

# The New Damascus Document

*The Midrash on the Eschatological  
Torah of the Dead Sea Scrolls:  
Reconstruction, Translation and  
Commentary*

BRILL

BEN ZION WACHOLDER

# The New Damascus Document

# Studies on the Texts of the Desert of Judah

*Edited by*

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In memory of my parents

Pinchas Shelomoh Wacholder and  
Tzipporah Faiga Lederman Wacholder  
זצ"ל



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My daughter, Nina Wacholder, has contributed in important though invisible ways to the completion of this project.

I am thankful for the devoted love and guidance of my late wife Elizabeth Krukowski.



## SELECT ABBREVIATIONS

1QH <sup>a</sup>	<i>Hodayot</i> <sup>a</sup> or <i>Thanksgiving Hymns</i> <sup>a</sup>
1QM	<i>Milhamah</i> or <i>War Scroll</i>
1QpHab	<i>Pesher Habakkuk</i>
1QS	<i>Serek ha-Yahad</i> or <i>Rule of the Community</i>
4Q266–273	<i>Qumran Fragments of the Damascus Document</i> <sup>a-h</sup>
4QMMT <sup>a-f</sup>	<i>Miqsat Ma'asé ha-Torah</i> <sup>a-f</sup>
11QMelch	<i>Melchizedek</i>
11QPs <sup>a</sup>	<i>Psalms Scroll</i> <sup>a</sup>
ABD	<i>Anchor Bible Dictionary</i>
<i>Catena</i> <sup>a</sup>	4QCatena <sup>a</sup> (4Q177, also known as <i>Midrash on Eschatology</i> <sup>b</sup> )
CD	Cairo Genizah copy of the <i>Damascus Document</i> (Mss A [cols. 1–8; 9–16] and B [cols. 19–20])
DJD	Discoveries in the Judaeen Desert
DSD	<i>Dead Sea Discoveries</i>
DSS	Dead Sea Scrolls
EDSS	<i>Encyclopedia of the Dead Sea Scrolls</i>
<i>EncJud</i>	<i>Encyclopaedia Judaica</i>
HUCA	<i>Hebrew Union College Annual</i>
IEJ	<i>Israel Exploration Journal</i>
JBL	<i>Journal of Biblical Literature</i>
JE	<i>The Jewish Encyclopedia</i>
JJS	<i>Journal of Jewish Studies</i>
JQR	<i>Jewish Quarterly Review</i>
JSOT	<i>Journal for the Study of the Old Testament</i>
MTA	<i>Midrash ha-Torah ha-Acharon</i>
NJPS	<i>Tanakh: The Holy Scriptures: The New JPS Translation according to the Traditional Hebrew Text</i>
<i>RevQ</i>	<i>Revue de Qumran</i>
RSV	Revised Standard Version
VT	<i>Vetus Testamentum</i>
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>





## SIGLA

{ <del>Ⓝ</del> }	– erasure
<del>Ⓝ</del>	– strike through
< <del>Ⓝ</del> >	– modern addition
<< <del>Ⓝ</del> >>	– modern deletion
( <del>Ⓝ</del> )	– modern clarification or amplification
\ <del>Ⓝ</del> /	– modern transposition
<del>Ⓝ</del> <sub>˙</sub>	– supralinear insertion
◦	– illegible traces of a letter
Ⓝ	– possible reading
Ⓝ	– probable reading
<i>vac/vacat</i>	– vacat (DSS and CD-mss A)
:	– vacat (CD-mss B)
[ <del>Ⓝ</del> ]	– reconstructed text
xx / xx	– parallel texts

### Transcriptions and Reconstructions:

<sup>b</sup> <del>Ⓝ</del>	(or untagged 4Q Damascus Document readings) = Baumgarten
<sup>h</sup> <del>Ⓝ</del>	=Hempel
<sup>m/t</sup> <del>Ⓝ</del>	=Martínez-Tigheelaar
<sup>q</sup> <del>Ⓝ</del>	=Qimron
<sup>r</sup> <del>Ⓝ</del>	(or untagged CD reading)=Rabin
<sup>sch</sup> <del>Ⓝ</del>	=Schwartz
<sup>s</sup> <del>Ⓝ</del>	=Stegemann
<sup>w</sup> <del>Ⓝ</del>	=Wacholder



## FOREWORD

The New Damascus Document consists of three parts: a) a composite edition of the twelve ancient and medieval manuscripts with notes; b) a new translation of the Hebrew text; and c) a commentary upon the composite text.

Of the twelve manuscripts that survive from this work, two of them, the so-called CD-A and CD-B transcribed in the 11th and 12th centuries and discovered a century ago, remain the most important documents attesting to the 2,200 or 2,300 year-old composition. Fortunately, ten more manuscripts survive among the DSS found in 1947 and thereafter in the caves of Qumran—specifically eight in Cave 4 (4Q266–273), one in Cave 5 (5Q12) and one in Cave 6 (6Q15). The CD texts found in the genizah of the Cairo Synagogue are too well known to need description here. Some of the cave manuscripts overlap the CD material, but much more is new.

The extant manuscripts not only tell what survives, but also reveal a great deal about what has perished. Up to 1947 when only the CD texts were known, the extent of the original was completely unknown. Many presumed that the first lines of CD, “and now, heed me all you who know righteousness and discern the acts of God,” were its original beginning. The Qumran manuscripts have shown that the original work contained more than a page preceding the text of CD. It has always been clear that the two medieval manuscripts did not have the original’s last lines. Now, some three of the Dead Sea texts preserve the work’s ending. The last three words of these concluding lines reveal to us, presumably, the book’s original title which (like the *Book of Jubilees* whose beginning and conclusion contain its name, “The Division of the Days”) reproduces also the Hebrew name of the work: מדרש התורה האחרון “The Midrash on the Eschatological Torah” (MTA).

Although these Qumran texts of CD were discovered between 1947 and 1956, they were kept under lock and key for several decades until the appearance of the first fascicle of *A Preliminary Edition of the Unpublished Dead Sea Scrolls*.<sup>1</sup> In 1996 Baumgarten published the

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<sup>1</sup> Ben Zion Wacholder and Martin G. Abegg, reconstructors and eds., *A Preliminary Edition of the Unpublished Dead Sea Scrolls: The Hebrew and Aramaic Texts from Cave Four*, (Fascicle 1; Washington, D.C.: Biblical Archaeology Society, 1991).

remains of the Cave 4 texts in volume 18 of the DJD series with an English translation and brief comments.<sup>2</sup>

MTA presents the first diplomatic text of what survives in all twelve manuscripts. Let us remember, however, that the surviving material, large as it is, does not give us the original composition. How much has perished is not known, but in my estimation between a fourth and a third of the original work has not survived. In his edition, Baumgarten sometimes restores missing words and clauses. The present composite edition follows a more liberal system. I have attempted to restore or reconstruct many of the lacunae, going far beyond what is found in his work as well as in previous editions of CD, manuscript A in particular.

Ever since Schechter, scrollists have taken for granted that CD originated as a composite of extracts from diverse sources and (so to speak) had no author, rather only segments haphazardly fused together. Baumgarten and Campbell<sup>3</sup> still subscribe to this supposition. This commentary, however, argues that CD did have a singular author. The Rabbinic and Karaite traditions ascribe the origin of the sectarian movement to Zadok and Boethus, the disciples of Antigonus of Socho. Al-Qirqisani, a tenth century Karaite encyclopedic writer, alludes to a unified text as revealing half of the truth while Anan, the founder of the Karaite movement, revealed the whole. Yet, modern scholarship ignores altogether this Talmudic and Karaite evidence, building its entire structure on the mute stones of Qumran.

The title *מדרש התורה האחרון* opens a new window into the understanding of the Jewish literary tradition during the period of the Second Temple. Much of rabbinic literature is characterized by midrashic writings, some of them independent and others diffused within the Talmud. For centuries, this rabbinic material was transmitted orally and did not assume its present form until late antiquity or early Middle Ages. Now that we have a midrashic literary tradition in the DSS, there is no longer a question that this genre goes back to the period of the Second Temple and that sectarian and rabbinic midrash have their origin in post-exilic times.

Let me say a word about the new translation. Since Schechter's

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<sup>2</sup> Joseph M. Baumgarten, (DJD XVIII; *Qumran Cave 4 XIII: The Damascus Document (4Q266-273)*, (DJD XVIII; Oxford: Clarendon, 1996).

<sup>3</sup> J. Campbell, "Essene-Qumran Origins in the Exile: A Scriptural Basis?" *Journal of Jewish Studies* 46 (Cambridge: England, 1995): 143-156.

first edition in 1910, it has been presumed that the מורה צדק (Just Teacher) presented for the first time in MTA was the founder of the sect. I contend, however, that the Just Teacher and his nemesis known as the Scoffer or Liar, are presented as figures or personalities of the future, those who will appear at the End of Days.<sup>4</sup> Previous translators have rendered many of the verbs relating to these personalities in the past tense, which in this translation are mostly in the future.

A running commentary follows the Hebrew text, translation and accompanying notes.<sup>5</sup> It elucidates the MTA in light of the new evidence provided by the composite text and its retranslation. The CD manuscripts generated a mass of scholarship. Much of it retains its validity, but on the other hand, a great deal of the secondary work has lost its relevance since it rested on only half of the material that is now available. Moreover, as just noted, much of it misrepresented the underlying Hebrew original.

It is hoped that the present edition will add to the scope and understanding of the Dead Sea Scrolls.

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<sup>4</sup> This opinion is reflected in the translation. See too the article, Ben Zion Wacholder, "The Teacher of Righteousness is Alive, Awaiting the Messiah: האסף in CD as Allusion to the Siniatic and Damascene Covenants," *HUCA* 70-71 (1999–2000): 75–93.

<sup>5</sup> These are described in greater detail in the introduction along with other elements of organization of this book.



# MIDRASH HA-TORAH HA-ACHARON TABLES

## Table Sigla

- Table 1. “*Midrash ha-Torah ha-Acharon* Text Parallels” is broken into 6 sections on pages xxiv–xxviii.  
 Table 2. “*Midrash ha-Torah ha-Acharon* Texts Parallel to other Qumran scrolls: 5Q12, 6Q15 & 1QS” is one unit on page xxix.  
 Table 3. “List of Primary Text Divisions” listing all the primary texts and giving their page numbers, is one unit on page xxx.  
 Numbering (description here may be applied to any of the texts in the tables below, please substitute numbers as necessary):  
 CD 1:1 = Cairo Damascus Document page 1 line 1.  
 Qumran 4Q266 2ii:1–2  
 4 = Number of the cave in which the scroll was found.  
 Q = Qumran, indicating that the scroll was found in the vicinity of Qumran.  
 266 = Scroll number.  
 2 = Fragment number, or the number assigned to that particular fragment of the specific scroll number.  
 ii = Column number of the text in that fragment.  
 1–2 = lines 1–2.  
 / = Parallel to.  
 {} = Corresponding page numbers where the text may be found in this volume.  
 Note that texts with material overlapping from one page to another are listed with the page where the text begins.  
 Note that the primary texts are listed first, followed by the parallel text.  
 Primary texts are found by row; parallel CD texts are placed by row; parallel Qumran texts are placed by column.  
 These tables are not exhaustive.

Table 1. *Midrash ha-Torah ha-Acharon* Text Parallels

	4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
CD 1:1-2:1	CD1:1-2:1/ 4Q266 F2i:6b- 25 {page 26}		CD1:1-2:1/ 4Q268 F1:9-17 {page 26}					
	CD1:1-2:1/ 4Q266 F2ii:1- 2a {page 26}							

Continued on next page



Table 1. *Midrash ha-Torah ha-Aharon* Text Parallels, continued

	4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
CD 2:2-4:18	CD 2:2-4:18/ 4Q266 F2ii:2a- 24 {page 28}			CD 2:2-4:18/ 4Q269 F1-2 {page 28}	CD 2:2-4:18/ 4Q270 F1i {page 28}			
	CD 2:2-4:18/ 4Q266 F2iii {page 28}			CD 2:2-4:18/ 4Q270 F1ii(a) {page 28}				
	CD 2:2-4:8/ 4Q266 F3i {page 28}			CD 2:2-4:18/ 4Q270 F1ii(b) {page 28}				
	CD 2:2-4:8/ 4Q266 unidentified F34 {page 28}							
CD 4:19-7:5	CD 4:19-7:5/ 4Q266 F3ii {page 34}	CD 4:19-7:5/ 4Q267 F2 {page 34}		CD 4:19-7:5/ 4Q269 F3-4 {page 34}		CD 4:19-7:5/ 4Q271 F1 {page 34}		
	CD 4:19-7:5/ 4Q266 F3iii:4- 6 {page 34}							
CD 7:6-8:21	CD 7:6-8:21/ 4Q266 F3iii:18-25 {page 40}			CD 7:6-8:21/ 4Q269 F5 {page 40}				
	CD 7:6-8:21/ 4Q266 F3iv {page 40}			CD 7:6-8:21/ 4Q269 F6 {page 40}				

Continued on next page

Table 1. *Mithras ha-Torah ha-Acharon* Text Parallels, continued

4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
CD 9:1-11:2/ 4Q266 F8ii:8b- iii:10 {page 82}	CD 9:1-11:2/ 4Q267 F9i {page 82}			CD 9:1-11:2/ 4Q270 F6iii:16- 21 {page 82}			
				CD 9:1-11:2/ 4Q270 F6iv {page 82}			
				CD 9:1-11:2/ 4Q270 F6v:1-4 {page 82}			
CD 11:3-11	CD 11:3-11/ 4Q267 F9ii:2-3 {page 88}			CD 11:3-11/ 4Q270 F6v:12-16a {page 88}	CD 11:3-11/ 4Q271 F5i:1- 7a {page 88}		
CD 11:12-18	CD 11:12-18/ 4Q266 F9i:1-4 {page 90}	CD 11:12-18/ 4Q267 F9ii:8 {page 90}		CD 11:12-18/ 4Q270 F6v:16b-21 {page 90}	CD 11:12-18/ 4Q271 F5i:7b- 12 {page 90}		
CD 11:19-14:2	CD 11:19-14:2/ 4Q266 F9i:16-17 {page 90}	CD 11:19-14:2/ 4Q267 F9iii {page 90}	CD 11:19-14:2/ 4Q269 F10i-ii:8 {page 90}		CD 11:19-14:2/ 4Q271 F5i:13- 21 {page 90}		
	CD 11:19-14:2/ 4Q266 F9ii {page 90}	CD 11:19-14:2/ 4Q267 F9iv {page 90}			CD 11:19-14:2/ 4Q271 F5ii {page 90}		
	CD 11:19-14:2/ 4Q266 F9iii {page 90}	CD 11:19-14:2/ 4Q267 F9v:-6a {page 90}					
	CD 11:19-14:2/ 4Q266 F10i {page 90}						

Continued on next page

Table 1. *Midrash ha-Torah ha-Acharon* Text Parallels, continued

	4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
CD 14:3-21	CD 14:3-21/ 4Q266 F10i {page 96}	CD 14:3-21/ 4Q267 F9v:6b- 14 {page 96}	CD 14:3-21/ 4Q268 F2 {page 96}	CD 14:3-21/ 4Q269 F10ii 9-12; 11i:1-7 {page 96}				
CD 15	CD 15/ 4Q266 F8i: {page 78}				CD 15/ 4Q270 F6i:20-ii:10 {page 78}	CD 15/ 4Q271 F4i:4- ii:3a {page 78}		
CD 16	CD 16/ 4Q266 F8ii: 1b-8a {page 80}				CD 16/ 4Q270 F6ii:17-21 {page 80}	CD 16/ 4Q271 F4ii:3b- 17 {page 80}		
CD 19:1-34a	See table for CD 7:6-8:21				CD 16/ 4Q270 F6iii:13-15 {page 80}			
CD 19:34b- 20:34	CD 19:34b- 20:34/ 4Q266 F4 {page 46}	CD 19:34b-20:34/ 4Q267 F3:1- 7 {page 46}						

Continued on next page

Table 1. *Miqdash ha-Torah ha-Acharon* Text Parallels, continued

4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F1/ 4Q267 F1:1– 8 {page 22}	4Q266 F1: 4Q267 F1:1– 8 {page 22}	4Q266 F10ii/ 4Q269 F11i:8– ii:2 {page 100}	4Q266 F6iii/ 4Q270 F3ii:12– 16 {page 64}	4Q266 F5ii/ 4Q267 F5ii {page 52}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F5i/ 4Q273 F1 {page 52}
4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F2i:1a/ 4Q267 F1:1– 8 {page 22}	4Q266 F2i:1a/ 4Q267 F1:1– 8 {page 22}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F2 {page 56}	4Q266 F5ii/ 4Q273 F2 {page 56}
4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F5i/ 4Q267 F5ii {page 52}	4Q266 F5i/ 4Q267 F5ii {page 52}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F4i {page 56}	4Q266 F5ii/ 4Q273 F4i {page 56}
4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F6iii/ 4Q267 F6:1– 6 {page 64}	4Q266 F6iii/ 4Q267 F6:1– 6 {page 64}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F4i {page 56}	4Q266 F5ii/ 4Q273 F4i {page 56}
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4Q266 F7i–iii/ 4Q267 F8 {page 70}	4Q266 F7i–iii/ 4Q267 F8 {page 70}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F4i {page 56}	4Q266 F5ii/ 4Q273 F4i {page 56}
4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F1:1–8/ 4Q266 F2i:1– 6a {page 24}	4Q266 F1:1–8/ 4Q266 F2i:1– 6a {page 24}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F4i {page 56}	4Q266 F5ii/ 4Q273 F4i {page 56}
4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
4Q266 F1:1–8/ 4Q266 F2i:1– 6a {page 24}	4Q266 F1:1–8/ 4Q266 F2i:1– 6a {page 24}	4Q266 F11/ 4Q269 F16 {page 104}	4Q266 F10iii/ 4Q270 F7i:1–6a {page 100}	4Q266 F11/ 4Q270 F7i:16b– 21 {page 104}	4Q266 F11/ 4Q270 F7ii {page 104}	4Q266 F5ii/ 4Q273 F4i {page 56}	4Q266 F5ii/ 4Q273 F4i {page 56}

Continued on next page

Table 1. *Midrash ha-Torah ha-Acharon* Text Parallels, continued

4Q270	4Q266	4Q267	4Q268	4Q269	4Q270	4Q271	4Q272	4Q273
	4Q270 F3ii:17– 21/ 4Q266 F6iii:10 {page 66}	4Q270 F2i–ii/ 4Q267 F4:2–15 {page 72}						
	4Q270 F4/ 4Q266 F12 {page 76}	4Q270 F3ii:17– 21/ 4Q267 F6:7 {page 66}						
		4Q270 F7i:6b– 16a/ 4Q267 F9vi {page 102}						
4Q271		4Q271 F3/ 4Q267 F7:4– 14 {page 50}		4Q271 F2/ 4Q269 F8i–ii {page 68}	4Q271 F2/4Q270 F3iii:13– 21 {page 68}			
				4Q271 F3/ 4Q269 F9 {page 50}	4Q271 F3/ 4Q270 F5 {page 50}			
4Q272	4Q272 F1i–ii/ 4Q266 F6i {page 58}			4Q272 F1i–ii/ 4Q269 F7 {page 58}			4Q272 F1i–ii/ 4Q273 F4ii {page 58}	
4Q273								

Continued on next page

Table 2. *Midrash ha-Torah ha-Acharon* Texts Parallel to other Qumran scrolls: 5Q12, 6Q15 & 1QS

	4Q266	4Q270	5Q12	6Q15	1QS
CD 4:19-7:5				CD 4:19-7:5/ 6Q15 F1-4 {page 34}	
CD 9:1-11:2			CD 9:1-11:2/ 5Q12 F1 {page 82}		
CD 14:3-21					CD 14:3-21/ 1QS F6:24b-25a {page 96}
4Q266					4Q266 F10ii/ 1QS F7:8-16a {page 100}
4Q270				4Q270 F2i-ii/ 6Q15 F5 {page 72}	4Q270 F7i:6b-16a/ 1QS F7:16b-21 {page 102}
5Q12					
6Q15					
1QS					

Table 3. List of Primary Text Divisions  
(See 1.5.10 for Tables of Parallels)

CD 1:1–2:1 . . . . .	26
CD 2:2–4:18 . . . . .	28
CD 4:19–7:5 . . . . .	34
CD 7:6–8:21 (CD A) and CD 19:1–34a (CD B) . . . . .	40
CD 9:1–11:2 . . . . .	82
CD 11:3–11 . . . . .	88
CD 11:12–18 . . . . .	90
CD 11:19–14:2 . . . . .	90
CD 14:3–21 . . . . .	96
CD 15 . . . . .	78
CD 16 . . . . .	80
CD 19:34b–20:34 . . . . .	46
4Q266 F1; F2i:1a . . . . .	22
4Q266 F4 . . . . .	50
4Q266 F5i . . . . .	52
4Q266 F5i(c–d) . . . . .	54
4Q266 F5ii . . . . .	54
4Q267 F5iii:1–2 . . . . .	54
4Q266 F6i(a–e) . . . . .	60
4Q266 F6ii . . . . .	62
4Q266 F6iii . . . . .	64
4Q266 F6iv . . . . .	66
4Q266 F7i–iii . . . . .	70
4Q266 F10ii . . . . .	100
4Q266 F11 . . . . .	104
4Q267 F4 . . . . .	72
4Q267 F7:1–3 . . . . .	50
4Q268 F1:1–8 . . . . .	24
4Q270 F2i–ii . . . . .	72
4Q270 F3i:17–21 . . . . .	64
4Q270 F3ii:17–21 . . . . .	66
4Q270 F3ii(a) . . . . .	66
4Q270 F4 . . . . .	76
4Q270 F7i:6b–16a . . . . .	102
4Q271 F2 . . . . .	68
4Q271 F3 . . . . .	50
4Q272 F1i–ii . . . . .	58
4Q273 F5 . . . . .	76

## CHAPTER ONE

### INTRODUCTION

#### 1.1. *Methodology*

##### 1.1.1. *Approach*

The major task confronting the reader of this composite edition is determining what it tells us that we had not known from the previous versions of the Genizah text. This work consists of a radical rereading of the known material, both the CD texts available since 1910 and the fragmentary additions of the ten manuscripts found in the caves of Qumran. As conventional scholarship has by now become a virtual dogma that needs revision, I propose to question elements of that dogma and how they apply to historical and systemic questions, including standardized linguistics and philology. It is precisely this area of modern scholarship that I believe needs revision as well. Without a new translation and reinterpretation of the entire body of texts of MTA and related DSS texts, this ancient body of literature cannot be opened anew for intellectual debate. Permit me to underline that this synoptic edition does not (by any stretch of the imagination) presume to be a complete substitute for the original composition.

Pivotal points in understanding MTA are approach and methodology. Because so many phrases and clauses clearly draw on the wordage of the Hebrew Scriptures, modern interpreters beginning with Schechter take it for granted that the DSS be read biblically, applying a biblical interpretation to terms in the DSS which have scriptural parallels. In fact however, modern renditions of the *Tanakh* are often of little value: marvelous for restoring lost passages, they are nevertheless of little merit for rendering the DSS, since the language of the scribes who flourished in the Second Temple period varied from that of the Hebrew Scriptures. In addition, the authors of the DSS appear to have had their own version of the Hebrew texts, differing in certain respects from those transmitted by the Masoretes. Their version of the holy writ was similar to the independent text used by the Greek translators of the Septuagint. Even when their wording is the same as that of the



traditional text, many terms have assumed new or modified senses, this being true also for grammar. An awareness of this phenomenon is important, because it tells us that the texts of MTA and much of the DSS have a language of their own, resembling in many respects, but not identical to Mishnaic and Talmudic Hebrew. In other words, the Hebrew of the DSS may be defined as a language that hovers between that of Scripture and the Mishnah.

### 1.1.2. *Restorations and Reconstructions*

A major problem with the DSS texts is that there exist many lacunae and large stretches of material that have perished. Some of these gaps are remedied by what survives from CD and the overlapping manuscripts. Even so, the lost material frequently constitutes a larger portion than what survives. I have, therefore, often filled in portions of these areas in a process which may be classed into three groups: 1) utilizing citations from Scripture whose missing words may be filled with reasonable certainty from the Masoretic Text or a modification of it; 2) selecting formulaic language from other parts of MTA which closely fits paleographically and ideologically the surviving material around the textual gaps to assist in their probable restoration; 3) employing related material from other DSS documents to more speculatively reconstruct the text.

In general, I have attempted to differentiate between restorations and reconstructions. The former apply to phrases or clauses whose missing material can be repaired with much probability on the basis of categories one and two in the above paragraph. Reconstructions, however, go beyond what is attested in the biblical or pseudepigraphic texts, building on the broader text of the DSS, as described in category three. Particularly helpful in this respect has been the *Rule of the Community* (1QS), since I believe that it often drew from MTA. The author's tendency to repeat or restate his material two or more times helps to fill a great deal of the lost material. The measure of probability of these proposed reconstructions, however, I leave to future scholarship.

## 1.2 *History of MTA*

### 1.2.1. *Date of Composition*

MTA has a long history. As was noted in the foreword, CD-A and CD-B (discovered toward the end of the 19th century) generated a great deal of scholarship. Discovered among the Genizah texts, they date back to the 11th or 12th century. A main issue in the debate concerned whether they emanated from antiquity or were composed during the early Middle Ages. The discovery of ten additional manuscripts among the DSS resolved this question in favor of pre-Christian origin. Yet, the problem of when its author flourished remains open. Majority opinion now maintains that they date from the middle of the second century B.C.E. This opinion contains some intrinsic difficulties. It supposes that the author flourished during and perhaps after the Hasmonean epoch. If so, the question arises as to why MTA lacks any obvious reference to the Antiochan persecution. It is amazing that texts which deal at length with the conflict between the righteous and the sinners would not mention the struggle between the Hasmoneans and the Syrian government. About these conflicts the DSS say nothing. The fact that only *Pesher Nahum* contains a reference to Antiochus and Demetrius suggests that the DSS writers did not refrain from mentioning contemporary events on principle. *Pesher Nahum* then is apparently one of the latest compositions of the DSS, as are the calendar texts 4Q317–334. Therefore, it is necessary to presume that the DSS in general and MTA in particular were composed prior to the Syrian persecution, evidently going back to the third century B.C.E. It is true that the argument here is from near silence. Still, the lack of mention of Antiochus and Demetrius does not diminish the plausibility of my theory of early authorship. Furthermore, much of what is in MTA echoes Ezekiel, further strengthening an early date of authorship.

It seems that one reason many date the sect to 150 B.C.E. is to lend support to the idea that the sect immediately preceded the advent of Christianity. Scholars have long sought to understand the sect as a precursor to Christianity, which necessitates a late date for the sect and its writings. The attempt to link the two testaments with the writings of the sect lends support to the connection with this new religious movement. However, this position, as desirable as it is for some, is untenable. While everyone agrees that the Hebrew Bible supplied much of the wording for the New Testament, several centuries elapsed between the two. The writing of the DSS community could

therefore be nearer to the early Second Temple period, rather than just before the composition of the New Testament.

Numerous scrollists suppose that Khirbet Qumran defines the locus of many of the DSS manuscripts. This view likewise is untenable. Qumran served as a place where texts composed throughout Judea were reproduced. The texts did not originate in Qumran. The DSS contain a variety of views and are not unified, contrary to, for example, the New Testament which is bound together by a single concept, Jesus. The DSS reflect a variety of locations and points of view. It is inconceivable that all these documents, with their varying views, were written in one place or at the same time. In fact, none of the manuscripts found in the Judean Desert possess characteristics of original compositions such as rewritings or corrections. That there are multiple manuscripts of MTA suggests they derive from an archetype composed decades earlier. Even if these manuscripts were produced in the Hasmonean era, the original was generated considerably earlier. It follows, therefore, that Khirbet Qumran might have functioned as a scriptorium whose scribes specialized in reproducing manuscripts composed elsewhere, whose orthography therefore has little bearing on the dates of composition.

There are, however, other factors that, while not giving the actual date of composition, may be helpful for determining when they were written. These function in a method that is termed relative dating, a technique that studies the content of manuscripts to determine how they are used by others. The investigator seeks to determine which writers used works by other authors or if their own manuscripts were utilized by subsequent writers. As will be shown in the commentary, it is apparent that the author of the *Damascus Document* made use of works such as the books of *Enoch* and *Jubilees*. The derived text was then used by the writers of *Rule of the Community* and the Peshar Commentaries. The composition of the *Damascus Document* antedates 1QS (1QS *Rule of the Community*) as well as the Pesherite works.

### 1.2.2. *Evidence from Medievalists*

#### 1.2.2.1. *Al-Qirqisani*

Early scholars of CD dealt with its history, especially the testimonia of Jacob al-Qirqisani (Abu Yusuf Yaqub ibn Ishaq ibn Sam'away al-Qirqisani). References to the existence of the *Damascus Document* appeared first in Russia in the 19th century through the scholarship

of Abraham Harkavy, a Jewish savant in charge of the Judaica of the Imperial Library of Saint Petersburg. He was the first to draw attention to the existence of CD while editing a Karaite encyclopedia, *Book of Lights and Watch-Towers*, composed by al-Qirqisani in 947. Harkavy called attention to al-Qirqisani's major work, noting in particular al-Qirqisani's introduction in which he sketched the Jewish sects, beginning with Jeroboam's schism and continuing to his own time. An English version of al-Qirqisani's account first appeared in the *Hebrew Union College Annual* by Leon Nemoj.<sup>1</sup>

Like *Avot d'Rabbi Natan* 5, al-Qirqisani ascribes the foundation of the Zadokites to Boethus and Zadok, disciples of Antigonus of Socho. In his work, al-Qirqisani describes Zadok as one who revealed important truth to the people. For him, Zadok's teachings contained only half of what needed to be revealed to the people. Anan, the 8th century founder of the Karaite movement, revealed the rest of it. Was the need of Anan's completion evidence of problems with CD? No, this is not a valid proof that al-Qirqisani was either mistaken or that his copy of CD diverged from that available to us. Neither would al-Qirqisani deny the existence of other polemical statements against the rabbinates, for he was dealing with disputations that concern legal practices.

A more intriguing question pertains to the basis upon which al-Qirqisani asserts that the author of the work which we call the *Damascus Document* was Zadok. Did he base his information solely on rabbinic sources, such as *Avot d'Rabbi Natan*, or did he have access to materials no longer available to us? On one point, however, al-Qirqisani claimed to know something unknown to the modern reader of the DSS. He ascribes the making of a sectarian calendar to Boethus, who together with Zadok, repudiated the teachings of the master Antigonus and who, like Zadok, founded an independent sect. The ascription of a calendar to Boethus probably refers to the schematic reckoning of a 364-day tropical year. Al-Qirqisani's claim that Boethus authored the sectarian schematic calendar finds no support in the available sources, which ascribe its origin to the mythical antediluvian Enoch. It is conceivable, however, that Boethus himself, like other ancient writers, ascribed his calendation to the antediluvian Enoch. The question arises whether al-Qirqisani was aware of such an ascription to the antediluvian fig-

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<sup>1</sup> Leon Nemoj, "Al-Qirqisani's Account of the Jewish Sects and Christianity," *HUCA* 7 (1930): 317-97.

ure. And if he had such awareness, was his sophistication on a level to disregard such an attribution? At any rate, he had access to the *Damascus Document*, which is mostly available to us. However, we have no inkling as to al-Qirqisani's source for his attribution of the schematic calendar of the 365-day year. Nevertheless, al-Qirqisani's ascription, while uncertain, is possible if not probable. We have no evidence to suggest that he was ever suspected of manufacturing sources.

Nevertheless, as Harkavy remarked more than a century ago, it is certain that the Karaite sage still perused the *Damascus Document* in the middle of the 10th century, perhaps in its entirety. The fact that the Cairo Genizah preserved 11th and 12th century copies of the *Damascus Document* and that other scribes vocalized some of the words in these manuscripts shows that the Essene sect, said to have vanished during the Roman conquest of Judea in 68–73 c.e., continued to produce its literature during the Middle Ages. This provides crucial evidence that elements of the Essene sect thrived during the late Middle Ages. Evidence suggests, therefore, that sectarian material was available throughout the centuries after the destruction of the Second Temple.

Let us not forget, moreover, that the Genizah text also contained fragmentary remains of a Zadokite text not attested in the DSS. In 1911 Israel Lévi published the fragmentary remains of *pergCfr*<sup>2</sup> (parchment Cairo fragment) of which nine lines survive.<sup>3</sup> According to J. Fitzmyer, it is a text “which undoubtedly was related to the *Damascus Document* . . . it apparently belonged to some medieval copy of the same text.”<sup>4</sup> Scholars dealing with the *Damascus Document* have ignored Fitzmyer's opinion as well as this passage. Here is a slightly reconstructed version of the text.

*pergCfr*—Only the Sons of Zadok Serve in the Temple

[כהן	1
בכול ע[ת יורוני(ר) מבני] בני צדוק הכהנים	2

<sup>2</sup> Israel. Lévi, “Document relatif a la ‘Communaute des fils de Sadoc,’” *REJ* 65 (1913): 24–31.

<sup>3</sup> The rendition below is a slight modification of my presentation of this text in “Historiography of Qumran: the Sons of Zadok and their Enemies,” *Qumran Between the Old and the New Testaments*, ed. Frederick H. Cryer and Thomas L. Thompson. Journal for the Study of the Old Testament: Supplement Series 290 (Sheffield: Sheffield Academic Press, 1998), 360.

עדת בני צדוק] הכהנים	3
על חוק טמא וט]הור	4
[משפטיי (ט יי) ישטפ (ישפטו)]	5
את קדושיי]קדישו וחול] וקודש יבדילו	6
ש]ם יסובו דוכני]המזבח	7
וב]שיר יהללו או]תו	8
[יי עז לעמו יתן] יי יברך את עמו בשלום	9

1) . . . ]Priest 2) [ . . . at all ti]mes some of the Sons of [Zadok, the priests] will instruct me (us) 3) [ . . . ] the congregation of the Sons of Zadok[, the priests . . . ] 4) [ . . . ] regarding the rules of purity and im[purity . . . ] 5) [ . . . ]the law(s) of the LORD (they will adjudicate) [ . . . ] 6) [ . . . His holy things] they [shall] sanctify, but the ordinary[ and the holy they shall differentiate between . . . ] 7) [ . . . the]re they will encircle the platforms of [the altar . . . ] 8) [ . . . and with] song they will chant the Hallel to H[im . . . ] 9) [ . . . ]The LORD will give strength to His people; [the LORD will bless His people with peace . . . ] (Ps 29:11a)

The question arises whether or not Fitzmyer is correct in ascribing this text to the *Damascus Document*. Certainly, the newly found fragments (not available at the time to Fitzmyer) show no traces of this passage. This of course does not preclude the possibility that these lines were part of the still lost MTA. A glance at the wording of these lines shows that the author refers to himself as finding enlightenment, (יירוני), from the congregation of the Sons of Zadok. Furthermore, the speaker suggests that the sect still existed in the author's day. Likewise, if our understanding is correct, line 7 speaks of the Sons of Zadok circling (i.e. dancing) around the altar. This may indicate that the time element points to the pre-70 c.e. era. On the other hand, the imperfect tense of the verbs (יירוני), ישטפ (ישטפו), יסובו, יהללו, used consistently may imply that the text is essentially futuristic. If so, the general sense of these lines envisages a kind of eschatological encirclement or dance around the altar of Messiah.<sup>5</sup>

<sup>4</sup> Joseph A. Fitzmyer, "Prolegomenon," page 14 in Joseph A. Fitzmyer, ed., *Documents of Jewish Sectaries* (New York: Ktav, 1970); rep. with "Prolegomenon," of Solomon Schechter, *Fragments of a Zadokite Work* (Cambridge: Cambridge University Press, 1910).

<sup>5</sup> I am indebted to Amy Greenbaum for the wording of this line.

### 1.2.2.2. *Maimonides*

Maimonides states that those who do not believe in the Torah will not inherit a portion of it in the world to come, specifically listing: a) those who stated that not all the words of the Torah emanated from God; and b) those who deny its interpretations (i.e. the Oral Torah) and the veracity of those who repeated it (their sages), for example Zadok and Boethus.<sup>6</sup> Writing in 1176, Maimonides claims to have access to the writings of Zadok and Boethus. Whether or not he had access to the DSS we do not know. However, evidence indicates that the work of Zadok and his calendar, noted by al-Qirqisani in 943, was accessible to Maimonides. He knows that it attacks the sages in that he calls them *מסיגי הגבול* (shifters of the boundry). Thus, elements of the sect continue to flourish deep into the Middle Ages.

These and other indices show that Anan and the Karaite movement were strongly influenced by MTA well into the medieval era.<sup>7</sup>

### 1.2.3. *Evidence from Others*

More evidence exists in an apparently medieval line appended to Ben Sira<sup>8</sup> which is not found in the Greek and Syriac texts: Ben Sira 51.12a–p (i shown):

i) הודו לבוחר בבני צדוק לכהן      כי לעולם חסדו

i) Give praise to (God) who has chosen the Sons of Zadok as priest(s)  
... for His mercy is eternal.

All this evidence makes it virtually certain that hope in the Zadokite Priesthood continued to be a favorite topic among the medieval vestiges of the Essene movement.

### 1.2.4. *Theologizing History*

History plays an important role in MTA's theology. CD 2:14 begins with the wicked and continues ascribing the origin of evil to the giants who enticed the daughters of man; it recounts the patriarchs,

<sup>6</sup> Maimonides, *Hilchot Teshuvah* 3,8.

<sup>7</sup> See A. Harkavy, "Anan Ben David, Founder of the Karaite Sect," *JE* 1:553–56. For a dissenting view, see Leon Nemoy, "Anan Ben David," *EncJud* 2:919–22.

<sup>8</sup> Ben Sira dates ca. 190–170 B.C.E.

builds to the exodus from Egypt and recalls the demise of the ignoble in Kadesh Barnea (CD 3:7). Only a new generation born in the wilderness could enter the Holy Land.

The theological importance of history becomes clear in the role of the migration to Damascus. Damascus is construed as if the coming migration<sup>9</sup> to the north bears a resemblance to that of Jacob's descent to Egypt. Just as the ancients migrated to Egypt and became corrupted there, so too the Israelites will migrate to Damascus, go astray and be redeemed once again, a future redemption heralded by the coming of the Just Teacher. Metahistory was never far from the author of MTA, flavoring the events in the life of the sect with biblical allusions.<sup>10</sup> *Urzeit* and *Endzeit* are intermingled. Thus, for the author of MTA, history or chronomessianism is also Torah.

### 1.3. *Unification*

Ever since Schechter's publication in 1910,<sup>11</sup> it has been taken for granted that CD originated as composite citations from various sources combined by an editor. Baumgarten and others maintain this view even after the publication of the additional passages found among the Dead Sea Scrolls.

However, an analysis of MTA, especially of the newly found fragments, shows that the text goes back to a single author. Among such indications are the tendency to be redundant, as many passages repeat themselves (see for example the comments on Haguy in CD 10:6, 13:2 and 14:7–8). Similarly, attacks on the opposition as *מסיגי (ה)גבול* are mentioned three times, apparently referring to the Pharisees. Such literal redundancy is appropriate for a single author. Multiple writers would implement various styles. On the other hand, the *Damascus Document* with its precisely repetitive passages is unique and demonstrates a single author. Another significant indication of the

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<sup>9</sup> The occurrence of the migration in the future, rather than in the past, is discussed below.

<sup>10</sup> Ben Zion Wacholder, "The Teacher of Righteousness is Alive, Awaiting the Messiah; *האסף* in CD as Allusion to the Siniatic and Damascene Covenants," *HUCA* 70–71 (1999–2000): 75–93.

<sup>11</sup> Solomon Schechter, *Fragments of a Zadokite Work* (Cambridge: Cambridge University Press, 1910).



unity of MTA are the words unique to MTA but not found in the other DSS. In fact, an entire vocabulary could be collected which is characteristic of MTA, but (as far as we know) absent from the other documents. Examples include the phrases משיח מאהרון ומישראל and בוני החיץ. There is, moreover, a vocabulary that belongs to the DSS family of documents. By family, I am referring to texts that reflect dependence on and use of MTA such as *Rule of the Community* (1QS) and the Peshar Commentaries on the Hebrew Scriptures, works such as *Peshar Habakkuk*, *Peshar Psalms*, *Peshar Isaiah* and others. A common feature of these texts centers on the fact that only they address questions pertaining to the Just Teacher (יורה צדק or מורה צדק).

A distinction should be drawn between clauses containing the word משיח in the plural and משיח מאהרון ומישראל (the Messiah from Aaron and Israel) occurring four times in MTA (CD 12:23–13:1; 14:19; 19:10–11; 20:1), wherein the term “messiah” is in the singular. The plural refers to those that are sanctified with oil, whereas the singular to the anticipated messiah of the future. As stated above, the clause משיח מאהרון ומישראל is unique to MTA. It contains the author’s “signature,” supporting the view that this composition constitutes a unity, not a mere collection of extracts.

What describes the personality of MTA is the idea of migration to Damascus or the claim that the community migrated from Judea to Damascus, מוצאים מוצאים יהודה ויגורו בארץ דמשק meaning that they left the area of Jerusalem toward Damascus (CD 6:5). No other DSS text knows of such mobility. Many scholars pursue the claim that Damascus is equivalent to Qumran and that any references to Damascus in the Qumran scrolls refer to a migration to the Judean desert. In my view, this has no basis, since CD 7:14 expressly says that they travel to the north, citing Amos 5:27. It is incredible that the author of MTA would refer to Qumran as located in the north. Moreover, within the hundreds of documents emanating from Qumran, only those related to MTA mention the movement to Damascus. With the vast literature we have, there is always a possibility that by accident all the other references to a massive communal migration north have perished. This, however, is implausible. In my opinion moreover, the migration to the north in MTA is not historical but a prediction that it would occur in the future; hence, the near silence about this migration in the DSS.

Still another important piece of evidence for the unity or integrity of MTA is its title, מדרש התורה האהרון (The Midrash on the Eschato-

logical Torah), cited at the conclusion, and presumably originally at the beginning of line 1, text which has perished.

4Q266 F11:20b–21

הנה הכו[ל] נ[כתב ע]ל [מ]ד[ר]ו[ש] התורה ] 20  
 12[ האחרון ] 21

[ . . . Behold every]thing has been [written up]on “the Mi[d]ra[sh] on the [Eschatological] Torah.”

4Q266 F1:1–2a

1 [הנה מדרש התורה האחרון על ב]ני אור להנזף מדר[כי בני]  
 2 [חושך . . . ]

[Here is “The Midrash on the Eschatological Torah”: It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons of darkness . . . ]

With this framework the author of MTA echoes the style of the book of *Jubilees* which preceded it, likewise repeating the book’s name at the very end of the composition: “and God taught him the earlier and the later history of the *division of the days* of the law . . .” (*Jub.* 1:4) and “Herewith is completed the account of the *division of the days*” (*Jub.* 50:13).<sup>12</sup>

Finally, an analysis of the dozen ancient and medieval manuscripts in which the remains of MTA survive, attests to its unity. As will be shown below, in spite of occasional divergences of wording, what is remarkable is how frequently the overlapping passages coincide with each other word by word. If there existed other documents from which CD had been constructed, none of them seem to have survived. In my opinion, therefore, it makes no sense to suppose that MTA’s original diversity is incomplete. It has a unified vocabulary, literary style, theology, eschatology and messianism.

<sup>12</sup> Restored in part from 4Q270 F7ii:14b–15.

<sup>13</sup> R. H. Charles, trans, *The Book of Jubilees or the Little Genesis* (London: Adam and Charles Black, 1902) 1, 261. The italics are mine.

1.4. *Law*

Ever since Schechter,<sup>14</sup> scholars have divided CD into two subjects: admonitions and law. Prior to the publication of the Qumran manuscripts, some scrollists argued that the law originated independently from the remaining material. As Baumgarten has noted, the newly published texts show that the legal material was an integral part of the composition. In fact, in line 1b of the document, “. . . It is incumbent upon the so]ns of light to keep separate from . . .,” the word *separate* is לִהְנוֹר, literally to act as a Nazirite—essentially a legal concept regulating behavior. Likewise, the terms *Torah* and *Torah of Moses* and the numerous allusions to the מצוה (commandments) and חוקים (laws) throughout MTA reflect an understanding of law as integral to the author’s theology of Judaism.<sup>15</sup> Let us remember that keeping the commandments is reiterated on almost every page of the work. MTA’s preamble sets the tone: “[. . . Neither shall we depart from all that God has ordained, turning away] in small or large matters pertaining to To[rah and Admonition . . .]” (4Q266 F1:17b–18a). A parallel passage is found in 4Q266 F6iv(a):1b–3a: “[And on]e [shall not turn] to the right nor to [the left from what the priests will instruct at the end of days . . .]”

Baumgarten goes out of his way to make the point that MTA is essentially a legal text, not admonitory. “Although the laws are for the most part not formulated in polemical fashion they must be regarded both quantitatively and qualitatively as the core of the *Damascus Document*.”<sup>16</sup> This composite edition, I believe, casts doubt upon the prevailing opinion of dividing MTA into admonitions and laws. It demonstrates that the two themes are constantly interwoven. It would have been inconceivable for the author to think of Torah as legal and non-legal. Both are Torah. In fact, another favorite word of the author, מִדְרָשׁ, which as argued above was the first word of the title of the book, likewise applies to both legal and non-legal material. What scholars divide into admonition and law emanates from

<sup>14</sup> Schechter, *Fragments*.

<sup>15</sup> Ben Zion Wacholder, “The ‘Torah of Moses’ in the Dead Sea Scrolls, An Allusion to the Book of Jubilees,” *Proceedings of the 13th World Congress of Jewish Studies* (Jerusalem, 2001).

<sup>16</sup> Joseph M. Baumgarten, *Qumran Cave 4.XIII: The Damascus Document (4Q266–273)* (DJDXVIII; Oxford: Clarendon, 1996), 7.

the Pauline view of Scripture. In Judaism, there is no difference in weight between legal and admonitory language.

The division in the law between the laws of the Torah—the הוֹקִים and מִצְוֹת of God on the one hand and the מִשְׁפָּטִים (regulations) of the sect on the other hand—is interesting. Whereas the former refer to the commandments given to Moses and their interpretation in works like *Enoch*, *Jubilees* and the *Temple Scroll*, the מִשְׁפָּטִים are disciplinary rules originating within the sect. In addition, even some of the laws of the sect diverge from Scripture; for example, polygamy (or bigamy) presumed in the Pentateuch is strictly forbidden in the sect. Exodus 35:2 deems any labor on the Sabbath a capital offense, a view endorsed by *Jub.* 50:8 and the rabbis; however, CD 12:4 gives the more lenient policy of the sect, “anyone who strays by profaning the Sabbath and the festivals shall not be put to death.” This departure from Scripture cannot, I believe, be explained by leniency or humanity. In general, stringency is the rule of MTA. For example, all biblical prohibitions where punishment is not prescribed are, according to rabbinic tradition, subject to thirty-nine lashes; whereas in MTA, offenses without specified punishment imply the death penalty. Offenses without such punishment may be ascribed to the stringent way of observing the Sabbath for the sect. The limits on speech and behavior described in CD 10:14–11:18 show the sect’s strictness, severity, and the difficulty of observance of its מִשְׁפָּטִים. The sages of the Mishnah and Talmud ruled that the laws of the Sabbath can be overridden when life is in danger. However, MTA does not accept this opinion, declaring instead, “And as to a person who falls into a ditch of water or into a [pi]t: one may not raise him up with a ladder, a rope or a tool” (CD 11:16–17a).

