is subjective genitive, i.e., “the violence done by all its inhabitants.” See Gesenius-Kautzsch-Cowley, *Hebrew Grammar* (Oxford: Clarendon, 1910), 416, §128g–h, and P. Joüon, *Grammaire de l’Hébreu Biblique* (Rome: Pontifical Biblical Institute, 1923), 387, §129d–e. For a brief discussion of an ambiguous example, see H.G.M. Williamson, “The Sure Mercies of David: Subjective or Objective Genitive?” *JSS* 23 (1978): 31–49.

<sup>6</sup> Jerome, in his commentary to Gal. 3:13 (*PL* XXVI, 386–87), discusses various interpretations of כִּי קללת אלהים תלוי which were known to him, both subjective and objective genitives, but does not distinguish among them systematically.



of “on the tree.”<sup>7</sup> But most striking is the shift from MT noun קללת to LXX passive participle *κακατηράμενος*.<sup>8</sup> In order to guarantee the meaning of the text as a subjective genitive, the ambiguous “curse of God” is transformed into “cursed by God.” This exegesis of the text implies that since the hanged body is cursed, it should be taken down quickly to prevent the surrounding land from becoming tainted. The biblical syntax accepts such a reading smoothly, and if we accept the fact that the Greek is but a disambiguating transformation of MT, the exegesis of the clause is clear.

The author of the Epistle to the Galatians (3:13) derives from the verse Deut. 21:23 that the curse of the Law (based on Deut. 27:26 *לא ארור אשר לא תאור את דברי התורה הזאת*) has been removed by Jesus: *ἡμᾶς ἐξηγόρασεν ἐκ τῆς κατάρας τοῦ νόμου γενόμενος ὑπὲρ ἡμῶν κατάρα ὅτι γέγραπται Ἐπικατάρατος πᾶς ὁ κρεμάμενος ἐπὶ ξύλου* (“He has redeemed us from the curse of the Law by becoming a curse on our behalf; for it is written, ‘Cursed is everyone hanged on a tree.’”). That Paul interprets *קללת אלהים* as a subjective genitive seems clear, although he does not cite our verse literally.<sup>9</sup> Assuming that the passive participle is an exegetical phenomenon in Galatians as in LXX to Deut., the author is | clarifying his understanding of the pentateuchal verse. Because he is concerned with *ארור* = “cursed” as found in Deut. 27, he employs *ἐπικατάρατος*, which LXX uses for *ארור* there, rather than *κακατηράμενος*, which LXX employs in 21:23.<sup>10</sup> The Hebrew of his words (if we may retranslate) would be *ארור כל אשר תלוי על העץ*. The words *ὑπὸ θεοῦ* are also not cited in his text, as it would be somewhat embarrassing theologically to refer to Jesus as “cursed by God.” We can only assume that in a non-homiletical context Paul would have translated *קללת אלהים* as LXX (and the Vulgate later on, “*maledictus a Deo*”) do.<sup>11</sup>

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<sup>7</sup> Cf. Wilcox, 86–87.

<sup>8</sup> I assume that LXX did not read *מקולל (מ) אלהים*. See below, n. 37.

<sup>9</sup> For the variations in Paul’s citation vis-à-vis MT and LXX, see Wilcox, 86–87, and the literature cited there. Cf. also H.L. Strack and P. Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch* (Munich: Beck, 1926), III.544.

<sup>10</sup> Cf. Wilcox, 87. Since the context of Paul’s exegesis is Jesus’ becoming *κατάρα*, a curse, we see even more clearly how he understands the word. See B. Byrne, *Sons of God—Seed of Abraham* (Rome: Biblical Institute, 1979), 154, n. 70. The presence of *κατάρα* in Galatians might militate against seeing in LXX the manifestation of a *Vorlage* differing from MT, although it is possible that Paul’s use of *κατάρα*...*ἐπικατάρατος* is intended to preserve two different readings in the Deuteronomical text.

<sup>11</sup> Wilcox, 87, seems to believe that the omission of *ὑπὸ θεοῦ* from Paul’s quotation is serious. Regardless, it is not likely that Paul’s subjective genitive interpretation is predicated on the omission of *ὑπὸ θεοῦ*, or that he would have read the verse differently if translating from Deut. 21.

The one “normative” Jewish source which maintains the subjective genitive rendering of *כי קללת אלהים תלוי* is the Targum Neofiti. Translating *כי קללת אלהים תלוי* as *כל דצליב* (“Cursed before God is everyone who is hanged/crucified”), Neofiti shares with LXX and Galatians the transformation of *קללת* into a passive participle, and the presence of “all” (*בל*, *πᾶς*) before the word for “hanged.” Although *כי קללת אלהים תלוי* is not literally equivalent to *ὅτι θεοῦ*, it is almost certain that the same concept is implied in each case. All three sources manifest an exegesis which considers the cursing as the result of being hanged.<sup>12</sup>

When we turn from this simple catena of sources which maintains the subjective genitive reading of *כי קללת אלהים תלוי* to the group which prefers the objective genitive, a far more complex picture emerges. There are at least two distinct interpretations of *קללת אלהים* as an objective genitive in Tannaitic sources, and they are joined by Josephus, the Peshiṭta, Symmachus, and T<sub>J</sub>1 (Pseudo-Jonathan). Although they all agree on the syntactic analysis of the objective genitive, they differ in the meaning they give | to it, as well as in the way they perceive the relationship of the clause to the rest of the sentence.<sup>13</sup>

The baraita in *b. Sanh.* 45b, in discussing which criminals are to be hanged after their execution, understands the expression *קללת אלהים*, according to both R. Eliezer and the Sages, as referring to the crime of blasphemy.<sup>14</sup> *כי קללת אלהים תלוי* מה מקלל זה שבסקילה, אף כל שבסקילה. (“For a curse of God is hanged’: ‘Just as this curser who is stoned, so, too, all who are stoned,’ so said R. Eliezer; but the Sages say, ‘Just as this curser who denied a fundamental tenet, so, too, all who deny fundamental tenets.’”) According to both R. Eliezer and the Sages, then, the phrase “a curse of God” is equated with “a curser of God.” These tannaim disagree only about the degree to which we extend the analogy of the blasphemer as regards the penalty of postmortem exposure. There are two difficulties with this interpretation: first, how does “a curse of God” come to mean “a curser of God,” i.e., a blasphemer? Second, and more critical, this clause in the biblical sentence furnishes a reason, *prima facie*, for lowering the corpse, while the translation implicit in the baraita describes the reason for its

<sup>12</sup> For the marginal Targum in Neofiti, see below, [34]–[35] (604).

<sup>13</sup> We shall begin with the tannaitic sources, even though, strictly speaking, the form in which they are now found postdates Josephus for certain, and perhaps some of our other material as well.

<sup>14</sup> Cf. *Sifre Deut.* 221 (ed. Finkelstein, 253).

suspension and exposure. Can this rabbinic exegesis be understood as deriving from a straightforward reading of the biblical text?

As regards the first difficulty, the rabbis do not describe explicitly how *קללת אלהים* comes to mean a blasphemer, and it is probable that this reading of the text is to be understood as midrashic, and not at all as the literal meaning of the text, but there may be a way to reconcile the interpretation of the baraita with the plain sense of the text, at least in part. The rabbis of the baraita may have understood the clause *כי קללת תלוי* as “for on account of blasphemy of God he was hanged” (with the assumed deletion of the preposition *על*).<sup>15</sup> A similar syntactic analysis seems to be operative in Symmachus’ *ὅτι διὰ βλασφημίαν* and perhaps in Onqelos’ *על דחב ארי* as well, as we shall see below.

| The contextual difficulty, however, is perhaps more awkward to solve. 27 If *כי קללת אלהים תלוי* teaches that the blasphemer is to be hanged, it can have no bearing on the body’s being lowered after exposure. At best, we may translate, “You must bury him since he was hanged for blasphemy (which, by implication, is a heinous crime),” and he should not therefore remain exposed. This reading, however, is far from explicit in the text. It is more likely that we are to construe the phrase, according to R. Eliezer and the Sages, as parenthetical to the logic of the verse, which would then proceed, “You shall not allow to remain overnight... but you must bury... so that you do not render unclean...” On the literal level of interpretation, this would be a very infelicitous solution, but it is not surprising in the context of rabbinic hermeneutic.<sup>16</sup>

Josephus, too, is a member of this branch of the objective genitive tradition, writing in *Ant.* 4.8.6 (202), *ὁ βλασφημήσας θεὸν καταλευσθεὶς κρεμάσθω δι’ ἡμέρας καὶ ἀτίμως καὶ ἀφανῶς θαπτέσθω* (“Let him that blasphemes God, after being stoned, be hanged all day long, and let him be buried dishonorably and ignominiously”). Citing the penalty of stoning for the blasphemer (presumably from Lev. 24:16), he adds the shame of hanging to the death penalty. “It is unlikely that Josephus on his own produced the same exegesis as the Tannaim *קללת אלהים = ‘מקלל ה’*,” since he would

<sup>15</sup> My colleague, Dr. Richard Steiner, suggested this approach. Z. Karl, *Mehkarim be-Sifre* (Tel-Aviv: Dvir, 1954), 212, writes, “They [the rabbis] explained *תלוי אלהים קללת*, ‘because of the curse of God he was hanged.’”

<sup>16</sup> Y. Maori, *The Peshitta Version of the Pentateuch and Its Relationship to the Sources of Jewish Exegesis* (Ph.D. dissertation, Hebrew University, 1975), 174, n. 1.

have no reason to relate these words in Deuteronomy to the specific crime of blasphemy without the midrashic reading.<sup>17</sup>

28 Since Josephus is not writing even a close paraphrase of the Deuteronomic text (much the less a translation), as witness his conflation with the law from Leviticus, we cannot discern whether he took this interpretation to be the meaning of the text on a | literal level. Given the opportunity, he might have preferred a reading which integrates more smoothly into the syntax of the biblical sentence. One cannot tell whether he was aware that **על קללת אלהים** might be equivalent to **על קללת אלהים**, but it is quite clear that his *ὁ βλασφημίας* cannot be based on the exegesis of **על קללת אלהים** as a subjective genitive which is manifest in the Greek Bible.

Symmachus' translation of this clause *ὅτι διὰ βλασφημίαν θεοῦ ἐκρεμάσθη* ("For on account of blasphemy of God he was hanged") is quite strikingly parallel to the rabbinic exegesis; note his use of *διὰ* which is the analogue of the hypothetically deleted preposition "as a result of" suggested earlier. The remainder of Symmachus' translation maintains a word-for-word correspondence with MT.

The Peshiṭta, on the other hand, although it represents the same exegetical tradition with its **מטל דמן דמצחא לאלהא נזדקף** ("Because he who blasphemes God should be hanged"), deviates from a literal translation of the phrase **על קללת אלהים** and relates it to the blasphemer (**מן דמצחא** לאלהא), following the rabbis as Josephus seems to do, rather than relating it to his crime like Symmachus. The Peshiṭta, representing MT's **על קללת אלהים** by a clause not unlike the rabbis' **מפני שבירך את השם** (*m. Sanh.* 6:4; *b. Sanh.* 46a; cf. below, 30 [600–601]), is a very loose translation of the text. It is not clear what accommodation either Symmachus or the Peshiṭta would make to relate **כי קללת אלהים תלוי** to the rest of the verse, and we should perhaps take the clause as parenthetical, and not as furnishing a reason for the lowering of the corpse. This approach, while perhaps acceptable for the baraita on 45b, is somewhat harder to acknowledge in the case of translators who are attempting to convey the meaning of a text and not extrapolating a law from it exegetically. It is possible that

<sup>17</sup> D. Goldenberg, *Halakhah in Josephus and in Tannaitic Literature: A Comparative Study* (Ph.D. dissertation, Dropsie University, 1978), 67. Josephus' language is clearly based on Deut. 21:22–23, since *δι' ἡμέρας . . . θαπτέσθω* corresponds to the biblical **לא תלין נבלתו . . . כי**. Although Thackeray translates *δι' ἡμέρας* "for a day," and suggests that Josephus deviates from mishnaic tradition in this regard, the Greek probably means "all day long," i.e., for the remainder of the day. See LSJ, 389, s.v. *διὰ* A.II.1, and the examples cited there, and cf. Goldenberg, 68, n. 1. There may be no deviation here from rabbinic practice as is implied by Halperin, 46, n. 70.

the reading of Symmachus-Peshiṭta agrees with Rashi's interpretation of *m. Sanh.* 6:4 (cf. below, 31 [601]).<sup>18</sup>

| The other objective genitive interpretation found in rabbinic exegesis is cited in the name of R. Meir (*t. Sanh.* 9:7, ed. Zuckerman, 429; *b. Sanh.* 46b) in the form of a parable:

היה ר' מאיר אומר מה תלמוד לומר כי קללת אלהים תלוי לשני אחים תאומים דומין זה לזה אחד מלך על כל העולם ואחד יצא לליסטייא והיו צולבין אותו על הצלוב והיה כל עובר ושב אומר דומה שהמלך צלוב לכך נאמר כי קללת אלהים תלוי.

R. Meir used to say, "What is the meaning of the verse 'For a curse of God is a hanged one'? It is analogous to two twin brothers who looked very much alike; one ruled over the world, and the other went out to a life of crime. When the criminal was apprehended and hanged/crucified, all the passersby kept saying that it appeared as if the king was being hanged. Therefore, Scripture states, 'For a curse of God is a hanged one' "

This analysis seems to take *קללת אלהים* quite literally. The "curse toward God" is brought about by the fact that since hanging a man, even post mortem, is a degradation, and since man is made in God's image, an insult to man becomes *ipso facto* an insult to God. The latter notion, that God and man share a common image, although implicit, is clearly the support of R. Meir's statement. We may ask whether, according to R. Meir, it is the hanging of a human being (made in God's image) which *eo ipso* engenders the curse toward God, or whether it is the remarks of passersby (about man being made in God's image) which make it operative. Regardless, there seems to be no reference in this exegesis to any crime of blasphemy for which the corpse was exposed.<sup>19</sup>

R. Meir's interpretation of the clause *כי קללת אלהים תלוי* fits quite well into the remainder of the verse, "You shall not leave his corpse exposed... but you shall bury him... for a hanged man is an offense to

<sup>18</sup> It is hard to imagine either the Peshiṭta or Symmachus arriving at this interpretation, with its violation of simple syntax, without the rabbinic tradition. It is perhaps noteworthy that the Peshiṭta, within two verses, rejects normative rabbinic tradition which is also the simple sense of MT (by describing hanging as the death penalty in 21:22), and goes out of its way to follow a rabbinic derivation which does not harmonize smoothly with the Hebrew in 21:23. See further on this point Maori's comments, 174–75.

<sup>19</sup> It is difficult to understand Betz's analysis of this passage, 97, which suggests that the idiom *קללת אלהים* implies blasphemy of God placed in the mouth of the hanged man. The interpretation we have suggested seems quite clear. The Talmud (46b), commenting on R. Meir's view in the Mishnah that the Shekhinah is affected, as it were, by human suffering, seems to link that with blasphemy, but the connection is strictly homiletical, and does not represent a viable reading of the biblical verse.

God.” According to the view of R. Meir, **כי קללת אלהים תלוי**, furnishes the reason for **נבלתו**; **לא תלין נבלתו**; although hanging was warranted in this case, prolonged exposure | carries with it a shameful attitude toward God, and the corpse should be removed by nightfall. The exegesis of R. Meir, although it appears on the surface homiletical or philosophical, is nevertheless closer to a literal reading of the biblical text than that of R. Eliezer and the Sages, which does not seem intended to explain the text, but to derive a law from it.

The second overt example of this exegesis of **כי קללת אלהים תלוי** is found in Tj1: **לא תבית ניבלת גושמיה על קיסא ארום מקבר תקברוניה ביומא**; **ההוא ארום קילותא קדם אלהא למצלוב גבר אלהן חובוי גרמו ליה ומן בגלל דבדיוקנא דה' אתעבד תקברוניה עם מטמוע שמשא דלא יקילון ברייתא ביה**. It is likely that this targum represents a conflation of two versions of the clauses **קבר תקברנו . . . כי קללת אלהים תלוי**, as is demonstrated by the repetition of **תקברוניה** (MT **תקברנו**). The second of these, which we shall call Tj1b, is obviously related to the exegesis of R. Meir: “And since he was made in the image of the Lord, you shall bury him at sunset, so that people do not abuse him.” Since the disrespect to God clearly is said to derive from the fact that the hanged man is made in God’s image, we can infer from Tj1b with greater assurance than from R. Meir’s parable that the concept that man is made in God’s image is the basis of this interpretation. This is so whether we take **ביה** as referring to the hanged man, as is likely, or to God, which is a bit more difficult, since the closest referent, the suffix of **תקברוניה**, is the human being. The **ברייתא** of Tj1b are the **כל עובר ושב** of R. Meir’s parable.<sup>20</sup> This targumic version is a full restatement of R. Meir’s reasoning as it applies in a close reading of the biblical verse.

There remain two sources which, although clearly belonging to the objective genitive traditions, demand independent analysis. The first is the Mishna (*m. Sanh.* 6:4; *b. Sanh.* 46a):

ואם לן עובר בלא תעשה שנאמר לא תלין נבלתו על העץ כי קבר תקברנו כי קללת אלהים תלוי וגו' כלומר מפני מה זה תלוי מפני שבידך את השם ונמצא שם שמים מתחלל

<sup>20</sup> In the light of our interpretation, there seems to be no justification for E. Levine’s translation, “so that wild animals do not abuse him” (“Parallels to Deuteronomy of Ps.-Jon.,” in *Neophyti I*, V [Madrid: Consejo Superior de Investigaciones Científicas, 1978], 603).

If he remains overnight, one transgresses a negative injunction, since Scripture states, “You shall not allow his cadaver to remain overnight, but you must certainly bury him, since a curse of God | is a hanged one, etc.” That is to say, why was this one hanged?—because he blasphemed, and the result is that the Name of Heaven is profaned.

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Like R. Eliezer and the Sages, the Mishnah associates *כי קללת אלהים תלוי* with blasphemy (note particularly the use of *מפני שבירך* which represents the biblical *כי קללת*); the reason for the exposure is blasphemy. But the context of the Mishnah, unlike that of R. Eliezer and the Sages, is the prohibition of overnight exposure, like the simple sense of the biblical verse, and hence demands a reason for lowering the corpse, not for its suspension; therefore the clause *מתחלל . . . ונמצא*, which is a reason for lowering the corpse, without defining what constitutes *השם חילול*.

The classical rabbinic interpretation of the Mishnah, as found, for example, in Rashi (to *b. Sanh.* 46a, s.v. *שם שמים מתחלל*) is that “they [passersby] mention that this one [the corpse] blasphemed Him.” There is nothing intrinsically offensive to God about the hanged man, and it is only the comments of passersby pertaining to his blasphemy which bring about *חילול השם*. This approach derives from an attempt to integrate the two clauses of the mishnaic sentence (*מפני שבירך . . . ונמצא*)—the profanation of God’s name will result indirectly from the original blasphemy by the hanged criminal. According to Rashi, we may perceive two analyses of *כי קללת אלהים תלוי*—“blasphemy” and “an affront toward God,” although Rashi resorts to the crime of blasphemy in order to explain the affront to God.<sup>21</sup>

An alternative suggestion, ventured not without knowledge of possible difficulties, can be proposed for the Mishnah. The Mishnah may reflect, in addition to the exegesis of *קללת אלהים* understood as blasphemy, the exegesis of the verse demonstrated | by R. Meir, that the hanged man, who is made in the image of God, brings about profanation of God’s name merely by remaining exposed. The mishnaic *ונמצא* is not the direct result of the

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<sup>21</sup> Maori, 175, n. 2, seems to accept Rashi’s interpretation of *מתחלל שם שמים* and *ונמצא*, although he does distinguish between two interpretations of *קללת אלהים* in the Mishnah: blasphemy and an affront to God. In a conversation Professor Maori suggested that *כלומר* in the Mishnah indicates a quotation of the question and answer of passersby. In fact, H. Albeck, *Commentary to the Mishnah: Nezikin* (Tel-Aviv: Dvir, 1959), 188, writes, s.v. *כלומר*, “The expression *כי קללת אלהים תלוי* is as if to say that people will say ‘Why was he hanged?’ . . .” But in such a reading *כלומר* must do double duty. Rashi’s explanation would also limit those exposed after stoning to the blasphemer, since only in that case does this reasoning occur. This point has been noted already by MaHaRSHA in his gloss *ad loc.*

blasphemy (מפני שבירך את השם), but of the hanging itself (זה תלוי). The hanged man is *ipso facto*, as suggested earlier, an affront to the Deity, and therefore must be removed from exposure. The Mishna, according to this interpretation, juxtaposes both objective genitive readings of כי קללת תלוי in order to explain why the body, although deserving of hanging, must be lowered.

Both the classical interpretation and our suggestion present problems when analyzed carefully. Rashi's view reads into the Mishna passersby and their comments, who do not seem to be intrinsic to the text. Our suggestion requires ונמצא to be the outcome not of the immediately preceding clause, but of the earlier portion of the sentence. The fact that the Talmud cites the baraita of R. Meir on 46b, using this phrase in the Mishna as its lemma, might support our interpretation of the Mishna which connects them. Rashi's interpretation of the Mishnah seems to lean heavily on the passersby of R. Meir, but whereas for R. Meir the passersby may only be present in the parable, and the lowering of the corpse is to take place because it is intrinsically offensive to God even without the passersby's comments, for Rashi the passersby furnish the only reason for the lowering of the corpse. Regardless of the acceptance of our view of the passage or of the classical one, there may be room to see two exegeses of כי קללת תלוי side-by-side in the Mishna.<sup>22</sup>

TJ1, as we noted earlier, presents a conflation of exegeses of כי קללת תלוי. We have discussed TJ1b above; TJ1a reads מקבר תקברוניה ביומא ההוא ארום קילותא קדם אלהא למצלוב גבר אלהן חובוי גרמו ליה ("You shall certainly bury him on that day, because it is shameful before God to hang a man except his sins cause it for him"). This version is somewhat enigmatic; it may contain two exegeses of כי קללת תלוי: one represented by אלהא קדם קילותא | and the other by אלהן חובוי גרמו ליה (cf. Onqelos). The former clearly asserts the reason for lowering the corpse, while the latter, if obscure, may denote the cause for its initial suspension.<sup>23</sup>

<sup>22</sup> A. Geiger, "Symmachus the Greek Translator," *Collected Essays* [Hebrew] (ed. S.A. Poznanski; Warsaw: Tushiyah, 1910), 57, suggests that the tosefta and baraita are an expansion of R. Meir's mishnaic exegesis, but although they represent the same syntactic construction (a point which Geiger fails to stress), R. Meir's words in the tosefta and baraita are clearly an attempt to understand כי קללת תלוי as a reason for lowering the corpse, while his mishnaic exegesis does not seem to have the same intent.

<sup>23</sup> אלהן חובוי גרמו ליה may not correspond to anything in the biblical text, and may be a pietistic comment. If it reflects anything in the verse, כי קללת תלוי is as good a possibility as anything, if we consider that חובוי גרמו ליה might be euphemistic for blasphemy.



This exegesis might be compared to that in the Mishna: אלהן חובוי גרמו ליה would indicate the crime (like מפני שבירך את השם), although the targum leaves the specific violation unexpressed for euphemistic or other reasons, and נמצא שם שמים מתחלל קדם אלהא would be the equivalent of מתחלל, understood not according to Rashi, since blasphemy is not mentioned, but according to our suggestion that the Mishna is working with the reasoning of R. Meir, though unexpressed.

This reading of TJ1a avoids the awkwardness of our reading of the Mishna. The exegesis of תלוי אלהים כי as the reason for the lowering of the corpse, which is the simple sense of the biblical text, precedes the midrashic interpretation of the phrase as the reason for exposure. But this suggestion is far from certain; the major stumbling block is the obscure אלהן חובוי גרמו ליה.<sup>24</sup> This paraphrase turns תלוי into an active infinitive למצולב, and describes the act of hanging as the קילותא השם; the חילול השם in our interpretation of the Mishna also results from the hanging itself, and not from anything else.<sup>25</sup>

<sup>24</sup> This phrase is very likely related to TO אצטליב קדם ה' על דחב קדם ה', but since no satisfactory explanation has been offered for that expression, this suggestion is made for TJ1a independently of TO.

<sup>25</sup> J. Baumgarten has recently proposed ("Hanging," 14 and 16, nn. 42–49) an interpretation of the words תלוי חי in 4QpNahum which, in his opinion, shares a common feature with TJ1 (our TJ1a). He takes תלוי חי in 4QpNahum to mean "one who hangs a living man," asserting that the passive participle has an active meaning, as in such mishnaic idioms as יין שתוי יין, כפוי טובה, רכוב, etc., and the biblical אחזי חרב TJ1, according to Baumgarten, by rendering תלוי with למצולב, seems also to have taken תלוי in an active sense. From a linguistic point of view, however, this ingenious suggestion does not seem tenable. Not all verbs lend themselves to this "active" usage of the passive participle. In the mishnaic examples the passive participle indicates the new state in which the subject of the verb is found after completing the action implied in the verb. Cf. E.Y. Kutscher, *The Language and Linguistic Background of the Isaiah Scroll* (STDJ 6–6a; Leiden: E.J. Brill, 1974), 350, cited by Baumgarten (16 n. 47), and the classic article by J. Blau, "Passive Participle with Active Meaning," *Lešonenu* 18 (1952–53): 67–81. Although not all "active" passive participles developed in the same way, Blau points out (73–74) that in Mishnaic Hebrew the active participle of verbs whose passive participle is also used "actively" differs often from the passive in that the former "expresses the action as it takes place... i.e., its meaning is connected with the future," whereas the latter "expresses an action which took place in the past, or, principally, the state in the present which derives from the action in the past." After one is הושרה he becomes שתוי, and after one is נושא אשה he is נשוי אשה (although other factors may account for this construction), but there is no state into which the hanger of a human being (presumably תולה) can be said to have come so that he is a תלוי חי. Furthermore, from an exegetical standpoint, Baumgarten's suggestion, even if it were plausible in 4QpNahum, leads to a very strange interpretation of Deut. 21:23. If we translate the clause תלוי אלהים כי קללת אלהים to mean "the hanger is an offense toward God," we confront the difficulty that the biblical text mandates hanging, yet the one carrying out the order is offensive to God. The exegesis of TJ1a, which Baumgarten regards as analogous, does not have this problem. Hanging is indeed offensive to God, according to the targum, unless

- 34 | There is one more version which clearly belongs to the objective genitive tradition, but which is hard to clarify because its key word is difficult both to read and to construe. The marginal note in Targum Neofiti reads (following Díez Macho's suggestion in the printed critical apparatus, *Neophyti I*, V, 183): [leg מצלב] אצלב דה' יקר שכינתיה דה' [leg? בזין] בזין.<sup>26</sup> McNamara and Maher render it (ibid., 520) "For contempt (?) of the glory of the Shekhinah of the Lord is one crucified." Although none of the other Targumim render or paraphrase קללת by a form of בזי here, Tj2 (Vat 440) translates ומקלל אביו (Exod. 21:17) with ומבזי.<sup>27</sup> But Díez Macho's reading of the text here is open to question on a number of grounds. He apparently vocalizes בזין as *bizyān*, and emends אצלב to מצלב, a Pa'el passive participle. But the former word is unattested (cf. the lexica of Jastrow and Levy, s.v.), and for the latter we should have expected צליב, as in the text of N (aside from the fact that the Pa'el of צלב also seems unattested). If we accept Díez Macho's questionable suggestion and reject his "certain" one, we have two possible approaches to this text: If בזין = *bazyān* = despiser/curser, then we may translate "a despiser of the glory of the divine presence has been hanged" (cf. | the Peshitta's rendering). However, like the
- 35 rabbinic exegesis on 45b, the clause does not fit smoothly into the syntax of the remainder of the verse. If בזין = *bizyan* = disrespect, then the Aramaic becomes even more awkward: "disrespect of the glory of the divine presence has been hanged," and it is probably this difficulty which led Díez Macho to his emendation of the verb. The tense of the verb as it appears in the text (presumably Ithpe'el perfect) perhaps ought to convince us that the marginal targum adopted the awkward objective genitive reading, and understand בזין as standing for some word meaning "blasphemer" or the like.

There remain, before we reach the Temple Scroll, three sources whose positions vis-à-vis the subjective/objective genitive problem are unclear. Targum Onqelos abandons his well-known, if overstated, fidelity to the letter of MT and renders מקבר תקברוניה ביומא ההוא ארי על דחב קדם ה' אצטליב ("You shall surely bury him on that day, for because he sinned before the Lord he was hanged"). Far from allowing us to perceive how he

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the one hanged merited such punishment (אלהן חובוי גרמו ליה). The absence of any such explanatory phrase should probably lead us not to derive any exegesis of Deut. 21:23 from 4QpNahum, until such time as further textual evidence is available.

<sup>26</sup> The Makor facsimile, as well as a microfilm available to me, does not aid in clarifying the reading.

<sup>27</sup> Cf. also Tj1, Tj2, N and Nmargin to Gen. 16:5, rendering ואקל with forms of בזי, and perhaps also *b. Sanh.* 65b ביישתו וקיללתו.

reads *כי קללת אלהים תלוי*, he utilizes phraseology which would be more suitable to *על אשר חטא לה' תלוי/גתלה*; yet no one, to my knowledge, has suggested that he had a non-masoretic Vorlage.<sup>28</sup> The classical rabbinic commentaries to Onqelos were aware of this anomalous translation, and struggled to explain it, but none of them, in my opinion, has proposed a reasonable solution to this obscure text.<sup>29</sup>

I suggest that if we understand *ה' קדם* not as representing the Hebrew *לה'* ("before the Lord") in the so-called anti-anthropomorphic tendency of Onqelos,<sup>30</sup> but as describing the particular nature of the sin in this case, a sin directed at/toward God, then the phrase might be considered a euphemism for *על שבירך את השם* or *על שכפר בעיקר*, so that TO would be following the view of the Sages against R. Eliezer. This would mean, admittedly, that TO has adopted the syntactically awkward exegesis of the baraita on 45b, but would require no further complicated explanation.<sup>31</sup> Such euphemistic usage is, to the best of my knowledge, unattested. An additional benefit which might accrue from this tentative interpretation is its potential application to the phrase *אלהן חובוי גרמו ליה* in TJ1a, which then also might be considered a euphemism for *על שבירך את השם* or *על שכפר בעיקר*.<sup>32</sup>

<sup>28</sup> A. Sperber, *The Bible in Aramaic: IVB* (Leiden: E.J. Brill, 1973), 202, lists this phrase among Onqelos' "Changes and Additions in Keeping with rabbinic Interpretation," but does not enlighten us as to which rabbinic view he deems similar to TO's. For *חטא = דחב*, see C.J. Kasowski, *Thesaurus Aquilae [sic] Versionis* (Jerusalem, 1940) I, 188b; biblical words for "curse" are usually represented in TO by some form of *לוט* or *רגז* (Af'el); see I, 258b–259a and 475b–476a, respectively.

<sup>29</sup> Onqelos' vague clause has been attributed by some to his unwillingness to take sides in the debate between R. Eliezer and the Sages regarding which sinners are to be hanged (B. Schefftel, *Be'ure Onqelos* [1888], accepted by Maori [174–75] and translated by others "for his sin against the Lord he has already received his punishment" [N. Adler, *Netina Lager*] [1874]). The latter resembles the interpretation of this clause by R. Joseph Qara (cited in A. Berliner, *Peletat Soferim* [Mainz: Y. Brill, 1872], 24). It is awkward, since it places a somewhat unnatural meaning on *אצטליב* and does not tell us how Onqelos understood *קללת אלהים*. The former assumes intentional obscurity, and furthermore, does not explain *ה' קדם*. Other rabbinic commentaries to Onqelos are, to my mind, similarly unsuccessful in attempting to resolve the problem in the text.

<sup>30</sup> See M.L. Klein, "The Preposition *קדם* ('Before'): A Pseudo-Anti-Anthropomorphism in the Targums," *JTS* 30 (1979): 502–07, and *Anthropomorphisms and Anthropopathisms in the Targumim of the Pentateuch* (Hebrew; Jerusalem: Makor, 1982), 110–24.

<sup>31</sup> Y. Komlós, *The Bible in the Light of the Aramaic Translations* [Hebrew] (Tel-Aviv: Devir, 1973), 204, explains in a similar fashion, asserting, among other things, the similarity of TO with TJ1a and Symmachus, neither of which is certain. He does not consider the words of Onqelos as euphemistic, but as alluding to the crime which was committed.

<sup>32</sup> Among the moderns, Samuel R. Driver, *Deuteronomy* (Edinburgh: T&T Clark, 1902), 249, assumes that the rabbinic interpretation "an insult to God" underlies the "ungrammatical paraphrase of O," but does not explain the reasoning which led to this conclusion.

37 Although all commentators seem to work with the presumption that TO's somewhat enigmatic phraseology is linked to the mainstream Jewish interpretation of קללת אלהים as an objective genitive, a case can perhaps be made for understanding חב קדם ה' | ("guilty before the Lord," reading חב as a participle rather than a perfect) as representing the subjective genitive, which is the view adopted by, among others, LXX and Christian exegesis. חב would then be a milder substitute for לִיט, which we find in Targum Neofiti (where the idiom is לִיט קדם ה'). The hanged man would then be "guilty (i.e., cursed) before God," and therefore ought to be removed from exposure in order to avoid contamination of the surrounding area. But the usage in TO would then be highly peculiar, and furthermore, we should then have no grounds for explaining the echo (if it is an echo) in Tj1a's גרמו ליה חבויו חבויו; that phrase does not lend itself to a subjective genitive interpretation in any way.

Aquila and Theodotion translate *כי קללת אלהים תלוי* quite literally *ὅτι κατάρα θεοῦ κρεμάμενος* ("For a curse of God is [a] hanged [one]"). Driver has assumed that these two agree with the generally accepted (by the moderns) interpretation of קללת אלהים as "cursed by God,"<sup>33</sup> but two factors may militate against this being the case. Jerome, in his commentary on Gal. 3:13, while citing earlier versions of this verse, translates the words of Aquila and Theodotion (whose Greek we know via Procopius) with "quia maledictio Dei est suspensus" and "quia maledictio Dei est qui suspensus est." He does not attempt to bring them into line with LXX's "quia maledictus a Deo est omnis qui pendet," which he adopted in the Vulgate. To Jerome, at least, the versions of Aquila and Theodotion are not equivalent to LXX. The fact that the translation of LXX seems not to be in line with most ancient Jewish exegetical traditions might also raise some

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Joseph Reider, *Deuteronomy with Commentary* (Philadelphia: Jewish Publication Society, 1937), 202, claims that TO adhered to the rabbinic interpretation "because he cursed God." Wilcox, 87, writes with assurance that Symmachus' "interpretation coincides strikingly with that of *Targum Onqelos*," F. Field, in his notes to *Origenis Hexaplorum Quae Supersunt* (Oxford: Clarendon, 1875), I, 304, also claims that Symmachus and Onqelos are similar. Even if the ambiguous phrase in TO does refer to blasphemy, as it very well may, the fact that TO does not call it blasphemy but uses a euphemism should distinguish his version quite sharply from that of Symmachus. Perhaps most to the point is Geiger, 58, "Onqelos abbreviated, after his fashion, and left his words obscure . . . and we cannot know his intention, whether he explained קללת like the first exegetical opinion that he was hanged because he cursed God, or the opinion of R. Meir that the hanged man is a reproach to God."