MTA devotes a special pericope to the discipline within the camp. This discipline contains social legislation unprecedented until modern times. For example, CD 14:12b–17b states,

And this is the procedure of the ‘Many’ to fill all their needs: (Let there be) a wage withholding of least two days per month; and let it be administered by the Supervisor and the judges. From it they shall provide for (the healing of) their [wo]unded. And from it they shall assist the poor and the destitute, the elderly man who is [bent do]wn, him who suffers from lep[ro]sy, him who is taken captive by a foreign nation, a maiden who [does no]t have a re[dec]mer, a lad [w]ho has no guardian, and all the services provided by the association, so that [the association] not [perish for lack of] their [support.] And this is the elaboration concerning the habitation of the c[amps].

Thus, a levy of a minimum of two days wages was taken for support of the sick, disabled and elderly. A penalty was continuously maintained for spitting or speaking out of order. The Supervisor controlled admission of new members and could expel violators. The text prescribes the length of the expulsion from ten days to life.<sup>17</sup> The sect also maintained strict discipline regarding personal conduct, including an apparent abstention from wine. Josephus records, “They shun pleasures as a vice and regard temperance and the control of the passions as a special virtue.”<sup>18</sup> Scholars have not found any passage in the DSS supporting the assertion that the Essenes abstained from wine. However, it could be that Josephus took the word לִהְנוֹרֵה literally, to act like a Nazirite who was forbidden from drinking wine and grapes.<sup>19</sup> For more discussion of לִהְנוֹרֵה, see the commentary.

### 1.5. *Organization, Format and Layout of the Book*

#### 1.5.1. *Pagination of the Hebrew Text*

The composite text raises a problem of paginal referencing. The pagination of CD follows Schechter’s *editio princeps*, while on the other hand, the Qumran material follows the organizational convention of cave, manuscript, fragment, column and line numbers. Combining the two complicates the sequence and pagination of the unified text. The complication arises from the fact that the material from CD is no longer a single unit with its content sequenced according to the early pagination scheme, but is now scattered in accordance with the apparent consecution in the Cave 4 manuscripts. The reader therefore, is advised to consult the tables clarifying the organization and parallels of this unified text.<sup>20</sup>

#### 1.5.2. *Headers within the Hebrew Text*

The Hebrew text of MTA is organized according to textual content and flow. Within the text are divisions to show the parallels between

<sup>17</sup> See לִהְנוֹרֵה above.

<sup>18</sup> Flavius Josephus, *J.W.* 2:120 (Thackeray, LCL), 369.

<sup>19</sup> Cf. Num 6:3.

<sup>20</sup> See the tables on pages xxiii–xxx.

the Genizah and Cave texts as well as parallels within the various DSS manuscripts themselves. These sections, while important for demonstrating parallels and the ease of finding material within this unitary work, are somewhat arbitrary due to diacritical limitations. Thus, they do not necessarily indicate a demarcation in the content of the text. For units of content within MTA please see the translation, commentary, textual parallel tables and the the list of primary text divisions.

### 1.5.3. *Hebrew Text*

The unification of the CD and Qumran texts presents its own problems. Although the overlapping manuscripts are remarkably identical, differences in spelling and wording do occur between and within the texts. Specifically, the spelling in CD generally diverges from that of the manuscripts emanating from the period of the Second Temple. For example, the final ך is often lengthened in DSS texts to כה. In general, our composite text follows the orthography and readings of the more ancient manuscripts of Qumran, and commonly so where the medieval and cave texts parallel each other. For example, my version of CD 2:3 contains the clause [אִים אוֹרְכֶם] וּמְכוּל שְׁבִילֵי חַטְּ אִים אוֹרְכֶם not in the Genizah text, but found extant in its 4Q266 parallel. Another example is the clause [ל] וְלֹא הָאֻזְנֵי in CD 3:8 of the composite text, found in 4Q269 F2:2, but not in the medieval witness. When divergences among the manuscripts occur, our text follows that of the primary manuscript as exemplified by 4Q268 1:4 which reads מה ממועדריה[מ] לְקָדֶם [ו]לְ[א]חֶר ממועדריה[מ] כִּי but which in 4Q266 F2i:2 reads כִּי אֵין [ל]הֶתְקַרְתְּ וְלֹא הִתְאַחֶר מִמְּוֹעַדֵיהֶם (my text follows 4Q268). The primary text is determined by comparing the various parallels, designating the fullest text or manuscript as primary and the less full text or manuscript as secondary, tertiary or the like. In general, the primary text is 4Q266, but sometimes the other manuscripts become the main text and 4Q266 is subordinate. The orthography in CD often radically diverges from that of the Cave 4 manuscripts. In exceptional cases, when the readings in the ancient manuscripts appear to be in disorder, the orthography of CD attains primary status. In many of these instances, notes call attention to the differences in readings. These notes accompany the text and translation.

1.5.4. *Verb Usage and Time Issues in the Text*

It is important to say a word concerning the role of verbs and time in this work. The text frequently shifts from the perfect to the imperfect and vice versa, especially when it uses the so-called  $\text{ו-ההיפוך}$  (conversive *waw*), which in an unvocalized tradition may often refer to the consecutive past or the future. Nothing can be said definitively about time, except by context.

A primary question is the state of the Hebrew in the Dead Sea Scrolls, especially in MTA. How much are precedents in Biblical Hebrew narrative relevant to the understanding of the language preserved in the Judean desert? The verbal forms of the DSS and especially of MTA bear a close resemblance to chapter eleven of Daniel, whose conventional verbal patterns are either ambiguous or frequently ignored. This constitutes a serious problem in MTA, especially in the relationship to the Just Teacher, the exile in Damascus and eschatology in general. The medieval vocalization  $\text{על ויגודו}$  (CD 1:20) exemplifies the historicizing of the verbs in this work, since the Just Teacher apparently never arrived. An instructive case is the divergence between verbs in the A and B manuscripts. Ms A uses  $\text{התהלכו}$  (7:7) and  $\text{מלשו}$  (7:21) whereas Ms B has  $\text{יתהלכו}$  (19:4) and  $\text{ימלשו}$  (19:10). Furthermore Ms A employs  $\text{הסגירו}$  (8:1) whereas B has the synonym  $\text{ימסרו}$  (19:10). The former tends toward historicizing while the latter anticipates the action described. Content and context in MTA play the major role in recognizing the nature of the tenses of a verb—perfect, imperfect, participle or infinitive. Conventional scholarship, looking for the origin of the Essenes as well as for precedents of Christianity, has tended to note the perfect form since its customary use to portray past tenses would yield the necessary information for the historian.

This work departs from this tradition, proposing a new understanding of what is past and what is future. Note that, as stressed before, most of these verbs are under the rubric of  $\text{רִאִישׁוֹנִים}$ <sup>21</sup> and  $\text{אֶהְרֹנִים}$ , the patriarchal past and later, that is to say the current time for the author of MTA. Frequently these rubrics serve to determine the time element of verbs. They will be analyzed on their own in a

<sup>21</sup> The spelling of citations of CD in this work follows that of the 4Q manuscripts when available. Thus,  $\text{רִאִישׁוֹנִים}$  is spelled with the  $\text{׳}$  after the  $\text{ס}$  as it is in 4Q268 1:12, not as in the Genizah text 1:4  $\text{רִאִישׁוֹנִים}$ .

strictly contextual sense whether they refer to the past or the future. It is fallacious to read these texts as a precedent to Christianity, since these authors knew nothing of what would occur in the future. The language of the Dead Sea Scrolls in my view bears a resemblance to that of psalmic and wisdom literature where verbal forms often assume a general present and futuristic sense. The verbal conjugations in Ps 1 for example may serve as a model for the grammar of MTA.

#### 1.5.5. *Number and Gender Agreement in MTA*

Another problem in the reading of MTA lies in the text's inconsistencies in number and gender, especially for suffixes. The DSS do not follow our modern understanding of Hebrew grammar. Grammatical inconsistencies are a functional element of the Hebrew language of the MTA and are reflected in the English translation.

#### 1.5.6. *Translation*

Note that the translation provided often diverges from the standard renditions. This is true in particular with verbs which have been customarily translated as if they were in the past tense, here rendered either in the future or present perfect. Thus, concepts in the DSS tradition which have been entrenched to be part of DSS history are turned to futuristic material. For example, the Just Teacher is no longer a personality of the past, but a man of the future.<sup>22</sup> So too his future nemesis, the Scoffer or Wicked Priest.

The English rendition of the Hebrew text may be found on the facing page in line to line correspondence. Due to idiomatic and word order differences between Hebrew and English, in some instances the correspondence is not exact. In a few cases, the best English rendition is made by a radical departure from the sequencing, resulting in lines being grouped together.<sup>23</sup>

Our translation rarely mentions other renditions; however, divergences in the Hebrew text are found in the accompanying notes as detailed below. Comments on the translation of the Hebrew text are in the commentary section of the work as described below.

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<sup>22</sup> Wacholder, "The Teacher of Righteousness is Alive," 75–92.

<sup>23</sup> For example, CD 15:5–6, 13–14; 16:16–18; 10:2–3.



### 1.5.7. *Notes on the Text*

Divergences in texts are discussed in the notes accompanying the text and translation in chapter 2. These notes occur in numerical order, the majority of which I have included with the Hebrew text. A smaller number accompany the translation.

### 1.5.8. *Commentary*

I have also provided the first running commentary of the text on the newly available material. I place it after the text and translation with accompanying notes. It follows the order of MTA. Therefore, issues raised by the text will be addressed in their textual order rather than in a topical format. Topics will be addressed as they develop through MTA, section by section. It should be helpful to the reader in terms of the book's enigmatic wording and relations between MTA and the DSS. Sometimes the commentary adumbrates general problems such as the nature of the polemics and the divergences with Talmudic tradition. However, it is not intended to be exhaustive.

### 1.5.9. *Headings and Subheadings*

For greater simplicity I have organized the majority of the contents of the book into numerical divisions with headings and successive subheadings arranged according to the following rubric: 1, 1.1, 1.2, 1.2.1, etc. Because of the complexity of the material, the numeration sequencing in chapter three, the commentary, is rather extensive. An abbreviated listing of these divisions is included in the Table of Contents.

### 1.5.10. *Tables*

A series of tables (Tables 1.1–1.6, 2, 3) demarcate parallel texts within MTA, especially the parallels between the Qumran manuscripts and the Genizah fragments. The tables give the listing of the primary text followed by a slash and then the appropriate designation for the parallel text. The page number for the primary text and parallel is also given, providing the reader with a means to locate specific texts within the work. The tables should be read noting the organization of the primary text in the intersection of the horizontal row with the column. Therefore, readers using the tables to find specific texts should begin in the appropriate horizontal row. The primary text rows are

organized in numerical order, beginning with the CD designations followed by the Qumran manuscript listings. The secondary text (or parallel text) columns are likewise in numerical order, with appropriate columns listed for each table from left to right. If certain CD pages or Qumran manuscripts do not appear as parallels in MTA for the specific rows given in a table, then the texts are not listed in the columns.

Table 2 lists the parallels within MTA to other Qumran manuscripts, 5Q12, 6Q15 & 1QS. The same organizational structure applies to table 2 as to tables 1.1–1.6.

#### 1.5.11. *Indices*

Indices of modern authors, subjects and ancient sources are available at the back of the book.



## TEXT AND TRANSLATION

## 2.1. Preamble

4Q266 F1; F2i:1a

Parallels: 4Q267 F1:1–8 (underline)

1[ <sup>w</sup> בני <sup>1</sup> ]	1:1
2[ <sup>s/w</sup> הנה מדרש התורה האחרון על <sup>w</sup> ב <sup>2</sup> אור להנזר מדר <sup>b</sup> כ]י <sup>1</sup>	1:2
3[ <sup>s</sup> קץ <sup>3</sup> ב <sup>3</sup> פקודה <sup>3</sup> ה/ת\פקודה <sup>3</sup> ב <sup>3</sup> קץ <sup>s</sup> ]	1:3
4[ה <sup>4</sup> הרשעה כי בחרון אפוי <sup>s</sup> יפק <sup>w</sup> א <sup>5</sup> אל את כול מעש <sup>6</sup> ה <sup>6</sup> להבי כל <sup>ה</sup> ]	1:4
5[ <sup>w</sup> בל לאין שירית ופליטה <sup>7</sup> למסיגי גבול וכלה יעשה <sup>8</sup> לעוזרי <sup>w</sup> ]	1:5
6[ <sup>w</sup> רשעה <sup>9</sup> ועתה <sup>b</sup> בני <sup>s</sup> שמע <sup>9</sup> לי ואודיעה לכם ב <sup>w</sup> מעשי <sup>s/w</sup> אל <sup>10</sup> ]	1:6
7[הנורא <sup>s/w</sup> ים <sup>11</sup> נגבורות <sup>11</sup> פלאו ואספר <sup>12</sup> <<ר>>ה <sup>12</sup> ל <sup>12</sup> כ <sup>12</sup> נהיות עולם הנסתרות <sup>w</sup> ]	1:7
8[מאנוש <sup>w</sup> מעט <sup>w</sup> ה <sup>14</sup> מים <sup>14</sup> אשר חי ז <sup>14</sup> א <sup>14</sup> אדם אין אחר זולתו להביט <sup>w</sup> ]	1:8
9[בעמק <sup>15</sup> חק <sup>15</sup> נהיות עולם בלב אבן ויודיע עוז ידו <sup>w</sup> ]	1:9
10[ח <sup>15</sup> חתם רזים ויגלה נסתרות וידים כושלים ונופליהם <sup>w</sup> ]	1:10
11[ ]	1:11
12[ ]	1:12
13[והמחזיקים <sup>w</sup> ]	1:13

<sup>1</sup> Stegemann reconstructs [מדר<sup>b</sup> כ]י הושך. See Hartmut Stegemann, “Towards Physical Reconstructions of the Qumran Damascus Document Scrolls,” 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, Esther G. Chazon, and Avital Pinnick; Leiden: Brill, 2000); Vol. XXXIV in *Studies on the Texts of the Desert of Judah* (ed. F. García Martínez and A. S. van der Woude; Leiden: Brill), 193–94.

<sup>2</sup> Stegemann reconstructs “Physical Reconstructions,” ולהתהלך תמים על פי התורה (193–94).

<sup>3</sup> The supralinear ה is adjacent to the מ of מועד in the manuscript. However, as Baumgarten comments, it belongs with פקודה; hence our reading הפקודה. Cf. the phrase מועד פקודה in 1QS 3:18.

<sup>4</sup> Baumgarten in his editio princeps restores [ב<sup>3</sup> רוח עולה]. See Joseph M. Baumgarten, *Qumran Cave 4.XIII: The Damascus Document (4Q266–273)* (DJD XVIII; Oxford: Clarendon, 1996), 31–32. My rendition [ב<sup>3</sup> קץ הרשעה] (cf. also Stegemann) replaces [ב<sup>3</sup> אהרית הימים] of the preliminary edition. See Ben Zion Wacholder and Martin G. Abegg, Jr., reconstructors and eds., *A Preliminary Edition of the Unpublished Dead Sea Scrolls. The Hebrew and Aramaic Texts from Cave Four. Fascicle One* (Washington, D.C.: Biblical Archaeology Society, 1991), 3.

<sup>5</sup> Baumgarten restores [ישני<sup>14</sup>] (DJD XVIII, 31–32). My reconstruction finds support from CD 5:15–16.

<sup>6</sup> Baumgarten transcribes מעשיה (DJD XVIII, 31–32). My reading reflects the erasure dot above the *yod*, and replaces the transcription מעשה in Wacholder, “Preamble,” 33.

2.1. *Preamble*

*Prologue; Downfall of the Opposition; Promise to Reveal the Mysteries of History; Supplication*

**4Q266 F1-2i:1a** 1:1[Here is “The Midrash on the Eschatological Torah.” It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons] 1:2[of darkness and to walk in accordance with the Torah] until the completion of the period of remembrance at [the end of the epoch] 1:3[of wickedness, for in His burning anger] God [will remem]ber each and every deed, wreaking hav[oc] 1:4against the e[arth until] the Shifters of the Boundary [are without remnant or survivors]. Furthermore He will bring destruction [against those who act as accomplices in doing] 1:5evil. [But now O children, hear] me and I will make known to you 1:6the awesome ac[ts of God] along with His [miraculous] powers. And I will relate to yo[u the events of eternity hidden] 1:7from man. [The li]fespan of ev[er]y [man has been shortened. There is no one but He who can fathom] 1:8the profundities of [His mysteries. But He] has etc[hed the events of eternity into a stony heart, and makes known the strength of His hand.] 1:9He has sealed [mysteries, reveals the hidden, and raises those who stumble and fall . . . 1:13[ . . . those who cling] 1:14to the commandment[s . . .

<sup>7</sup> Stegemann reconstructs בַּתְּ בַּל וְאִין שְׂרִיחַ וּפְלִיטָה (Stegemann, “Physical Reconstructions,” 193). My variation supplants וּבְקֶץ חֲרָבִין אֶרֶץ עֲמֹרָה כֹּחַ לְמִסְיָה גְבוּל in Wacholder-Abegg, *Fascicle One*, 3, and בַּתְּ בַּל וְאִין שְׂרִיחַ וּפְלִיטָה in Wacholder, “The Preamble to the Damascus Document,” *HUCA* 69 (1998): 33.

<sup>8</sup> [לְעֹזְרֵי] replaces [בְּקֶץ] in Wacholder, “Preamble,” 33; Baumgarten reconstructs [לְפֹעֵלִי] and Stegemann [לְכוּלִי] (DJD XVIII, 31–32; Stegemann, “Physical Reconstructions,” 193).

<sup>9</sup> Replaces [עַד בּוֹא מְשִׁיחַ הַצָּדִק וְעַתָּה שְׂמַעוּ] in Wacholder, “Preamble,” 33.

<sup>10</sup> Baumgarten reconstructs [גַּתְּ שְׂבוּתָ אֵל] (DJD XVIII, 31).

<sup>11</sup> Baumgarten restores הַנּוֹרְאָה (DJD XVIII, 31). My adoption of Baumgarten’s reading גְבוּרָה preceded by בּ rather than ו reflects a change from בְּרִי in Wacholder, “Preamble,” 33.

<sup>12</sup> Baumgarten transcribes אֶסְפֵּר <<ר>>ה, omitting ו (DJD XVIII, 31).

<sup>13</sup> Baumgarten restores [לָּם אֲשֶׁר נִסְתָּרוּ] (DJD XVIII, 31)

<sup>14</sup> Baumgarten reads מְאֹיֶשׁ [מִסְפֵּר יָמִים] (DJD XVIII, 31) and Stegemann מְאֹיֶשׁ [מִסְפֵּר יָמִים] (“Physical Reconstructions,” 193). Our reconstruction supplants [מִסְפֵּר יָמִים] in Wacholder, “Preamble,” 33.

<sup>15</sup> Supplants [הַקְּדוֹשׁ] in Wacholder, “Preamble,” 33. Stegemann transcribes [הַקְּדוֹשׁ] (“Physical Reconstructions,” 193).

- 1:14 במצו[ת] ואנחנו לזכרון במועדינו<sup>w</sup>  
 1:15 בתרומ[ת]<sup>b</sup> שפתים נברכנו כחוק חרות לעד ברושי שנים ונשמע<sup>w</sup>16  
 1:16 לקול מושה' ] ולא נלך<sup>w</sup>17  
 1:17 רכיל בחוס[י] בג<sup>w</sup>18 ומצות אל [ובבריתו ולא נסור מכול אשר צוה אל לנשות<sup>w</sup>19  
 1:18 קטנה וגדולה לת[ורה ולתעודה ועתה אם נא מצאנו חן בעיניכה<sup>w</sup>  
 1:19 הודיענו נא א[ת דרככה ונדעכה<sup>w</sup> מה אהבנו<sup>w</sup>  
 1:20 שיחתך אַם [נהללך ארך אפים עמך<sup>w</sup> ורוב סל[חות ה]לוא אתה<sup>w</sup>20  
 1:21 עמדתה ותתבונן [במחשבותינו<sup>w</sup>21 כאשר <sup>w</sup>תצוה ביד מוש[ה] וי<sup>w</sup>הי' ש[ב]  
 1:22 אפר ישיבו את א[שר]22 צוה<sup>w</sup> [מ[י]שה?23 ] ל הו' היו<sup>s</sup>24 [ונחנו<sup>w</sup> מיה עפר]  
 1:23 ואפר זמי קד[ו]ש<sup>w</sup>25 כמוכ[ה] להבי [כלה אשר<sup>w</sup> י]מחה את מע[שי רשעה]  
 1:24 התבוט[נתה] <sup>w</sup>ה<לוא הבינותה אל<sup>w</sup> משכל[ים] לדבר ג<בכר אל נב[יאים]<sup>w</sup>26  
 1:25 זב[ב]ו[ותכה]27 נודך כי תסלה את<sup>w</sup> ח[טאת? אשמתם [ולא תשמיר כול]<sup>w</sup>  
 2:1a [בשר ובריאה]28

## 4Q268 F1:1–8

Parallels: 4Q266 F2i:1–6a (underlined)

- 1 [מחלקות העתים<sup>w</sup>29 ת]אחרונות הלוא כן תבואינה [ככול ימיו<sup>w</sup> וכ]ול<sup>30</sup>  
 2 [תקופות מועדי<sup>w</sup>31 איזה תחלתו ואיזה סופו וה[יגיד את הראישו]נ[ים] <ס><sup>w</sup>32

<sup>16</sup> Baumgarten reconstructs [לא שמעו] בתרומ[ת] (DJD XVIII, 31).

<sup>17</sup> See DJD XVIII, 33.

<sup>18</sup> Baumgarten transcribes [בחוק[י] (DJD XVIII, 31). I thank David Maas for suggesting the reading בחוס[י]. The extant letters are written above the word ומצות. Presumably it is additional, not a correction of מצוה.

<sup>19</sup> Baumgarten reconstructs [לעשות]. See DJD XVIII, 31.

<sup>20</sup> Replaces עמו ורוב סל[חות ה]נון ורחום of Wacholder, "Preamble," 33.

<sup>21</sup> Supplants במעשינו in Wacholder, "Preamble," 33.

<sup>22</sup> Baumgarten transcribes ] אפר ישיבו את (DJD XVIII, 31).

<sup>23</sup> Replaces [עשה] in Wacholder, "Preamble," 33; Baumgarten transcribes [עשה] (DJD XVIII, 33).

<sup>24</sup> Baumgarten transcribes ל<sup>w</sup>האדם (DJD XVIII, 33).

<sup>25</sup> Baumgarten transcribes [זמי] ק [ג] (DJD XVIII, 31). Our reading supplants זמי קד[ו]ש וגורא כמוכה of Wacholder, "Preamble," 33.

<sup>26</sup> Replaces [ים] לדבר [ול[דר]ש] אל נב[ונים] in Wacholder, "Preamble," 33.

Now as for us, in celebratory remembrance during our festivals 1:15we will bless Him] with the offerin[g of lips as a statute engraved forever (to celebrate) at the beginning of each year. And we will hearken] 1:16to the voice of Moses, [. . . and we will not go around] 1:17slandering [those] who seek refuge [in Him (God)], God's commandments [and in His covenant. Neither shall we depart from all that God has ordained, turning away] 1:18in small or large matters pertaining to To[rah and Admonition. So now, if we have found favor in Your eyes] 1:19please let us know [Your way that we may know You (Exod 33:13) . . . How much we love] 1:20meditating about You when [we praise You. You are long-suffering and abundant in for]giveness. Sure[ly You] 1:21have attended to and analyzed [our thoughts in accordance with what You] have commanded through Mose[s. And be it that] 1:22they completely return to w[hat Mo]ses [commanded . . .] . . . that day. [And what are we but dust] 1:23and ashes and who is [as] sacr[ed as Yo]u, bringing [destruction, who] blots out ac[ts of wickedness.] 1:24You have anal[yzed, and surely You have imparted understanding to the sage]s, speaking (about it) to pro[phets.] 1:25And with [Your] word[s we extol You, for You forgive the s]in of their guilt [and do not destroy all] 2:1[flesh and creation.]

*The Divisions of the Times*

**4Q268 F1** 1:1[As for the Divisions of the] Eschatological [Epochs]: Surely they will occur (as was presaged) [according to all (the number of) its days and a]ll 1:2[(the number of) the cycles of] i[ts festivals,] when its beginning (was) and ending (will occur); for [(God)] has

<sup>27</sup> Baumgarten transcribes ]וֹבְרִיאָה הַכֹּהֵן (DJD XVIII, 32). 4Q267 F1:7 reads ]וֹבְרִיאָה הַכֹּהֵן. A metathesis of ו and י is probable.

<sup>28</sup> The reconstructed text on this line plausibly continues the next column of 4Q266. Line 1 of 4Q266 F2i may have read ]בְּשֵׁר וּבְרִיאָה וְהַגִּיד אֵת הַרְאִישׁוֹנִים וְאֵת הָאֲחֵרֹנִים] [בְּשֵׁר וּבְרִיאָה אִיזָה. This differs from Baumgarten's reconstruction: ]בְּשֵׁר וּבְרִיאָה אִיזָה. תְּחִלָּתוֹ וְאַחֲרָיו סוּפֹו [בְּ] [בְּ] אֵת אִשְׁרָה (DJD XVIII, 34). See comments on the apparently greater length of 4Q268 at this point and the rationale for my reconstruction.

<sup>29</sup> Supplants ]אֲחֵרֹנִים דְּרוּרָה of Wacholder-Abegg, *Fascicle One*, 1.

<sup>30</sup> Replaces ]לְבָרִיאָה הַכֹּהֵן of Wacholder, "Preamble," 34; Baumgarten restores ]לְבָרִיאָה (DJD XVIII, 119).

<sup>31</sup> Replaces ]בְּשֵׁר וּבְרִיאָה of Wacholder, "Preamble," 34; Baumgarten transcribes ]בְּשֵׁר וּבְרִיאָה (DJD XVIII, 119).

<sup>32</sup> Baumgarten transcribes ]וֹבְרִיאָה (DJD XVIII, 119).



- 3 [ואת האחרונים ואת עד] אשר יבוא במה כי ה' [כין שבתות ומוע] w<sup>33</sup>  
 4 [בריתו לעולם] w<sup>34</sup> כי אין] לקדם [ול]אחר ממועדיה[מה] v<sup>35</sup> ומחורשיהמה<sup>v</sup>  
 5 [ומ]שב[תות]ם vacat ו'ה' [וא] חקק<sup>37</sup> קצי ה' [רון לעם לא ידעהו]  
 6 והוא ה'כ'ין [מועדי] רצון לדורשי מצותיו ול'הולכים בתמים]  
 7 דרך ויגל ע[יניה]מה בנסתרות ואונמה פתחו [וישמעו עמוקות]  
 8 ויבינו בכול נהיות עד מה יבוא במה vacat ]

## 2.2 Body

CD 1:1–2:1

Parallels: 4Q268 F1:9–17 (underline)

4Q266 F2i:6b–25; ii:1–2a (overbar)

extant and restored text unique to DSS (outline)

paleo script is in DSS only

- vacat ועתה שמעו ל' כול יודעי צדק ובינו במעשי 1:1  
 ל' כי ריב לו עם כול בשר ומשפט יעשה בכול מנאציו 1:2  
 כי במועלם אשר עזבוהו הסתיר פניו מישראל וממקדשו 1:3  
 ויתנם לחרב ובזכרו ברית ראשונים השאיר שארית 1:4  
 לישראל ולוא נתנם לכלה ובקין חרון שנים שלוש מאות 1:5  
 ותשעים לתיחו אותם ביד נבוכדנאצר מלך בבל 1:6  
 פקדם ויצמח מישראל ומאחר[ה]ן שורש מטעת לידוש 1:7  
 את ארצו ולרשן בטוב ארמתו ויבינו בעונם וידעו כי 1:8  
 <<אנשים>><sup>9</sup> אשימים הסה ויהיו כעורים וכימגששים דרך 1:9  
 שנים עשרים ויבן אל אל מעשיהם כי בלב שלם דרשוהו 1:10  
 ויקם להם מורה צדק להדריכם בדרך לבו vacat ויודע 1:11  
 לדורות אחרונים את אשר עשה בדור אחרון בעדת בוגרים 1:12

<sup>33</sup> Baumgarten transcribes ד' [ ] (DJD XVIII, 119).

<sup>34</sup> Supplants of Wacholder, "Preamble," 34.

<sup>35</sup> 4Q266 F2i:2. [להת]ק[ר]ם ולאחחר ממועדיהם

<sup>36</sup> Baumgarten transcribes ם [ ] ש' [ ] (DJD XVIII, 119).

<sup>37</sup> 4Q266 F2i:3. חקק

fore[told the firs]t <sup>1:3</sup>[as well as the latter things and] what will transpire thereafter in them (the Divisions of the Eschatological Epochs), since H[e has set up Sabbaths and His covenantal festi]vals <sup>1:4</sup>[for eternity (and) since one may neith]er advance [nor post]pone th[eir] festivals, [their months or] <sup>1:5</sup>their Sabb[aths]. And H[e] decreed epochs of a[nger for a people who knew Him not,] <sup>1:6</sup>but proclaimed agreeable [festivals] for those who observe His commandments faithfully and for [those who keep to the straight] <sup>1:7</sup>path. And He will (yet) open their e[ye]s to the hidden mysteries and they will open their ears [so that they will hear profound matters.] <sup>1:8</sup>And they will perceive all events to eternity (before) they occur to them. . .

## 2.2 *Body*

### *The Introduction to The Eschatological Torah*

#### *Announcing the Coming Eschatology*

CD <sup>1:1</sup>And now, heed me all you who know righteousness and discern the acts <sup>1:2</sup>of God. For He is in contention with all flesh and will execute justice upon all those who vex Him. <sup>1:3</sup>For in their treachery, having deserted Him, God hid His face from Israel and His temple <sup>1:4</sup>and put them (Israel) to the sword.

But, when He remembers the covenant of the ancestral generations, He will leave a remnant <sup>1:5</sup>for Israel and will not hand them over to complete destruction. And towards the end of the epoch of anger—three hundred and <sup>1:6</sup>ninety years following God's handing them over to Nebuchadnezzar, king of Babylon—<sup>1:7</sup>He will remember them. And He will cause to sprout forth from Israel and from Aaron roots of a plant to inherit <sup>1:8</sup>His land and to grow fat in the fertility of His soil. And the people will become aware of their sin and they will know that <sup>1:9</sup>they are guilty. And they will be like the blind and like those groping for a way <sup>1:10</sup>for twenty years.

And God, noting their (righteous) deeds that they will have searched for Him with a perfect heart, <sup>1:11</sup>will raise up for them a Just Teacher so as to lead them in the way that will please Him. And He will make known <sup>1:12</sup>to the eschatological generations (of the righteous) what He will have done to the final generation, to the cabal of traitors.

- 1:13 הם סרי דרך היא העת אשר היה כתוב עליה [השפּר הוּשע] כפרה סורירה  
 1:14 כן סרר ישראל בעמוד איש הלצון אשר הטיף לישראל  
 1:15 מימי קזב ויתעם בתוהו ולוא דרך להשת גבהות עולם ולסור  
 1:16 מנתיבות צדק ולהסיע גבול אשר גבולו רישונים<sup>38</sup> בנחלתם למען  
 1:17 הרבק בהם את אלות בריתו להסגירם לחרב נקמת נקם  
 1:18 ברית בעבור אשר דרשו בחלקות ויבחרו במהתלות ויצפו  
 1:19 לפרצות ויבחרו בטוב הצואה<sup>39</sup> ויצדיקו רשע וירשיעו צדיק  
 1:20 ויעבירו ברית ויפירו חוק ויגודו על נפש צדיק [ובמחזיקי צבאיהו] ובכל הולכי  
 1:21 תמים תעבה נפשמה [רשת שמוני עם ללפרם] וירפום לחרב ויסיכו לריב  
 עם ויחר אף  
 2:1 אל בעדהם להשם את כל המונם ומועשיהם לנדה לפניו

CD 2:2–4:18

Parallels: 4Q266 F2ii:2a–24, iii; 3i; unidentified F34 (underline)

4Q269 F1–2 (dotted underline)

4Q270 F1i, ii(a), ii(b) (overbar)

extant or restored text unique to DSS; DSS text whose sequencing evidently differs from that of CD (outline)

- 2:2 ועתה שמעו אלי כל באי ברית ואגלה אונכם בדרכי vac  
 2:3 רשעים ומפול שבילי חטאים [אירפם]<sup>40</sup> vac אל אהב דעת חוכמה ותושייה  
 הציב לפניו<sup>41</sup>  
 2:4 וערמה ודעת הם ישרתוהו ארך אפים עמו ורוב סליחות  
 2:5 לכפר בעד פל שבי פשע וכוח וגבורה וחמה גדולה בלהבי אש  
 2:6 בי־ד<sup>w</sup> 42 כל מלאכי חבל לאין שאאידית<sup>43</sup> ופליטה לסרדי דרך  
 2:7 ומתעצבי חק כי לא בחר אל בהם מקדם עולם ובטרם נוסדו ידע  
 2:8 את מועשיהם ויתעב את דורות מרם ויסתר את פניו מן הארץ

<sup>38</sup> CD 1:16. ראשונים

<sup>39</sup> 4Q266 F2i:22. צור

<sup>40</sup> Baumgarten restores [אירפם] חטאים [אירפם] (DJD XVIII, 119). Another possibility is אבדילכם

<sup>41</sup> 4Q266 F2ii:4. לפניו

<sup>42</sup> Cf. 1QS 4:12.

<sup>43</sup> 4Q266 F2ii:6 elides the guttural א and omits the ך. As noted by Baumgarten, the extant wording of 4Q266 F2ii:5–6 suggests a somewhat different sequence from that of CD 2:6–7:

1:13They are the ones who have abandoned the (righteous) path. That will be the time concerning which has been written [in the book of Hosea]: “Like a belligerent heifer 1:14so Israel will have rebelled” (Hos 4:16), when the Scoffer arises, who will have dripped on Israel 1:15lying waters. ‘Thus, He will lead them astray into a landless wilderness without an escape route’ (Ps 107:40; Job 12:24), both lowering the heights of the world by turning away 1:16from the paths of justice and by removing the boundary that the ancestral generations had set in their inheritance, so that 1:17the curses of His covenant cling to them, resulting in them being handed over to ‘a sword which will fiercely avenge 1:18(the violation of) the covenant’ (Lev 26:25). For they will have interpreted (Him) with flattering words, choosing farce and looking 1:19for loopholes favoring the fine neck, that will result in declaring the wicked as righteous and the righteous as wicked. 1:20And they will transgress the covenant, abrogate the statute, ‘and conspire against the pious person’ (Ps 94:21) and despise [those who keep His covenant] and all those who are 1:21perfect. [They have set a snare to seize them], pursuing them even to the sword and will rejoice over the civil war of the people<sup>1</sup> so that God’s anger will be provoked CD 2:1against their assembly to destroy all their legions, their acts being defiling to Him.

### *A Review of History*

2:2And now, heed me all who are entering the covenant and I will reveal to you the ways 2:3of the wicked. And [I will keep you apart] from all the paths of sin[ners.] God loves knowledge. Wisdom and salvation He has placed before Himself. 2:4Prudence and knowledge minister to Him. He is patient and very forgiving, 2:5atoning for all penitent sinners. But (there will be) much power and great wrath with flames of fire 2:6-7by all the messengers of destruction, resulting in neither a remnant nor survivors for those who turn away from the way and despise the statute. For God did not choose them from the beginning of time. And even before they were established He knew 2:8their deeds, despising those generations on account of (their) bloody

<sup>1</sup> An alternative translation is “they will rejoice over Jeroboam.”

6 בידך < כל מלאכי חבל על סררי דרך ומתעבי חק לאין שארית  
7 ופלישה לנו כי לא בחר אל בהם מקדם עולם ובטרם נוסדו ידע

We follow Baumgarten’s restoration of the DSS parallel (DJD XVIII, 36).

- 2:9 <<מו>><sup>w</sup> עד תומם וידע את שני מעמד ומספר ופרוש קציהם לכל
- 2:10 הוי עולמים ונהיית<sup>44</sup> עד מה יבוא בקציהם לכל שני עולם
- 2:11 ובכולם הקים לו קריאית<sup>45</sup> שם למען התיר פליטה לארץ ולמלא
- 2:12 פני חבל מזרעם vacat ויודיעם ביד משיחו<sup>45</sup> רוח קדשו והווי
- 2:13 אמת<sup>46</sup> ובפרוש <<שמו>><sup>w</sup> שמותיהם ואת אשר שנה התעה
- 2:14 vacat ועתה בנים שמעו [א]לי<sup>47</sup> ואגלה עיניכם לראות ולהבין במעשי
- 2:15 אל ולבחור את אשר רצה ולמאוס<sup>w</sup> <<כ>>אשר<sup>48</sup> שנה [לעשות חוקי א]ל
- בפריית חסר<sup>w</sup> 49 להתהלך תמים
- 2:16 בכל דרכיו ולא לתור במחשבות יצר אשמה ועני<sup>50</sup> זנות כי רבים
- 2:17 תעו במ וגבורי חיל נכשלו במ מלפנים ועד הנה בלכתם בשרירות
- 2:18 לבם נפלו עידי<sup>51</sup> השמים בה נאחזו אשר לא שמרו מצות אל
- 2:19 ובניהם אשר כרום ארזים גבהם וכהרים גויותיהם כי נפלו
- 2:20 כל בשר אשר היה בהרבה כי גוע ויהיו כלא<sup>52</sup> היו בעשותם את
- 2:21 רצונם ולא שמרו את מצות עשיהם עד אשר חרה אפו<sup>53</sup> במ
- 3:1 vacat בה תעי<sup>54</sup> בני נות ומשפחותיהם בה הם נכרתים
- 3:2 אברהם לא הלך בה ויעל אהב בשמרו מצות אל ולא בחר
- 3:3 ברצון רוחו וימסור לישחק וליעקב וישמרו ויכתבו אוהבים
- 3:4 לאל ובעלי ברית לעולם vacat בני יעקב תעו במ ויענשו לפני
- 3:5 משנותם ובניהם במצרים הלכו בשרירות לבם להיעין על
- 3:6 מצות אל ולעשות איש הישר בעיניו ויאכלו את הדם ויכרת

<sup>44</sup> Or נהיה (cf. 4Q268 F1:8). For the meaning of נהיה, compare נדיה, a ubiquitous phrase in the מוסר texts.

<sup>45</sup> Read משיחי.

<sup>46</sup> Read אמתו בפרוש שמותיהם. Cf. 4Q266 F2ii:13 which begins with בפרוש שמותי[הם].

<sup>47</sup> The reading [א]לי is probable in 4Q266 F2ii:14. CD has לי.

<sup>48</sup> Qimron suggests reading באשר. See Elisha Qimron, "The Text of CDC," in *The Damascus Document Reconsidered* (Ed. Magen Broshi; Jerusalem: The Israel Exploration Society, 1992), 13. Cf. באשר in 1QHa 7:19.

<sup>49</sup> According to Baumgarten, Milik would have inserted this clause from 1QS 1:8 to fill up line 15 of 4Q266 F2ii (DJD XVIII, 39). Other possible clauses from the same text might be לרחוק מכול רע ולרבוך בטוב (lines 4–5) or ולעשות אמת וצדקה ומשפט בארץ (lines 5–6).

<sup>50</sup> Read ועיני.

<sup>51</sup> עידי CD. 4Q270 F1i:2–3 seems to have been shorter here than the corresponding medieval text. לבם בשרירות does not fit into what remains of this Qumran parallel.

<sup>52</sup> כלי 4Q266 F2ii:20.

<sup>53</sup> אפה 4Q266 F2ii:21.

<sup>54</sup> Read תעו.

acts.<sup>2</sup> And He hid His face from the earth <sup>2:9</sup>until they were destroyed. And He knows the years of (their) existence and the number and the details of their epochs for all <sup>2:10</sup>beings of eternity including what will occur in the future during their eras forever. <sup>2:11</sup>And during all (these epochs) He has raised up for Himself well known people in order to preserve a remnant in the earth and to fill <sup>2:12</sup>the world with their descendants. And He has informed them through those who were anointed by His Holy Spirit and (through) the seers <sup>2:13</sup>of His truth by elaborating on their names. But those whom He hated He has led astray.

<sup>2:14</sup>And now, hear me O children that I may open your eyes to see and to understand the acts of <sup>2:15</sup>God, to choose what He desires, and to despise what He hates, [to observe the statutes of God with the loving covenant], to walk perfectly <sup>2:16</sup>in all His ways and not to wander into thoughts inclining towards transgression with eyes of whoredom, since many <sup>2:17</sup>have gone astray in these matters. Mighty armies have stumbled into them from the time of old until now. While walking in the stubbornness of <sup>2:18</sup>their heart the Watchers of Heaven fell. In it (whoredom) were seized those who have not obeyed the commandments of God <sup>2:19</sup>along with their children, whose height was like that of the cedars. And, their bodies were piled up like mountains, because <sup>2:20</sup>all flesh which was on the dry land fell, for they died and were as if they had never been, because they were following <sup>2:21</sup>their passions. And, they did not observe the commandments of their Maker until His anger was ignited against them. <sup>CD 3:1</sup>The children of Noah went astray in it and their families were cut off through it. <sup>3:2</sup>(But) Abraham did not follow it. Rather he rose up to be beloved on account of his observing the commandments of God and did not choose to follow <sup>3:3</sup>the passions of his spirit. And he handed it over to Isaac and Jacob, and they observed (them) and were recorded in writing as beloved <sup>3:4</sup>of God and covenanters for eternity. But the sons of Jacob went astray in them and were punished on account of <sup>3:5</sup>their folly, and their sons in Egypt followed the stubbornness of their heart to plot against <sup>3:6</sup>the commandments of God, each doing as his eyes

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<sup>2</sup> This is perhaps an allusion to the Flood.

- 3:7 זכורם במדבר להם בקדש<sup>55</sup> (לאמר)<sup>w</sup> עלו ורשו את [הארץ ולכן אחר]<sup>b</sup>  
רוחם<sup>56</sup> ולא שמעו
- 3:8 לקול עשיהם ולדא האזינו. [ל]מצות יוריהם וירגנו באהליהם ויחר אף אל
- 3:9 בעדתם ובניהם בו אבדו ומלכיהם בו נכרתו וגיבוריהם בו
- 3:10 אבדו וארצם בו שממה [ביד פול אויבתחמת וגו]<sup>w</sup> <sup>57</sup> בו הבו<sup>58</sup>  
בא: הברות הראשנים ויסגרו
- 3:11 לחרב בעזבם את ברית אל ויבחרו בהצונם וימורו אחרי שרירות
- 3:12 לבם לעשות איש את רצונו *vacat* ובמחזיקים במצות אל
- 3:13 אשר נותרו מהם הקים אל את בריתו לישראל עד עולם לגלות
- 3:14 להם נסתרות אשר תעו בם כל ישראל *vacat* שבתות קדשו ומועדי
- 3:15 כבודו עידות צדקן ודרכי אמתו וחפצי רצונו אשר יעשה
- 3:16 הארם וחיה בהם *vacat* פתח לפניהם ויחפרו באר למים רבים
- 3:17 ומואסיהם לא יהיה והם התגוללו בפשע אנוש ובדרכי נדה
- 3:18 ויאמרו כי לנו היא ואל ברזי פלאו כפר בעד עונם וישא לפשעם
- 3:19 ויבן להם בית נאמן בישראל אשר לא עמד כמהו למלפנים ועד
- 3:20 הנה המחזיקים בו לחיי נצח וכל כבוד אדם להם הוא כאשר
- 3:21 הקים אל להם ביד יחזקאל הנביא לאמר הכהנים והלוים ובני
- 4:1 צדוק אשר שמרו את משמרת מקדשי בתעוֹת בני ישראל
- 4:2 מעלי הם יגישו לי חלב ודם *vacat* הכהנים הם שבי ישראל
- 4:3 היוצאים מארץ יהודה והנלוים עמהם *vacat* ובני צדוק הם בחירי

<sup>55</sup> Cf. Num 13:26.

<sup>56</sup> Deuteronomy 9:23 and Ezek 13:3 serve as the basis for the reconstruction of the preceding lacuna transcribed from 4Q269 F2:1-2.

<sup>57</sup> Cf. 4Q504 F1-2 recto v:4.

<sup>58</sup> Read הבו.

pleased. And they consumed blood and He cut off <sup>3:7</sup>their males in the wilderness in Kadesh, saying, “Go up and inherit [the land” (Deut 9:23). But they followed] their (evil) inclination, not listening <sup>3:8</sup>to the voice of their Maker. Neither did they heed the commandments of their teachers, but murmured in their tents so that God became angry <sup>3:9</sup>with their assembly. And their children perished on account of it, and their kings were cut off because of it, and their mighty warriors <sup>3:10</sup>perished as a result of it, and their land became desolate through it [by all their enemies. Furthermore] the ancient covenanters became culpable on account of it and were handed over <sup>3:11</sup>to the sword because they forsook God’s covenant. And they preferred their own passion and they wandered away after the stubbornness <sup>3:12</sup>of their heart to do each one his own will.

### *The Sons of Zadok*

But with those who are clinging to God’s commandments, <sup>3:13</sup>the remnant, He will set His covenant with Israel forever, to reveal <sup>3:14</sup>to them hidden things in which all Israel has strayed away: His holy Sabbaths and <sup>3:15</sup>His glorious festivals, His righteous testimony and His true paths and the things He desires, ‘by which <sup>3:16</sup>man shall perform and live’ (Neh 9:27)<sup>3</sup> (for a thousand generations). (Each of these) He has opened to them. And they will excavate the well for living waters. <sup>3:17</sup>But He will not let those who despise them live, since they have wallowed in man’s transgression and in the ways of impurity, <sup>3:18</sup>saying, “It (אמת, ‘truth’) belongs to us.” But the Lord in His wondrous mysteries has atoned for their sins (of the righteous) and will forgo their transgressions. <sup>3:19</sup>And He will erect for them a faithful temple in Israel, the like of which has never existed from earliest time until <sup>3:20</sup>now. The people who cling to Him are destined for eternal life and all human glory will be accorded to them, just as the Lord <sup>3:21</sup>has established them by Ezekiel the prophet saying, “As for the priests and the Levites and the sons <sup>CD 4:1</sup>of Zadok who have kept the courses of My sanctuary when the children of Israel strayed <sup>4:2</sup>from Me, they shall offer Me fat and blood” (Ezek 44:15). The “priests” are the “penitent of Israel” <sup>4:3</sup>who will depart from the land of Judah, and those who will accompany them. And the “sons of

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<sup>3</sup> A paraphrase of Lev 18:5.



ישראל קריאי השם העמדים באחרית הימים הנה פרוש	4:4
שמותיהם לתולדותם וקץ מעמדם ומספר צרותיהם ושני	4:5
התגוררם ופירוש מעשיהם <אנשי> <sup>w</sup> הקודש <sup>w</sup> >הראשונים אשר כפר	4:6
אל בעדם ויצדיקו צדיק וירשיעו רשע וכל הבאים אחריהם	4:7
לעשות כפרוש התורה אשר התוסרו בו הראשונים <sup>59</sup> עד שלים	4:8
הקץ [כפספס] <sup>b</sup> לשנים האלה כבדית אשר הקים אל לראשנים לכפר	4:9
על עונותיהם כן יכפר אל בעדם ובשלום הקץ למספר השנים	4:10
האלה אין עוד להשתפח לבית יהודה כי אם לעמוד איש על	4:11
מצודו נבנתה הגדר רחק רחוק ובכל השנים האלה יהיה	4:12
בליעל משולח בישראל כאשר דבר אל ביד ישעיה הנביא בן	4:13
אמוץ לאמר פחד ופחת ופח עליך יושב הארץ vacat פשרו	4:14
שלושת מצודות בליעל אשר אמר עליהם לוי בן יעקב	4:15
אשר הוא תפש בהם בישראל ויתנם פניהם לשלושת מיני	4:16
הצדק הראשונה היא הזנות השנית <sup>60</sup> ההין <sup>61</sup> השלישית	4:17
טמא המקדש העולה מזה יתפש בזה והניצל מזה יתפש	4:18

## CD 4:19–7:5

Parallels: 4Q266 F3ii; iii:4–6 (underline)

4Q267 F2 (overbar)

4Q269 F3–4 (dotted underline)

4Q271 F1 (italics)

6Q15 F1–4 (lower underline)

extant and restored text unique to DSS (outline)

בזה vacat בוני החיץ <sup>9</sup> אשר הלכו אחרי צו הצו הוא מטיף	4:19
אשר אמר הטף יטיפון הם ניתפשים בשתים בזנות. לקחת	4:20
שתי נשים בחייהם ויסוד הבריאה זכר ונקבה ברא אותם	4:21
ובאי התבה שנים שנים באו אל התבה vacat ועל הנשיא כתוב	5:1
לא ירבה לו נשים ודויד לא קרא בספר התורה החתום אשר	5:2

<sup>59</sup> CD. הראשונים<sup>60</sup> and the second ל of line 18 may correspond to the unidentified 4Q266 F34.<sup>61</sup> Read ההין.