<sup>33</sup> Driver, 249. H.C. Brichto, *The Problem of "Curse" in the Hebrew Bible* (Philadelphia: Society of Biblical Literature, 1963), 192, and Maori, 175, n. 2, seem to accept this analysis.

doubt as to whether Aquila, who often stands with the mainstream of that tradition, is also diverging from it here. It is more likely that the verbatim translations of Aquila and Theodotion do not allow us to perceive the way in which they read the Hebrew syntax. The ambiguity of objective or subjective genitive in the Hebrew can be said to be reflected faithfully in the Greek.<sup>34</sup>

| If we survey for a moment the classical rabbinic sources for the exegesis of the clause **בִּי קָלְלַת אֱלֹהִים תְּלוּי**, we observe both uniformity and disparity. The uniformity consists of the syntactical analysis of the phrase **קָלְלַת אֱלֹהִים** as an objective genitive, and the disparity lies in the understanding of the syntax of the entire clause and the translation of its key phrase. For the Sages and R. Eliezer (and those other sources which follow their approach), **תְּלוּי** is the predicate, “for on account of the blasphemy of God he was hanged.” According to R. Meir (and those sources following him), **תְּלוּי** is the subject, “for the hanged man is an offense to God.” This observation of syntactical differences within identical syntactical analyses of **קָלְלַת אֱלֹהִים** will prove noteworthy when we come to analyze the possible exegeses inherent in the Temple Scroll. 38

The discovery of the sectarian Temple Scroll presented us recently with another ancient Jewish exegetical tradition which apparently views **קָלְלַת אֱלֹהִים** as a subjective genitive. In the running paraphrase of certain Deuteronomic laws in the latter portion of the document, two offenses are said to incur the unusual (at first glance) penalty of hanging:

כִּי	6
יְהִי אִישׁ רָכִיל בְּעַמּוֹ וּמַשְׁלִים אֶת עַמּוֹ לְגוֹי נָכַר וְעוֹשֶׂה רָעָה בְּעַמּוֹ	7
וְתִלְתָּמָה אוֹתוֹ עַל הָעֵץ וַיָּמַת עַל פִּי שְׁנַיִם עֵדִים וְעַל פִּי שְׁלוֹשָׁה עֵדִים	8
יּוֹמַת וְהָמָּה יִתְּלוּ אוֹתוֹ הָעֵץ כִּי יִהְיֶה בְּאִישׁ חֹטִי מִשְׁפָּט מוֹת וַיְבָרַח אֶל	9
תוֹךְ הַגּוֹאִים וַיִּקְלַל אֶת עַמּוֹ, אֶת בְּנֵי יִשְׂרָאֵל וְתִלְתָּמָה גַּם אוֹתוֹ עַל הָעֵץ	10
וַיָּמוֹת וְלֹא תִלְיָן נִבְלָתָמָה עַל הָעֵץ כִּי קָבֹר תִּקְוֹבְרָמָה [ה] בְּיוֹם הַהוּא כִּי	11
מִקּוֹלֵי אֱלֹהִים וְאִנְשִׁים תְּלוּי עַל הָעֵץ וְלֹא תִטְמָא אֶת הָאָדָמָה אֲשֶׁר אֲנוּכִי	12
נֹתָן לָכֶּה נִחְלָה	13

Should a man become an informer against his people, and a betrayer of his people to a foreign nation, and an evildoer against his people, you shall hang him on a tree, and he shall die. At the word of two or three witnesses he shall be put to death, and they shall hang him on the tree. Should a man be

<sup>34</sup> Masius, cited by Field in his Hexapla edition *ad loc.*, writes, “Aquilas vertit ut est in Hebræo.” It is a bit odd that Jerome translates the presumably identical versions of Aquila and Theodotion (cf. A. Vööbus, *The Pentateuch in the Version of the Syro-Hexapla. A facsimile edition of a Midyat MS discovered 1964* [Louvain: Secrétariat du CorpusSCO, 1975], 177r) into non-identical Latin phrases.

guilty of a capital crime and run away to the midst of the nations, and curse his people and the children of Israel, you shall hang him, too, on a tree, and he shall die. You shall not allow their corpses to remain overnight on the tree, but you shall certainly bury them on that day, for cursed (pl.) by God and men is [one?] hanged (s.) on the tree. (Column 64, lines 6–13)

- 39 | It is quite clear that there is a close connection between this passage and Deut. 21:22–23.<sup>35</sup> The fugitive is guilty of cursing, and he is to be buried after hanging, because “Cursed by God and men is one hanged on the tree.”<sup>36</sup> Since the Hebrew text uses קלל in two different places in our passage, Yadin suggested that the author of the Scroll interpreted קללת אלהים as an objective genitive in line 10 (“curse his people”) and as a subjective genitive in lines 11–12 (“cursed by God and men”).<sup>37</sup> He compares the exegesis

<sup>35</sup> For a detailed discussion of the nature of this connection, see my article cited above, n. 3. I suggest there that the abrupt shift from plural to singular in line 12 is due to an unsmooth interpolation, but my overall discussion of the passage does not affect materially the present analysis of the clause.

<sup>36</sup> This reading presumes that מקוללי is a Pu'al participle, but there is another possibility worthy of consideration which I had tended to discount until a number of my colleagues defended it, and that is the vocalization of the word as *meqōlele*, a Polel (active) participle. The text would then reflect an objective genitive reading like the baraita or Mishna and mean “It is the cursers of God and men who are hanged on the tree.” The addition of “and men” would then be an exegetical expansion to fit the new law of the Scroll. Blasphemy and the cursing of the Jewish people would then be crimes equally deserving the death penalty of hanging. This suggestion is *prima facie* quite attractive, being both syntactically and contextually smooth, and I should hesitate to claim that it is impossible. My major reservation is that Qumran Hebrew seems to use Polel forms of geminate verbs only in those instances where the Polel of the verb exists already in Biblical Hebrew (cf. Elisha Qimron, *The Grammar of the Hebrew Language of the Dead Sea Scrolls*, Ph.D. dissertation, Hebrew University, 1976, 199, §315.8–9, for examples). For קלל, at least, the Pi'el participle occurs in 1QS 2:4 and 10 (מקללים) and the Pu'al participle מקוללי appears in 4QPp's 37 III.9 written plene (with suspended *waw*) where MT is defective (מקללי). I should therefore maintain the reading and interpretation set forth in the text of this paper.

<sup>37</sup> Yadin, *Temple Scroll*, I, 290 (Eng. I, 379) and II, 204a–b (Eng. II, 290–91). Professor Emanuel Tov suggested in a comment on the oral presentation of this paper that the reading of LXX *κακατηράμενος ὑπὸ θεοῦ* and of 11QT *מקוללי אלהים ואנשים* may represent a common *Vorlage* differing from MT. The issue raised by the two possibilities, variant text or exegetical interpretation, is not unfamiliar. In defense of the latter possibility, the following reasoning seems to be demanded: If a translator is not allowed flexibility, in our analysis, to avoid an ambiguous reading, and we always presume that he is translating literally, can we ever penetrate to his understanding of a difficult text? The Hebrew of MT is ambiguous here, and any translation other than a verbatim one will of necessity diverge from it and resemble another *Vorlage*. The fact that three independent witnesses (LXX, 11QT, TNeof) paraphrase *כי קללת אלהים תלוי* with a subjective genitive via a passive participle need not indicate a common textual variant. RaMBaN, who certainly had no text other than MT before him, writes *כי הארור מכל האדם והמקולל בהם הוא התלוי* (“The most cursed of all men and reviled among them is the hanged one”)! There is no reason to assume that he had Paul's text in Galatians or the LXX/Temple Scroll *Vorlage* in mind.

in | the Scroll, which regards hanging as engendered by cursing and the hanged man as the object of a curse, with the rabbinic treatment of the passage which saw in קלל references both to blasphemy against God and the reproach directed at Him by the exposure of a human corpse. 40

Yadin's interpretation is highly dubious; the "double exegesis" of קללת אלהים in the rabbinic texts is not really analogous to his understanding of the passage in the Temple Scroll. While the rabbis, apparently unanimously, read קללת אלהים as an objective genitive, there were two clearly distinct ways of understanding the syntactic construction. It is not clear, as we noted earlier, whether both exegeses were ever intended to be taken literally, and it is only in the Mishna (*Sanh.* 6:4) that they are even collocated (and perhaps not even there according to Rashi). There is no reason to assume common authorship for the two objective genitive exegeses in rabbinic literature, or even that the author of one would subscribe to the other. The Mishna maintains a sort of awkward juxtaposition of the two interpretations only in order to understand the clause בי קללת אלהים תלוי as a reason for the lowering of the exposed corpse.

According to Yadin, the author of the Scroll construes בי קללת אלהים תלוי in two different syntactical ways in order to obtain his two interpretations, unlike the two exegeses of the rabbis which bear the same syntactical analysis. Furthermore, both Tannaitic exegeses take into consideration both words in the phrase קללת אלהים. If we are to demand this, it is not clear that there are two readings of קללת אלהים present in the Temple Scroll. The implicit first exegesis, the derivation of עמו את ויקלל from קללת אלהים (the objective genitive), is particularly tenuous, given the absence of God from the interpretation and a context which has nothing to do with blasphemy. The crux of the rabbinic interpretation is that one who has cursed God is hanged, not any and all cursers. The sectarian view is not claimed to be any different in this regard by Yadin, and if so, there is no real objective genitive exegesis of קללת אלהים in this text.

| It is perhaps more likely, as Yadin suggests in his note, that the author of the Temple Scroll, rather than interpreting קללת אלהים in two ways, is synthesizing in this section Exod. 22:27 לא תקלל ונשיא בעמד לא אלהים and Deut. 21:23. If an interpretation of Exod. 22:27a similar to the rabbinic one (*b. Sanh.* 66a), equating אלהים with judges, was known to the author of the Scroll, then both verses could be viewed as using קלל in 41

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In general, the postulation of differing Hebrew *Vorlagen* on the basis of translations or paraphrases of ambiguous phrases is to be ventured with the greatest diffidence.

a non-blasphemy context. עמו in the Temple Scroll would then be related to בעמך in the verse from Exodus. Furthermore, if, as I have attempted to demonstrate elsewhere,<sup>38</sup> the two cases of 64:6–13 in the Scroll are really but two examples of the same law, then ויקלל את עמו is parallel with בעמך כי יהיה איש רכיל בעמך, both being offenses which involve going over to the enemy and committing a verbal crime against the people, whether by betraying or by cursing. The absence of any references to God and the similarity to the previous case make it very unlikely that there is any conscious “double exegesis” of Deut. 21:23 in the mind of the author of the Scroll. If we concentrate only on that which can be said to be derived from the biblical text, there is no doubt that the Temple Scroll understands קללת אלהים as a subjective genitive, and any similarity between line 10 and the verse in Deuteronomy, which might have prompted thoughts of the objective genitive, can be considered at most stylistic.<sup>39</sup>

Although the Temple Scroll shares with LXX, Neofiti, and most Christian exegesis the understanding of קללת אלהים as a subjective genitive, there is certainly no need to posit a common source for all of these exegetical traditions. Since the translation is not at all forced, but rather smoothly integrated with the logic of the sentence, and since its syntax is paralleled elsewhere in the Bible, it could presumably have been arrived at independently by the two oldest representatives of the tradition, LXX and the Temple Scroll. In fact, we ought perhaps to distinguish between the exegeses of LXX and Temple Scroll, even though they seem to have the same syntactical analysis of the verse.

42 | Whereas it is obvious that LXX, Neofiti, and the author of Galatians understand the biblical text to mean “accused by God is everyone hanged on the tree,” as the addition of the word “all” (כל, πᾶς) before the word for “hanged one” indicates, the language of the Scroll certainly supports, and perhaps even suggests, another reading. The Scroll, in my opinion, understands the clause בי קללת אלהים תלוי to mean “it is the accused of God [and men] who is hanged on the tree.” For LXX, the hanging engenders the curse, whereas for the Temple Scroll it is the reverse. The offenders described in 64:6–10 are “accursed” because of their exceptionally heinous crimes, and only those who are accused are hanged. If hanging is not the factor which results in the corpse’s being cursed, but rather the

<sup>38</sup> “*Midrash Halakhah*” (above, n. 3), 149, (above 2.579–580).

<sup>39</sup> It may very well be that the expression ויקלל was suggested to the author by the context of קללת אלהים, but that is not exegesis of the biblical verse. Betz, 92–93, claims that קללת העם is the source for קללת אלהים, but does not prove his assertion adequately.



punishment of one who is already cursed, then the phrase supplies the reason both for the suspension of the corpse and for its lowering. The enormity of the crime merits hanging, but the nearby land ought not be subject to the impurity of the exposed sinner. We might go so far as to note the similarity of this explanation of the Scroll to the interpretation of T<sub>J</sub>1a אלהן חובוי גרמו ליה ליה. Despite the differing syntactic analyses, both consider the heinous nature of the offense as the only reason for exposing a corpse.

It should be clear now that there was a good deal of variety in the exegesis of *כי קללת אלהים תלוי* in this early period. There are two syntactical readings of the phrase *קללת אלהים*, and within each one a further distinction can be made regarding the meaning of the entire clause. It is not clear whether any chronological order can be established for the diverse readings, nor whether the traditions of exegesis align themselves along theological lines. Geiger suggested long ago that the abandonment of the subjective genitive (which he felt was the simple sense of the text) by Jewish exegetes was a response to the use of the verse in the NT as a proof text.<sup>40</sup> He postulated a development within rabbinic tradition from *קללת אלהים* meaning *מקלל אלהים* (which was then followed by Symmachus and the Peshiṭta) to the view of R. Meir that *קללת אלהים* means “disrespect toward God.” Such an historic progression of Jewish exegesis of this phrase is purely hypothetical and does not stand up to close scrutiny.

As Maori has pointed out, if the rabbis merely wished to avoid the subjective genitive analysis stressed by Paul, they had | available the syntactically smooth rendering of R. Meir, and there was no need to adopt the awkward analysis of the baraita, b. Sanh. 45b.<sup>41</sup> In the light of the fact that the rabbis’ two objective genitive renderings of the clause read it in two different ways, as demonstrated above, it is unlikely that one exegesis derives from the other. Furthermore, Josephus’ paraphrase of the verse, if it may be said to reflect exegesis, would attest to the rabbinic interpretation being current enough by the middle of the 1st century CE for him to cite it.<sup>42</sup> And finally, a perusal of the classical medieval commentaries to Deut. 21:23 shows that the subjective genitive interpretation was

<sup>40</sup> Geiger, 57.

<sup>41</sup> Maori, 175, n. 2.

<sup>42</sup> We can presume that Josephus did not keep up with the latest trends in rabbinic exegesis while writing his *Antiquities* in Rome.

never completely abandoned in normative Judaism.<sup>43</sup> The appearance of the subjective genitive in the Temple Scroll, which with LXX constitutes our oldest evidence, does not, granted the paucity of our sources, indicate chronological priority for that interpretation. Moreover, even granted the priority of the subjective genitive, there is no evidence of a shift in interpretation by the rabbis on the basis of theological considerations.

Contemporary scholarship, in discussing early exegesis of the clause **כִּי קָלְלַת אֱלֹהִים תְּלוּי** in the wake of the passage in the Temple Scroll, has failed on the whole to note that rabbinic and Targumic tradition had two distinct ways, based on the objective genitive, to interpret the clause, and that one of them (R. Meir and TJ1b, and perhaps *m. Sanh.* 6:4 and TJ1a) is integrated smoothly with the remainder of the sentence.<sup>44</sup> Strictly speaking, | the subjective genitive of LXX and others, “cursed by God,” is not superior as a translation to the objective genitive, “disrespect toward God.” In a sense, the construct chain is perhaps more literally understood as “disrespect of God” rather than “cursed by God,” which requires the transformation of the noun “curse” into the passive participle “cursed.” Both translations are syntactically acceptable, and each fulfills the same

<sup>43</sup> R. Abraham ibn Ezra (1092?–1167): “And in the literal manner (פשוט), because God is ‘active’ (פועל) [i.e., the subject of the verb implicit in קללת] and the curse comes from the hanged one to all nearby places.” RaMBaN (1194–1270): “And in the literal manner, it says that should a man be guilty of a great sin, for which it is fitting that he be put to death and hanged because of the magnitude of his sin, nevertheless you shall not leave his body overnight on the tree, for the most cursed of all men and reviled among them is the hanged one” (see n. 37, above, for the Hebrew). Note the similarity of RaMBaN’s language to that in the Temple Scroll. Targum Neofiti, too, if its manifestation of the subjective genitive is not a sign of antiquity or of transmission through non-Jewish hands, shows that the subjective genitive reading held a place in Jewish exegetical tradition.

<sup>44</sup> Wilcox, 87, cites Symmachus, Onqelos [!], *m. Sanh.* 6:4 (partially) and TJ1 to Deut. 21:22 as interpreting קללת אלהים as equivalent to blasphemy. “The exegetical point at issue,” according to Wilcox, “is whether קללת אלהים means ‘cursing God’ or ‘being cursed by God.’” The rendering “disrespect toward God” does not even occur to him, despite its clear presence in rabbinic sources. He comments further, 90, n. 38, “Apart from possible apologetic motives, the early Jewish traditional sources look at Deut. 21:22–23 from the standpoint of law, i.e., halakah, not from that of haggadah.” How does he regard R. Meir’s highly homiletical interpretation in the Mishna (6:4) or the tosefta (9:7) and its parallel baraita on 46b? The interpretation of קללת אלהים in the latter passage maintains the objective genitive exegesis in a way fully consonant with the syntax of the verse. Fitzmyer, 507, commenting on the exegesis of our verse in the Temple Scroll, also seems to recognize but one rabbinic interpretation of **כִּי קָלְלַת אֱלֹהִים תְּלוּי**, when he writes “the debate whether קללת אלהים תלוי means ‘the hanged is something accursed of God’ or ‘the cursing (= the curser) of God (is) hanged’ is clearly excluded. In the course of the rabbinic debate, blasphemy and idolatry were considered as ‘the cursing of God.’” He, too, ignores completely the other interpretation of קללת אלהים as “disrespect toward God.”

criterion, namely the perception of *כי קללת אלהים תלוי* as the reason for the lowering of the corpse.

The syntactically ambiguous Hebrew phrase gave rise to at least two (three if our reading of the Temple Scroll as differing syntactically from LXX is accepted) readings which give good sense when viewed against the rest of the verse. The failure to comprehend the syntactically smooth rabbinic exegesis (of R. Meir, etc.) which is probably due to a careless or cursory reading of the rabbinic and targumic texts, leads to a skewed perception of the pattern of exegesis of *כי קללת אלהים תלוי* which was in vogue at an early date. We are left by contemporary scholarship with the feeling that the rabbis, for theological or other reasons, were unwilling or unable to produce a syntactically acceptable reading.<sup>45</sup>

| If we may hazard a hypothesis as to why the rabbis preferred the objective genitive analysis to the subjective (aside from any theological argument), we might explain it as follows: The midrash-halakhic interpretation of *כי קללת אלהים* as referring to the blasphemer, based as it is on the objective genitive, influenced the reading of the text on the straightforward level. Because of the midrash, the syntactically similar reading “disrespect toward God” attained a position of prominence over the subjective genitive “cursed by God.” Rather than viewing the rabbinic exegesis as diverging from an interpretation attested in LXX and in Qumran and prominent in the early church, we should study it as representing one of a number of approaches to this text which existed in an exegetically pluralistic world.

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<sup>45</sup> What is particularly disturbing about the failure to take cognizance of the totality of rabbinic exegesis of this verse is the fact that both rabbinic readings survive in patristic literature. For example, the translations ὕβρις τοῦ θεοῦ and λοιδορία τοῦ θεοῦ (“insult of God” and “reviling of God,” respectively), cited by Jerome (op. cit.; above, n.6) and the lengthier comments of Isho’dad of Merv (*Commentaire d’Iso’dad de Merv sur l’Ancien Testament, II: Exode–Deuteronomie* [ed. and tr. C. van den Eynde; Louvain: L. Durbecq, 1958]: text, 126; translation, 170) and of Bar Hebræus (*Bar Hebræus’ Scholia on the Old Testament* [ed. and tr. M. Sprengling and W.C. Graham; Chicago: University of Chicago Press, 1913], 233–35). I hope to deal with later exegesis of this verse, both Jewish and Christian, in a subsequent paper.

## CHAPTER TWENTY-SEVEN

### WOMEN AND CHILDREN IN LEGAL AND LITURGICAL TEXTS FROM QUMRAN

#### I. INTRODUCTION

192 The question of “women at Qumran,” as E. Schuller has pointed out, was first raised by the initial publication of 1QS and its association with the ancient witnesses to the Essenes.<sup>1</sup> The evidence of the ancient sources about the “celibate” nature of the Essenes appeared to dovetail with the absence of references to women from 1QS.<sup>2</sup> However, when CD and its Cave 4 ancestors (which seemed to present rules for a community of men and women), as well as some of the other ancient evidence were brought to bear, the picture was no longer clear.<sup>3</sup> The harmonization of the texts which has generally been presented suggests that 1QS presents the ideal prescribed for one form of community which lived a celibate life in isolation, while CD offered a framework for a “Qumran” community which existed as a subgroup within the outside world with marriage as the norm.<sup>4</sup> The recent reevaluation of the physical evidence for the presence

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<sup>1</sup> The writing of this essay was made simultaneously easier and more difficult by having to follow E.M. Schuller’s superb survey article, “Women in the Dead Sea Scrolls,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (ed. P.W. Flint and J.C. VanderKam; Leiden: Brill, 1998), 2.117–44, which covers, amid a broader treatment, much of the ground of this essay. If I were to have noted every instance where my remarks parallel hers, this paper would be much longer. My debt to scholars such as J.M. Baumgarten and L.H. Schiffman should be clear from the notes to the paper. I thank M. Grossman for being kind enough to send me a copy of her Ph.D. thesis “Reading the History of the Righteous Remnant: Ideology and Constructions of Identity in the Damascus Document” (University of Pennsylvania, 2000; revised and published as *Reading for History in the Damascus Document: A Methodological Study* [STDJ 45; Leiden: Brill, 2002]). It contains a section on “Gender in the Damascus Document” which provided me with a perspective on some issues different from the one to which I was accustomed. Another fine study of this issue by S. White Crawford appeared while I was in the process of completing this essay, “Not According to Rule: Women, the Dead Sea Scrolls and Qumran,” in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. S.M. Paul, R.A. Kraft, L.H. Schiffman and W.W. Fields; VTSup 94; Leiden: Brill, 2003), 127–50.

<sup>2</sup> Schuller, “Women,” 117–18. Cf. Josephus, *War* 2:119–20 and *Ant.* 18:21.

<sup>3</sup> Cf. Josephus, *War* 2:160–61 on married Essenes.

<sup>4</sup> Thus, for example, Schuller, “Women,” 121. The issue pertaining to women that dominated earlier literature was the question of marriage and divorce among the Essenes/

of women at the site furnished by the cemeteries at Qumran calls for a re-examination of the textual evidence which has been employed in discussion of the same subject.

Although texts like 1QS and CD apparently establish very broadly some of the “rules” for community existence and are the fundamental texts for studying communal organizational patterns at Qumran, there are many other legal documents from Qumran which are not necessarily directed toward that specific goal. These legal texts, which are often more narrowly focused, also contain references to women, and occasionally to children, and must therefore be a part of the analysis of the larger question of women at Qumran. Two forms of classification may aid us in our discussion. First, we need to classify the legal texts by type and not study them as an undifferentiated mass; second, we must categorize the types and nature of the laws regarding women. The form of a code may help locate it among the others. Legal texts which are recapitulations, in one way or another, of the biblical legal corpus may not reflect a social reality in the way that sectarian regulations do. On the other hand, laws which duplicate biblical laws, even in sectarian compilations, may also not tell us much about the society which produced the codes. Since the legal system of the Bible includes regulations pertaining to women in many contexts, we cannot ever be surprised that the heavily Bible-dependent community of Qumran included regulations of a similar sort in many of its legal texts.

| It will prove valuable first to categorize the kinds of texts in which the specific laws regarding women are found in the Qumran legal corpus, before examining those laws in detail. We shall see that in the broad range of legal material at Qumran almost all kinds of legal texts contain references to women. This pervasive presence is probably significant since

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Qumran group. Among the significant articles are: J.M. Baumgarten, “The Qumran-Essene Restraints on Marriage,” in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin* (ed. L.H. Schiffman; JSPSup 8; JSOT/ASOR Monographs 2; Sheffield: JSOT Press, 1990), 13–24; G. Brin, “Divorce at Qumran,” in *Legal Texts and Legal Issues: Second Meeting of the IOQS, Cambridge 1995. Published in Honor of Joseph M. Baumgarten* (ed. M. Bernstein, F. García Martínez and J. Kampen; STDJ 23; Leiden: Brill, 1997), 231–44; E. Qimron, “Celibacy in the Dead Sea Scrolls and the Two Kinds of Sectarians,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March, 1991* (ed. J. Trebolle Barrera and L. Vegas Montaner; STDJ 11; Leiden: Brill, 1992), 1.287–94; G. Vermes, “Sectarian Matrimonial Halakhah in the Damascus Rule,” *Post-Biblical Jewish Studies* (SJLA 8; Leiden: Brill, 1975), 50–56. In light of the extensive discussion of divorce at Qumran in earlier secondary literature, I shall touch on this theme only minimally in my discussion.

it could have been argued that references to women in only a fraction of the legal texts would not represent the “Qumran” legal perspective, but rather that of the authors of those particular documents which happened to have been brought to Qumran from the outside and eventually found a place in the Qumran “library.” The force of such an argument is minimized by the appearance of laws pertaining to women in a multiplicity of texts. Even if we cannot always be certain of the generic identification of some of the legal texts, the categorization will be of some value.

## II. WHERE IN THE TEXTS ARE THE WOMEN TO BE FOUND?

It is natural to begin our survey with CD and its 4QD ancestors not only since it is the “Qumran” text known for the longest time, but because the fact that it acknowledges the presence of women in its legal sections sets it up in starkest contrast to the other “complete” Qumran rulebook, the Community Rule (1QS and the 4QS texts). CD has been divided traditionally into “Admonition” and “Laws,” and it is the latter portion which is of primary interest to us, since the presence or absence of women in the “Admonition” probably could not tell us much about Qumran legal or customary practice. It is, however, worth noting that it is in one of the more famous passages in the “Admonition” in which the author of CD characterizes the differences between his group and other Jews; two of the three laws described deal with marriage: the prohibitions of uncle-niece marriage and of polygamy (CD 4:20–5:11).<sup>5</sup>

194 | The legal material in CD appears to have been arranged topically, although the divisions between units are not always completely clear.<sup>6</sup>

<sup>5</sup> For a recent re-evaluation of how this passage should be interpreted, see A. Schremer, “Qumran Polemic on Marital Law: CD 4:20–5:11 and Its Social Background,” in *The Damascus Document: A Centennial of Discovery. Proceedings of the Third International Symposium of the Orion Center, 4–8 February 1998* (ed. J.M. Baumgarten et al.; STDJ 34; Leiden: Brill, 2000), 147–60. For a detailed discussion of the strictures against polygamy, see M. Gruber, “Women in the Religious System of Qumran,” in *Judaism in Late Antiquity 5.1, The Judaism of Qumran: A Systemic Reading of the Dead Sea Scrolls* (ed. A.J. Avery-Peck and J. Neusner; Handbook of Oriental Studies 1.56; Leiden: Brill, 2000), 173–96, esp. 178–89.

<sup>6</sup> The 4QD material makes it clear that the order of pages of the medieval CD copies is not correct, and despite the best efforts of scholars, a definitive arrangement of all of the material in the legal section has not yet been accomplished. J.M. Baumgarten writes, *Qumran Cave 4. XIII: The Damascus Document (4Q266–273)* (DJD 18; Oxford: Clarendon, 1996) [hereafter, Baumgarten, *Damascus Document*], 2, referring to his tables on 3–5, “for a substantial portion of the 4Q laws there are no parallels in CD, and the placement of some of the fragments in the following table should be regarded as only tentative.”

Within some of the subsections, there are laws which are only relevant to a group of which women were a part, although the presence or absence of women is usually not the major point at issue. This is a point which needs to be stressed; laws about women are often not focused on women alone, but are laws about the interactions and relationships of men and women in a variety of contexts.<sup>7</sup>

The contribution of the recently published 4QD material to the text in the medieval manuscripts of CD is much greater in the area of the “Laws” than in that of the “Admonition.” Some of the new legal material also deals with women and extends substantially the range of laws pertaining to women beyond that which is found in CD. In particular, additional regulations concerning marriage and purity laws for women are to be found, and several of these passages survive in more than one of the Cave 4 exemplars.

The Temple Scroll (11QT) is a very different kind of legal text, belonging to the genre of rewritten Bible. Modeled, often extremely closely, on the text of the Pentateuch, especially Deuteronomy, the Temple Scroll, one would think, could perhaps tell us little about the “real life” of the Qumran community.<sup>8</sup> Aside from the fact that its original provenance is debated, and many scholars would not identify it as a “Qumran” document, the Temple Scroll is so strongly modeled on the legal material in the Pentateuch that the appearance in it of laws pertaining to women is unsurprising. Indeed many of the laws in the Temple Scroll | regarding women are nothing but repetition or rephrasing of biblical laws, but we shall see that in a variety of instances the treatment of women in these pentateuchally-based regulations is sufficiently innovative that it sheds light, theoretically at least, on whatever community composed them.

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The so-called “halakhic letter,” *Miqṣat Ma’āse ha-Torah* (4QMMT [4Q394–399]), is not, strictly speaking, a legal text, even though it contains references to, and details regarding, many laws. Nevertheless, regardless of how we understand the genre, origin and function of 4QMMT, it

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<sup>7</sup> White Crawford, “Not According to Rule,” 129, emphasizes that the literature we are discussing was produced by men and for men, and “therefore what they do have to say about women is primarily prescriptive and presents what is to them the ideal situation.” At the same time, however, it may reflect the actual situation in those communities which followed a “non-celibate” Qumran lifestyle.

<sup>8</sup> On laws regarding women in 11QT, see L.H. Schiffman, “Laws Pertaining to Women in the Temple Scroll,” in *The Dead Sea Scrolls: Forty Years of Research* (ed. D. Dimant and U. Rappaport; STDJ 10; Leiden: Brill, 1992), 210–28. Because of their extensive scope, we shall not attempt to deal with all of the laws about women in the Temple Scroll.

does contain a list of some of the laws that were points of contention between the group which authored it and some other group or groups of Jews at the time. On the one hand, then, since it is not a prescriptive legal code, its evidence must be treated differently from that of the law codes, but, on the other hand, and much more significantly, it apparently reflects issues which were subjects of current debate between its authors and their opponents. Some of these laws pertain to women, particularly in the context of marriage. But it is important to note that a text like MMT may say nothing about the presence of women at Qumran since the laws of marriage which are being dictated to the recipient of the "letter" need not be directly relevant to its sender. Whether we can claim that the contents of the text constitute evidence for the settlement at Qumran would have to be considered separately.

Although it is of course quite significant that the Community Rule (1QS) contains no allusions to the presence of women in the group which it regulates, the "appendix" to it, 1QSa, often referred to as the Rule of the Congregation, seems to call for the presence of women in a number of places. A difficulty which is posed by 1QSa is that it is not clear that the document is an integrated whole, and we can therefore ask whether all the references to women are meant to apply to the same socio-historical context.<sup>9</sup> The text also makes explicit certain principles regarding the raising of children and their education within the community.

196 | When we turn to texts of a much more fragmentary nature than the ones we have been discussing to this point, the nomenclature employed for them is not always meaningful and can occasionally even be quite misleading.<sup>10</sup> The more fragmentary a text, particularly a legal text, is, the harder it may be to get an overall sense of its contents, not to mention its undescribed context. For the purposes of our discussion of the place of women in the legal documents, this fact presents a major obstacle to the proper evaluation of some of them.

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<sup>9</sup> The traditional reading of this text as completely eschatological is typified by L.H. Schiffman, *The Eschatological Community of the Dead Sea Scrolls* (SBLMS 38; Atlanta: Scholars, 1989). C. Hempel, however, has argued cogently for the central portion of 1QSa, 1:6–2:11a, to be "traditional Essene communal legislation, . . . which was later incorporated into its present eschatological setting" ("The Earthly Essene Nucleus of 1QSa," *DSD* 3 [1996]: 254–69). I shall return to this question when I discuss several passages from 1QSa below.

<sup>10</sup> I have drawn attention to a similar problem with regard to biblical commentaries in "The Contours of Genesis Interpretation at Qumran: Contents, Contexts and Nomenclature," *Studies in Ancient Midrash* (ed. J.L. Kugel; Cambridge, MA: Harvard Center for Jewish Studies/Harvard University Press, 2001), 57–85 (above 1.63–91).



Many of these texts are legal codes which clearly contain a diverse range of laws, sometimes more like the Temple Scroll than CD, although they are not modeled closely on scriptural originals in the way that the Temple Scroll is. There are two slightly overlapping Cave 4 legal texts which contain references to women, 4Q159 and 4Q513. They (and 4Q514 as well, which may be unrelated to them) were given the same name "Ordinances," a perhaps unhelpful designation from our perspective. It is virtually impossible to classify the sorts of legislation contained in these documents in a satisfactory fashion, although almost all of the laws appear to be pentateuchal in origin, with appropriate interpretation and occasional expansion. There is some discussion of the size of certain measures, and in particular the offering of the half shekel, along with several references to purity laws. 4Q159 contains two regulations regarding women, while 4Q513 has a different one, unfortunately very fragmentary. (For my treatment of 4Q159, see above 2.506–512.)

A text of a similar nature to 4Q159 is 4QHalakhah A (4Q251) which contains a variety of civil law, sabbath law, as well as laws of forbidden foods and forbidden marriages. More enigmatic, perhaps, is 4Q265 which includes regulations resembling some of the community rules of 1QS along with sabbath laws paralleling those of CD. Two kinds of regulations pertaining to women are to be found here, as well as scriptural citations which are introduced in a way which is not characteristic of either 1QS or CD.<sup>11</sup>

| Texts whose nomenclature reflects their concern with purities, 4QTohorot A and B and 4QPurification Liturgy (4Q274, 4Q277, 4Q284), unsurprisingly contain laws pertaining to women, and to children as well. A like concern with issues of purity probably accounts for the presence of references to women and children in the War Scroll (1QM) and its Cave 4 copies even though it is not a legal text, strictly speaking. Camp regulations are also "laws."

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<sup>11</sup> J. Baumgarten has addressed some of the major issues in this text in "Scripture and Law in 4Q265," *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. M. Stone and E.G. Chazon; STDJ 28; Leiden: Brill, 1998), 25–33. In discussing the generic issue, he writes, "4Q265 thus resembles 4QOrdinances in its legal contents and its literary form. Both texts contain medleys of rules which do not appear to follow any particular subject classification or scriptural sequence. They also embrace biblical quotations and narrative allusions which are not strictly 'halakhic,' ..." (30).

Finally, but not least significantly by any means, there is a text whose official designation is 4QRitual of Marriage (4Q502). Whether the original editor's selection of name was correct, or whether J. Baumgarten's characterization of the document as a "Golden Age Ritual" is to be preferred, or some third option is to be adopted, the ceremony or liturgy described in this document clearly involves women.<sup>12</sup> The potential importance of this text cannot be overstated despite its extremely fragmentary nature and generic uncertainty.

This initial and schematic survey of the legal and liturgical texts which contain explicit references to women or children indicates a pervasive textual presence of women at Qumran. Regardless of our final analysis of these texts in conjunction with others, such as the wisdom material discussed by B. Wright in the same issue of *DSD* in which this essay first appeared, as well as the archeological evidence evaluated by J. Magness,<sup>13</sup> we cannot treat women in the legal material as if their presence was characteristic of only a few texts. Women appear in all the kinds of texts in which we expect to find them, and the "omission" of women by 1QS might even be said to stand out as an anomaly by comparison.

### III. WHAT DO THE TEXTS SAY ABOUT WOMEN?

We must now turn to the more critical aspect of our analysis, a consideration of what these laws and the way they are framed can teach us. How many of the references to women in the legal texts can be seen to be merely restatements of pentateuchal material? How many are expansions or interpretations of that material? Can we tell whether the texts were intended to guide the life of the community at Qumran or any other related group? Or were they only theoretical compilations of legal data without regard to their practical applicability?<sup>14</sup>

<sup>12</sup> M. Baillet, DJD 7:81–105. Cf. J.M. Baumgarten, "4Q502, Marriage or Golden Age Ritual?" *JJS* 34 (1983): 125–35 and M. Satlow, "4Q502, A New Year Festival?" *DSD* 5 (1998): 57–68.

<sup>13</sup> B.G. Wright, "Women and Wisdom at Qumran," *DSD* 11 (2004): 240–261; J. Magness, "Women at Qumran?" *What Athens Has to Do with Jerusalem: Essays on Classical, Jewish, and Early Christian Art and Archaeology in Honor of Gideon Foerster* (ed. L.V. Rutgers; Leuven: Peeters, 2002), 89–123.

<sup>14</sup> The perhaps completely anachronistic analogue of the traditional *yeshiva* in its contemporary model comes to mind, where students may put in immense efforts in the study and deep analysis of the tractates within the mishnaic/talmudic orders *Zera'im*, *Qodashim*, and *Tohorot*, despite the fact that these tractates have virtually no practical relevance.

## A. *Marriage Laws*

### 1. *The Institution of Marriage*

It is obvious that laws which pertain directly to marriage (and several kinds of laws fall under this broad rubric) furnish the most critical evidence regarding the presence or absence of women in the society presupposed by the text which contains those regulations. It is the presence of such references in texts like CD which led scholars to distinguish the society portrayed in them from that described in 1QS and 4QS, from which women are absent. It is undeniable, in fact, that CD implies marriage for some members of the group, i.e., those who “live in camps in accordance with the rule of the land and marry wives and beget children according to the law” (7:6–7). Whether this implies a different status for those who lived in the settlement at Qumran (and who were perhaps governed by the stricter implications of 1QS) is, of course, a larger issue which this paper does *not* attempt to answer. The *mebaqer* of the camp is to oversee those marrying and give his attention to those divorcing (CD 13:16–17 and 4Q266 9 iii 4–5). What camp (or camps) is (are) being described?

The polemic in CD (4:19–5:11) against the opponents of its author who violate laws of ritual purity, incest and monogamy all imply the existence of marriage. It is only marriage to a second wife while the first is still alive or marriage to the daughter of a brother or sister which are opposed; marriage itself is not. The opponents are charged with failing to observe the laws of menstrual impurity properly, with the clear implication being that sexual activity is not in and of itself taboo.

### 2. *Suitability for Marriage*

Several of the fragmentary copies of 4QD share a passage which indicates how marriages are to be arranged within the society | governed by these laws. Whether or not the group which lived at Qumran was a marrying one, the community of 4QD took marriage very seriously. Full disclosure by the father to the suitor of the potential bride of all her defects is required and is subject to the curse of Deut. 27:18 regarding misleading the blind. A father is not to give his daughter to one who is not suitable for her, since inappropriate marriages are analogous to plowing with mixed pairs

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In other words, did the inhabitants of Qumran study, analyze, and expand even those aspects of Torah which were not directly applicable to their own existence?

of animals or wearing שׂעטונו.<sup>15</sup> The potential groom, for his part, is not to bring into “the holy . . .” a woman who is inappropriately experienced sexually, either while in her father’s home or during her widowhood.<sup>16</sup> Even a woman who merely has a bad reputation (עֵשׂוּר) as a young woman is not to be married without being examined by trustworthy women at the command of the *mebaqger*.<sup>17</sup> In all of these laws, decisions regarding the status of women is to be made by males, and even the trustworthy examiners are female only for the purposes of propriety, while the authority to decide on the basis of their investigation remains with males.

The issue of suitability for marriage arises implicitly in two other unrelated texts, both involving the further modification of biblical laws to accord with Qumran practice. 11QT 63:10–15 presents a version of the law of the beautiful captive (Deut. 21:10–14), obviously not a law which had practical implications too often.<sup>18</sup> The most striking change from the biblical original is the addition by the Temple Scroll, after a description of the process that the captive woman must undergo in order for her captor to marry her, of a requirement that she not touch her husband’s purities (*tohorah*) or eat sacrifices for seven years. Although there is nothing in the biblical text which would stimulate such a rule, it is a stringency which we are unsurprised to find in a text discovered at Qumran. It calls to mind the laws about novice members of the group who were restricted in the food which they could touch during the initial years of their membership (1QS 6:16–21) and may be indicative of Qumran feelings about Gentiles/ 200 foreigners as much as | about women. It is likely that a similar regulation was associated with the marriage of the “designated maidservant” (4Q270 4 13–17) where the expression “seven yea[rs]” appears as well. These women of non-Israelite origin had to pass a long period of testing before they could function effectively within their marriages.<sup>19</sup>

<sup>15</sup> The comparison of mixed marriages to other prohibited “mixed kinds” is found in MMT B 76–82 as well.

<sup>16</sup> It may be worth noting that divorcees seem not to be under discussion here. Whether we should infer that divorcees are not to be considered suitable for remarriage, or whether we are to presume that they are, barring any other information, is not obvious.

<sup>17</sup> 4Q271 3 7–15; 4Q269 9 1–7; 4Q270 5 14–21.

<sup>18</sup> On the law in general, see M.R. Lehmann, “The Beautiful War Bride (‘פֶּת תַּאֲרָ) and Other *Halakhoth* in the Temple Scroll,” in *Temple Scroll Studies* (ed. G.J. Brooke; JSPSup 7; Sheffield: Sheffield Academic Press, 1989), 265–71.

<sup>19</sup> Baumgarten, *Damascus Document*, 79 and 154, notes the parallel with the Temple Scroll and suggests an explanation along these lines.

### 3. *Licit Sexual Activity*

Although sexual activity within marriage appears to be the norm in the Qumran legal systems, there is a tendency in a broad variety of these legal documents to include legislation which restricts sexual activity in ways beyond the biblical purity regulations. Of course it is very likely that the composers of these texts interpreted the Bible in ways that pointed towards a more restrictive purity environment than did, for example, the mishnaic and talmudic rabbis. In the Temple Scroll (45:11–12), sexual activity with one's wife precludes one from entering the city of the sanctuary for three days, while CD 12:1–2 prohibits sexual activity in that city completely in order not to defile it. But it is not the purity of habitation alone which may prohibit sexual activity; the sabbath law of CD, if Qimron's interpretation of יתערב is correct, prohibits sexual activity on the sabbath (11:4).<sup>20</sup> Let us remember, however, that regulation of sexual activity, while it certainly implies the presence of women in society, does not concern or focus upon women alone, but affects males as well.

It is further interesting that sexual activity is limited by the Qumran codes not only by time and place. There existed sexual relations between husband and wife which could be characterized by the term לזנות (“to act immorally”) and which were punished in a very severe fashion. In a passage which appears twice in the 4QD material, “One who approaches his wife to act immorally, not according to the law, shall depart and not return again” (4Q267 9 vi 4 = 4Q270 7 i 12–13). The specific nature of the forbidden intercourse is, of course, unclear.<sup>21</sup>

| And in a passage which does not focus uniquely on sexual prohibitions (4Q270 2 ii 15–16), intercourse with a pregnant woman is forbidden, with the law placed between prohibitions against the slaughter of pregnant animals, on the one side, and sleeping with one's niece or a male, on the other.<sup>22</sup> The context, in which this law can be seen as linked to preceding

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<sup>20</sup> E. Qimron, “The Halacha of the Damascus Covenant—An Interpretation of ‘Al Yitarev’,” in *Proceedings of the Ninth World Congress of Jewish Studies D.1* (Jerusalem: World Union of Jewish Studies: 1986), 9–15 [Hebrew]. Cf. also 4Q270 2 i 18–19 “[or one who approaches his wife on the day of [ ]” where Baumgarten, *Damascus Document*, 144, suggests the sabbath or the Day of Atonement as the prohibited time. The parallel prohibition of sexual activity on the sabbath in Jubilees 50:8 has been noted.

<sup>21</sup> Suggestions include intercourse with a pregnant wife and other non-procreative sexual activity.

<sup>22</sup> Of the latter two sexual prohibitions, the first is a known point of dispute between Jewish groups in this period, while the second is a law not subject to debate. The Essenes according to Josephus did not engage in intercourse with their pregnant wives.

and succeeding laws in different ways, is certainly striking. Regardless of whether any of these texts were applicable at Qumran or only elsewhere, it is not difficult for us to conclude that the group(s) which authored these texts adopted restrictive attitudes to sexual activity under a variety of conditions as a part of their lifestyle.

#### 4. *Infidelity*

Even without the laws regarding the possible sexual experience of the potential bride, we would not be surprised to find that fidelity in marriage was significant to the group at Qumran, and there are two texts, each parallel to a different biblical passage, which deal with the matter of a woman accused of improper sexual behavior or unfaithfulness.<sup>23</sup> The first, 4Q159 (Ordinances) 2–4 8–10, deals with the bride accused of not being a virgin. What the Qumran text adds to the biblical law (Deut. 22:13–19) is the manner of ascertaining the truthfulness of the woman. As in the case of examination before marriage discussed above (4Q271), reliable women (נאמנות) are to verify her status, with the death penalty to be imposed if her husband's claim is found to be true, while a substantial fine and the inability to divorce her forever are imposed on him if he has leveled a false accusation.<sup>24</sup>

202 The other text is 4Q270 4 1–7 which seems to be an interpretation of the laws surrounding the *soṭah* ritual. The accused wife seems to have had the right to claim in her defense that she had been raped (אמר [אם] אנוסה הית). Under certain circumstances (unfortunately the text is quite fragmentary) her claim is to be acknowledged and she is not to be brought to the ordeal. Both of these regulations appear to be innovations in the law which derive from the possibility of practical application rather than from theoretical creativity. The working out of these details certainly

<sup>23</sup> The passage in the Temple Scroll (65:7–66:04) dealing with the accused virgin does not deviate significantly enough from the biblical text to be worthy of comment here. Cf. Schiffman, “Laws Pertaining to Women,” 220–22 and my discussion of this passage, above 2.507–512.

<sup>24</sup> Baumgarten, *Damascus Document*, 177, noted this parallel between 4Q159 and 4Q271. See at greater length, J.H. Tigay, “Examination of the Accused Bride in 4Q159: Forensic Medicine at Qumran,” *JANES* 22 (1993): 129–34. Aharon Shemesh, “4Q271.3: A Key to Sectarian Matrimonial Law,” *JJS* 49 (1998): 244–63, has creatively integrated these two passages with others from the Qumran corpus in arguing that any sexual activity between man and woman automatically created a marital bond between them for the authors of the Dead Sea Scrolls, and that that principle demanded the examination of potential spouses for prior sexual experience which would have bound them maritally to the earlier sexual partner. This theory, while intriguing, must still be deemed speculative.

suggests that the 4QD material not only derives from a non-celibate society, but from one which took the marital relationship quite seriously and found ways of dealing with alleged challenges to its integrity in a number of ways.

##### 5. *Forbidden Unions*

The Qumran corpus includes regulations which prohibit marriages between certain individuals, as do the pentateuchal rules found in Leviticus 18 and Deuteronomy 23. Once again, we must stress that these are laws in which women are involved, not laws which focus exclusively on women. The most extensive list of these is to be found, unsurprisingly, in the Temple Scroll which in its final column (66:11–17) lists a series of prohibited relationships. The last complete one on the list is uncle-niece marriage, the forbidding of which is to be expected in light of other Qumran material.<sup>25</sup>

A related assortment of regulations regarding inappropriate, if not forbidden, unions, is to be found in 4QMMT. Whether or not this document really is a letter, one of the major themes which it spells out to its addressee (the “you”) of the text, regardless of his specific identity, is the presence within some Jewish groups of violations of marriage regulations. In the legal section (B) of Qimron’s reconstructed text, lines 39–49, it is implied that there are Jews who violate some of the prohibitions of Deuteronomy 23 (and perhaps others which were listed in the lacunae), with the text concluding with the words “from any forbidden unions” (מכול תערובת [ה]גבר),<sup>26</sup> A further objection to current marriage practices is found at B 75–76 and 79–82, referring to “immorality (זנות) which is practiced among the people” which “pollutes the holy seed.”<sup>27</sup> This language perhaps recalls CD 7:1–2 | “to refrain from immorality according to the law.” Whether we adopt Qimron’s view that the marriages being referred to are “intermarriages” between priests and non-priests or Baumgarten’s that they involve Jews and foreigners, it is clear that “correct” marriages are very much the concern of the author of MMT.

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<sup>25</sup> In addition to the long-known passage in CD 5:7–11, see now also 4Q251 “Halakhah A” 17 (formerly 12):1–3, “Regarding forbidden relationships (הערייות) . . . let no man take . . . his brother’s daughter or his s[ister’s] daughter.” The whole of this passage is another list of forbidden unions.

<sup>26</sup> This is the translation by Qimron and Strugnell, DJD 10.51.

<sup>27</sup> Note also that C 4–5 contains a probable reference to women and a certain one to immorality and perhaps should be considered as part of the “legal” section of MMT.

### B. *Other Laws*

Having surveyed the laws and legal themes pertaining to women which recur in a variety of the documents from Qumran, we must now turn our attention to laws in this category which do not appear as densely throughout the corpus, but are significant nonetheless.

#### 1. *Purity Regulations*

It is unsurprising that a large proportion of the laws which relate to women do so in the context of ritual purity (*niddah*, *zavah*, *yoledet*). As opposed to the sources of impurity such as human corpses or dead animals or reptiles which can affect both men and women equally, menstrual impurity regularly renders adult women impure, while childbirth is also biologically exclusive to women. The concern of the Qumran sect for meticulous observance of the purity of the camp, and especially of food, would lead us to expect that the topic of female impurity might appear with some frequency in legal texts which might govern the activities within their habitation. What is striking is the number of Qumran documents which contain allusions to these regulations.<sup>28</sup>

The basic laws in these areas are scriptural so that we could anticipate finding them in the legal rewritten Bible of the Temple Scroll, but even there the laws are extended beyond the explicit demands of the Bible. Thus women who are menstrually impure or are in an impure state after childbirth are excluded from all cities, not just the “city of the sanctuary” (11QT 48:15–17).<sup>29</sup> But can these regulations tell us anything at all about women at Qumran? The possible | pre-Qumranic status of the document together with its emphasis on cities probably make laws like these very unhelpful for any sort of historical reconstruction vis-à-vis Qumran itself, although we should not have been surprised to find similar strictures at Qumran if the habitation were to have included childbearing women.

As noted above, many of the fragmentary legal texts refer to women’s purity and impurity. 4Q265 7 ii 11–17 explains the difference in the purification periods after the birth of a son or a daughter through the story of

<sup>28</sup> Qimron, “Celibacy,” 288, believes that the origin of whatever celibacy is to be found in the Qumran group whom he identifies as the *yaḥad* actually derives from “the purity of Jerusalem and its Temple. . . . The *yaḥad* was considered by the sectarians as a temporary substitute for Jerusalem.”

<sup>29</sup> For further discussion of these laws, see Schiffman, “Laws Pertaining to Women,” 210–12 and S. Japhet, “The Prohibition of the Habitation of Women: The Temple Scroll’s Attitude toward Sexual Impurity and Its Biblical Precedents,” *JANES* 22 (1993): 69–87.



Adam and Eve in the Garden of Eden. 4Q266 6 ii deals completely with the laws of menstrual and childbirth impurity, including, apparently, a regulation that the newborn child is to be given over to a wet-nurse “in puri[ty]”. 4Q272 1 ii 7–16 has very fragmentary remains regarding the laws of *zavah*, while 4Q273 5 4 may link the laws of marriage to the counting of days of menstrual impurity.<sup>30</sup> In 4Q274, there are laws regulating the behavior of a menstruating woman and restricting her interaction with individuals who are experiencing other forms of impurity. The very frequency of the recurrence of these laws in the Qumran legal texts, in codes which appear to be of a practical nature, can only leave us with the impression of their serious significance to the group which followed these laws.<sup>31</sup>

## 2. Women's Status

Two texts in particular are worthy of note. The shorter one is a section in one of the new fragments of the penal code of CD. 4Q270 7 i 13–15 indicates that “one who complains against the fathers [shall be sent away] from the community and shall not return, [but if] against the mothers, he shall be punished for te[n] days, since the mothers do not have רוקמה within the community.”<sup>32</sup> S. White Crawford | writes quite plausibly, “From the parallelism of the terms ‘Fathers’ and ‘Mothers’ it is evident that the term ‘Mothers’ does not simply refer to biological mothers (as is common in biblical Hebrew), but is a special group within the congregation.”<sup>33</sup> Accepting the interpretation of רוקמה suggested by J.L. Elwolde, she understands the term to mean “authority,” concluding that the “Mothers”

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<sup>30</sup> Cf. Baumgarten's brief remarks, *Damascus Document*, 197.

<sup>31</sup> I must note here Professor R. Kraemer's observation at the oral presentation of this paper (confirmed in an email of August 6, 2003) that the frequency of menstruation for women in antiquity was probably lower than that of women in the 20th century and that the repeated appearance of laws pertaining to women's purity might tell us less about practical realities than we might have thought. I thank Professor Kraemer for this significant point.

<sup>32</sup> Baumgarten, *Damascus Document*, 164, translates “authoritative status (?),” Garcia Martinez renders “mingling (?),” Vermes “distinction (?),” and Wise-Abegg-Cook “such esteem.” The meaning of the word is certainly unclear. A comprehensive discussion of the possibilities is furnished by J.F. Elwolde, “RWQMH in the Damascus Document and Ps 139:15,” in *Diggers at the Well: Proceedings of a Third International Symposium on the Hebrew of the Dead Sea Scrolls and Ben Sira* (ed. T. Muraoka and J.F. Elwolde; STDJ 36; Leiden: Brill, 2000), 65–83.

<sup>33</sup> S. White Crawford, “Mothers, Sisters, and Elders: Titles for Women in Second Temple Jewish and Early Christian Communities,” in *The Dead Sea Scrolls as Background to Postbiblical Judaism and Early Christianity. Papers from an International Conference at St. Andrews in 2001* (ed. J.R. Davila; STDJ 46; Leiden: Brill, 2003), 177–91 (178).

had a lower authoritative status in the community than did the “Fathers,” but that they did have some status which demanded respect.<sup>34</sup>

As noted above, the original editor of 4Q502 called it “Rituel de Mariage,” and this identification has been questioned. It appears to be a ritual or liturgical document, and the main question is for what sort of ceremony it was composed. From the many references to males and females in the course of the numerous small fragments of the text, as well as from the variety of blessings which it apparently contains, Baillet surmised that what it contained was a marriage ceremony. Baumgarten, pointing out that the men and women are clearly described as among the elders of the community, suggested that the ceremony was not a marriage, but a celebration of these aged members of the community.<sup>35</sup> Once again, regardless of the particular ceremony which it describes, 4Q502 must be brought to the fore in any discussion of the role of women in the legal and liturgical texts from Qumran.

Men and women are both involved in the ceremony, as is clear from the pairing of terms like “sons and daughters” (14 3), “aged men and aged wom[en . . . youths] and virgins, young men and you[ng women]” (19 3).<sup>36</sup> Women are referred to as “daughter of truth” (בת אמת) and “his companion” (1–3 6–7 רעייתו) and are possibly described | as possessors of “intelligence and knowledge” (1–3 7). The participation of women in the ritual may not have been completely passive, since it is possible that the words “[s]he shall stand in the assembly of old men and old wome[n]” (24 4) was followed by some recitation by a woman. If 4Q502 is “only” a marriage ceremony, it confirms again the existence of that institution. If it is some sort of ceremony honoring the elders of the sect, it indicates the presence of both men and women in that group, and the high regard in which they were both held.<sup>37</sup> Whether women were “members” of the community or not is not my issue here.

<sup>34</sup> Ibid., 180. But see also G.J. Brooke, “Between Qumran and Corinth: Embroidered Allusions to Women’s Authority,” in the same volume, 157–76.

<sup>35</sup> Baumgarten, “4Q502,” 134–35, summarizes the conclusions of his study. He writes, 134, “These couples may have come from the ranks of the marrying Essenes or they may have been married before they joined the sect. In either case what was celebrated was not their marriage, nor the offspring they may have had, but their place of honour as brothers and sisters of the community.” Satlow’s suggestion that the text is a New Year festival liturgy is considerably more speculative.

<sup>36</sup> Crawford, “Mothers,” 181, argues that these and other terms in this work are titles, like the terms “Mothers” and “Fathers” in 4Q270. It is an attractive suggestion, but the evidence for it is insufficient in my view.

<sup>37</sup> Schuller, “Women,” 137, notes perceptively that the fact that 4Q502 16 cites from 1QS 4:4–6 (or its source), a text noted for not referring to women, makes the presence of women in 4Q502 more striking.

### 3. *Women's Vows*

Two legal texts, the Temple Scroll and CD, deal with the laws of vows within which the vows of women have special regulations according to Numbers 30. In the former instance, the Temple Scroll in 53:11–54:7 integrates the laws of vows and oaths from Deut. 23:22–24 and Num. 30:3–17 without too much modification.<sup>38</sup> Vows of a young woman in her father's home may be annulled by her father; vows of a married woman may be annulled by her husband on the day they are made; vows of widows or divorcees are binding. It is all fairly straightforwardly biblical.

CD 16:6–12, on the other hand, does not here merely rewrite and paraphrase the biblical laws, but selects specific details for comment.<sup>39</sup> The ability of the husband (and the father as well) to annul women's oaths is limited to cases where he knows that the oath should be annulled. We are not told how the male is to be certain that the oath of the female should be annulled, unless the clause "if it is to violate the covenant, he shall annul it and not affirm it" is taken as the definition of annulable oaths.<sup>40</sup> In some cases, at least, the woman | (single or married) is free to impose oaths upon herself without the risk of male annulment.<sup>41</sup> 207

### 4. *Women's Testimony*

There is one oft-debated text in 1QSa which contains another very important regulation on the role of women within the community.<sup>42</sup> After a

<sup>38</sup> There is limited rearrangement of the biblical text for the sake of clarity. A part of the rewriting is in a lacuna which raises some questions about the nature of the reorganization. For a broader discussion of these passages, see L.H. Schiffman, "The Laws of Vows and Oaths (Num. 30, 3–16) in the *Zadokite Fragments* and the *Temple Scroll*," *RevQ* 15 (1991): 199–214.

<sup>39</sup> See Schiffman's conclusions, *ibid.*, 212–14, for possible rationales for the distinctions here between CD and the Temple Scroll.

<sup>40</sup> This attitude of CD to the annulment of women's vows seems to stand in fairly sharp contrast to the sweeping statement in 4Q416 2 iv 8–10 which recommends that a husband annul all his wife's oaths.

<sup>41</sup> It has been noticed, of course, that the reference to sectarians "living in camps according to the custom of the land" (CD 7:6–9) concludes with a "citation" of Num. 30:17, the final verse of the pentateuchal section on vows, "between husband and wife, between father and son [MT "daughter"]." Whether this has any implications for CD's position on women's vows is unknown.

<sup>42</sup> The significant question in this case might be "which community"? The answer depends on the compositional history of 1QSa which was alluded to above (n. 9). C. Hempel has suggested that the central portion of 1QSa emerged from a social situation which was similar to or the same as that of CD and is not to be understood as an eschatological document. One of her observations, 266, is particularly relevant to our discussion: "The presupposition of family life constitutes a further aspect shared between the community behind 1QSa 1:6–2:11a and the communal legislation of the Damascus Document.

description of the “education” of the young male member of the group (to be discussed below) through his marriage not before the age of twenty, the text continues “then she [his wife] shall accept/be accepted (תקבל)<sup>43</sup> to testify against him (regarding) the laws of the Torah” (1QSa 1:11–12). This unemended text, however, implies what was taken by many scholars to be too radical a right to be allowed to women in an ancient Jewish document, i.e., the right to testify against her husband, and the text was often deemed to be in need of emendation from the early days of Qumran research on. After all, regarding what would a wife be expected to testify against her husband? Also underlying the “need” to emend the text was an implicit assumption that even “marrying Essenes” were sufficiently misogynistic not to allow a wife to testify against her husband.

This passage was therefore frequently emended to read something like “He shall accept/be accepted to testify according to the laws of the Torah.”<sup>44</sup> More recently, however, not only has the unemended | text been accepted and explained by Davies and Taylor, but Baumgarten, who was one of the early emenders of the text of 1QSa, has abandoned his former position and now interprets the text as it stands. He now translates/paraphrases “she must promise (תקבל) to admonish (להעיד) her husband about the laws (משפטות התורה) concerning sexual intercourse, with which she is to familiarize herself by learning them (למשמע המשפטים) and fulfilling them (ובמלוא בו).”<sup>45</sup> Baumgarten argues that, in light of texts like 4Q269 and 270, which we saw earlier in our discussion (above) which allude to “legitimate” sexual activity between husband and wife, we can understand this one to impose a serious legal responsibility on the young bride, that of making sure that she and her husband engage only in those sexual activities which are lawful.

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The position of women was by no means equal to that of the male members of the community, but they certainly constitute a visible presence in the community behind such texts.”

<sup>43</sup> The Hebrew may be read either as active (*pi'el*) or passive (*pu'al*).

<sup>44</sup> The text was emended by J.M. Baumgarten, “On the Testimony of Women in 1QSa,” JBL (1957): 266–69, followed by Schiffman, *The Eschatological Community*, 18–19, and *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, The Lost Library of Qumran* (Philadelphia: Jewish Publication Society, 1994), 134–35. J. Licht, *The Rule Scroll: A Scroll from the Wilderness of Judaea: 1QS, 1QSa, 1QSB: Text Introduction and Commentary* (Jerusalem: Bialik Institute, 1965), 257, emends to תקבל, “he will be received.” The most recent trenchant critique of the emendation comes from P.R. Davies and J.E. Taylor, “On the Testimony of Women in 1QSa,” *DSD* 3 (1996): 223–35.

<sup>45</sup> Baumgarten, *Damascus Document*, 165. This reading of תקבל as *pi'el* rather than a defective spelling of *pu'al* is perhaps to be preferred to the suggestion of Davies and Taylor, “she shall be received” which seems to be accepted by Schuller, “Women,” 133.

Some difficulties remain, nevertheless, with this translation. “To admonish” is an unusual translation of להעיד, which generally means “to testify,” and it is difficult to understand how the rest of the sentence, “the laws of the Torah and to stand in the hearing of the laws,” pertains to the woman. Davies and Taylor suggest that “in addition to being allowed to testify against her husband, a woman who is married to a member of the congregation, *and thus a member herself* [italics mine], may be entitled to attend judgments.<sup>46</sup> Perhaps if we modify Baumgarten’s translation a bit, we should not have to go as far as Davies and Taylor in their inferences: “she shall take it upon herself to testify against him (according to?) the laws of the Torah and to be present at the proclamation of the verdict (?).” Regardless of the details of the translation, it is likely that testimony against her husband regarding intimate matters about which only she is likely to know is a unique privilege and responsibility of the woman married to a member of this | community and implies nothing about her ability to testify in any other circumstances or her status in the community.

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### C. *Women and Children*

There is a small group of laws in the Qumran corpus pertaining to women where they are treated in conjunction with children.<sup>47</sup> Such laws certainly indicate the presence not only of women, but of families in the society which they purport to regulate. Women and young boys (נער זעטוט) are not permitted to be among the despoilers of the enemy camp in the War Scroll (admittedly an eschatological text), nor may they enter the war camp at all (1QM 7:3–4). The remainder of those excluded are those who have physical infirmities (4–5). 4Q265 4 3 prohibits women and young boys (נער זעטוט) from eating the Passover feast.<sup>48</sup> Both of these regulations

<sup>46</sup> Whether or not Davies and Taylor are correct in their translation (“On the Testimony of Women,” 228), the inference that a woman married to a member of the community is thus a member herself is simply unwarranted by the text. Their “proof” from 1QS*a* 1:4–5 which refers to the inclusion of women to hear the law being read and taught is undermined by Hempel’s source-critical analysis which would assign those lines to an eschatological frame, while the comments on testimony refer to a non-eschatological CD-type community. It should be noted that they do not presume that women were full members of the community as Schuller (in their reading) does (229–30).

<sup>47</sup> Laws pertaining to children alone will be discussed briefly below.

<sup>48</sup> See Baumgarten “Scripture and Law in 4Q265,” 31–2, for discussion. He notes that this sectarian restriction on the participation of women and children was shared later by the Karaites.

may be seen as deriving from a need for strict purity in participating in holy war and in consuming the sacrifice, a level of purity which women and children were presumed not to be able to attain and maintain.

In the opening lines of 1QSa, we also find women and children included together in that plan for the eschaton. They are part of the larger community who join together to hear the reading of the law. Admittedly, women seem to play no other role in the eschatological portion of this text, and their presence, as well as that of children, in this passage could be said merely to be derivative from Deut. 31:12–13 where the presence of women and children is demanded at a similar ceremony.

#### D. Laws Regarding Children

References to children are considerably more sparse than those to women in the Qumran texts. In addition to the few references where they are juxtaposed to women, we find them primarily in CD and 4QD. The Sabbath law (CD 11:11) contains a reference to nursemaids and infants, and 4Q266 6 ii which deals with menstrual and childbirth impurity speaks (line 10) of giving a “[ch]ild to a wet-nurse in pur[ity].”

210 We have noted earlier the responsibilities of the *mebaqer* in the society of CD for advising those who are getting married or divorced. | But the very same passage also charges him with the obligation to instruct the children and younger children of the camp appropriately (CD 14:16–17; 4Q266 9 iii 4–7). Likewise, the *mebaqer* and the judges of the community are responsible for “the maiden who has n[o] re[dee]mer and the youth [w]ho has no one looking out for his interests” (CD 14:15–16). The children of members of the group must at some time follow in their parents’ footsteps in pledging loyalty to the covenant (CD 15:5; cf. 4Q271 2 13), but only those of a sufficiently mature age are permitted to do so; the נער זעטוט could not. The society envisioned by CD thus has marriage and divorce, and children who need looking after at different ages in their lives. The hierarchy which governed that society had the duty of caring for all of its members.

Perhaps the most extensive description of the “education” of children within the community is to be found in 1QSa 1 6–15. In this passage, which we have seen above, belongs to the CD-related portion of 1QSa, every native Israelite is to be taught the Book of HGY and the statutes of the covenant from his youth (מנעורייו) according to his intellectual development. For ten years he shall enter among the children (ט) and at twenty into the regular muster. He may not approach a woman sexually until the

age of twenty when he understands good and evil.<sup>49</sup> Here (and in the following lines regarding adult development) we see a conception of what growth through the ranks of the sect was in a community which operated under these guidelines.

One of the few other regulations where children are not juxtaposed to women appears in 4Q277 (Tohorot B<sup>b</sup>) 1 7. A child (ליל) a variant of ליל)<sup>50</sup> is not to sprinkle the waters of purification from the ashes of the red heifer. This regulation regarding children may be of a polemical nature in light of the Pharisaic practice (*m. Parah* 3:2–4) which explicitly presents the involvement of young boys in the preparation of the ashes for the ritual.<sup>51</sup> It further emphasizes the stringency which the Qumran group applied to observance of their purity laws.

#### | IV. CONCLUDING REMARKS

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I have attempted in this schematic survey of references to women in the Qumran legal texts, and to the texts in which those references are to be found, to summarize the data as they appear. In a sense, these texts are only one piece of the larger picture which we were attempting to sketch in the SBL session at which this paper was delivered. As a result, no definitive “conclusions” can be drawn from this paper alone, but it is certainly worth making a number of observations based on our analysis. There is no question that the often-made assertion that the community described by CD/4QD (and most other legal texts from Qumran) and that described by 1QS differ substantially in terms of the presence of women is correct. It is striking that 1QS is perhaps the exception among legal texts at Qumran in representing a society which did not include women. Texts, however, are theoretical constructs and not socio-historical realities, and no number of references to women in the legal texts from Qumran can answer the question “were there women in the settlement at Qumran?”

The broader observation we can make has to do with the nature of the references to women where we do find them. They are, on the whole,

<sup>49</sup> This is the passage containing the significant reference to the role of women “then she will take it upon herself to testify against him.”

<sup>50</sup> J.M. Baumgarten, “The Red Cow Purification Rites in Qumran Texts,” *JJS* (1995): 117.

<sup>51</sup> Baumgarten, “Red Cow,” 118, suggests that 4Q271 2 13 (“[any youth w]hose days are not filled to passing among the enr[olled]”) is a similar disqualification of below-age youths for sprinkling.

unexceptional and remain within the boundaries of what we might expect of any Jewish group at the time. The categories into which these laws fall are not much different from those which we find in rabbinic legal material some centuries later. They are the laws which any system based on biblical precedents is likely to contain, involving marriage and divorce, purity and impurity, with a small admixture of legal material which is perhaps uniquely generated by the structure and ideology of a "Qumran" community. These Qumran legal texts, composed by men presumably for a community which encompassed both men and women living in family structures, have not innovated new areas in laws regarding women, which would limit women's behavior in completely new ways. They may be more stringent than rabbinic regulations, but, like them, the Qumran laws do not focus on women exclusively, but rather on the relationships between men and women, often in their roles as wives or potential wives. I believe that it is very unlikely that these laws were written only as theoretical exercises, describing some sort of ideal community, as opposed to legislating for some real social entity. Whether the laws are to be seen as depicting the reality or the ideal state for such an environment is a very different question.



## CHAPTER TWENTY-EIGHT

### INTRODUCTORY FORMULAS FOR CITATION AND RE-CITATION OF BIBLICAL VERSES IN THE QUMRAN PESHARIM: OBSERVATIONS ON A PESHER TECHNIQUE\*

#### I. INTRODUCTION: THE PROBLEMS

The general formulation of the question which led to this article is: can apparently insignificant formal details be meaningful in identification or clarification of literary genres? In the narrower focus: can we conclude anything at all about pesharim or related works from the employment or omission of citation formulas before their biblical quotations? But there is an even broader and seemingly unrelated theoretical question which we should address first: what would have been the result had the Qumran texts been discovered and published in a different order than they were? What would have happened had 4QMMT and 11QTemple been discovered and published before CD and 1QS? Theories about sectarian origins and about the development of sectarian halakhah might well have been different. What if the Songs of the Sabbath Sacrifice had been discovered and published before 1QH? A very different picture of the theology and thematic program of Qumranic poetry would probably have emerged in the surveys of Qumran literature. In both cases, many of the presuppositions, the touchstones which have governed our research for the last 35–40 years, would likely have been quite different. The significance of the sequence of publication of the Qumran documents is a phenomenon which, I believe, has generally been overlooked.

| In many ways, the study of the pesharim from Qumran remains strongly under the influence of the analysis and description of the first of those documents to be discovered and published, the Habakkuk peshar,

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\* An earlier, briefer, and very different, version of this paper was read under the title "Quotation and Re-quotation of Scripture in the Qumran Pesharim: A Reconsideration," at the conference on Methods of Investigation on the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects sponsored by the New York Academy of Sciences and the Oriental Institute of the University of Chicago, held in New York in December 1992. Unfortunately, major revision of this work prevented its inclusion in the proceedings of the conference.

1QpHab.<sup>1</sup> In a sense, it set the “standard” by which subsequently found pesharim were to be judged, has been studied more frequently and with greater depth than any of the other pesharim, and has often served as a model for their reconstruction and interpretation. Thus, B.D. Chilton writes, “By reason of its relative completeness and the close attention it has attracted, 1QpHab is a suitable point of departure for understanding the pesharim generally.”<sup>2</sup> D. Patte makes far more radical claims, commenting,

Another striking characteristic of the pesharim is that they are running commentaries on complete [*sic*] biblical texts, *as is clear* [my emphasis, MJB] in the well-preserved scroll of the peshar on Habakkuk. The pesharim are therefore systematic interpretations of prophetic texts. This is significant in itself, as it shows the particular “stance” or attitude which is taken toward these texts.<sup>3</sup>

Most recently, in her important survey and synthesis of the pesharim, D. Dimant writes, “The *peshar of Habakkuk* provides the most comprehensive illustration of peshar patterns.”<sup>4</sup>

32 1QpHab is obviously unique among the pesharim in being an | almost complete copy of a peshar on two consecutive chapters of a biblical book.<sup>5</sup> But as a result, any realm in which the peshar of Habakkuk

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<sup>1</sup> Since its initial publication by M. Burrows, J.C. Trever, and W.H. Brownlee in *The Dead Sea Scrolls of St. Mark's Monastery* II.2 (New Haven: ASOR, 1951), the bibliography on 1QpHab has grown extensively. For a generous selection, cf. W.H. Brownlee, *The Midrash Peshar of Habakkuk* (Missoula: Scholars, 1979), 5–12 and M.P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington, DC: Catholic Biblical Association, 1979), 10–11.

<sup>2</sup> “Commenting on the Old Testament (with particular reference to the pesharim, Philo, and the Mekhilta),” in *It is Written: Scripture Citing Scripture, Essays in Honour of Barnabas Lindars* (ed. D.A. Carlson and H.G.M. Williamson; Cambridge: Cambridge University Press, 1988), 122.

<sup>3</sup> D. Patte, *Early Jewish Hermeneutic in Palestine* (Missoula: Scholars, 1975), 300. The fact that we have pesharim on Psalm texts is also a minor objection to Patte’s formulation, although it might be removed by a reconsideration of the Qumran group’s concept of “biblical canon,” if it had one, or by revising Patte’s definition to refer to poetic, rather than prophetic, texts. Cf. D. Dimant’s remarks in “The Hebrew Bible in the Dead Sea Scrolls: Torah Quotations in the *Damascus Covenant*,” [Hebrew] *Sha’arei Talmon* (ed. M. Fishbane and E. Tov; Winona Lake: Eisenbrauns, 1992), 116 and n. 17 dealing with peshar and prophecy.

<sup>4</sup> D. Dimant, “Pesharim, Qumran,” *Anchor Bible Dictionary* 5, 248b. In her essay, “Qumran Sectarian Literature,” in *Jewish Writings of the Second Temple Period* (ed. M. Stone; CRINT 2.2; Philadelphia: Fortress, 1984), 504, she, like Patte, suggests that “continuous pesharim” are “commentaries on *entire* [my emphasis, MJB] biblical books.”

<sup>5</sup> Whether the author of the peshar had the third chapter of Habakkuk before him is not germane to the issue. In fact, in light of our not having any pesharim on complete biblical texts, we should probably draw no inferences in that direction.

possesses singularity or near-singularity is far more significant than it should be for our understanding of not only the structure of pesharim and other similar material from Qumran, but also for the genres to which we assign them. If the peshar to Habakkuk is in any way atypical of Qumran pesharim, its primacy may have misled investigators attempting to establish a general scheme for them.

In this paper, we shall be concerned with two related issues: the employment of formulaic introductions such as *כִּי־אֵשֶׁר אָמַר*, *כִּי־אֵשֶׁר אָמַר*, *וְאֵשֶׁר אָמַר* and *וְאֵשֶׁר כָּתוּב* to introduce biblical quotations cited within a peshar,<sup>6</sup> and the practice of re quoting within a peshar, for the purpose of further comment, texts which have been cited previously in it.<sup>7</sup> We shall be concerned with their distribution | within the pesharim, their structural function(s) and the relationship between distribution and function. Although these features of the pesharim have been studied and commented on by a number of scholars in a variety of contexts, there is no unanimity of opinion regarding their distribution or role. Particularly in the reconstruction of fragmentary pesharim, we observe that disagreements regarding re quotation and citation formulas have had considerable impact. Our investigation will demonstrate, *inter alia*, that the Habakkuk

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<sup>6</sup> The latter two are fairly simple to translate: "as it is written," and "and as for that which is written." In the case of the former two, there has been considerable debate regarding the subject of *אָמַר*; is it Scripture, God, or the human author of the text? If we adopt the former, for example, we can render, "for that is what it states," and "as for that which it states." Because our focus is the meaning and technical employment of the citation formulas, we shall quote lengthy passages from the pesharim without translating them in the course of our analysis, since the specific meaning of the peshar is not at issue.

<sup>7</sup> For a broad sketch of such formulas generally at Qumran, see F.L. Horton, "Formulas of Introduction in the Qumran Literature," *RevQ* 7 (1969–71): 505–14. A very important treatment which touches on these issues is J.A. Fitzmyer, "The Use of Explicit Old Testament Quotations in Qumran Literature and in the NT," *Essays on the Semitic Background of the New Testament* (London: Geoffrey Chapman, 1971), 3–58, especially 7–13. Horgan, *Pesharim*, devotes pp. 239–44 of her commentary to "Formulas in the Pesharim." Cf. also, M. Fishbane, "Use, Authority and Interpretation of Mikra at Qumran," in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. M.J. Mulder; CRINT 2.1; Minneapolis: Fortress, 1990), 347–56, on "Use of Citations and Citation Formulae." Despite the aforementioned, however, this aspect of the pesharim has been the subject primarily of *en passant* comments by many scholars, and has not been the object of an in-depth study. Hence, we shall focus on a thorough analysis of all of the primary texts and reserve for the concluding section of our discussion a brief selection of comments on this theme in earlier scholarship. The classic article of B.M. Metzger, "The Formulas Introducing Quotations of Scripture in the New Testament and the Mishnah," *Historical and Literary Studies: Pagan, Jewish and Christian* (NTTS 7; Leiden: Brill, 1968), 52–63, sheds no light on our issue. There are actually more formulas in the pesharim than the four noted here; the others may be considered variations on these four, and all will be examined in the course of our discussion.

peshar may have provided an inappropriate example for the analysis of other pesharim in this area by leading us to believe that the two features, citation formulas and re quotation, are almost inexorably intertwined.