Zadok” are the chosen <sup>4:4</sup>of Israel, called by name, who will arise in the end of days. Here is a listing <sup>4:5</sup>of their names by their ancestry and the time of their officiating and the number of their troubles and the years <sup>4:6</sup>of their sojourn and the elaboration of the deeds of their holy <anc>estors whose (sins) <sup>4:7</sup>God has atoned for. And they will declare the just righteous and the sinful wicked.

Now as for all who succeed them, <sup>4:8</sup>continuing to act in accordance with the elaboration of the Torah by which the forefathers were disciplined until the completion <sup>4:9</sup>of the epoch [according to the number] of these years, in accordance with the covenant which God had established for the ancestors to atone <sup>4:10</sup>for their sins, so God will atone for them.

*Israel’s Decline: The Past and Impending Crisis*

And at the end of the epoch by the reckoning of these years <sup>4:11</sup>one may no longer join the (new) house of Judah, but instead every person shall remain at <sup>4:12</sup>his post (literally “stand upon his fortress”).

The fence has been built, the statute is distant (Mic 7:11). And during all these years <sup>4:13</sup>Belial will be let loose against Israel as God has spoken through Isaiah the prophet, son <sup>4:14</sup>of Amoz, saying, “Fear and the pit and the snare are upon you, inhabitant of the land” (Isa 24:17). Its eschatological meaning is <sup>4:15</sup>the three nets of Belial concerning which Levi son of Jacob said <sup>4:16</sup>“with which he (Belial) trapped Israel and paraded them as if they were fronts for three classes <sup>4:17</sup>of (un)righteous deeds”: the first is whoredom, the second wealth (and) the third <sup>4:18</sup>the defiling of the sanctuary. He who escapes from one will be trapped in the next; and whoever is saved from that will be trapped <sup>4:19</sup>in the other.

As to the builders of the wall who went after “precept”: Precept is a spewer <sup>4:20</sup>of whom it says, “They shall surely spew” (Mic 2:6). They are ensnared by two (abominations): (the first) by whoredom through marrying <sup>4:21</sup>two wives while (the first wife) is still alive. But the (divine) principle of creation is, “as a male and female He created them” (Gen 1:27). <sup>CD 5:1</sup>Moreover, those who entered the ark came in pairs to the ark. And concerning the leader (of the tribes and the head of the priests) it is written, <sup>5:2</sup>“He shall not multiply wives for himself” (Deut 17:17). As to David, he could not read in the book

- 5:3 היה בארון כי לא {נפתת}w<sup>62</sup> נפתח בישראל מיום מות אלעזר  
 5:4 ויהושע <<ויושע>>w והזקנים אשר עבדו את העשתרת וישמון  
 5:5 נגלה עד עמוד צדוק ויעלו מעשי דויד מלבד דם אוריה  
 5:6 ויעזבם לו אל וגם מטמאים הם את המקדש אשר אין הם  
 5:7 מבדיל כתורה ושוכבים עם הרואה את דם זובה ולוקחים  
 5:8 איש את בת אחיהם ואת בת אחותו vacat ומשה אמר אל  
 5:9 אחות אמך לא תקרב שאר אמך היא ומשפט העריות לזכרים  
 5:10 הוא כתוב וכהם הנשים ואם תגלה בת האה את ערות אחי  
 5:11 אביה והיא שאר vacat וגם את רוח קרשיהם שמאו ובלשון  
 5:12 גרופים פתחו פה על חוקי ברית אל לאמר לא נכוננו ותועבה  
 5:13 הם מדברים בם ככלם קרחי אש ומבערי זיקות קורי  
 5:14 עכביש קוריהם וביצי צפעונים ביצייהם הקרוב אליהם  
 5:15 לא ינקה כהר ביתו<sup>63</sup> יאשם כי אם נלחץ כי למילפנים<sup>64</sup> פקר  
 5:16 אל את מעשיהם ויתר אפו בעלילותיהם כי [עם] בלא בינות הוא<sup>65</sup>  
 5:17 הם גוי אבד עצות מאשר אין בהם בינה כי מלפנים עמד  
 5:18 משה ואחרון ביד שר האורים ויקם בליעל את יחנה ואת  
 5:19 אחיהו במזמתו <<בהושע>>w <<בהרשע>>w ישראל את הראשונה vacat  
 5:20 vac ובקץ חרבן הארץ עמדו מסני הגבול<sup>66</sup> ויתעו את ישראל  
 5:21 ותישם הארץ כי דברו עֲשֵׂה סרה על מצות<sup>67</sup> אל ביד משה וגם  
 6:1 במשיח<sup>68</sup> הקודש ויגבאן שקר להשיב את ישראל מאחרי  
 6:2 אל ויזכר אל ברית ראשונים<sup>69</sup> vacat ויקם מאהרון נבונים ומישראל

<sup>62</sup> Rabin transcribed נפתח and Qimron {נפ}. See Chaim Rabin, *The Zadokite Documents* (2d rev. ed.; Oxford: Clarendon, 1958), 19; Qimron, "The Text of CDC," 19.

<sup>63</sup> Read כהרבותו as proposed by Qimron in "The Text of CDC," 19.

<sup>64</sup> CD. כי אם למילפנים; Q266 F3ii:3 כי למ(ל)פנים.

<sup>65</sup> CD 5:16. כי לא עם בינות הוא.

<sup>66</sup> The same phrase in 4Q271 F1:2 may be reconstructed as מִשְׁכִּינֵי הַגְּבוּל as

<sup>67</sup> 4Q266 F3ii:8. מצות.

<sup>68</sup> CD. במשיחו.

<sup>69</sup> CD. ראשונים.

of the Torah which had been sealed since <sup>5:3</sup>it was in the ark, for it (the ark) had not been opened in Israel since the day of the death of Eleazar and <sup>5:4</sup>Joshua and the elders who worshipped the Ashtaroth. And he (Eleazar) hid <sup>5:5</sup>the Niglah until Zadok arose. And the acts of David became acceptable (before God) aside from (the king's guilt pertaining to) the blood of Uriah, <sup>5:6</sup>as God made him responsible for that.<sup>4</sup> They also defile the Temple, not <sup>5:7</sup>separating (between clean and unclean) according to the Torah. And they lie with a menstruating woman and marry <sup>5:8</sup>the daughter of one's brother or sister. However, Moses said, "You shall not <sup>5:9</sup>come near the sister of your mother; she is a relation of your mother" (Lev 18:13). And the rules of incest are in male language, <sup>5:10</sup>but they apply to women as well. Hence, if the brother's daughter uncovers the nakedness of her father's brother, <sup>5:11</sup>she is a (forbidden) relation. And they (the opponents) also have defiled their holy spirit, and <sup>5:12</sup>have opened (their) mouth with blasphemous language against the statutes of God's covenant, saying, "They are not right," and <sup>5:13</sup>speak of them as an "abomination." All of them (the opponents) 'kindle fire' and burn 'firebrands' (Isa 50:11). 'Webs of <sup>5:14</sup>a spider' are their webs and 'eggs of vipers' (Isa 59:5) are their eggs. Anyone who comes near to them <sup>5:15</sup>will not be innocent. As he increases (his transgressions) he will be declared guilty, unless under duress. For formerly God recalled <sup>5:16</sup>their (Israel's) deeds and God was angry with their misdeeds,<sup>5</sup> since they are [a people] without understanding (Isa 27:11). <sup>5:17</sup>'They are a nation that has lost proper counsel' since 'they lack understanding' (Deut 32:28). For formally <sup>5:18</sup>Moses and Aaron were guided by the Prince of the Urim (and Thummim), and Belial raised up Yahneh and <sup>5:19</sup>his companion by his plot when Israel became wicked<sup>6</sup> the first time.

<sup>5:20</sup>Now during the epoch of the desolation of the land (concluding in 586 B.C.E.) the Shifters of the Boundary arose and misled Israel. <sup>5:21</sup>And the earth has turned into wilderness because they spoke deviant counsel against the ordinances of God through Moses, and even CD 6:1 through the anointed holy ones. And they have prophesied falsehood to make Israel turn away from <sup>6:2</sup>God.

<sup>4</sup> Literally "them."

<sup>5</sup> Cf. Ps 99:8, *עַל-עֲלֵילוֹתָם וְנָקָם* (and takes vengeance for their misdeeds).

<sup>6</sup> CD reads *בְּהוֹשֵׁעַ יִשְׂרָאֵל* (when Israel was saved).

- 6:3 חכמים וישמיעם ויחפורו את הבאר אשר אמר מרשה באר הפריה שרים כרוה  
 6:4 נדיבי העם במחוקק הבאר היאת התורה וחופריה הסה  
 6:5 שבי ישראל היוצאים מארץ יהודה ויגורו בארץ<sup>70</sup> דמשק  
 6:6 אשר קרא אל את כולם שרים כי פול<sup>71</sup> דרשוהו ולא הושבה  
 6:7 פאתם בפי אחד vacat והמחוקק הוא דורש התורה אשר  
 6:8 אמר ישעיה מוציא כלי למעשיהו vacat ונדיבי העם הם  
 6:9 הבאים לכרות את הבאר במחוקקות אשר חקק המחוקק  
 6:10 להתהלך במ בכל קץ הרשיע וזולתם לא ישיגו עד עמד  
 6:11 יורה הצדק באחרית הימים vacat וכול אשר הובא<sup>71</sup> בברית  
 6:12 לבלתי בוא אל המקדש להאיר מזבחו [הו] מסגרי<sup>72</sup>  
 6:13 הדלת אשר אמר אל מי בכס יסגור דלת<sup>94</sup> ולא תאירו מזבחי  
 6:14 חנם אם לא ישמרו לעשות כפרוש התורה לקץ הרשע להבדל<sup>73</sup>  
 6:15 מבני [העו] <sup>74</sup> ולהנזר מהון הרשעה הטמא בנדר ובחרם  
 6:16 ובחון המקדש ולגזול את עניי עמו להיות אלמנ[ן]ת שללם  
 6:17 ואת יתומים ירצחו ולהבדיל<sup>75</sup> בין הטמא לטהור ולהודיע בין  
 6:18 הקודש לחול ולשמור את יום השבת כפרושה ואת המועדות  
 6:19 ואת יום התענית כמצאת באי הברית הקדשה בארץ דמשק  
 6:20 להרים את הקדשים בפיתושיהם לאהוב איש את אחיהו  
 6:21 כמהו ולהחזוק ביד<sup>76</sup> עני ואביון וגר vacat ולדרוש איש בשלום<sup>77</sup>  
 7:1 אחיהו ולא ימעל איש בשאר בשחו להזיר מן הזונות

<sup>70</sup> Baumgarten reconstructs 4Q267 F2:12b as “[דמשק אשר קרא] . . .” and [dwell in the dwellings of [Damascus whom (God) called] . . .” (DJD XVIII, 97). The translation is mine.

<sup>71</sup> CD. הובא.

<sup>72</sup> CD 6:11b–13a has ויהיו חנם ויהיו חנם מזבחו חנם ויהיו חנם. The spelling of the second to the last word is obscure in 4Q266 F3ii:18. Baumgarten transcribes it as מסגרי (DJD XVIII, 41). It is difficult to determine whether the supralinear mark actually appearing above the *samek* is a portion of a *yod*, *waw* or merely a mark on the parchment. Although the phrasing in the biblical text diverges from that of both CD and 4Q266, the use of the Qal stem of סגר in the biblical parallel מי וגבכם ויסגר דלתים ולא תאירו מזבחי חנם (Mal 1:10), may support reading a Qal participle either as a short form as transcribed, or the full form סגרי in 4Q266 F3ii:18.

<sup>73</sup> CD 6:14. ולהבדל.

<sup>74</sup> CD. השחה.

<sup>75</sup> CD. ולהבדיל.

<sup>76</sup> 4Q269 F4ii:3 could be reconstructed as בע[ך].

<sup>77</sup> CD. איש את שלום.

*Israel's Rise: The Life of the New Covenant in Damascus*

But God will remember the covenant of the ancestors and will raise up from Aaron men of understanding and from Israel <sup>6:3</sup>wise men. And He will inform them. And they will dig the well, of which Moses had said, "The well which the princes have excavated <sup>6:4</sup>the nobles of the people dug by the direction of the Lawgiver" (Num 21:18). The well is the Torah and its excavators are <sup>6:5</sup>the penitent of Israel who will exit from the land of Judah and dwell in the land of Damascus, <sup>6:6</sup>all of whom God has called "princes," for [they] all will have interpreted it (the words of Moses) and <sup>6:7</sup>their glorious (interpretation) cannot be challenged by anyone. And the Lawgiver is the interpreter of the Torah about whom <sup>6:8</sup>Isaiah said, "One who brings forth an instrument for his works" (Isa 54:16). And the nobles of the people are <sup>6:9</sup>the ones who will come to excavate the well (Torah) with legislative mastery which the Lawgiver has etched <sup>6:10</sup>so that they will walk by them during the entire epoch of wickedness; and those who are apart from them will not attain (understanding) until <sup>6:11</sup>the True Lawgiver arises at the end of days.

And anyone who has been brought into the covenant <sup>6:12</sup>(with the stipulation) not to enter into the sanctuary to kindle His altar is among those who close <sup>6:13</sup>the door, concerning whom God had said, "Who among you will close my door so as not to kindle my altar <sup>6:14</sup>in vain" (Mal 1:10), if they will not take heed to do according to the explanation of the Torah during the epoch of wickedness.

It is imperative to separate <sup>6:15</sup>from the sons of [in]justice and to "nazirite" by means of a vow and ban from the defiling wealth of wickedness <sup>6:16</sup>as well as from the property of the sanctuary; and (neither) to rob the poor of his (God's) people, (nor) to make widows their booty, <sup>6:17</sup>(nor) should they murder the fatherless (Isa 10:2). It is necessary to differentiate between what is defiling and pure and to make known between <sup>6:18</sup>what is sacred and what is ordinary; and to observe the day of the Sabbath including its elaborations and the festive seasons <sup>6:19</sup>and the day of fasting (atonement) in accordance with the practice of those who will enter the new covenant in the land of Damascus, <sup>6:20</sup>to set apart the holy (or priestly) tithings in accordance with their proper elaborations; that each love his companion <sup>6:21</sup>as himself and support the poor, destitute and proselyte, and that each be concerned with the welfare <sup>CD 7:1</sup>of his neighbor and that no one should adulterate his near kin, keeping apart from prostitutes

- 7:2 כמשפט להוכיח איש את אחיהו כמצוה ולא לנטור  
 7:3 מיום ליום ולהבדל מכל השמאות כמשפטם ולא ישקין  
 7:4 איש את רוח קדשיו כאשר הבדיל אל להם כל המתהלכים  
 7:5 באלה בתמום קדש על פי כל יסודו<sup>78</sup> ברית אל נאמנות<sup>79</sup> להם

Text Common to CD 7:6–8:21 (CD-A) and CD 19 (CD-B) (plain text)

Text Unique to CD 7:6–8:21 (underline)

Text Unique to CD 19:1–34a (dotted underline)

Parallels: 4Q266 F3iii:18–25, iv (overbar)

4Q269 F5; 6 (lower underline)

extant and restored text unique to DSS (outline)

- 7:6a לחיותם לאלפי דורות: ככ<sup>80</sup> שומר הברית והחסד לאהב<sup>81</sup> ולשמרו  
 מצותי<sup>82</sup> לאלף דור:  
 7:6b *vacat* ואם מחנות ישבו כסרך<sup>83</sup> הארץ אשר היה מקדם ולקחו  
 7:7 נשים כמנהג התורה ותגלדו בנים ונתחלכו<sup>84</sup> על פי התורה<sup>85</sup> וכמשפט  
 7:8 היסורים<sup>86</sup> כסרך התורה כאשר אמר בין איש לאשתו ובין אב  
 7:9 לבנו וכל המואסים במצות ובחקים<sup>87</sup> להשיב גמול רשעים  
 7:10a עליהם בפקדת אל את הארץ בבוא הרבר אשר כתוב בך<sup>88</sup> זכרית הנביא  
 הרב עורו על רועי ועל גבר עמיתי נאם אל הך את הרעה ותפוצינה הצאן  
 והשׁיבותי ידו על הצוערים<sup>89</sup>: והשומרים אותו הם עניי הצאן  
 7:10b (בבוא הרבר אשר כתוב)<sup>w</sup> בדברי ישעיה בן אמוץ הנביא  
 7:11 אשר אמר יבוא<sup>90</sup> עליך ועל עמך ועל בית אביך ימים אשר <לא><sup>w</sup>

<sup>78</sup> Read וסוריו.

<sup>79</sup> Read נאמנה after 4Q267 F9v:4 which parallels CD 14:2, a related passage containing content and syntax similar to that of CD 7:5b–6a.

<sup>80</sup> ככתוב.

<sup>81</sup> Read לאהביו.

<sup>82</sup> Read מצותיו.

<sup>83</sup> CD-A 7:6 כסרך.

<sup>84</sup> CD-A 7:5 והתחלכו.

<sup>85</sup> A *vacat* follows התורה in CD-B 19:4.

<sup>86</sup> CD-B 19:4 היסורים. Rabin emends the text to האסרום (binding vows). See Rabin, *The Zadokite Documents*, 26–27.

<sup>87</sup> Following לבנו, A-7:9–10a reads להשיב גמול הארץ אשר כתוב בדברי ישעיה ... רשעים עליהם בבוא הרבר אשר כתוב בדברי ישעיה ... Note that this edition unless otherwise noted, unlike that of Rabin, prints the B text before the A. This is also true of variant readings, sequences of words or English translations.

7:2in accordance with the rules; to reprove each his neighbor in accordance with the commandment and not to bear a grudge 7:3from day to day and to keep away from all kinds of defilement in accordance with their rule and that no one abominate 7:4His Holy Spirit as God has kept them apart. As for all who walk 7:5in these rules in perfect holiness, in accordance with all His chastisements, the divine covenant will remain faithful to them, 7:6akeeping them alive for thousands of generations. <As is written,> “He (God) keeps the covenant and favor with <those who love him> and who observe <his commandments> for a thousand generations” (Deut 7:9).

7:6bAnd if they reside (in) camps as was the rule of the land formerly (in the wilderness), they shall take 7:7wives in accordance with the custom of the Torah, and father children, and they shall walk in accordance with the Torah and the ordinance 7:8on chastisements according to the rule of the Torah, just as He said: “Between a man and his wife, and between a father 7:9and his son” (Num 30:17).

But pertaining to all those who despise the commandments and statutes, these wicked will be requited 7:10aduring God’s remembrance of the land when the written word (19:7) of Zechariah the prophet will find fulfillment: “Oh sword, awake against (19:8)my shepherd and against my fellow man says the Lord. Strike the shepherd so that the sheep will scatter. (19:9)And I will turn my hand against the young shepherds” (Zech 13:7). Those who guard him (the shepherd) are the poor of the flock. (Zech 11:7) . . . 7:10b. . . (When that which was written) by Isaiah, son of Amoz, the prophet (will be fulfilled): 7:11who said, “Days will come upon you and upon your people and the house of your father, the likes of which have <not> 7:12transpired since the time that Ephraim split off from Judah” (Isa 7:17) when the two houses of Israel separated (and will do so again), 7:13the prince of Ephraim from Judah. And all the laggards were handed over (and will be so again) to the sword, but those who held fast (to the Torah)

<sup>88</sup> CD-B 19:7 reads .... אשר כתוב ביד זכריה הנביא .

<sup>89</sup> הַנְּעָרִים MT.

<sup>90</sup> MT reads נְבִיא. MTA’s change to נְבִיא might have been intentional, since it stresses the futuristic element of the message: that there will be a new split in the future. It will occur again in the north. This future rift predicted by Isaiah, combined with Elijah’s wandering to the wilderness of Damascus in 1 Kings 19:15 discussed above, may have served as an inspiration for MTA’s central thesis of the exile to Damascus.



- 7:12 באו מזיום סוד אפרים מעל יהודה בהפרד שני בתי ישראל  
 7:13 שר אפרים מעל יהודה וכל הנסוגים הנסגרו לחרב והמחזיקים  
 7:14 נמלטו לארץ צפון vacat כאשר אמר והגליתי את סכות מלככם<sup>91</sup>  
 7:15 ואת כיון צלמיכם מאהלי דמשק vacat ספרי התורה הם סוכת  
 7:16 המלך כאשר אמר והקימותי את סוכת דוד<sup>92</sup> הנופלת vacat המלך  
 7:17 הוא «נשיא» הקהל «וכיני הצלמים» וכיון הצלמים הם ספרי הנביאים  
 7:18 אשר בזה ישראל את דבריהם vacat והכוכב הוא דורש התורה  
 7:19 הבא לל דמשק {פאשר} כאשר כתוב דרך כוכב מיעקב וקם שבט  
 7:20 מישראל השבט הוא נשיא<sup>93</sup> כל העדה ובעמדו וקרנך  
 7:21 את כול בני שית אלה, ומלטו<sup>94</sup> בקין הפקודה הרשעה<sup>95</sup>  
 19:10b והנשארים ימסרו לחרב<sup>96</sup> בבוא משיח  
 19:11 אחרו וישראל: כאשר היה בקין פקדת הראשון אשר אמר {תוקאל}  
 19:12 ביד יחוקאל vac והתו להתות התיו על מצחות נאנחים ונאנקים  
 19:13 והנשארים הסגרו לחרב נוקמת נקם ברית:  
 8:1b וכן משפט כול באים בבריתה<sup>97</sup> אשר  
 8:2 לא<sup>98</sup> יחזיקו באלה החקים לפקדם<sup>99</sup> לכלה ביד בליעל הוא היום  
 8:3 אשר יפקדו אל כאשר דבר היו שרי יהודה כמשיגו גבול [ב]חם אשר  
 עליהם אשפך גמולם העברה<sup>100</sup>  
 8:4 כי באו בשו בברית תשובה . . . «יתלו למרפא»<sup>101</sup> «וידקמום» «וידקמום»  
 כול מורדים<sup>102</sup> מאשר<sup>103</sup> . . . לא סרו מדרך

<sup>91</sup> The understanding of מלככם is problematic. The Septuagint renders the phrase as τὴν ὀνομασίαν τοῦ Μολοχ (the tent of Moloch). However, the author of CD reads it as positive, since he identifies the המלך סוכת (the מלככם of Amos 5:26) as the ספרי התורה (the books of the Torah). As does the Septuagint, the author of MTA renders מלככם as “tent.” Unlike the Septuagint, however, which translates מלככם as Μολοχ, the author of MTA understands it as המלך (the king), paralleling it with Amos 9:11 סכת דוד הנפלה, and identifying it as the “the books of the Torah.” The phrase ספרי הנביאים (the books of the prophets) is a midrash on הצלמים.

<sup>92</sup> Baumgarten restores שׁוּכַת דָּוִד to the beginning of 4Q266 F3iii:17 (DJD XVIII, 44). Nothing remains of line 17. A ז survives at the beginning of line 18.

<sup>93</sup> 4Q266 F3iii:21. נשי

<sup>94</sup> CD-A 7:21. מלטו

<sup>95</sup> CD-A 7:21. הראשון

<sup>96</sup> CD-A 8:1 reads לחרב. 4Q266 F3iii:23 reads [סגיר] והנסוגים הסגרו לחרב.

<sup>97</sup> CD. כול באי הברית

<sup>98</sup> 4Q266 F3iii:24. לו

<sup>99</sup> CD-B 19:14; A-8:2. לפקדם

<sup>100</sup> CD-A 8:3b reads העברה אשר תשפוך עליהם העברה. CD-A 8:3b reads העברה. 4Q266 F3iii:25–3iv:1 may be reconstructed [תשפוך עליהם אשר] העברה.

7:14escaped (and will do so again) to the land of the north, just as he said, “Then I will exile” the Sikkut of your king 7:15and the Kiyyun of your images “away from the tents of Damascus.” (Amos 5:27). The books of the Torah are equivalent to the booth 7:16of the king as it says, And “I will raise up the fallen booth of David” (Amos 9:11). The king 7:17refers to the <prince> of the congregation and the Kiyyun of their images are the books of the prophets 7:18whose words Israel has despised. The star is the interpreter of the Torah 7:19who is to come to Damascus, as it is written, “A star has stepped forth from Jacob and a scepter has arisen 7:20from Israel” (Num 24:17). The scepter is the leader of the entire congregation, and when he will arise he will shake up 7:21all the sons of Seth . . . (19:10a) These will escape during the first period of redemption. And those who will remain will be given over to the sword when the Messiah (19:11) of Aaron and Israel will arise, as it was during the first period of remembrance (in Egypt) as He (God) said (19:12) through Ezekiel: “To make a mark upon the foreheads of the distressed and moaners” (Ezek 9:4). (19:13) But those who remain will be handed over to the avenging sword, a vengeance of the covenant.

CD 8:1b And thus will be the fate of all who will have entered His covenant who 8:2 will not cling to these statutes resulting in them being handed over to Belial for destruction. That is the day 8:3 when they will be summoned (by) God, as He spoke (through Hosea), “The princes of Judah (will) have become like the Shifters of the Boundary” [on] the day when “I will pour out anger<sup>7</sup> upon them like water” (Hos 5:10). 8:4 For they will have entered into the covenant of repentance. . . and will begin to heal, and all fearers (of God) will weave them apart

<sup>7</sup> MT reads עֲבָרָהּ.

<sup>101</sup> Baumgarten reconstructs 4Q266 F3iv:1 [כִּי יִהְיוּ לָלוּ מִרְפָּא] (for they shall be sick with no healing), stating, “. . . we assume the loss of the negative לוֹ by haplography” (DJD XVIII, 46).

<sup>102</sup> כּוֹל מוֹרְדִים 4Q266 F3iv:2; or כּל מוֹרְדִים “all the rebels” CD-A 8:4. Qimron reads “wounds excreting pus (רִיד)” (Qimron, “The Text of CDC,” 25).

<sup>103</sup> CD-B 19:16b–17a reads כּוֹנְנִים בּוֹנֵי מוֹדֵר כִּי יִהְיוּ מִרְפָּא וְלֹא סָרוּ מִדֶּרֶךְ בּוֹנֵי מוֹדֵר, “(For) they will have entered a covenant of repentance but will not have turned aside from the way of the treacherous.”

- 8:5 בוגדים ויתגוללו בדרכִי <<זונות>> <זנות> ובהון הרשעה ונקום ונִטור<sup>104</sup>
- 8:6 איש לאחיו ושנא איש את רעהו ויתעלמו איש בשאר בשר
- 8:7 ויגשו לזמה ויתגברו להון ולבצע ויעשו אִישׁ איש הישר בעיניו
- 8:8 ובהרו<sup>105</sup> איש בשרירות לבו ולא נזרו מעם וְמִחֲטָאתָם; ויפרעו ביד רמה
- 8:9 ללכת בדרכִי רשעים; אשר אמר אל עליהם חמת תנינים יינם
- 8:10 וראש פתנים אכזר; vacat התנינים הם מלכי העמים vacat ויינם הוא
- 8:11 דרכיהם וראש הפתנים<sup>106</sup> הוא ראש מלכי יון הבא
- 8:12 עליהם לנקם נקמה<sup>107</sup> ובכל אלה לא הבינו בוני החיץ ושחי התפל כי
- 8:13 הולך רוח ושקל שפת סופות<sup>108</sup> ומשיף אדם לכזב השיף להם
- אשר חרה אף אל בכל עדתו; vacat
- 8:14 ואשר אמר משה לישראל לא בצדקתך וביושר<sup>109</sup> לבבך אתה בא לרשת
- 8:15 את הגוים האלה כי מאהבתו את אבותיך<sup>110</sup> ומשמרו את השבועה;
- 8:16 וכן המשפט לשבי ישראל סרו מדרך העם באהבת אל; את
- 8:17 הראשנים אשר היעידו<sup>111</sup> על העם אחרי אל ואהב<sup>112</sup>
- את הבאים אחריהם כי להם
- 8:18 ברית האבות vacat ושונא<sup>113</sup> ומתעב אל את בוני החיץ וחרה אף
- אפו גם ובכל תהללים אתהיהם וכמשפט
- 8:19 הזה הוא המואס במצות אל ויעזבם ויפנו בשרירות לבם
- 8:20 vacat הוא הדבר אשר אמר ירמיהו לברוך בן נרייה ואלישע
- 8:21 לגחזי נערו vacat בן כל האנשים אשר באו בברית החדשה בארץ דמשק

<sup>104</sup> CD-B 19:18. ונסור

<sup>105</sup> CD-A 8:8 and CD-B 19:20. ויבהרו

<sup>106</sup> CD-B 19:23. פתנים

<sup>107</sup> A-8:11b–12a בהם נקמה הוא ראש מלכי יון הבא לעשות בהם נקמה

<sup>108</sup> CD-A 8:13. שוקל רוח

<sup>109</sup> CD-A 8:14. וביושר

<sup>110</sup> CD-A 8:15. אבותך

<sup>111</sup> Qimron, following CD-B 19:30 (העידו), reads הועידו (make the people assemble before God). See Qimron, “The Text of CDC,” 25.

<sup>112</sup> CD-A 8:17. היעידו אחרי אהב

<sup>113</sup> CD-A 8:18 reads ובשונאי, which Qimron emends to ובשונאו (Qimron, “The Text of CDC,” 25).

from those who have not turned away from the way <sup>8:5</sup>of traitors. But (changing directions) they will wallow in the paths of whoredom, and in the property of wickedness, and vengeance, and will bear a grudge <sup>8:6</sup>each against his brother, and hate his fellow man, being oblivious to their close kin. <sup>8:7</sup>And they will approach whoredom and make an effort to acquire ill-gotten wealth through exploitation, and each will do what is pleasing in his own eyes. <sup>8:8</sup>And each one will choose the corruption of his heart and will not keep apart from the people and their sins. And they will act haughtily in a vicious way <sup>8:9</sup>to follow the path of the wicked, concerning whom God said, “Their wine is the poison of serpents, <sup>8:10</sup>and the cruel venom of asps” (Deut 32:33). The serpents are the kings of the nations and their wine is <sup>8:11</sup>their way of life. And the head of the serpents is the leader of the kings of Greece who is coming <sup>8:12</sup>to exact vengeance upon them. And in all these things the builders of the wall and those who plaster it with whitewash will not have understood, that <sup>8:13</sup>the one who walks by wind and weighs the whirlwind, and he who preaches lies to man will have preached to them what has provoked the anger of God against his whole congregation.

<sup>8:14</sup>Now as for what Moses said to Israel: “Not on account of your righteousness or the uprightness of your heart are you coming to inherit <sup>8:15</sup>these Gentile lands, but because of His love for your forefathers and His keeping the oath” (Deut 9:5; 7:8). <sup>8:16</sup>And thus will be the destiny for the penitent of Israel who will have turned from the way of the people. On account of God’s love for <sup>8:17</sup>the ancestors who testified against the people since they followed God, He will love those who succeed them, because <sup>8:18</sup>the covenant of the forefathers belongs to them. But God will hate and abhor the builders of the wall, and His anger will be kindled against them and against all who follow them.

And this judgment <sup>8:19</sup>will apply also against all who will despise God’s commandments and will leave them and turn in the stubbornness of their heart. <sup>8:20</sup>This is the matter that Jeremiah commanded to Baruch, son of Neriah, and Elisha <sup>8:21</sup>to Gehazi, his amanuensis. Thus are all the people who enter into the new covenant in the land

CD 19:34b–20:34

Parallels: 4Q267 F3:1–7 (underline)

4Q266 F4:7–8 (overbar)

paleo script is in DSS only

extant and restored text unique to DSS (outline)

- 19:34b ושבּוּ ויבגדוּ וְיִסּוּרוּ מִבְּאֵר מַיִם הַחַיִּים
- 19:35 לֹא יִחְשְׁבוּ בְסוּד עִם וּבְכַתְבָּם לֹא יִכְתְּבוּ מִיּוֹם הָאֶסֶף יְד־מִוֶּדָּה
- 20:1 {מִיּוֹם} מִוֶּדָּה הִיחִיד עַד עֲמוּד מִשִּׁית מֵאֲהָרֵן וּמִיִּשְׂרָאֵל vacat וְכֵן הַמִּשְׁפָּט
- 20:2 לְכֹל בָּאֵי עֵדֶת אַנְשֵׁי תַמִּים הַקֹּדֶשׁ וַיִּקְוֶן מַעֲשׂוֹת פְּקוּדֵי יִשְׂרָאֵל
- 20:3 הוּא הָאִישׁ הַנֶּתֶךְ הַנֶּתֶךְ בְּתוֹךְ כּוֹר: הַ בְּהוֹפֵעַ מַעֲשֵׂיו יִשְׁלַח מַעֲרָה
- 20:4 כְּמוֹ<sup>114</sup> שְׁלֹא נִפְלָ גּוֹרְלוֹ בְּתוֹךְ לַמּוֹדֵי אֵל כִּפִּי מַעֲלוֹ יְהִ יוֹכִיחֵהוּ אַנְשֵׁי
- 20:5 דְּעוֹת עַד יוֹם יִשׁוּב לַעֲמֹד בְּמַעֲמֹד אַנְשֵׁי תַמִּים קֹדֶשׁ <<אֲשֶׁר-רָאִין
- 20:6 גִּדְּלוּ-בְתוֹךְ-אֵל וּבְהוֹפֵעַ מַעֲשֵׂיו כִּפִּי מִדְּרַשׁ הַתּוֹרָה אֲשֶׁר יִתְהַלְכוּ
- 20:7 בּוֹ אַנְשֵׁי תַמִּים הַקֹּדֶשׁ אֵל יְהִ יֹאֲוֹת אִישׁ עֲמוֹ בַּחֲוֶן וּבַעֲבוּדָה
- 20:8 כִּי אֲדַרְוֵהוּ כָּל קְרוֹשֵׁי עֲלִיּוֹן וְכַמִּשְׁפָּט הַזֶּה לְכֹל הַמָּאֵס בְּרָאשׁוֹנִים
- 20:9 וּבִאֲחֵרוֹנִים אֲשֶׁר שְׁמוֹ גְּלוּלִים עַל לִבָּם וַיִּשְׁיִמּוּ וַיִּלְכּוּ בְּשִׁרְיֹת
- 20:10 לִבָּם אִין לֵהֶם חֶלֶק בְּבֵית הַתּוֹרָה: כַּמִּשְׁפָּט רַעִיָהִם אֲשֶׁר שְׁבוּ
- 20:11 עִם אַנְשֵׁי הַלְצוֹן יִשְׁפֹּטוּ כִּי דִבְרוּ תוֹעָה עַל חֲקֵי הַצֶּדֶק וּמֵאִסּוּ
- 20:12 בְּבֵרִית sch וְאִמְנָה אֲשֶׁר קִיִּמוּ בְּאָרֶץ דְּמִשְׁק וְהוּא<sup>115</sup> בְּרִית הַחֲדָשָׁה:
- 20:13 וְלֹא יִהְיֶה לָהֶם וְלִמְשַׁפְּחוֹתֵיהֶם חֶלֶק בְּבֵית הַתּוֹרָה<sup>116</sup> vacat וּמִיּוֹם
- 20:14 הָאֶסֶף יוֹדָה הִיחִיד עַד תַּם כָּל אַנְשֵׁי הַמְּלַחֲמָה אֲשֶׁר שְׁבוּ
- 20:15 עִם אִישׁ הַכּוֹזב כְּשֵׁנִים אַרְבַּעִים: וּבִקְוֶן הַהוּא יִחְרָה
- 20:16 אֶף אֵל בִּישְׂרָאֵל כְּאֲשֶׁר אָמַר אִין מְלֹךְ וְאִין שֵׁר וְאִין שׁוֹפֵט וְ[א]ף
- 20:17 מוֹכִיחַ בְּצֶדֶק וְשָׁבִי פִשַׁע יַעֲקֹב שְׁמֵרוּ בְּרִית אֵל אִזְ נִדְבְּרוּ אִישׁ

<sup>114</sup> Read כמי.

<sup>115</sup> Read והיא.

<sup>116</sup> Rabin restores ה. See Rabin, *The Zadokite Documents*, 38–39.

of Damascus CD 19:34<sup>b</sup>but will change (their minds) and act treacherously and turn away from the well of living waters; 19:35<sup>c</sup>these shall not be counted in the assembly of the people, and shall not be recorded in their records beginning from the day of the assembling CD 20:1<sup>b</sup>by the Unique Teacher until the Messiah from Aaron and from Israel will arise.

Thus also will be the rule 20:2<sup>a</sup>for all who will be entering the perfect congregation which is holy, but will despise the observances of the commandments of the upright. 20:3<sup>b</sup>This is the person 'who shall be melted in the crucible' (Ezek 22:21). When his acts become evident, he is to be expelled from the congregation 20:4<sup>c</sup>as one who had not put his lot among God's learned. The people of knowledge shall chastise him in accordance with his acts of profanation 20:5<sup>d</sup>until he repents to stand in the position of the leaders of perfect holiness. 20:6<sup>e</sup>And during the time that his (evil) acts appear to be contrary to the Midrash on the (Eschatological) Torah by which 20:7<sup>f</sup>the people of perfect holiness shall live, let none of the members (of the community) join with him in wealth or labor, 20:8<sup>g</sup>since all the sacred of the Most High have cursed him.

And this rule applies also to anyone who will despise either the early 20:9<sup>h</sup>or the latter (words of the two Torahs), who will have placed abominations upon their heart and live by its stubbornness. 20:10<sup>i</sup>They shall not have a portion in the covenant of the Torah. They shall be judged by the rule of their (evil) associates who will have joined 20:11<sup>j</sup>with the scoffers, since they will have spoken deceptively concerning the righteous statutes. And they will despise 20:12<sup>k</sup>the covenant and faith which they will have established in the land of Damascus, this being the New covenant. 20:13<sup>l</sup>And they and their families shall not have a portion in the house of the Torah.

And from 20:14<sup>m</sup>the day of the assembling by the Unique Teacher until the destruction of all the warriors who will have joined 20:15<sup>n</sup>with the man of lies, will elapse about forty years. And at that time God's anger will be kindled 20:16<sup>o</sup>against Israel, as He says, "There will be neither king, nor prince" (Hos 3:4) nor chastiser nor 20:17<sup>p</sup>reprover in righteousness.

- 20:18 אל רעהו להצדק איש את אחיו לתמוך צעדם בדרך אל ויקשב  
 20:19 אל אל דברייהם וישמעו ויכתב ספר זכרון לפני ליראי אל ולאושבי  
 20:20 שמו \* עד יגלה צ ישע וצדקה ליראי אל ושבבתם ויראייהם בין צדיק  
 20:21 ורשע בין עבד אל לאשר לא עבדו: ועשה חסד לאלפיהם לאהביו  
 20:22 ולשמריו לאלף דוד: [וכול אלה] \* \* \* \* \* מביית<sup>117</sup> פלג אשר יצאו מעיר הקדש  
 20:23 וישענו על אל בקץ מעל ישראל ויטמאו את המקדש ושבו עורד<sup>9</sup>  
 20:24 אל דוד העם בדברים מעטים כולם איש לפי רוחו ישפטו בעצת  
 20:25 הקדש: וכל אשר פרצו את גבול התורה מבאי הברית בהופע  
 20:26 כבוד אל לישראל יכרתו מקרב המחנה ועמהם כול מרשיעי  
 20:27 יהודה בימי מצרפותיו [ויגורים בתוך] קי תבירית [בעבור תן וצצ<sup>118</sup>]  
*vacat* [ ]  
 וכל המחזיקים במשפטים האלה לציאת  
 20:28 ולבוא על פי התורה וישמעו לקול מורה ויתודו לפני [ח]טאנו<sup>9</sup>  
 20:29 רשענו גם אנחנו גם אבותינו בלכתנו קרי בחקי הברית<sup>119</sup> sch  
 20:30 ואמת משפטיך בנו: ולא ירימו יד על חקי קדשו ומשפטי  
 20:31 צדקו ועדות אמתו: והתסרו במשפטים הראשונים אשר  
 20:32 נשפטו במ אנשי היחיד והאזינו לקול מורה צדק: ולא ישיבו  
 20:33 את חקי הצדק בשמעתם אתם ישישו וישמחו ויעז לבם ויתגברו  
 20:34 על כל בני תבל וכפד אל בעדם [צבירת רישונים] וראי בישועתו  
 כי חסו בשם קדשו

<sup>117</sup> Rabin transcribes ביה [ ]; Qimron, "The Text of CDC," 47). (Rabin, *The Zadokite Documents*, 41; Qimron, "The Text of CDC," 47).

<sup>118</sup> Baumgarten restores [ מהו]קי הברית [ ] (DJD XVIII, 99). I thank Tim Undheim for the alternate reconstruction which draws on 1QpHab 8:10–11.

<sup>119</sup> See also Schwartz in James H. Charlesworth, ed., *Damascus Document, War Scroll, and Related Documents* (vol. 2 of *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*; ed. James H. Charlesworth; Tübingen/Louisville: J. C. B. Mohr [Siebeck] and Westminster John Knox Press, 1995), 36. Rabin and Qimron read קדש (Rabin, *The Zadokite Documents*, 43; Qimron, "The Text of CDC," 49).

But those who repent of the transgression of Jacob will have kept God's covenant. "Then each will speak <sup>20:18</sup>to his associate" to declare righteous his brother to follow their step in the path of God. "Then God will hearken" <sup>20:19</sup>to their words "and will pay attention, and a memorial book will be written before Him on behalf of those who fear God and honor <sup>20:20</sup>His name" (Mal 3:16). Then He will reveal salvation and righteousness to the God fearing. "And you will repent and see to differentiate between the righteous <sup>20:21</sup>and the wicked, between one who worships God and one who does not" (Mal 3:18). "And He will act lovingly for thousands, to those who love Him <sup>20:22</sup>and to those who observe Him (His commandments) for a thousand generations" (Deut 7:9).

[And as for all those] from the house of Peleg (divisiveness) who will leave the holy city (Jerusalem), <sup>20:23</sup>and lean upon God at the time of Israel's profanation as they will defile the sanctuary, but will turn once again <sup>20:24</sup>to the way of the people in some (evil) matters: each and every one of them according to his inclination shall be judged within the holy council. <sup>20:25</sup>And all of those who will be entering the covenant, who will have breached the boundary of the Torah when God's glory will appear <sup>20:26</sup>to Israel shall be cut off from the camp, and with them all those of Judah who act wickedly <sup>20:27</sup>during the time of their cleansing [and betray the sta]tutes of the covenant [for property and gain . . . ]

But all who will cling to these injunctions by living <sup>20:28</sup>a life of Torah shall be obedient to the Teacher and shall confess to God, "We have sinned <sup>20:29</sup>and acted wickedly" (Dan 9:15) 'both we and our ancestors' (Gen 46:34; 47:3) by walking in a defiled way against the statutes of the covenant. <sup>20:30</sup>And Your verdicts against us are correct." And they shall not raise their hand (rebel) to alter His holy statutes and His righteous injunctions <sup>20:31</sup>and His true testimony. And they shall be chastised by the rules set down by the forefathers in which <sup>20:32</sup>the men of the Unique One will have been adjudicated. And they shall obey the Just Teacher. And they shall not reject <sup>20:33</sup>the true statutes. When they hearken to them they shall be happy, and rejoice and their heart shall be glad. Then they shall be supreme <sup>20:34</sup>over all the people of the world. And God will forgive them [in



## 4Q266 F4:9–13

[ כול אלה ישישו וישמחו במצותיו<sup>w</sup> ] [וְחֹקֵי<sup>w</sup>] 9  
 [ ] [וְהִיקִים<sup>w</sup>] 10  
 11 אֵל אֶת רֹאֵה אַחֵר [ וְרַעַם בְּמַרְעָה<sup>b</sup> טוֹב אֶת עַבְדֵי דָוִד הוּא יִרְעַם ]<sup>w</sup>  
 12 וְ[הוּא?] <sup>w</sup> יְהִי<sup>121</sup> [לְרַעַם<sup>w</sup>] וּבָרַר לֹא [אֲנֹשִׁי אִמַּת וִירָאִי אֵל מִשְׁפַּט<sup>w</sup>]  
 13 [ אִמַּת יִשְׁפַטוּ חֲדָס<sup>w</sup> ] [רַחֲמִים<sup>w</sup>] [עֲשׂוּ אִישׁ אֶת אַחֵיו ]

(possible ending to the column preceding 4Q267 F7)

[ וְכִי יִגֹּדֵר אַתְּכֶם גֵּר בְּאַרְצְכֶם לֹא תוֹנֵנוּ אוֹתוֹ ]

## 4Q267 F7:1–3

1 וְאַהֲבָ לֹא [כְּמוֹתוֹ כִּי גֵרִים חִיִּיתֶם בְּאַרְץ מִצְרַיִם vacat וְאַלְהָ<sup>w</sup> ]  
 2 [הַחַוִּי] קָיָם<sup>122</sup> [וְהַמִּשְׁפָּטִים אֲשֶׁר תִּשְׁמְרוּן לַעֲשׂוֹת בְּאַרְץ vacat<sup>w</sup> ]  
 3 וְזֶה פְרוֹשׁ [הַמִּשְׁפָּטִים אֲשֶׁר יַעֲשׂוּ בְקֶץ הַפְּקוּדָה וְזֶה מִשְׁפַּט שְׁנַת<sup>w</sup> ]

## 4Q271 F3

Parallels: 4Q270 F5 (underline)

4Q267 F7:4–14 (overbar)

4Q269 F9 (lower underline)

1 [הַחֲמֻשִׁים יִשִּׁיב אֶת אַחֲזוֹתוֹ<sup>w</sup> ] [בְּכֶסֶף] [וְזָהָב וְאֲשֶׁר אָמַר<sup>w</sup> ו] קָרָא [תָּם דְּרוֹר בְּאַרְץ<sup>w</sup> ]  
 2 [לְיִוִּשְׁבֵי הָאָם<sup>w</sup> לֹא־הָ] שִׁיגָה דָוִד לְהַ] [שִׁיב לֹא] [וְהַגִּיעַ<sup>123</sup> הַ] [שְׁנַת הַ] [יִוִּבֵל]  
 3 [וַיִּשָּׂא אֶת חֻבּוֹ<sup>w</sup> וְאָד־] <sup>w</sup> וְאַל<sup>124</sup> יַעֲזֹב לְ] [כֹּל] עֲזוֹנוֹתָיו vacat אֵל [וְ] [הִי] <sup>w</sup> כְּלִי  
 4 [גִּבֹּר עַל אִישׁ וְאִשָּׁה] כִּי־אֶחָת כִּי תוֹעֵבָה הִיא vacat וְאֲשֶׁר אָמַר כִּי [תִּמְכֹּר]

<sup>120</sup> Supplants [וְחֹקֵי] in Wacholder-Abegg, *Fascicle One*, 9.

<sup>121</sup> Baumgarten transcribes [ ] (DJD XVIII, 46).

<sup>122</sup> Baumgarten transcribes [ ] (DJD XVIII, 103).