34 From a *formal* standpoint, an often cited division among some Qumran texts which use the word פֶּשֶׁר is between those which are “continuous peshar” (*peshar continu*), in which a single biblical book is methodically interpreted section by section, and the “thematic peshar” (*peshar thématique*) in which certain citations to be interpreted are chosen from various biblical books and grouped artificially around a central idea, e.g., 11QMelchizedek and 4QFlorilegium.”<sup>8</sup> These two classes have been treated quite independently from the perspective of the two issues which we shall address, as if the modern generic definition can somehow retroject its standards onto the ancient authors. Our focus in the first section of this discussion will be on the so-called continuous pesharim, and | we shall then turn to the “thematic” variety. In the course of our discussion we shall suggest that some of the differences between “continuous” and “thematic” pesharim are more apparent than real. In particular, to borrow James Kugel’s phraseology regarding biblical parallelism, we shall see that there is either one sort of peshar or many, but not exactly two.<sup>9</sup>

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<sup>8</sup> Horgan, *Pesharim* 3, referring to the classic distinction made by J. Carmignac, “Le document de Qumran sur Melkisédeq,” *RevQ* 7 (1969–71): 360–61. For a list of the “continuous pesharim,” see Dimant, “Pesharim, Qumran,” 245b. Cf. also the remarks of H. Stegemann, “Weitere Stücke von 4QpPsalm 37, von 4QPatriarchal Blessings und Hinweis auf eine unedierte Handschrift aus Höhle 4Q mit Ekzerpten aus dem Deuteronomium,” *RevQ* 6 (1967–69): 213–14, which suggest that 4QPatriarchal Blessings cannot be a peshar because it operates on non-consecutive texts. He suggests that it is not a “literarisch orientierten Midrasch (= pešer)” but a “thematischen Midrasch zu bestimmten Fragen der Eschatologie.” We now know that 4QPatriarchal Blessings (= 4Q252 = 4QpGen<sup>a</sup> [=4Q Commentary on Genesis A]) is not really a peshar (cf. the recent work on it by G.J. Brooke, T.H. Lim and M.J. Bernstein), but for reasons very different from those presumed by Stegemann. His note 77 (213) makes the very rigid sort of assumptions about the formal technique of pesharim which this article will question. We should note, in passing, that if we demand that a peshar move through a text systematically, section by section, then a work such as 4QpPs<sup>a</sup> could also be considered non-continuous peshar in one sense, since, moving from Ps. 37 to Ps. 45, it does not follow consecutive chapters of the biblical text in any order with which we are familiar. But it is certainly not a thematic peshar, either, and this observation totally vitiates the value of Patte’s comments (above, 636 n. 3).

<sup>9</sup> J. Kugel, *The Idea of Biblical Poetry: Parallelism and Its History* (New Haven: Yale, 1981) 58, “Biblical parallelism is of one sort, ‘A, and what’s more, B’ or a hundred sorts; but it is not three.”

## II. THE EVIDENCE

A. *Inferential*

The continuous pesharim proceed through biblical texts, or sections thereof, in a fairly straightforward fashion.<sup>10</sup> There is no need, *prima facie*, for formulas such as those gathered above to introduce citations of the biblical text, for the biblical text is the constant object of the commentary as it moves from one verse to the next.<sup>11</sup> Indeed, we must begin by stressing the very significant negative observation that most Qumran pesharim of which we have substantial remains, including 4QpNah and 4QpPs<sup>a</sup>, as well as 1QpMic, 4QpHos<sup>a,b</sup>, and 4QpIsa<sup>d</sup> and less well-preserved texts, do not employ any such terms at all in their extant portions.<sup>12</sup> Among the continuous pesharim, then, it is only in four of the pesharim of Isaiah, 4QpIsa<sup>a,b,c,e</sup>, outside of 1QpHab, that this terminology is to be found explicitly at all. Furthermore, those pesharim which do not employ citation formulas are also not characterized by | requotation, as far as we can tell, with the exception of 4QpPs<sup>a</sup> 3–4 iii 9, 11–12 which re-cites Ps. 37:22 with no introductory formula.<sup>13</sup> This inferential evidence points in the direction: no requotation—no formulas. Let us turn now to the explicit evidence.

35

<sup>10</sup> We probably ought not speak of pesharim on biblical *books*, because, with the possible exceptions of 1QpHab and 4QpNah, the surviving pesharim do not address whole books.

<sup>11</sup> Dimant, "Pesharim, Qumran," 248b, writes, "Because the main text is known, each unit opens with a biblical citation without any introductory term." This "rule" is certainly true of 1QpHab which is her paradigm for pesharim; whether it is universally applicable will be considered by the remainder of this essay.

<sup>12</sup> Certain reconstructions of some pesharim are predicated upon the presence of citation formulas, and that presence is itself predicated upon the behavior of a minority of peshar texts in requotation. In the case of these pesharim, Horgan suggests formula + requotation in 4QpHos<sup>b</sup>, Milik suggests the same in 1QpMic, and Baumgarten suggests the formula (but *not* in requotation) in 4QpIsa<sup>d</sup>. Our procedure will be to review the incontrovertible, or at least fairly clear, evidence from the continuous pesharim before evaluating some of the hypothetical reconstructions.

<sup>13</sup> This has been noted already by B. Nitzan, *Pesher Habakkuk: A Scroll from the Wilderness of Judaea (1QpHab)* [Hebrew] (Jerusalem: Mosad Bialik, 1986), 9 n. 36. If our analysis is sound and our argument accepted, the restoration of citation formulas and requotations ought to be done much less freely and much more carefully than heretofore.

## B. 1QpHab

In 1QpHab, the formula **כִּיָּא הוּא אִשֶׁר אָמַר** (3:2, 13; 5:6) is employed three times, and the formula **וְאִשֶׁר אָמַר** (6:2; 7:3; 9:2; 10:1; 12:6) five times, in each instance to introduce the re-quotation of a text already quoted once, in order to continue to comment on it.<sup>14</sup> Nitzan suggests that **וְאִשֶׁר אָמַר** is employed when the second citation precedes its peshar, and that **כִּיָּא הוּא אִשֶׁר אָמַר** follows its peshar, and “functions to strengthen the connection between the peshar and the verse.”<sup>15</sup> If we postulate that the distance between the citation and the re-citation creates the need for the formula we are disappointed. The excessive length of the preceding peshar cannot be the overriding factor in the employment of the formula **כִּיָּא הוּא אִשֶׁר אָמַר**, because at 3:2 it is used following a peshar which cannot have been more than a line and a half long; the pesharim which precede **וְאִשֶׁר אָמַר** are between 3 and 4 1/2 lines long.<sup>16</sup>

There is also one certain instance in 1QpHab of re-quotation without formulaic introduction, where 6:5 quotes Hab. 1:16b **כִּיָּא בְהֵם שִׁמֶן חִלְקוּ** | **וְמֵאֵכְלוּ בְרִי** 36 (partially reconstructed, but certain), and there is one probable instance (4:[13]). I suggest that the entire re-quotation of Hab. 1:15 here, which began with 1:15a at 6:2 should be considered to be governed by the formula **וְאִשֶׁר אָמַר** which introduced that re-quotation. Whereas this suggestion would not explain 4:13, it might explain another apparently unusual construction: at 12:6–9 the words **וְחַמְס אָרֶץ** are quoted for a second and third time, within a re-quotation reading **וְאִשֶׁר אָמַר מְדַמִּי קָרִיָּה וְחַמְס אָרֶץ פִּשְׂרוּ הַקְרִיָּה הִיא** and **יְרוּשָׁלַם . . . וְחַמְס אָרֶץ הִמָּה עֲרֵי יְהוּדָה**. The suggestion we made for 6:5 might be plausible here as well. 6:5 and 12:6–9 are the only examples of

<sup>14</sup> Dimant, “Pesharim, Qumran,” 249a, asserts, “The subordinate character of such elaborations [i.e., requotations + fresh interpretation] is indicated by special introductory terms; the quotation is always introduced by the formula  $w'sr'mr...$  or  $hw'sr'mr$ .” It is certainly worth observing, however, that the distribution of these idioms, **וְאִשֶׁר אָמַר** and **כִּיָּא הוּא אִשֶׁר אָמַר**, within the peshar does not intersect. The significance of this fact is, for the moment, unclear.

<sup>15</sup> Nitzan, *Pesher Habakkuk*, 8–9. Cf., similarly, M. Burrows, “The Meaning of  $'sr'mr$  in DSH,” *VT* 2 (1952): 255, 257–58.” K. Elliger, *Studien zum Habakuk-Kommentar vom Toten Meer* (Tübingen: Mohr, 1953), 124, calls **וְאִשֶׁר אָמַר** a “Wiederaufnahmeformel” and **כִּיָּא הוּא אִשֶׁר אָמַר** a “Rückverweisungsformel.” For a recent discussion of “multiple pesharim” in 1QpHab which does not agree fully with these characterizations, see H.W. Basser, “Peshar Hadavar,” *RevQ* 13 (1988) [Memorial Jean Carmignac]: 389–405.

<sup>16</sup> For a discussion of the length of the citations before pesharim, see Nitzan, *Pesher Habakkuk*, 8.

multiple re quotation from the same original lemma in 1QpHab, while 4:13 is the only example of re quotation of a lemma which has not only been cited before, but *has already been interpreted* (cf. the discussion of 4QpIsa<sup>a</sup> 2–6 ii 6 below). In all other cases of re quotation preceded by formula, the portion of the verse which is being re quoted was not interpreted earlier in the pesher when it was first cited.

### C. 4QpIsa<sup>a</sup>

4QpIsa<sup>a</sup> seems to follow the pattern of 1QpHab in re quotation, at least in the employment of the term **ואשר אמר**.<sup>17</sup> This can best be observed at 4QpIsa<sup>a</sup> 8–10 11–22 (Allegro [A] = 7–10 iii 15–27 Horgan [H]), where the text of Isa. 11:1–5 is quoted fully, followed by a pesher (A17–21 = H22–26) and then by **ואשר אמר לוא** introducing a re quotation of Isa. 11:3ב **לוא** [למראה עיניו ישפוט] ולוא למשמע אוזניו יוכיח. This is the *only certain* and generally agreed-upon re quotation formula in a pesher outside of 1QpHab.

According to Allegro, 4QpIsa<sup>a</sup> 8–10 1–6 (A = H7–10 iii 5–10) contains a citation of Isa. 10:33–34, followed by a pesher (A3–5 = H8–10) | and then by **ואשר אמר** (line 6) and another quotation of part of the earlier lemma. Horgan's treatment of this passage is somewhat surprising, however, and in order to analyze it properly the text must be quoted in full (H 7–10 iii 1–12).<sup>18</sup>

37

] הנה האדון ה' צבאות מסער  
פארה במערצה ורמי הקומה גדועים והגבוהים ישפלו וינקפו  
סובכי היער בברזל ולבנון באדיר יפול]

<sup>17</sup> J.M. Allegro, *Qumran Cave 4:I (4Q158–4Q186)* (DJD V; Oxford: Clarendon, 1968), 11–14. In employing this edition, we are frequently guided by the corrections and improvements made in J. Strugnell, "Notes en Marge du Volume V des 'Discoveries in the Judaean Desert of Jordan,'" *RevQ* 7 (1969–71): 163–276. Nitzan, *Pesher Habakkuk*, 9 n. 36, makes some careful observations on the employment of **ואשר אמר** and **ואשר כתוב** terminology in the Isaiah pesharim and elsewhere. She apparently accepts a good deal of Horgan's analysis, but correctly notes the uniqueness of the re quotations and their introductory formulas in 1QpHab and 4QpIsa<sup>a</sup>. Nitzan further claims that the model of the spacing and arrangement of the lemmas, pesharim and re quotations which she believes is significant in 1QpHab, is not followed strictly in the Isaiah material.

<sup>18</sup> The text is taken from pp. 15–16 of Horgan's collection of the Hebrew texts of the pesharim published together with her commentary (bound and paginated separately) with the title on the cover "Part I: The Texts." I have made one correction of an obvious "error" in the transcription, reading **והגבוהים** in line 2 for **והגבורים**. MT has the former, and Horgan translates "those who are haughty" in her version (*Pesharim*, 75).

## vacat

	5 פשר
[ ] . . [ ] . . [ ]	]
וינקפו ס]ובכי [היער [בברזל ולבנון באדיר	]
המה ה[כתיאים אשר] ר [יפ[לו] ביד ישראל וענוי	]יפול
[יהודה ישפטו את [כול הגזאים וגבורים יחתו ונמס ל[בם]	]
[ורמי [הקומה גדועים המה גבורי כת[יאים]	]
[ד וינקפו סובכי [ה]יער בברזל ה[מה]	]10 אשר
[.ם למלחמת כתיאים ולבנון	]
בא[דיר]	
ויפול המה ה[כתיאים אשר ינת[נו] ביד גדולו	

Horgan's theoretical reconstruction of the length of the columns in this peshet as well as her observation that "in 4QpIsa<sup>a</sup> both the biblical citations and the peshet sections tend to be longer than in other biblical commentaries,"<sup>19</sup> are the factors which lead her to postulate that the column began with a complete citation of Isa. 10:33–34, of which there is no extant trace, followed by "repetitions of short phrases of the biblical text followed by metaphorical identifications of key words."<sup>20</sup> In these brief "requotations" there were no citation formulas, according to Horgan, and she therefore rejects Strugnell's restoration of **ואשר אמר** in line 9 (= A 5) to introduce the requotation of 10:33a **ורמי הקומה גדועים**, and Allegro's of **וינקפו ואשר אמר** in 10 to introduce the (second!) requotation of 10:34a **וינקפו ואשר אמר**.<sup>21</sup> According to Horgan, then, this peshet contains | requotations with citation formulas as well as those without them, an unexpected combination if we look for uniformity in peshet technique.

The order of citations in this passage is also unusual, with a peshet to Isa. 10:34b in line 6 (H = A 2) followed by pesharim on 10:33b, 10:34a and 10:34b in lines 9–11 (H = A 5–7). Presumably the initial peshet on 10:34 was found in lines 5–6a for Horgan. Although we should not, as I continue to stress, expect stylistic uniformity among pesharim, Horgan's

<sup>19</sup> Horgan, *Pesharim*, 72.

<sup>20</sup> Horgan, *Pesharim*, 83.

<sup>21</sup> Horgan, *Pesharim*, 84. Her argument is predicated, *inter alia*, on the fact that "when this formula is used to introduce a second citation, it is usually followed by an interpretation introduced by the word *פרש*" rather than a pronoun such as **המה**. As we shall see in the course of this study, an overly rigid attitude to the structure of pesharim will prevent us from seeing the apparent flexibility which the texts themselves manifest. Furthermore, her observation that absence of a citation formula from the quotation of 10:34b in line 11 should be indicative of the structure of the pesharim on 10:33b and 10:34a is vitiated by the possibility which I raised earlier (2.640–641) that within requotations from a single verse the **ואשר אמר** formula governing the first portion of the verse is to be understood with the second as well.



reconstruction, with long quotation followed by shorter requotations, does not resemble the pattern elsewhere in 4QpIsa<sup>a</sup>. Thus, in other passages of 4QpIsa<sup>a</sup>, the quotation of Isa. 10:24–27 in 2–6 ii 10–15 is followed by a brief pesher (17–19), set off by a *vacat* before and after; the citation of 10:18–32 (2–6 ii 21–25) is followed by a four-line pesher (26–29). There is neither requotation nor formula. Even 7–10 iii 15–20, which cites Isa. 11:1–5 followed by a longer pesher and a requotation with formula as noted above, is quite different structurally from Horgan’s image of the beginning of column iii. We should not reject her reconstruction out of hand as a result, but we must keep all these anomalies in mind when evaluating it.

Horgan asserts further that 4QpIsa<sup>a</sup> 2–6 ii 6 (H= A 2–4 2) . . . עמו [וא]שר . . . [הי]ה עמכה ישראל was likewise preceded by longer biblical citation and pesher, and ואשר אמר introduces the requotation.<sup>22</sup> Once again, her reconstruction of the length of the column leads her to reconstruct the first three hypothetical lines as containing Isa. 10:22–23 followed by a *vacat* line. If this is correct, then this passage resembles the latter portion of 7–10 iii where Isa. 11:3b is quoted with formula, although there is considerably less room for a substantial pesher on the long quotation than is found there. It is, however, additionally irregular because the final word of the pesher before ואשר אמר עמו which presumably comments on עמכה of the biblical text. As a rule (one exception in 1QpHab), | lemmas which have already been interpreted are not cited a second time.<sup>23</sup> Furthermore, if ה[ארץ] is correctly restored in line 9, then that line would appear to contain the pesher on כל הארץ of Isa. 10:23 which has not been requoted. These objections to Horgan’s reconstruction are not, however, fatal, and we should accept the possibility of her analysis here.

39

#### D. 4QpIsa<sup>c</sup>

4QpIsa<sup>c</sup> has often been recognized to be anomalous among the so-called continuous pescharim. It does not employ only one biblical book as its source (although it is concerned primarily with Isaiah).<sup>24</sup> It does not

<sup>22</sup> Horgan, *Pescharim*, 74, 77.

<sup>23</sup> Strugnell (“Notes en marge,” 184) reconstructs . . . כאשר אמר אם היה so that we have something like the use of הוא אשר אמר reinforcing the pesher in the fragmentary opening of the column (although his restored formula does not occur anywhere else in the pescharim). But he allows for two possibilities: the omission of verse 23, in which case there is no requotation, or a requoted verse 22. In light of the apparently consecutive nature of the citations from the biblical text in this pesher, the omission would be quite unusual.

<sup>24</sup> It refers to Jeremiah at 1 4 (Allegrò) [partially reconstructed], Zechariah at 8–10 4 (Allegrò) and quotes Zech. 11:1 at 21 7–8 and Hos. 6:9 at 23 ii 14–14a. This phenomenon,

40 follow the individual biblical book consecutively.<sup>25</sup> It | clearly has formulas which introduce *initial* citations of the biblical text.<sup>26</sup> These are all certainly striking features, but is their cumulative effect to classify 4QpIsa<sup>c</sup> as a genre different from the other “continuous” pesharim or merely to place it at a very different point along a broad spectrum from the other pesharim?<sup>27</sup>

The citation formulas which appear in this text are more numerous than in the others we have seen to this point, although the peshar’s frag-

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too, should have led us to classify it with some of the analogous non-peshar texts, if we did not have a predisposition to call it a peshar. It is quite interesting that W.R. Lane, “A New Commentary Structure in 4QFlorilegium,” *JBL* 78 (1959): 346, who insisted on 4QpIsa<sup>b</sup>’s behaving like 1QpHab (see note 44 below), disagreed with Allegro’s employment of the term Florilegium for 4Q174, claiming that “Both of these works [the hypothetical sources of 4QFlorilegium] are biblical commentaries, but different in character from the other existing pešer literature. Actually they belong to a more complex type of pešer—one that employs additional biblical material to expound the biblical passage under consideration.” Similar distinctions among the pesharim themselves, however, are generally not made. G.J. Brooke, “Qumran Peshar: Towards the Redefinition of a Genre,” *RevQ* 10 (1979–81): 491, makes the perceptive comment that, as a rule, “some single item, either form or structure or content or setting or authorship, has been made the ultimate determining factor” for the understanding of the genre peshar by a variety of scholars. We observe that the same is true for assignment of works to the genre peshar.

<sup>25</sup> Its citations range over Isaiah 8, 9, 10, 14, 19, (28), 29, 30, 31, 32, and perhaps 33. Within several fragments, as far as we can tell, the citations within chapters are not continuous; e.g., 4–7 i and ii (Allegro) and 8–10 (Allegro). Horgan, *Pesharim*, 95, writes, “Omission of biblical verses, however, is not unknown from the other pesharim; see, e.g., 4QpIsa<sup>b</sup> column 2.” The comparison with 4QpIsa<sup>b</sup> ought perhaps to lead us to group these texts together as differing in a significant feature from some of the other pesharim. Of course, Stegemann’s remarks referred to (above, n. 9) about pesharim having to deal with continuous text are contradicted by this text. G.J. Brooke, “The Biblical Texts in the Qumran Commentaries: Scribal Errors or Exegetical Variants?” in *Early Christian and Jewish Exegesis: Studies in Memory of William Hugh Brownlee* (ed. C.A. Evans and W.F. Stinespring; Atlanta: Scholars Press, 1986), 92 actually writes, “The length and frequency of omissions in 4QpIsa<sup>c</sup> is clearly intentional and may mean that it should not be classified simply as continuous peshar.” He proceeds to note also the non-Isaianic material in the peshar as supportive of such a possibility. Once again, we submit that there may be more than two sorts of peshar. Dimant, “Qumran Sectarian Literature,” 504 n. 99, on the other hand, correctly notes that 4QpIsa<sup>c</sup> “should warn us from a hasty judgment that continuous pesharim comment on a single prophetic text.”

<sup>26</sup> Horgan, *Pesharim*, 37–38, 243 and n. 53.

<sup>27</sup> A. Steudel, “Eschatological Interpretation of Scripture in 4Q177 (4QCatena<sup>a</sup>),” *RevQ* 14 (1990): 479, calls “4Q177 and 4QFlor a special kind of mixed texts [*sic*], which are orientated on special themes, but are at the same time—similar to the pesharim—in their structure orientated to a certain single biblical book.” She draws attention to the formal similarity of these works to 4QpIsa<sup>c</sup>, noting the atypical omission of certain verses, and the citation from other biblical texts. I should concur strongly with her concluding remark, 480, “It seems that the Qumranic literary genres—like, e.g., the ‘pesharim’, or the ‘thematical midrashim’—were not always strictly formally limited,” although I think that the problem may lie with our generic definitions rather than the lack of formality in the ancient text.

mentary nature does not always allow us sufficient context to see how they are employed. We have explicit examples of **ואשר אמר**, **ואשר אמר**, and **כאשר כתוב**. According to Horgan, we also have the only example of **כי** in the pesharim outside of 1QpHab (4QpIsa<sup>c</sup> 1 2).<sup>28</sup> This last formula unfortunately cannot be located within the commentary so that its presence, if correctly reconstructed, is more tantalizing than enlightening.

There are two explicit occurrences of **ואשר אמר** (6–7 ii 7 and 8–10 4). The latter follows directly upon the citation and pesher of Isa. 14:8 and introduces the citation of Isa. 14:26–27.<sup>29</sup> If we look for a reason for a “continuous” pesher to employ citation formulas for initial citation, it is certainly possible that the non-consecutive nature of the quotations is what engenders the formula, an employment which differs from its usage in introducing requotations. Since the text is not “peshered” consecutively, the function of the formula is to move the reader forward to the next citation. If this is correct, then it will be somewhat surprising to see both usages within the same text. And yet that is exactly what we have if we accept the readings of Strugnell and Horgan for the other explicit **ואשר אמר** in this text.

That use of **ואשר אמר** in 4QpIsa<sup>c</sup> 6–7 ii 7 does not appear to introduce a requotation in the reconstruction of Allegro.<sup>30</sup> If non-consecutiveness is a reason for employment of citation formula, it could be justified here to introduce Isa. 10:19 where the previous pesher was on Isa. 10:12–13 (unless a sizable gap of eight lines is postulated following line 2 with Horgan). But Strugnell and Horgan read in line 3 **כי** **יכתב** **ו** **ינע** **ו** **יהיו**], based on a repositioning of fragment 7.<sup>31</sup> This allows Horgan to analyze line 7 as a requotation, reading

<sup>28</sup> The remaining letters also allow for the reconstruction **כי** **א** **הוא** **א** **שר** **כתוב** **בספר** such as we find, for example, in 4QFlorilegium. In the light of the apparent uniqueness of **ואשר אמר** **כי** **הוא** **אשר אמר** to 1QpHab, and other similarities of 4QpIsa<sup>c</sup> to the “non-continuous” pesharim, this alternate suggestion needs to be considered seriously.

<sup>29</sup> Horgan, *Pesharim*, 113, writes, “In the pesharim the formula **ו** **ינע** **ו** **יהיו** **ו** **יכתב** is generally used to introduce second citations of a biblical text . . . 14:26 must have been quoted previously, apparently before 14:8. Otherwise the formula is being used here simply to introduce a biblical text for the first time, as **ו** **ינע** **ו** **יהיו** is used elsewhere in this document.” This excessive loyalty to the phenomenon of requotation and its association with citation formulas is the very sort of rigidity which ought not to be applied in the study of the pesharim.

<sup>30</sup> Allegro, DJD V, 18–19.

<sup>31</sup> Strugnell, “Notes en marge,” 190; Horgan, “The Texts,” 23. The state of the papyrus is such that it is very hard to corroborate their reading in the microfiche edition in any of the relevant photographs.

וַאֲשֶׁר אָמַר [וְשֹׂאֵר עֶץ יַעֲרֹוּ מִסִּפֶּר יִהְיוּ וְנִעַר יִכְתְּבֻם]  
פֶּשֶׁר לְמוֹעֵט הָאָדָם ]

This is possible, and may have a structural parallel later in the column in Horgan and Strugnell's reconstruction of 6–7 ii 13–17

כִּי אִם יִהְיֶה עִמְכָּה יִשְׂרָאֵל כַּחֲוֹל הַיָּם שֹׂאֵר יִשׁוּב בּוֹ ]  
פֶּשֶׁר הַדְּבַר לְאַחֲרִית הַיָּמִים  
יִלְכוּ בְּשׁ[בִּי יִשְׂרָאֵל] לְ  
[וַאֲשֶׁר ]  
אָמַר [כִּי אִם יִהְיֶה עִמְכָּה יִשְׂרָאֵל כַּחֲוֹל הַיָּם שֹׂאֵר יִשׁוּב בּוֹ ]  
פֶּשֶׁר לְמוֹעֵט הָאָדָם ]

42 The obvious difficulty is that there is no trace of this requoted text in the manuscript, and its presence seems to be predicated on the presumed interpretation of the word שֹׂאֵר by מוֹעֵט, such as was | found above in lines 7–8. If their reconstruction is accepted, the likelihood that the formula here introduces a requotation is made more probable by the fact that the citations from Isaiah being discussed are then consecutive, so that the alternative function of וַאֲשֶׁר אָמַר which we have suggested is excluded.<sup>32</sup>

In addition to the use of וַאֲשֶׁר אָמַר for initial citations, 4QpIsa<sup>c</sup> employs כַּאֲשֶׁר כָּתוּב to introduce biblical citations. The undamaged formula occurs only once at 6–7 ii 18–19, following upon the last citation in our previous paragraph.

כַּאֲשֶׁר כָּתוּב [כְּלִיּוֹן תְּרוּץ שׁוֹטֵף צְדָקָה כִּיָּא כֹּלָּה וְנַחֲרָצָה]  
אֲדוּנִי ה' צ[בָּאוֹת עוֹשֶׂה בִּקְרֵב כּוֹל הָאָרֶץ]

It follows directly upon the previous pesher, and it introduces Isa. 10:22b, the second half of the verse on which that pesher commented, so we can be fairly certain that we have here an initial citation. It seems to be used in a fashion different from its employment elsewhere in Qumran literature (including the “thematic” pesharim) where it is claimed to introduce supporting statements, frequently from a different biblical text.<sup>33</sup> Here the term seems to link two consecutive biblical citations together in the

<sup>32</sup> The other cases and possible cases of וַאֲשֶׁר אָמַר in 4QpIsa<sup>c</sup> have little to offer us because of their fragmentary and acontextual nature. Horgan, *Pesharim*, 119, and Strugnell, “Notes en marge,” 192 (“sans aucune doute”) reconstruct וַאֲשֶׁר אָמַר לֶחֶם תֵּב[וֹת 4 וְאֵת 22] on the basis of Isa. 30:23. Horgan writes, “it cannot be determined, however, whether this is a first or a second citation.” For the sake of completeness, we observe that 24 2 preserves merely the words וַאֲשֶׁר אָמַר together.

<sup>33</sup> Dimant, “Pesharim,” 249a. See below for a consideration of the dichotomous employment of identical terminology within the Qumran corpus.

sequence quotation-pesher-proof-text, although we cannot be certain that no pesher followed the proof-text citation.

None of the other five apparent occurrences of **אשר כתוב** or **כתוב** preserves a conjunction before **אשר**. In light of the fact that in 4QpIsa<sup>e</sup> we find the citation formula **ואשר כתוב**, we must entertain the possibility that some of these passages could have had such an introduction which does not appear in the extant portions of 4QpIsa<sup>c</sup>. At least two of these examples employ citation formulas to introduce material not from the book of Isaiah into the pesher. Unfortunately, the citations from Jeremiah at 1 4 following **ביר[מיה עליו תוב כ]אשר** (or **הוא אשר כ]תוב עליו**) and from Zechariah at 8–10 | 7–8 **וב בספר 7–8 [אשר כתוב בספר 7–8 | 7–8] [ומי ישי]בנה הואה . . .** 43 **[אשר כתוב בספר 7–8 | 7–8] [ומי ישי]בנה הואה . . .** are missing. Were it not for the clear evidence of 6–7 ii 18, we could easily have argued that the **אשר כתוב** terminology is employed only for secondary quotations from sources external to the text under analysis.<sup>34</sup>

We lack, unfortunately, the preceding context for the apparent citation of Zech. 11:11 at 21:7–8, so that we cannot be certain whether all citations from external texts are preceded by citation formulas.<sup>35</sup> At 23 ii 14–14a, where **וכחכי איש 6:9 [אשר כתוב בספר 7–8 | 7–8] [ומי ישי]בנה הואה . . .** seems to cite Hos. 6:9 **וכחכי איש 6:9 [אשר כתוב בספר 7–8 | 7–8] [ומי ישי]בנה הואה . . .**, we have to consider the irregular citation, the absence of any context, and the fact that one of lines 14 and 14a appears to have been added interlinearly (cf. Allegro, Strugnell and Horgan's comments). It is certainly possible, however, that this external citation also was introduced by some introductory formula as a proof-text, but since its relationship with the following line is unclear, we cannot tell whether it, too, was the object of comment.

In sum, then, our opening remarks about the unusual nature of 4QpIsa<sup>c</sup> are borne out in its employment of citation formulas to introduce initial quotations as well as external material, the non-consecutive treatment of the Isaianic text, and its employment of those non-Isaianic quotations. These features seem to be related and “atypical” of usual pesher technique. It should now be clear that 1QpHab is not the only kind of model available for the Qumran pesherim.

<sup>34</sup> Once again, to be comprehensive, we observe that 2 6 has **[אשר כתוב ב]** which appears to be a citation of an external source, but without context; 4 + 6–7 i 4 ends with **כתוב [אשר]**, but followed by no text; 47 2 records **כתוב [אשר]** with no context.

<sup>35</sup> Horgan, *Pesharim*, 118, observes rightly that this citation “must have been considered as part of the interpretation rather than a separate lemma, since it is immediately followed by the citation of Isa. 30:1–5.” We should expect such “proof-text” usage to have been preceded by something along the lines of **אשר כתוב**.

E. 4QpIsa<sup>e</sup>

44 The fifth of the pesharim on Isaiah, 4QpIsa<sup>e</sup> (4Q165), presents another “new” phenomenon, the employment of **ואשר כתוב** to introduce biblical quotations. According to Allegro, it appears four times in the fragments (1:2, [3], 6:2 and 8:[2]), but 1:3 is | completely reconstructed and should be ignored, at least initially, in our discussion. At 1:2 and 6:2 the reading is **ואשר כתוב**, but 8:2 could be reconstructed as either **ואשר כתוב** or **באשר כתוב**. Since 1:2 cites Isa. 40:11a followed by peshar, followed by citation of Isa. 40:12, it seems clear that the employment of **ואשר כתוב** differs from the use of **כאשר כתוב** which we saw in 4QpIsa<sup>c</sup>.<sup>36</sup> Horgan, however, is sufficiently committed to the intersection of citation formulas and quotations that she suggests that **ואשר כתוב** might be utilized like **ואשר אמר** to introduce a quotation, and that a first citation from Isa. 40:11 should then be restored in line 2.<sup>37</sup> At 6:2, **ואשר כתוב** introduces the citation of Isa. 32:5a, but the fragmentary material preceding the formula does not shed any light on its being an initial citation or a quotation.<sup>38</sup>

Although 4QpIsa<sup>e</sup> is not as anomalous as 4QpIsa<sup>c</sup>, since it does not cite non-Isaianic texts and employs only the one formula as far as we can tell, it too differs from what we have grown accustomed to consider standard peshar style. The surviving textual material in this peshar covers fragments from Isaiah 11, 14, 15, 21, 32 and 40, and is thus certainly not “continuous” in any sense. While this distribution is possibly due to the vagaries of preservation, it could also support the idea that we are not

<sup>36</sup> It is likely that there is a difference in function between the **ואשר כתוב** which should introduce a new citation + interpretation, and **כאשר כתוב** which introduces a citation more closely linked to the previous text. This would appear to be the effect of the latter formula in 1QS 5:17 and 8:14, CD 7:19 and 11:8 (**כי כן כתוב**), and 4QFlor i 2, 12. Dimant, “Pesharim,” 249a, suggests that in the latter **כאשר כתוב** introduces a proof-text which comes from a different book and is then interpreted on a subordinate level. But the usage in 4QpIsa<sup>e</sup> does not seem to maintain that distinction. Cf. Nitzan’s distinctions between **ואשר אמר** and **כיא הוא אשר אמר** (above n. 15). But it is hard to be certain because of the fragmentary nature of the evidence.

<sup>37</sup> Horgan, *Pesharim*, 134. Admittedly, she makes her suggestion tentatively, and then proceeds surprisingly to allow for the possibility of Allegro’s restoration of **ואשר כתוב** before the citation of 40:12 in line 3. If we accept that restoration, we might attribute the citation formula, if it is not a quotation, to the fact that Isa. 40:11b is omitted and the text is not, strictly speaking, consecutive.

<sup>38</sup> Horgan, *Pesharim*, 136, rejects Allegro’s layout of the lines, but notes correctly that there does not seem to be any room for peshar on Isa. 32:5a before the text continues with Isa. 32:5b–7 in lines 3–5. If one of the lines is allowed to be a bit shorter than the others, then the citation formula can introduce the longer quotation of Isa. 32:5–7, At 8:2 where we have the option of restoring **כאשר כתוב** or **ואשר כתוב**, there is absolutely no context or citation present, so no judgment at all can be offered as to the nature of the formula.

dealing with the genre of consecutive pesher as previously understood. Notice once again the | coincidence of citation formulas, possibly for initial citations, and incomplete coherence with all the presumed principles of pesher composition.

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F. 4QpIsa<sup>b</sup>

There remains but one other pesher which contains, indisputably, citation formulas, and that is 4QpIsa<sup>b</sup>. To be sure, the evidence of this text is equivocal at best. Allegro restores i 1–5 as follows:

הסר משוכתו ויהי לבער פר[	גדרו ויהי למרמס אשר
אמר ...	[ פשר הדבר אשר עזבם
	ד[ ואשר אמר יעלה שמיר
ושית ...	{עת ואשר} {ואשר}
אמר ...	[

If he is correct, we have three citation formulas within the narrow compass of five lines introducing initial citations and not requotations. But Allegro's reconstruction is not without its difficulties.

Horgan, following Lane, Carmignac and Strugnell, presents a very different text.

הסר משוכתו ויהי לבער פר[	גדרו ויהי למרמס אשר
אשיתהו בתה לא יזמר ולא יעדר ועלה שמיר ושי[	ת] פשר הדבר אשר עזבם
	ד[ ואשר אמר ועלה שמיר
ושית פשרו	{עת ואשר} {ואשר}
אמר לא יזמר ולא יעדר פשרו	[

Denying that אשר of line 1 contains an interpretation which can only begin in line 2 with פשר הדבר, she takes אשר as a connective between Isa. 5:5 and 5:6. Her restoration thus takes both of the two apparent remaining occurrences of ואשר אמר in column i of this pesher as requotations, despite the fact that the room left for a pesher before the first of the two "requotations" is quite small as a result.<sup>39</sup> |

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<sup>39</sup> Horgan asserts (*Pesharim*, 87) that the interpretations in this pesher were generally very short. But two other slight difficulties confront her reconstruction. First, the line length which it requires in i 2 is 60 spaces, whereas the average length of the first nine lines of column ii is 53.6 spaces, and only ii 4 is as long as 60. Second, her rewriting of the second "requotation" involves a second citation of Isaiah 5:6a $\alpha$ – $\beta$  after the requotation of Isaiah 5:6a $\gamma$ . I believe that this is an unparalleled order, and Horgan herself, 90, is hesitant about the second restoration.

Horgan points out that this text is unusual because it does not follow the biblical text continuously,<sup>40</sup> but does not consider that this irregularity may be linked, somehow, to the employment of **וְאִשֶּׁר אָמַר** to introduce initial citations of a biblical text.<sup>41</sup> We have seen before that non-consecutive pesher at times employs citation formulas. At ii 5–7, the pesher moves, in unbroken text, from Isa. 5:14 to 5:24c. Here we might have expected a formula to aid the transition. Perhaps we might see a linking formula in the words **הֵם אִשֶּׁר** (which are generally employed as a “pesher-formula”), which might be seen as analogous to **כְּאִשֶּׁר כָּתוּב הֵמָּה** or **הֵמָּה מֵאִשֶּׁר אֶת תּוֹרַת ה'** elsewhere,<sup>42</sup> before the citation **ה'**.

If Horgan is correct, we see how much a single pesher text can vary in structure, with quotation and requotation interspersed with commentary in column i, and long blocks of text in column ii with very brief pesher. But would she have insisted on reconstructing 4QpIsa<sup>b</sup> as she did without the influence of 1QpHab? Had she not operated on the assumption that the idiom **וְאִשֶּׁר אָמַר** introduces requotation in pesharim, Horgan might have considered the possibility (as she does at 4QpIsa<sup>c</sup> 8–10 4) that 4QpIsa<sup>b</sup> may be a pesher where **וְאִשֶּׁר אָמַר** does not indicate the presence of requotation, and that the non-continuous citation of the biblical text makes it, quite literally a “non-continuous” pesher, although not a “thematic one”.<sup>43</sup> On the other hand, her claims regarding this | text

<sup>40</sup> Horgan, *Pesharim*, 86–7. Almost all of the text comes from Isaiah 5, but from verses 5–6, 11–14, 24–25, 29–30; the only exception is from Isa. 6:9 at iii 8.

<sup>41</sup> G.J. Brooke, “The Biblical Texts in the Qumran Commentaries,” 92, has also observed this discontinuity in citation within the pesher. Two of the possibilities he suggests which might explain this anomalous feature are “4QpIsa<sup>b</sup>[’s being] really a thematic rather than a continuous commentary or . . . Isa 5:24b–25[’s being] a subordinate quotation in this section of the commentary.” Both of them are too insistent on pesharim adhering to a uniform structure or structures. Not every pesher need be either thematic or continuous; non-consecutive/non-thematic is but one more possibility, and we have observed discontinuous citations which are not subordinate elsewhere.

<sup>42</sup> Or to **עֲלֵיו אָמַר** in 11QMelch or 4QFlor.

<sup>43</sup> Horgan’s remarks are quite sober compared to the bold assertions of W.R. Lane, “Pešer Style as a Reconstruction Tool in 4QPešer Isaiah B,” *RevQ* 2 (1960): 281–3. Lane, writing in an earlier, less nuanced, period of Qumran scholarship, draws precisely the erroneous sort of inference which we are criticizing in this essay, insisting on a sort of uniformity and standardization in pesher style, and writing (281), “At first glance 4QPešer Isaiah b appears to deviate from all the other standard pešarim . . .” in the way it introduces scriptural passages and their interpretations. He asserts in defense of his thesis (282), “It has been clearly shown that in the Habakkuk Commentary this expression [וְאִשֶּׁר אָמַר] never precedes a passage of scripture which is being introduced into the text of the pešer for the first time; rather it precedes a passage which is part of the section of scripture copied into the text above.” He further claims that the evidence of 4QpIsa<sup>a</sup> supports his contention about 4QpIsa<sup>b</sup>, “that this is not an isolated feature of the Habakkuk Commentary.” If all



are not at all implausible, and might be worthy of acceptance despite my reservations.

### G. *Disputed Reconstructions*

Because some of the criteria for the presence of citation formulas and of requotation are unclear, several scholars have restored one or the other in several fragmentary pesharim. Our discussion to this point should have made it clear that pesharim were not monolithic in their employment of these features, and mechanical restoration should therefore be avoided.

#### 1. *1QpMic*

J.T. Milik reconstructed 1QpMic 8–10 1–11 as follows:<sup>44</sup>

בפשע  
 [יעקב כול זאת ובחטאות בית ישראל מה פשע יעקב הלא  
 [שומרון ומה במות יהודה הלא יר[וש]לם ושמתי שומרון  
 [לעי השדה למטעי [פשרו על מטיף הכזב  
 5 [אשר הואה יתעה את ה]פתאים ומה במות יהודה  
 [הלא ירושלם פשרו ע]ל מורי הצדק אשר הואה  
 [יורה התורה לעצת]ו ולכ[ו]ל המתנדבים לוסף על בחירי  
 [אל עושי התורה] בעצת היחד אשר ינצל[ו] מיום  
 [משפט ] לע[ ] ה  
 10 [ואשר אמר ושמתי שומרון ל]עי [ה]שדה  
 [למטעי כרם והגרתי לגי אבניה ויסדיה אגלה וכו]ל [פסי]ל[יה]

Since Mic. 1:5a [בפשע יעקב כול [זא]ת ובחט[אות בית ישראל] has appeared already at 1QpMic 1–5 4–5, we now have three requotations of Micah 1:5–6a in fragments 8–10: of 5a (quoted at 1–5 4–5) at 1–2, of 5b (quoted at 8–10 3) at 5–6, and of 6a (quoted at 8–10 | 3–4) at 10–11. If Milik's reconstruction is correct, we have requotation both with and without citation formulas. We have seen lengthy citation followed by requotation without formula for the purpose of peshar at 4QpIsa<sup>a</sup> 7–10 iii 1–12 (Horgan), and with formula at 4QpIsa<sup>a</sup> 7–10 iii 15–27 (Horgan) and 4QpIsa<sup>c</sup> 6–7 10–17 (Strugnell and Horgan), but this passage seems not to be structured in the same way as any of those.

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pesharim must behave alike and must conform to the outline of 1QpHab, Lane would have had a plausible case. Our assertion is that we must first read these texts independent of such preconceptions, and only then integrate our results into the larger corpus of data.

<sup>44</sup> D. Barthelemy and J.T. Milik, *Qumran Cave I* (DJD I; Oxford: Clarendon, 1955), 78.

Although Horgan has a number of reasons for rejecting Milik's restorations, one of her remarks is somewhat surprising: "This arrangement of the biblical text with at least three second citations in the space of eight lines is awkward."<sup>45</sup> In light of her own treatment of Isa. 11:1–5 at 4QpIsa<sup>a</sup> 7–10 iii 1–12 and its multiple requotation, it is difficult to see her objection here. But Milik's arrangement was challenged by Carmignac and Horgan on other grounds, and she separates the small fragments 8 and 9 from 10, and restores the latter as containing a comment on Mic. 1:5b followed by the citation of 5c + peshar and 6a + peshar.

## 2. 4QpIsa<sup>d</sup>

Although 4QpIsa<sup>d</sup>, alone among the pesharim on Isaiah, did not exhibit any citation formulas, Joseph Baumgarten has made an interesting suggestion regarding line 3 of fragment 1. The fragment concludes its peshar on Isaiah 54:11c **בספירים ויסדתיך** on line 3 with the words **עדת בחירו כאבן** **הספיר בתוך האבנים**. The text breaks off at that point and the next line (4) resumes with the second portion of 54:12a **כול שמשותיך**.<sup>46</sup> But the space remaining on line 3 is too great, as Horgan admits, to contain only the words **ושמתי כדכוד**, the opening words of 54:12a.<sup>47</sup> Baumgarten therefore suggested filling out the line with **ואשר אמר** before the restoration of **ושמתי כדכוד**.<sup>48</sup> Horgan objects that "in the pesharim this formula regularly introduces a second citation or repetition of a portion of the biblical text. Although it is not impossible that this is a second citation, it seems to me very unlikely."<sup>49</sup> But we have seen sufficient variation | to this point in the employment of citation formulas that insistence on this phrase as a requotation should not be necessary. My own reservation regarding this suggestion focuses on the unique treatment of 54:12a between the quotations of 54:11b and 12b, neither of which is introduced by a citation formula. The citations and pesharim are so brief, as well as consecutive, that we can see no demand for the citation formula. One might respond that in this peshar only the beginning of a verse is cited with formula whether initially or as requotation along the lines of the suggestion which we made above regarding 1QpHab 6:2–5 and 12:6–9.

<sup>45</sup> Horgan, *Pesharim*, 56–7.

<sup>46</sup> MT does not have **כול**.

<sup>47</sup> Horgan, *Pesharim*, 128.

<sup>48</sup> J.M. Baumgarten, "The Duodecimal Courts of Qumran, Revelation, and the Sanhedrin," *JBL* 95 (1976): 61.

<sup>49</sup> Horgan, *Pesharim*, 129.



## III. CITATION FORMULAS IN THE “THEMATIC” PESHARIM

## A. Introduction

Having surveyed the distribution of citation formulas and requotations in the pesharim, and having discerned a more complicated pattern in their employment than is generally conceded, we turn for comparative purposes to the practice of other Qumran texts regarding citation formulas.<sup>52</sup> We observe that the identical idioms are employed to introduce biblical quotations elsewhere in Qumran literature as are in the pesharim. We must ask whether the authors of these ancient texts differentiated within the usage of the same idiom between different types of texts, and whether we ought to differentiate if they did not.

Omitting from consideration works such as CD (and its 4Q ancestors), 1QS, and 4QMMT, we find that the other texts which employ citation  
51 formulas fall loosely into the “thematic” pesher | grouping of Qumran material. Of these, we have substantial remains of three which furnish us with comparative data: 4Q174 (Florilegium), 4Q177 (Catena<sup>a</sup>),<sup>53</sup> and 11QMelchizedek, and it is to them that we now turn our attention.

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<sup>52</sup> Since the thematic pesharim usually do not comment on consecutive biblical text, it is probably right not to look for “requotation” in them. Furthermore, we shall not attempt to cover in our discussion texts which are not pesher-like, such as CD, 1QM or 1QS. We can hope for, and perhaps even presume, analogous employment of formulas in the continuous and thematic pesharim, but it might be too much to expect that works which are very different generically should use terminology in the same fashion. It will be interesting to compare the patterns of usage in pesharim and other Qumran texts after each group has been evaluated independently. In the interim, see the recent studies of D. Dimant, “The Hebrew Bible in the Dead Sea Scrolls: Torah Quotations in the *Damascus Covenant*,” in *Sha’arei Talmon: Studies in the Bible, Qumran and the Ancient Near East Presented to Shem-aryahu Talmon* (ed. M. Fishbane and E. Tov; Winona Lake: Eisenbrauns, 1992), 113<sup>\*</sup>–122<sup>\*</sup> and G. Vermes, “Biblical Proof-Texts in Qumran Literature,” *JSS* 34 (1989): 493–508.

<sup>53</sup> Annette Steudel has proposed, following a suggestion originally made by Strugnell “Notes en marge,” 237, in the name of P.W. Skehan, that 4Q174 and 4Q177 are parts of the same work. Since I have not examined her as-yet-unpublished dissertation [*Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMdrEschat<sup>a,b</sup>): materielle Rekonstruktion, Textbestand, Gattung und traditions-geschichtliche Einordnung des durch 4Q174 (“Florilegium”) und 4Q177 (“Catena A”) repräsentierten Werkes aus den Qumranfunden* (STDJ 13; Leiden: Brill, 1994)], I treat these two works separately. It is possible that consonance or dissonance in the use of citation formulas may support or undermine her proposals. In the interim, see her articles cited in n. 27 and n. 55.

B. 4QFlorilegium<sup>54</sup>

4QFlorilegium has as its primary scriptural framework citations from 2 Samuel 7 and the book of Psalms, supported by other biblical verses and interspersed with pesher-type commentary.<sup>55</sup> The issue of frame vs. support is significant for our investigation, because, as we have seen, some scholars have argued that citation formulas are sometimes conditioned by the reason for which a verse is cited in a pesher or similar text. In 4QFlorilegium we find three citation formulas: **כאשר אמר**, **כאשר כתוב**, and **אשר (הוא) כתוב**. The first of these seems to follow an expected pattern in both of its appearances, introducing a subordinated proof-text. Thus at 1-2 i 2-3, following the text of 2 Sam. 7:10, the quotation of Exod. 15:17-18 is introduced with. . . **כאשר כתוב בספר**.<sup>56</sup> Similarly, at 1-2 i 12, | 52 following the pesher on 2 Sam. 7:11-14, we read **כאשר כתוב והקימותי את** . . . **סוכת דויד הנופלת היאה סוכת דויד הנופל[ת א]שר יעמוד** (Amos 9: 11).<sup>57</sup> In 4QFlor, this reference to another biblical book without mentioning its name is unique (cf. the examples of **כאשר כתוב** below).

The sole occurrence of **כאשר אמר** in this text introduces a quotation of 2 Sam. 7:11aβ at 1-2 i 7, after the commentary which followed the quotation from Exodus mentioned in the last paragraph. Brooke finds this to be somewhat problematical because in 1QpHab this formula always

<sup>54</sup> The most comprehensive study is that of G.J. Brooke, *Exegesis at Qumran: 4QFlorilegium in its Jewish Context* (JSOTSup 29; Sheffield: JSOT Press, 1985). I generally follow his reconstruction, and shall use his analysis as a springboard for my own comments.

<sup>55</sup> There is also substantial fragmentary material from Deut 33 in 4QFlor (frags. 6-11). Its citations are not preceded by formulas despite the fact that they are commented upon. Their role or significance in the overall text is unclear. A. Steudel, "4QMidrEschat: 'A Midrash on Eschatology' (4Q174 + 4Q177)," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18-21 March, 1991* (ed. J. Trebolle Barrera and L. Vegas Montaner; STDJ 11; Leiden: E.J. Brill, 1992), 2.534, claims that the Deuteronomy material represents an early portion of the text which "consisted first of a midrash on the blessings of the tribes of Israel (Deut 33), which is subsequently followed by a midrash on the Nathan-prophecy from 2 Sam 7:10-14." I believe that caution is superior to assertions of certitude when too many layers of hypothesis must be imposed upon one another in the reconstruction and interpretation of such fragmentary documents as these.

<sup>56</sup> For the specific nature of the citation from Samuel, see Brooke's remarks, *Exegesis* 97-8. There is some dispute about how to fill in the lacuna at the beginning of line 3, with the name Moses or the Tetragrammaton.

<sup>57</sup> Despite Brooke's remarks (*Exegesis*, 114) I do not believe that it is significant that the same citation from Amos is introduced by **כאשר כתוב** in this text and **כאשר אמר** in CD 7:16. The latter formula occurs only in CD and never in pesher-type texts, as far as I can tell.

introduces a re quotation in a subordinate position to the main text and in CD “it introduces a fresh quotation in a position subordinate to the overall theme but of a different content from that which immediately precedes.”<sup>58</sup> He proceeds to suggest a somewhat complex exegetical rationale for the citation of this verse in a fashion which makes it subordinate to the earlier quotation of 7:10-11α. But since we are not dealing with classic “continuous” pesher, it is quite possible that the term **ואשר אמר** is employed because of the interruption of the sequence of citations from Samuel by the citation from Exodus. Its function would then be resumptive, akin to its employment in the non-consecutive 4QpIsa<sup>c</sup> 8–10 4 discussed above.

Two of the three examples of **אשר כתוב** are fairly certain readings without a conjunction, so that we ought not attempt to restore **כאשר** or **ואשר**.<sup>59</sup> They have in common their appearance in a formula which introduces material from a text other than the one upon which the commentary is focusing: 1–2 i 15 **אשר כתוב בספר ישעיה הנביא לאחרית [ה]ימים**; 1–2 i 16–17 **אשר כתוב בספר יחזקאל הנביא** | 1–3 ii 3 **אשר כתוב בספר דניאל הנביא**;<sup>60</sup> The first passage, beginning a new line where the end of the previous one is missing, poses a problem for any potential editor. Brooke’s tentatively offered reconstruction<sup>62</sup> is **פשר הדב[ר] על [סרי מדרך]** . . . and he renders,<sup>63</sup> “the real interpretation of the matter concerns those who turn aside from the way of [sinners *concerning*] whom it is written in the book . . .” [emphasis mine, MJB]. But the evidence of line 16 **אשר כתוב בספר יחזקאל הנביא** and its positioning of **על** weighs heavier than the poetic usage in Ps. 119:49 **על יחלתני אשר** which Brooke cites<sup>64</sup> for the extraposed **על**. I suggest that,

<sup>58</sup> Brooke, *Exegesis*, 136–7. We have seen that this formula does not *always* introduce re quotation in the pesherim, and that, as a rule, when it does, it introduces a comment on a phrase of the original lemma which has not been commented upon. The use of **ואשר אמר** in 11QMelch also does not fit the model to which Brooke is looking.

<sup>59</sup> Brooke, *Exegesis*, 88, restores **כאשר** in the third passage, and translates, “as it is written” (93). But it is equally likely in the context of the terminology of this document that we are to read **אשר כתוב** **היא** which phraseology is equivalent to **כאשר כתוב** in sense.

<sup>60</sup> According to F. Horton, “Formulas of Introduction,” 512, “[this] is a ‘defective’ KA [*katuv + amar*] formula,” reduced from the hypothetical **אשר כתוב עליהמה בספר יחזקאל הנביא אשר אמר**.

<sup>61</sup> There is another example of this formula in Strugnell’s reconstruction, “Notes en marge,” 223, followed by Brooke, *Exegesis*, 90, where the small fragments 15 and 19 of 4Q174 together seem to form a citation formula **יא הנב[י] עיה יש[פ] בספר יש[עיה]** followed by Isa. 65:22–23.

<sup>62</sup> Brooke, *Exegesis*, 86.

<sup>63</sup> Brooke, *Exegesis*, 92–3.

<sup>64</sup> Brooke, *Exegesis*, 116, 135 n. 95.

accepting Brooke's חטאים, we read פשר הדבר על סרי מדרך החטאים הואה אשר כתוב בספר ישעיה הנביא לאחרית הימים ויהי כחזקת יד יסירני מלכת הזה בדרך העם הזה, with הואה referring to דרך, and that we understand the following והמה אשר כתוב עליהמה בספר יחזקאל הנביא as referring to סרי מדרך החטאים.<sup>65</sup> Both of the המה/הואה אשר כתוב citations, then, are directly subordinate to the original pesher on Ps. 1:1, and are analogously introduced with pronoun + אשר כתוב.

The nature of the citations from both Ezekiel (1–2 i 16) and Daniel (1–3 ii 3) raises an interesting question: can paraphrases, as opposed to citations, of biblical texts be introduced by the citation formulas which we are discussing?<sup>66</sup> The reconstruction of the | Ezekielian verse by Strugnell<sup>67</sup> 54  
האשר לו [א יטמאו עוד בכול] גלוליהמה but does not coincide with it (or with any ancient version of it which we possess). Although the deviation from the known text of Ezek. 37:23 consists only in בכול, and might very well represent a variant text or an unconscious leveling with Ezek. 20:31 or 36:25 which read כל גלוליהמה, such a simplistic explanation cannot be given for the reconstructed citation from Daniel. It reads [רשעים ולוא יבינו] וצדיקים י [תבררו ויתלבנו] להרשיע ויצטרפו ועם יודעי אלוה יחזיקו and thus consists of an out-of-order and slightly rewritten Dan. 12:10 followed by an inexact phrase from 11:32.<sup>68</sup> If אשר כתוב can be followed by paraphrases of a biblical text in this fashion, we may have to reconsider our interpretation of a variety of other passages, both in terms of postulating variant readings of biblical texts and references to pseudo- or non-existent biblical verses.<sup>69</sup> A fuller investigation of this phenomenon is desirable.

<sup>65</sup> Brooke's reasoning that דרך חטאים is implied in the partial citation of Ps. 1:1 is, I believe, sound. It is not fully clear in his reconstruction whether the antecedent of אשר is דרך or חטאים.

<sup>66</sup> Brooke (*Exegesis*, 117) presumes the answer to this query to be negative, writing, "and such an introductory formula is usually followed by an exact quotation—or else it is no support—even if later that quotation receives some radical treatment in exegesis." J.M. Baumgarten has recently dealt with this issue in conjunction with 4Q266 and 4Q270 in "A 'Scriptural' Citation in 4Q Fragments of the *Damascus Document*," *JJS* 43 (1992): 95–8. He suggests (97) that כתוב can be followed by "not a quotation in the literal sense, but the product of the interpretation applied by the Qumran exegetes to a combination of scriptural passages." This view goes even farther than my hypothesis regarding paraphrases.

<sup>67</sup> "Notes en marge" 222, followed by Brooke.

<sup>68</sup> I cannot understand Brooke's insistence (*Exegesis*, 124–25) that Dan. 11:35 is somehow involved in this passage. There is nothing in the text which cannot be derived directly from either Dan. 12:10 or 11:32. Even the forms of the analogous roots ברר, צרף, and לבן which occur in 11:35 are unlike the ones in 4QFlor which are modeled strictly on 12:10.

<sup>69</sup> Cf. the problem which Brooke raises (*Exegesis*, 97–8) when noting that the "citation" of 2 Sam. 7:10 in 1–2 i 1 does not coincide with any known text type.

C. 4Q177 (*Catena*<sup>a</sup>)

This pesher-like text is very fragmentary and we cannot be certain of the sequence of its columns.<sup>70</sup> It appears to be focused on a number of texts from near the beginning of the book of Psalms, but integrates a variety of (primarily) prophetic texts and intersperses all of them with pesher-interpretation. In order to study the function of citation formulas in this kind of text, some assessment of its sequence is necessary. For the purpose of our discussion, we shall accept Strugnell's revisions of Allegro's |  
55 reconstruction and refer to them as follows: fragments 12–13 = I; 5–6 = II; 7–9–10–11–20–26 = III; 1–2–3–4–14–24–31 = IV.<sup>71</sup>

Since we do not possess the beginning of this text, we enter it *in medias res*, as it were, with what appears to be a quotation or stylistic paraphrase of Jer. 18:18 מְנַיָּא [וְהֵן וְעֵצָה מִחֶכֶם וּדְבַר] [וְאֵבֶד].<sup>72</sup> It is followed, after a few words, at 12–13 i 2 by אֲשֶׁר אָמַר דֹּוִיד followed by a citation of Ps. 6:2–3 and sectarian-type commentary. What appears strange is the absence of a conjunction, either וּ or כִּי, or the pronoun הוּא, before אֲשֶׁר, which would link it to, or disconnect it from, the preceding text. But we cannot be certain about the omission of the conjunction due to the fragmentary nature of the MS. If the central focus of our document is a series of Psalms, we would not expect selections from those texts to be introduced by citation formulas except under unusual circumstances. Unfortunately, even if Strugnell's suggestion for the end of line 5 is accepted and

<sup>70</sup> Allegro published 30 fragments in DJD 5,67–74, and their numeration remains his. Strugnell in "Notes en marge," 236–48, in addition to identifying four further tiny fragments, made substantial improvements in the disposition as well as the reconstruction of the fragments. 4Q177 was recently re-studied by A. Steudel in the articles cited above, nn. 27 and 55, as well as in her dissertation, and I shall address several of her observations and suggestions.

<sup>71</sup> Steudel, "4QMidrEschat," 532, n. 10, asserts that the following was the relationship of the columns of the original text to the fragments which we have: "Col. VIII: frg. 5, frg. 6, frg. 8; col. IX: frg. 11, frg. 10, frg. 26, frg. 9, frg. 20, frg. 7; col. X: frg. 2, frg. 24, frg. 14, frg. 3, frg. 4, frg. 1, frg. 31; col. XI: frg. 19, frg. 12, frg. 13, I, frg. 15; col. XII: frg. 13, II." I am more compelled by the likelihood that 4Q177 (and perhaps 4Q174) was following the order of the biblical book of Psalms than by hypothetical ordering of very fragmentary texts and, therefore, do not accept Steudel's ordering which places 12–13 at the end rather than the beginning. Strugnell writes ("Notes en marge," 245) that his relative placing of 5–6 and 12–13 is "sans doute."

<sup>72</sup> It is hard to know whether the fragmentary words should be treated as a quotation. There does not seem to be much room after it for any kind of comment, and it may be the sort of secondary subordinate citation which we have seen in the texts examined earlier. One of the issues which 4Q177 raises more sharply than any other text we have examined is that of citation vs. stylistic borrowing. We shall see that a number of the quotations in this fragmentary text are not preceded by citation formulas and/or not followed by interpretation.



Ps. 6:6 represented by [במות זכרך... / כי]א אין is restored, the citation formula, if there was one, stands in a lacuna.

Group II of the fragments (5–6) has a fairly clear citation from Isa. 37:30 in its second line and the word ביא[הנ before the quotation makes it likely that a citation formula preceded it.<sup>73</sup> The | commentary which follows leads to a subordinate citation in line 5 המה /ב/ואשר כתוב עליהם בספר 5 ]י[הנב...יא תורת ההו] כאשר [כתוב עליהם] or כאשר [Allegro] אשר [אמר...].<sup>74</sup> This is followed in line 6 by a citation from Isa. 32:7 which is apparently introduced with... כאשר [כתוב עליהם] or כאשר [Allegro] אשר [אמר...].<sup>75</sup> We cannot tell the relationship of these citations, i.e., their co-ordination or subordination. It appears that, even if Psalms is the frame around which 4Q177 is structured, it ranges far and wide beyond Psalms in its citations and interpretations.

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The fragment returns to Psalms at line 7 with 11:1 without any indication of (or room for) an introductory formula. It is possible that it existed in the preceding lacuna, but it is more likely that citations of opening verses of Psalms do not receive formulas (cf. line 12 where Ps. 12:1 is quoted following a *vacat* and 1–4+ line 4 where 17:1 appears with no formula). Line 9 seems to have a subordinate citation formula according to both Allegro and Strugnell. The latter restores<sup>76</sup> פשר והמה אשר כתוב עליהם בספר because... ה[נביאים] he believes that Mic. 2:10–11 follows. That a citation formula

<sup>73</sup> Strugnell ("Notes en marge," 241) puts an entire citation formula בספר ישעיה הנביא in the preceding line, but allows for the possibility of another reading. He offers no correction to Allegro's ביא[הנ in line 2. אשר יאמר does not occur as a citation formula, as far as I can tell, in any published Qumran text, and Strugnell's reconstruction of אשר יואמר as a citation formula in 1–4 + 14 of our MS is not sufficiently clear to serve as a model for these lines. I should therefore rather suggest אשר כתוב בספר אשר יואמר at the end of line 1 and the beginning of 2. As a result, I prefer Allegro's פשר והמה אשר כתוב עליהם בספר. אשר אמר[ה] השפיה הו[ה] הדב[ר] השפיה הו[ה] האה to Strugnell's אשר אמר[ה] השפיה הו[ה] הדב[ר] השפיה הו[ה] האה.

<sup>74</sup> Once again, we could read אמר for כתוב, although subordinate citations tend to be introduced by כתוב rather than אמר. This point is made explicitly by Steudel, "Eschatological Interpretation," 477. Strugnell ("Notes en marge," 241), for no apparent reason, suggests that רמיה be read, and assumes that the citation was in the lacuna, in order to avoid the difficulty of the words following the citation formula not being recognizable as biblical. Once again, we confront the possibility of citation formula followed by paraphrase or (less likely) of reference before formula.

<sup>75</sup> Strugnell's restorations in this column are considerably longer than those of Allegro. The fact that, as noted earlier, כאשר אמר seems not to be employed elsewhere in pesher-type texts effectively weakens Allegro's restoration, but cf. the use of אשר אמר in 11QMelch.

<sup>76</sup> "Notes en marge," 242.

is appropriate appears to be true, but Strugnell's nomenclature for the Minor Prophets is unparalleled, to the best of my knowledge.<sup>77</sup>

Another explicit subordinating formula is to be found in line 11, אשר [ ] כתוב עליהם בספר, although we cannot know anything about its contents. Finally, line 15 of frag. 5–6 contains an apparent citation of Isa. 22:13 הרוג [ ] בקר ושחוט צואן א[כול בשר] without a surviving formula, although there certainly is room for one to be restored. Thus, in the 16 surviving, very  
57 fragmentary, lines of 5–6 we have | five likely citation formulas (1–2, 5, 6, 9, 11) in addition to the “unintroduced” quotations of Ps. 11:1 and 12:1, and Isa. 22:13.

Group III of the fragments [7–9–10–11–20–26] apparently begins with a citation of Ps. 12:7 of which the final words are שבעתים מזק[ק] followed by כאשר כתוב and what resembles a quotation of Zech. 3:9.<sup>78</sup> The next line concludes with אשר עליהם כתוב ורפאתי את [א], seemingly a citation formula, but without indicating the source of the quotation and not citing a recognizable biblical text.<sup>79</sup> Again we ask whether citation formulas need to be followed by verbatim quotations.

Before the citation of Ps. 13:5 פן יאמר איבי יכלתיו 5:13, Strugnell reads<sup>80</sup> אשר [א], which he renders<sup>81</sup> “as for what it s]ays ‘lest . . .’” It appears that he is restoring ואשר אמר, although not explicitly. If Strugnell is correct, then we have another unusual instance of ואשר אמר introducing a citation from a work under scrutiny. Can the skipping of 13:4 without comment be the reason, with the formula being resumptive? The final citation formula in this group was reconstructed by Strugnell as אשר כתוב בספר יחזקאל [אש] followed by ה[נהב] יהודה ככול העמ[י] [א], a form of Ezek. 25:8 (MT הגנהב). Once again, is it citation or paraphrase? In sum, all

<sup>77</sup> Could it possibly be ה[נהב] נביאים שנים עשר, or even ה[נהב] שנים עשר? Cf. Ben Sira 49:13 וגם שנים עשר הנביאים.

<sup>78</sup> The surviving text includes ה[נהב] תחת תוחה נואם ה[נהב] which does not quite match MT's ה[נהב] תחת תוחה נואם ה[נהב]. Might this be another possible example of paraphrase or inexact citation following a citation formula if it does not represent a variant text tradition of Zechariah? Strugnell (“Notes en marge,” 244) suggests that a feminine form modifying תוחה indicates that the latter is a feminine noun with no suffix as in LXX.

<sup>79</sup> The only biblical verse which might “generate” the citation seems to be Hos. 7:1 ורעות שמרון אשר ישראל ונגלה עון אפרים ורעות שמרון which shares the term עון with Zech. 3:9. Even granting the imaginatively rewritten citation, however, the connection between the verses is rather less than tenuous.

<sup>80</sup> “Notes en marge,” 243.

<sup>81</sup> “Notes en marge,” 244.

certain citation formulas in this segment are of the **אשר כתוב** variety, and all apparently introduce prooftexts from books other than Psalms.<sup>82</sup>

Group IV of the fragments which appears to come last in the reconstruction of this text (1–4, 14, 24, 31) seems to contain half a | dozen biblical citations but far fewer citation formulas. Deut. 7:15 seems to be cited as a prooftext (or stylistic imitation) in line 2, but its connection with the “citation formula” **אשר יואמר** must be considered dubious.<sup>83</sup> The citation of Ps. 16:3 is, unsurprisingly, “unintroduced,” but there also does not seem to be room for a formula, according to Strugnell’s positioning of the fragments, before Nah. 2:11 in line 3. Once again, we ask whether it is a prooftext or stylistic borrowing.

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Ps. 17:1 is quoted without a break from the previous text in line 4, followed, it appears, by several lines of comment,<sup>84</sup> and the next citation formula is **אשר כתוב עליהם באחרית** in line 7. Whether or not it is followed by **פוח[זים] נביא** of Zeph. 3:4, we note that we have here an **אשר עליהם כתוב** formula which is not followed by the name of the prophetic book being quoted.<sup>85</sup> In line 13, Hos. 5:8 is cited and clearly commented upon, but no citation formula precedes it. Finally, this column breaks off with the citation formula **ואשר אמר**. Despite Strugnell’s translation,<sup>86</sup> “they are the sword, *as it says* [ . . . ,” **ואשר אמר** does not function as **כאשר כתוב** and must introduce a now lost citation which followed it. Perhaps it returned to a citation from Psalms which, although the apparent base text

<sup>82</sup> If line 16, in Strugnell’s reconstruction, cites a form of Jer. 4: 4 **והסירו ערלות לבבכם**, it is not clear whether there is room for a citation formula to precede it. It may, moreover, be stylistic imitation rather than citation. There is no good reason to restore Ps. 5:10 at the beginning of line 6 with Steudel, “4QMidrEschat,” 533. The words **כיא אין** are too common to point to the reconstruction, and it appears that the order of Psalms is followed in this text (or texts, according to Steudel).

<sup>83</sup> Strugnell (“Notes en marge,” 240) renders, “as He sa[ys. . . .]” There appears to be room for at least thirty letters between this “formula” and the quotation of Deuteronomy according to Strugnell’s column width, and nothing in Deut. 7:15 or the verses preceding presents an obvious association with the fragmentary remains of line 1. Furthermore, as we noted above, **אשר יאמר** as a citation formula is unattested elsewhere. Steudel, “Eschatological Interpretation,” 477 n. 13, claims that Deut. 7:15 is to be read together with Ps. 16:3, but I can see no grounds for this beyond mere proximity.

<sup>84</sup> The appearance of **פשר הדבר** in line 6 may indicate the presence of a citation in the lacuna which precedes it. Nothing in the surviving peshet recalls Ps. 17:1, but the associative principles of the Qumran peshet writers may be more subtle than our own comprehension of them.

<sup>85</sup> Cf. the citation from Amos 9:11 in 4QFlorilegium and the unidentified quotation in III 3 above.

<sup>86</sup> “Notes en marge,” 241.

of the work, has been out of sight in the extant fragments of this column since line 4.

59 Synthesizing the results of our survey of this very fragmentary MS, we observe that the formula **הנביא \_\_\_\_\_ בספר אשר כתוב** may have appeared as many as seven times in the extant portions of the text. Two other, similar formulas do not identify the source of their citation. As far as we can tell, none of these is employed to introduce | quotations from the base text, Psalms, and we may surmise that, as we have seen elsewhere, they introduce subordinate prooftexts. On the other hand, it is striking that two (Nahum and Hosea at IV 3 and 13 respectively), and perhaps more (Deuteronomy at IV 2 and Isaiah at II 15), citations which do not derive from Psalms are introduced with no formulaic introduction.<sup>87</sup> No conclusions are to be drawn from such fragmentary data deriving from such fragmentary documents as these, but these cases serve as yet another indicator that we do not fully understand all the compositional techniques employed by the authors of these texts.

Of the seven citations from Psalms 6–17 in 4Q177, four are not introduced by citation formulas: 11:1 at II 7, 12:1 at II 12, 17:1 at IV 4, and 13:2–3 at III 8.<sup>88</sup> But 6:2–3 at I 2 is introduced by **אשר אמר דויד**, and 13:5 at III 11 is introduced by **ואשר אמר** according to Strugnell. Furthermore, the last words of IV 16 **ואשר אמר** ], as we have suggested, probably introduce a further citation from Psalms. Since requotation is hardly likely to be the reason for the formula in any of these, we must acknowledge that the employment of **ואשר אמר** must be explained in some other fashion.<sup>89</sup>

Finally, on the basis of citation formulas alone, it is difficult to take a position on the question of whether 4Q174 and 4Q177 constitute one work or two. The similarity in their formulas is just that, similarity. Both employ **כאשר כתוב** and **אשר כתוב בספר \_\_\_\_\_** terminology; both occasionally cite without naming the source text; both employ **ואשר אמר** to cite their main text; both seem to cite inexactly following the formula **אשר כתוב**; only 4Q177 cites other prophetic texts without citation formula.<sup>90</sup>

<sup>87</sup> The Nahum and Hosea citations suffice, I believe, to dismiss Steudel's claim, "4QMidrEschat," 534, "The citations from prophets . . . are always introduced by **כתוב**-formulas."

<sup>88</sup> The last citation has room for a formula before it, especially if the previous comment concludes at the end of the preceding line. About 12:7 at III 1, no guess is possible.

<sup>89</sup> As noted above, we do not agree with Strugnell who sees an additional citation formula **אשר יאמר** at II 1 and IV 1.

<sup>90</sup> Steudel, "4QMidrEschat," 534 observed that in both texts psalm-quotations, when introduced, are preceded by an **אמר**-formula, while prophetic texts are introduced by a **כתוב**-formula. She further points out, n. 14, that the "elaborated form of **כתוב**-formula that

What can surely be said | is that their use of citation formulas is sufficiently analogous as not to stand in the way of their identification on other grounds. 60

#### D. 11QMelchizedek

The citations in 11QMelchizedek employ both the familiar **ואשר אמר** and **כאשר כתוב** citation formulas, as well as a new one, **ועליו אמר**. In order to ascertain the mode of these usages, we must first understand something about the nature of the document.<sup>91</sup> 11QMelch does not maintain its stance within a single biblical text; at the same time, however, it appears to be built around several biblical passages, and its focus is their prediction-fulfillment interpretation. One of the interesting questions which might arise apropos of the discussion of citation formulas has to do with what we have been calling the “base text” or “frame text.” Depending on which text or texts we judge to be playing that role, we may draw varying conclusions about the employment of citation formulas. Milik claimed that Lev. 25:8–22 is the scriptural basis of 11QMelch, but M.P. Miller, followed by his teacher J.A. Sanders, argued that Isa. 61:1–2 (also) stands behind it.<sup>92</sup>

Column ii 2 begins with a citation of one of these texts, Lev. 25:13, introduced by **ואשר אמר**. Since re-quotatation is unlikely to be the function of this phrase in a non-continuous pesher, its function here is probably to return to the main text under consideration and to cite a new portion for comment. The final citation formula in 11QMelch at ii 25 is also **ואשר אמר** **ואשר אמר** [א]רץ, quoting Lev. 25:9. A citation from one of the major texts under consideration is again introduced with this formula.<sup>93</sup>

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contains both the addressee of the quotation . . . and the origin of the quotation” is found only in 4Q182 outside of 4Q174 and 4Q177. She is fundamentally correct, but cf. **כאשר כתוב** **ואשר אמר** **בשירי דויד אשר אמר** in 11QMelch ii 9–10.

<sup>91</sup> The most recent thorough treatment of 11QMelch is E. Puech, “Notes sur le Manuscrit de XIQMelchisedek,” *RevQ* 12 (1987): 483–513. See 483–84, nn. 1–4, for a listing of earlier analyses. I shall generally work with his textual reconstruction, but shall occasionally accept the reconstructions of other scholars.