<sup>123</sup> Baumgarten transcribes [וְהַגִּיעַ] (DJD XVIII, 175).

<sup>124</sup> Hempel reads אֵל as a negative particle and, based upon her paleography and a presumed parallel in Jer 11:9–10, transcribes יִשִּׁיב instead of יַעֲזֹב, rendering this clause as “And he shall not return to [ ] his sins,” (Charlotte Hempel, *The Laws of the Damascus Document* [ed. F. García Martínez and P. W. Flint; Leiden: Brill, 1998], 65–66). However, these readings are less plausible since, although the negative אֵל does

accordance with the ancestral covenant]. And they will witness His salvation because they have relied upon His Holy Name. **4Q266 F4:9–13** [All of them will be happy and rejoice in His commandments] and statutes [ . . . ]

<sup>10</sup>[ . . . And] God [will set up] <sup>11</sup>[a unique] shep[herd] and will feed them in [a good pasture; My servant David, he will feed them] <sup>12</sup>and [he] will become [their shepherd (Ezek 34:23).] And he will select for himself [men of truth and God fearers.] <sup>13</sup>[They shall execute true justice. Kindness and] acts of mercy [they shall perform towards each other . . . ]

*The Elaboration of the Eschatological Torah*

[And if a proselyte dwells with you in your land, you shall not defraud him,] **4Q267 F7:1–3** <sup>1</sup>but each shall love him [as himself, since you were proselytes in the land of Egypt (cf. Lev 19:33–34) . . . Now these] <sup>2</sup>[are the sta]tutes [and the judgments which you shall observe to do in the land (Deut 12:1a).] <sup>3</sup>And this is the elaboration [of the judgments which they shall observe in the era of redemption.

*Jubilee; Intermingling Garments; Business and Marriage Disclosures*

Now this is the rule for the] **4Q271 F3** <sup>1</sup>[fiftieth year. He (the lender) shall restore his (the borrower's) possessions] with silver [or gold (for the loan). And where it says, "And you shall] proclaim [liberty in the land] <sup>2</sup>[for its inhabitants]" (Lev 25:10): If he (the borrower) cannot] afford to [pay back his indebtedness] and the year of [jubilee] arrives, <sup>3</sup>[then he (the lender) shall forgive his loan; and both ma]n(?) (the lender) and God will forgive hi[m all] his transgressions.

[Let] not [a garment] <sup>4</sup>[of a man] b[e worn by man and woman] in common, for it is an abomination (cf. Deut 22:5). And what he (Moses)

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occur at the end of this line, MTA as far as I can tell employs לוא rather than אל in apodoses (cf. לוא תנו on line 5). Moreover, the context as reconstructed here, requires a positive. Furthermore, her transcription ישׁב is paleographically less likely than יעׁזב of the Preliminary Concordance and Baumgarten. What she reads as ן diverges somewhat from the standard solidity of this letter in this manuscript. The letters ן are more likely since there appears to be a slight internal separation, thus suggesting two graphs. Finally, 11QMelch 2:2–6 להמה . . . לעזוב החובל. . . אשר אמר בשנת החובל. . . lends additional support to the reading of יעׁזב rather than ישׁב.

- 5 [ממכר או קנה מיד] עמיתך לוא תונו איש את עמיתו *vacat* וזה פרו[ש הונאה<sup>w</sup>]  
 6 [כול איש אשר יונה<sup>w</sup>] בכול אשר הוא יודע אשר ימצא אִבְדָּהּ? [והוא לוא<sup>w</sup>] יתן  
 7 [לבעליו ואשר ישק<sup>w</sup>] והוא יודע אשר הוא מועל בו בָּאֵדָם וּבְהִמָּה ואם  
 8 [את בתו יתן איש לאיִשׁ] את כול מומיה יספר לו למה יביא עליו את משפט  
 9 [האררה אשר אמ<sup>w</sup>] (ארור) משגה עור בדרך וגם אל יתנהה לוא הוכן לה כִּי  
 10 [הוא כלאים ש]ר וחמור ולבוש צמר ו>>פִּשְׁתִּים יחדין *vac* אל יבא איש  
 11 [אשה בברית הקו]רש אשר ידעה לעשות מעשה בְּרֵבֶר<sup>125</sup> ואשר ידעה  
 12 [מעשה בבית] אִבִּיהָ או אִלְמָנָה אשר נשכבה מאשר התארמלה וכול  
 13 [אשר עליה ש]ם רע בבתוליה בבית אביה אל יקחה איש כי אִם  
 14 [בראות נשים] נאמנות וידעות ברורות ממאמר המִבְּקָה אשר על  
 15 [הרבים ואת]ר יקחנה ובלוקחו אותה יעשה כמ[ש]פֶּט [ולוא] יגיד על[ה]ה  
 16 [שם רע<sup>w</sup>] [ . . . . . ]<sup>ל</sup>

## 4Q266 F5i

Parallel: 4Q267 F5ii (underline)

4Q273 F1 (overbar)

- 1 [ ואם אמרה אנוסה היתי אזי ] תנק[ת] אִי .  
 2 [ ויא]ם אנוס אל י[ומת<sup>w</sup> ]  
 3 [ על כול ישראל<sup>w</sup> לשמ<sup>w</sup>]ר את המשפטי[ם]  
 4 [האלה<sup>w</sup>] ׀ ׀ *vacat* אל יב[ ]  
 5 [ ואלה המשפטים ברור<sup>w</sup>] האחרון ל[קן הפקודה<sup>w</sup> ]  
 6 [ ׀ ׀ עֵם . ]  
 7 [ ש ]  
 8 [ מרוב אונים<sup>w</sup>] ואמיצי כוח בנגל[ה]  
 9 [מן התורה<sup>w</sup> ] וכול אלה המוא[ים<sup>126</sup> בשם קוד[שו ה]ם  
 10 [אנשי הלצון אשר בירושלים כאשר<sup>w</sup>] היה כי ביהודה נִמְצָא קש[ר]

<sup>125</sup> What originally was a letter מ was corrected by a later hand to ב.

<sup>126</sup> Baumgarten restores המהוי[קים] (DJD XVIII, 47).

said: “When [you make] <sup>5</sup>[a sale or purchase from] your neighbor you shall not defraud each other” (Lev 25:14). And this is the definit[ion of “cheating”:] <sup>6</sup>[anyone who acts fraudulently] in any matter of which he is aware (that he is doing so); who finds a lost object [but does not] restore it <sup>7</sup>[to its owner; and who lie]s and is aware that he is transgressing in the matter whether relating to man or beast. And if <sup>8</sup>[one betroths his daughter to a ma]n, he must tell him all her defects. Why should he bring upon himself the fate <sup>9</sup>[of the cursed one (*soṭah*)? Concerning which he (Moses) sai]d, “(Cursed) be one who misdirects a blind person in his path” (Deut 27:18). Moreover, he shall not marry her to one who is not appropriate for her, for <sup>10</sup>[it is like a “prohibited mixture” (Lev 19:19; Deut 22:9), like plowing with an o]x and a donkey, and wearing wool and flax together.

A man may not bring <sup>11</sup>[into the ho]ly [covenant a woman] who has willingly violated a sexual taboo, or who has willingly <sup>12</sup>[(had sexual relations) in] her father’s [house], or a widow who has had relations after having been widowed, or any <sup>13</sup>[woman of] ill [re]pute concerning her virginity while in her father’s house. One should not marry her unless <sup>14</sup>trustworthy and knowledgeable and expert [women examine her] under the order of the Supervisor who is over <sup>15</sup>[the many. Thereaf]ter he may marry her. But when he marries her he must follow the ru[le]s (of any other marriage). He may [not] spread <sup>16</sup>[bad words] concerning [her] . . .

*Duress; Eschatology of the Return; The Sage*

**4Q266 F5i** <sup>1</sup>[and if she says, “I was forced,” then] she is innoc[ent. . . ] <sup>2</sup>[ . . . and i]f a man claimed that he was under duress he likewise shall not [be put to death . . . ] <sup>3</sup>[ . . . upon all Israel to ke]ep [these] injunctio[n]s . . . ] <sup>4</sup>[ . . . ] let him not [ . . . ]

<sup>5</sup>[ . . . And] these are the rules during] the eschatological [generation] for the [epoch of redemption . . . ] <sup>6-7</sup>[ . . . ] with [ . . . ] <sup>7</sup>[ . . . ] . . . [ . . . ] <sup>8</sup>[ . . . mighty in power] and full of strength in what has been reve[al]ed <sup>9</sup>[from the Torah . . . But as for all these who will despi]se [His] Hol[y] Name, [th]ey are <sup>10</sup>[the followers of the Scoffer who will be in Jerusalem just as] it was formerly. For in

- 11 [לשוב על עונת אבותם<sup>b</sup> בקץ רשע<sup>w</sup> ]לישראל בעומה [רו]w<sup>127</sup> ]  
 12 [האחרון<sup>w</sup> לעשות כרשעי ירושלי]ם vacat וכול הנשא[רים]  
 13 [בה ימסרו<sup>128</sup> לחרב<sup>w</sup> ]איש <<ל>> לפי רוח[ו] יקר]בו  
 14 [אל תוך המחנה ורמי ר<sup>w</sup>]ח ירחק[ו] לפי המבקר ו[כול]  
 15 [שומרי מצוות אל<sup>w</sup> יתהל]כו במ vacat כול שבי ישראל ה[יוצאים]<sup>w</sup>  
 16 [מארץ יהודה ועמהם<sup>w</sup> ב]ני צדוק הכהנים הנה המ[ה על]<sup>w</sup>  
 17 [ספר<sup>w</sup> מדרש ה]תורה האחרון vacat ואלה ה[הו]ק[ים למש]כיל  
 18 [להתהלך<sup>w</sup> ]בם לכול ישראל כג לו יוש[יע אל<sup>b</sup> את<sup>w</sup>] ל ה[וט]א<sup>129</sup>  
 19 [המתחיק<sup>w</sup> ]בדרו<sup>b</sup> להתהלך תמ[ים]<sup>b</sup> בכול חוקי קודשו ומשפטי<sup>w</sup> ]  
 20 [צדוק וערוות אמתו<sup>w</sup> ]

4Q266 F5i(c-d)<sup>130</sup>

- 1 ] ואז<sup>w</sup> ישפ[ט]ו ב[ר]ח[ו]w ]ם  
 2 ] כי לכול ישרי לבב ב[י]ש[ראל]  
 3 ] את חוקי הצדיקו ב[ ]  
 4 ] ייעו ל[ ]

## 4Q267 F5iii:1–2

- 1 ] וכ[ו]ל ה[ו]תו אויל וכול משוגע<sup>w</sup>131 ]  
 2 ] וכ[ו]ל שוגה<sup>w</sup>132 וכול כהה [עיני]ם או חרש<sup>w</sup> וכול אשר איננו<sup>133</sup> ]

4Q266 F5ii<sup>134</sup>

Parallels: 4Q267 F5iii (underline)

4Q273 F2; 4i (overbar)

- 1 ] [אשר איננו] ממחר להב[ו]w וכול א[שר נקל בלשוננו או בקול שרוד]

<sup>127</sup> Baumgarten transcribes ח[ ] (DJD XVIII, 47).

<sup>128</sup> Or יסגרו (CD 19:13)

<sup>129</sup> Baumgarten transcribes א[ ]<sup>w</sup> (DJD XVIII, 48).

<sup>130</sup> These two mini-fragments potentially form the last four lines of 4Q266 F5i.

<sup>131</sup> Baumgarten restores [ ]א[שר] וכול א[שר] (DJD XVIII, 102).

<sup>132</sup> Baumgarten transcribes [ ]ח[ ] (DJD XVIII, 102).

<sup>133</sup> Baumgarten restores אינו (DJD XVIII, 102).

<sup>134</sup> Because of the allusion to death in line 3 of this column, Baumgarten postulates that 4Q273 F3, ] לא ימות ]א, may parallel a portion of this pericope (DJD XVIII, 195).

Judah there will b[e a sche]me <sup>11</sup>[to turn to the sins of their fathers (cf. Jer 11:9b–10a) during the epoch of wickedness] in Israel when <sup>12</sup>the [last genera]tion will arise [to act like the wicked of Jerusale]m. And all who rema[in] <sup>13</sup>[in it shall be delivered over to the sword . . . ] . . . Each according to [his] spirit [will be broug]ht <sup>14</sup>[into the camp, but the haughty in sp]irit will be expelled, (all) at the command of the Supervisor. And [a]l <sup>15</sup>[who keep the commandments of God shall liv]e by them. As for all the penitent of Israel who [will exit] <sup>16</sup>[from the land of Judah and with them the so]ns of Zadok, the priests: behold they are (described) [in] <sup>17</sup>[the book of the Midrash on the] Eschatological Torah.

And these are the stat[ute]s for the Sa[ge] <sup>18</sup>by which [to guide] all of Israel, for [God] will not sa[ve] any s[i]nner. <sup>19</sup>[But as for the one who clings] to his way by walking upright[ly in all His holy statutes, righteous injunc]tions <sup>20</sup>[and true testimony . . . ] **4Q266 F5i (c–d)** <sup>1</sup>[ . . . and then] they [will be jud]g[ed] in the [s]pirit (?) of [ . . . ] . . . <sup>2</sup>[ . . . ] for all the upright of heart in I[s]rael <sup>3</sup>[ . . . ] they declared righteous His statutes [ . . . ] <sup>4</sup>[ . . . ]

*Public Recitation of the Torah; Defrocking a Priest; Procedures in Both Cities and Camps*

**4Q267 F5iii:1–2** <sup>1</sup>[ . . . and a]nyone w[ho is a fool, and any mentally deficient person,] <sup>2</sup>[and a]n[y who is prone to err] and any dim-[eye]d or [deaf; or anyone who is not] **4Q266 F5ii** <sup>1</sup>[quick to under]stand, and anyone o[f soft speech or who speaks with a stut-

- 2 [דבר לו ו]אָ פֿאַל דברו להשמיע [קולו איש מאלה לא יקרא בספר]
- 3 [התורה] למה ישוג בדבר מות [*vacat*? וגם איש מכול עֲדָתוֹ תָּמִים<sup>135</sup>
- 136] קודש לא יקרא עמו<sup>w</sup>
- 4 [אנצ]ל<sup>w</sup> אהו הכהנים בַּעֲבוּדָה [וא]ל ישרת עמו במקדש<sup>w</sup> *vacat* ואיש]
- 5 מבני אהרון אשר ישב<sup>א</sup> לגואים] וישתחוה לפסילים ויקלל את התורה<sup>w</sup>
- 6 לחללה בטמאתם אל יגש לעבודתה] הקודש<sup>b</sup> *vacat* ואל יצא ואל יבוא<sup>w</sup>
- 7 מבית לפרוכת *vacat* ואל יגוכל את קודש ה[קודשים<sup>b</sup> ואל יגע בטהרה<sup>w</sup>
- 8 איש מבני אהרון אשר ינדר לעב[וד וישרת<sup>w</sup> את הגואים<sup>b</sup> אל יאות איש<sup>w</sup>
- 9 להורות עמו בישור עם וגם לבגוֹ >ר< עִמוֹ<sup>ו</sup>] איש מבני]
- 10 אהרון אשר הגפ[י] שמו מן האמנות<sup>ו</sup>] עשה את הישר בעיניו ובהר<sup>w</sup>]<sup>137</sup>
- 11 בשרירות לבו לאכול מן הקודש] לוא ישוב עוד וכול אשר ימרה<sup>w</sup>
- 12 מִיִּשְׂרָאֵל את עצת בני אהרון הַמְשִׁי[רתים את בני ישראל לוא יגע<sup>w</sup>
- 13 את האוכל הַחֵבֵי *vacat* וחב בדם [יכרת ורעו מן הארץ ולוא יכתב<sup>w</sup>
- 14 ביחש[י]ם *vacat* וזה סרך מוֹשֵׁב [הרבים לכול יושבי אנשי תמים<sup>w</sup>]<sup>138</sup>
- 15 הקוד[ש] מַחֲנִי[הם]<sup>139</sup> [ו]עֲדִיחָם בכ[ו]ל<sup>b</sup> קץ חרון עד עמוד משיח<sup>w</sup>
- 16 וְאִישׁ אֲשֶׁר יִצְחַק<sup>140</sup> בְּמוֹ[ש]ב אֲנָשֵׁי הַרְבִּים בִּסְכֻלוֹת לְהַרִים שְׁמוֹעַ<sup>w</sup>
- 17 [קולו והובדל שלושים יום ונענש חמשה עשר ימים<sup>w</sup>? ]

<sup>135</sup> Baumgarten transcribes [עֲדָה וְ] in 4Q267 F5iii:6 (DJD XVIII, 102).

<sup>136</sup> 4Q267 F5iii:5b–6 apparently contained more text than did its parallel in 4Q266 F5ii:3. Postulating that 4Q266 is defective at this point, we provide a reconstruction corresponding to the larger spacing of 4Q267.

<sup>137</sup> Baumgarten restores [הלך(?) ] (DJD XVIII, 50).

<sup>138</sup> Baumgarten restores [אנשי ערי ישראל מושב] (DJD XVIII, 50).

<sup>139</sup> Baumgarten restores [ש במחני]ם (DJD XVIII, 50).

<sup>140</sup> The root צחק occurs in MTA only in 4Q273 F4i:9 with the adjoining words having perished, evidently connected to what we have in the variants ס[ו]ח[ם] in 4Q266 F10ii:12 and ה[ש]וּחַ[ם] in 4Q269 F11ii+15:1. This verb occurs also in 1QS 7:14.

ter] <sup>2</sup>[and] does not articulate his expressions so as to be audi[ble: none of these may recite from the book] <sup>3</sup>[of the Torah] lest he err in a case involving the death penalty. [And likewise anyone from his entire congregation who is perfectly upright may not recite with him] <sup>4</sup>[alongsi]de his brothers, the priests, in worship. [And] he may [no]t [minister with him in the sanctuary.

And anyone] <sup>5</sup>of the sons of Aaron who is taken captive by the pagans [and bows down to graven images and curses the Torah,] <sup>6</sup>profaning it with their impurities, may not lead the [holy] service. [And he may not exit or enter] <sup>7</sup>in front of the veil. He may not eat any food belonging to the holy of [holies. Nor may he touch anything belonging to the Purity.] <sup>8</sup>As for anyone from among the sons of Aaron who travels to wor[ship or serves the pagans, no one may participate] <sup>9</sup>in teaching with him (the one who practiced idolatry) in the foundation of the people, thereby joining in his betra<yal>. . . [ . . . Anyone from the sons] <sup>10</sup>of Aaron who removes his name from the membership roll, [doing whatever is pleasing in his eyes, and choosing] <sup>11</sup>the corruption of his heart by eating from the sacred food [cannot return (to the Purity). And anyone who violates] <sup>12</sup>from Israel the council of the sons of Aaron who se[rve the sons of Israel shall not touch] <sup>13</sup>the food. Guilty of consuming blood, [his seed will be cut off from the earth and he will not be recorded] <sup>14</sup>in their genealogy.

And this is the rule of the habitation [of the many for all the inhabitants of] <sup>15</sup>hol[y perfection, for] their [camps and] their cities during the en[tire epoch of anger until the Messiah arises.] <sup>16</sup>And [anyone who jests in the habit]ation of the m[any in a foolish manner, loudly raising] <sup>17</sup>[his voice, shall be separated thirty days and punished fifteen days . . . ]





*Leprosy; Bodily Emissions*

**4Q272 F1i-ii** <sup>i:1</sup>[As for a man who has a swelling o]r scab or dis[coloration in his skin (Lev 13:2): what is it (i.e. “what are the rules”)?] <sup>i:2</sup>[If the scab is the result of a blow from wood or st]one or of any other kind of blow, when the spiri[t] enters [and takes hold] <sup>i:3</sup>[of the artery and the blood recedes u]pward and downward, and the spir[it] of the artery [goes up and down] <sup>i:4</sup>[after the blood, the priest shall examine him and quarantine him outside the camp for seven days.] <sup>i:5</sup>[Then the priest shall examine] the living and the dead [skin (to see) whether] the dead part [has receded] from <sup>i:6a</sup>[the living during the seven days (of quarantine). And if] the blood return[s] to the artery [through the spirit, the]n he shall compare [it (the two types of skin), as he (Moses) s]ays, “And [the priest] shall quarantine’ [him] <sup>i:6</sup>[“for seven days”] (Lev 13:4, 31) until the flesh] grows. [Then] the priest [shall examine (him) on the [seventh day] <sup>i:7</sup>[(to see) whether] the living [spir]it goes up and down [and] the flesh has grown. [He has been healed] <sup>i:8</sup>[of the swelling and the] scab. The priest shall no longer examine the skin of the fle[sh. But if] <sup>i:9</sup>[the flesh does not grow] and the swelling or the s[cab] becomes lower [than their surrounding] <sup>i:10</sup>[skin, the priest shall examine] it as a likeness of living flesh; [it is as an affliction] <sup>i:11</sup>[of leprosy which has taken hold] of the living skin. Now [this] is the rule [for any leprous affliction.] <sup>i:12</sup>[The priest shall make an examination on the sev]enth [day; and] if [the dead flesh] is enlarged fr[om the living,] <sup>i:13</sup>[he (the priest) shall quarantine him.] It is [m]alignant [leprosy.]

<sup>i:14</sup>[And now the rule for the scall of the head or the beard:] The priest [shall] examine (it), particularly i[f] <sup>i:15</sup>[the spirit has entered the head or the beard as it takes hold of the artery and the affliction spreads] under the hair, <sup>i:16</sup>[and <its> appearance turns to a light yellow; since] it is [like grass] which [has] worms <sup>i:17</sup>[under it which cuts its root, making its blossom dry up.] As for what he s[ays, “Then

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<sup>151</sup> Baumgarten restores  $\text{𐤀}[\text{r}]$  in 4Q266 F6i:8 and transcribes  $\text{𐤀}[\text{r}]$  in the parallel 4Q272 F1i:16 (DJD XVIII, 52, 188).

- i:18 [וגלחו את הרגש<sup>152</sup> ואת] הנתק לוא יגלחו [למען אשר יספ]ר [הכוהן]
- i:19 [את השערות המתות ותחיות וראה אם יוסף] למן החי אל המ[ת]
- i:20 [בשבעת הימים שמא הוא<sup>153</sup> ואם לוא ליוסף מ]י החיות אל<sup>154</sup> [המתות]
- ii:1 [ו]הגיד נמלא ים ורוח החיים עולה וי[גדרת בו נרפא מן]
- ii:2 [הנ]גע זה [משפט תורת הצ]י[ע]ת לב[ני אהרון] להבריל לנגע צרעת<sup>w</sup>
- ii:3 vacat [זאת תורת הזב והזבה<sup>w</sup>] ומש[פט הזב את זו]בו [ול איש]
- ii:4 [אשר] י[ז]יב יזוב מבשרו<sup>155</sup> או אשר יעלה עליו מ[חשבת זמה או אשר]
- ii:5 [יתור במחשבות יצר אשמה בעני זנות ישמא<sup>w</sup>] מנגעו כמגע הזר[ע]י<sup>w</sup>156
- ii:6 וכבס ב[ד]י<sup>i</sup> [ורחץ במים<sup>b</sup> vacat] כול אשר ימשול רוח בליעל<sup>w</sup>
- ii:7 בו הנוגע בו י[חץ]157 וכבס בגדיו<sup>w</sup> [משפט] [הזבה כול אשה]
- ii:8 הזבה דם שב[עת ימים תהיה בנד]תה ב[שמאתה<sup>w</sup>] ת[שב א]ת
- ii:9 שבעת הימ[ים] האלה וכול כלי אשר<sup>i</sup> [היה בו דם<sup>w</sup>] [הנדה וכל]
- ii:10 [הנו]גע בה[ן] יזו עליו מי חטאת ביום השלישי וביום השביעי<sup>w</sup>
- ii:11 ובער[ב]158 יום השמיני יטהר<sup>w</sup> ואס[ו]
- ii:12 תקוץ [דם זובה<sup>b</sup> ושמאה שבעת ימים<sup>w</sup>] [
- ii:13 המים] [
- ii:14 ]<sup>ooo</sup> [
- ii:15 ובמי הנדה] המים
- ii:16 החי[ים] שני<sup>i</sup>ת<sup>w</sup> [
- ii:17 ידה] [
- ii:18 ]<sup>i</sup> [

4Q266 F6i(a-e)<sup>159</sup>

- (a):1 ]° [ ]°
- (a):2 ] משפחת °
- (b):1 ] להבשר ]
- (b):2 ] משפט ]
- (c):1 ] ש[ר] יסוד

<sup>152</sup> What was originally a ב in 4Q266 F6i:9 was transformed into a ר plus a supralinear י. The word ends with an additional ר, apparently a remainder of the original בשר.

<sup>153</sup> 4Q266 F6i:11. הוא

<sup>154</sup> על 4Q266 F6i:12.

the priest shall ordain (Lev 13:54) i:18[that they shave the head, but the scall they shall not shave off” (Lev 13:33) [so that the priest will be able to cou]nt i:19[the number of the dead and the living hair. And he (the priest) shall see whether] any of the living hair [has been added] to the de[ad] i:20[during the seven days. (And if they have,) he shall declare him defiled. But if there has been no increase fr]om the living to [the dead hair] ii:1[and] the artery is filled with blood and the spirit of life goes up and d[own in him, he has been healed of] ii:2[the aff]liction. This is [the rule for the Torah of le]pro[sy for the so]ns of Aaron [with regard to quarantining the affliction of leprosy.]

ii:3[This is the law for the male or female who has a discharge.] Now the ru[le for the male who has a disch]arge: A[ny man] ii:4[whose body emits a ]hea[vy discharge, or into whom a th]ought of whoredom [enters], or whoever ii:5[turns towards thoughts inclining towards transgression with eyes of harlotry, is defiled.] His touch is like that of the lep[er], ii:6and he shall launder his cloth[ing and wash in water. As for any who is taken over by the spirit of Belial:] ii:7he who touches him must w[ash and launder his clothing.

Now for the] rule of [the female who has a discharge: Any woman] ii:8who has a discharge of blood [shall be in] her [impur]ity sev[en days. She shall] remain in [her uncleanness] fo[r] ii:9[those] seven days [along with any utensil upon which] there i[s a drop of blood of] defilement. And as for a[nyone] ii:10[who tou]ches her, [they shall sprinkle upon him water of purification on the third and the seventh day,] ii:11and in the even[ing of the eighth day he shall be declared clean . . . And if] ii:12she emits [the blood of her discharge she shall be unclean for seven days . . . ] ii:13water [ . . . ] ii:15and with the waters of purification [ . . . ] ii:16[living] wate[r] agai[n . . . ] ii:17her hand[ . . . ] ii:18and [ . . . ] **4Q266 F6i(a-e)**<sup>8</sup> (a):1[ . . . ] (a):2[ . . . ] the family of [ . . . ] (b):1[ . . . ] the flesh [ . . . ] (b):2[ . . . ] rule [ . . . ] (c):1[ . . . ] . . .

<sup>8</sup> These pieces are not necessarily sequential.

<sup>155</sup> Baumgarten restores אִשֶּׁר יוֹב מְבַשֵּׂר (DJD XVIII, 190).

<sup>156</sup> Baumgarten restores אִשֶּׁר (DJD XVIII, 190).

<sup>157</sup> Baumgarten transcribes אִשֶּׁר (DJD XVIII, 190).

<sup>158</sup> Baumgarten transcribes אִשֶּׁר (DJD XVIII, 190).

<sup>159</sup> Possibly positioned in F6ii:14 to the end of the column, these sub-fragments as arranged are not necessarily sequential.

	והברל ואם ] <sup>oo</sup>	(c):2
	לְהַעֲמֵם ] וְיִכְבֵּס בְּגָדָי <sup>b</sup> וְרַחֵץ <sup>w</sup>	(c):3
	]• [ ]• [	(c):4
	] הָ שֶׁב הָרָגָם [	(d):1
	] אִי ]•	(d):2
על [		(e):1
כָּוֵל נָנַע [		(e):2
לְעֵבֹר [		(e):3
קָ [		(e):4

## 4Q266 F6ii

	]• [ ] אֶ־הָאֱשִׁי]ה [ ]• [ אשר יִקְרָב [ איש <sup>w</sup> ]	ii:1
	] אליה ע[ון נדה עלו ואם ראתה עו[ד והיאה לו [בנדתה <sup>w</sup>	ii:2
	ii:3 [וטמאה <sup>w</sup> ] שבעת ימים <sup>160</sup> והיאה אל תוכל קודש ואל ת[בוא] <sup>161</sup>	ii:3
	ii:4 אֶל־הַמִּקְדָּשׁ עַד בּוֹ הַשֶּׁמֶשׁ בַּיּוֹם הַשְּׁמִינִי <i>vacat</i>	ii:4
	ii:5 ואשה אשר [תזרי]ע וילדה זכר [וטמאה א]ת שבעת [הימים]	ii:5
	ii:6 [כ]י[מי] נְדָתָ [ראותה וביום השמיני ימול בשר] עָרְלָתָ[ו]	ii:6
	ii:7 [ושלשים יום ושלשת ימים תשב בדם <sup>162</sup> טוהרה ואם נקבה תלד]	ii:7
	ii:8 [וטמאה שבועים כנרת ד[אותה ו]ששים וששה יום תשב בדם <sup>163</sup>	ii:8
	ii:9 [טוהרה והיאה [לא תו[כ]ל] קודש ולא תבו אל המקדש]	ii:9
	ii:10 [כי מ[שפט מות הו[א ואם לא יכולה להיניק ונתנה <sup>w</sup> את]	ii:10
	ii:11 [הי]לד למנקה בטוה[רה תטמא עד הערב והביאה שה לעולה]	ii:11
	ii:12 [ו]אם לוֹא־הָשִׁיגָה ד[ה די שה ולקחה בן יונה או תר לעולה]	ii:12
	ii:13 [ו]המורה [א]ת ה[שה] לתר או לבן <sup>w</sup> יונה <sup>164</sup> ]	ii:13
	ii(a):2 [ ו]כֵּן מִשְׁפָּט ]	ii(a):2
	ii(a):3 [ ו]י אִי ]	ii(a):3

<sup>160</sup> Baumgarten restores [בעת נדתה] שבעת ימים והיאה לו, to read the following in the broader context: “If she ag[ain] sees (blood), and it is not [at the time of her menstruation] of seven days, she shall not eat anything hallowed, nor co[m]e into the sanctuary until sunset on the eighth day” (DJD XVIII, 55–56). My restoration follows the syntax of Lev 15:19 wherein an accompanying verb specifies the period of seven days the menstruant is to remain impure, phraseology restored also to 4Q272 F1ii:7b–8.

<sup>161</sup> Baumgarten restores [ב]ת (DJD XVIII, 55).

<sup>162</sup> For טוהרה rather than כהרה of Lev 12:4 cf. 4Q265 F7:17.

<sup>163</sup> Baumgarten restores דם (DJD XVIII, 55).

<sup>164</sup> Transcribed from 4Q266 F6ii(a):1.

[ . . . ] (c):2[ . . . ] and to keep separate. And if . . . [ . . . ] (c):3[ . . . ]  
 . . . [ . . . ] and wash [his] clothing [and cleanse . . . ] (c):4[ . . . ]  
 (d):1[ . . . ] . . . the blood recedes [ . . . ] (d):2[ . . . ] or [ . . . ] (e):1[ . . . ]  
 . . . (e):2[ . . . ] . . . (e):3[ . . . ] to transgress (e):4[ . . . ] . . .

*Menstruation; Childbearing*

**4Q266 F6ii** <sup>1</sup>. . . [one who] comes near <sup>2</sup>[her] must bear upon himself the [s]in of a menstruant. And if she sees (blood) [aga]in and it is not [during her menstrual period,] <sup>3</sup>[she shall be defiled] for seven days and she may not eat sacred food nor [enter] <sup>4</sup>the sanctuary until the sunset of the eighth day.

<sup>5</sup>And a woman who [concei]ves and gives birth to a male [shall be defiled] for seven [days] <sup>6</sup>[as] during the da[ys of] her menst[ruation]. And on the eighth day the flesh of his] foreskin [shall be circumcised.] <sup>7</sup>[And thirty-three days she shall remain in her time of blood purification (Lev 12:2b–4a). However, if she gives birth to a female,] <sup>8</sup>[she shall be unclean for two weeks, as during her period of] her [mens]truation. And [sixty-six days she shall remain in the period of her blood] <sup>9</sup>[purification (Lev 12:5). She] shall not e[at] [sacred food nor enter the sanctuary (Lev 12:4b),] <sup>10</sup>[as] i[t] is a capital [o]ffense. [And if she cannot nurse she shall give] <sup>11</sup>[the c]hild to a nurse during her period of purifica[tion. She shall be impure until the setting of the sun and she shall bring a lamb for a burnt offering.] <sup>12</sup>[But] if she cannot afford [a lamb, she shall take a young dove or a pigeon for a burnt offering (Lev 12:8a).] <sup>13</sup>[And] she may replace the [lamb with a pigeon or a young] dove [ . . . ] (a):2[ . . . and] thus the rule [ . . . ] (a):3[ . . . ] . . .

4Q270 F3i:17–21<sup>165</sup>

[ ] 17  
 [ ] 18  
*vacat*  
 [ ] 19  
 [ ] 20  
 [ ] 21

## (4Q270 F3ii:1)

[ ] לדשנה<sup>w</sup>

## 4Q266 F6iii

Parallels: 4Q267 F6:1–6 (underline)

4Q270 F3ii:12–16 (overbar)

[ ] iii(a):1  
 [ ] iii(a):2  
 [ ] iii(a):3  
 [ ] iii(a):4  
 [ ] iii(b):1  
 [ ] iii(b):2  
 [ ] iii(b):3  
 [ ] iii(b):4  
 [ ] iii:1  
 [ ] iii:2  
 [ ] iii:3  
 [ ] iii:4  
 [ ] iii:5  
 [ ] iii:6  
 [ ] iii:7  
 [ ] iii:8  
 [ ] iii:9  
 [ ] iii:10

<sup>165</sup> With slight modifications I follow Baumgarten's more recent transcription of this column as presented in "Corrigenda to the 4Q MSS of the *Damascus Document*." *Revue de Qumran* 19 (1999): 217–18. He transcribes

*The Raising of the Omer*

**4Q270 F3i:17–21** <sup>17</sup>[ . . . ] he saw by[ ] <sup>18</sup>. . . <sup>19</sup>[ . . . These ] are His statute[s] (for) the [Holy] Land. [You shall count seven] <sup>20</sup>[weeks, fifty] days. And for [the rea]ping of everyone's harvest [you shall reckon (fifty days) until] <sup>21</sup>[gar]den and field [produce fruit and (until) the waters (accumulate)], irrigating (ii:1a)[the land to enrich it . . . ]

*The Sabbatical Year; Gleanings; Items Requiring Tithing*

**4Q266 F6iii** (a):1[ . . . ] <sup>2</sup>[ . . . Concerning the fruits of the garden] and the harvest: [Six years one shall plant] (a):3[his field and for six years prune his] fruit trees. [But in the seventh year he may neither] (a):4[plant nor] prun[e his fruit trees. The land shall have a solemn Sabbath . . . ] (b):1[ . . . ] which (b):2[ . . . ] from the fruit[s] (b):3[of the trees . . . And in the jubilee year the land shall rest] again. (b):4[And each shall return to his inheritance . . . ] <sup>1</sup>[Now the] Day [of Atonement is the end of the jubilee. And in holiness you shall harvest] them (the inadvertent growth during the sabbatical and jubilee years), <sup>2</sup>[for] the water of purification [you shall not touch, just as is written in the Torah of] <sup>3</sup>God. [ . . . ]

Concerning] <sup>4</sup>[the field] and the vi[neyard] gleanings: [the glean]ing [of olives may be up to ten berrie]s. <sup>5</sup>And all the field gleanings [may be up to the seed volume needed to plant a] *seah*[h.] <sup>6</sup>[However, where] the planting of the seed has resulted in no growth, [there shall be neither tithing of the field nor] gleaning of fallen berries. <sup>7</sup>But when one does glean, (he may pick) up to ten be[rries.]

Now as for when [the olives] are squ[eez]ed <sup>8</sup>[with the yield] of its produce: if [i]t [is intact], its sacred yield shall be <sup>9</sup>[one (*seah*) out of] thirty *seahs*. And if] the planting <sup>10</sup>[of its garden has decreased or if the field is trampled or consumed by fir]e, **4Q270 F3i:17–21** <sup>17</sup>its

---

[	הזיה מי	[	17
	<i>vacat</i>		
[	חוקי	[	19
[	ים יום ול[ה]מש קציר לרע	[	20
[	ן ושדה ל] אשר ישקו את	[	21



4Q270 F3ii:17–21

Parallels: 4Q267 F6:7 (underline)

4Q266 F6iii:10 (overbar)

[ (בשרפֿה) ונפרס ] מִסאה לבית סֵאָה מעשֿדה<sup>166</sup> בה ואם תלקוש 17  
 [ נפש אחת סאה ] אחת ממנו ביום אחד תרומה בה עשרון 18  
 [ ולוא תלקוש עור<sup>w</sup> ] חֵלוֹת התרומה לכל בתי ישראל אוכלי לחם 19  
 [ הארץ<sup>b</sup> עליהם<sup>w</sup> ] ל[הרים אחת בשנה עשרון אחד תהיה האחת 20  
 [ לחם בכורים לאל<sup>w</sup> לפני ] הִשְׁלֵמוֹ לִישְׂרָאֵל אֵל [י]רם איש 21

4Q270 F3ii(a)<sup>167</sup>

1 [ את ידו לאכול חטים חדשים<sup>w</sup> ] וא[ת [לח]ם המצ[ות] ער יום<sup>w</sup> ]  
 2 [ בוא לחם הבכורים<sup>w</sup> ] א[ת חלב הדגן ] [ ]

(last line of 4Q266 F6iii)

[ וכי יטע איש כרם כול פרוו בשלוש<sup>w</sup> ]

4Q266 F6iv

iv:1 [ <sup>w</sup> השני]ם [ הרישונ]ת<sup>i</sup> ] לכהנים יהיו ערלה היא לאל וכול<sup>w</sup> ]  
 iv:2 נטעי הכרם [ <ו> כֹּול <<<sup>w</sup> עצי הפרי וכל עֵצִי הַמְּאֵכֵל לְהֵם [יהיו ]  
 iv:3 כמשפטם [ בארמ]ת הקודש וְבֵארץ מנורים ואחר ימכו[רו ]  
 iv:4 מהם לקנ[ין פרי<sup>w</sup> הע]צִים<sup>168</sup> וְאֵם [w, m/t w, m/t] טע<sup>169</sup> איש בשנה הִרְבִּיעִית  
 לְיָ יוֹכֵל<sup>ל</sup>  
 iv:5 [ כי ] קִדְשׁוֹ בַשֶּׁנָּה הַזֹּאת<sup>b</sup> תלוּלִים הַמְּ]ת<sup>w</sup> ] ואם יקריב איש<sup>w</sup>  
 iv:6 מִמִּנְחָה וְנִ]רֶשׁ כִּרְמֵל אַבִּיב קְלוּי בֹאשׁ יִהְיֶה בְּכֹרֵיו וְלוֹ<sup>w</sup> ]  
 iv:7 [ יוֹכֵל ] א[ת שֶׁ] בֵּל תְּבוֹאָתוֹ וּבִשְׁנֵה הַחֲמִישִׁית יוֹכֵל אֵת פְּרִי<sup>w</sup> ]  
 iv:8 [ להו]סיף לוֹ תְּבוֹאָתוֹ ]  
 iv:9 [ ] שֶׁהָאֵי ]  
 iv(a):1 [ ] וְהָיִים אֲשֶׁר ] מִן הַמִּנְחָה לְאֻזְכָּרָה לְאִשָּׁה לְאֵל וְאֵל<sup>w</sup> ]  
 iv(a):2 [ יסור אי]ש<sup>w</sup> לִימִין וְאֲשֶׁר לְ]שְׂמֹאל מִכֹּל אֲשֶׁר יִירוּ הַכְּהֹנִים<sup>w</sup> ]  
 iv(a):3 [ בַּאֲחֵרִית הַיָּמִים<sup>w</sup> ]

<sup>166</sup> Read מעשרה.<sup>167</sup> This small piece with reconstruction conceivably formed the first two lines of 4Q270 F3iii.<sup>168</sup> Baumgarten transcribes ם=[ ] לקנ (DJD XVIII, 59).<sup>169</sup> Baumgarten transcribes [י]טע (DJD XVIII, 59).

portion [should be reduced] to its tenth from the seed volume needed to plant a *seah*. And if [a person] glean<sup>18</sup>one [*seah*] from it in one day, its tithing shall be a tenth<sup>19</sup>[but he may glean no more.] As for the loaves of *terumah* required of all the houses of Israel who consume the food<sup>20</sup>[of the land: it is incumbent upon them to] set aside (the loaves) once a year, one tenth per loaf [as first fruits to the Lord. Before] its completion by Israel, [let] no one raise **4Q270 F3ii(a)**<sup>1</sup> [his hand to eat the new wheat and] unleaven[ed bre]ad [until the day]<sup>2</sup> [of the coming of the firstfruits . . . ] the best of the grain [ . . . ]

*The Orlah*

**(last line of 4Q266 F6iii)–4Q266 F6iv** [ . . . And if one plants a vineyard, all its fruit that grows during the]<sup>iv:1</sup> [fi]r[st three year]s [shall belong to the priests. It is *orlah* to the Lord. And all]<sup>iv:2</sup> the plantings of the vineya[rd] and all that is grown on the [fruit bearing] trees (during these years) [belongs to] them<sup>iv:3</sup> in accordance with their rights [in] the Holy [Land] and in (their) dwelling places. And thereafter [they] may sel[l]<sup>iv:4</sup> from them for the pur[chase of (other) fruit of the tr]ees. And i[f] one plants in the fourth year [he may] no[t ea]t (of them)<sup>iv:5</sup> [for] they have been sanctified in [that] y[ear. They are (holy) hymns (Lev 19:24). And if one presents]<sup>iv:6</sup> a kind of meal offering, [his first fruits shall be] g[rits of fresh grain, young ears parched with fire. But]<sup>iv:7</sup> [he may not ea]t[ the] g[ood of the untithed of his produce. However, in the fifth year he may eat its fruit]<sup>iv:8</sup> [so that] he might have an increment from [its] p[ro]duce (Lev 19:25). . . . ]<sup>iv(a):1</sup> [ . . . Then he (the priest) shall r]aise a part [of the meal offering as a memorial as a burnt offering to the Lord. And on]e [shall not]<sup>iv(a):2–(3)</sup> [turn] to the right nor to [the left from what the priests will instruct at the end of days . . . ]

4Q271 F2

Parallels: 4Q269 F8i–ii (underline)

4Q270 F3iii:13–21 (overbar)

170 [ועל כול<sup>w</sup> תבואה<sup>b</sup> השרה<sup>w</sup>]<sup>170</sup>

- 1 [ומעשר כול אשר יביא<sup>w</sup>] מגורן יודר את העשרון מן הח[ומר ומן הא]פ<sup>a</sup>  
 2 [והבת כאשר הקים אל [האיפה והבת] {ב} תכון אחד שניה[ן ומן] החטים ש[שית  
 3 [האיפה לחמר ומעשר הבת לפרי] ה[ע]ן אל יברל איש להרים לשה [את] מן המאה  
 4 [ואל [יאכל איש] מאומה<sup>w</sup> מן הגורן] ומן הגנה טרם ישלחו [הכוח] נים את ידם  
 5 [לבר]ך לריאשונה[ן] ואחר יאכל ואם<sup>w</sup>] בית לאיש ימכור ובהס[ן] נס<sup>w</sup> הוא ינקה  
 6 [ ] [ק]י [ואת ה<sup>o</sup>] [שרה המעורב  
 7 ח[טים ושורים הוא כלאים ואלה החוקים יכתבו<sup>w</sup> ממשפטי ה[י] חר שלוש פעמים [פ]פ  
 8 אַל יבא<sup>b</sup> איש את בהמות פן עבדו הגוים במ<sup>w</sup> ברם זבחם וכסו<sup>171</sup> תו<sup>171</sup> בטהרתו ומכו[ל]  
 9 הזהב והכסף [והנחשת ומן<sup>w</sup> ה]בדיל<sup>172</sup> והעו[ו] פרת אשר עשו הגוים פ[ל] אל יביאחו  
 10 איש אל טהר[תו] כי אם מן החר[ש] הבא מן הכב[ש] [ש] m/19 [ ]<sup>173</sup> אַל יב[א] איש  
 כול עור ובגד ומן  
 11 כל הכל[ים] אשר תעשה<sup>w</sup> מ[ן] ללכה בהם<sup>174</sup> אשר ישמאו לנפש[ם] אדם כי לאם הוּו כמשפט  
 12 [טהרת<sup>b</sup> אנשי הקודש בני<sup>w</sup>] הנדה בקץ הרשע <מי? איש טה[ור] מכול טמא[תו] אשר  
 13 [יעריב את השמש וכול נער אשר לו] מלאו ימיו לעבור על הפ[קודים] אל יז<sup>175</sup>  
 14 [את מי הנדה על טמאי נפש<sup>w</sup>] ה[ ] [ ]

<sup>170</sup> Conjecturally such a rendition drawn from a reconstruction around אַה of 4Q270 F3iii:13 would have ended the column preceding 4Q271 F2.

<sup>171</sup> Baumgarten restores טתו ברם זבחם (DJD XVIII, 173).

<sup>172</sup> Baumgarten restores [והנחשת וה]בדיל (DJD XVIII, 173).

<sup>173</sup> Baumgarten transcribes הזכר (DJD XVIII, 173).

<sup>174</sup> Baumgarten restores מ[ן] ללכה בהם (DJD XVIII, 173).

<sup>175</sup> Baumgarten restores יזה (DJD XVIII, 173).

*Dimensions for Tithing; Priestly Blessing; Illicit Mixtures; Idolatrous Objects; Defilement From a Corpse*

**(4Q270 F3iii:12b–13a)** [Now concerning any prod]uce of [the field] **4Q271 F2** <sup>1</sup>[and the tithe of anything which one brings] from the threshing floor: one shall deduct a tenth of the *h[omer]*—which is an *e]phah*, <sup>2</sup>[or a *bat* as God has established], “the *ephah* and the *bat* being “the same measure” (Ezek 45:11a)—and from [the wheat a si]xth <sup>3</sup>[of an *ephah* per *homer* (Ezek 45:13b) and a tenth of a *bat* from the fruit] of the [tr]ees. Let no one separate himself from offering (as a tithe) [on]e lamb per hundred.

<sup>4</sup>[And let no] one eat [anything from the threshing floor] or from the garden before [the prie]sts stretch out their hand <sup>5</sup>[to make the ble]ssing first. [Then he may eat.

Now if] one sells (his) house and, while in [its] solidity [it collap]ses, he is not liable.

<sup>6</sup>[ . . . ] A field consisting of mixed produce <sup>7</sup>of w[heat and barley] is under the prohibition of *kil'ayim*. And these are the statutes that shall be recorded among the injunctions of the com]munity three times in the book.