<sup>92</sup> J.T. Milik, “Milki-šedeq et Milki-reša’ dans les anciens écrits juifs et chrétiens,” *JJS* 23 (1972): 124. M.P. Miller, “The Function of Isa 61 1–2 in 11QMelchizedek,” *JBL* 88 (1969): 467–9. It should be noted that when Miller wrote, he did not have any of Milik’s excellent re-readings of the *editio princeps* available to him. J.A. Sanders, “The Old Testament in 11QMelchizedek,” *JANESCU* 5 (1973): 373–82 was able to employ Miller against the background of Milik and to argue for both the Leviticus and Isaiah material as the scriptural base of 11QMelch.

<sup>93</sup> I am tempted to write *the* major text, but the fragmentary nature of the MS precludes such certainty.

- 61 The reason | may be the long interval since this passage was discussed at the beginning of column ii, but the formula might alternatively serve to introduce a requotation or an out of order quotation. Since ii 2 cites Lev. 25:13, then a continuation at ii 25 with Lev. 25:9 is either a requotation of a verse which may have been cited in column i, or a rearrangement of the scriptural material for the purposes of pesher. In the former case, **וְאִשֶׁר אָמַר** serves its old familiar function as a requotation formula, as in some of the pesharim, while in the latter possibility, it serves to introduce a relevant, but non-consecutive, biblical text for comment.

Following the interpretation of Lev. 25:13 and Deut. 15:2 (cited immediately after it),<sup>94</sup> we find a citation of Ps. 82:1 introduced by the double formula **כִּאֲשֶׁר כָּתוּב עָלָיו בְּשִׁירֵי דָוִד אֲשֶׁר אָמַר** (ii 9–10). It appears that once again **כִּאֲשֶׁר** precedes a subordinated citation, and we should probably render **אֲשֶׁר** here as “who said,” rather than “it says.” The latter is not, technically speaking, a citation formula. This citation is followed without comment, by **וְעָלָיו אָמַר**, and a citation of Ps. 7:8–9 (ii 10). The latter, hitherto unattested formula appears also to introduce a secondary following quotation wherein the second verse interprets the first; the connection in this case is quite clear. This formula is equivalent to **עָלָיו \_\_\_\_\_ אָמַר**, where the blank can be filled in with the name of a biblical figure, and is perhaps used here because both quotations come from the same biblical book (Psalms). I believe that we should therefore render, “and regarding him/it, he [David] says.”

- The citation formula **וְאִשֶׁר אָמַר** is employed in the ensuing citation of Ps. 82:2 (ii 11), and the citation is followed by an interpretation beginning with **פֶּשֶׁרוֹ**. I believe that **וְאִשֶׁר אָמַר** is used here for the resumption of a consecutive text (Psalm 82) when other texts (Psalm 7) have been quoted in between (cf. my earlier suggestions regarding 4QpIsa<sup>c</sup> and 4QFlorilegium). The function of **וְאִשֶׁר אָמַר** in this case may be somewhat different from the other two in this | column as I have interpreted them, because those involve a text around which the document is structured while the third one does not.

<sup>94</sup> An introductory formula before Deut. 15:2 is missing, and Puech restores a subordinating **כִּאֲשֶׁר כָּתוּב**. But it is striking that all of the **כִּאֲשֶׁר כָּתוּב**-type formulas in 11QMelch (except ii 23 which is a requotation) are of the **עָלָיו כִּאֲשֶׁר כָּתוּב** variety, and this throws some doubt on Puech's reconstruction although it by no means refutes it. If a citation formula is to be demanded, P. Kobelski's **וְעָלָיו אָמַר** is more in keeping with the usage of 11QMelch (*Melchizedek and Melchireša'* [CBQMS 10; Washington, D.C.: Catholic Biblical Association, 1981], 5). We also omit from our discussion Puech's restoration **אֲשֶׁר אָמַר** in ii 4, because it is not compelling, although it is possible.

In introducing a long secondary reference to Isa. 52:7, we find a double idiom like the one which introduced Ps. 82:1 earlier [הואה יום ה[שלום א- שר אמר] אל עליו לפנים בדברי ישע]יה הנביא אשר אמר [מה] נאוו על הרים רגלי מבש[ר מ]שמיע שלום מב[שר טוב משמיע ישוע]ה [א]ומר לציון [אלהיד] אשר אמר \_\_\_ עליו/עליהם<sup>95</sup> The phrase “regarding whom it/X states”, like ועליו אמר, functions very much like a subordinating formula such as כּאשר כתוב בספר<sup>96</sup> and the second אשר אמר is probably to be rendered “who said” as above line 10.<sup>97</sup>

In the pesher which follows, the מבשר of the Isaiah verse is identified with a figure in a text from Daniel whose citation falls in a lacuna (ii 18) והמבשר הו[א]ה מ[שיח הרו]ח [א]שר אמר דנ[יאל עליו] עד משיח נניד שבועים כּאשר כתוב בספר \_\_\_ כּאשר אמר עליו, behaves like כּאשר כתוב בספר<sup>98</sup> Once again, כּאשר כתוב expression (without בספר) occurs in ii 23, in the requotation of a portion of Isa. 52:7 which had already been quoted at ii 16 כּאשר כתוב עליו [אומר לציון] מלך אלהיד<sup>100</sup> Unfortunately, the previous sentence to which this clause | is brought as support is lacking, so we cannot be certain of the exegetical logic which connects them. Perhaps in

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<sup>95</sup> Text according to Puech, although there is no reason for לפנים other than filling space.

<sup>96</sup> When the name of a prophet follows אמר, as in line 18 below, this phrase is the rough equivalent of כּאשר כתוב עליו בשירי דויד אשר אמר. Thus כּאשר כתוב בספר \_\_\_ is formally paralleled by אשר אמר אשר אמר אשר אמר. The term בספר is always preceded by כתוב, never by אמר.

<sup>97</sup> Horton (“Formulas of Introduction” 513) is puzzled by the presence of the first אמר, writing “were we to substitute the word KTWB for the first MR in this formula, we would have before us a perfect example of the KA-paradigm, a cKLSA formula similar to the cKLSA formula to be found in 11QMelch I, 9–10.” Once again, his analysis is excessively rigid. It is not clear to me how we should distinguish between אמר על-type formulas and אמר כתוב על-type. The former seems to emphasize the “sayer” and the latter the book, but further refinements of the pattern are as yet obscure. Cf. אשר אמר דויד at 4Q177 I 2 with אשר אמר עליו בשירי דוד in 11QMelch. It may be noteworthy that the אמר על formula does not occur in any of the “pesher-type” texts other than 11QMelch, while it does occur in CD.

<sup>98</sup> Puech and Milik both restore Dan. 9:25 in the lacuna, probably on the basis of משיח earlier in the line.

<sup>99</sup> We must note that in both of these passages the preposition על + suffix occurs in the reconstruction of the lacuna, but the existence of such formulas at Qumran is demonstrated by CD 4:15 and 8:9.

<sup>100</sup> In line 19, Milik, Puech, Kobelski, and Fitzmyer all read [תו]ב עליו אשר. PAM 43.979 is not clear enough in the microfiche for me to decide on the correctness of this reading. Moreover, the expected usage at Qumran is אמר כתוב rather than (the somewhat ungrammatical) הכתוב of which there is no other example. This anomalous example of “citation formula” is therefore excluded from our discussion. (Kobelski, *Melchizedek*, 21–22, attempts to vindicate the syntax.)

this document **כִּתּוּב אֲשֶׁר** without specified source is used for requotation brought as proof-text.

11QMelch, like 4Q174 and 4Q177, is thus “rich” in citation formulas, but seems to prefer constructions with **אָמַר** to those with **כִּתּוּב**. This makes it likely that we should restore [אָמַר עֲלֵיהֶמָּה לְקִרְוֵא לְשִׁבּוּיִים דְּרֹר] **אֲשֶׁר** in ii 4 with Milik and Puech, rather than **כִּתּוּב אֲשֶׁר**. It is clear further that the “thematic pesharim” share this phenomenon of varied citation formulas more with 4QpIsa<sup>c</sup> than with any other continuous pesher.

#### IV. EARLIER TREATMENTS OF THE SUBJECT

Earlier discussions of the issues of citation formulas and requotation (and their intersection) suffer from a combination of flaws, theoretical and practical. From the former perspective, too much weight is placed on 1QpHab as a model, on the existence of exactly two kinds of pesharim, and on the need for pesharim to behave rather monolithically. As a result, citation formulas and requotation are believed to go hand-in-hand. This comfortable and reasonable theoretical construct is then strengthened by a kind of circular reasoning which interprets and reconstructs the data of the fragmentary texts of the pesharim so that citation formulas will accompany requotations. The texts have not been carefully re-read without preconceptions, so that the possibility of modifying the rigid pattern which the pesharim are supposed to fit does not seem to have occurred to the few scholars who have dealt with this material in any detail. In this area, the generalizations of the early period of Qumran scholarship, based on the limited data available to it, have not been re-examined. Before proceeding to the conclusions of our comprehensive investigation, we turn to a brief consideration of several earlier perspectives of the topic. They have been chosen because they cover a span of more than a quarter century of scholarship, and because of the typicality of their positions, not their uniqueness.

- 64 | Horton’s discussion of “formulas of introduction,” (above, n. 7) which does not involve at all the issue of requotation, is overly formalistic, and has its value further vitiated by the indiscriminate collection of data from continuous and thematic pesharim as well as CD. Whereas an ultimate goal should certainly be the collection and classification of citation formulas throughout Qumran literature, at preliminary stages the patterns of usage in each document, and then in each “genre,” must be analyzed. It is likely that the same formulas may be employed in different kinds of documents with different functions. The nature of pesharim is different



from that of CD or MMT, and we ought not expect uniformity of formula use. As a result, Horton constructed his very theoretical edifice of citation formulas and their historical development on a very shaky foundation.

Fitzmyer, writing about the **וְאִשֶּׁר אָמַר** formula, asserts a difference between its employment in the pesharim and in CD, “for a formal commentary is being written in the *pesharim*, and this formula is used to reintroduce a portion of a verse already fully quoted in order to comment on it.”<sup>101</sup> No variation seems to be admitted. His student Horgan, who, as we have seen in the course of our analysis, is strongly committed to the “citation formula implies requotation” theory, notes in her summary of formulas introducing lemmas that there are citation formulas introducing *initial* citations in 4QpIsa<sup>c</sup> and 4QpIsa<sup>e</sup>. She stresses that these two commentaries differ from the others in the variety, as well as the usage, of formulas.<sup>102</sup> But she thereby eliminates half of the continuous pesharim outside of 1QpHab which employ formulas! We are left with formulas employed for re-citation in 1QpHab and 4QpIsa<sup>a</sup>, and, probably, 4QpIsa<sup>b</sup>.<sup>103</sup> In her comments on 4QpIsa<sup>c</sup>, Horgan further observes the similarity of the technique which cites other works in this pesher to that of the thematic pesharim, but does not associate with it the utilization of common citation formulas.<sup>104</sup>

| Dimant, having described in some detail the structural elements, including requotation, of 1QpHab, writes, “The above formal patterns are employed with slight modifications by all continuous pesharim . . . with a single exception: 4QpIsa<sup>c</sup>, which omits comment on some of its main Isaiah text, contains quotations from Jeremiah and Zechariah.”<sup>105</sup> She apparently is unconcerned with the diverse employment of citation formulas in some of the continuous pesharim. Dimant does, however, note the employment of **כִּאֲשֶׁר כָּתוּב** in the thematic pesharim to introduce quotations from books other than the main text, calling it “a typical introductory formula for scriptural prooftexts.”<sup>106</sup> But she does not link to, or differentiate from, such treatment the utilization of similar language in 4QpIsa<sup>c</sup> or 4QpIsa<sup>e</sup>.

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<sup>101</sup> Fitzmyer, “The Use of Explicit Old Testament Quotations,” 10–11. He does not make such assertions for **כִּאֲשֶׁר כָּתוּב** or **וְאִשֶּׁר אָמַר** (pp. 8–9). It is not clear whether Fitzmyer’s view of **וְאִשֶּׁר אָמַר** is meant to include its function in “thematic” pesharim as well.

<sup>102</sup> Horgan, *Pesharim*, 243, n. 53.

<sup>103</sup> The presence of requotations in 4QpIsa<sup>c</sup> is highly debatable, and Horgan’s presumptions about their presence are predicated on a tenuous theoretical foundation.

<sup>104</sup> Horgan, *Pesharim*, 95.

<sup>105</sup> Dimant, “Pesharim,” 249a.

<sup>106</sup> *Ibid.*

## V. CONCLUSIONS

A. *Shifting Paradigms and the Significance of Firstness*

Let us return to that theoretical question with which we began. What if the sequence of discovery and publication of the Qumran pesharim had not begun with 1QpHab? What if we would have confronted first such works as 4QFlorilegium and 4QCatena<sup>a</sup>, which employ citation formulas and where we find citations of a variety of biblical texts, unconnected except by their theme or some other authorially determined element? What if we then were to have read all the “continuous” pesharim which have neither quotation formulas nor requotations? What if we then met those pesharim which employ citation formulas, but without requotation? What if only then we were to find 1QpHab with its obvious use of citation formulas and overt requotations? Would we not consider its practice the unusual one when compared with the others studied earlier? Would we not be surprised by the fact that only it and 4QpNah are pesharim on near-complete biblical books? Might we not perhaps have been led to a somewhat different classification and grouping of texts which we now call pesharim, Florilegium, and Catenae?

66 In such an event, without the model of 1QpHab, we might have been more sensitive to or aware of the way in which the employment | of citation formulas in a peshar could be related to several factors, such as the citation of non-consecutive passages from a single biblical book or the introduction into a peshar of quotations from several biblical books. We should not then have looked only to requotation as the generative force behind the citation formula. Would the dividing line which Carmignac made between *peshar continu* and *peshar thématique* have fallen in the same place? If one accepts, for a moment, the temporary suspension of reality involved in this little scenario, one becomes aware immediately of the immense impact which the mere *firstness* of 1QpHab has had on all later discussions of pesharim.<sup>107</sup>

From a less theoretical standpoint, if we had not had other continuous pesharim with which to compare them (particularly 1QpHab, *primus inter pares*) we might have been content to classify two or three of the pesharim of Isaiah from several vantage points with 4Q174 (Florilegium)

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<sup>107</sup> Although I perhaps have overstated somewhat my imaginary conclusions from the reversed orders of publication, the fundamental point, I believe, is sound.

and 4Q177 (Catena<sup>a</sup>).<sup>108</sup> What is particularly striking is that these other texts are not only “non-continuous-peshar” texts which employ the term פֶּשֶׁר, but they also share with the Isaiah pesharim the terms אִשֶּׁר אָמַר and אִשֶּׁר כָּתוּב. We should merely have noticed that, since the manner of citation of these Isaiah pesharim resembles that of the documents which collect citations from a variety of biblical books (except that unlike the others, the Isaiah pesharim cited from only one book<sup>109</sup>) they could just have easily been called florilegia from Isaiah, if we demand that pesharim, strictly speaking, comment on consecutive text. Our first claim, that of the inappropriate primacy of 1QpHab in the study of the pesharim, has thus been demonstrated.

| B. *Peshar Technique and Peshar Genre:  
Towards a More Nuanced Classification*

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Can we, however, on the basis of our observations, replace or adjust the overly facile classification of the pesharim to which we have become accustomed and which, upon investigation, we have found problematic? Like the texts upon which they are based, many of our conclusions can be only fragmentary and, hence, tentative. Our comprehensive survey of the texts of “continuous” and “thematic” pesharim has shown that many of the earlier characterizations of citation formulas and requotations in the pesharim are excessively rigid. Our results could be read, therefore, purely negatively, as preventing the coherent classification of pesharim because of non-adherence to an insignificant minor detail. But it is the very variety even among the “continuous” pesharim which is generated by the multiplicity of factors—presence or absence of requotation, presence or absence of citation formulas for requotation, citation from “other” scriptural texts, continuity or selectivity in commenting on texts from a specific book—which prevents their simplistic categorization along mechanical lines. Our study does not even deny that pesharim can be

<sup>108</sup> It is important to recall Carmignac's words in the course of the above-cited discussion of “continuous” and “thematic” pesharim, “Le document de Qumran,” 361, “jusqu'à présent les divers *pesharim* thématiques sont désignées par des vocables comme 'Florilège', 'Catena A', 'Catena B', etc., mais il semblerait plus normal de leur décerner le nom générique de *peshèr* avec une précision indiquant le thème général du développement.” In the broad sense, 4QpIsa<sup>c</sup> can be categorized with both continuous and thematic pesharim, depending on which criteria we are employing at a given moment, and that is the significance of Carmignac's remarks.

<sup>109</sup> Except, as we have seen, 4QpIsa<sup>c</sup>.

divided loosely into “continuous” and “thematic,” but demonstrates that there are further divisions among them which must be acknowledged.

We shall therefore not attempt to draw any but preliminary conclusions regarding definition of a pesher from these limited data. To attempt to answer any questions on the basis of even careful and thorough observation of this single phenomenon alone would be to fall into another variety of the same trap which has ensnared earlier students of pesher technique. They, too, drew far-reaching conclusions from the study of single, isolated phenomena. What we can and shall do is to lay out the facts which have been established by the preceding analysis. The following are our observations regarding the “continuous” pesharim:

- 1) Scriptural citations in “continuous” pesharim are generally not introduced by a formula.
- 2) Requotation within “continuous” pesharim is a comparatively rare phenomenon, and perhaps 1QpHab, the touchstone for pesharim, is the exception rather than the rule.
- 68 3) The terminology **ואשר אמר**, **כיא הוא אשר אמר**, **ואשר אמר**, **ואשר כתוב**, and **כאשר כתוב** is also not common in the “continuous” pesharim, with 1QpHab again misleading us regarding its frequency.
- 4) **ואשר אמר** clearly has two functions in Qumran “continuous” pesharim: the introduction of previously cited text and the introduction of text not quoted before. At times, **ואשר אמר** seems to have a resumptive effect when a text is not strictly continuous.
- 5) **כ/ואשר כתוב** occur only in non-continuous pesher material of both “continuous” text and thematic types (and CD), and are usually employed to introduce previously unquoted text. This usage in continuous pesher does not seem limited to the introduction of subordinate prooftexts.
- 6) There are differences in significant features and qualities in citation technique and citation terminology among the “continuous” pesharim as currently defined.
- 7) Some of the 4QpIsa material (not only 4QpIsa<sup>c</sup>) shares common phenomena with the so-called thematic pesharim, against the other so-called continuous pesharim.

It is more difficult to draw clear conclusions in the case of the thematic pesharim because their employment of citation formulas creates a more complex picture. It is obvious that they employ a greater variety of formulas than any continuous pesher other than 4QpIsa<sup>c</sup>. Thematic pesharim’s

structure of citations from a central text or texts surrounded by support from other ones demands heavy usage of the subordinated proof-text formulas like *\_\_\_\_\_ בְּ הוּא אֲשֶׁר כָּתוּב בְּ* or *כִּאֲשֶׁר כָּתוּב בְּסֵפֶר \_\_\_\_\_*. Although citations are usually identified, occasionally a citation formula omits the name of its source. The employment of *וְאֵשֶׁר אָמַר* seems to be resumptive; a function which we observed earlier in some of the continuous pesharim when citations were not continuous, but it is possible that it exhibits its “requotation” function in 11QMelch. In one of the thematic pesharim (4Q177), quotations are introduced at times from other biblical books without formulaic introductions. Finally, several of the “quotations” introduced by citation formulas in the thematic pesharim seem not to quote the biblical text in any form with which we are familiar, and it is possible that citation formulas are sometimes employed with paraphrases rather than verbatim citations.

Can we draw any generic conclusions from the employment of citation formulas in the texts which we have examined? The answer, I believe, is a qualified yes, provided that we remember that this isolated element, the employment of citation formulas, is of no intrinsic generic value but can only function as a clue, | together with other more significant features, to lines of connection or separation among similar works. The presence or absence of citation formulas is somewhat indicative of the stance of the author of a pesharim to the text(s) upon which he is commenting. It is quite clear that in a work such as CD, biblical citations are imported into the argument of the author in order to buttress it (e.g., 4:20; 7:14) or move it forward (8:14). The frame of reference of the document is not the scriptural text but the argument of the author. But the pesharim, as a group, differ in their employment of Scripture from CD. We can now assert with greater confidence that it is wrong to speak of two or three kinds of pesharim, but should rather suggest that from the standpoint of the utilization of citation formulas the extant pesharim occupy points along a continuum.

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On one end are the thematic pesharim, which while focusing loosely or tightly on certain biblical texts, introduce citations from other books and comment on them; they employ a broad range of citation formulas. Closest to the thematic pesharim in stance and style is apparently 4QpIsa<sup>c</sup> which, while citing primarily texts from Isaiah, cites other texts as well.<sup>110</sup>

<sup>110</sup> Steudel, “4QMidrEschat,” 538, writes, “A comparison of the genre of 4QMidrEschat with the other exegetical compositions from Qumran indicates that our text is a *‘thematic midrash’* with some formal parallels also to the *‘pesharim’*, especially to *early ‘pesharim’* [emphases in the original].” The similarity to the “thematic midrashim” is seen in the

The strong similarity in citation formulas among these works links them. Next to 4QpIsa<sup>c</sup> is 4QpIsa<sup>e</sup> which, although it does not cite material from books other than Isaiah, employs citation formulas for the introduction of previously uncited text.<sup>111</sup> Then comes 4QpIsa<sup>b</sup>, with its irregular pattern of citation and pesher, followed by 1QpHab and 4QpIsa<sup>a</sup> which share  
70 citation formulas for quotations of their base texts. | The remaining continuous pesharim, those without citation formulas, stand at the other extreme, where the lemmata are not introduced, but merely follow upon the previous pesher, and the stance of the composer is completely within the biblical document being commented on. The commentary moves from verse to verse unimpeded by formulas.

These observations, based on investigation of a single, small feature of the Qumran texts called pesharim, give rise in turn to a further series of questions which must be responded to after further analysis. The formulas which introduce scriptural citations in the rest of the Qumran texts need to be restudied in the light of our observations. Do the different formulas (particularly *אשר אמר* and *אשר כתוב*) have different functions, or are they stylistic variants employed, perhaps, by different authors?<sup>112</sup> Is the use of this terminology the same in “pesher” and “non-pesher” texts? Is there a difference in exegetical technique between works which requote and works which do not? Between works which employ citation formulas and those which do not? How are we to understand the variety of function which a single formula has in different pesher texts? Can criteria based on

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author's citing a variety of biblical texts, but we observe that the only other works which fit Steudel's definition (537) are 11QMelch and 4QPatrBless [= 4Q252, now Commentary on Genesis A]. The latter is not a “thematical midrash” but a form of biblical commentary (cf. my article in *JJS* 1994 [above 1.92–125]), so that only 11QMelch is left as an analogue. On the other hand, “like the ‘pesharim’ [4QMidrEschat is] based on whole biblical units. Close parallels exist between 4QMidrEschat and the older ‘pesharim’ especially 4QpIsa<sup>c</sup> (and also 4QpPs<sup>a</sup>), which differ from the later ‘pesharim’ in being less strict in their form.” The features of 4QpIsa<sup>c</sup> which Steudel notices as being similar to 4QMidrEschat are external quotations and non-continuous text. But we must bear in mind that 4QpPs<sup>a</sup>, although it does contain one un-introduced quotation, is very different stylistically from 4QpIsa<sup>c</sup> and 4QMidrEschat. Steudel's assertions of date and genre appear to be too sharply defined to be useful at this stage of the study of this aspect of the pesharim.

<sup>111</sup> Even if we assert that *אשר כתוב* of 4QpIsa<sup>c</sup> is a stylistic variation on *אמר*, we still have to understand its function.

<sup>112</sup> I should note that wherever both texts are extant, there is no variation in choice of terminology between ancient and medieval copies of 4QD and CD. This perhaps unexpected stability might indicate that, whatever the reason, each term continued to function in separate contexts or circumstances.

the employment of technical terminology be established for authorship or historical development of exegetical literature at Qumran?<sup>113</sup>

Since our discussion has operated strictly on the formal level, without considering how the interpretation of the pesharim might be affected by our conclusions, further study is necessary to disclose whether these formal, stylistic criteria are also significant for a fuller comprehension of the content of these texts. Finally, our results should highlight the necessity to re-ask certain questions the answers to which might, at first glance, be considered obvious, where careful re-examination of data which have not been studied carefully since the comparatively early days of Qumran scholarship can produce surprising answers.

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<sup>113</sup> Horton "Formulas of Introduction," (508–11) claimed that the historical development of the terminology could be traced, and Brooke, *Exegesis*, 168–9 and 252–3 nn. 222–26, seems to accept his conclusions with but a few critical comments. A more comprehensive and nuanced study than Horton's is probably necessary, taking in a fuller range of Qumran documents, in order to establish any sort of definitive pattern.

CHAPTER TWENTY-NINE

“WALKING IN THE FESTIVALS OF THE GENTILES:”  
4QPHOSEA<sup>a</sup> 2:15–17 AND *JUBILEES* 6:34–38\*

1. THE PESHER AND ITS PROBLEMS

The last piece of peshar in 4QpHosea<sup>a</sup> (4Q166) is col. 2, ll. 15–17, following the citation of Hosea 2:13 והשבתי כול משושה ח[גה חד]שה ושבתה וכול 1.מועדיה.<sup>1</sup> The general sense of the peshar is fairly clear, but it is somewhat difficult to establish its exact meaning because of its slightly fragmentary nature.

פשרו אשר  
15. [את המון]עדות יוליכו במועדי הגואים ו[כול]  
16. [שמחה] נהפכה להם לאבל<sup>2</sup>  
17.

- 22 | Horgan renders, “The interpretation of it is that they make [the fe]asts go according to the appointed times of the nations. And [all joy] had been turned for them into mourning.”<sup>3</sup>

\* My thanks to Professors Devorah Dimant, Lawrence Schiffman, Richard Steiner, James C. VanderKam, and Richard White for their observations and suggestions on earlier drafts of this essay.

<sup>1</sup> The citation matches MT, with the exception of the plural מועדיה, as has been noted by earlier commentators.

<sup>2</sup> First published in J. Allegro, “A Recently Discovered Fragment of a Commentary on Hosea from Qumran’s Fourth Cave,” *JBL* 78 (1959): 142–47, the peshar’s “official” publication is in J. Allegro, ed., *Qumran Cave 4,1 (4Q158–4Q186)* (DJD 5; Oxford: Clarendon, 1968), 32. I follow, for the moment, the plausible restorations made by M.P. Horgan in *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington, DC: Catholic Biblical Association, 1979), Part I: The Texts [Hebrew; bound and paginated independently], 39. J. Strugnell, “Notes en Marge du Volume V des “Discoveries in the Judaean Desert of Jordan,” *RevQ* 7 (1969–71): 200, suggests נהפכה [שמחה] ו[ול שמחה] doubtful. The left margin is not preserved anywhere in this column. D.C. Carlson, “An Alternative Reading in 4QpOsea<sup>a</sup> II, 3–6,” *RevQ* 11 (1983): 417 n. 3, claims (in supporting his reconstruction of a text from this peshar in a limited space) that “it is clear from the left hand margin of column I that irregular extension beyond the margin is a stylistic characteristic of the author.” It does appear from the published photographs that the scribe did on occasion go beyond his ruled margin in col. 1, and this may be of significance in my later discussion. It appears that there is no connection between the הגואים of this passage and הגואים עליהם נשענו עליהם of 1:13 earlier in the peshar.

<sup>3</sup> *Ibid.*, Part 1 (English volume), 141.



While this appears straightforward, there are several nagging difficulties with both text and translation.<sup>4</sup> First, the restoration at the beginning of 1:16 produces a somewhat forced word order with את + object preceding the verb, as well as the juxtaposition of מועדות and מועדי which must be considered either very clever or very careless, depending on whether it is treated as conscious artistic variation between terms of the same root, or the awkward collocation of alternative forms.<sup>5</sup> Secondly, the verb הלך appears in the hiphil only | here in Qumran literature, according to the *Historical Dictionary of the Hebrew Language*<sup>6</sup> and its meaning is not obvious, particularly in conjunction with the preposition bet in במועדי הגואים.<sup>7</sup> Thirdly, the sequence of tenses in יוליכו...הנפכה is rather

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<sup>4</sup> Horgan, *Pesharim*, p. 146, admits that “the reading, restoration, and translation of the beginning of this interpretation are uncertain, but it is clear that the lines refer in some way to the calendrical differences between the Qumran community and the Jews in Jerusalem.” She does not refer to the lack of sequence in tense between the verbs.

<sup>5</sup> The biblical plural of מועד is מועדים in 25 of 26 scriptural occurrences; only at 2 Chron. 8:13 is מועדות found. At first glance, the variation may be explained by assuming that the absolute form of the plural is מועדות and the construct is מועדי, as appears to be the case in rabbinic literature. But according to K.G. Kuhn, *Konkordanz zu den Qumrantexten* (Göttingen: Vandenhoeck & Ruprecht, 1960), 117, of 26 virtually certain occurrences of the plural of מועד in the Qumran literature published to that date, excluding this uncertain text, all but two form their plurals in ים (and the index in DJD VII, 326, supplies almost as many further examples, all in יים). The exceptions are CD 6:18 ואת השבת כפרושה ואת המועדות, and 12:3–4 ואת המועדות ואת השבת ואת לחלל את השבת ואת המועדות. According to the privately circulated Stegemann concordance, there are no other appearances of מועד. Since CD is a medieval copy, and the plural of מועד in rabbinic literature is overwhelmingly מועדות (21 out of 22 cases in pre-300 CE literature according to the *Historical Dictionary of the Hebrew Language of the Academy of the Hebrew Language in Israel* = המילון ההיסטורי [Jerusalem, 1988]), there is at least a possibility that the otherwise ubiquitous (at Qumran) form מועדים was altered in the course of transmission. The restoration of ואת המועדות [4QD<sup>c</sup> 3 i 19 (B.Z. Wacholder and M. Abegg, eds., *A Preliminary Edition of the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave Four. Fascicle One* [Washington, DC: Biblical Archaeology Society, 1991], 26; now = 4QD<sup>f</sup> [4Q271] 5 i 19 in J.M. Baumgarten ed., *Qumrân Cave 4. XIII: The Damascus Document* [4Q266–273] [Oxford: Clarendon, 1996], 181) on the basis of the reading in CD is thus very questionable. This distribution ought to be a factor when dealing with restoration of the lacuna at the beginning of 1. 16, and perhaps should raise some reservations about the reading מועדות [מו.עדוּת] [2012 addition: *The Dead Sea Scrolls Concordance* (ed. M. Abegg et al.; Leiden: Brill, 2003), 1.431–32, confirms the near ubiquity of מועדים, with only 11Q5 XXVII:8 ולימים הכפרים ולימים המועדות ולכול ימי המועדות ולכול disturbing the pattern delineated above.]

<sup>6</sup> *Historical Dictionary*, fiche #037, pp. 7420–457. (Confirmed 7/29/12 at current online version, *Ma'agarim*, <http://hebrew-treasures.huji.ac.il/> and by the *DSS Concordance*, s.v., הלך, 221–24.)

<sup>7</sup> The collocation מועדי הגוים does not occur in the Hebrew Bible. The idiom יוליכו במועדי הגואים is clearly modeled on the biblical phrase הלך בחקות הגוים (e.g., Lev. 20:23 and 2 Kgs. 17:8) which leaves its mark at Qumran in CD 9:1 (= 4QD<sup>b</sup> 17 ii 9 and 4QD<sup>e</sup> 10 iii 16, according to Wacholder and Abegg; now = 4QD<sup>a</sup> [4Q266] 8 ii 9 and 4QD<sup>e</sup> [4Q270]

strange, with the seemingly illogical shift from imperfect to perfect, and fourthly, it is not certain what the relationship of the final clause of the pesher to the biblical verse is.

Dupont-Sommer restores עדות [כול המו], and translates “L’explication de ceci, c’est que [toutes les f]êtes, ils le feront venir aux dates des païens. Et [la joie] [cessera et] se changera pour eux en deuil.”<sup>8</sup> This rendering is fundamentally the same as Horgan’s in the first part of the restoration, but seems to read differently from her [כול שמחה] in ll. 16–17. Furthermore, by translating both verbs, יוליכו and נהפכה as futures, the meaning of the pesher is predictive rather than historical.<sup>9</sup>

24 | Vermes’s translation is more peculiar, “[they have rejected the ruling of the law, and have] followed the festivals of the nations. But [their rejoicing shall come to an end and] shall be changed into mourning.”<sup>10</sup> He presumably reads עדות as a complete word, not as עדות [מו with most translators (and some part of “ruling of the law” should therefore not be bracketed), but seems to render יוליכו as a *qal*, perhaps ויליכו (a strange spelling for a pausal form, even at Qumran) despite the apparent clarity

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6 iii 16 [Baumgarten]) הוא להמית הגוים בהוקי הגוים אדם אשר יחרים אדם מאדם בהוקי הגוים להמית הוא (ed. Allegro, DJD V, 34). The latter text is simply too fragmentary to do more than speculate about its connection with this one. There is no other phraseology like ויליכו במועדי הגוים to be found in the surviving Hebrew texts covered by the *Historical Dictionary*, fiche #046, pp. 9731–738.

<sup>8</sup> A. Dupont-Sommer, *Les Ecrits Esséniens Découverts près de la Mer Morte* (3rd edition; Paris: Payot, 1968), 427. In note 1, *ad loc.*, he wonders whether this is an allusion to quarrels over the calendar, and whether the critique is directed at the non-Essenes for adopting a pagan form of calendar, instead of the one deemed correct by the sect.

<sup>9</sup> J. Carmignac, *Les Textes de Qumran Traduits et Annotés* (Paris: Editions Letouzey et Ané, 1963), 2.80 (although he disagrees [n. 29] with Dupont-Sommer’s interpretation, and, like Horgan, reads יוליכו as future or habitual present, and נהפכה as past) suggests that Dupont-Sommer’s reconstruction is based on Amos 8:10 לאבל חגיכם or Lam 5:1 ונהפכת חגיכם לאבל מחולנו שבת משוב לבנו נהפך לאבל מחולנו שבת, but without specifying a reading. The difficulty is that all of the available nouns in Hos 2:13 are masculine, with the exception of שבתה, and the verb נהפכה is clearly feminine. Yet, Dupont-Sommer’s rendering ‘la joie’ clearly does not represent שבת, but משוב or the like (שמחה, of course, comes to mind, but does not occur in the Hebrew text). It is also not clear whether there is sufficient room in the lacuna for his implied restoration. The advantage of Dupont-Sommer’s reading is, of course, that it seems to supply a *waw* before נהפכה, converting it to a future, and thus making it smoother with יוליכו. For my own suggestion for filling the lacuna, see below.

<sup>10</sup> G. Vermes, *The Dead Sea Scrolls in English* (3rd edition; Sheffield: JSOT Press, 1987), 276. It is not clear what the restoration is which generates “they have rejected.” L. Moraldi, *I Manoscritti di Qumran* (Turin: Unione Tipografico-Editrice Torinese, 1971), 539, renders almost identically with Vermes, “che hanno respinto la norma della legge e seguono le ricorrenze delle nazioni; ma la gioia cessera cambiandosi, per loro, in lutto.” They alone, of the translators consulted, insert an adversative conjunction (‘but’; ‘ma’) between the clauses.

of the *waws* and *yods* in the manuscript. It is not clear whether there is sufficient space in the manuscript for the Hebrew equivalent of his restoration. He also reads another verb joined with *נהפכה* [ו], as does Dupont-Sommer, and that portion of his reading suffers from the same objections as does Dupont-Sommer’s reconstruction. Finally, Vermes and Moraldi are the only translators to render *יוליכו* with a past tense, and *נהפכה* with a future.

It is clear that the lack of unanimity of scholars goes beyond the restoration of *עדות*, which has, after all, but two alternatives. The tenses, as well as the relationship of the verbs *יוליכו* and *נהפכה*, have been treated variously. Horgan, Allegro and Carmignac read the former as present or future, and the latter as past; Dupont-Sommer treats both as futures; Vermes and Moraldi treat the former as past and the latter as future. This brief text is more vexed than was apparent at first glance.

## 2. JUBILEES

Although I do not claim that the several difficulties implicit in the above discussion are soluble, I believe that some of the phraseology of | this passage in peshet Hosea may be better understood if it is accepted that it is modeled on a passage in *Jubilees*, and if the link between the passage in *Jubilees* and the text of Hosea itself is acknowledged. *Jub.* 6:34–35 reads (in Wintermute’s translation):

25

And all the sons of Israel will forget, and they will not find the way of the years. And *they will forget the new moons and (appointed) times and the sabbaths. And they will set awry all of the ordinances of the years.* For I know and henceforth I will make you know—but not from my own heart, because the book is written before me, and is ordained in the heavenly tablets of the division of days—*lest they forget the feasts of the covenant and walk in the feasts of the gentiles,* after their errors and after their ignorance.<sup>11</sup>

<sup>11</sup> O.S. Wintermute, trans., “*Jubilees*,” in J. Charlesworth, ed., *The Old Testament Pseudepigrapha* (New York: Doubleday, 1985), 2.68. J.C. VanderKam, ed. and trans., *The Book of Jubilees* (CSCO, 510–11; *Scriptores Aethiopici*; 87–88; Louvain: Peeters, 1989), 2.42–43 renders similarly. The pitfalls of analysis of this sort on the basis of translations are well-known, but the unanimity of the major translations of *Jubilees* into English, not only on the overall sense, but on the precise translation of the words makes this customarily hazardous approach less dangerous. Furthermore, the most recent editor of the Ethiopic text, Professor VanderKam, concurred fundamentally with this analysis when he reviewed an earlier draft of this article, and saw no objection to it on the basis of the original language.