<sup>8</sup>[No one] shall bring [domesticated animals lest the pagans worship them in their sacrificial blood. Neither (may he bring)] his [garme]nt into his Purity, nor of any <sup>9</sup>gold, silver [and bronze or t]in or le[ad of which the pagans have made an i]dol. One shall not bring them <sup>10</sup>into [his] Puri[ty except] those made [ane]w from the fur[na]ce . . . No [man] shall br[ing] any material made from skin or a garment or <sup>11</sup>any [manu]factured utensil[s] which have become defiled by a [human] corpse [un]less they have been sprinkled in accordance with the injunctions <sup>12</sup>[of the purification of the men of holiness with waters] of purification during the period of wickedness <by> a man puri[fied from all] his [defilement], who <sup>13</sup>[has waited for sundown. And any youth who has no]t reached the time of mem[bership shall not sprinkle] <sup>14</sup>[the waters of purification upon the unclean . . . ]

## 4Q266 F7i–iii

Parallel: 4Q267 F8 (underline)

[	]	i:1
176 <sup>a</sup> ואל יקו]ם <sup>w</sup>	אבר אליה]ם ואין דורש לנפשם <sup>w</sup>	i:2
[	<<עלו אל יטור איש את <sup>w</sup> [רעהו וידבר באהבה לבנ <sup>177</sup> עמו כי א]ם	i:3
[	נוצר חסד לאלפים <sup>w</sup> [נזשה עו]ן]	i:4
[	אבה ל]כו[ יו]רדי רומה <sup>w</sup>	i:5
ממנו ]		ii:1
ם]		ii:2
[		ii:3
ל]		ii:4
[		ii:5
כול המחנה]		ii:6
ונענש בלחמו <sup>w</sup> [רובעו <i>vacat</i>		ii:7
[ ] <sup>oo</sup> את ]		ii:8
ואשר יטור את רעהו <sup>w</sup> א]שר לו במש[פט]		ii:9
האיש אשר ]		ii:10

(final two lines of 4Q266 F7ii)

[	ואל יקרב]	
[	לברית אנשי הקודש ואל יודיעוהו את המשפטים האלה <sup>w</sup> לפני]	
iii:1	בואם <sup>178</sup> אל המבקר ואחר ילמדוהו לשוב אל תורת מושה להתהלך <sup>w</sup>	
iii:2	לפני ה]מבק[ר ה]מחנה <sup>w</sup>	
iii:3	למבק[ר א]שר על המחנה <i>vac</i> ] וכי ידור איש נדר ולוא ישלמו או <sup>w</sup>	
iii:4	ל]נרבה דרוש <sup>w</sup> [ידרוש מידו ]מ[ן] נכסיו <sup>w</sup>	
iii:5	את] ושונא <sup>w</sup> את המוא]ס בת]רה [ואשר לוא ישוב אל תורת <sup>w</sup>	
iii:6	מושה ולאל ישראל] ל]עשות <sup>w</sup> מ]עשים [ישרים <sup>w</sup>	179[
iii:7	] הוואה מ <sup>o</sup>	

<sup>176</sup> Baumgarten transcribes א]. See DJD XVIII, 61.

<sup>177</sup> Baumgarten restores א]ל [בנ] (DJD XVIII, 61).

<sup>178</sup> Baumgarten transcribes בואם (DJD XVIII, 62).

<sup>179</sup> Baumgarten transcribes ] ל] מ]עשים [ (DJD XVIII, 63).

*The Supervisor of the Camp*

**4Q266 F7** <sup>i:1</sup>[ . . . ] <sup>i:2</sup>[esca]p[c] has failed the[m and no one looks for them . . . And let him not aven]ge <sup>i:3</sup>him. No one shall keep a grudge against [his neighbor, but must speak lovingly to] his people, excep[t] <sup>i:4</sup>when reproving, responding righteously to th[em . . . who keeps devotion for thousands] and bears iniqui[ty] <sup>i:5</sup>[and transgression] and does no[t] wish that [an]y de[scend to hell . . . ] <sup>ii:1</sup>[ . . . ] from it <sup>ii:2-5</sup>[ . . . ] <sup>ii:6</sup>[ . . . ] the entire camp <sup>ii:7</sup>[ . . . and he shall be punished in his rations] by a fourth. <sup>ii:8</sup>[ . . . ] <sup>ii:9</sup>[ . . . and whoever keeps a grudge against his neighbor] unjus[t]ly <sup>ii:10</sup>[ . . . ] the man who . . . **(final two lines of column ii)** [ . . . And let him not approach the covenant of the men of holiness. And let them not inform him of these injunctions before] <sup>iii:1</sup>they come [to the Supervisor. And afterwards they shall instruct him to return to the Torah of Moses to live (by them)] <sup>iii:2</sup>in the presence of the [Supervis]or of the [camp . . . ] <sup>iii:3</sup>to the Supervis[or] of the camp. [And if one makes a vow and does not fulfill it or <sup>iii:4</sup>(promises) a [gift offering (to God), He will surely] requite it from him [fr]om [his possessions . . . ] <sup>iii:5</sup>[the . . . and hates] anyone who despi[s]es the T]orah [and who does not turn to the Torah of] <sup>iii:6</sup>[Moses nor to the God of Israe]l to [do upright d]eeds [ . . . ] <sup>iii:7</sup>[ . . . ] he [ . . . ]

4Q267 F4

]חָת[

1

4Q270 F2i-ii

Parallel: 4Q267 F4:2-15 (underline)

6Q15 F5 (overbar)

- i:1 ] בעבור אשר דרשו בחלקות ויבחרו במהתלות ויתעו<sup>w</sup> ] בם<sup>180</sup>
- i:2 ] ה וינבאו שקר על אל ועוד יצערו נגד כול<sup>w</sup> ] רב[<sup>4</sup>
- i:3 ] אל<sup>w</sup> וכול שמא<sup>w</sup> מחול<sup>181</sup> לוא יביאנו אל הטהרה<sup>w</sup> ] ל[
- i:4 ] את ולוא ויחסו בשם קודשו<sup>w</sup>
- i:5 ] [
- i:6 ] כל הבא<sup>w</sup> בברית יאהב את רעהו<sup>w</sup> כמוהו ] ה ש
- i:7 ] ואל יתיצב לפניו<sup>w</sup> כול אל יתן הווא את כפו<sup>w</sup> בערובות ואת כספו<sup>w</sup>
- i:8 ] [ בנשך ואת אוכלו<sup>w</sup> בתרבות אל יתן הוא<sup>w</sup> מכה בהבל<sup>w</sup> כי ]
- i:9 ] [ וכול איש אשר<sup>w</sup> ] יעבוד או ישלה<sup>w</sup> ]<sup>182</sup> זבחו או ישתחוה<sup>w</sup> לשמש
- i:10 ] [ או לירח או יזבח<sup>w</sup> לשעירים או ידרוש באוב ובידעונים<sup>183</sup>
- i:11 ] [ או אשר ישאל אל המתים<sup>w</sup> ] והו[חן]ת או אשר יחלל את השם
- i:12 ] [ או אשר ידבר עצה<sup>w</sup> סרה כאשר יעשו הגוים<sup>w</sup> כו]ל ] אשר יעשה<sup>w</sup> ]<sup>184</sup> ?
- i:13 ] [ אלה ביד רמה ישפט ואיש<sup>w</sup> אשר ]
- i:14 ] [ ים ]
- i:15 ] [ יו<sup>185</sup> ]
- i:16 ] [ או אשר<sup>b</sup> עלה<sup>w</sup> עליה שם רע ב]תוליה בבית
- i:17 ] [ אביה<sup>b</sup> אם שכב עמה איש<sup>w</sup> או אלמנה אשר ] ישכב אחר עמה
- i:18 ] [ כול אלה לא יזמתו vac וכל איש אשר<sup>w</sup> יק]ב אל אשתו ביום
- i:19 ] [ השבת<sup>b</sup> או יעשה מלאכה או יעבוד את האדמ]ה<sup>185</sup> או אשר י]חלל ] ?
- i:20 ] [ את יום השבת ואת המועדות לא יזמת כי על בני האדם<sup>w</sup> ]
- i:21 ] [ כל ] משמרו<sup>w</sup>
- ii:1 ] [ על קרו]שה<sup>w</sup> ]

<sup>180</sup> Based upon Milik's identification of the ends of lines 1-3 with text from CD 20:32-33, Baumgarten conjecturally restores

שפטו ] 1  
לקול מו]י ] 2  
יעו ] ל[בם ] 3

See DJD XVIII, 142.

<sup>181</sup> Abegg, following Baumgarten, parses מחול as an imperative of מחל (to forgive). Martin G. Abegg, Jr., *Qumran Sectarian Manuscripts: Qumran text and grammatical tags* (1999-2005), 4Q267 F4:4.

*Capital and Non-Capital Offenses; A List of Transgressions and the Eschatological Punishment of Transgressors*

**4Q270 F2i-ii / 4Q267 F4** <sup>i:1</sup>[since they will interpret (Him) with flattering words, choosing farce, and going astray] by them <sup>i:2</sup>[ . . . and will prophesy falsely against God and furthermore, behave contrarily to all the comman]ds of <sup>i:3</sup>[God . . . And as for anything that has been defiled of ordinary matter, let him not bring it into the Purity . . . ] <sup>i:4</sup>[ . . . And not . . . And they shall rely upon His Holy Name . . . ] <sup>i:5</sup>[ . . . ] <sup>i:6</sup>[ . . . anyone who enters into the covenant shall love his neighbor as himself . . . ]

<sup>i:7</sup>[and no one shall rebel against him in any manner. One may not put out his hand as security, nor his money] <sup>i:8</sup>[as interest, nor his food for an increase. One shall not strike another for no reason, because . . . ]

<sup>i:9</sup>[ . . . And as for anyone who] worships, or sends [his sacrifice (to worship), or prostrates himself to the s]un <sup>i:10</sup>[or the moon, or sacrifices to the go]at demons, or inquires by means of a medium or wizards, <sup>i:11</sup>[or who consults the dead] and the sp[irit]s, or who profanes God's name, <sup>i:12</sup>[or who gives deviant counsel, as do the pagans: any]one [who does] <sup>i:13</sup>[these things in a haughty manner shall be condemned (to death). And he who . . . ] <sup>i:14-15</sup>[ . . . ] <sup>i:16</sup>[ . . . or who has acquired an evil name while in] her virginity in the house of <sup>i:17</sup>[her father if a man has lain with her, or a widow] with whom another man lies: <sup>i:18</sup>[none of these shall be put to death. And any man who ha]s sexual relations with (literally, comes near) his wife during the [Sabbath] day, <sup>i:19</sup>[or does labor or plows the fiel]d, or who p[ro]fanes] <sup>i:20</sup>[the Sabbath day and the festivals shall not be put to death. Rather, it is the duty of man to place him] <sup>i:21</sup>[in detention . . . ] . . . <sup>ii:1</sup>concerning sanc[tity . . . ]

<sup>182</sup> Baumgarten transcribes שָׁלַיְ. (DJD XVIII, 142).

<sup>183</sup> 4Q267 F4:11-12 reads אִתָּהּ יִדְעוּנִי אֲנִי בֹהַת אֵת אֱלֹהֵי יִשְׂרָאֵל.

<sup>184</sup> The tops of several letters appear shortly after the ל.

<sup>185</sup> Baumgarten transcribes הָ, providing no reconstruction in the lacuna preceding it (DJD XVIII, 143).



- ii:2 אַתְּ הַקֵּץ] וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת אִשָּׁה דוּחַ וְגִלָּה אֶת עֲרוֹתָהּ<sup>w</sup>]
- ii:3 אֶל מִקוּדָה<sup>w</sup> יַעֲרָה<sup>w</sup>] [ ]<sup>o</sup>
- ii:4 [ ] אֶל<sup>w</sup>] [ ]<sup>o</sup>ק
- ii:5 [ ] אוֹ אֲשֶׁר יִמְחָא לְהַרִים [את הקודשים כפרוש<sup>w</sup>]
- ii:6 [תורת מושה<sup>w</sup> לתת ] לְבִנֵי אַהֲרֹן הַמְּשַׁעֲתִּים [הכרם וכל עצי<sup>w</sup>]
- ii:7 [המאכל<sup>w</sup> וראש<sup>w</sup>] אֶת כָּל אֲשֶׁר לָהֶם וּמַעֲשֵׂר בְּהֵמָתָם מִן הַבֶּקֶר [
- ii:8 וְהַצֹּן וּפְדוּיָי בְּכוֹר הַבָּהָה] מֵהַטְּמֵאָה וּפְדוּיָי בְּכָל־אָדָם וְרֵאשִׁית גֹּזֵן [
- ii:9 הַצֹּן וְכֶסֶף הָעֶרְכִים לְפְדוּיָי נַפְשָׁם vacat [וכל אשם מושב אשר]
- ii:10 אֵין לְהַשִּׁיבָהּ וְחֹמְשָׁה עֲלֶיהָ אוֹ<sup>i</sup> [משולו במ רוחות בליעל ויכתבו<sup>w</sup>]
- ii:11 בְּשִׁמּוֹתָם לְטֵמְאָה אֶת רוּחַ קֹדֶשׁוֹ [או אשר יגע בכל טמא נפש<sup>w</sup>]
- ii:12 או ינוגע בנגע צרעת או זוב טמא] או כל אשר יגע בו הזב<sup>w</sup> או]
- ii:13 אשר יגלה את רו עמו לגואים או יקלל א]ת עמו או ידבר]
- ii:14 סרה על משיחי רוח הקדש ותועה ב]חזוי אמתו בהמרותו]
- ii:15 את פי אל או ישחט בחמה וחייה עבר]ה או אשר ישכב עם]
- ii:16 אשה הרה מקיץ דם [או יקרב א]ל ב]ת אחיהו או ישכב איש עם זכר]
- ii:17 מִשְׁכְּבֵי אִשָּׁה vac עוֹבְרֵי אֶת<sup>b</sup> מִצְוֹת הַתּוֹרָה<sup>w</sup> הִי<sup>w</sup> אֶת<sup>b</sup> הַקִּיָּה<sup>w</sup>]<sup>186</sup>
- ii:18 בם חקק אל להעביר<sup>187</sup> ב]ת רון אפו בק]ין [הפקודה עד עמוד משיח<sup>w</sup>]
- ii:19 ועתה שמעו לי כל יודעי צדק ו]בינו<sup>w</sup>] תו]ת אל<sup>188</sup> בלבכם ואגלה]
- ii:20 לכם דרכי חיים ונתיבות שחת אפתחה ל]עיניכם ובמוקשי שחת]
- ii:21 אל תתפשו ובהבינכם במעשי דוד ודוד] תבינו במעשי אל<sup>w</sup>]

<sup>186</sup> Baumgarten restores א]ת א]ת א]ת (DJD XVIII, 145).

<sup>187</sup> 6Q15 F5:4 contains the infinitive להבעיר.

<sup>188</sup> Baumgarten restores ו]שימו]ת אל בלבכם] (DJD XVIII, 145). The presumed parallel in 6Q15 F5:5 reads ב]ת אל בלבכם].

ii:2the . . . [ . . . and whoever lies with a menstruating woman and  
 exposes her nakedness,] ii:3[pouring] into [her] vagina (Lev 20:18)  
 [ . . . ] ii:4. . . [ . . . ] ii:5[ . . . or whoever] declines (?) to raise up [the  
 holy tithings in accordance with the interpretation of the] ii:6[Torah  
 of Moses to apportion] to the sons of Aaron the planting [of the  
 vineyard and all that is grown on the] ii:7[fruit bearing trees, the fir]st  
 fruits of all tithings belonging to them, the tithing of [their] ca[ttle  
 from the herd] ii:8and sheep and [those] redeemed [of the firstborn of]  
 the unclean [catt]le as well as the redeemed of the fir[stborn of man,  
 the first of the wool of] ii:9the sheep, and the silver that is equivalent  
 for their redemption, [and any guilt restitution that] ii:10cannot be  
 restored (to the owner, which must be given to the priest—Num  
 5:7–8; CD 9:13–14) with an additional fifth (of its value if he knew  
 the owner and did not return it); or [any whom the spirits of Belial  
 take sway of, and hence are recorded] ii:11by name for defiling His  
 Holy Spirit; [or whoever touches any defiled person (Lev 22:4)]; ii:12or  
 anyone stricken with the affliction of leprosy or uncle[an] flux, [or  
 anyone who touches the person who has a flux (Lev 15:11)]; ii:13or  
 anyone who reveals the secrets of his people to the gentiles, or curses  
 [his people or speaks] ii:14deviantly against those anointed with the  
 Holy Spirit; and who goes astray against [the seers of His truth by  
 rebelling] ii:15against the command of God; or who slaughters an  
 animal or beast that is pregnan[t]; [or who lies with] ii:16a pregnant  
 woman, emitting blood; [or he who approaches] the daughter [of  
 his brother or lies with a male] ii:17as if lying with a woman: it is  
 (these) transgressors [of the commandments of the Tora]h and [its  
 statutes] ii:18against whom God has legislated to render destruction  
 by [His] w[rath during the epo]ch [of redemption until the Messiah  
 arises.] ii:19And now, hear me all who know righteousness (truth)  
 and [discern] the Tora[h of God in your heart. And I will reveal]  
 ii:20–21to you the ways of life and the paths of hell I will open for  
 [your eyes so that] you not be caught [by those ensnared by the  
 pit.] And when you discern the events of each generation [you will  
 understand the acts of God . . . ]

4Q273 F5<sup>189</sup>

- [ ] 1  
 [ ] 2  
 [ ] 3  
 [ ] 4  
 [ ] 5

## 4Q270 F4

Parallel: 4Q266 F12 (underline)

- [ ] 1  
 [ ] 2  
 [ ] 3  
 [ ] 4  
 [ ] 5  
 [ ] 6  
 [ ] 7  
 [ ] 8  
 [ ] 9  
 [ ] 10  
 [ ] 11  
 [ ] 12  
 [ ] 13  
 [ ] 14  
 [ ] 15  
 [ ] 16  
 [ ] 17  
 [ ] 18  
 [ ] 19

<sup>189</sup> The placement of this fragment is uncertain and does not necessarily sequentially precede 4Q270 F4. It does, however, contain material related to that of this larger fragment; hence its location in the general context of 4Q270 F4.

<sup>190</sup> For the reconstruction of this line, see above CD 4:20–5:2.

<sup>191</sup> See 4Q274 F1i:7.

<sup>192</sup> 4Q266 F12:4 appears to read [ ] .

<sup>193</sup> Spanning lines 5–6 of 4Q266 F12, the clauses [ ] and [ ] form part of a text which appears to be more expansive than my reconstruction of 4Q270 F4:13.

*The Straying Wife; Bigamy; Marriage during Menstruation*

**4Q273 F5** <sup>1</sup>[ . . . ] <sup>2</sup>[ . . . ] last[ . . . ] for she shall turn and cover [her face . . . ] <sup>3</sup>[ . . . ] He (God) does not favor the wicked. And behold that is what He w[ill relate to them.] <sup>4</sup>They are [all the] eternal [statute]s. No man may marry a wom[an (in addition to his wife) to be (her) rival during her lifetime (Lev 18:18).] <sup>5</sup>[He may not marry (a woman)] during the time that she counts her menses until she is c[leansed from her flow.]

*The Straying Wife; A Slave Marrying a Priest*

**4Q270 F4** <sup>1</sup>[ . . . When] a man comes to impose a curse on (his) wife (under suspicion of adultery) <sup>2</sup>[having a single witness to the act, and] the one who saw [testifies] if he (really) saw the wife <sup>3</sup>[of his neighbor lying with (another) man, then she should be declared defiled. But if] she says, “I did the act under compulsion,” <sup>4-5</sup>[then she shall be declared innocent and shall return to her husband. He may not br]ing her (to the court) unless her (virginal) blood [does not flow] at all. [(As for the oath), let the Supervisor bring her before on]e [of] the priests. And [the priest] shall expose <sup>6</sup>[her head (Num 5:18a), make] the woman [swear] (Num 5:19a, 21a) and make [the woman] drink <sup>7</sup>[the waters of bitterness that induce the curse (Num 5:24a).] (Until then), she may not take from [him a]ny <sup>8</sup>[holy food, nor may she come in contact with the] sacred [waters of bitterness.] <sup>9</sup>[Then the priest shall pronounce, “May God place you under a curse” (Num 5:21b). But no] one shall give <sup>10</sup>[the waters of bitterness to a woman who has slept with a man] in the p[re]sence <sup>11</sup>[of two witnesses; rather only if there is no testimony at all. And if her womb swells (Num 5:27b) as a] consequence <sup>12</sup>[of her curse, it is as the Scripture says, “Be skillfull, act prudently] O kings <sup>13</sup>[and judges of the land” (Ps 2:10).

One (who is a priest) should not touch, nor have sexual intercourse] with a woman <sup>14</sup>[who is a slave,] she being a slave betrothed [to (another) man.] <sup>15</sup>Rather, he shall bring her to his house for one month as] it says, “She may not tou[ch] <sup>16</sup>[your (priestly) Purity for seven years.” If h]e marries her, or to [his] so[n] <sup>17</sup>[he betroths her, he shall treat he]r [according to the prerogatives of (Israelite) daughters (Exod 21:9);] (every right) belonging to [her] <sup>18</sup>[he shall grant her; he may not diminish her food, her clothing nor her conjugal rights (Exod 21:10)] . . . [ . . . ] <sup>19</sup>[ . . . For seven years she may not eat] from his

20 [ובשנה<sup>w</sup> הש[מיני]ת<sup>w</sup> תאכל מלחמו ואל<sup>w</sup>] ש<sup>w</sup>כב עם  
 194[ ]<sup>w</sup> שופחה [הב] עולה ל<sup>w</sup>א[יש?] <sup>w</sup> 21

(presumed ending of the final line of  
 the Genizah column preceding CD 15)

[ ביוד והי לא<sup>w</sup> ]

CD 15

Parallels: 4Q266 F8i (underline)  
 4Q270 F6i:20–ii:10 (overbar)  
 4Q271 F4i:4–ii:3a (lower underline)  
 text unique to DSS (outlined)

15:1 יִשְׁבַּע וגם באלף ולמד וגם באלף ודלת כי אם שבועת הַבְּנֵי־יִשְׂרָאֵל  
 15:2 באלות הברית vacat ואת תורת משה אל יזכור כי ביה כל פדוש השם<sup>q</sup> 195  
 15:3 vacat ואם ישבע ועבר וחלל את השם vacat ואם באלות הברית יִשְׁבַּע־עִנְיָ<sup>w</sup> 196  
 15:4 השפטים vacat אם עבר אשם הוא והתודה והשיב ולא ישא חטאת<sup>q</sup>  
 15:5 [וי]מות vacat והבא בברית לכל ישראל לחוק עולם את בניהם אשר יגיעו  
 15:6 לעבור על הפקודים בשבועת הברית יקימו עליהם vacat וכן  
 15:7 המשפט בכל קין הרשע לכל השב מדרכו הנשחתה ביום דברו  
 15:8 עם המבקר אשר לרבים יפקדוהו בשבועת הברית אשר כרת  
 15:9 משה עם ישראל את דבר<sup>q</sup> 197 לש[וב] ל[א]ל תורת משה בכל לב ו[ב]כל[ל]  
 15:10 נפש אל הנמצא לעשות בכל[ל] קין ל[מ]י<sup>w</sup> 198 ואל יודיעהו איש את  
 15:11 המשפטים עד עמדו לפני המבקר למה<sup>199</sup> יתפתה בו בדרשו<sup>200</sup> אותו  
 15:12 וכאשר יקים אותו עלין<sup>201</sup> לשוב אל תורת משה בכל לב ובכול נפש

<sup>194</sup> Baumgarten transcribes [ ] עולה [ ] (DJD XVIII, 153).

<sup>195</sup> Baumgarten transcribes what might be the upper left corner of a ם at the end of 4Q271 F4i:4 (DJD XVIII, 177).

<sup>196</sup> Baumgarten transcribes יִשְׁבַּע־עִנְיָ. See Charlesworth, ed., *Damascus Document*, 36.

<sup>197</sup> Rabin read הבריה. See Rabin, *The Zadokite Documents*, 73.

<sup>198</sup> The paleography of this word is not clear. Rabin bracketed it as a reconstructed הרשע, Qimron presents it as ל[ר]ב[ו], Baumgarten has ע[ר]ש[ע]. See Rabin, *The Zadokite Documents*, 73; Qimron, "The Text of CDC," 39; and Charlesworth, ed., *Damascus Document*, 38. I thank Tim Undheim for suggesting the possibility ל[מ]י<sup>w</sup>.

<sup>199</sup> CD. שמה.

<sup>200</sup> 4Q266 F8i:2. בה בדרשה

<sup>201</sup> 4Q266 F8i:3. עלו

sacr[ed] food. <sup>20</sup>[But in the e]ight[h year she may partake of his food.]  
 He may [not] have sexual relations with <sup>21</sup>[a slave-maiden who has  
 been ma]rried to a m[an . . . ]

*The Covenant and Other Oaths Or Vows*

[ . . . By the *yod* and *hē* (YHWH) one should not]<sup>9</sup> CD 15:1swear, nor by the *aleph* and *lamed* (Elohim), nor with the *aleph* and *dalet* (Adonai), except for (in) “the oath of the youths” <sup>15:2</sup>during the covenantal curses (at the time of the admission ceremony). Neither shall he make mention of the Torah of Moses, since in it The Name (YHWH) is enunciated. <sup>15:3</sup>And if he does take an oath (using God’s name explicitly), he is in violation and profanes the name (of God). But if the judges make (him) swear with the curses of the covenant, <sup>15:4</sup>if he transgresses, he is guilty and must confess and make amends so as not to bear sin <sup>15:5–6</sup>[and] die.

And each and every one who is entering the covenant of all of Israel by the eternal statute shall impose the oath of the covenant upon their sons who reach (the appropriate age) to be counted in the muster.

The same <sup>15:7</sup>rule applies during the whole era of wickedness for anyone who repents from his corrupt way. On the day that he speaks <sup>15:8</sup>with the Supervisor in charge of the Multitude, they shall enroll him (as a member of the Community) with the oath of the covenant which Moses established <sup>15:9</sup>with Israel, his (the candidate’s) promise to tu[rn] to the Torah of Moses with all (his) heart and al[l] <sup>15:10</sup>(his) soul to what is found (therein) to observe during the enti[re] period of his in[st]ruction. And no one shall make known to him (the enrollee) the <sup>15:11</sup>rules (of the community) until he appears before the Supervisor lest he be misled by him when he examines him. <sup>15:12</sup>But when he (the candidate) imposes upon himself to turn to the Torah of Moses with

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<sup>9</sup> This phrase presumably was on the final line of the previous page preceding CD 15 in the Genizah text.

- 15:13 נִקְ[אִים הֵם מִמְנוּ אִם יִמְעַל vacat וְכֹל אֲשֶׁר נִגְלָה מִן הַתּוֹרָה לְרֹב  
 15:14 הַמְּהֵנָה וְהוּא שֶׁנָּה בִּה<sup>202</sup> יוֹד[וּעָה]ֹּי<sup>9</sup> הַמְּבַקֵּר אוֹתוֹ וַיְצַוְהוּ עֲלָיו וִיל[מַר]ֶּה  
 15:15 עַד שֶׁנָּה תְּמוּמָה וּלְפִי דְעָתוֹ יִקְרָא וּפְּוֶל הוּיֹתוֹ אוּיֵל וּמְשׁוּגַע לִסָּׁרִי  
 203 וְכֹל פְּתֵי [י] דְּיִשְׁרָן גְּׁה  
 15:16 זָכָה עֵינֵיִם<sup>204</sup> לְבָל[תֵי רְאוֹת וְחָגַר אוּ פִסַּח אוּ חֶרֶשׁ] ׀ נְעָר<sup>205</sup> ׀ [עֵטוֹ] ט אל  
 15:17 יבוא אִי[שׁ מַאֲלָה אל תוֹךְ הַעֲרָה כִּי מְלַאכֵי הַ[קְּׁוֹנֵי]ֹשׁ ? ל ת בֵּם<sup>206</sup>  
 15:18 [כִּי אַחַר יְמֵי הַמְּבֹל<sup>w</sup> מְעַטְשׁוּ שְׁנֵי הָאָדָם בַּחֲרוֹן אַף אל שָׁב[עֵי]ֹם<sup>w</sup> ] [אֲשֶׁר<sup>w</sup> לַהֵם<sup>207</sup>  
 15:19 [וּבְהוֹפַע כְּבוֹד אל בַּעֲמוּד מִשִּׁית אַהֲרֹן וּיִשְׂרָאֵל הֵם יָחִיו אֶלְפִי<sup>w</sup>]<sup>208</sup> דּוֹךְ  
 15:20 [לֹא יִרְפָּם וְלֹא יִשְׁחִיתֵם וְלֹא יִשְׁכַּח אֶת בְּרִית אֲבוֹתָם בְּשִׂמְעֵם [בְּקֹל]ֹו<sup>w</sup>]  
 15:21 [וַיֹּאמֶר אל לֵהם כִּי<sup>w</sup> יִכְרוֹת אֶת בֵּית יִשְׂרָאֵל וְאֵת בֵּית יְהוּדָה בְּרִית (חֲדָשָׁה)]<sup>w</sup>  
 15:22 [יַעַל הַבְּרִית הַזֹּאת כִּאֲשֶׁר אָמַר אל<sup>w</sup> לֵאמֹר על פִּי הַדְּבָרִים הָאֵלֶּה כְּרָתִי]

## CD 16

Parallels: 4Q266 F8ii:1b–8a (underline)

4Q270 F6ii:17–21; iii:13–15 (overbar)

4Q271 F4ii:3b–17 (lower underline)

extant and restored text unique to DSS (outlined)

- 16:1 עַמְכָּה<sup>209</sup> בְּרִית וְעַם כָּל יִשְׂרָאֵל על כֵּן יְקוּם<sup>210</sup> הָאִישׁ על נַפְשׁוֹ<sup>211</sup> לְשׁוּב אל  
 16:2 תּוֹרַת מֹשֶׁה [ׁי] כִּי בַּה הַכּוֹל מְדוּקָרֵק vacat וּפְרוּשׁ קִצִּיהֶם לְעוֹרוֹן  
 16:3 יִשְׂרָאֵל מִכּוֹל אֵלֶּה הֵנָּה הוּא מְדוּקָרֵק על סֵפֶר מַחֲלֵקוֹת הָעֵתִים  
 16:4 לִיְדִבְלֵיהֶם וּבִשְׁבוּעוֹתֵיהֶם vacat וּבִיּוֹם אֲשֶׁר יְקוּם<sup>212</sup> הָאִישׁ על נַפְשׁוֹ לְשׁוּב  
 16:5 אל תּוֹרַת מֹשֶׁה יִסֹּר מְלַאכְךְ הַמְּשַׁטְמָה מֵאַחֲרָיו אִם יְקוּם אֶת דְּבָרָיו  
 16:6 עַל כֵּן נִמּוֹל<sup>213</sup> בְּ אֲבָרְהָם בִּיּוֹם דַּעְתּוֹ vacat וְאֲשֶׁר אָמַר מוֹצֵא שְׁפִתֶיךָ  
 16:7 תִּשְׁמֹר לְהַקִּים<sup>214</sup> כּוֹל שְׁבוּעַת אֲסֶר אֲשֶׁר יְקוּם<sup>215</sup> אִישׁ על נַפְשׁוֹ

<sup>202</sup> CD בו.

<sup>203</sup> פתִי שֵׁן גֵּה [וְנִגְׁוֶה]ֹי. Qimron (CD) restores 4Q270 F6ii:8. Qimron (CD) restores a more paleographically defensible פתִי ו[מְשֵׁן]ֹיָהּ for CD. See Qimron, “The Text of CDC,” 39; and Martin G. Abegg, Jr., *Qumran Sectarian Manuscripts*, CD 15:15.

<sup>204</sup> CD: וְכָהָה עֵינֵיִם<sup>204</sup>.

<sup>205</sup> CD: אִזְנֵר<sup>205</sup>.

<sup>206</sup> Compare also הֵם קוֹדֵשׁ (בְּעֶד[הֶם] כִּיָּא מְלַאכֵי קוֹדֵשׁ (For the sacred angels are [in] their [congrega]tion) in 1QSa 2:8–9. It seems that my reconstruction based upon 4Q266 F8i:9 may contain more text than there was in the medieval parallel.

<sup>207</sup> This reconstruction takes account of the proportional space in 4Q270 F6ii: 9–10, a restoration that may exceed that of CD. Rabin and Baumgarten read אַמ[וֹ]ֹׁי [לְ]ֹהֶם (Rabin, *The Zadokite Documents*, 75; Charlesworth, ed., *Damascus Document*, 38).

all (his) heart and with all (his) soul, <sup>15:13–14</sup>they (those who examine him) will be [ab]solved if he transgresses. Should he err in any matter which has been revealed from the Torah for the Many of the camp, let the Supervisor in[form] him concerning it, command him about it, and te[ach] him <sup>15:15</sup>for a complete year. And let him come in (to the community) in accordance with his mental abilities.

But no one who is a fool or mentally deficient may enter (the community). And as for any simple[ton] or one [prone] to err, <sup>15:16</sup>one who is dim-eyed, no[t being able to see, or a limper, or lame, or deaf] or a youngster: none <sup>15:17</sup>of [them] may be admitted [to the community, since the] sa[c]red [angels] . . . with them, <sup>15:18</sup>[for following the flood the years of humanity were reduced on account of God's anger to the se]v[e]nty allotted to them. <sup>15:19</sup>[But when the glory of God appears as the Messiah of Aaron and Israel arises, they will live for a thousand] generations. <sup>15:20</sup>[He (God) will not leave them alone nor destroy them nor forget the covenant of their fathers as long as they hearken] to [His] voice. <sup>15:21</sup>[But God will announce to them that He will make a (new) covenant with the house of Israel and the house of Judah (Jer 31:31).] <sup>15:22</sup>[And concerning this covenant as God has said, "In accordance with these commandments I hereby make] CD 16:1a covenant with you and with all Israel" (Exod 34:27b).

Therefore, the candidate shall obligate himself to turn to <sup>16:2</sup>the Torah of Moses, for everything in it is perfect. And as for the elaboration of their epochs pertaining to Israel's blindness <sup>16:3</sup>in all these matters, behold it is perfect in the Book of the Divisions of the Times <sup>16:4</sup>by their jubilees and their septal cycles. And on the day that a candidate obligates himself to accept <sup>16:5</sup>the Torah of Moses the Angel Mastema will release him from his grasp if he keeps his words. <sup>16:6</sup>Therefore, Abraham was circumcised on the day when he came to know (God).

And when it says, "Keep what comes forth from your lips (fulfilling what you have vowed)" (Deut 23:24), <sup>16:7</sup>this means to uphold any

<sup>208</sup> This line is reconstructed on the basis of 4Q267 F3:2.

<sup>209</sup> עמכם CD.

<sup>210</sup> Read יקים here and in line 7 (cf. יקים in 4Q271 F4ii:6, paralleling יקים of CD 16:4).

<sup>211</sup> נפשך CD; נפשו 4Q271 F4ii:4.

<sup>212</sup> יקים CD.

<sup>213</sup> נימול CD.

<sup>214</sup> A vacat follows להקים in CD but not in 4Q271 F4ii:8.

<sup>215</sup> Read יקים.



- 16:8 לעשות דבר מן התורה עד מחיר מות אל יפרהו *vacat* כל אשר  
 16:9 [יק]ים איש על נפשו לסור מן התו[רה]<sup>216</sup> עד מחיר מות אל יקימהו  
 16:10 [ע]ל שבועת האשה אשר אמר [ל]אישה להניא את שבועתה אל  
 16:11 ניא איש שבועה אשר לא [י]דענה הם להקים היא *vacat* ואם להניא  
 16:12 אם לעבור ברית הוא<sup>217</sup> יניאה ואל יקימנה *vacat* וכן המשפט לאביה  
 16:13 *vacat* על משפט הנרבות *vacat* אל ידור איש למזבח מאום אנוס וגם  
 16:14 ה[כ]הנים אל יקחו מיד<sup>218</sup> ישראל [אל] יקדש איש את מאכל  
 16:15 פיהו [לא]ל כי הוא אשר אמר איש את רעהו יצ[ו]רו חרם *vacat* אל<sup>220</sup>  
 16:16 יקד[ש] איש מכל א[חזה] אשר קנה מיד אונס<sup>w</sup> *vacat* ואם מ[שדה] אחתו  
 16:17 יקדש ל[אל]ג[ם] הממשפט הזה וכי יפלא איש נדר בערכך<sup>w</sup> ונענש  
 16:18 הנודר [את] חמישית כסף ערכו ואם משנת היובל יקדש שדהו<sup>w</sup>  
 16:19 לשופט[ים] לשפט צדק ולהעריכו<sup>q</sup> <sup>222</sup> עד אחר השנים (?) הנתרות ביובל<sup>w</sup>  
 16:20 אמל אנוס הוא עד אשר יוסר ושלם האונס אם לא דבר אמת  
 16:21 [עם] רעהו ועד אשר ישלם (?) והביא איל אשמו<sup>w</sup> מביתו<sup>w</sup> (?) כמות כ[י]  
 16:22 [לו] הקים את דברו לדבר<sup>b</sup> אמת *vacat* ואשר אמר

CD 9:1–11:2

Parallels: 4Q266 F8ii:8b–iii:10 (underline)

4Q267 F9i (lower underline)

4Q270 F6iii:16–21, iv, v:1–4 (overbar)

5Q12 F1 (dotted underline)

extant and restored text unique to DSS (outline)

paleo script is in DSS only

- 9:1 כל אדם<sup>223</sup> אשר יחרים אדם מאדם בחוקי הגוים להמית הוא  
 9:2 *vacat* ואשר אמר<sup>224</sup> לא תקום ולא תשור את בני עמך כל<sup>225</sup> איש מבא<sup>226</sup>

<sup>216</sup> 4Q271 F4ii:9–10 לסור את התורה

<sup>217</sup> 4Q271 F4ii:12 היא

<sup>218</sup> 4Q271 F4ii:12.

<sup>219</sup> A word appears to follow ישראל in the lacuna of CD.

<sup>220</sup> CD. ואל

<sup>221</sup> There are remnants of the top portions of the unidentifiable words here.

<sup>222</sup> Qimron restores ולהעריך (Qimron, “The Text of CDC,” 41).

<sup>223</sup> With Rabin and Qimron, read חרם (Rabin, *The Zadokite Documents*, 44; “Qimron, The Text of CDC,” 27).

<sup>224</sup> מ is corrected from ש in antiquity.

<sup>225</sup> CD. וכל

<sup>226</sup> CD. מבא

prohibitive oath one takes upon himself <sup>16:8</sup>to observe anything commanded in the Torah. Even at the price of death he shall not annul it. (However), anyone who <sup>16:9</sup>[obli]gates himself to turn away fr[om the To]rah shall not fulfill it even at the price of death.

<sup>16:10</sup>[Con]cerning a woman's oath about which it sa[ys that] her husband may annul her oath (Num 30:9). A man may not <sup>16:11</sup>interdict an oath of which he is not certain whether to uphold or to annul it. <sup>16:12</sup>If it would violate the covenant he should annul and not approve it. The same rule applies to (the annulment) by her father.

<sup>16:13</sup>The rule concerning gifts: no one may devote to the altar anything acquired by force. Neither <sup>16:14</sup>may the priests take anything from an Israelite (unless it is voluntary). [No] one may consecrate the food <sup>16:15</sup>of his mouth [to G]od (food which is *herem*, totally dedicated to God), for this is what it (Scripture) says (Mic 7:2), "Each together with his neighbor h[un]t *herem*."<sup>10</sup> Let no one <sup>16:16–18</sup>consec[rate] any po[ssession which he has purchased from an extorter. And further]more, the [same rule applies if one] consecrates to [God from] a field of his own inheritance. [And if one explicitly vows one's own estimated value, an additional fifth of his worth] shall be exacted from the one who made the vow. [And if he consecrates his field from the year of jubilee] <sup>16:19</sup>it is the responsibility of the judge[s to judge rightly and to assess its value until after the remaining years in the jubilee.] <sup>16:20</sup>If [it was extorted, until he is disciplined the extorter shall (first) compensate (for what was illegally acquired) if he did not speak truthfully] <sup>16:21</sup>[with his neighbor. And when he (finishes) paying he shall bring the ram of his guilt offering (Lev 5:25) from his property comparable to it (the ram), for] <sup>16:22</sup>[he has not fulfilled his promise to speak truthfully. And as it says:] CD 9:1 Any devotion in which a person proscribes<sup>11</sup> another person by the statutes of the pagans, shall be put to death.

### *Justice*

<sup>9:2</sup>And when it says: "Neither avenge nor keep a grudge against

<sup>10</sup> Food that is totally dedicated to the Lord (Lev 27:28).

<sup>11</sup> The reading of כל הרים instead of the manuscript's כל ארים draws on Lev 27:29.

- 9:3 הַבְּרִית אֲשֶׁר יָבִיא עַל רַעְהוּ דְּבַר אֲשֶׁר לֹא בְּהוֹכַח [ע] לִפְנֵי<sup>227</sup> עֲדִים
- 9:4 וְהִבְיִאוּ בְּהַרְוֹן אִפּוֹ אוֹ סֵפֶר לִזְקֵנָיו לְהַבְזוֹתוֹ<sup>228</sup> נֹקֵם הוּא וְנוֹטֵר
- 9:5 *vacat* וְאִין כְּתוּב כִּי אִם נֹקֵם הוּא לְצַרְיוֹ וְנוֹטֵר הוּא לְאֹיְבָיו<sup>229</sup>
- 9:6 אִם הִחְרִישׁ לוֹ מִיּוֹם לַיּוֹם [ו]מִחֲדָרֵשׁ לְחֲדָרֵשׁ וּבַחֲרוֹתָ<sup>230</sup> אִפּוֹ בּוֹ דְּבַר בּוֹ
- 9:6a בְּדַבֵּר מוֹת [יִזְמַת הַנּוֹקֵם שְׂקָר עֲנַת בּוֹ w] לְצַרְיוֹ וְ[בּוֹ בְּלִדָּא
- 9:6b וְהִיוּ [הַשּׁוֹפְטִים מ]ת [לְהַמְיִתוֹ]<sup>w</sup>
- 9:6c וְהַשּׁוֹפְטִים<sup>w</sup> יִהְיוּ [נְקָאִים] כִּי שְׂקָר<sup>w</sup> [הוּא]
- 9:7 עֲנָה בּוֹ יַעֲן אֲשֶׁר לֹא הָקִים אֶת מִצְוֹתָ לְאִשֶׁר אָמַר לְוָא<sup>231</sup> הַיּוֹכֵחַ
- 9:8 תּוֹכִיחַ אֶת רַעִיךָ וְלֹא תִשָּׂא עָלָיו חֲטָא *vacat* עַל הַשְּׁבוּעָה אֲשֶׁר
- 9:9 אָמַר לֹא תוֹשִׁיעַךָ יָדְךָ לִךְ אִישׁ אֲשֶׁר יִשְׁבִיעַ עָלֶיךָ פְּנֵי הַשָּׁדָה
- 9:10 אֲשֶׁר לֹא לְפָנֶיךָ <<אם>>” הַשּׁוֹפְטִים אוֹ מֵאִמְרָם הוֹשִׁיעַ יְדוֹ לְוֹ וְכָנַל הָאֹבֵד
- 9:11 וְלֹא נֹדַע מִי גָנְבוּ מִמָּאֵד הַמַּחֲנֶה אֲשֶׁר גָּנַב בּוֹ יִשְׁבִיעַ בְּעֵלָיו
- 9:12 בַּשְּׁבוּעַת הָאֱלֹהִים וְהַשּׁוֹמֵעַ אִם יוֹדַע הוּא וְלֹא יִגִּיד וְאִשֶׁם
- 9:13 *vacat* כָּל אִשֶׁם מוֹשֵׁב אֲשֶׁר אֵין בְּעֵלִים וְהַתּוֹרָה<sup>232</sup> הַמִּשְׁבֵּב<sup>233</sup> לְכַהֵן
- 9:14 וְהִיָּה לוֹ לְבַר מֵאֵיל הָאִשֶׁם *vacat* {הַכֹּל} וְכֵן כָּל אֲבָדָה נִמְצְאָת וְאִין
- 9:15 לָהּ בְּעֵלִים וְהִיתָה לְכַהֲנִים כִּי לֹא יִדַע מוֹצְאֶיהָ אֶת מִשְׁפַּטָּהּ
- 9:16 אִם לֹא נִמְצְאָ לָהּ בְּעֵלִים הֵם יִשְׁמְרוּ *vacat* כָּל דְּבַר אֲשֶׁר יִמְעַל
- 9:17 אִישׁ בַּתּוֹרָה וְרָאָה רַעִיהוּ וְהוּא אֶחָד אִם דְּבַר מוֹת הוּא וְיִדְעֶיהוּ
- 9:18 לְעֵינָיו בְּהוֹכִיחַ לְמַבְקֵר וְהַמְבַקֵּר יִכְתְּבוּ בִידוֹ עַד עֲשׂוֹתוֹ
- 9:19 עוֹד לְפָנָיו אֶחָד וְשָׁב וְהוֹדִיעַ לְמַבְקֵר אִם יָשׁוּב וְנִתְפַּשׁ לְפָנָיו
- 9:20 אֶחָד שְׁלֵם מִשְׁפָּטוֹ *vacat* וְאִם שְׁנַיִם הֵם וְהֵם מְעִידִים עַל

<sup>227</sup> CD. לפני

<sup>228</sup> CD. להבזותו

<sup>229</sup> CD. לאויביו

<sup>230</sup> CD. ובחרון

<sup>231</sup> לו = לוא

<sup>232</sup> Read והתורה.

<sup>233</sup> Read המשיב.

your people,” (Lev 19:18) anyone of <sup>9:3</sup>the covenanters who brings a charge against his neighbor that is without any attestation [b]y witnesses <sup>9:4</sup>and does so in anger or gossips it to his elders for the purpose of embarrassing him falls under the biblical description of being an avenger and one who holds a grudge. <sup>9:5</sup>And Scripture does not sanction vengeance except that He (the Lord) “may avenge those who trouble Him and He may carry a grudge against His enemies” (Nah 1:2). <sup>9:6</sup>And, if he was silent from day to day [or] month to month, but when he ignited his anger against him (the accused) he charged him with a capital offense, [the avenger shall be put to death. He has testified falsely against him. If] he has asserted thusly, sa[ying so without the testimony of two witnesses, the judges] shall be [faith]ful [by condemning him to death . . . and the judges shall be] absolved [since falsely] <sup>9:7</sup>he has testified against him, for he has not upheld the commandments of God. (This is the meaning when) it says concerning him, <sup>9:8</sup>“You shall surely reprove your neighbor so that you shall not bear sin on account of him” (Lev 19:17). Concerning the oath, when <sup>9:9</sup>it says, “You may not help yourself on your own (??),” anyone who makes someone swear in the field concerning a contention <sup>9:10</sup>not in the presence of judges or by their command has acted on his own.

And as for any lost object <sup>9:11</sup>of which it was not known who stole it from the property of the camp wherein it was robbed, its owner should proclaim <sup>9:12</sup>a maledictory oath, and anyone who hears (the oath), while knowing (a suspect) and does not report (it) shall be culpable. <sup>9:13</sup>And as for any object about which an offense was committed but whose ownership is not known, the (offender) who restores it shall confess to the priest <sup>9:14</sup>and it will belong to him (the priest), except for the ram of guilt offering. And the same rule applies to any lost object <sup>9:15</sup>which has no claim of ownership. It shall belong to the priest, since its founder does not know its correct place. <sup>9:16</sup>If the owner cannot be located, they (the priests) shall have custody of it.