Later on (vv. 37–38), the text proceeds “for they will set awry the months and sabbaths and feasts and jubilees . . . they will set awry the *months and the [appointed] times and the sabbaths and the feasts.*”

The relationship of this passage in *Jubilees* to Hos. 2:13 has, to the best of my knowledge, hitherto been unnoticed, but even a cursory reading of *Jubilees* reveals a literary connection with the text of Hosea. Whereas the terms employed in the Hebrew original of *Jubilees* are uncertain,<sup>12</sup> the text of Hos. 2:13 מועדה וכל ושבתה וכל חדשה חגה surely seems a suitable source for the selection of terminology by the author of *Jub.* 6:37. A four-term expression including חג, חדש, שבת, and מועד occurs in the Hebrew Bible only at Ezek. 45:17 and here, while the three-term expression without חג, occurs four times in Chronicles (1 Chron 23:31; 2 Chron 2:3, 8:13, 31:3), and perhaps Neh. 10:34.<sup>13</sup>

26 | The style of the passage in Hosea is borrowed (or adopted) by the author of *Jubilees* to refer to divinely predicted calendrical error by the Israelites, which will bring to an end proper observance of the sabbaths, new moons and festivals of Israel. The effect of the employment of Hosea by the author of *Jubilees* is to make the prophetic words an almost explicit prediction of the behavior of those groups which observe a calendar which deviates from that of *Jubilees*.

This theme of forgetting aspects of the laws and covenant, particularly sabbaths, festivals and the like is also significant elsewhere in *Jubilees*. Already *Jubilees* 1 focuses on the issue: 1:10 “because they have forsaken

<sup>12</sup> According to VanderKam (oral communication, 11/26/90), the editor of the Hebrew fragments of *Jubilees* from Qumran, no Hebrew text of *Jubilees* 6 survives.

<sup>13</sup> The Greek equivalents αἱ ἑορταὶ καὶ τὰ σάββατα καὶ νομηγία καὶ ἡμέραι ἀποδεδειγμένα are perhaps to be found also at 1 Macc. 10:34 in a passage which may be a Greek translation of a Hebrew translation of an originally Greek document. I believe that S. Tedesche and S. Zeitlin, eds. and trans., *The First Book of Maccabees* (New York: Harper, 1950), 173, are correct in recognizing that ἡμέραι ἀποδεδειγμένα represents Heb. מועדים, contra J. Goldstein, trans., *I Maccabees: A New Translation with Introduction and Commentary* (AB 41; Garden City: Doubleday, 1976), 409, who believes that ἑορταὶ represents מועדים, because ἡμέραι ἀποδεδειγμένα occurs nowhere else in the Greek Bible. ἑορτή can, indeed, represent either חג or מועד (cf. E. Hatch and H.A. Redpath, *A Concordance to the Septuagint* [Oxford: Clarendon Press, 1897], I, 503a–c), but, when חג and מועד are juxtaposed, it is חג which is rendered ἑορτή (cf. Hos 2:13 and 9:5, and Ezek 46:11, where חג is ἑορτή and מועד is πανηγύρις, the only occurrences of πανηγύρις for מועד in LXX; the exception is Ezek. 45:17, where both words are rendered ἑορτή). The translator of the Maccabees passage presumably wished to choose a different word for מועד from the one employed for חג, and came up with ἡμέραι ἀποδεδειγμένα. It is the comparative rarity of the four-term set that encourages our suggestion that Hosea served as the model for *Jubilees*. It is notoriously difficult to assert that a given word (or group of words) does *not* occur in post-biblical, pre-mishnaic, Jewish literature. Relevant concordances and indices have been employed with negative results.

My ordinances and My commandments and the festivals of My covenant and My sabbath and My holy place,” and 1:14 “they will forget all of My laws and all My commandments and all My judgments, and will go astray as to new moons and sabbaths and festivals, and jubilees and ordinances.”<sup>14</sup> *Jub.* 23:17 reads “because they have | forgotten the com- 27  
mandments and covenant and festivals and months and sabbaths and jubilees and all of the judgments.” All this is unsurprising considering the well-known stress which *Jubilees* places on issues of the “true” calendar versus deviant ones.

*Jubilees*’s treatment of this passage in Hosea has apparently influenced the reading of the same text by the author of the pesher on Hosea.<sup>15</sup> The reference in MT to the various holy days as occasions of celebration which God will bring to an end in 4QpHosea becomes, as in *Jubilees*, an allusion to the following of an incorrect calendar in Israel whose celebrations will ultimately cease.<sup>16</sup> Regarding *Jubilees*, only literary and stylistic connection to the passage in Hosea may be claimed, since it is not known whether the author of *Jubilees* was actually *reading* Hosea to mean what he wrote in *Jubilees*. In the pesher, however, the link seems to be “exegetical,” with the verse in Hosea actually being endowed with the desired meaning.

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<sup>14</sup> P.R. Davies, *Behind the Essenes: History and Ideology in the Dead Sea Scrolls* (Atlanta: Scholars Press, 1987), 133, suggests that “terms common to *Jub.* 1 and CD such as ‘forsake,’ ‘rebel,’ ‘stubbornness,’ ‘remove,’ ‘feasts,’ ‘new moons,’ and many others, while not significant individually, cumulatively demonstrate further the communality of vocabulary and idiom within a basically identical ideology.” Our little example, while participating in that communality, is particularly valuable because it contains vocabulary which is significant individually, and focuses simultaneously on a theme which is critical to both *Jubilees* and Qumran.

<sup>15</sup> The only earlier comment, of which I am aware, which links this pesher to *Jubilees* is that of VanderKam in his note to *Jub.* 6:35 (*Book of Jubilees*, 2.43), where he draws attention to the parallel between “festivals of the nations” and בְּמוֹעֲדֵי הַגּוֹיִם of the pesher. (Professor VanderKam drew my attention to this reference when he read an earlier draft of this essay.) It is possible, of course, to make the obvious alternate suggestion, namely that the authors of both of these works are drawing from a common tradition of interpretation which employed the verses in Hosea as a polemic against calendrical deviation. Aside from the fact that the postulation of such a source resorts to *obscurum per obscurius*, it fails to explain the striking linguistic similarity between the pesher and *Jubilees*. Likewise, I assume that *Jubilees* is earlier than the pesher, so that the sequence is *Hosea-Jubilees-pesher* Hosea. C. Newsom, “‘Sectually Explicit’ Literature from Qumran,” in *The Hebrew Bible and Its Interpreters* (ed. W.H. Propp, B. Halpern, and D.N. Freedman; Winona Lake: Eisenbrauns, 1990), 169, stresses that “the books of Enoch and *Jubilees* probably antedate the establishment of the Yahad, but have strong theological affinities with the sectarian documents.” A claim that the pesher antedates *Jubilees*, unlikely as that is, would merely reverse the sequence of influence.

<sup>16</sup> This is one possible reading chosen from the various options regarding the relationship among the verbs of the pesher.

It is not unlikely that the words in the text of Hosea recalled for the author of the pesher the text of *Jubilees*, whose treatment of the prophetic text then led him to the content of the pesher.

28 In more specific focus, the somewhat unusual idiom יוליכו במועדי הגואים employed in the pesher may now be understood; it is a near-verbal citation from *Jubilees* which first speaks of “walking in the feasts of the | Gentiles.”<sup>17</sup> I do not believe that we have another citation or paraphrase of *Jubilees* anywhere else in the pesher literature, and that pesharim, in general, do not cite material from other texts.<sup>18</sup> Wintermute writes, “There are two texts from Qumran which may have read *Jubilees*,” referring, of course, to CD and the Genesis Apocryphon.<sup>19</sup> If, however, this suggestion is correct, perhaps one should look elsewhere in pesharim, in addition to those other well-known passages, for the influence of this important pseudepigraphic text.

### 3. RE-READING AND RE-WRITING THE PESHER

In addition to confirming the comments of Horgan and Dupont-Sommer about the references in this pesher to disputes about the calendar, the parallel with *Jubilees* enables emendations in the text and restorations for the lacunae in the Qumran MS to be suggested.<sup>20</sup> The specifics of my corrections are offered with varying degrees of diffidence, of course. Working from the end of the passage backward, the lacuna at the end of l. 16

<sup>17</sup> I stress here, perhaps too strongly, the possibility of “verbal citation,” especially in light of the fact that יוליכו, unemended, is not a translation of “they will walk.” A more conservative position on the relationship of these texts could be adopted without distorting my subsequent argumentation. It is possible, at the other extreme, as Devorah Dimant suggested, that “walking in the festivals of the Gentiles” may be a standard formula of the group or groups which produced *Jubilees* and the pesher. There would then be no reason to see a *direct* correlation between the texts.

<sup>18</sup> The only clear exception is 4QpIsa<sup>c</sup>, which explicitly quotes Jeremiah, Zechariah and Hosea. Carlson, “Alternative Reading,” 49, argues that the pesharim employ one scriptural text to interpret another, but he has in mind examples which are stylistically rather than exegetically linked.

<sup>19</sup> “*Jubilees*,” 43. Newsom, “Sectually Explicit,” 175, points out that “for the most part we simply lack information about the use or lack of use that a text received in the life of the community.” This passage, if it cites or paraphrases *Jubilees*, might be said to exhibit a heretofore-unseen aspect of usage.

<sup>20</sup> The emendation of pesharim must proceed from the assumption that they are not autograph manuscripts, as is often suggested, but subsequent copies. This is a somewhat hazardous assumption since there survives but one copy of each pesher. For arguments supporting the non-autograph nature of pesharim, see Horgan, *Pesharim*, 3–4.

and the beginning of l. 17, which is not linked directly to the passage in *Jubilees*, must be addressed first. Despite the fact that the word שמחה does not occur in the biblical text, I suggest that we read ושבתה שמחתם, retaining the verbal root found in | the biblical מְשׁוּשָׁה כל, and not taking up much more room than Horgan’s שמחה. It should be translated, “their joy shall cease,” with the plural referent being the subject of יוליכו. The form מְשׁוּשָׁה of MT is not found at Qumran (and the related לששון appears only at 1QH 17:24 [formerly 9:24] in the “standard” pair ושמחה), and I believe that it has been replaced in the pesher by the synonymous, and more common, שמחה.<sup>21</sup> 29

Moving another step backwards, l. 16 of the pesher can be corrected to read, as Vermes apparently does, ויליכו במועדי הגואים.<sup>22</sup> This portion of the emendation can be submitted with a relative measure of confidence on the basis of *Jubilees*. More difficult is the restoration of the lacuna at the end of l. 15 and the beginning of l. 16. Several possibilities suggest themselves, each one having certain difficulties, but all maintaining the relationship of the pesher with *Jubilees* 6.<sup>23</sup> The issues which must be confronted are the possible length of the restoration, the reading of עדות as a whole word or the end of a word, the meaning of עדות if it is read as an independent word, and, of course, the tenses and relationship of the verbs in the passage.

Let me proceed to my re-writing of the remaining gap in the pesher. Most radically, I can restore the lacuna with שכחו מועדי העדות ויליכו, following the model of “lest they forget the feasts of the covenant and walk according to the feasts of the Gentiles” which is found in *Jub.* 6:35.<sup>24</sup> The resulting text, if the various suggestions raised to this point are combined, could read |

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<sup>21</sup> The *qal* of שבת is not found in the Hebrew Bible with שמחה as subject, but there are three occurrences with the nearly synonymous ששון as subject: Lam. 5:15 and Isa. 24:8 (*bis*). The difficulty with this reconstruction is that there is not a great deal of room at the end of l. 16 after *waw* in the photograph, and it is necessary to fit in [ןשבתה] there, followed by שמחתם at the beginning of l. 17, followed by the restored *waw* attached to נהפכה.

<sup>22</sup> This could be vocalized either וילכו or וילכו, depending on the understanding of the pesher’s statement as predictive or historical.

<sup>23</sup> While it is obvious that the pesher is connected to *Jubilees*, the question must be asked, to what degree? A variety of potential points of contact exist, but all cannot be simultaneously correct. The absence of a Hebrew text for *Jubilees* exacerbates matters.

<sup>24</sup> I owe to Richard Steiner the suggestion to read מועדי העדות in the pesher as the equivalent of “feasts of the covenant” in *Jubilees*. In support of the equivalence of עדות and “covenant,” compare the remarks of G.E. Mendenhall, “Covenant,” *IDB*, I, 716a, “the term עדות ‘testimony’ (in the usual Bible translations), almost certainly was an alternate designation for the covenant (Exod. 31:18), since the cognate Akkadian and Aramaic words

15 פשרו אשר [שכחו]  
 16 [מועדי ה]עדות ויליכו במועדי הגואים ו[שבתה]  
 17 [שמחתם ו]נהפכה להם לאבל<sup>25</sup>

Its meaning is that they forgot the festivals of the covenant and walked in the festivals of the nations. And their joy shall cease and be turned for them into mourning.

This reading asserts that the sin of calendrical deviation has taken place already, while the punishment is still expected.<sup>26</sup> If, due to apparent marginal constraints, the end of l. 15 is estimated to be at אשר, as seems possible, I might restore at the beginning of l. 16 שכחו ה[עדות], “they forgot the covenant,” which still bears resemblance to the phrase in *Jubilees*, with the omission of one of the two occurrences of מועדי.

If עדות is seen as representing not “covenant,” but its more common equivalent “testimony,” in light of *Jub.* 6:32 which reads “all shall arrive in them according to their testimony,” then עדות could perhaps be a recollection of that verse, still keeping the phraseology of the pesher within the context of *Jubilees* 6 and I should restore שכחו ה[עדות], “they forgot

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were in common usage as terms for ‘covenant.’ Cf. also P.A. Riemann, “Covenant, Mosaic,” *IDBSup*, 196b. Others who have seen these letters not as the end of מועדות, but as an independent word are Vermes, Moraldi, and Allegro in his original publication, 146 n. 24. One of the main advantages of reading עדות ה[עדות] is that it avoids the awkward מועדי-מועדות collocation and the employment of the rare (at Qumran) form מועדות. For the difficulties in this reconstruction and interpretation, see the next note.

<sup>25</sup> The problems with the restoration of ll. 15–16 are space and semantics. There is certainly room on l. 16 to restore מועדי ה at the right margin, based on the measurement of the same letters later in the line, but there may not be sufficient room at the end of l. 15 for שכחו (there is no clear left margin). On the other hand, cf. Carlson, “Alternative Readings,” cited above (n. 2). From the standpoint of the lexicon, it is not clear, despite the argument suggested in the last note, that עדות really means “covenant,” since neither BDB nor KB, of the standard biblical lexica, offers “covenant” as an equivalent of עדות in the Hebrew Bible. Even were this meaning certain in the Hebrew Bible, it is unclear whether the author of *Jubilees* (who, I feel, was being imitated here by the author of the pesher) employed it in this fashion, especially in light of the fact that this passage in *Jubilees* seems to distinguish between “covenant” (6:35) and “testimony” (6:32, 37). Also noteworthy is the fact that עדות is a comparatively rare word at Qumran, with but three occurrences according to Kuhn, *Konkordanz*, 157, two of which are the plural עדוות at 1Q22 ii 1 and CD 20:31. The third, עידות צדקו at CD 3:15, appears to be plural as well, occurring in a list of five terms, the other four of which are clearly plural (strikingly, the two terms preceding עידות צדקו are עידות כבודו and עידות קדשו ומועדי כבודו). The term ברית, on the other hand, takes up four columns already in Kuhn’s 1960 concordance. If עדות is a whole word here, the apparent dependence on the passage in *Jubilees* may explain its otherwise unexpected presence in a Qumranic pesher. Its “cousin” תעודה is frequent at Qumran, with at least three occurrences of the idiom מועדי תעודתם.

<sup>26</sup> If the *waws* of ו[שבתה]... ו[נהפכה] are not to be read as conversive, then the punishment may be taken as having already occurred.



the testimony.”<sup>27</sup> Even more tempting, however, is a restoration along the lines of שִׁכְחוּ יְמֵי הָעֵדוּת (or שִׁכְחוּ יוֹם הָעֵדוּת), based on a combination of Jub. 6:35 with 6:37 “make a day of testimony a reproach.” The space problem is only slightly less acute in this situation than in my first option of שִׁכְחוּ מוֹעֲדֵי הָעֵדוּת (two letters fewer), but it allows for a more natural use of עֵדוּת. It would then read

	פֶּשֶׁר אֲשֶׁר	15
וְ[שַׁבְּתָה]	[שִׁכְחוּ יְמֵי הָעֵדוּת וְלִיכּוּ בְמוֹעֲדֵי הַגּוֹאִים	16
	שְׂמַחְתֶּם וְ[נִהְפְּכָה לָהֶם לְאֵבֶל	17

Its meaning is that they forgot the day(s) of the testimony and walked in the festivals of the nations. And their joy shall cease and be turned for them into mourning.

My suggestion to restore a verb meaning ‘forget’ in the lacuna may be supported also by 4Q390 1 8 which reads, in an apparent prediction of future events, יִשְׁכְּחוּ חוֹק וּמוֹעֵד וּשְׁבֵת וּבְרִית וְיִפְרוּ הַכּוֹל, “they will forget statute and festival and sabbath and covenant and shall make everything to naught.” This passage comes from a text which, although not *Jubilees*, has *Jubilees*-like features, according to Devorah Dimant whose publication of 4Q390 has appeared in the proceedings of the March 1991 Madrid conference on the Dead Sea Scrolls.<sup>28</sup>

Yet another possibility for restoration involves abandoning the attempt to maintain the presence of שִׁכְחוּ in the pesher as the equivalent of “forget” in *Jubilees*, and look only to Jub. 6:37 “make a day of | testimony a reproach” (Wintermute; VanderKam, “something worthless”) for the inspiration of the pesher. It may then be appropriate to read בָּזוּ יְמֵי הָעֵדוּת (or בָּזוּ יוֹם הָעֵדוּת), “they treated the day(s) of the testimony contemptuously.”<sup>29</sup>

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<sup>27</sup> The possible link between Jub. 6:32 and עֵדוּת was suggested by Richard White.

<sup>28</sup> Professor Dimant was most gracious in drawing my attention to this text in advance of its publication when she read an earlier draft of this paper. See D. Dimant, “New Light on the Jewish Pseudepigrapha—4Q390,” in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March 1991* (ed. J. Trebelle Barrera and L. Vegas Montaner; STDJ 11; Leiden: Brill, 1992), 2. 405–47, esp. 414, 424 and 438 (official edition: 4QApoc[er] C<sup>c</sup> [4Q390] in *Qumran Cave 4. XXI, Parabiblical texts. Part 4, Pseudo-prophetic texts* [DJD 30; Oxford: Clarendon, 2001], 235–253 [237]).

<sup>29</sup> The root בָּזָה appears in Qumran at 1QpHab 4:2, 5 in pesher portions of the text, at CD 7:18, and at 1QH 12:22 and 13:20 (old 4:22 and 5:20). In either case, because בָּזוּ takes up less space than, for example, שִׁכְחוּ, it may be restored at the end of l. 15 and אָת be read at the beginning of l. 16. If the root בָּזָה is to be employed in the rewriting of the missing portions of the pesher, based on Jub. 6:37, an idiom is created which exists in later rabbinic literature in a context which is not wholly dissimilar. The rabbis associate Num. 15:31 with “Sadducean” and “heretical” behavior, as well as with such specific offenses as epispasm

Finally and most conservatively, if I choose to read [את ימי ה]עדות for the lacuna at the beginning of l. 16, I may even retain the MS reading of the remainder of the line אשר [את ימי ה]עדות יוליכו במועדי הגואים, without emending יוליכו to יוליכו, and render it “that they conduct the days of the testimony according to the feasts of the nations.” Although a weaker similarity to the language of *Jubilees* 6 results from this reading, it maintains that closeness which, in my opinion, is critical to any reconstruction or re-reading of the passage in the peshet of Hosea.

Textual issues aside, is there any further significance in my recognition of the intertextuality of Hosea, *Jubilees* and 4QpHos<sup>a</sup>? Regardless of which, if any, of my restorations of the lacuna is accepted, there can now be no doubt that this passage in 4QpHos<sup>a</sup> is another significant reference to the dispute between the Qumranites and their opponents in the matter of the calendar, and that the carefully worded hypothetical comments of Horgan and Dupont-Sommer to that effect can be restated with more assurance. The connection between the language of the peshet and *Jubilees* chapters 1 and 6, as well as the striking similarity to that of 4Q390, is yet another indication of the apparent significance which *Jubilees* and works of similar ideology played in the practices of the Qumran sect. The tie between the peshet and *Jubilees* cannot demonstrate what the nature of the Qumran

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and disrespect for festivals. Sifre Numbers 112 (ed. H.S. Horowitz; Leipzig: Libraria, 1917; repr. Jerusalem: Wahrman, 1966), 121, ll. 1–4) reads בזה זה צדוקי ואת מצותו ואת המפר ברית הפר זה אפיקורוס. ד”א כי דבר ה' בזה זה המגלה פנים בתורה ואת מצותו הפר זה המפר בריתו בשר. מיכן אמר ר' אלעזר המודעי המחלל את הקדשים והמבזה את המועדות והמפר בריתו של אברהם אבינו אע”פ שיש בידו מצות הרבה כדיי הוא לדחותו מן העולם. Parallels and partial parallels are to be found at *m. Avot* 3.11; *Avot de Rabbi Nathan* A 26 (ed. Schechter, 82); *Avot de Rabbi Nathan* B 35 (ed. Schechter, 87); *b. Pes.* 118a and *b. Mak.* 23a. In the last two passages, a statement attributed to R. Eleazar ben Azariah is read, כל המבזה את המועדים כאילו עובד עכו”ם דכתיב אלהי מסכה לא תעשה לך וסמך ליה את חג המצות תשמור (“Whoever treats festivals disrespectfully it is as if he worships idols, as it is written ‘Thou shalt not make for thyself molten gods,’ and juxtaposed to it ‘Thou shalt observe the festival of unleavened bread’”). The association of disrespect for festivals and idolatry in the talmudic text recalls that of disrespect for festivals and following Gentile feasts which may be juxtaposed in the peshet and in *Jubilees*. It would stretch the bounds of scholarly credibility to suggest any connection between the two statements or to propose that the rabbis’ comments on disrespect for festivals shows their concern with the following of a sectarian calendar. What the “day of testimony” is (perhaps Shavuot, referred to earlier in *Jubilees* 6), and how it was observed (cf. 4QD<sup>b</sup> 18 v 17–18 = 4QD<sup>c</sup> 11 ii 11–12 [now 4Q266 11 17 and 4Q270 7 ii 11 in DJD 18]) are, of course, entirely different questions.

calendar was, but it is likely that this provides further indirect evidence of a *Jubilees*-type calendar polemic at Qumran.<sup>30</sup>

The pesher reference to the calendar is different from that in other Qumran documents. Earlier evidence regarding the Qumran dispute over the calendar derives either implicitly from legal texts (like 11QTemple and 4QMishmarot)<sup>31</sup> which set forth a schedule of feasts which deviates from the Pharisaic-rabbinic, or explicitly from texts which stress the importance of adhering to a correct calendar and the | historical error of the Israelites who have rejected it. Thus, 1QS 1:14 ולא לקדם עתיהם ולא להתאחר מכול מועדיהם warns against observing festivals at the wrong time and CD 3:12–15 relates that God established his covenant with the remnant to whom he revealed שבתות אשר תעו במ כל ישראל שבתות ולשמור את יום השבת כפרושה ואת המועדות (cf. 6:18–19 קדשו ומועדי כבודו ואת יום התענית כמצאת באי הברית החדשה בארץ דמשק). All these are inner-Israelite quarrels over the calendar. The evidence of the pesher is unique in that it, like *Jubilees*, stresses the consequences of following a deviant calendar; it is only these two texts that refer to the “deviating” calculations as “walking in the festivals of the Gentiles.”

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<sup>30</sup> It is likely that the pesher, if it operates in the same framework as *Jubilees*, presumes the correctness of a solar calendar. However, there is no overt evidence from the text of the pesher to support this.

<sup>31</sup> Cf. J.T. Milik, *Ten Years of Discovery in the Wilderness of Judaea* (tr. J. Strugnell; London: SCM Press, 1959), 41, 107–109, 152. These texts have now been published by Wacholder and Abegg. They claim, on the basis of the reconstructed *Mishmarot*, that “the Qumran calendar makers also plotted what may be called pseudo-lunar months” in addition to the 364 day pseudo-solar calendar (*A Preliminary Edition*, x). It is not certain whether the author of the pesher to Hosea, any more than the author of *Jubilees*, subscribed to the lunisolar co-ordinate reckoning of time. Whether it is only a strictly lunar calendar which they would have referred to as “walking in the festivals of the Gentiles,” or whether there was an internal calendar dispute at Qumran reflected by several of the extant texts, may not be clear until (or, even after) fuller study of the new calendrical data. It is wrong to harmonize the various texts, and to insist that the author of pesher Hosea must have agreed with the calendar of the *Mishmarot*. [For a brief discussion of possible intercalations that would harmonize the 364-day calendar with the actual length of the solar year and the solar year with the lunar year, see now James C. VanderKam, *Calendars in the Dead Sea Scrolls: Measuring Time* (Routledge: London, 1998), 80, 82–84 and 111.]

## CHAPTER THIRTY

### BIBLICAL INTERPRETATION IN THE DEAD SEA SCROLLS: LOOKING BACK AND LOOKING AHEAD

#### 1. INTRODUCTION

Although I was aware that addressing the topic assigned to me, “developments on the interpretation of the Scriptures in the Dead Sea Scrolls over the past ten years, and prospects for the future,” and attempting to integrate them with the overarching goals for this conference was a challenge, I decided to make my task a bit more difficult by expanding its horizons somewhat. I thought that it was necessary to describe the development of the field of biblical interpretation (which I use synonymously with “interpretation of the Scriptures”) at Qumran since the initial discoveries, in order to locate both the work of the last ten years and that of the near future in an appropriate context. I should stress that when I use the term “biblical interpretation at Qumran” I mean, as a rule, biblical interpretation found in the texts at Qumran, with no implication that the interpretation is automatically “Qumranic.” And I take “the interpretation of Scriptures” broadly to denote not only exegesis, what a modern student of the Bible would mean by the term, but also all of the many ways in which the books which we now call the Bible were read, rewritten, explained, employed, and manipulated in the Qumran scrolls.<sup>1</sup>

In the original, oral, version of this paper, I tried to enumerate as few specific names of scholars as possible, for fear that in attempting to specify as many of those who have contributed to the field as I could, I should accidentally offend those whom I have unintentionally omitted from the list. Such a luxury is unavailable in a written piece, so I | apologize *ab initio* for the omission of any significant contributors to the field whom I have unintentionally overlooked.

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<sup>1</sup> I have drawn in this essay on some of my earlier scholarship on Qumran biblical interpretation, among them the broad treatments in “Pentateuchal Interpretation at Qumran,” in *The Dead Sea Scrolls After Fifty Years: A Comprehensive Assessment* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1998–1999), 1:128–59 (above 1.11–38); “Interpretation of Scripture,” *EDSS* 1:376–83; “Scriptures: Quotation and Use,” *EDSS* 2:839–42.

## 2. THE FIRST FORTY YEARS

For the first forty years or so of Qumran scholarship, the study of biblical interpretation did not occupy a prominent position, either as regards the Dead Sea Scrolls narrowly or Second Temple literature more broadly. The reasons were varied, involving the many forms which biblical interpretation could take, with the result that it often was not recognized as such; the diverse languages in which surviving interpretation was preserved, which often limited the access of scholars to the material; and the fact that biblical interpretation in antiquity was not in the “objective” mode of modern scholarship, but was often ideologically motivated, making it often appear to be something other than “interpretation.”<sup>2</sup>

For the first two of those four decades, the material available for the study of biblical interpretation at Qumran consisted more or less of two kinds: one was that new genre, the pesharim, encompassing the nearly complete peshar on Habakkuk from Cave 1 published by Millar Burrows and the many fragmentary pesharim from Cave 4 published by Allegro in DJD V;<sup>3</sup> the other was the new example of the genre which Vermes named “rewritten Bible,”<sup>4</sup> the *Genesis Apocryphon*, which was the subject of Esti Eshel’s paper at same session at which this paper was given.<sup>5</sup>

The pesharim were a new example of the commentary genre because their interpretations of the prophetic texts were oriented to events contemporary with the peshar’s author rather than the days of the prophets. Scholars quite understandably probed them more for their historical hints than for their relationship to the biblical text. The pesharim seemed to teach us more about Second Temple history than about the biblical text

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<sup>2</sup> See my “The Contribution of the Qumran Discoveries to the History of Early Biblical Interpretation,” in *The Idea of Biblical Interpretation* [Festschrift for James L. Kugel] (ed. Hindy Najman and Judith H. Newman; JSJSup 83; Leiden: Brill, 2004), 215–38 (above 2.363–386).

<sup>3</sup> Millar Burrows et al., *The Dead Sea Scrolls of St. Mark’s Monastery I. The Isaiah Scroll and Habakkuk Commentary* (New Haven: ASOR, 1950); John M. Allegro, with the collaboration of Arnold A. Anderson, *Qumran Cave 4. I (4Q158–186)* (DJD V; Oxford: Clarendon, 1968), 11–53.

<sup>4</sup> Géza Vermes, *Scripture and Interpretation in Judaism* (2nd ed.; Leiden: Brill, 1973), 95.

<sup>5</sup> Esti Eshel, “The *Genesis Apocryphon*: A Chain of Traditions,” in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 181–93. Nahman Avigad and Yigael Yadin, *A Genesis Apocryphon: A Scroll from the Wilderness of Judaea* (Jerusalem: Magnes and Heikhal Ha-Sefer, 1956) is the *editio princeps*, containing the Aramaic text of cols. 2 and 19–22 with English and modern Hebrew translation, photographs, and introductory material.

on which they were commenting. Soon we found out that there was more than one kind of peshar, some called continuous and others thematic, but both exhibiting similar approaches to the Bible.<sup>6</sup>

The *Genesis Apocryphon* could be studied only partially because just five of its twenty-three columns could be read. It presented its readers with a new sort of Aramaic interpretation of the Bible which was neither targum nor midrash, although many scholars attempted to define it as one or the other of those.<sup>7</sup> That very fact shows us how much the old categories of rabbinic literature were being allowed to shape the analysis of Second Temple material. The publication and initial study of the *Genesis Apocryphon*, however, gradually began to draw the attention of scholars to the fact that biblical interpretation in the Scrolls had to be viewed against the background of their Second Temple milieu, and not only in light of their similarity or dissimilarity to rabbinic material. *Jubilees* and *Enoch* began to appear on the radar screens of scholars studying the *Apocryphon* even before the substantial fragments of those works found in the Qumran caves were published.

Over the next two decades, from roughly 1968 (after the publication of DJD V which, in addition to pesharim, includes a variety of other texts related to the Bible) through 1987, the publication of new texts slowed to a crawl. One very important new text from the perspective of biblical interpretation, 11QT, the *Temple Scroll*, however, was published in two magnificent editions, Hebrew and English, by the late Yigael Yadin.<sup>8</sup> It was the first substantial new legal Qumran text to be published, and it presented scholars like Joseph M. Baumgarten and Lawrence Schiffman with the opportunity to study the way in which the Qumranites read the | legal portions of the Pentateuch and to contrast it with later rabbinic interpretation.<sup>9</sup>

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<sup>6</sup> For an introduction to the fundamental issues in the interpretation of the pesharim, see Shani L. Berrin, "Pesharim," *EDSS* 2:644–47.

<sup>7</sup> E.g., Manfred R. Lehmann, "1Q Genesis Apocryphon in the Light of the Targumim and Midrashim," *RevQ* 1 (1958–59): 249–63; Gerard J. Kuiper, "A Study of the Relationship Between 'A Genesis Apocryphon' and the Pentateuchal Targumim in Genesis 14<sub>1-12</sub>," in *In Memoriam Paul Kahle* (ed. Matthew Black and Georg Fohrer; BZAW 103; Berlin: Töpelmann, 1968), 149–61.

<sup>8</sup> Yigael Yadin, *Megillat ha-Miqdash* (3 vols.; Jerusalem: Israel Exploration Society, 1977) (Hebrew); *idem*, *The Temple Scroll* (3 vols.; Jerusalem: Israel Exploration Society, 1983).

<sup>9</sup> Baumgarten's contribution includes, e.g., "On the Non-literal Use of 'ma'asēr'/'dekatē'," *JBL* 103 (1984) 245–251; "The First and Second Tithes in the Temple Scroll," *Biblical and Related Studies Presented to Samuel Iwry* (ed. Ann Kort and Scott Morschauser; Winona Lake, IN: Eisenbrauns, 1985), 5–15; "The Calendars of the Book of Jubilees and the Temple

## 3. THE SECOND PHASE: 1987–TODAY

## 3.1. 1987–1997

It was in the last two decades of the sixty years that we are commemorating that biblical interpretation at Qumran came into its own as a field of academic enterprise, but it is not easy to separate them by drawing a sharp line in the middle at 1997. The decade from roughly 1987 to 1997 was marked in particular by rapid publication of new textual material in the Discoveries in the Judean Desert series under the guidance of editor-in-chief Emanuel Tov, but that publication process continued into the most recent decade which I have been asked to review.<sup>10</sup>

The most important contribution of that spate of activity has undoubtedly been the wealth of new texts which were published, wealth which is measured not only in sheer volume, but in variety as well. The four volumes of texts which were described as “parabiblical” and published from 1994 to 2001 furnished the student of biblical interpretation at Qumran with a very large body of new material which had to be gradually analyzed, digested, synthesized, and, only then integrated into the results of the previous four or five decades of research.<sup>11</sup> Doing this too quickly was guaranteed to produce, if I may be permitted to continue the metaphor, indigestion.

I take this opportunity to draw attention to some of the titles which have been given to the works in these volumes and others recently published in order to characterize the breadth of material relating to the Bible that is contained within them: reworked Pentateuch, *Jubilees*, *pseudo-Jubilees*, Genesis Commentaries, | *Exposition on the Flood*, *Exposition on*

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Scroll,” *VT* 37 (1987): 71–78; “Yom Kippur in the Qumran Scrolls and Second Temple Sources, *DSD* 6 (1999): 184–191. Schiffman produced a lengthy series of articles since 1980, many of which have been collected in *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (ed. Florentino Garcia Martinez; STDJ 75; Leiden: Brill, 2008).

<sup>10</sup> See Emanuel Tov, “Some Thoughts at the Close of the DJD Publication Project,” in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 3–13.

<sup>11</sup> Harold Attridge et al. in consultation with James VanderKam, *Qumran Cave 4. VIII: Parabiblical Texts, Part I* (DJD XIII; Oxford: Clarendon, 1994); Magen Broshi et al. in consultation with James VanderKam, *Qumran Cave 4. XIV: Parabiblical Texts, Part 2* (DJD XIX; Oxford: Clarendon, 1995); George J. Brooke et al. in consultation with James VanderKam, *Qumran Cave 4. XVII: Parabiblical Texts, Part 3* (DJD XXII; Oxford: Clarendon, 1996); Devorah Dimant, *Qumran Cave 4. XXI, Parabiblical Texts, Part 4, Pseudo-prophetic Texts* (DJD XXX; Oxford: Clarendon, 2001).

*the Patriarchs*, apocryphal Pentateuch, paraphrase of Genesis–Exodus, *Apocryphon of Joshua*, *Apocryphon of Jeremiah*, *Pseudo-Ezekiel*, *Pseudo-Daniel*. In some way or other, and often in very different ways, all of these works may be said to contain or to reflect biblical interpretation. In addition, there are many other works published in DJD since 1987 which can be said to engage in biblical interpretation in the broader sense of the description in my opening paragraph. Although the wisdom work, *4QInstruction* or *Musār leMēvîn*, is not a work of biblical interpretation in any technical fashion, it engages issues with which biblical scholars are familiar from the book of Proverbs, and demands analysis against that background.<sup>12</sup> The new legal material in the Cave 4 fragments of the *Damascus Document* (4QD), like all other legal material from Qumran, requires careful study of the biblical exegesis which underlies the Qumran version of these laws.<sup>13</sup> And this list could easily be extended considerably.

As these texts were published, culminating with their appearance in the DJD volumes, scholars gradually began to give them the attention they deserve. We should not forget that many of these texts, despite their grandiose nomenclature, often consist of only a piece or two or three of leather with not very much writing on them. So the process of interpreting the interpretation, or even of discerning whether there is any interpretation there, is not an easy or rapid one, and scholars should not be criticized, in my opinion, for the lack of speed in producing such analyses. I think that the gradually increasing pace of scholarship in this area of Qumran studies, and perhaps in others as well, has to do with the learning curve that exists when we confront a great deal of new fragmentary textual material which does not “belong” to a body of work or to a genre with which we have been familiar in the past. It is often much more difficult to interpret a few fragments than a large and complete work.

146 | This is the reason that I have looked a bit more closely at the last two decades rather than only the last one which I was assigned. Scholarship does not proceed in neatly fixed intervals, and I hope I have shown that, especially when examining biblical interpretation at Qumran,

<sup>12</sup> John Strugnell et al., *Qumran Cave 4. XXIV: Sapiential texts, Part 2: 4QInstruction (Musār leMēvîn): 4Q415ff. with a re-edition of 1Q26* (DJD XXXIV; Oxford: Clarendon, 1999). See George J. Brooke, “Biblical Interpretation in the Wisdom Texts from Qumran,” in *The Wisdom Texts from Qumran and the Development of Sapiential Thought* (ed. Charlotte Hempel et al.; BETL 159; Leuven: Leuven University Press, 2002), 201–20.

<sup>13</sup> Joseph M. Baumgarten, *Qumran Cave 4. XIII. The Damascus Document (4Q266–273)* (DJD XVIII; Oxford: Clarendon, 1996). See some of the articles noted toward the end of n. 39 below.



the last two decades taken together stand out against the previous four. In preparing this paper, I hoped, nevertheless, to be able to discover some characteristic difference between the last two decades, so I employed as a very imprecise and impressionistic technique a search of the RAMBI database for the linked subjects “Dead Sea Scrolls” and “biblical interpretation.”<sup>14</sup> The results were only 20 entries for 1987–1997 and 92 for the decade 1997–2007. Despite the fact that I knew that such a search could not possibly be accurate and exact, I felt that it might be the only way to quantify even loosely what I thought was an important trend in our scholarship. And if I may be permitted to judge that scholarly trend generously, as the early mishnaic sage Joshua ben Peraḥia instructs us to do always,<sup>15</sup> I suggest that we spent the first of the last two decades reading and thinking about these new texts, and the second, the most recent ten years, writing about them.

In a sense, then, it is similarly difficult to find dichotomies between the last two decades in the ways that we studied biblical interpretation in the Scrolls. I think that our methodology is gradually growing more sophisticated as the “nuts and bolts” work on the texts and their philology comes to completion and more attention can be devoted to the first levels of synthetic study. So my discussion of what we have been doing for the last ten years should not be taken as implying that some scholars were not already doing some of the same things fifteen or twenty years ago. But there are more of us doing it now, as the sub-discipline that we are describing, biblical interpretation at Qumran, has become more sharply defined.

### 3.2. 1997–2007

A typological survey of what has been going on in the last decade in the study of biblical interpretation at Qumran will furnish a sense of the diversity which the field encompasses. It is significant to note that we are now getting second or third studies on topics which had been the objects of investigation in the first four or five decades but demanded restudy either because we have more textual data or more sophisticated methodology, or both. Let us begin with some of the works that belong to the genre which I still call “rewritten Bible” and others prefer to call “parabiblical”

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<sup>14</sup> <http://jnul.huji.ac.il/rambi/>; רשימת מאמרים במדעי היהדות; Index of Articles in Jewish Studies.

<sup>15</sup> See, inter alia, *m. 'Avot* 1:6 כל האדם לכף זכות.

or the like.<sup>16</sup> Once a determination is made about what to call them and what works then fit into the ensuing category, they are studied from many perspectives, very frequently to extrapolate their implicit exegetical technique and its results. Careful reading of such texts, whether the *Genesis Apocryphon*<sup>17</sup> or *Jubilees*,<sup>18</sup> demonstrates how the exegesis is embedded in the story. In an analogous fashion, a variety of other works that are generically quite different from rewritten Bible are also probed for their exegetical method and results.<sup>19</sup> And in almost all the cases that I have

<sup>16</sup> The bibliography on this topic, both theoretical and applied, continues to grow rapidly. The following is a representative selection from only the last half decade or so: Armin Lange, "The Parabiblical Literature of the Qumran Library and the Canonical History of the Hebrew Bible," in *Emanuel: Studies in Hebrew Bible, Septuagint, and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. Shalom M. Paul et al.; SVTSup 94; Leiden: Brill, 2003), 305–21; Dwight D. Swanson, "How Scriptural is Re-written Bible?" *RevQ* 21 (2004): 407–27; Moshe J. Bernstein, "Rewritten Bible: A Generic Category Which Has Outlived Its Usefulness?" *Textus* 22 (2005): 169–96 (above 1.39–62); Michael Segal, "Between Bible and Rewritten Bible," in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2005), 10–28; Jonathan G. Campbell, "'Rewritten Bible' and 'Parabiblical Texts': A Terminological and Ideological Critique," in *New Directions in Qumran Studies: Proceedings of the Bristol Colloquium on the Dead Sea Scrolls, 8–10 September 2003* (ed. Jonathan G. Campbell et al.; London: T&T Clark, 2005), 43–68; Daniel Falk, *Parabiblical Texts: Strategies for Extending the Scriptures Among the Dead Sea Scrolls* (CQS 8; LSTS 63; London: T&T Clark, 2007); Anders Klostergaard Petersen, "Rewritten Bible as a Borderline Phenomenon—Genre, Textual Strategy, or Canonical Anachronism?" in *Flores Florentino: Dead Sea Scrolls and Other Early Jewish Studies in Honour of Florentino Garcia Martinez* (ed. Anthony Hilhorst, Emile Puech and Eibert Tigchelaar; JSJSup 122; Leiden: Brill, 2007), 285–306; Sidnie White Crawford, *Rewriting the Bible in the Second Temple Period* (Grand Rapids: Eerdmans, 2008); Armin Lange, "From Paratext to Commentary," in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 195–216.

<sup>17</sup> The remainder of the legible material in the *Apocryphon* was published by Jonas C. Greenfield and Elisha Qimron, "The *Genesis Apocryphon* Col. XII," in *Studies in Qumran Aramaic* (ed. Takamitsu Muraoka; AbrNSup 3; Leuven: Peeters, 1992), 70–77; and Matthew Morgenstern, Elisha Qimron, and Daniel Sivan, "The Hitherto Unpublished Columns of the *Genesis Apocryphon*," *AbrN* 33 (1995): 30–54. Daniel A. Machiela, *The Dead Sea Genesis Apocryphon: A New Text and Translation with Introduction and Special Treatment of Columns 13–17* (STDJ 79; Leiden: Brill, 2009), has made further significant contributions to the reconstruction of the surviving text as well as its interpretation. For the exegesis in the *Apocryphon*, see my "The *Genesis Apocryphon*: Compositional and Interpretive Perspectives," in *A Companion to Biblical Interpretation in Early Judaism* (ed. M. Henze; Grand Rapids: Eerdmans, 2012), 157–179.

<sup>18</sup> See Michael Segal, *The Book of Jubilees: Rewritten Bible, Redaction, Ideology and Theology* (JSJSup 117; Leiden: Brill, 2007).

<sup>19</sup> E.g., for *4QCommentary on Genesis A* (4Q252), see my "4Q252: From Re-Written Bible to Biblical Commentary," *JJS* 45 (1994): 1–27 and George J. Brooke, "4Q252 as Early Jewish Commentary," *RevQ* 17 (1996): 385–401; for the so-called 4QPrayer of Enosh (4Q369), see James L. Kugel, "4Q369 'Prayer of Enosh' and Ancient Biblical Interpretation," *DSD* 5

described and | shall describe, the study of the world-view or theology of the work accompanies the analysis of its relationship to the Bible. From a formal standpoint, this is not an aspect of biblical interpretation, but since the Qumran group's beliefs are so often derived from biblical sources, it must be mentioned in this context. 148

Several studies have been devoted to biblical figures as they are portrayed in the Qumran scrolls, Abraham,<sup>20</sup> Moses,<sup>21</sup> and David,<sup>22</sup> to mention just three. The fact that such biblical characters are not | portrayed uniformly is one excellent indicator that the Qumran scrolls should not be taken as an undifferentiated unity. When studies of this sort are expanded to include the depictions of biblical figures in Second Temple (and often rabbinic) literature as well, we are looking at the 149

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(1998): 119–48; for 4QCatena<sup>a</sup> (4Q177), see Annette Steudel, “Eschatological Interpretation of Scripture in 4Q177 (4Q Catena),” *RevQ* 14 (1990): 473–81.

<sup>20</sup> For a collection of essays on the treatment of a variety of biblical figures in Second Temple sources, see *Biblical Figures Outside the Bible* (ed. Michael E. Stone and Theodore A. Bergren; Harrisburg, Pa.: Trinity, 1998). For Abraham, see: Craig A. Evans, “Abraham in the Dead Sea Scrolls: A Man of Faith and Failure,” in *The Bible at Qumran: Text, Shape, and Interpretation* (ed. Peter W. Flint; Grand Rapids, Eerdmans, 2001), 149–58; Reinhard G. Kratz, “Friend of God, Brother of Sarah, and Father of Isaac: Abraham in the Hebrew Bible and in Qumran,” in *The Dynamics of Language and Exegesis at Qumran* (ed. Devorah Dimant and Reinhard G. Kratz; Tübingen: Mohr Siebeck, 2009), 79–105.

<sup>21</sup> Crispin H.T. Fletcher-Louis, “4Q374—A Discourse on the Sinai Tradition: the Deification of Moses and Early Christology,” *DSD* 3 (1996): 236–52; Paul E. Hughes, “Moses’ Birth Story: A Biblical Matrix for Prophetic Messianism,” in *Eschatology, Messianism, and the Dead Sea Scrolls* (ed. Craig A. Evans and Peter W. Flint; Grand Rapids, Eerdmans, 1997), 10–22; James E. Bowley, “Moses in the Dead Sea Scrolls: Living in the Shadow of God’s Anointed,” in Flint, *The Bible at Qumran*, 159–81; Géza G. Xeravits, “Moses Redivivus in Qumran?” *Qumran Chronicle* 11 (2003): 91–105; Émile Puech, “Le fragment 2 de 4Q377, Pentateuque Apocryphe’ B: l’exaltation de Moïse,” *RevQ* 21 (2004): 469–75; Heinz-Josef Fabry, “Mose, der ‘Gesalbte JHWHs’: messianische Aspekte der Mose-Interpretation in Qumran,” in *Moses in Biblical and Extra-Biblical Traditions* (ed. Axel Graupner and Michael Wolter; BZAW 372; Berlin: de Gruyter, 2007), 129–42; Phoebe Makiello, “Was Moses Considered to Be an Angel by Those at Qumran?” in *Moses in Biblical and Extra-Biblical Traditions*, 115–27; Wido Th. van Peursen, “Who Was Standing on the Mountain? The Portrait of Moses in 4Q377,” in *Moses in Biblical and Extra-Biblical Traditions*, 99–113.

<sup>22</sup> Elio Jucci, “Davide a Qumran,” *Ricerche Storico Bibliche* 7 (1995): 157–73; Craig A. Evans, “David in the Dead Sea Scrolls,” in *The Scrolls and the Scriptures: Qumran Fifty Years After* (ed. Stanley E. Porter and Craig A. Evans; Sheffield: Sheffield Academic Press, 1997), 183–97; Claude Coulot, “David à Qumrân,” in *Figures de David à travers la Bible: XVIIe congrès de l’ACFEB, Lille, 1er–5 Septembre 1997* (ed. Louis Desrousseaux and Jacques Vermeylen; Paris: Cerf, 1999), 315–43; Jacqueline C.R. de Roo, “David’s Deeds in the Dead Sea Scrolls,” *DSD* 6 (1999): 44–65; William M. Schniedewind, “The Davidic Dynasty and Biblical Interpretation in Qumran Literature,” in *The Dead Sea Scrolls Fifty Years After Their Discovery: Proceedings of the Jerusalem Congress, July 20–25, 1997* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society, 2000), 82–91; Peter W. Flint, “The Prophet David at Qumran,” in Henze, *Biblical Interpretation at Qumran*, 158–67.

contextualization of the Qumran material in its natural milieu, not treated in isolation but in conjunction with its chronologically appropriate relatives. Still linked to the Bible, but moving away from “interpretation” in the strict sense, are the many studies of biblical themes as reflected in the Qumran texts. Creation,<sup>23</sup> covenant,<sup>24</sup> and evil,<sup>25</sup> have | all been discussed one or more times, and it is usually against the background of the biblical sources, if not overtly, then tacitly.

The study of comparative exegesis is another facet of biblical interpretation at Qumran which is growing, but has certainly yet to meet its full potential. Especially in the study of Qumran legal material, we find discussions of the different ways in which the Qumran texts and later

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<sup>23</sup> Esther G. Chazon, “The Creation and Fall of Adam in the Dead Sea Scrolls,” in *The Book of Genesis in Jewish and Oriental Christian Interpretation: A Collection of Essays* (ed. Judith Frishman and Lucas van Rompay; Traditio Exegetica Graeca 5; Leuven: Peeters, 1997), 13–24; John J. Collins, “In the Likeness of the Holy Ones: The Creation of Humankind in a Wisdom Text from Qumran,” in *The Provo International Conference on the Dead Sea Scrolls: New Texts, Reformulated Issues and Technological Innovations* (ed. Eugene Ulrich and Donald W. Parry; STDJ 30; Leiden: Brill, 1998), 609–18; *idem*, “The Mysteries of God: Creation and Eschatology in 4QInstruction and the Wisdom of Solomon,” in *Wisdom and Apocalypticism in the Dead Sea Scrolls and in the Biblical Tradition* (ed. Florentino Garcia Martinez; BETL 168; Leuven: Peeters, 2003), 287–305; *idem*, “Interpretations of the Creation of Humanity in the Dead Sea Scrolls,” in Henze, *Biblical Interpretation at Qumran*, 29–43; Michael A. Daise, “Biblical Creation Motifs in the Qumran Hodayot,” in Schiffman et al., *The Dead Sea Scrolls Fifty Years after Their Discovery*, 293–305; Bilhah Nitzan, “The Idea of Creation and Its Implications in Qumran Literature,” in *Creation in Jewish and Christian Tradition* (ed. Henning Graf Reventlow and Yair Hoffman; London: Sheffield Academic Press, 2002), 240–64; Matthew J. Goff, “The Mystery of Creation in 4QInstruction,” *DSD* 10 (2003): 163–86; Florentino Garcia Martinez, “Creation in the Dead Sea Scrolls,” in *The Creation of Heaven and Earth: Re-interpretation of Genesis I in the Context of Judaism, Ancient Philosophy, Christianity, and Modern Physics* (ed. George H. van Kooten; Leiden: Brill, 2005), 49–70 [= Florentino Garcia Martinez, *Qumranica Minora* II (STDJ 64; Leiden: Brill, 2007), 219–240]; Matthew E. Gordley, “Creation Imagery in Qumran Hymns and Prayers,” *JJS* 59 (2008): 252–72.

<sup>24</sup> Bilhah Nitzan, “The Concept of the Covenant in Qumran Literature,” in *Historical Perspectives: From the Hasmoneans to Bar Kokhba in the Light of the Dead Sea Scrolls: Proceedings of the Fourth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 27–31 January, 1999* (ed. David Goodblatt et al.; STDJ 37; Leiden: Brill, 2001), 85–104; Craig A. Evans, “Covenant in the Qumran literature,” in *The Concept of the Covenant in the Second Temple Period* (ed. Stanley E. Porter and Jacqueline C.R. de Roo; JSJSup 71; Leiden: Brill, 2003), 55–80; Lawrence H. Schiffman, “The Concept of Covenant in the Qumran Scrolls and Rabbinic Literature,” in Najman and Newman, *The Idea of Biblical Interpretation*, 257–78.

<sup>25</sup> John J. Collins, “The Origin of Evil in Apocalyptic Literature and the Dead Sea Scrolls,” in *Congress Volume. Paris, 1992* (ed. John A. Emerton; VTSup 61; Leiden: Brill, 1995), 25–38; James H. Charlesworth, “Theodicy in Early Jewish Writings: A Selected Overview,” in *Theodicy in the World of the Bible* (ed. Antti Laato and Johannes C. De Moor; Leiden: Brill, 2003), 470–508.

rabbinic material interpret Scripture.<sup>26</sup> In my view there is still not enough attention paid to the hermeneutical similarities and differences between them, but the groundwork has been laid for further profitable work in this area. The similarities and dissimilarities between the ways in which the Hebrew Bible is read in the Qumran texts and in Christian Scripture has not stopped being of interest to New Testament scholars. But, by contrast with the early days of Scrolls scholarship when the guidelines for solid comparative study had not yet been laid down, as the study of Qumran interpretation has matured, the way in which the Scrolls are employed now as a backdrop to the New Testament has matured as well.<sup>27</sup> Finally on the comparative list, it is interesting, and shows how far we have come in Qumran studies, that it is quite respectable to study Qumran and Karaite exegesis together; there is no suspicion that such an approach conceals the eccentric view of more than half a century ago that the Scrolls are medieval forgeries.<sup>28</sup>

Another sign of the healthy growth of this area as a subdiscipline of Qumran studies is the number of specialized volumes devoted to it. These take two forms: collections of essays such as *Biblical Perspectives, The Bible at Qumran*, and *Biblical Interpretation at Qumran*;<sup>29</sup> | and works which are devoted to introducing the field to the less initiated such as *The Pesharim, The Exegetical Texts, The Parabiblical Texts*, and *Reworking Scripture in*

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<sup>26</sup> Cf. Vered Noam, "Creative Interpretation and Integrative Interpretation in Qumran," in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 363–76, and see the literature referred to in the latter portion of n. 39 below.

<sup>27</sup> See the various studies in George J. Brooke, *The Dead Sea Scrolls and the New Testament* (Minneapolis: Fortress, 2005), and also Timothy H. Lim, *Holy Scripture in the Qumran Commentaries and Pauline Letters* (Oxford: Clarendon, 1997); *idem*, "Midrash Peshar in the Pauline Letters," in Porter and Evans, *Scrolls and the Scriptures*, 280–92; Stephen E. Wither, "Approaches to Scripture in the Fourth Gospel and the Qumran 'Pesharim,'" *NovT* 48 (2006): 313–28.

<sup>28</sup> For a thorough discussion of the issue, see Meira Polliack, "Wherein Lies the Peshar? Re-questioning the Connection Between the Medieval Karaite and Qumranic Modes of Biblical Interpretation," *JSIJ* 4 (2005): 151–200; and, more broadly, Albert I. Baumgarten, "Karaites, Qumran, the Calendar, and Beyond: At the Beginning of the Twenty-first Century," in *The Dead Sea Scrolls and Contemporary Culture: Proceedings of the International Conference held at the Israel Museum, Jerusalem (July 6–8, 2008)* (ed. A.D. Roitman, L.H. Schiffman, and S.L. [Berrin] Tzoref; STDJ 93; Leiden: Brill, 2010), 603–619.

<sup>29</sup> *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls: Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. Michael E. Stone and Esther G. Chazon; STDJ 28; Leiden: Brill, 1998); Flint, *Bible at Qumran*; Henze, *Biblical Interpretation at Qumran*.

*Second Temple Times*.<sup>30</sup> There is rarely a *Festschrift* for a scholar working in Qumran or related areas which does not contain one or more essays which could be subsumed under the rubric “biblical interpretation at Qumran.”<sup>31</sup> Collections of essays, as well, on the broader theme of biblical interpretation in antiquity, such as *Mikra, Hebrew Bible/Old Testament*, and *A History of Biblical Interpretation*, of course, have their mandatory chapters on Qumran material.<sup>32</sup>

#### 4. DESIDERATA FOR THE FUTURE

##### 4.1. Commentaries

152 Until now, the focus of our discussion has been “looking back.” Turning to the “looking ahead” part of the essay, I should like to divide it further into “looking inward” and “looking outward,” where the latter section will respond to some of the charges given in the themes for this conference. First, what are the desiderata in the investigation of biblical interpretation at Qumran to which we should give some of our attention in the near future? One area of scholarship which has been underrepresented in the past is the production of commentaries on Qumran works of interpretation. Even though the DJD series, in its latter volumes, has expanded the nature of the commentaries far beyond what was included in the early volumes, there is a need to go back to each of the texts which interprets the Bible and to produce commentaries which focus, among other things,

<sup>30</sup> Timothy Lim, *The Pesharim* (CQS 3; Sheffield: Sheffield, 2002); Jonathan G. Campbell, *The Exegetical Texts* (CQS 4; London: T&T Clark, 2004); Falk, *The Parabiblical Texts*; White Crawford, *Rewriting the Bible in the Second Temple Period*.

<sup>31</sup> A small representative sample: Najman and Newman, *The Idea of Biblical Interpretation*; Paul et al., *Emanuel*; Hilhorst et al., *Flores Florentino; For a Later Generation: the Transformation of Tradition in Israel, Early Judaism, and Early Christianity* [Festschrift George W.E. Nickelsburg] (ed. Randal A. Argall et al.; Harrisburg, Pa.: Trinity, 2000); *Studies in the Hebrew Bible, Qumran, and the Septuagint Presented to Eugene Ulrich* (ed. Peter W. Flint et al.; VTSup 101; Leiden: Brill, 2006).

<sup>32</sup> Michael Fishbane, “Use, Authority and Interpretation of Mikra at Qumran,” in *Mikra: Text, Translation, Reading, and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. Martin Jan Mulder; CRINT 2.1; Assen: Van Gorcum, 1988), 339–77; Johann Maier, “Early Jewish Biblical Interpretation in the Qumran Literature,” in *Hebrew Bible/Old Testament: The History of Its Interpretation* (ed. Magne Sæbø et al.; Göttingen: Vandenhoeck & Ruprecht, 1996) 1.1:108–29; Philip R. Davies, “Biblical Interpretation in the Dead Sea Scrolls,” in *A History of Biblical Interpretation Vol. 1: The Ancient Period* (ed. Alan J. Hauser and Duane F. Watson; Grand Rapids: Eerdmans, 2003), 144–66.

on the way in which each of them reads the Bible. We need to “reverse engineer” (to borrow James Kugel’s term)<sup>33</sup> the way that the Qumranites read the Bible, and in the process produce the good exegetical commentaries that are a sine qua non for progress in our understanding how the Qumran authors interpreted the Bible.

This is true especially of works which were published in the first two-thirds of the 60-year period that was celebrated at the conference at which this paper was delivered. We need constantly to reread those texts in light of what we have published and what we have learned over the intervening years. Almost all of the pesharim need fresh treatments in light of the more sophisticated literary and historical analysis which has been developed in the last couple of decades. A couple of very detailed studies of the Nahum pesharim have been published recently, but what of all of the others?<sup>34</sup> The last full commentary in English on all the pesharim dates to 1979, and it certainly falls short of what a comprehensive commentary should look like today.<sup>35</sup> Even the outstanding Hebrew-language commentary of 1986 on *Peshar Habakkuk* might well be updated.<sup>36</sup>

And at this juncture, I am pleased to take the opportunity to mention one such endeavor, the re-edition of Allegro’s DJD V that is being carried out by a group of scholars under the editorship of George J. Brooke and myself. Through the active co-operation of a variety of colleagues, our long-planned revision is becoming a reality. A June 2009 symposium in Copenhagen, hosted by Professor Jesper Høgenhaven, brought together many of the participants in the project to share their | current work on the texts that they are editing.<sup>37</sup> In this volume, the “*Apocryphon of Samuel*,” five Isaiah pesharim, two on Hosea, one on Micah, one on Nahum, one on Psalms, and related works (such as, for example, those designated

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<sup>33</sup> James L. Kugel, *In Potiphar’s House: The Interpretive Life of Biblical Texts* (New York: HarperCollins, 1994), 251. Borrowing the term from the world of technology, Kugel uses it to understand the development of midrashic motifs “to recreate the thinking that lies behind each and every one of its components.”

<sup>34</sup> Shani L. Berrin, *The Peshar Nahum Scroll from Qumran: An Exegetical Study of 4Q169* (STDJ 53; Leiden: Brill, 2004); Gregory L. Doudna, *4Q Peshar Nahum: A Critical Edition* (JSP-Sup 35; London: Sheffield, 2001).

<sup>35</sup> Maurya P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington: Catholic Biblical Association of America, 1979).

<sup>36</sup> Bilhah Nitzan, *The Peshar Habakkuk Scroll of the Judean Desert Scrolls* (Jerusalem: Bialik Institute, 1986) (Hebrew).

<sup>37</sup> The proceedings of that symposium have appeared as *The Mermaid and the Partridge. Essays from the Copenhagen Conference on Revising Texts from Cave Four* (ed. G.J. Brooke and J. Høgenhaven; STDJ 96; Leiden: Brill, 2011).

heretofore “*Florilegium*” [4Q174] and “*Catena*” [4Q177]), as well as one of the “reworked Pentateuch” manuscripts (4Q158) and a text related to biblical legal material (4Q159) will receive fresh editing and commentary.

We are in even greater need of commentaries on the legal texts from Qumran as well, especially, but not only, the various *Serekh Hayahad* and *Damascus Document* manuscripts. Other than the outstanding Hebrew language commentary on the *Serekh*,<sup>38</sup> which must be acknowledged to be out-of-date due to the further textual material which has been made available and the stemmatic work which has been done on the manuscript traditions, none of those texts has ever received a first-rate commentary. Although these are not interpretive documents in the narrow sense, they contain a good deal of biblical exegesis, much of it legal, and that relatively unstudied area would benefit from such scholarly editions. There has been some work on the non-legal exegesis in a text like CD, but the legal material in it, as well in its 4QD ancestors has not been heavily analyzed.<sup>39</sup> The “minor” legal texts from Qumran must also be probed so that we can understand the | relation between the laws in them and the laws in the Hebrew Bible. In the long run, it will be more than a little valuable to know whether the modes of reading biblical legal texts are shared broadly by a variety of Qumran legal documents or whether different legal texts approach Scripture in different ways.

<sup>38</sup> Jacob Licht, *The Rule Scroll: A Scroll From the Wilderness of Judaea 1QS, 1QSa, 1QSB: Text, Introduction and Commentary* (Jerusalem: Bialik Institute, 1965) (Hebrew).

<sup>39</sup> Jonathan G. Campbell, *The Use of Scripture in the Damascus Document 1–8, 19–20* (BZAW 228; Berlin: de Gruyter, 1995); Liora Goldman, “The Exegesis and Structure of the Pesharim in the Damascus Document,” in Dimant and Kratz, *Dynamics of Language and Exegesis*, 193–202. With Shlomo A. Koyfman, I made a first attempt at a broad classification of certain aspects of Qumran legal exegesis in “The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods,” in Henze, *Biblical Interpretation at Qumran*, 61–87 (above 2.448–475). But that initial foray needs to be followed up, expanded, and probably, corrected. For other significant contributions in this area, see Steven D. Fraade, “Looking for Legal Midrash at Qumran,” in Stone and Chazon, *Biblical Perspectives*, 59–79; Aharon Shemesh, “Scriptural Interpretations in the Damascus Document and their Parallels in Rabbinic Midrash,” in *The Damascus Document: A Centennial of Discovery: Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 4–8 February, 1998* (ed. Joseph M. Baumgarten et al.; Leiden: Brill, 2000), 161–75; *idem*, “4Q251: ‘Midrash Mishpatim’,” *DSD* 12 (2005): 280–302; *idem*, “The Scriptural Background of the Penal Code in the ‘Rule of the Community’ and ‘Damascus Document’,” *DSD* 15 (2008): 191–224.



## 4.2. *Nomenclature*

### 4.2.1. *Texts*

The time has also come to do more work in the area of systematization in two different, but related, ways. The first is the very significant issue of nomenclature: what we do call the texts that had no names before we discovered and named them?<sup>40</sup> I admit that although what I am suggesting here may be viewed as a step backward, I think that we should avoid, as much as possible, the employment of terms like “pseudo-X” and “Apocryphon of Y,” and certainly “Book of Z” in our identification of works that survive on only two or three small pieces of leather that give us no idea of their extent or complete contents. We often underestimate the power of a name to influence the way in which later scholars think about texts, and it is clear that more neutral terms like “commentary” and “narrative” are far less likely to be misleading.

At the recent Copenhagen symposium dedicated to the ongoing revision of DJD V, this was a hotly discussed issue, as the participants grappled with the dilemma of “re-naming” some of the texts that have been in the public domain for more than half a century. We hope to replace, for example, terms like “*Florilegium*” and “*Catena*” with “*Eschatological Commentary*,” plus a distinguishing capital letter, certainly a more descriptive term in both instances; “*Ages of Creation*” (4Q180–181) will be redesignated “*Peshar on the Periods*” A and B. The two wisdom texts, 4Q184 and 4Q185, that were unnamed in DJD V, will be called “*Sapiential Admonitions*” A and B.<sup>41</sup> In the course of | time, Qumran scholars may discover that such changes in nomenclature are appropriate for other documents as well.

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### 4.2.2. *Genres*

The second matter is to decide which texts go together and how should they be organized when publishing editions with commentary, or even collected translations, of assorted fragmentary texts that relate to the

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<sup>40</sup> I have discussed one aspect of this issue in “The Contours of Genesis Interpretation at Qumran: Contents, Contexts and Nomenclature,” in *Studies in Ancient Midrash* (ed. James L. Kugel; Cambridge, Mass.: Harvard University Press, 2001), 57–85 (above 1.63–91). We should always bear in mind that the titles of few Qumran texts survive from antiquity, and that what we call them is almost always the product of scholars of the 20th and 21st centuries.

<sup>41</sup> 4Q184 has been popularly called “Wiles of the Wicked Woman,” and is actually designated as such on the Brill CD-Rom and in the DSSR, but the term is only appropriate, if at all, for fig. 1.

Bible. Let me again take as an example the texts in DJD V on which I am currently working. When these texts were originally sorted and assigned, it was natural and reasonable to group the pesharim together, for example, but what of the rest of the texts? Do 4Q158, whatever its designation, and 4Q159 “*Ordinances*,” and 4Q160 “*Vision of Samuel*” belong together, not to mention “*Florilegium*” and “*Catenas*.” I believe that if we were starting from scratch, we would have found a better way to group these texts and many others that have been published over the last 60 years. The important point is not that someone got these things wrong in the past, but rather that we need to work on getting them right in the future.

An attempt at reclassification and recombination was made in the listing in DJD XXXIX, but the seemingly simple division of texts related to the Bible into “exegetical texts” and “parabiblical texts” creates a dichotomy that is, to say the least, not very successful.<sup>42</sup> I believe that the problem there begins with the use of “parabiblical” with far too wide a range to be meaningful. On the other hand, it is not clear why a fairly restrictive term like “exegetical” should be applied to 4QTestimonia or 4QList of False Prophets.<sup>43</sup> The *Dead Sea Scrolls Reader* has gone beyond DJD XXXIX, and has taken texts like “*Apocryphon of Jeremiah*” and “*pseudo-Daniel*” out of the “parabiblical” category, and they appear in the sixth volume under “additional genres: non-symbolic apocalypses.” That, however, has the obvious disadvantage of severing their classificatory connection with the Bible, which would seem to be at least as important as their significant generic feature.

156 | To set matters aright, the categories as well as the subcategories that we employ to distribute works relating to the Bible need to be refined. And we need an agreed-upon “generic” vocabulary that we can share when discussing our texts, and it must be terminology that is as precise as we can make it; the global use of “parabiblical” is paradigmatic of what we need to avoid. I know that my own preference for the term “rewritten Bible” for certain works does not meet with favor in the eyes of many of my colleagues, but the refusal by some of them to acknowledge the existence of something that we can call “Bible” or “Scripture” in the period

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<sup>42</sup> Armin Lange and Ulrike Mittman-Richert, “Annotated List of Texts from the Judaean Desert Classified by Content and Genre,” in *The Texts from the Judaean Desert—Indices and an Introduction to the Discoveries in the Judaean Desert Series* (ed. Emanuel Tov; DJD XXXIX; Oxford: Clarendon, 2002), 115–64.

<sup>43</sup> When I observe the distribution of Bible-related texts in the Companion to the Qumran Scrolls series (see above, n. 30), the same difficulties present themselves.

when the Scrolls were penned is at least as problematic in my view, and at times goes so far as to appear to be obstructionist. I am almost willing to give up “rewritten Bible” in favor of some as yet undiscovered term if it would free us from the untrammelled employment of “parabiblical.” Both the form and the methodology of interpretation as well as other aspects of the relationship of each work to the Bible must be considered carefully before we make decisions that associate diverse works with each other. So if we make the ironing-out of these generic issues some sort of priority in the near future, we shall all be the happier for it.

#### 4.2.3. *Literary Issues*

To conclude the ways in which we can improve our comprehension of biblical interpretation at Qumran, we should keep on doing that which we have been doing, employing our best knowledge of paleography, philology, and the Scrolls themselves, to delve deeper into the meaning of the scrolls and their understanding of the Bible, paying close attention to both methods of reading and the literary forms in which those readings are expressed. I believe that in our striving to find the ways in which all of these texts relate to the Hebrew Bible, we have failed to pay sufficient attention to the issue of the literary forms that they take. And it may very well be that in focusing on the literary question we may find solutions to some of the exegetical conundrums that we are still pondering.<sup>44</sup> Here we may be able to take advantage of the application of some modern literary theory in dissecting the hermeneutics of those texts, an approach which when employed judiciously can be as productive as it is destructive when employed injudiciously.

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#### 4.2.4. *Broader Issues*

In addition to close work on the texts that involve biblical interpretation, I believe that the time has come when we have to ask (or re-ask) some larger questions. Why did the authors of these scrolls choose to write about the Bible in all of these literary forms? Do the diverse forms derive historically from different strands, sectarian or otherwise, in Second Temple Judaism?

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<sup>44</sup> In a paper, entitled “Narrator and Narrative in the *Genesis Apocryphon*,” delivered at the World Congress of Jewish Studies in Jerusalem in August 2009, I proposed to approach the *Genesis Apocryphon* as a literary narrative, rather than as an exegetical document. My suggestion is that through such an approach we might be able to explain certain features of the text that appear problematic if we focus only on its relationship to Genesis.

Because certain features of 4QReworked Pentateuch make it very difficult for me to accept the view that it is a “biblical text,”<sup>45</sup> I have been bothered for quite a while by the question: if it is not a “biblical text,” why did someone go to the trouble of writing out such lengthy documents with such minimal internal exegetical activity? In a similar fashion, although I do not believe that the issue of canon is quite as important to Qumran studies as some other scholars do, it certainly should not be ignored, and our further work on biblical interpretation is likely to have an impact on canon studies as well.

Let us ask further, what was the role of these many kinds of Bible-related works in the life of the community? Did the diverse genres of interpretive texts, whose modern titles we have mentioned throughout this paper, have any liturgical role or function in the Qumran sect? Were any of them employed in the communal learning and teaching that seems to have gone on in the group? In short, we should go beyond the narrow focus on the methods of reading and the nature of interpretation to ask these and other questions about the roles that all these documents might have played in the social and intellectual life of the Qumran community.<sup>46</sup> We should be prepared to be frustrated in our search for answers since our data are so meager, but the issues are worth thinking about nonetheless.

But even if we were to do all that, we should fail at the larger goal which this conference has set as its task, what I referred to as looking outward. Here is where we must consciously remind ourselves that there is no such field as “the Dead Sea Scrolls” in which we specialize, but rather identify ourselves with one or more of the humanistic disciplines for whose mills the Scrolls furnish intellectual grist. All of us who do our academic research in the Dead Sea Scrolls know very well that the Dead Sea Scrolls do not constitute single field of study, but rather a body of material which can contribute mightily to the study of the Hebrew Bible or New Testament, the study of Semitic languages, the study of Jewish history in classical antiquity, and the study of rabbinic Judaism, to mention just a few fields.

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<sup>45</sup> I have presented the arguments in “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” *DSD* 15 (2008): 24–49 (above 2.476–497).

<sup>46</sup> See Steven D. Fraade, “Interpretive Authority in the Studying Community at Qumran,” *JJS* 44 (1993): 46–69; *idem*, “Law, History and Narrative in the Damascus Document,” *Meghillot* 5–6 (2007): \*35–\*55.

Our external future progress may lie in our gradual breaking down of the walls or the boundaries that artificially delineate Qumran studies as an independent field, and that separate them from other areas, such as Judaism in late antiquity, Second Temple Judaism, early Christianity, early rabbinic Judaism, etc. As I noted earlier, this idea is expressed regularly by scholars in all of the subdisciplines which taken together constitute Dead Sea Scrolls studies, but it is one which is honored more in the breach than in the observance.

I think that our goal should be to prevent Qumran studies from appearing to the educated public and to scholars in other disciplines merely as an attractive and entertaining, but isolated field of study. It is the many comparative and contextual dimensions of Qumran studies which need to be emphasized in order to accomplish this. From the perspective of the topic of this essay, one of our tasks might be to demonstrate that "biblical interpretation at Qumran" is not only a subfield in Dead Sea Scrolls studies, but also, and perhaps more significantly, in the history of biblical interpretation in antiquity more broadly. In this subfield, there are a number of obvious connections to broader fields which can and have been made. We know that not every text found at Qumran was composed at Qumran or by groups who would be sympathetic to the Qumranites. The handling of Scripture at Qumran manifests, if not a complete cross-section, then at least a partial cross-section of biblical interpretation in the Judaism or Judaisms of this era. Appropriate comparison of that Qumran material and other biblical interpretation which was produced by Jews at this time can illuminate not just the intellectual and religious world of Qumran, but | that of all Jews in Eretz Yisrael, and perhaps in the Diaspora 159 as well, at that time.

And if we move our perspective from the strictly contemporary to the slightly more diachronic, both early Christian and early rabbinic exegesis are available for comparison. The work which has been already done on early biblical interpretation as a continuum and as a series of traditions can be developed further.<sup>47</sup> Such research can actually produce a fuller understanding of the way in which the Qumran texts were reading the Bible (or what we now call the Bible) as well as convey to the larger public the sense that Qumran was not an isolated place at an isolated point in

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<sup>47</sup> Vermes, *Scripture and Tradition*; Kugel, *In Potiphar's House*; *idem*, *The Bible as It Was* (Cambridge: Belknap, 1997); *idem*, *Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* (Cambridge, Mass.: Harvard University Press, 1998).

time, but was part of the larger world out of which both Christianity and rabbinic Judaism derived.

Wishful thinking? Perhaps, but when we next gather in Jerusalem to celebrate the 70th or 75th anniversary of the discovery of the Scrolls, we shall have the opportunity to discover whether these wishes will have come true.

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