Any matter wherein a person is in violation <sup>9:17</sup>of the Torah, and his neighbor witnesses it, being only a single witness, and it concerns a capital offense, let him make it known <sup>9:18</sup>in his (the offender’s) presence together with the evidence to the Supervisor. And the Supervisor shall record it in writing until he commits <sup>9:19</sup>the same offense again in the presence of another single witness. Then he shall return and inform the Supervisor if he repeats it and is caught in the presence of another <sup>9:20</sup>single witness. His case is complete. But if there are

- 9:21 דבר אחר והובדל האיש מן הטהרה לבר *vacat* אם נאמנים  
 9:22 הם וביום ראות האיש יודיעה למבקר ועל ההון יקבלו שני  
 9:23 עידים נאמנים *vacat* ועל אחד להבדיל (מן) הטהרה ואל יקבל  
 10:1 עיד לשופטים להמית על פיהו אשר לא מלאו ימו<sup>234</sup> לעבור  
 10:2 על הפקודים ירא את אל *vacat* אל יאמן איש על רעהו  
 10:3 לעד עובר דבר מן המצוה ביד רמה עד זכו לשוב  
 10:4 *vacat* וזה סרך לשופטי העדה עד עשרה אנשים ברורים  
 10:5 מן העדה לפי העת ארבעה למטה לוי ואהרן ומישראל  
 10:6 ששה מבוננים בספר ההגוי<sup>235</sup> וביסודי הברית מבני המש<sup>236</sup>  
 10:7 ועשרים שנה ועד בן<sup>237</sup> ששים שנה ואל<sup>238</sup> יתיצב עוד מבן  
 10:8 ששים שנה ומעלה לשפוט את העדה כי במעל<sup>239</sup> האדם  
 10:9 מעטו ימו ובחרון אף אל ביושבי הארץ אמר לתס[ו]ר<sup>240</sup> את  
 10:10 דעתם עד אשר לא ישלימו את ימיהם *vacat* על הטהר במים אל  
 10:11 ירחץ איש במים צואים ומעוטים מדי מרעיל איש  
 10:12 *vacat* אל יטהר במה כל כלי וכל גבא בסלע אשר אין בו די  
 10:13 מרעיל אשר נגע בו הטמא וטמא מימיו במימי הכלי  
 10:14 על הש[ב]ת לשמרה כמשפטה *vacat* אל יעש איש ביום  
 10:15 פלא השישי מלאכה מן העת אשר יהיה גלגל השמש  
 10:16 רחוק מן השער מלואו כי הוא אשר אמר שמור את  
 10:17 יום השבת לקדשו וביום השבת אל ידבר איש דבר

<sup>234</sup> CD. ימו

<sup>235</sup> CD; ההגוי 4Q418 F43–45i:13 and 4Q267 F9v:12.

<sup>236</sup> 4Q270 F6iv:17 can be restored to מש[ח]. CD reads המש.

<sup>237</sup> CD. בני

<sup>238</sup> 4Q270 F6iv:18. ולא

<sup>239</sup> 4Q270 F6iv:18. במועל

<sup>240</sup> CD. לסור

two witnesses testifying, each attesting to a <sup>9:21</sup>different incident, the offender shall be separated from the Purity only, providing the witnesses are trustworthy. <sup>9:22</sup>And on the day that one sees the offense, he shall inform the Supervisor. Likewise, in offenses relating to property they shall accept the testimony of two <sup>9:23</sup>trustworthy witnesses. However, if there is only one, it suffices to separate (the offender from) the Purity. And no witness shall be accepted CD <sup>10:1</sup>before the judges to condemn one to death by his testimony prior to his passing CD <sup>10:2-3</sup>the muster (at the age of twenty), as well as fearing God. One who violates the commandment (of God) publicly shall not be accepted as a trustworthy witness against his neighbor, unless he has merited restoration.

<sup>10:4</sup>And this is the rule for the judges of the congregation: a minimum of ten expert men <sup>10:5</sup>from the congregation for the occasion—four from the tribes of Levi and Aaron and six from Israel—<sup>10:6</sup>who are experts in the book of Haguy and in the foundations of the covenant, from <sup>10:7</sup>twenty-five to sixty years of age. No one who is over <sup>10:8</sup>sixty years of age shall hold the office of judging the congregation, for when man <sup>10:9</sup>became corrupted his longevity was reduced. And when God's wrath burned against the earth's inhabitants He determined to weaken <sup>10:10</sup>their mental abilities so that they would not be able to reach the fullness of their lifetime.

### *Bathing*

On the purification by water: <sup>10:11</sup>A man shall not bathe in waters which are soiled or insufficient to cover a man. <sup>10:12</sup>He shall not purify any vessel in them. And as for any cistern in a rock in which there is insufficient water <sup>10:13</sup>to cover a person, which an unclean person has touched, he defiles its waters as if by the (defiled) waters of a vessel.

### *Sabbath*

<sup>10:14</sup>Concerning the Sa[bb]ath, to keep it in accordance with its precepts: One may not do <sup>10:15</sup>any labor on Friday from the moment the sun's disk <sup>10:16</sup>faces the gate in its fullness. For this is what He said, "Keep the <sup>10:17</sup>Sabbath day by sanctifying it" (Deut 5:12).

- 10:18 נבל ורק אל ישה ברעהו כל אל ישפוכו<sup>241</sup> על הון ובצע  
 10:19 אל ידבר בדברי המלאכה והעבודה לעשות למשכים  
 10:20 *vacat* אל יתהלך איש בשדה לעשות את עבודת הפזו  
 10:21 השבת אל יתהלך חוץ לעירו & על אלף באמה<sup>242</sup>  
 10:22 *vacat* אל יאכל איש ביום השבת כי אם המוכן ומן האובר  
 10:23 בשדה *vacat* ואל יאכל ואל ישתה כי אם היה במהנה  
 11:1 בדרך וירד לרחוץ ישתה על עומדו *vacat* ואל ישאב אל  
 11:2 כל כל"ז"ו אל ישלח את בן הנכר לעשות את הפזו ביום השבת

## CD 11:3–11

Parallels: 4Q267 F9ii:2–3 (lower underline)

4Q270 F6v:12–16a (overbar)

4Q271 F5i:1–7a (underline)

extant text unique to DSS (outlined)

- 11:3 *vacat* אל יקח איש עליו בגדים צואים או מוכאים בנו כי אם  
 11:4 כובסו במים או שופים בלבונה *vacat* אל יתערב איש מרצונו  
 11:5 בשבת *vacat* אל ילך איש אחר בהמה<sup>243</sup> לרעותה חוץ מעירו כי  
 11:6 אם אלפים באמה *vacat* אל ירם את ידו להכותה באגרוף *vacat* אם  
 11:7 סודרת היא אל יוציאה מביתו *vacat* אל יוציא איש מן הבית  
 11:8 לחוץ ומן החוץ לבית<sup>244</sup> ואם בסוכה יהיה אל יוצא ממנה  
 11:9 ואל יבא אליה אל יפתח כלי שוח בשבת *vacat* אל ישא איש  
 11:10 עליו סמנים לצאת <<ולביא>> "ולבוא" בשבת *vacat* אל ישול בבית מושבת  
 11:11 סלע ועפר *vacat* אל ישא האומן את היונק לצאת ולבוא בשבת

<sup>241</sup> Read ישפוט. See Qimron's transcription ישפוט in "The Text of CDC," 29.

<sup>242</sup> על אלף באמה & is in bold letters, possibly to stress that it is one thousand rather than the customary two thousand cubits.

<sup>243</sup> CD. הבהמה.

<sup>244</sup> CD. אל בית.

And no one should utter <sup>10:18</sup>a lewd or empty word<sup>12</sup> during the day of the Sabbath.

He may not lend anything to his neighbor.<sup>13</sup>

One may not adjudicate in matters of property and wealth. <sup>10:19</sup>He shall not discuss matters related to work or labor that will be done on the morrow. <sup>10:20</sup>A person may not walk around the field during the Sabbath to plan the necessary weekly tasks. <sup>10:21</sup>Neither may he walk about outside his city more than a thousand cubits on the Sabbath.

<sup>10:22</sup>One may not eat on the day of the Sabbath except what has been prepared beforehand or from something found <sup>10:23</sup>in the field. Furthermore, he may neither eat nor drink except for what has been (brought) into the camp. <sup>CD 11:1</sup>(But, if he is) on a journey, and he goes down to wash (bathe?), he may drink while standing, but he may not draw the water into <sup>11:2</sup>any utensil.

He may not dispatch the son of a foreigner (proselyte) to accomplish his wishes during the day of the Sabbath.

<sup>11:3</sup>One may not wear garments which have been soiled or brought into contact with wool shearings unless <sup>11:4</sup>they have been laundered in water or rubbed with incense.

One may not famish himself voluntarily <sup>11:5</sup>on the Sabbath.

A man may not follow a pasturing animal on the Sabbath <sup>11:6</sup>beyond two thousand cubits. He shall not raise his hand to strike it with his fist; if <sup>11:7</sup>it is rebellious he may not let it out of his estate. One may not take anything from (his) <sup>11:8</sup>house to the outside, nor anything from the outside into his house. And if he is in a tent he shall neither take out <sup>11:9</sup>nor bring anything in to it.

He may not open plastered-over vessels on the Sabbath.

One may not carry <sup>11:10</sup>drugs upon himself going out or coming in on the Sabbath.

He should not carry <sup>11:11</sup>rock or soil inside housing quarters.

A nurse may not lift an infant to go out or come in on the Sabbath.

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<sup>12</sup> Compare  $\text{קָרַח}$  in rabbinic literature and  $\acute{\zeta}\alpha\kappa\acute{\alpha}$  in Matt 5:22.

<sup>13</sup> Or, as suggested alternatively by Rabin, "press his neighbor for repayment of anything" (Rabin, 52).



## CD 11:12–18

Parallel: 4Q266 F9i:1–4 (lower underline)

4Q267 F9ii:8 (italics)

4Q270 F6v:16b–21 (overbar)

4Q271 F5i:7b–12 (underline)

text unique to CD (outline)

extant text unique to DSS (outline + lower underline, overbar or underline)

אל ימרא<sup>245</sup> את עבדו ואת אמתו ואת שוכרו ביום השבת *vacat* 11:12

אל אל יולד איש בהמה ביום השבת *vacat* ואם תפול<sup>246</sup> אל בור 11:13

ואל פחת אל יקימה בשבת *vacat* אל ישבות<sup>247</sup> איש במקום קרוב 11:14

לגוים בשבת *vacat* אל יחל איש את השבת על הון ובצע בשבת 11:15

*vacat* וכול נפש אדם אשר תפול אל מים<sup>248</sup> מקום מים ואל [בו]<sup>248</sup> 11:16

אל יעלה איש בסולם וחבל<sup>249</sup> וכלי *vacat* אל יעל איש למזבח בשבת 11:17

כי אם עולת השבת כי כן כתוב מלבד שבתותיכם *vacat* אל ישלח 11:18

## CD 11:19–14:2

Parallel: 4Q266 F9i:16–17, ii, iii; F10i (underline)

4Q267 F9iii, iv, v:1–6a (lower underline)

4Q269 F10i–ii:8 (italicized)

4Q271 F5i:13–21, ii (overbar)

extant and restored text unique to DSS (outline)

paleo script is in DSS only

איש למזבח עולה ומנחה ולבונה ועץ ביד איש טמא באחת 11:19

מן הטמאות להרשותו לטמא את המזבח כי כתוב זכה 11:20

רשעים תועבה ותפלת צדיקים<sup>250</sup> כמנחת רצון *vacat* וכל הבא אל 11:21

בית ההשתחוות<sup>251</sup> אל יבוא טמא כבוס ובהרע הצוצרות הקהל <לא><sup>w</sup> 11:22

יתקדם או יתאחר ולוא ישביתו את העבודה כולה (כי)<sup>w</sup> ביה<sup>252</sup> 11:23

קודש הוא *vacat* אל ישכב איש עם אשה בעיר המקדש לטמא 12:1

<sup>245</sup> CD. ימרא איש את 4Q271 F5i:7; ימר את.

<sup>246</sup> CD; תפיל 4Q270 F6v:18.

<sup>247</sup> CD. This clause is omitted entirely in 4Q270 F6v:18.

<sup>248</sup> CD. איש מקום מים ואל מקום.

<sup>249</sup> 4Q270 F6v:20.

<sup>250</sup> CD.

<sup>251</sup> CD.

<sup>252</sup> Qimron reads  $\text{ה}^{\circ\circ}$  and Baumgarten  $\text{ה}^{\circ}$  [ ]. See Qimron, “The Text of CDC,” 31; and Charlesworth, ed. *Damascus Document*, 50.

11:12 One shall not command his man servant, his maid servant or his hireling (to perform tasks) on the Sabbath day.

11:13 One may not assist an animal in giving birth on the Sabbath. And if it falls into a pit 11:14 or a trap, he shall not lift it out on the Sabbath.

One may not celebrate the Sabbath in a place near 11:15 pagans. One may not profane the Sabbath for wealth or business.

11:16 And as to a person who falls into a ditch of water or into a [p]it: 11:17 one may not raise him up with a ladder, a rope or a tool.

One may not offer any sacrifice on the altar on the Sabbath 11:18 except for the Sabbath sacrifice, for so it is written “on your Sabbaths” (Lev 23:38).<sup>14</sup>

### *Sanctification of the Temple and the House of Worship*

No one may dispatch 11:19 to the altar a burnt, a grain, a frankincense or a wood offering through a person who has been contaminated 11:20 by any of the defilements, allowing him to defile the altar, since it is recorded, “the sacrifice 11:21 of the wicked is an abomination, but the prayer of the righteous is like a freewill offering” (Prov 15:8).<sup>15</sup> And anyone who comes to 11:22 the house of worship may not come defiled, (but) washed. But when the trumpets of the congregation blast 11:23 he shall <not> come early or late so that they will not disturb the whole service, (for) it CD 12:1 is a sacred house. A man may not

<sup>14</sup> MT reads מִלְכָּד שַׁבָּתָהּ.

<sup>15</sup> MT reads וְנִבְחַ רְשָׁעִים תּוֹעֵבָה יְהוָה וְהַפְלֵלָה יִשְׁרָיִם רְצוֹנָו (The sacrifice of the wicked is an abomination to the Lord, but the prayer of the upright is His delight).

- 12:2 את עיר המקדש בנדתם *vacat* כל איש אשר ימשולו בו רוחות בליעל
- 12:3 ודבר סרה כמשפט האוב והידעוני ישפט וכול אשר יתעה
- 12:4 לחלל את השבת ואת המועדות לא יזמת כי על בני האדם
- 12:5 משמרו ואם ירפא ממנה ושמרוהו עד שבע שנים ואחר
- 12:6 יבוא לקהל<sup>253</sup> *vacat* אל ישלח אֵל יִשְׂרָאֵל את ידו לשפוך דם לאיש מן הגוים
- 12:7 בעבור הון ובצע *vacat* וגם אל ישא אֵל יִשְׂרָאֵל [ש] מחונם כל בעבור אשר לא
- 12:8 יגדפו כי אם בעצת חבור ישראל *vacat* אל ימכר איש בהמה
- 12:9 ועוף שהורים לגוים בעבור אשר לא יזבחו *vacat* ומגורנו
- 12:10 ומגתו אל ימכר להם בכל מאדו ואת עבדו ואת אמתו אל ימכור
- 12:11 להם אשר באו עמו בברית אברהם *vacat* אל ישקן איש את נפשו
- 12:12 בכל החיה והרמש לאכל מהם מעגלי הרבורים עד כל נפש
- 12:13 החיה אשר תרמוש במים והרגים אל יאכלו כי אם נקרעו
- 12:14 חיים ונשפך דמם וכל החגבים במיניהם יבאו באש או במים
- 12:15 עד הם חיים כי הוא משפט בריאתם *vacat* וכל העצים והאבנים
- 12:16 והעפר אשר יגואלו בטמאת האדם לגאולי שמן<sup>9</sup> בהם כפי
- 12:17 טמאתם ישמא הנ[ו]נע במ *vacat* וכל כלי מספר מסמור או יתד בכותל
- 12:18 אשר יהיו עם המת בבית ושמאו בטמאת אחד כלי מעשה
- 12:19 *vacat* (וזה)<sup>w</sup> 254 סרך מושב ערי ישראל על המשפטים האלה להבדיל בין
- 12:20 הטמא לטהור ולהודיע בין הקודש לחול *vacat* ואלה החקים
- 12:21 למשכיל להתהלך במ עם כל חי למשפט עת ועת וכמשפט
- 12:22 הזה יתהלכו זרע ישראל ולא יזארו *vacat* וזה סרך מושב

<sup>253</sup> CD. אל הקהל

<sup>254</sup> Cf. line 22.

sleep with a woman in the city of the Temple, thereby defiling <sup>12:2</sup>the city of the Temple by their uncleanness. Any man whom the spirits of Belial take sway of <sup>12:3</sup>and who speaks waywardly as the mediums and wizards do shall be condemned (to death). However, anyone who strays <sup>12:4</sup>by profaning the Sabbath and the festivals shall not be put to death; rather let the people <sup>12:5</sup>keep him in custody. And if he desists from it (from going astray) they shall watch him for seven years, and afterwards <sup>12:6</sup>he is to be readmitted to the congregation.

*Relations with Pagans; Prohibited Foods*

No one shall stretch out his hand to spill the blood of any of the pagans <sup>12:7</sup>because of property or gain. Likewise on[e] shall not take anything from their possessions so that <sup>12:8</sup>they not blaspheme (Israel), unless (authorized) by the association of Israel. One may not sell edible cattle <sup>12:9</sup>or fowls to pagans so as not to enable them to use them for sacrificial purposes. And furthermore he shall not sell to them from his threshing floor <sup>12:10</sup>and vat (or) from anything he possesses. Nor shall he sell to them his male and female slave <sup>12:11</sup>who have entered with him into the covenant of Abraham.

One should not abominate himself <sup>12:12</sup>with any (prohibited) creature or creeping thing by eating of them, including the larvae of bees or any <sup>12:13</sup>living thing which creeps in the water. And they shall not eat fish unless they have been cut open <sup>12:14</sup>while alive and their blood has been emptied out. All kinds of locusts shall be passed through fire or (dipped in) water <sup>12:15</sup>while still alive, for this is the nature of their creation. And as for any wood, stone <sup>12:16</sup>or soil which are defiled by a human corpus, such as those defiled by oil, <sup>12:17</sup>the one who touche[s] them is defiled by their type of contamination. And any vessel, nail or peg within the wall <sup>12:18</sup>which are together with the corpse in the house will defile any manufactured utensil in the same degree of defilement.

*Organizational Structure of the Cities*

<sup>12:19</sup>(And this) is the procedure for the habitation of the cities of Israel. By these rules they shall differentiate between <sup>12:20</sup>the unclean and the clean and tell between the sacred and the ordinary. And these are the statutes <sup>12:21</sup>by which the Sage is to conduct himself together with all living persons, each injunction for its own occasion. And according to this formula <sup>12:22</sup>the seed of Israel shall conduct themselves so that they will not be cursed.

- 12:23 הַמֶּחָה[נ] אֲתָהּ הַמֶּחָה לְכֹהֵן בְּאֵלֶּהָ בְּקִין הַרְשָׁעָה עַד עֹמֵד מִשׁוּחַ אֲהַרְן  
 13:1 וְיִשְׂרָאֵל עַד עֶשְׂרֵה אַנְשִׁים לְמוֹעֵט לְאַלְפִים וּמֵאִיזוֹת וְחַמְשִׁים  
 13:2 וְעֶשְׂרֹת וּבִמְקוֹם עֶשְׂרֵה אֶל יִמַּשׁ אִישׁ כֶּהֵן מִבּוֹנֵן בְּסֵפֶר הַחֲנִי עַל  
 13:3 פִּיהוּ יִשְׁקוּ כֹּלֵם *vacat* וְאִם אֵין דְּנָא בַּחֲוֵן בְּכָל אֱלֹהִים וְאִישׁ מִהַלּוּיִם בַּחֲוֵן  
 13:4 בְּאֵלֶּהָ וְיִצָּא הַגִּזְרֵל לְצִאָתָּה וּלְבֹאָה עַל פִּיהוּ 255 [ל] כל באי המחנה *vacat* וְאִם  
 13:5 מִשְׁפָּט לְתוֹרַת נֹנֵעַ יְהִי בְּאִישׁ וּבְאֵ הַכֹּהֵן וְעֹמֵד בְּמַחֲנֵה וְהַבִּינוּ  
 13:6 הַמְּבַקֵּר בְּפֶרוּשׁ הַתּוֹרָה *vacat* וְאִם פְּתִי הוּא הוּא יִסְגִּירֵנוּ כִּי לֹהֵם  
 13:7 הַמְּשַׁפֵּט *vacat* וְזֶה סֵרֶךְ הַמְּבַקֵּר לְמַחֲנֵה יִשְׁכִּיל אֶת הַרְבִּיִם בְּמַעֲשֵׂי  
 13:8 אֶל יוֹבִינִים בַּגּוֹבְרוֹת פְּלֹאוֹ וְיִסְפֵּר לְפָנֵיהֶם נִהְיוֹת עוֹלָם בְּפִתְרֵיהֶם 256  
 13:9 וְעֲלֵיהֶם יִרְחֵם 257 כֹּאֵב לְבָנָיו וְיִשְׁקֹף<sup>b</sup> לְכָל מִדְּהוּבִים כְּרוּעָה עֲדָרוֹ  
 13:10 יִתֵּר כָּל חֲרֻצוֹת קִשְׁרֵיהֶם לְבִלְתִּי הִיּוֹת עֲשׂוֹק וְרֻצוּץ בְּעֲדָתוֹ  
 13:11 *vacat* וְכָל הַנוֹסֵף לְעֲדָתוֹ יִפְקְדוּהוּ לְמַעֲשָׂיו וְשִׁכְלוֹ 258 וְכֹחֵן וּגְבוּרָתוֹ וְהוֹנֵן  
 13:12 וְכַתְּבוּהוּ בְּמִקְוֵמוֹ כִּפִּי נִחַלְתּוֹ בְּגוֹרֵל הָאֹף *vacat* אֶל יִמְשׁוֹל אִישׁ  
 13:13 מִבְּנֵי הַמַּחֲנֵה לְהַבְיֵא אִישׁ אֶל הַעֲדָה וְלִלְתָּ<sup>q</sup> פִּי הַמְּבַקֵּר אֲשֶׁר לְמַחֲנֵה  
 13:14 *vacat* וְאִישׁ מִכָּל בְּאֵי בְרִית אֶל אֶל יִשָּׂא וְאֶל יִתֵּן לְבָנֵי הַשְּׁחָרָה 259 זֵי  
 13:15 אִם כֶּף לְכַף *vacat* וְאֶל יַעַשׂ אִישׁ לְמִקְףָּ וְלְמִמְכָּר [ר] 260 זֵי אִם הוֹדִיעַ  
 13:16 לְמִבְּקֵר אֲשֶׁר בְּמַחֲנֵה וְעִשָּׂה בְּעֵצָה וְלָנָא יִשְׁוֹנוּ וְכֵן [ל] לְ[וּק] ח[אש]ה  
 13:17 וְהָ[וּ] אֶת<sup>w</sup> 261 [ב] עֵצָה וְכֵן [ר] 262 לְמַגְרֵשׁ וְדָנָא זֵי סָר אֶת בְּנֵיהֶם  
 263 [w] וְבִנְיָתֵיהֶם  
 13:18 [וְשֵׁם] בְּרוּחַ [עֲנוּהָ] 264 וּבִאֲהַבַת הַסֵּף אֶל יִשׁוּר לְהֵם [בֶּאֱפֵ]

<sup>255</sup> Baumgarten restores [ת]א in 4Q266 F9ii:14 (DJD XVIII, 69).

<sup>256</sup> CD. בפרתיה.

<sup>257</sup> CD. וירחם עליהם.

<sup>258</sup> CD. ושוכלו.

<sup>259</sup> CD reads שחר. Rabin noted that the context requires שחה (perdition) on the basis of CD 6:15 (Rabin, *The Zadokite Documents*, 66–67). שחר is preferable, however, in that it is stronger than שחה. The prohibition of dealing with the sons of darkness would be expected. However, our text seems to be saying the authority of the Supervisor extends to prohibiting transactions with the children of light as well. For the use of שחר compare 4Q298 F1–2i:1. See also Baumgarten in Charlesworth, ed., *Damascus Document*, 55, n. 203.

<sup>260</sup> CD places דבר before למקף.

<sup>261</sup> CD plausibly reads עשה, paralleling בעצה in line 16. However, it is absent in 4Q266 F9iii:5.

<sup>262</sup> 4Q266 F9iii:5. זהוא בעצה זכן יבן.

<sup>263</sup> The extant parchment at the end of line 17 does not allow for extra letters after the restoration את בניהם. However, there is sufficient space in 4Q266 F9iii:6 for either וּבְנֵיהֶם (or וּבְנֵיהֶם as suggested by Baumgarten). See DJD XVIII, 70.

<sup>264</sup> CD. ענוהו.

*Organizational Structure of the Camps*

Now this is the procedure for the habitation <sup>12:23</sup>of the cam[p]s who conduct themselves by these commandments during the epoch of wickedness until the rise of the Messiah of Aaron <sup>CD 13:1</sup>and Israel. (There shall be) a minimum of ten men for the thousands, hundreds, fifties <sup>13:2</sup>and tens. (And where there are ten) there shall not be absent a priest who is expert in the book of Haguy. By <sup>13:3</sup>his authority all of them shall be guided (Gen 41:40). But if he is not competent in all these matters, but one of the Levites <sup>13:4</sup>is, the lot of when to go out and to come in shall follow his command fo[r] all members of the camp.

But if <sup>13:5</sup>there is a case regarding the law of leprosy, the priest shall come and stand up in the camp (to take charge), and (if the priest lacks competence) the Supervisor shall explain to him <sup>13:6</sup>the details of the Torah. And even if he (the priest) is a fool, nevertheless he (the priest) must be in charge of quarantining him (the leper), for they alone have the <sup>13:7</sup>authority to do so.

This procedure pertains to the Supervisor of the camp. He shall enlighten the many in the acts of <sup>13:8</sup>God, and explain to them His mighty wonders and tell them of the events of eternity with their explanations. <sup>13:9</sup>He will have compassion upon them as a father has for his children, and will attend to all their mishaps as does a shepherd for his flock. <sup>13:10</sup>Let him loosen all the knots of their cords so that no one in his congregation be oppressed or crushed. <sup>13:11</sup>And he (the Supervisor) shall rank anyone who joins the congregation as to his actions, his intellect, vigor, power and possessions. <sup>13:12</sup>And they shall record him by his position in accordance with his succession in the lot of Light. No other member of the camp has the authority <sup>13:13</sup>to bring anyone into the congregation without the sanction of the Supervisor of the camp. <sup>13:14</sup>And one who has entered the covenant of God may neither buy (from) nor sell to the Sons of Dawn <sup>13:15</sup>except from hand to hand (by bartering). However, no one may initiate any [ma]tter relating to buying and selling unless he has informed <sup>13:16</sup>the Supervisor of the camp, doing so by (his) counsel so that [they] will not e[rr]. The same procedure] governs [any]one who t[ak]es a wif[e]. <sup>13:17</sup>He shall d[o so with] counsel. And in the same manner he shall enlighten one who initiates a divorce. And he (the Supervisor) shall discip[line their sons, daughters] <sup>13:18</sup>[and infants with] a humble [spirit] and gracious love. He shall not keep a grudge

- 13:19 [ועברה על פ'שעיהם<sup>b</sup> ואת אשר איננו נקשר בשב'ועת הברית]<sup>265</sup> [על<sup>w</sup> משפטיהם] *vacat* וזה מושב המחנות ללכל<sup>a</sup> [רע?]<sup>266</sup> ישראל<sup>b</sup>] 13:20  
 13:21 [ואם<sup>267</sup> לא יחזיקו בא] לה לא יצליחו לשבת בארץ ו[לא יצילו]<sup>268</sup> 13:22  
 [ממצוקותם] *vacat* ואלה המשפטים למשכיל [להתהלך במ<sup>b</sup> בקיץ]<sup>w</sup> 13:23  
 [פקוד<sup>269</sup> אל את הארץ כגוא הרבר אשר רבר יבוא על עמכה ימים]<sup>w</sup> 14:1  
 אשר לוא<sup>270</sup> באו מזים סור אפרים מעל יהודה וכול המתהלכים באלה  
 14:2 ברית ל<sup>a</sup> נאמנת<sup>271</sup> לדם להנצילים מכל מוקשי שחת כוא<sup>272</sup> פתאום<sup>273</sup>  
 עבד[ו] ויענשו<sup>273</sup>

## CD 14:3–21

Parallels: 4Q266 F10i (underline)

4Q267 F9v:6b–14 (lower underline)

4Q268 F2 (dotted underline)

4Q269 F10ii:9–12; F11i:1–7 (overbar)

1QS 6:24b–25a (superscript numerals)

extant and restored text unique to DSS (outline)

- vacat* וסרך מושב כול המחנות יפקרו כלם בשמותיהם הכהנים לראשונה 14:3  
 והלויים שנים ובני ישראל שלשים<sup>274</sup> והגר רביע וכתבו בשמותיהם 14:4  
 איש אתר אחיהו הכהנים לראשונה והלויים שנים ובני ישראל 14:5  
 שלושיים<sup>275</sup> והגר רביעי וכן ישבו וכן ישאלו לכול<sup>276</sup> והכוהן אשר יפקד 14:6  
 בראש הרבים מבן שלשים שנה ועד בן ששים [גמ]<sup>277</sup> מבוני בספר 14:7  
 והגולג<sup>276</sup> ובכול משפטי התורה לדברם<sup>277</sup> כמשפטם *vacat* והמבקר אשר 14:8

<sup>265</sup> Rabin transcribes [ב]; Qimron and Baumgarten [בש] (Rabin, *The Zadokite Documents*, 67; Qimron, “The Text of CDC,” 35; Charlesworth, ed., *Damascus Document*, 54).

<sup>266</sup> What survives of the first letter following ללכל does not appear to be a portion of a usual *ṭ* in CD mss A. However, our reconstruction follows 4Q266 F9iii:11.

<sup>267</sup> Baumgarten restores ויאם to 4Q266 F9iii:12 (DJD XVIII, 70).

<sup>268</sup> Rabin transcribes nothing after בארץ. Qimron sees ב before the lacuna. See Rabin, *The Zadokite Documents*, 67; Qimron, “The Text of CDC,” 35. Our restoration follows that of Stegemann in 4Q269 F10ii:4. See Hartmut Stegemann, “4QDamascus Document<sup>d</sup> frgs. 10, 11 (Re-edition), 15, 16,” *Qumran Cave 4.XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD XXXVI, Oxford: Clarendon, 2000), 204.

<sup>269</sup> Rabin restores lines 22b–23a [את הארץ אל את אשר יפקד אל את הארץ] (Rabin, *The Zadokite Documents*, 67).

<sup>270</sup> לוי 4Q266 F9iii:18.

<sup>271</sup> CD has נאמנת. נאמנת is attested in 4Q267 F9v:4.

<sup>272</sup> On the basis of the alleged reading in 4Q267 F9v:5, Qimron reads פתאום, as do Martínez-Tighelear. However, the reading [פתאון] is equally plausible.

against them [with anger] 13:19[or rage for] their [trans]gressions even (against) that which is not bound by [the covenantal] oa[th] 13:20[pertaining to their disciplinary rules.]

And this is (the procedure for) the habitation of the camps for all the off[spring of Israel.] 13:21[And if they do not adhere to th]ese (commandments) they will not succeed in dwelling in the land, and [will not be delivered] 13:22[from their oppressions.

And th]ese are the rules [by which] the Sage [is to conduct himself during the epoch] 13:23[when God will remember the land (and) when the matter which He spoke of will transpire, “There shall come upon your people days] CD 14:1[which have not transpired since Ephraim split off from Judah” (Isa 7:17). But as for those who conduct themselves in these ways, 14:2the divine covenant will remain faithful to them, saving them from those ensnared by the pit, since suddenly [they] (those who are ensnared) will have transgressed and been punished.

14:3Now for the procedure of the camp sessions. All of them shall be organized by their names: first the priests, 14:4the Levites second, the Israelites third and proselytes fourth. And they shall be recorded by their names 14:5one after another: the priests first, the Levites second, the Israelites 14:6third and the proselytes fourth. And thus they should be seated, and thus should they inquire about any matter. And the priest who will be appointed 14:7as leader of the Many, shall be between thirty and sixty years of age, an expert in the book 14:8of Haguy and in all the injunctions of the Torah to interpret them cor-

273 ונתעשו CD.

274 שלשהם CD.

275 שלושהם CD.

276 על ישאלו 4Q268 F2:2.

276 Baumgarten transcribes הַרְגֵי (Charlesworth, ed., *Damascus Document*, 56).

277 לדרבנן 4Q267 F9v:12.



- 14:9 לְכֹהֵן הַמִּחְנֹת מִבְּן שְׁלוֹשִׁים שָׁנָה עַד בֶּן חֲמִשִּׁים שָׁנָה בְּעוֹל בְּכוֹל
- 14:10 סוֹךְ אֲנָשִׁים וּלְכוֹל לְשׁוֹן רַמְּן [ פְּרִיָה<sup>278</sup> עַל פִּיהוּ יְבֹאוּ<sup>279</sup> בְּאֵי הַעֲרָה
- 14:11 אִישׁ בַּתְּרוֹ וּלְכוֹל<sup>280</sup> הָדַבֵּר אֲשֶׁר יִהְיֶה לְכוֹל הָאֲדָם לְדַבֵּר [לְאַחַדָּהּ לְמִבְּקַר יַדְבַּר
- 14:12 לְכוֹל דְּיִב וּמִשְׁפֹּט vacat וְזֶה סוֹךְ הַרְבִּים לְהַכִּינֵן כּוֹל חֲפְצֵיהֶם שֹׁכֵר
- 14:13 שְׁנַי יָמִים לְכָל חֶדֶשׁ לְמִזְעֹט וְיַנְתֵּן<sup>281</sup> עַל יָד הַמִּבְּקָר<sup>282</sup> וְהַשּׁוֹפְטִים
- 14:14 מִמֶּנּוּ יִתְּנוּ בְּעַד [פְּזָעִים<sup>q</sup> וּמִמֶּנּוּ יִחְזְקוּ בְּעַד<sup>283</sup> עֵנִי וְהַאֲבִינֵן וְלוֹקֵן אֲשֶׁר
- 14:15 [יְכַרְעַ וְלֹאִישׁ אֲשֶׁר יִנּוֹגַע וְלֹאֲשֶׁר יִשְׁבֵּת לְגוֹי נָכֵר וּלְבַתּוּלָה אֲשֶׁר
- 14:16 [אִיִּן] לָהּ [וְאַ]לָּ וְלִנְעָרָה [א]שֶׁר אִיִּן לִי דָּוָשׁ וְלְכוֹל עֲבוּדָתָהּ הֵחֶבֶד וְלֹא
- 14:17 [יִכְרַת בֵּית הַחֵבֶר מִיַּד] הַ vacat וְזֶה פְּרוֹשׁ מִזֶּשֶׁב הַמִּן [חֲנֹתָ<sup>q</sup> וְאֵלֶּה יִסְרוֹתָ]<sup>284</sup>
- 14:18 [אֲנָשִׁי<sup>285</sup> הַקְּהָל vacat וְזֶה פְּרוֹשׁ הַמִּשְׁפָּטִים אֲשֶׁר<sup>q</sup> [יִשְׁפְּטוּ בָם<sup>286</sup>
- 14:19 [עַד עַמּוּד<sup>287</sup> מִשִּׁיחַ אַהֲרֹן וְיִשְׂרָאֵל וְיִכְפַּר עֹנָם מִן [נְחָה וְחֲטָאת וְנִדְבָהוּ]<sup>w</sup>
- 14:20 vacat]<sup>6:24b</sup> וְהַאֲוִי<sup>m/t</sup>שִׁיחַ [ש]אִי<sup>q</sup> <יִשְׁ-קַר<sup>q</sup> 6:25a> בְּמִמֶּנּוּ וְהוּא יִזְרַע וְהָ [בְּדִילוֹתָו
- [מִן הַטְּהָרָה]
- 14:21 [שָׁנָה אַחַת<sup>w</sup> וְנִ]עֲנֵשׁ שְׁשִׁים יוֹם<sup>288</sup> וְאֲשֶׁר יִדְבַּר אֵת רַעְהוּ בְּמִרוֹם<sup>b</sup> אֲוִי<sup>w</sup>
- 14:22 [יִטּוֹר לְרַעְהוּ אֲשֶׁר] לֹא בְּמִשְׁפַּטְ וּנְזִעַת<sup>q</sup>שׁ<sup>w</sup> וְזֶה [יָה מִשְׁפָּטוֹ כְּמִוְהוּ<sup>w</sup> [
- 14:23 ] [ ] [ ] [ ] [ ] [ ]

<sup>278</sup> The transcription of the letters following לשון is problematic. Ginzberg read רמ[ן] למשפחותם; Rabin למשפחותם; and Baumgarten רמשפחותם. Qimron transcribes [רמ[ן] למשפחותם], speculating that it might be a corrupt version of למשפחותם. Louis Ginzberg, *An Unknown Jewish Sect* (New York: The Jewish Theological Seminary of America, 1976), 90; Rabin, *The Zadokite Documents*, 69; Charlesworth, ed., *Damascus Document*, 56; Qimron, “The Text of CDC,” 37. In light of Gen 10:5, *לְמִשְׁפְּחֹתָם לְמִשְׁפְּחֹתָם*, we adopt the emendation of Rabin and Qimron.

<sup>279</sup> 4Q266 F10i:3. יבאו

<sup>280</sup> 4Q266 F9iii:4. וכול

<sup>281</sup> CD 16:13. ונתנו

<sup>282</sup> 4Q266 F9iii:6. חמבקר

<sup>283</sup> CD. יחזיקו ביד

<sup>284</sup> Qimron reads הַמִּן [חֲנֹתָ] (Qimron, “The Text of CDC,” 37).

<sup>285</sup> 4Q266 F9iii:11. אוש[ן]

<sup>286</sup> Qimron restores [יִשְׁפְּטוּ בָם] בקיין הרשעה עד עמוד משי[ח] to CD 14:18b–19a (Qimron, “The Text of CDC,” 37).

<sup>287</sup> 4Q266 F10i:12. ממוד

<sup>288</sup> ונ[ענש] ימים ששה can be restored in CD.

rectly. And the Supervisor <sup>14:9</sup>of all the camps shall be between thirty and fifty years of age, accomplished in every <sup>14:10</sup>mystery (revealed to) men and in every tongue as (spoken) by their families. By his authority the members of the congregation shall enter, <sup>14:11</sup>each in his turn. And in any concern that a person may encounter, in which he wishes to address the congregation, let him speak (first) to the Supervisor <sup>14:12</sup>pertaining to any legal conflict.

And this is the procedure of the ‘Many’ to fill all their needs. (Let there be) a wage withholding of <sup>14:13</sup>at least two days per month; and let it be administered by the Supervisor and the judges. <sup>14:14</sup>From it they shall provide for (the healing of) their [wo]unded. And from it they shall assist the poor and the destitute, the elderly man who is <sup>14:15</sup>[bent do]wn, him who suffers from lep[ro]sy, him who is taken captive by a foreign nation, a maiden who <sup>14:16</sup>[does no]t have a re[dee]mer, a lad [w]ho has no guardian, and all the services provided by the association, so that <sup>14:17</sup>[the association] not [perish for lack of] their [support.]

And this is the elaboration concerning the habitation of the c[amps. And these are the founding rules] <sup>14:18</sup>[of the people of the com]munity.

### *Camp Discipline*

And these are the verdicts [by which they shall be judged] <sup>14:19</sup>[until the Anoint]ed of Aaron and Israel [arises] and atones for their transgressions by an of[fering, a sin offering or a gift.]

<sup>14:20</sup>[And any]one w[h]o knowingly <speaks fa>lsely in matters of business, [they shall separate from the Purity <sup>14:21</sup>for one year, and] he shall [be] fine[d] for sixty days.

And he who addre[sses his neighbor haughtily or] <sup>14:22</sup>[holds a grudge against his neighbor] unjustly should be fi[n]ed and [his sentence] shall b[e like that of the preceding case . . . ] <sup>14:23</sup>[ . . . ]<sup>16</sup>

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<sup>16</sup> What follows is text of approximately eight lines that has not survived, material that would have spanned from lines 18–25 of 4Q266 F10i.

(4Q266 F10i:25)

<sup>w</sup>[והובדל]

] 10i:25

4Q266 F10ii

Parallels: 4Q270 F7i:1–6a (underline)

4Q269 F11i:8–ii:2 (overbar)

1QS 7:8–16a (superscript numerals)

- 10ii:1 [מאת]ים ימים ונענש מאה יום ואם בדבר מות<sup>7:8</sup> ינטור ולן] ישוב
- 10ii:2 [עוד ואש]ר [יצ]ח את רעהו שלד<sup>289</sup> בעצה [והו]בדל שנה אחת ונע[נ]ש
- 10ii:3 [ש]ה חודשים<sup>7:9</sup> ואשר ידבר בפיהו]ן [דבר נבל ונענש ע]שר[ם
- 10ii:4 [יום והובדל] שלושה חודשי]ם [אשר י]דבר בתוך ד]בר רעהו ו]פרע
- 10ii:5 [ונענש<sup>7:10</sup> עשרת] ימים [ואשר ישכ]ב [ו]ישן ב[מו]ש[ב] הרבים<sup>w</sup> שלוש]ה
- 10ii:6 [והובדל] שלושים יום [ו]נענש עשרת ימים [וכן לאיש הנפ]טר
- 10ii:7<sup>7:11</sup> [אשר] לאו בעצת הר]ב[ם] [ו]ח[נ]ם [ע]ר שלוש פע[מי]ם על מושב] אחד
- 10ii:8 [ונענש] עשרה ימים ואם [יזקפו]ן<sup>7:12</sup> ונפטר]ן במושב ונענש שלושים]
- 10ii:9 [יו]ם [ואשר יהלך לפני רע]ו ערום בבית או בשדה הלך ערום לפני<sup>7:13</sup> או<sup>290</sup>
- 10ii:10 ה[ב]יאות והובדל ששה חודשים<sup>b</sup> ואשר ירוק אל תוך המושב<sup>7:13</sup> או<sup>290</sup>
- 10ii:11 [יו]צא את ידו מתחת בגדו]ן והוא<sup>7:14</sup> פו]ח<sup>291</sup> ונראתה ערותו והובדל  
שלו]שים
- 10ii:12 [יו]ם ונענש עשרה והם [וה]ק<sup>292</sup> בסכלו]ת להשמיע<sup>293</sup> קולו והובדל]
- 10ii:13 [ש]לושים יום< ונענש חמשת] עש[ר] ימים<sup>7:15</sup> [המוציא את י]דו השפ[אלית]
- 10ii:14 [לש]ח בה ונענש] עשרה ימים<sup>b</sup> והובדל שלושים<sup>w</sup> ? והאיש [א]שר ילך [רכיל]

<sup>289</sup> 4Q269 F11i:7 has בלוא. It evidently places this injunction subsequent to ...  
... 4Q266 F10ii:4. ואשר ידבר בתוך

<sup>290</sup> Baumgarten restores ואשר from 1QS 7:13 (DJD XVIII, 74).

<sup>291</sup> Remnants of several letters have survived above בסכלו]ן of PAM 43.398 (supplying the center of 4Q266 F10ii:12). We tentatively transcribe the letters פו]ח, a word that Baumgarten reconstructs from 1QS 7:14.

<sup>292</sup> Baumgarten transcribes וה[ש]ב[ו]ת[ו]ק (DJD XVIII, 74). 4Q269 F11ii+15:1 reads והשוח[ק]

<sup>293</sup> 4Q270 F7i:4 reads קולו להרים בסכלות with a supralinear correction of שמיע above רים of the infinitive להרים. 1QS 7:14 seems to reflect the corrected reading בסכלות להשמיע קולו.

**(4Q266 F10i:25b)** (and shall be separated) **4Q266 F10ii** <sup>1</sup>for two [hundred] days and fined for one hundred days. And if he holds a grudge involving a capital offense he [shall] not be permitted to return <sup>2</sup>[(to the Purity)].

Any]one who [mo]cks his neighbor without authorization of the counsel [shall be] separate[d] (from the Purity) for one year and be fi[n]ed <sup>3</sup>for s[ix months].

One who uses lewd speech shall be fined for t[wen]ty <sup>4</sup>[days and separated] (from the Purity) for three month[s].

One who] talk[s] on top of [his neighbor] disruptively <sup>5</sup>[shall be fined ten] days.

[One who lies dow]n [and] sleeps during the [ses]si[ons of the Many thre]e (times) <sup>6</sup>[shall be separated] (from the Purity) for thirty days [and] fined for ten days.

[And the same applies to one who lea]ves <sup>7</sup>without the permission of the M[a]n[y].

And] he who [dozes off] up to three ti[m]es during] one [session] <sup>8</sup>shall [be fined] for ten days. And if [when they arise], he leaves [the session (without permission), he shall be fined for (an additional) thirty] <sup>9</sup>da[ys].

One who walks around naked [in the house] in front of [his] neigh[bor or parades naked in the field before] <sup>10</sup>p[er]ople shall be separated (from the Purity) for six [months].

One who spits into the session, or] <sup>11</sup>[draws o]ut his hand from under [his] garment [which has] holes so that [his penis becomes visible, shall be separated (from the Purity) for thir]ty <sup>12</sup>[da]ys and fined for ten.

And anyone who stupid[ly] j[es]ts, [loudly raising his voice, shall be separated (from the Purity) for] <sup>13</sup>[t]hirty <days> and fined for fif[tee]n days.

[One who takes out] his le[ft ha]nd <sup>14</sup>[to uri]nate with it shall be fined [for ten days and separated for thirty.

[בר]עָהָן<sup>7:16a</sup> והברדילהו מן הטהרה שנה אחת ונענש ששה<sup>294</sup> חודשים] 10ii:15

4Q270 F7i:6b–16a

Parallels: 4Q267 F9vi (underline)

1QS 7:16b–21 (superscript numerals)

[ 6 ] איש ברבים<sup>b</sup> אשר<sup>w</sup> ילך<sup>b</sup>  
 7 [רכיל לשלחו<sup>w</sup> 295 7:17 ולא] ישוב ע' ור ואם על רעהו ילון<sup>7:18</sup> אשר לא במשפט  
 ונענש ששה  
 8 [חודשים והאי]ש אשר תזוע [רוח<sup>b</sup> מלפני הרבים<sup>w</sup> 296 לבגוד באמת 7:19 וללכת  
 בשדירות לבו  
 9 [ו]הו[ברלב<sup>b</sup> ולא] ואם ישוב גפון<sup>w</sup> 297 [ונ]ענש ששים [יום 7:20 ובמלאות 7:21 לו  
 ששים יום<sup>w</sup> ישאלו הרבים]  
 10 על דב'רו ואם יקרב] ו'כתו'בוהו בתכוננו ואחר ישאל אל המשפט [ ]  
 [cat 11 va] ואיש אשר ימאס [א]ת מ'שפט הרבים ויזא'ו [לא ישוב עוד ואיש אשר יקת]

<sup>294</sup> A one year separation is associated with a six month fine in 4Q266 F10ii:2–3 (4Q269 F11i:8).

<sup>295</sup> Following 1QS 7:16, Baumgarten restores לשלח הוא (DJD XVIII, 162).

<sup>296</sup> Baumgarten restores היהר מיסוד היהר (DJD XVIII, 162). The completion of the wording היהר draws on the parallel, 1QS 7:18. However, we depart from the Community Rule in our reconstruction of MTA in an important point. מיסוד היהר (from the foundation of the community), is a reading unlikely here, since, although יהר is a standard term in the Community Rule, it evidently occurs only once in all of MTA (cf. 4Q270 F3iii:19 as supplemented by its parallel 4Q271 F2:7). In other words, the author of MTA does not know of the technical sense of יהר as an appellation for the community. Moreover, in one instance where the disciplinary injunctions of MTA parallel those of 1QS, the latter (1QS 6:24) has יהר, but not the former (CD 14:18b–19). Furthermore, in several clauses of this pericope there exists a clear divergence between the two texts. 1QS 7:1–2 contains עצה היהר (the counsel of the community) in a clause which is absent in MTA. 1QS 7:5b–6 has בהון היהר (in the property of the community) in an injunction likewise not found in MTA. Neither does MTA have the formula כול אנשי היהר (all the men of the community) (1QS 7:19b–20). Finally, the presence of four occurrences of יהר in 1QS 7:22–25 find no place in the last clauses of the משפטים of MTA (4Q270 F7i:11–15a). Hence, the two texts clearly diverge in their use of this technical term. The wording על (against the foundation of the community) in 1QS 7:17–18a might perhaps be interpolated into 4Q270 F7i:7. However, it is implausible since its apodosis would then be ישלהו ולוא ישוב, a clause that would not correspond to the general wording of this section of MTA. It is more likely that the verdict followed that of the second clause of its parallel, pertaining to the issue of complaining. All in all, there is no compelling reason to suppose that 4Q270 F7i:8 contained the reading היהר מיסוד as Baumgarten supposes.

<sup>297</sup> Our reconstruction reflects two reading options explained in greater length in the commentary. The original scribe may have written ואם ישוב ונענש ששים יום והוברל

And as for anyone] who goes around [gossiping] <sup>15</sup>[about] his [neigh]bor, [they shall separate him from the Purity for one year and he shall be fined for six months.]

**4Q270 F7i:6b–16a** <sup>6b</sup>[One who goes around] <sup>7</sup>[gossiping about the Many shall be expelled and] shall [not] be r[e]admitted. [And if he complains unjustly against his neighbor, he shall be fined for six] <sup>8</sup>[months.

And any]one whose [spirit] is vain [before the many by repudiating the Truth and walking in the stubbornness of his heart] <sup>9</sup>[shall] be se[parated (from the Purity). And if he should be readmitted] he shall be fined for sixty [days. When the sixty days have passed, the Many shall deliberate]<sup>17</sup> <sup>10</sup>concerning [his] statu[s. And if he is to be readmitted, they] should list [him in his rank. Thereafter, he shall inquire into the verdict.]

<sup>11</sup>[The man] who despises the (final) verdict of the many shall exit and [never again return.

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<sup>17</sup> or the supralinear alternative: “shall] be se[parated (from the Purity) and not readmitted, but shall be ex]pelled . . . (*omit*) . . . [When the sixty days have passed, the Many shall deliberate . . .”

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(. . . he shall be separated. And if he returns he shall be fined for two years), a reading reflected in part in the *Rule of the Community* parallel, 1QS 7:19. A later emender, sensing excessive leniency in the punishment, leaving the original reading intact, may have augmented the text to increase the punishment, reading והוברל ולא ישוב ופורש ( . . . he shall be separated and may not return, but shall be expelled).

- 12 אוכלו חוצה מן המשפט והשיבו לאיש אשר לקחו מן [מנו] *va[cat]* ואשר יקר[ב]  
 13 לזנות לאשתו אשר לא כמשפט ויצא ולא ישוב עוד *vaca*t ואשר ילו[א] על האבות  
 14 [ישלח] מן העדה ולא ישוב [ואם] על האמות ונענש עשר[ת] ימים כי אין  
 לאמ[ן]ת רוקמה<sup>298</sup> בתוך  
 15 [העדה] *vacat* [ואלה המן]שפטים א[שר ישפטו] בם כל המתוסרים כל אי[ש] אשר  
 16 [לא"ו התיס]<sup>299א</sup> יבוא וידיעהו לכוהן [המן]פקר

4Q266 F11

Parallels: 4Q270 F7i:16b–21; F7ii (underline)

4Q269 F16 (overbar)

text unique to 4Q266 (plain outline)

text unique to 4Q270 (underlined outline)

text unique to 4Q269 (overbarred outline)

- 1 על הרבים וקבל את משפטו מרצונו כאשר אמר ביד  
 2 מושה על הנפש אשר תחטא בשיגגה אשר יביאו את  
 3א חטאת[ן] את אשמו

### 2.3. Finale

- 3b ועל ישראל כתוב אלכה לי  
 4 אל קצי<sup>300</sup> [ה]שמים ולו ארית בריח ניוחכם וּבְמִקוּם אחר  
 5 כתוב לשוב אל אל בבכי ובצום וּבְמִקוּם <[את]ח> " ? כתוב<sup>301</sup> קרעו לבבכם  
 ואל בגדיכם<sup>302</sup> וכול המואס במשפטים  
 6 האלה על פי כול החוקים הנמצאים בתורת מושה לו יחשב  
 7 בכול בני אמתו כי געלה נפשו ביסורי הצדק *vacat* ובמרד מלפני  
 8 הרבים ישלח וידבר בו הכוהן המופקר[ע]ל הרבים וענה  
 9 [ואמר] ברוך את אונ הו הכול וּבִידִיָּהָ הכול ועושה הכול אשר יסדתה

<sup>298</sup> For the word רוקמה as "gloriously woven art" see 1QM 5:5–14; 4Q161 F8–10:19; 4Q287 F2:5; 4Q403 F1ii:1; 4Q405 F14–15i:3–6; 4Q405 F19:5; 4Q405 F20ii–22:11 and 4Q405 F23ii:7. For an alternative view that this term is a phonetic variant of Akkadian *rugummu* (legal claim), see Victor Avigdor Hurowitz, "DSD 9-1 (2002): 35.

<sup>299</sup> Baumgarten reads אשר [יתיס] (DJD XVIII, 163).

<sup>300</sup> 4Q270 F7i:18.

<sup>301</sup> Baumgarten reads וּבְמִקוּם כתוב (DJD XVIII, 76).

<sup>302</sup> Instead of בגדיכם . . . לשוב of 4Q266, 4Q270 F7i:19 alternatively reads קרעו לבבכם ואל בגדיכם וכתוב לשוב אל אל בבכי ובצום

One who appropriates] <sup>12</sup>food illicitly shall return it to the man from [whom] he took it.

And one who approa[ch]es <sup>13</sup>his wife to have sexual relations contrary to the law shall exit and not return.

[Any one who rebe]ls against the fathers <sup>14</sup>[should be expelled] from the community and not return. [But if] he rebels against the mothers, he shall be fined for ten days, for mothers do not have the ornate glory<sup>18</sup> (as do the fathers) [in] <sup>15</sup>[the community.

These are the in]junctions by wh[ich] all who are disciplined [shall be judged].

Anyon[e] who <sup>16</sup>[has violated a disciplinary ru]le shall come and relate it to the priest [who is in c]harge **4Q266 F11** <sup>1</sup>of the Many and shall accept his verdict willingly as it was said through <sup>2</sup>Moses concerning “the person who sins unwittingly” (Lev 4:2): they shall bring <sup>3</sup>their sin [and] guilt offering.

### 2.3. *Finale*

#### *Convocation of the Camps*

And concerning Israel it is also written, “I will go <sup>4</sup>to the ‘ends of [the] heavens’ (Deut 30:4) ‘and I will not savor your sweet smelling odors’” (Lev 26:31). And in a different passage <sup>5</sup>it is written “to return to God with weeping and fasting” (cf. Joel 2:12). In yet [a differen]t pass<age> it is written “rend your hearts and not your garments” (Joel 2:13). But anyone who despises these precepts <sup>6</sup>which are in accordance with all the statutes that are found in the Torah of Moses will not be reckoned <sup>7</sup>among all the sons of his Truth, for he has repudiated the righteous chastisements. Because of his rebellion against <sup>8</sup>the Many he should be expelled. And the priest who is in charge [o]f the Many shall speak concerning him, responding <sup>9</sup>[and s]aying, “Blessed are

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<sup>18</sup> i.e. status.



- 10 [ע]מים למשפחותיהם ולשונות לאומותם ותתעם בתהו ולו  
 11 <ולו> דרך ובאבותינו בחלטה לזרעם נתתה חוקי אמתכה  
 12 ומשפטי קודשכה אשר יעשה האדם וחייה וגבולות הגבלתה  
 13 לנו אשר את עובריהם ארותה ואנו עם פדותכה וצון מרעיתך  
 14 אתה ארותה את עובריהם ואנו הקימונו ויצא המשתלח והאיש  
 15 אשר יוכל מהונם ואשר ידרוש שלומו המשתלח ואשר יאות עמו  
 16 ונכתב דברו על פני המבקר בחרת ושלים משפטו *vacat* וכול יי  
 17 [יושבי] הלוהנות יקהלו בתודש השלישי ואררו את הנוטה ימין  
 18 [ושמאול מן ה] תורה *vac* והזה פרוש המשפטים אשר יעשו בכול קץ  
 19 [הפקודה את אשר יפק] דו [בכו] ל קצי החרון ומסעיהם לכול  
 20 [יושב מחניהם וכול יושב עריהם הנה הכו] ל [כתב ע] <sup>303</sup> [מ] ד [ש] ה תורה  
 21 [האחרון *vacat* ]

<sup>303</sup> Baumgarten transcribes על [הוב] in 4Q270 F7ii:14b-15a (DJD XVIII, 166).

You, Almighty Lord of all, in whose hands is everything, and who creates all. You are the one who founded <sup>10</sup>[na]tions by their families and national tongues, and led them astray in a <sup>11</sup>trackless wilderness. But You have chosen our ancestors, bestowing upon their seed statutes of Your truth and <sup>12</sup>sacred commandments, which a person must observe and live by. You made limits <sup>13</sup>for us, whose transgressors You cursed. But we are the people of Your redemption, the sheep of Your pasture. <sup>14</sup>You cursed their sinners, but we have upheld (Your commandments).” And let the one who is expelled depart. And as for anyone <sup>15</sup>who partakes of their property and greets or welcomes any one of them, <sup>16</sup>his action shall be recorded in the presence of the Supervisor, etched in ink. Thus his condemnation is complete. And all <sup>17</sup>[the inhabitants] of the camps shall assemble on the third month and curse anyone who deviates either to the right <sup>18</sup>[or to the left from the] Torah.

### *Epilogue*

And this is the elaboration of the injunctions which they shall observe during the entire epoch <sup>19</sup>[of redemption which they shall remem]ber [during al]l the epochs of anger and their journeys, for every <sup>20</sup>[inhabitant of their camps and everyone who dwells in their cities. Behold, every]thing has been [written up]on “the Mi[d]ra[sh] on the <sup>21</sup>[Eschatological] Torah.”



## CHAPTER THREE

### COMMENTARY

#### 3.1. *Preamble (4Q266 F1; F2i:1–6a / 4Q268 F1:1–8)*

4Q266 is unique among the Dead Sea Scrolls in that it preserves the leading edges of both the beginning and ending of the manuscript. As will be shown, these archaeological vestiges assure the modern reader that these remains emanate from an ancient copy more complete than the medieval Cairo Genizah text. Thus, for the first time the document gives us a more comprehensive picture of what was available in antiquity but is absent in CD.

The first portion of our composite text consists exclusively of Cave textual witnesses, preserved mainly in 4Q266 and 4Q268, with limited attestation by 4Q267. I call this introductory pericope the preamble to the document. Herein the author provided what was likely the title of the book in parchment which has not survived. He then presents the goal of his composition, followed immediately by the anticipation of the downfall of the opposition of the sect. From there the author promises his readers that the mysteries of history will be revealed therein. Following a lengthy prayer our writer introduces the document's base text, the book of *The Divisions of the Times*, a work conventionally known as *Jubilees*.

##### 3.1.1. *Prologue: The Title and Aim (4Q266 F1:1–3a)*

Only the center of the document's first line survives. Baumgarten has restored its beginning as אור לְבָ[נִי] לְמַשְׁכִּיל לְבָ[נִי] אֲוֶר which he renders “[The elaboration of the laws by the Sage for the s]ons of light.”<sup>1</sup> His restored title, as argued below, is not persuasive. The proposed clause פְּרוֹשׁ הַמִּשְׁפָּטִים does appear in CD 14:18–19 and 4Q266 F11:18–19 (repeated in 4Q270 F7ii:12–13), but not as a title; nor is it followed by לְמַשְׁכִּיל.

As proposed independently by Stegemann and by me, it is more likely

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<sup>1</sup> Joseph M. Baumgarten, *Qumran Cave 4.XIII: The Damascus Document (4Q266–273)* (DJD XVIII; Oxford: Clarendon, 1996), 31–32.

that the beginning of the work contained the phrase *מדרש התורה האחרון*, a formula that occurs at the end of the composition—present in 4Q270 F7ii:15 and partially extant in 4Q266 F11:20–21. Stegemann expands this formula to begin the work with *אור ב[נ]י אור* with *אור* translating it, “This is the final midrash of the law for all the children of light.”<sup>2</sup> It is more likely, however, that the book began with the interjectory particle *הנה*, a word which harmonizes with both extant occurrences of the formula *מדרש התורה האחרון* (hereafter usually referred to as “MTA”).<sup>3</sup> The statement *הנה מדרש התורה האחרון* (Here is the ‘Midrash on the Eschatological Torah’) displays a syntax similar to that of *הנה פרוש שמוטיהם לתולדותם* (Here is a listing of their names by their ancestry) in CD 4:4b–5a. As will be argued below, MTA presents itself as an amplification of the book of *Jubilees*, whose author gives the title of his work *מחלקות העתים* (*The Divisions of the Times*) in both the very beginning and ending of his book.<sup>4</sup> As stated, MTA repeats the formula *מדרש התורה האחרון* in 4Q266 F5i:17.<sup>5</sup> 1QS 6:24 may add support to the reading of *מדרש התורה האחרון* in the opening

<sup>2</sup> As quoted by Joseph M. Baumgarten, “Corrigenda to the *Damascus Document*,” *RevQ* 19 (1999): 222; Hartmut Stegemann, “Towards Physical Reconstructions of the Qumran Damascus Document Scrolls,” 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, Esther G. Chazon, and Avital Pinnick; Leiden: Brill, 2000); Vol. XXXIV in *Studies on the Texts of the Desert of Judah* (ed. F. García Martínez and A. S. van der Woude; Leiden: Brill), 193–94.

<sup>3</sup> See my reconstruction *הנה מדרש התורה האחרון* in 4Q266 F5i:16–17 and my proposed composite reading *מדרש התורה האחרון* based on 4Q270 F7ii:15 and 4Q266 F11:20–21 at the end of the document. Cf. also 4Q269 F16:16–19, a reconstruction published by Hartmut Stegemann in “4QDamascus Document<sup>d</sup> frgs. 10, 11 (Re-edition), 15, 16” in *Qumran Cave 4.XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD XXXVI; Oxford: Clarendon, 2000), 201–11. For the restoration *נכתב* instead of Baumgarten’s *כהוב* or Stegemann’s *נמצא* (is found), see my comments in “The Preamble to the Damascus Document: A Composite Edition of 4Q266–4Q268,” *HUCA* 69 (1998): 47. The proposed beginning *הנה מדרש התורה האחרון* and the succeeding reconstruction departs somewhat from that of page 35 in my article.

<sup>4</sup> *Jub.* 1:4 and 50:13 as translated from the Ethiopic. Additionally, it seems likely that MTA drew heavily from *Temple Scroll*.

<sup>5</sup> Although the formula does not occur in its entirety in CD, it seems to me that two of the three words survive in CD 20:6. The context of this line asserts that the *מדרש התורה* should serve as the code (*יתהלכו בו*) for the *אנשי תמים הקדש* (the people of perfect holiness). It appears likely that the phrase *מדרש התורה* is a shortened form of *מדרש התורה האחרון*, since the formula in MTA survives in part in 4Q266 F5i:14–17 in a similar context. In this text the partially extant verbal phrase *יתהלכו בו*

line of our document. It introduces the list of disciplinary injunctions taken mostly from MTA with an allusion to this formula.

וְאֵלֶּה הַמִּשְׁפָּטִים אֲשֶׁר יִשְׁפְּטוּ בָּם בְּמִדְרַשׁ יָחַד עַל פִּי הַדְּבָרִים *vacat*

And these are the verdicts by which they shall be judged through the *Midrash-Yachad* according to (their) commands. (1QS 6:24)

This line suggests that *מדרש* here is the source from which these injunctions were taken, and *יחד* is the title given to what we call *Rule of the Community*, thus linking the works MTA and *Rule of the Community* as a hybrid.

What makes *מדרש התורה האחרון* a literary title is that these extant occurrences are preceded by the emphatic particle הנה. That the word הנה in MTA is used to mark a literary work is attested in line 3 of CD 16 which introduces the Hebrew title of *Jubilees*.<sup>6</sup> This mode of citation suggests a heading for the composition rather than its reduction, *a la* Baumgarten, to merely a “source from which the laws derived.”<sup>7</sup>

The significance of the above point is twofold. First, ever since the original publication of CD by Schechter, scrollists have alluded to it with many appellations. To cite a few, Schechter named it “Fragments of a Zadokite Work,” Rabin, “The Zadokite Documents,” and more recently, Baumgarten, “The Damascus Document.”<sup>8</sup> Presumably, we now have the author’s title for the work, *מדרש התורה האחרון*. Secondly, this is the beginning of a revolutionary understanding of

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probably preceded by the reconstructed clause [וְכֹל] [שׁוֹמְרֵי מִצְוֹתַי אֵל], a synonymous phrase to read “And [al] [who keep the commandments of God shall liv]e by them.”

<sup>6</sup> See Hartmut Stegemann, *The Library of Qumran* (Grand Rapids: Eerdmans, 1998), 117. Our author emphasizes the authoritativeness of the book of *Jubilees* and his dependence upon it by way of his extraordinary praise, wherein he calls it the Torah of Moses which is *מְדוּקָדֵק* (perfect), repeating the word *מְדוּקָדֵק* twice (CD 16:1–3). The emphatic phrase . . . הִנֵּה הַכּוֹל כְּתוּב בְּלוּחֹת אֶשֶׁר . . . behold everything is written in the tablets which . . . appears in 4Q177 F1-4:12, likewise suggesting a literary composition such as *לוּחֹת הַאֶבֶן* (the tablets of stone).

<sup>7</sup> Baumgarten, DJD XVIII, 78.

<sup>8</sup> Joseph A. Fitzmyer, ed. *Documents of Jewish Sectaries* (New York: Ktav, 1970; Rep., with “Prolegomenon,” of Solomon Schechter, *Fragments of a Zadokite Work*. Cambridge: Cambridge University Press, 1910); Chaim Rabin, *The Zadokite Documents* (2d rev. ed.; Oxford: Clarendon, 1958); Baumgarten, DJD XVIII; Baumgarten in James H. Charlesworth, ed., *Damascus Document, War Scroll, and Related Documents* (vol. 2 of *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*; ed. James H. Charlesworth; Tübingen/Louisville: J. C. B. Mohr [Siebeck] and Westminster John Knox Press, 1995).

MTA. Standard scholarship posits a collection of extracts without a single topic or unitary theme. However, al-Qirqisani, the tenth century Karaite writer, who gives an account of a work such as MTA, regarded it as a document authored by either a single writer, Zadok, or by two men, Zadok and Boethus.<sup>9</sup> The attribution of MTA to Zadok used to be discussed by early scrollists such as Schechter, but recent scholarship generally ignores him altogether.

In a duel of different eras, Qirqisani bests modern scholarship. The close similarity of the extant twelve manuscripts of MTA provides probative evidence for the essential unity of the composition. Had it been a collection of extracts without a single topic or unitary theme, as many scholars spanning from Schechter to Hempel assume,<sup>10</sup> it is likely that the DSS, with their rich collection of sectarian versions, would have presented a more divergent documentary tradition. With some exceptions, the evidence for general uniformity in the extant remains is overwhelming. That MTA was a unitary composition can also be seen in CD 20:6, where it was designated to serve as the code of the community. As will be shown over and over, it is safer to presume that MTA originated from a single author, or as Qirqisani asserts, from two authors, than to describe it as a collection of various extracts.

MTA could be translated as is generally done, “the final midrash of the Torah.” This implies a midrash prior to this document. More likely, however, the term אחרון here modifies תורה or rather התורה (ספר) as the syntagm in CD 5:2, בספר התורה החתום (in the sealed book of the Torah). As to the translation of אחרון, rather than “final,” I render it as “eschatological,” conveying what I perceive was the broad expectation of an era of messianic dimension.<sup>11</sup> Hence, the formula as a whole reads “The Midrash on the Eschatological Torah.”

In the previous section, I presented the respective arguments pertaining to the book’s title. Yet, whether one accepts Baumgarten’s appellation, פרוש המשפטים למושכיל, or mine, מדרש התורה האחרון, what follows remains ambiguous. The preserved wording begins with [ב] אור ([the s]ons of light). Nevertheless, how does any proposed title link

<sup>9</sup> Leon Nemoj, “Al-Qirqisani’s Account of the Jewish Sects and Christianity,” *HUCA* 7 (1930): 326.

<sup>10</sup> Fitzmyer, ed., *Documents of Jewish Sectaries*, X; Charlotte Hempel, *The Laws of the Damascus Document* (ed. F. García Martínez and P. W. Flint; Leiden: Brill, 1998), 18.

<sup>11</sup> Cf. the clauses עד (ע) מורד משיח (until the rise of the Messiah) in CD 12:23; CD 20:1; 4Q266 F10i:12.

with the preserved words? Baumgarten's title, למשכיל פרוש המשפטים] אור לב]נִי אור (The elaboration of the laws by the Sage for the s]ons of light), and Stegemann's naming,<sup>12</sup> אור לב]נִי אור (This is the final midrash of the law for all the chil]dren of light), closely knit the introductory formula with the material that follows. Alternatively, however, what comes after the title מדרש התורה האחרון may be taken as the beginning of a new sentence, . . . ל. אור לב]נִי אור (It is incumbent upon the sons of light to . . .). In this rendition, after giving his title the author begins again with the message of his work, להנזיר מדר[כי] (to keep separate from the wa[ys of. . .]), literally, "to become a Nazirite." Support for the alternate reading comes from a parallel construction in a version of *Rule of the Community*:

1) מדרש למשכיל על אנשי התורה המתנדר(ב)ים להשיב מכל  
 רע ולהחזיק בכל אשר צוה (2) ול(ה)בדל מעדת אנשי העול

The Midrash by the Sage. It is incumbent upon the people of the Torah who enter freely (into the community) to turn away from all evil and to cling to everything that (God) has commanded and to separate from the congregation of injustice. . . .<sup>13</sup> (4Q258 1:1–2a)

The last words of line 1 of 4Q266 fragment 1 have perished. Baumgarten restores [כי רשעה] (from the way[s of wickedness]). However, although רשעה is a frequent word in the DSS, the reconstruction lacks contextual support. More plausibly, the final portion of the line and the beginning of line 2 was בני הושך (the sons of darkness), a clause which provides a deliberate contrast to the children of light.<sup>14</sup> Furthermore, this restoration finds support in 1QS 1:9b–10 where בני אור contrasts with בני הושך.

1 ולאהוב כול בני אור איש  
 2 כגורלו בעצת אל ולשנוא כול בני הושך איש כאשמתו

<sup>12</sup> As quoted more recently by Baumgarten, in "Corrigenda," 222.

<sup>13</sup> Cf. also 1QpHab 7:10–11. In my translation a colon follows the formula, to suggest that the next word על is really the first word of the composition itself, giving the theme of this manuscript of *Rule of the Community*. This translation presents an alternate rendition to that of Charlesworth in *The Rule of the Community and Related Documents* (vol. 1 of *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*; ed. James H. Charlesworth; Tübingen/Louisville: J. C. B. Mohr [Siebeck] and Westminster John Knox Press, 1994), 73.

<sup>14</sup> This resembles Stegemann's מדר[כי] הושך (Stegemann, "Physical Reconstructions," 193).



. . . and to love all the sons of light each according to his station in the council of God, and to hate all the sons of darkness each according to his transgression. (IQS 1:9b–10)

Thus, lines 1–2a of MTA may be restored as follows:

[הנה מדרש התורה האחרון על ב]ני אור להנזר מדר[כי בני הושך]

[Here is “The Midrash on the Eschatological Torah.” It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons of darkness . . . ]

The term להנזר מבני [העו]ל occurs again in CD 6:14b–15 (It is imperative to separate from the sons of [in]jus]tice and to “nazirite” by means of a vow and ban from the defiling wealth of wickedness). Combined with the clause containing להנזר of the preamble, this text may give us a clue to the origin of the group that is known from the classical sources as the Essenes. As far as we know, this movement did not exist before the composition of MTA. According to al-Qirqisani, it was Zadok and Boethus who founded the sectarian movement. As was noted, al-Qirqisani attributes the authorship of a work very much like MTA to Zadok. If we read להנזר as urging a withdrawal from the sons of darkness as separation from the majority of the people, these words may have constituted a call to organize an association that would be the sons of light. We find an echo of this call in CD 13:12, which specifies that the inclusion of new members be recorded in writing: “And they shall record him by his position in accordance with his succession in the lot of Light (בגורל האור).” *Rule of the Community* often alludes to the יחד as the בני אור. Line 1 of MTA may then preserve the call for the foundation of the Essene movement.

Let us now study the meaning of these reconstructed clauses. The introduction to the book divides itself into two parts: 1) the title מדרש התורה האחרון, and 2) its purpose, על בני אור להנזר מדרכי בני הושך. Rabin renders the words מדרש התורה as “the investigation of the Law”<sup>15</sup> and Schwartz “the interpretation of the Torah.”<sup>16</sup> Translators have rendered the whole formula מדרש התורה האחרון, first made available in Baumgarten’s recent edition, as follows. Baumgarten translates it

<sup>15</sup> Rabin, *The Zadokite Documents*, 38.

<sup>16</sup> Charlesworth, ed., *Damascus Document*, 35. Cf. also “the interpretation of the Law” in G. Vermes, *The Complete Dead Sea Scrolls in English* (New York: Penguin Press, 1997), 140.

as “the final interpretation of the law,”<sup>17</sup> Martínez-Tigchelaar and Vermes, “the last interpretation of the law,”<sup>18</sup> Cook, “the most recent interpretation of the Law,”<sup>19</sup> and Stegemann, “the last midrash of the Torah.”<sup>20</sup> However, as I go on to explain, it should be rendered “The Midrash on the Eschatological Torah,” where Torah includes both the Mosaic Pentateuch and *Jubilees*.

We will now analyze the meaning of this formula in two ways: each of the three components of MTA independently as well as in tandem. The word מדרש, ubiquitous in rabbinic literature, occurs about thirteen times in the DSS, three of which are in MTA. However, it appears in Scripture only twice, first in relation to the historical traditions about king Abijah attributed to the prophet Iddo in 2 Chr 13:22—“The rest of the acts of (king) Abijah, his ways and his sayings, are written in the *midrash* of the prophet Iddo.” The second occurrence, in 2 Chr 24:27, pertains to King Ahaz: “Accounts of his sons, and of the many oracles against him, and of the rebuilding of the house of God are written in the *midrash* on the Book of the Kings.”<sup>21</sup> Besides its use as a source for the chronicler, what the biblical texts meant by מדרש remains unclear. The term as used by the rabbinic sages goes far beyond what appears in DSS. The word תלמוד, frequently synonymous to מדרש in rabbinic literature, does not occur in DSS except once where it is a pejorative term.

(8) פשר[ן ע]ל מתעי אפרים אשר בתלמוד שקרם ולשון כזביהם ושפת  
מרמה יתעו רבים (9) מלכים שרים כוהנים ועם עם גר נלוה ערים  
ומשפחות יוברו בעצתם נ[כ]בדים ומוש[לים] (10) יפולו [מז]עם לשונם

[Its] eschatological interpretation pertains to those who lead Ephraim astray, who through their lying Talmud, specious tongue, and deceitful lip mislead many: kings, princes, priests, and the populace together with the proselyte. Cities and clans will perish by their counsel, nobility and rulers will fall on account of their ferocious tongue.<sup>22</sup> (4Q169 F3–4ii:8–10a)

<sup>17</sup> Baumgarten, DJD XVIII, 167.

<sup>18</sup> Florentina García Martínez and Eibert J. C. Tigchelaar, eds. and translators, *The Dead Sea Scrolls Study Edition, Volume One: 1Q1–4Q273* (Leiden, Brill: 1997), 587, 617; Vermes, *The Complete Dead Sea Scrolls*, 153.

<sup>19</sup> Michael O. Wise, Martin G. Abegg, Jr., and Edward M. Cook, *The Dead Sea Scrolls: A New Translation* (San Francisco: Harper Collins, 1996), 74.

<sup>20</sup> Stegemann, *Library*, 117.

<sup>21</sup> RSV modified. See G. Porton, “Midrash,” *ABD* 4:818.

<sup>22</sup> Peshet on Nah 3:4. See Ben Zion Wacholder, “A Qumran Attack on the Oral Exegesis? The Phrase *ʾsr bilmud šqm* in 4Q Peshet Nahum,” *RevQ* 5 (1966): 575–78.

Not so the term דרש. Both the verb דרש and its nominal form as well as midrashic method, appear throughout MTA. The verbal form occurs one hundred and thirty-eight times in the DSS, about twenty of which are in MTA. The importance of דרש in CD is reflected in its use as another term for מורה צדק (or) יורה צדק. Opinion differs over whether the דורש התורה in CD 6:7 is identical to the מורה צדק.<sup>23</sup> An analysis of the passages makes it clear, however, that the מורה צדק and the דורש התורה are the same person. A correlation of CD 6:4–8; 7:18–20 and 19:33–20:1 serves to equate these two sobriquets.

The well is the Torah and its excavators are the penitent of Israel who will exit from the land of Judah and dwell in the land of Damascus, all of whom God called “princes,” for [they] all will have interpreted it (the words of Moses) and their glorious (interpretation) cannot be challenged by anyone. And the lawgiver is the *interpreter of the Torah* (דורש התורה) about whom Isaiah said, “One who brings forth an instrument for his works.” (CD 6:4b–8a)

The star is the *interpreter of the Torah* (דורש התורה) who is to come to Damascus, as it is written, “A star has stepped forth from Jacob and a scepter has arisen from Israel.” (CD 7:18b–20a)

Thus are all the people who enter into the new covenant in the land of Damascus but will change (their minds) and act treacherously and turn away from the well of living waters; these shall not be counted in the assembly of the people, and shall not be recorded in their records beginning from the day of the assembling by the *Unique Teacher* (מורה היחיד, i.e. the *Just Teacher*) until the Messiah from Aaron and from Israel will arise. (CD 19:33b–20:1a)

The דורש התורה and the מורה צדק must refer to the same individual since both will serve the community in the *land of Damascus*. What has prompted the speculation that the interpreter of the Torah was distinct from the Just Teacher has been the entrenched opinion that the מורה צדק was a figure of the past while the דורש התורה is futuristic. However, if both represent *eschatological* figures, as I believe they do, there exists no basis for positing two distinct personages.

Nevertheless, the exact denotation of מדרש in the DSS is not clear. As the title of a book it appears on the back of papyrus manuscript 4Q249 as מדרש ספר מושה (Midrash of the book of Moses). Unfortun-

<sup>23</sup> See Davies who argues that the דורש התורה is not the Teacher of Righteousness. P. Davies, *The Damascus Covenant: An Interpretation of the “Damascus Document”* (JSOTSup 25; Sheffield: JSOT Press, 1983), 18.

nately, very little survives of this large text. Nevertheless, the two-fold occurrence of the word *משפט* suggests it dealt with legal subject matter. *Rule of the Community* likewise begins with an exhortation, *לדרוש אל* (to seek God). The use of the infinitive construct here corresponds to Ezra 7:10 which urges the study of the Torah of the Lord.

It is conventional to designate the biblical commentaries known as *peshet* as midrash-like writings. In fact, not only did they use the midrashic hermeneutics, but they also named their works *Midrash*. In our reconstructed text the term *מדרש* is the first word of the title of the work, with cross references to it throughout the composition. Presumably, the title may also have been used in the lost portions of MTA. The name *מדרש התורה האחרון* certainly forms an important concept that extends beyond the references. For more discussion see the comments on CD 4:12b–5:19 in section 3.2.1.4.2 below.

Thus, the first portion of the introductory line as reconstructed from *אור* [אֲוֹר], although only partially preserved, gives us an inkling of the author's concept of the work as a whole more than two millennia ago. As noted, it divides itself into two parts. It is a midrash on a Torah that has two scriptural canons: 1) the standard canon of the *Tanakh* and 2) a second that is sectarian. The first, which keeps this group apart from the sinners, consists of other writings delivered to Moses, the prophets, and to David. As to Moses, the Pentateuch in both its senses, historical and legal, forms an integral part of Judaism. Yet, it is not the most authoritative text. The other book by Moses, the book of *Jubilees* (although not available for centuries and hidden in the ark) is just as authoritative as the first, if not more so. In fact, often the injunctions found in the sectarian Torah, such as bigamy, incest, marriage of nieces, purity, tithing and leprosy, radically modify the traditions found in the first Torah, the Pentateuch. The name of *Jubilees*, *מחלקות העתים* (*The Divisions of the Times*) and our author's own work known conventionally as the *Damascus Document*, but whose Hebrew name *מדרש התורה האחרון*, thus gives a midrash on the Second Torah. In other words, one can understand MTA only if he has before him both Torahs—the traditional first law telling the story of creation up to and including the life of Moses, and the second revealing many of the mysteries not exposed in the first. The introductory lines of MTA disclosing the name of the work can be understood in still another way. Scholars have divided CD into two themes: the admonition (chapters 1–8 and 19–20) and the laws (chapters 9–16). This view seemed plausible prior to the

discovery of the fragmentary remains of 4Q266–273. These texts have enriched us by providing the original beginning and ending plus large sections of legal material absent in CD. They also afford us a new view of the book as a whole. Reading MTA as a sequel to *Jubilees* makes us see that a division between admonitory and legal materials is artificial. One needs only to peruse *Jubilees* to note that Torah and admonition are constantly interfused into a single unit, a feature seen also in MTA. Similarly the five passages that begin with the formula “Now hear me,” tell us the purpose of these two works is to reveal the wonders of the acts of creation from the *Urzeit* to its *Endzeit*. They provide a key for unlocking not only *Jubilees* and MTA, but to a large extent the Dead Sea Scrolls as a whole, by opening for us the mysteries of the sect’s first and second Torah.

Only four words and a single letter survive from line 2: **ב** **עד תום תמועד פקודה**. Baumgarten completes the line with **רוח עולה**, to read “until the completion of the fixed time for visitation upon [the spirit of iniquity]”. Although plausible, his proposed reading does not convey the element of time in the extant portion of the line. The words **עד תום מועד** may have been preceded by a temporal clause with lines 1–4a reading as follows.

- 1:1 [הנה מדרש התורה האחרון על ב]י אור להנזף מדר[כי בני]  
 1:2 [חושך ומקץ תרון בחרבן הארץ] עד תום מועד /ת\פקודה ב[קץ העול]  
 1:3 [עמדו מסיגי גבול vac ובפק]ד אל את כול מעש[י]ה להבי כל[ה]  
 1:4 בת[בל לוא ישאיר שאירית] למסיגי גבול

[Here is “The Midrash on the Eschatological Torah.” It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons of darkness. Now from the Age of (God’s) Anger during the desolation of the land] until the completion of the period of remembrance at [the end of the epoch of evil there have arisen the Shifters of the Boundary. But] God, [rememb]ering each and every deed, (and) wreaking hav[oc] against the e[arth, will not leave a remnant] to the Shifters of the Boundary . . .

This rendition would serve to introduce the opposition, the time of their inception and rise to prominence. However, more defensible paleographically, less redundant, and utilizing a greater amount of terminology found in MTA is the reconstruction in our text and translation, a variation of Stegemann’s wherein **עד תום מועד** is preceded by a verbal clause specifying further activity incumbent upon the sons of light. Hence, the proposed restoration, **ולהתהלך על פי התורה** (and to walk in accordance with the Torah . . . ,” a reading resembling

CD 7:7 (19:4), and whose word *התורה* resumes the force of the primary word of the title in line 1.<sup>24</sup> My reconstruction *קץ הרשעה* at the end of line 2 and beginning of line 3, based on CD 12:23 and 15:7, preserves the temporal framework of this section. Thus, lines 2 through the beginning of 3 may have read originally *ולתהלך על התורה עד תום מועד הפקודה בקץ הרשעה* (and to walk in accordance with the Torah until the completion of the period of remembrance at the end of the epoch of wickedness), whose terminology also resembles that of CD 12:23. Read in this manner, the phrase *בקץ הרשעה* would parallel the words *מועד הפקודה*, the conclusion of the four hundred and ten years following the destruction of Jerusalem (CD 1:5–6), just preceding the anticipated messianic era known elsewhere as the *אחרית הימים*. Foreshadowed by the very title of the book, *מדרש התורה*, lines 2–3a as reconstructed evince the necessity of separation from wickedness and conformity to Torah life, all within the author’s chronological framework.

### 3.1.2. *The Downfall of the Opposition (4Q266 F1:3b–5a)*

Baumgarten reconstructs lines 3b–5a as

] 3 ישמי[ אל את כול מעשיה להבי כל[ת]  
 4 בת[ועי רוח ]למסיגי גבול וכלה יעשה[ לפועלי  
 5 רשעה ]

He translates them “God [will destroy] all her works, bringing rui[n] upon [the errant in spirit ] those who move boundaries, and he will wreak ruin [upon those who work] wickedness . . . ” His transcription *מעשיה* (her works) provides a framework for his restoration *רוח עולה* (the spirit of iniquity) at the end of line 2 as well as the

<sup>24</sup> This is an abbreviation of Stegemann’s proposal, *ולתהלך תמים על פי התורה* (and to walk uprightly in accordance with the Torah). My rendition may find support in its relation to the following contrastive clause in lines 5b–6a of 4Q266 F11 in the book’s finale: *וכול המואס במשפטים האלה על-פי כול החוקים הנמצאים בתורה מושה . . .* (But anyone who despises these precepts which are *in accordance with* all the statutes that are found in *the Torah* of Moses . . .). This similarity seemingly resembles other features of the book’s introduction and conclusion that mirror each other either comparatively or contrastively. Cf. especially the inclusio *התורה* מדרש *האחרון* restored in the first and extant in the last lines of the work. See also the supplication of 4Q266 F1 (especially lines 19–25) and 4Q266 F11:9–14a. Within the prayers we may compare the glory of the divine acts of creation (fragment 1:5–6) and the Creator of all (fragment 11:9). In addition, we may parallel the community’s commitment to follow the Torah in small and large matters (fragment 1:16b–18a) with the specification that the annual assembly curse those who turn to the right or left from the Torah (fragment 11:16b–18a).

proposed reading *ישמיד* of line 3. However, the erasure dot above the *yod* of *מעשיה* excludes a feminine antecedent. In fact, *מעשה* does not refer primarily to the previous line, but more fully to what follows. Moreover, that the finite verb was likely some form of *פקד*, whose root appears on the previous line in the word *פקודה*, finds support from CD 5:15b–16a which reads *כי אם למילפנים פקד אל את מעשיהם ויהר אפו בעלילותיהם* (For formerly God recalled their deeds and God was angry with their misdeeds). Stegemann's reconstruction *וכי בהרון אפו* in the first lacuna of line 3 resembles *אפו ויהר* in this same Cairo text, further buttressing my notion that the verb at the end of the lacuna is some form of *פקד*.<sup>25</sup> The reconstruction in the first lacuna of line 4, [לאין שריות ופליטה] *למסיגי גבול*, a variation of Stegemann's *לאין שאריות ופליטה למו ואין שריות ופליטה* of CD 2:6b–7a, incorporating orthographic peculiarities of 4Q266. Baumgarten's proposed reading [לפועלי] *רשעה* from the end of the line to the beginning of line 5 is too redundant. As for the phrase *לעוזרי* which I insert here, see *עוזרי רשעה* in 4Q299 F59:4. The short *vacat* following *רשעה*, including the noun *בנים*<sup>26</sup> after the conjunctive adverb *ועתה*, is paleographically more tenable than *עד בוא משיח* and *הצדק* (until the coming of the Righteous Messiah) proposed in my article in *HUCA* 69, 33.

The introductory lines 3–5a serve to introduce the polemical aspect of MTA against the Shifters of the Boundary and their associates for misleading Israel. Although scholars plausibly identify the *מסיגי גבול* (ה) as Pharisees, if accurate, the dating of this group by the author of MTA conflicts with that of modern scholarship. Conventional opinion supposes the Pharisaic movement began during the Antiochan persecution in the second century B.C.E.<sup>27</sup> However, CD 5:20–6:2a (partially preserved in 4Q266 F3ii:7–9 and 4Q267 F2:4–7) definitively places the origin of the *מסיגי גבול* (ה) following the destruction of the first temple.

*vacat* 5:20 ובקץ הרבן הארץ עמדו מסיגי הגבול ויתעו את ישראל  
 5:21 ותישם הארץ כי דברו <sup>28</sup> סרה על מצות אל ביד משה וגם  
 6:1 במשיחי הקודש וינבאו שקר להשיב את ישראל מאחרי  
 אל 6:2

<sup>25</sup> Cf. also *ובחרון אף אל ביושבי הארץ* in CD 1:8b–9a.

<sup>26</sup> See Stegemann, "Physical Reconstructions," 193.

<sup>27</sup> See Albert I. Baumgarten, "Pharisees," *EDSS* 2:657–63.

<sup>28</sup> 4Q267 F2:5.

Now during the epoch of the desolation of the land (587 B.C.E.) the Shifters of the Boundary arose and misled Israel. And the earth has turned into wilderness because they spoke deviant counsel against the ordinances of God through Moses, and even through the anointed holy ones. And they have prophesied falsehood to make Israel turn away from God. (CD 5:20–6:2a)

The fact that the author's introductory lines begin with the attack on the Boundary-Shifters reveals that polemics constituted an important element of MTA. See my comments on CD 5:20–6:2a for a further explication of the nature of this opposition.

This Mosaic legacy in MTA, so contrary to modern scholarship, corresponds fully with that described in *Mishnah Avot* 1:1 which states,

משה קבל תורה מסיני. ומסרה ליהושע. ויהושע לזקנים. וזקנים לנביאים. ונביאים  
מסרה לאנשי כנסת הגדולה. הם אמרו שלשה דברים. הווי מתונים בדין. והעמידו  
תלמידים הרבה. ועשו סיג לתורה:

Moses received the Torah from Sinai; and he handed it over to Joshua, and Joshua to the elders, and the elders to the prophets; and the prophets handed it over to the leaders of the Great Assembly. They (the leaders of the Great Assembly) uttered three principles: Be lenient in matters of law, produce many disciples, and make a hedge around the Torah. (*Mishnah Avot* 1:1)

While MTA and the Mishnah agree over the time frame, a wide gulf separates the two. According to the sages, the Assembly carried on the legacy of Moses on Sinai. However, in view of MTA, the great leaders left an infamous legacy when they led Israel astray, brought devastation, spoke rebellion and prophesied falsely. Nevertheless, contrary as these two views are with regard to the authority of this assembly, they agree that the assembly or the Pharisees came into being at the time of the destruction of the first temple.

It is important to remember that, although פקד and פקודה are sometimes used negatively as here at the beginning of MTA, they never fully lose their fundamental sense which is positive. After all, the fact that Israel's behavior, whether good or bad, has consequences, shows that her conduct is always under divine scrutiny. God punishes those who mislead the people and their adherents, but will remember the faithful remnant, preserving them. This positive sense of פקד is brought out in Exod 3:16.



לְדָ וְאָסַפְתָּ אֶת־זִקְנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם יְהוָה אֱלֹהֵי אֲבוֹתֵינוּ  
 נִרְאָה אֵלַי אֱלֹהֵי אַבְרָהָם וְיִצְחָק וְיַעֲקֹב לֵאמֹר פְּקֹד פְּקֹדֵתַי  
 אֲתֶכֶם וְאֶת־הָעָשׂוּי לָכֶם בְּמִצְרָיִם

Go gather the elders of Israel and say to them, “The Lord God of Abraham has appeared to me, the God of Abraham, Isaac and Jacob, saying, ‘Surely I have remembered you and what has been done to you in Egypt.’”

Thus, the oppression in Egypt had positive consequences. Although the sons of Jacob had suffered oppression and, according to the tradition of MTA had erred (compare CD 3:4b–12a), walking in the stubbornness of their heart against God’s commandments, God would deal kindly with them. Here too at the beginning of MTA, the anticipated destruction of the Pharisees and those siding with them would bring redemption to the remainder of Israel as stated immediately below.

### 3.1.3. *The Promise to Reveal the Mysteries of History (4Q266 F1:5b–9)*<sup>29</sup>

Whereas lines 1–5a present the author’s introductory remarks in the third person, beginning with line 5b the document changes into an oral address given by a master to his disciples or a wider fellowship. The formula לֵאמֹר בְּנֵי שְׂמַעִי [“But now O children, hear] me . . .” and four other similar clauses repeated throughout this work draw on Isa 51, a passage wherein God summons the returned exiles of Israel who know and pursue righteousness to heed His Torah.<sup>30</sup> For a work that apparently imitates this style in MTA, see 4Q298. Compare fragment 1-2i:1–3.

1 [דבר]ִי משכיל אשר דבר לכול בני שחר האזינו לי כול אנשי לבב  
 2 [ורוד]פי צדק הבין[ני] במלי ומבקשי אמונה ש[מע]י למלי בכול  
 3 [מי]יזא שפת[י] וי[דע]ים דר[ש]י[א] אלה ותשיב[ו] לאורח [חיים]

<sup>29</sup> This section could have extended beyond line 9. Little of lines 10–15 has survived.

<sup>30</sup> Hear Me you who pursue righteousness, who seek the Lord)—v. 1a; הִקְשִׁיבוּ אֵלַי עַמִּי וְלֹאֲמוּ אֵלַי הֲאִזִּינוּ כִּי תוֹרַת מִצְוֹתַי תֵּצֵא (Hearken to Me My people and give ear to Me, My nation, for the Torah issues forth from Me)—v. 4a; שְׁמַעוּ אֵלַי יְדַעֵי צְדָק עִם תוֹרַתִי בְּלִבָּם (Hear Me you who know righteousness, O people in those heart is My Torah)—v. 7a.

[The word]s of the Sage which he spoke to all the Sons of Dawn: Hear[ken to me a]ll men of heart. [And you who purs]ue righteousness, understand my words. And you seekers of truth, h[ear] my words, every-thing [ut]tered from [my] lip[s]. And] you who understand, inter[pret] [t]hem and turn [to the path] of life.

Repeated four more times in our work, the verb שמעו in this clause is always connected with the conjunctive adverb ועתה. The five formulas vary slightly but as a whole make up a structural unity.

1. The first, partially reconstructed, reads:

5 רשעה [ ועתה בנים שמעו] לִי ואודיעה לכם מַעַשֵׁי אֱלֹ  
6 הנוראִים [בגבורות] פלאוֹ וְאֶסְפֹּר-רְהֵ לְכֶם נְהוּיֹת עוֹלָם הַנִּסְתָּרוֹת  
7 מאנוש

[ But now O children, hear] me and I will make known to you the awe-some ac[ts of God] along with His [miraculous] powers. And I will relate to yo[u the events of eternity hidden] from man.<sup>31</sup> (4Q266 F1:5b–7)

2. The second reads:

ועתה שמעו לִי <sup>32</sup> כֹּל יודעי צדק ובינו במעשי  
2 אל

And now, heed me all you who know righteousness and discern the acts of God. (CD 1:1–2a)

3. The third reads:

ועתה שמעו אלי כל באי ברית ואגלה אזנכם בדרכי  
3 רשעים

And now, heed me all who are entering the covenant and I will reveal to you the ways of the wicked. (CD 2:2–3a)

<sup>31</sup> Baumgarten proposes reading הנוראִים [אל] הנוראִים [הנוראִים] לְכֶם מַעַשֵׁי [שְׁבוּת אֱלֹ] which he translates “[ And now hearken unto] me, and I will make known to you the awful [devices (?) of God. . .]” However, what remains of the second letter following the medial מ resembles more the top portion of an ע than it does that of a ה. Hence, our reading הנוראִים [אל] מַעַשֵׁי אֱלֹ. Moreover, the similarly constructed passages CD 1:1 and 2:14 have אל מעשי in their formulation.

<sup>32</sup> 4Q268 F1:9.

## 4. The fourth reads:

ועתה בנים שמעו לי<sup>33</sup> ואגלה עיניכם לראות ולהבין במעשי אל 14  
אל 15

And now, hear me O children that I may open your eyes to see and to understand the acts of God. (CD 2:14–15a)

## 5. The final formula, slightly more expansive, may be reconstructed as follows:

ועתה שמעו לי כל יודעי צדק ו[בינו] תור[ת אל בלבכם ואגלה] 19  
לכם דרכי חיים ונתיבות שחת אפתחה ל[עיניכם] 20

And now, hear me all who know righteousness (truth) and [discern] the Tora[h of God in you heart. And I will reveal] to you the ways of life and the paths of hell I will open for [your eyes]. (4Q270 F2ii:19–20)

These five formulas have common features. 1) As stated above, they begin with the conjunctive adverb ועתה. 2) Speaking authoritatively in the first person through the words שמעו לי, the author addresses an audience of either disciples or a wider fellowship. In the first formula the author promises to reveal to them the acts of God and the hidden events of eternity, bridging both the past and the future. Three of these five passages seem to contain the phrase מעשי אל (the acts of God). By the acts of God, the author means creation, perhaps alluding to the twenty-two acts of creation in *Jub.* 2. In the second he addresses them as those who know righteousness or truth and tells them of these acts. In the third he salutes them as those who are ready to enter the covenant and is about to tell them of the ways of the wicked. In the fourth he speaks to them as a father or master who once again will reveal to them the acts of history. In the beginning of the fifth formula the author reiterates what he said in the second and additionally promises to reveal to them the ways of life for the righteous and the paths of hell for the wicked.

Taken together, the author's five addresses reveal an I-thou relationship between the addressor and the addressees. The addressor is a knower of mysteries. He is cognizant of how God created the world, the epochs of history, and the ways of the righteous and the wicked, which he promises to reveal to his disciples and sympathizers. What he does not tell is whence he got this knowledge. It could be that the title

<sup>33</sup> ]ל[ס] 4Q268 F1:9.

מן מדרש התורה האחרון resolves this problem. By the phrase “Eschatological Torah” our writer means the mysteries revealed in *Jubilees*, the second Torah, which along with the traditional Pentateuch forms the תורה מושה (the Torah of Moses), as will be shown more fully below in comments on CD 16:1b–6a (see entry *c* under section 3.2.2.9.9.1.4).<sup>34</sup>

Baumgarten reads [אֲסַפֵּר לְכֹל אֲשֶׁר נִסְתָּרוּ] in lines 6b–7a. My reconstruction [אֲסַפֵּר לְכֹל אֲשֶׁר נִסְתָּרוּ] (And I will relate to [you the events of eternity hidden]), based on similar language in CD 13:8, provides an object for the verb and embraces the range of God’s wonders from creation to the time of judgment. As stated above, a reading of *Jub.* 1–6 lies behind this introductory section of MTA and permeates the work from beginning to end. Lines 6b–7a demonstrate that the author’s own generation stands on the threshold of a new era where man finally perceives perennial mysteries concerning the nature of God and man. They describe the reduction of human longevity, a theme developed at length in *Jub.* 23, but implicit in the age span of the early biblical figures. Although the extant portions of these lines do not explicate the cause of man’s increased mortality, CD 10:7b–10a offers a rationale for the shortening of human life:

7 ואל יתיצב עוד מבן  
8 ששים שנה ומעלה לשפוט את העדה כי במעל האדם  
9 מעטו ימו ובחרון אף אל ביושבי הארץ אמר להם [י] את  
10 דעתם עד אָשָׁר־<sup>36</sup> לא ישלימו את ימיהם

No one who is over sixty years of age shall hold the office of judging the congregation, for when man<sup>37</sup> became corrupted his longevity was reduced. And when God’s wrath burned against the earth’s inhabitants He determined to weaken their mental abilities so that they would not be able to reach the fullness of their lifetime. (CD 10:7b–10a)

The onus for man’s diminishment falls on man himself and represents God’s wrath against the inhabitants of the land. CD does

<sup>34</sup> For an explication of this view see also my article entitled “The ‘Torah of Moses’ in the Dead Sea Scrolls: An Allusion to the Book of Jubilees” in *Proceedings of the Thirteenth World Congress of Jewish Studies* (Jerusalem, 2001).

<sup>35</sup> 4Q266 F8iii:8. לה [כי]

<sup>36</sup> 4Q270 F6iv:19.

<sup>37</sup> Cook (*The Dead Sea Scrolls*, 68) translates “Adam” rather than “man,” thereby giving the text a different thrust wherein diminishment of years relates to the consequences of *Adam*’s original sin where God limited the duration of man’s life. Yet, this rendition does not explain man’s further reduction to seventy years (Ps 90:10) from the hundreds of years present in the early biblical figures.

not specify the occasion for the burning wrath of God. A more developed explanation, however, appears in *Jub.* 23:8–9 and 26, passages which the author of MTA never directly cites:

(8) And he (Abraham) lived three jubilees and four weeks of years, one hundred and seventy-five years, and completed the days of his life, being old and full of days. (9) For the days of the forefathers, of their life, were nineteen jubilees; and after the Flood they began to grow less than nineteen jubilees, and to decrease in jubilees, and to grow old quickly, and to be full of their days by reason of manifold tribulation and the wickedness of their ways, with the exception of Abraham . . . (26) And in those days the children shall begin to study the laws, and to seek the commandments, and to return to the path of righteousness. And the days shall begin to grow many and increase amongst those children of men till their days draw nigh to one thousand years.<sup>38</sup>

The story of the flood marks the watershed point of God's wrath where man's wickedness diminishes his longevity. However, a spiritual renewal in the eschatological era will return the period of man's life-span back to one thousand years, even extending it beyond its former limit (*Jub.* 23:26–27).

As reconstructed, lines 6b–7a of our text invoke *Jub.* 23 in two ways. 1) They allude to lines 8–9 cited above which state that human longevity was reduced because of mankind's wickedness before the flood. 2) Just as *Jub.* 23:26 promises that the study of the Torah will increase human longevity, so the pledge to relate to the community the events of eternity hidden from mankind further suggests that when the righteous observe the Eschatological Torah, ancestral longevity will be renewed once again. This is the first example in MTA where the author uses *Jubilees* to bolster his argument, which as we shall see, he does repeatedly. *Jubilees* then is not just a convenient source for this writer, but a pivotal instrument in the composition of the book. It suggests further, that much of MTA rests on it. Stegemann provides the following alternative restoration beginning with the first lacuna of line 6, suggesting that the "wisdom of heaven" is descriptive of the book of *Jubilees* or, perhaps, *Enoch*.<sup>39</sup>

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<sup>38</sup> R. H. Charles, trans., *The Book of Jubilees or the Little Genesis* (London: Adam and Charles Black, 1902), 145, 149.

<sup>39</sup> Stegemann, "Physical Reconstructions," 193, 195.

6 וּגְבוּרֹתַי] פְּלֹאֵי אֲסַפְּרָה לְכֹל וְלֹא נִסְתַּרָה עוֹד]  
7 מֵאֲנוּשׁ] חִכְמַת שְׁמַיִם אֲשֶׁר חַי כָּל־יְלִד] אֹהֶבָה . . .

I will relate to yo[u] his [mighty] wonders. [Now the wisdom of he]aven through which eve[ry]one [who loves] lives [had not yet been hidden] from mankind.<sup>40</sup>

The reconstructed amplification in lines 7b–8a, [וַאֲיֵן אַחֵר זֹולָתוֹ לְהַבִּיט] רִיזִי בְּעִמְקֵי] רִיזִי ([There is no one but He who can fathom] the profundities of [His mysteries]), is taken from 1QS 11:18–19, which forms part of a supplicatory praise. This presumes that our text served as the source for this passage in *Rule of the Community*. Beginning with [חֲקֵן] [חֲקֵן] in line 8 through [חֲתַם] of line 9, we continue with wording based upon two anterior texts from *Hodayot*<sup>a</sup> (1QH<sup>a</sup> 21:12–13 and 4Q427 F7i:18–19), both containing laudatory praise of God. The supposition that *Hodayot* preceded MTA rests on the fact that nothing in it reflects a borrowing from either MTA or works such as *Rule of the Community* and the pesher commentaries. The word חֲתַם (He has sealed), telling us that God has withheld from man mysteries that will be revealed, may echo the incident told below in CD 5:2–5 (see commentary section 3.2.1.4.2.2.2). Cognates of חֲתַם and גִּלְיָה reappear in this passage as חֲתַמוּם and נְגִלְיָה, describing the book of the Torah of Moses concealed by Eleazar, Joshua and the elders, but revealed in the time of Zadok. Thus, the words חֲקֵן] (He has etc[hed]) and חֲתַם allude once again to the formation of Moses' Torah, the Pentateuch, on the one hand and to *Jubilees* on the other.<sup>41</sup> What MTA supposes here in our text is that all mysteries belong to God. Yet the speaker feels confident that the unfolding of God's acts (line 5) will be realized by humanity in the messianic epoch, a fitting opening for the material contained in MTA. God reduced human longevity but length of life will be restored once again. Those who have stumbled will be raised up. He sealed up His mysteries, (withholding them) from the patriarchs and the prophets, hidden things that He will reveal to humanity. The first words of CD, וְעֵתָהּ שְׁמַעוּ לִי in 4Q268 F1:9, have therefore an antecedent context in MTA's introduction, projecting the work as eschatological from

<sup>40</sup> The translation is mine.

<sup>41</sup> See comments on CD 5:2–5 in section 3.2.1.4.2.2.2 below.

the beginning of the composition to its end. Stegemann, however, furnishes the following reading for lines 7b–8a.<sup>42</sup>

ואבינה אתכם] 7  
 בעמקת] כול רז] הַקֹּדֶם] ש אשר היו נסתרים מקדם . . . 8

[And I will give you understanding] into the profundities [of all the] hol[y myster]ies [which have been hidden since antiquity . . . ]<sup>43</sup>

Whatever followed our reconstruction of line 9, a complex problem confronts us now. Lines 9–14, represented by sub-fragments *a-b*, could be left blank as an irretrievable loss as in the preliminary edition, editio princeps and subsequent publishings (except for that of Stegemann, discussed below in a note). Or, as Baumgarten conjectures, Milik's combination of sub-fragments *c-f*, possibly five partial lines, may belong here.<sup>44</sup> As Baumgarten and a few subsequent publishers have done, I have chosen to leave lines 10–14 unrestored. Positioning sub-fragments *c-f* here would greatly distance the prayer surrounding their first line from the extant supplication further down the page preserved in fragments *a-b*.<sup>45</sup> Instead, I locate these pieces between lines 20 and 25 of fragments *a-b*.

<sup>42</sup> Stegemann, “Physical Reconstructions,” 193, 195–96. He modifies Milik's earlier reading, ש] הַקֹּדֶם \* [ , in line 8.

<sup>43</sup> The translation is mine.

<sup>44</sup> Baumgarten, DJD XVIII, 34.

<sup>45</sup> Restoring the first line of this small composite as הַבְּרִית] (the t]ablets of the [covenant), Stegemann positions portions of it as follows from lines 9–13.

	8
	9 חתם [את ל]חות ה[ברית
	10 [אשר ]זוה ביד מוש]ה
	11 [על התב]ל הז היום [אשר יפקד אל את הארץ והצדיקים]
	12 [יספרו בש]מחה את מע[שי אל הגדולים
	13 ] רר אל נב[ ]

[ . . . for God] has sealed [the t]ablets of the [covenant . . . which] he commanded through Mose[s . . . upon the ear]th. That is the day [that God will punish the earth; but the righteous will relate with j]oy] the [great] ac[ts of God . . . ] (The translation is mine.)

In contrast to Stegemann, I restore הַבְּרִית] of the editio princeps to the first line, a word attested in CD 2:4.

3.1.4. *Supplication (4Q266 F1:14–25)*<sup>46</sup>

The suggested reading of lines 14b–15 is a paraphrase of what survives in *Rule of the Community* (1QS 9:26–10:6; 4Q256 19:4 and 4Q258 9:3). What is significant about these passages is that the phrase זכרון במועד, generally translated as “memorial (or reminder) during (a) season,” is instead construed in the DSS as a celebratory prayer through the offering of lips. 1QS 9:26b–10:6a reads:

(9:26) . . . [בתרומת] שפתים יברכנו (10:1) עם קצים אשר חקקא ברשית  
 ממשלת אור עמ תקופתו ובהאספו על מעון חוקן ברשית (10:2) אשמור  
 חושכ כיא יפתח אוצרו וישתהו עלת ובתקופתו עם האספו מפני אור  
 באופיע (10:3) מאורות מזבול קודש עם האספם למעון כבוד במבוא  
 מועדים לימי חודש יחד תקופתם עם (10:4) מסרותם זה לזה בהתחדש  
 יום גדול לקודש קודשים ואות נ למפתח חסדיו עולם לראשי  
 (10:5) מועדים בכל קצ נהיה ברשית ירחים למועדיהם וימי קודש  
 בתכונם לזכרון במועדיהם (10:6) {∞} תרומת שפתים הברכנו  
 כחוק חרות לעד . . .

[With the offerings of] lips He will bless us during the times which He had legislated at the beginning of the dominion of light with its (annual) cycle, and at its gathering into its assigned abode at the beginning of the vigils of darkness when He opens His storehouse and designates it as burnt offerings, and in its cycle at its ingathering from the light at the appearance of the luminaries from the sacred dwelling at their gathering into the glorious dwelling place at the entrance of the seasons on the days of the month together with their circuits with their turnings one to another when they are renewed (during) the great day for the holy of holies, and as a sign to the opening of His eternal favors, for the beginnings of the festivals during all the future epochs at the beginning of the new moons, for their festivals and sacred days in their setting. With prayers during their festivals with an offering of lips (I) will bless Him according to a statute engraved forever. (1QS 9:26b–10:6a)

These passages presumably reference the so-called sectarian calendar detailed in *Jub.* 6. MTA and *Rule of the Community* suggest an additional aspect, alluding to the cosmic order since creation: how the monthly and festive seasons invariably recur not only on the same day of the month, but also on the same day of the week. Moreover, set as part of the creation, the festivals fall on the fourth day of the week, which always begins the new year.

<sup>46</sup> This section could have started before line 14, as virtually nothing of lines 10–14 has survived.



Aside from their calendric importance, the festive days had liturgical significance. The authors of MTA and *Rule of the Community* promise a special liturgy for each of these festive days (תְּרוּמַת שַׁבְּתַיִם). Column 27:2–10 of 11QPs<sup>a</sup> (11Q5) ascribes to David 4,050 compositions, each of which functioned as a daily and festive psalm. The fragmentary remains of the *Songs of the Sabbath Sacrifice* (4Q400–407) remind us that, in addition to psalmic works, there also existed a kind of Ezekielian composition that could be called mystical, assigned for specific Sabbaths during the year. Note that the term עֲלָה in 1QS 10:2 cited above, which is generally rendered as an extension of the preposition עַל, may instead be celestial songs connected with the burnt offerings.

The surviving words of lines 15b–18a plausibly continue the affirmative spirit of the prayer in the preceding lines wherein the text, molded into the first person plural seen in הוֹדִיעֵנוּ נָא in line 19, may have read “[And we will hearken] to the voice of Moses, [ . . . and we will not go around] slandering [those] who seek refuge [in Him (God)], God’s commandments [and in His covenant . . .]”<sup>47</sup> Our reading בְּחוּסֵי בְּנֵי (compare Ps 2:12) diverges from the editor’s transcription בְּחוּקֵי [י] (against the statute[s]).<sup>48</sup> The phrase קִטְנָה וּגְדוּלָה (in small or large matters) is not recorded elsewhere in the DSS.<sup>49</sup> However, it echoes the concluding lines of MTA. There, the annual assembly on Pentecost is enjoined to curse those who turn to the right or left from the Torah (4Q266 F11:16b–18a). When paired with “God’s commandments,” our text expresses the need to embrace the totality of the Torah.

As presented, lines 18b–25 continue this lengthy supplication. The surviving words הוֹדִיעֵנוּ נָא (please let us know) on line 19 suggest that lines 18b–19a paraphrase the prayer of Moses in Exod 33:13. Our author and his audience, like Moses, wish to know the way God is acting, divine acts being quoted three or four times in MTA.<sup>50</sup> The words שִׁיהֶךָ אִם (meditating about You when) at the beginning of line 20 may echo Ps 119:97. Note also that the underlined אִם calls attention to the first extant word of 4Q267 fragment 1 and subse-

<sup>47</sup> Note also the first person plural occurring throughout the concluding prayer of the document (4Q266 F11:9–14a).

<sup>48</sup> I thank David Maas for suggesting the reading בְּחוּסֵי.

<sup>49</sup> Genesis 48:19 contains these two terms in the clause אֶתְנִי הַקָּטָן יִגְדֵל מִמֶּנִּי (his younger brother shall be greater than he), however not as a merism as apparently here.

<sup>50</sup> Cf. CD 1:1b–2a; 2:14b–15a; 13:17b–18a. In addition the phrase מַעֲשֵׂי אֵל likely formed the end of 4Q266 F1:5.

quently 4Q268 fragment 1. The parallelism continues in the letters הרה of עמרתה on line 21 of 4Q266 F1. As suggested above, but with one alteration, Milik's combination of sub-fragments c-f plausibly restores the ends of lines 20–25. Our restoration utilizing line 1 of these pieces parallels CD 2:4, only with a pronominal change. The phrase עמרתה ותבונן (You have attended to and analyzed) in line 21 echoes the sapiential wording found in Job 30:20 and 37:14 (אֲשַׁנֵּעַ אֵלֶיךָ וְלֹא תֵעָנֵנִי עֲמַדְתִּי וְתִבְוֹנֶנּוּ בִּי) “I cry out to you but you do not answer me; I stand up but you did not consider me” and אֵל עֹמֵד וְתִבְוֹנֶנּוּ נִפְלְאוֹת אֵל “Stand still and consider God's wonders”). The verbal root בִּין (to perceive) recurs twice again three lines later. All in all MTA employs this verb some eighteen times, making this work in part at least a sapiential composition. Related wisdom terminology occurs throughout it; the verb גִּלָּה (to reveal) appears fourteen times, the noun דַּעַת (knowledge) four times and דָּעָה once, the participle נִהְיָה (event) three times, the nouns רִז (secret) and בִּינָה (insight) twice each, שִׁיחָה (meditation) once (in the preceding line), חִכְמָה (wisdom) once and the phrase יָדַע דֶּרֶךְ (to know the way of) once (compare הוֹדִיעֵנוּ נֹא אֵת דַּרְכֵיךָ in line 19 of our text). This similar vocabulary tends to support the supposition that MTA has a sapiential flavor. Moreover, as will be explained below, it cites three times the book of Haguy, a major sapiential composition, associating it with the foundations of the Torah. Thus, our text, whose author in alluding to Exod 33:13 pleads to know the ways of God, gives us a glimpse into his mental makeup through his fusion of Torah and wisdom. Extending back to [אֵין אַחַר זִילְתּוֹ לַהֲבִיט] בעמקת[ רזין] of lines 7–8, the material here too bears sapiential characteristics. Line 21 continues the sapiential element of this work by linking the laws of Moses with wisdom.

Important as wisdom is in MTA, it does not match the work's more general theme of the observance of the law. The first line of the book contains the phrase (ן) להנזר “to keep separate from . . .” The sense of the separation here is that of keeping a distance from those of Israel who do not follow the Torah as commanded. Attacks on the opposition in the DSS are generally legal. Thus the famous *Miqsat Ma'asé ha-Torah* which deals with infringements on Jewish laws and customs. Likewise, in MTA's introduction the argument against the opposition rests upon their departing from the rules of the Torah in minor or major matters (lines 17–18a).

It is fashionable among scrollists to separate the Damascus Document from other scrolls, in that it is allegedly divided into admonitions

and legal material. However, this acute separation is a modernistic tendency. In fact, in my opinion, the admonitory material is full of law. The observances of the commandments of Moses appear twice on this introductory page. Terms such as *מוֹשֶׁה*, which occurs about fifteen times (two of which are on the first page), *תּוֹרָה*, appearing forty some times and the numerous occurrences of *אָמַר* citing legal texts make up a vocabulary which fills the so-called admonitory passages. For example, CD 4:15–5:10 intermingles biblical citations, partisan polemics and legal subject matter. The main focus of these texts is *זְנוּת* (whoredom), particularized by bigamy and the marriage of one's niece. In fact, niece marriage is repeated in line 16 of the list of offenses of 4Q270 F2ii. The division between admonition and legal material is also objectionable on other grounds. As is generally recognized, the admonition is full of polemics against the sect's opposition. The primary cause for these arguments is that the adversary does not follow the law as it is prescribed in the Torah. Thus, if we look deeper into the problem, the division between admonition and laws as two distinct parts of MTA is superficial.

The word *יָשִׁיבוּ* in line 22 was likely preceded by the infinitive absolute *שׁוּב*, since it is attested in 4Q267 F1:4. Baumgarten, following Milik, transcribes lines 3–4 of sub-fragments *c-f* as follows:

לְהֵאָרֵם ] [יִשָּׁה	3
] [מַחֶה אֶת מַעַ ] הַ לְהֵבִי	4

3) ] man [ ] 4) blot out her [ ] to bring [

For spatial reasons I have moved the independent sub-fragment *f* (שֶׁה־ directly over *הַ לְהֵבִי*) to the right of the interconnected pieces *c-e* to connect with lines 22 and 23 of the larger fragment *a*, for the reading *שֶׁה־[וְ] צוּה [לְ]יִשָּׁה* and *יִשָּׁה אֶת אֲשֶׁר צוּה [וְ]יִשָּׁה*. Lines 21b–22 of our text then continue in the wisdom style, imploring the sincerity of those who express repentance.

The reconstruction *הַ [וְ]נַחֲנוּ מִ[* in 4Q267 F1:5, inserted into line 22b of our text, draws on Exod 16:7–8. The phrase *עָפָר וָאֵפֶר* (dust and ashes) immediately following the above reconstruction occurs in Gen 18:27, *וְאָנֹכִי עָפָר וָאֵפֶר*, (but I am but dust and ashes), Job 30:19, *וְנַחֲמִיתִי עַל־עָפָר וָאֵפֶר* (and I am like dust and ashes) and 42:6, *וְנַחֲמִיתִי עַל־עָפָר וָאֵפֶר* (and I repent in dust and ashes). Our suggested composite is incorporated into the author's supplications. As a metaphor, “dust and ashes” expresses man's mortality and insignificance when compared to God (compare 1QH<sup>a</sup> 18:5; 4Q301 F4:3; 4Q511 F126:2). The reading in

line 23,  $\text{וְיָמִי קָדוֹשׁ כְּמוֹכָה}$  (and who is as holy [as Yo]u?) rests on Exod 15:11 and Ps 111:9. As to the wording  $\text{לְהִבִּי כְלָה}$ , see line 3 above. Moreover it coheres with the continuing word,  $\text{מָחָה}$  (to wipe out), in sub-fragment *b*. This line is one more element of the nomistically based polemical stance seen in the prefatory material and exposed throughout MTA as a whole. MTA here uses vocabulary of the account of the giants and the flood in Gen 6–8 (*Jub.* 5–7), also described below in CD 2:14–21. In line 25 of our text, as reconstructed, the author praises God for leaving a remnant of humanity when destroying mankind.

The reconstruction in line 24,  $\text{הַתְּבוּנוֹתָ[נְתָהּ] <הַלּוֹא הִבִּינוּתָהּ אֶל מִשְׁכַּל־יָם, יָם}$  (You have anal[yzed, and surely You have imparted understanding to the sage]s), gains support from 4Q418 F81+81a:17.

$\text{הַתְּבוּנוֹן מוֹרָה וּמִיד כּוֹל מִשְׁכִּילְכָה הוֹסֵף לְקָהָן]$

Investigate well and by every one of your sages add instruction.

Baumgarten, followed by Martínez-Tigchelaar, understand the  $\text{לּוֹא}$  preceding  $\text{הִבִּינוּתָהּ}$  restored from 4Q267 F1:6 as a negative, with the resultant translation, “you did not understand.”<sup>51</sup> Such a resolution of this material is unlikely. Nowhere in the Jewish tradition do we find an assertion denying God’s insight into human affairs. Hence, our addition of  $\text{ה}$  to form an emphatic positive, a feature appearing several lines later in 4Q268 F1:1.

Buttressing the positioning of the sub-fragments *c-f* near the end of fragment 1 is the coherence of  $\text{לְרַב־רַב־בְּרַךְ}$  in line 5 of these mini-pieces and  $\text{וּבְפִי־וְהִתְכָּה}$  in line 25 of sub-fragment *a*. Juxtaposed, they provide a logical sequence to the prayer as will be shown below. Line 24 depicts how God imparts learning to humanity. The acquisitions of prophets and sages are ultimately subjected to that which God imparts to mankind. The central idea in the so-called  $\text{מוֹסֵר}$  texts (4Q415–418) of understanding and thought evidently occurs here. As will be discussed, MTA three times credits the book of Haguy mentioned in 4Q417 F1i:16–17.<sup>52</sup> The tandem use of the root  $\text{בִּין}$  dramatizes God’s dissection of human behavior and thought.

Apparently metathesized as  $\text{וּבְפִי־וְהִתְכָּה}$  in 4Q267 F1:7, the restoration  $\text{וּבְפִי־וְהִתְכָּה}$  in line 25 of 4Q266 F1 literally means “in your mouths.”<sup>53</sup>

<sup>51</sup> Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 599.

<sup>52</sup> J. Strugnell, D.J. Harrington, and T. Elgvin, in consultation with J. A. Fitzmyer, *Sapiential Texts, Part 2: Cave 4.XXIV* (DJD XXXIV; Oxford: Clarendon, 1999), 3ff. Strugnell refers to these documents as a work with sapiential themes.

Note that the biblical plural of פָּה (פִּי־פִיֹּה or פִּיֹּה), meaning a double-mouthed (bladed) sword, here refers to a double (or sincere) prayer. Thus the restoration זָבַבְיָהוּתְכָה נוֹדֵךְ, when taken together with line 25, portrays that prayer is an expression of God's own words and attributes. Praise and prayer are not an artificial creation of humans. The basis for the supplication is evidently God's history of forgiving sin, both unintentional and intentional.<sup>54</sup> Our reconstruction אַשְׁמַתָּם ([ה]טָּאָה(?) ([the s]in of their guilt) draws on the atonement for inadvertent sin (שְׁגֵיָה) explicated in Lev 4:2–3 and 5:15–18. Note also the parallel phrase עֲוֹן אִשְׁמָה (the iniquity of guilt) in Lev 22:14–16 which also deals with sin committed unwittingly. Restored from 4Q267 F1:8, [וְלֹא תִשְׁמַד כּוֹל בֶּשָׂר וּבְרִיאָה] (and You do not destroy all flesh and creation) evidently refers to the intentional sins of humanity preceding the flood wherein God did not destroy mankind completely. The word פִּיֹּה may allude to the psalms. The author and his associates are praising God for leaving a remnant. Tacitly, this foreshadows Israel's eschatological role in the next pericope. After all, had the flood left no remnant there would have been no Israel and time itself would have ceased.

Much of the vocabulary in this section, such as ידע דרך (occurring once),<sup>55</sup> בין (three times)<sup>56</sup> and שיחה (once) acknowledges God's wisdom in His acts and that He imparted to humanity elements of His wisdom.<sup>57</sup> This links our text to the above cited 4Q415–418, what I understand to be the book of Haguy, three times cited in MTA.

### 3.1.5. *A Tribute to the "Divisions of the Times": The Calendation of the Book of Jubilees (4Q268 F1:1–8 / 4Q266 F2i:1–6a)*

At this point, 4Q266 F1, the main manuscript and 4Q267 F2, its more fragmented but very helpful supplement, ends. 4Q268 F1 now becomes the main source, supplemented by 4Q266 F2. Let me remind the reader that 4Q268 diverges in its orthography from that of CD and the other Cave 4 texts. It tends to lengthen third person mas-

<sup>53</sup> Abegg transcribes זָבַבְיָהוּתְכָה in 4Q267 F1:7; Ben Zion Wacholder and Martin G. Abegg, Jr., reconstructors and eds., *A Preliminary Edition of the Unpublished Dead Sea Scrolls. The Hebrew and Aramaic Texts from Cave Four. Fascicle One* (Washington, D.C.: Biblical Archaeology Society, 1991), 28. Baumgarten transcribes זָבַבְיָהוּ in 4Q266 F1:25.

<sup>54</sup> The restoration תַּסְלַח follows from [וְרֹב סַל־יְהוּה] restored to line 20.

<sup>55</sup> הוֹדִיעֵנוּ נָא אֵת הַדְּבָרָה.

<sup>56</sup> הַבְּנוֹתָהּ, הַתְּבוּלָתָהּ, and הַתְּבוּנוֹתָהּ.

<sup>57</sup> The word מַעֲשֵׂה occurs repeatedly throughout this work.

culine plural pronominal suffixes. For instance, **בם** is spelled **במה**. What remains in these two documents generally overlaps, corresponding to each other. There are exceptions, however. As far as we can tell, 4Q268 appears to contain approximately two lines of text absent in 4Q266.<sup>58</sup>

That line 1 of 4Q268 F1 likely begins with the title of *Jubilees*, **מחלקות העתים** (*The Divisions of Times*) (compare CD 16:3), is supported by content and grammar. That this phrase was apparently present in our text becomes evident from the close relationship between *Jubilees* and our remnants. 4Q268 F1 lines 3 and 8 contain two phrases referring to the future: **אשר יבוא במה** [אה ער] and **ער מה יבוא במה**. Baumgarten notes that these lines correspond to what Josephus reports about the Essenes as foretellers of what is to come.<sup>59</sup>

That **מחלקות העתים** begins the page is buttressed also by the feminine gender of the extant word **אחרונה** immediately following the lacuna. In my opinion, the author of *Jubilees* presents his work as a Super Canon, vis-à-vis the traditional five books of Moses.<sup>60</sup> That MTA accepts this view is attested in CD 16:2–3 wherein *Jubilees* is considered **מדויקדק** (literally “most precise” or “perfect”), that is to say, more precise and perfect than the traditional canon. Since Louis Ginzberg, some scholars such as Rabin have speculated that these lines are a late intrusion. Ginzberg and Baumgarten have also tended to minimize the importance of these lines by rendering the twice-repeated **מדויקדק** respectively as “exactly given” and “specified” instead of what is contextually required—“perfect.”<sup>61</sup>

Much of MTA is not only dependent on *Jubilees*, but can best be understood as its amplification. Note, for example, the importance

<sup>58</sup> Line 1 of 4Q266 F2i ends with the words **ער אשר**. Based on the location of this same **אשר** on line 3 of 4Q268 F1, we might plausibly reconstruct line 1 of 4Q266 F2i as **ער אשר** [ואה] **את הראשונים ואת האחרונים** [ב] **אשר**, to continue on line 2 with **כי אין . . . יבוא בם לעולם**, a combination of the middle of lines 3 and 4 of 4Q268 F1.

<sup>59</sup> Baumgarten, DJD XVIII, 120. Cf. Josephus, *J.W.* 2.159 (Thackeray, LCL).

<sup>60</sup> For a defense of this view see my above cited paper, “The ‘Torah of Moses’ in the Dead Sea Scrolls” as well as my article “*Jubilees* as the Super Canon: Torah-Admonition versus Torah-Commandment,” in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies: Cambridge 1995* (ed. M. Bernstein, F. García Martínez and J. Kampen; Leiden: Brill, 1997), 195–211. See also my comments on CD 16:2–4.

<sup>61</sup> Louis Ginzberg, *An Unknown Jewish Sect* (New York: The Jewish Theological Seminary of America, 1976), 95; Baumgarten in Charlesworth, ed., *Damascus Document*, 39.

of ראשונים, אחרונים and ער אשר יבוא in both *Jubilees* (compare 1:4 and 26) and our document. Moreover, the book's presumed title מדרש התורה האחרון emphasizes the end of time and the beginning of the future, elements also echoed in our passage.

What is more certain, however, is the end of line 1 and the beginning of line 2 of our text. "Surely they (the Divisions of the Eschatological Epochs) will occur" points to the fact that the calendric system should be celebrated according to what is prescribed in *Jubilees*.<sup>62</sup> Any change in the calendar constitutes a violation of divine law. The reckoning of time is unalterable. Our restoration [ככול ימיו וכ]ל [תקופות מועדי] ([according to all its days and a]ll [the cycles of] i[ts festivals]) is based in part upon terminology from lines 4b–5a which explicitly affirms the author's agreement with the polemics of *Jub.* 6:32.<sup>63</sup>

And command thou the children of Israel that they observe the years according to this reckoning—three hundred and sixty-four days, and (these) will constitute a complete year, and they will not disturb its time from its days and from its feasts; for everything will fall out in them according to their testimony, and they will not leave out any day nor disturb any feasts.<sup>64</sup> (*Jub.* 6:32)

Our reading in lines 4b–5, כי אינן לקדם [ול]א[ח]ר ממועדיה[ם] (מה, [since one may neith]er advance [nor post]pone th[eir] festivals, [their months or] their Sabb[at]hs)), if correct, contains the jubilean fixation of the days of the month and implicitly disputes the Pharisaic calendation of adding a month to certain years.<sup>65</sup> Thus, the first day of the year always falls on a Wednesday and the Day of Atonement on a Friday, etc. It is an ideal calendar and diverges radically from standard Jewish and general reckoning of time. The Gregorian year, on the other hand, consists of 365.24 days. The date of January 1st shifts by one day every year, for instance from Sunday to Monday in a year, and every four years by two days. In the nineteen-year cycle of Jewish calendation the days of the week change

<sup>62</sup> Although Baumgarten does not reconstruct the first word of line 2, he does presume it in his notes. Baumgarten, *DJD XVIII*, 120.

<sup>63</sup> For תקופות מועדים (or תקופות מועדי) cf. 1QS 10:6; 1QH<sup>a</sup> 20:8 and 4Q427 F8ii:14.

<sup>64</sup> Charles, 56–57.

<sup>65</sup> An example of intercalation is 2 Chr 30, which documents Hezekiah's postponing the Passover to the second month.

radically. Thus, during the intercalary years an additional month of thirty days is added.

This Pharisaic calendation was objectionable to the sectarians. By contrast, in that advocated by *Jubilees* and here in MTA, the years resembled each other without alteration. Since God, at the time of creation established the reckoning of time which He imparted to Noah, it may be neither advanced nor postponed (4Q268 F1:3b–5a). This view, however, departs from prevailing opinion which maintains the sectarian calendar likewise added extra days in order to correspond to the three hundred and sixty-five day astronomical number.<sup>66</sup>

Thus, both MTA and *Jubilees* mandate a three hundred and sixty-four day calendar. However, MTA continues to add mysticism to its reckoning.

ז'ה[יא] חקק קצי ה' [רון לעם לא ידעהו] 5  
 6 ז'הוא ה'כ"ן [מועדרי] רצון לדורשי מצוותיו ול[הולכים בתמים]  
 7 דרך ויגל ע[יניה]מה בנסתרות ואוזנמה פתחו [וישמעו עמוקות]  
 8 ויבינו בכול נהיות עד מה יבוא במה

And H[e] decreed the epochs of a[nger for a people who knew Him not,] but proclaimed agreeable [festivals] for those who observe His commandments faithfully and for [those who keep to the straight] path. And He will (yet) open their e[ye]s to the hidden mysteries, and they will open their ears [so that they will hear profound matters.] And they will perceive all events to eternity (before) they occur to them . . . (4Q268 F1:5b–8a)

Although the writer of MTA follows *Jubilees* in chronology, history and calendation, he supplements it with additional matters—the eschatological revelations for each epoch. Time and its mysteries, therefore, becomes an elevated topic in MTA. See, for example, the focus on the shortening of human longevity at the time of the flood in lines 6–7 of the first page of MTA.

4Q268 F1:8 (preserved in part by 4Q266 F2i:5) is the second time our text speaks of revealing profound things. In the first, 4Q266 F1:8, just subsequent to the allusion of the shortening of human life following the flood, it alluded to the mysteries of creation. Here in the second occurrence it deals with futuristic events, those of the eschaton

<sup>66</sup> Interestingly, in the 1920s the League of Nations proposed an alteration to the Gregorian calendar by declaring one day of the year and two days every four years as universal days not to be counted among the weekly days of the year, exactly as articulated in the DSS more than two millennia ago.



and messianic epochs. Thus, the continuity of calendation and the events of history are interwoven into a single theme and made part of creation. They are unalterable.

### 3.1.6. *Summary of What the Cave Manuscripts Add to CD*

Let us now summarize what the introduction to MTA reveals in the face of commonly held opinions. According to the editor, the new texts (4Q266, 267 and 268) underscore the legal component as the title of the book “The Elaboration of the Laws by the Sage.” He contends the Damascus Document emerges as an essentially legalistic opus with “a hortatory preface and conclusion.”<sup>67</sup> In my opinion, this nomistic view falters on a number of fronts.

As we argued, Baumgarten’s title should be exchanged for מדרש התורה האחרון, a formula that appears within the work, as well as at its ending. As I understand MTA, the author proposes his work as a midrash on the eschatological Torah—i.e. on the book of *Jubilees*, one of two interwoven portions of the broader תורה מושה (a combination of this perfect work designed for the eschaton, and the traditional Pentateuch). For him, *Jubilees* forms a Super Canon. If Genesis–Deuteronomy were addressed to the Israelites in the wilderness and at Moab, *Jubilees* and, perhaps, *Temple Scroll* would become law at the end of time. MTA, therefore, in its title, מדרש התורה האחרון, promises to deal with eschatology.

The word תורה in MTA and throughout the work has a dual sense. Not only does it claim superiority to Genesis–Deuteronomy, but it also adds another branch of law frequently known as משפטים. Whereas MTA contains some rules that diverge from the Pentateuch, such as prohibition of bigamy, additional rules of cleansing and observance of purity, and leprosy, the משפטים concern the rules of a sectarian community that lives beyond biblical law.

This view becomes apparent in the second part of line 1 (4Q266 F1): “It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons of darkness.” These words may be read in two manners: 1) as a call for piety, as part of the hortatory preface (Baumgarten), or, 2) as I understand them, as a call for absolute separation, the creation of a new sect. In other words, [על ב]ני אור להנזר מדר[כי בני הושך] is not only a call for piety but is a proclamation for the creation of a new Israel. True, prior to MTA

<sup>67</sup> Baumgarten, DJD XVIII, 7.

there existed many writings that supplemented and modified the biblical canon, such as the book of *Enoch*, the *Testaments of the Twelve Patriarchs* in their original version, *Jubilees* and *Temple Scroll*. However, MTA is the first to proclaim a new organization that keeps itself apart from Israel socially, religiously, and economically.

MTA is an organization for the eschaton. It does not as yet prohibit marital relations. In fact, it prescribes stringent rules for them. Nevertheless, the book's call for separation may have led to asceticism, including abstention from sexual relations altogether.

While scholars rightly regard what they call the Damascus Document as an important work, it is also, in my opinion, nascent Essenism. What is new is a midrash or reinterpretation of both the old and new Torahs as well as time itself. The old Torah belonged to the ראשונים. *Jubilees* and, perhaps, *Temple Scroll* are for the אחרונים as well as for the ער אשר יבוא, the messianic age. These three epochs project a division of history that rewrites the past, the present and the future. Time is now divided by a calendar of three hundred and sixty-four days ascribed to Enoch and Abraham during the ראשונים, but stretching all the way through the אחרונים and into the ער אשר יבוא.

In addition to its eschatological connotations, this introductory portion contains headings of the work as a whole. Scrollists take it for granted that the Damascus Document consists of a collection of extracts from a variety of sources. I believe this view is mistaken. An analysis of this book's contents will reflect its general uniformity. That MTA's title presumably occurs at its beginning and certainly at its end hints that this is a composition produced by a single author. 4Q266 F1:1–2a speaks of a separation from evil, an important theme throughout. Much of the book describes the cities and the camps as set apart from sinful Israel. As explained for example in CD 6:14–15, it is incumbent upon the righteous to keep apart from injustice by means of a vow and ban. Other passages describe the procedure for admitting members by special examinations and tests. Membership is restricted to those who pass an examination overseen by the supervisor of the community. As reconstructed, lines 2b–3a of the book's preamble continue the obligations of the community begun in line 1, this time with a positive tenor and qualifying the duration of these requirements—until the completion of the period of remembrance at the end of the epoch of wickedness (the conclusion of the era of the אחרונים). Lines 3b–5a announce the impending future, revealing that God will destroy the inhabited earth, including those who have gone

astray in Israel. A large portion of this book deals with the eschaton, the age of the Messiah, as well as the destruction of the opposition against whom much of MTA's polemics are directed. In lines 5b–7a the author tells his listeners that this work will reveal to them the mysteries of the universe as well as the laws of the Torah. He repeats the formula **ועתה שמעו** four more times. Our writer continues in line 7 by telling us that human life was shortened. Elsewhere in the book we hear that ancient longevity will be restored to humanity so that man might live for a thousand generations. Having mentioned the shortening of human life, lines 7b–9, according to our reconstruction, go on to describe the mysteries that God will reveal to humanity. Much of this work, beginning with CD 1 amplifies this wisdom motif. Following a lacuna of some five lines, the text records a prayer whose ideas likewise mirror the contents of the book. A sizable portion of this supplication is a commitment to listen to the voice of Moses and not to depart from the Torah in any matter, both of which refer to the punctilious observance of the laws contained in the large volume of legal material in MTA. The Divisions of the Epochs introduced in 4Q268 F1:1–8 come back again and again throughout the work under the formulas **אהרונים** and **ראשונים**.

Furthermore, the preamble and the concluding sections of the work contain similar ideology and vocabulary, forming a literary inclusio. Each contains a prayer, a feature not found elsewhere in the work. As has been noted, both have the same title. Line 2 of the beginning has the term **פקודה**, God's remembrance of Israel. The third to the last line contains **יפקידו** and probably also **פקודה**. Some form of the verb **פקד** evidently appears also on line 3 of the introduction. The importance of observing the minutiae of the law is stressed in lines 17–18 of both the introduction and conclusion. Thus, the preponderance of the material points not to a collection of disparate passages as is generally contended, but to an ideological and literary unity. A work such as this shows all signs of a single authorship.

3.2. *BODY* (CD 1:1–7:5a; CD 7:5b–8:21 / 19:1–34a;  
 CD 20:1–32a; 20:33b–34 / 4Q266 F4 . . . 4Q270 F4 / 4Q266  
 F12; CD 15–16; 9:1–14:17; CD 14:18–23 / 4Q266 F10ii:1–8;  
 4Q266 F10ii:8–15 / 4Q270 F7i:1–6a; 4Q270 F7i:6b–17 /  
 4Q266 F11:1–3a)<sup>68</sup>

3.2.1. *An Introduction to the Eschatological Torah* (CD 1:1–7:5a; CD 7:5b–8:21 / 19:1–34a; CD 20:1–32a; 20:33b–34 / 4Q266 F4)

The two texts, 4Q266 F2 line 6, and line 9 of 268 F1 coincide with the very beginning of what has survived in the Genizah text: ועתה (לי) שמעו (And now, heed me). Formerly it had been presumed that this formula begins the Damascus Document. Now that we see it is a continuum of the preamble which we just read, the clause ועתה לי שמעו assumes a new sense. Although no longer the beginning of MTA, it is still of great significance, since it commences a large section that may be defined as the general introduction to the legal section, which, as we suggest and will elaborate on below in section 3.2.2, begins shortly after CD 20 in 4Q267 F7:3 with the text [וזֶה פְּרוּשׁ הַמִּשְׁפָּטִים אֲשֶׁר יַעֲשׂוּ בְּקֶץ הַפְּקוּדָה] (And this is the elaboration [of the judgments which they shall observe in the era of redemption]). In this elaborate introduction spanning from CD 1–8:21 (manuscript A) to 19:1–20:34 (manuscript B) and 4Q266 F4 to 4Q267 F7:1–2, we can follow the theoretical *raison d'être* for the new features in the eschatological Torah, absent in the traditional Pentateuch.

3.2.1.1. *Announcing the Coming Eschatology* (CD 1:1–2:1)

The author of MTA commences this lengthy introduction to the eschatological Torah with a concise reference to Israel's history. In the second half of line 4 and continuing to the beginning of CD 2, however, he launches into a rendition of God's plans for His people—a promise to leave a remnant who will inherit a fructified land and be guided by a Just Teacher. On the other hand, those who side with the opposition will suffer divine wrath.

<sup>68</sup> See the text layout for a representation of all texts that form this corpus, including the Cave material bridging from CD 20 to 15.

3.2.1.1.1. *God's Quarrel with Israel (1:1–4a)*

As was noted above, the remains of MTA contain five formulas commencing with *ועתה שמעו*. One appears in the preamble (4Q266 F1:5–7), one begins the body of the work (CD 1:1–2) and two follow shortly thereafter (2:2, 14). A fifth (4Q270 F2ii:19–20) occurs near the middle of the composition where the author stresses the “Torah of Moses” with its ideological bent.

The phrase *יודעי צדק* (those who know righteousness), here and in 4Q270 F2ii:19, is one of the names of the group known by various appellations. It is parallel to *באי ברית* (CD 2:2) and *בנים* (CD 2:14). This illustrates that the name *יהר* still was not known to the author. In fact, it suggests the titles *יודעי צדק*, *באי ברית*, and *בנים* antedate that of *יהר*, so ubiquitous in *Rule of the Community* and elsewhere in the DSS.

Thus, the *יודעי צדק* whom he addresses here are the members of the same audience addressed above in 4Q266 F1:5–6a ([But now hear] me and I will make known to you the awesome ac[ts of God] along with His [miraculous] powers). Thus, the *יודעי צדק*, those who know righteousness, are no longer only people who are knowledgeable, known to us in other related texts, but enlightened members who expect mysteries and revelations. What is new in the phrase *ועתה שמעו לי* is the next clause *ובינו במעשי אל* (and discern the acts of God). These words seem to go back to Exod 34:10.

וַיֹּאמֶר הַנְּה אֲנִי פֹתֵחַ בְּרִית נֶגֶד כָּל־עַמּוּךָ אֲעֲשֶׂה נִפְלְאוֹת אֲשֶׁר לֹא־נִבְרָאוּ  
בְּכָל־הָאָרֶץ וּבְכָל־הַגּוֹיִם וְרָאָה כָּל־הָעַם אֲשֶׁר־אִתָּה בְּקִרְבּוֹ אֵת־מַעֲשֵׂה יְהוָה  
כִּי־נִרְאָה הוּא אֲשֶׁר אֲנִי עֹשֶׂה עִמָּךְ

Then he said I am making a covenant. In front of your entire people I will perform wonders that have not occurred in the entire earth and all the nations. And all the people in whose midst you are will see the wonders of the Lord, for what I am doing with you is awesome. (Exod 34:10)

The entire text which we have read so far in MTA builds on the idea that, according to the emerging Essene sect, Exod 34:10, 27 and 28 refer not only to the covenant of the wilderness, but to the future covenant in *Jubilees* as well. Column 2 of *Temple Scroll* likewise has the same biblical text with some variance.<sup>69</sup> It follows that the introductions to MTA and *Temple Scroll* connect with Exod

<sup>69</sup> See Ben Zion Wacholder, *The Dawn of Qumran* (Cincinnati: Hebrew Union College Press, 1983), 20–21.

34:10–28. These three texts—MTA, *Temple Scroll* and the biblical source—therefore, suppose that, in addition to the covenant with the patriarchs, there was a special covenant with Moses, and that this covenant embraced not only the Sinaitic covenant of Exodus, but also a Mosaic covenant which is attested in *Jubilees* and elsewhere, referring to the futuristic epoch. However, this institution is most prominent in MTA wherein it is known as the ברית החדשה, the new covenant (in the land of Damascus).

CD commences with “For He is in contention with all flesh and will execute justice upon all who vex Him.” The time element for לו כי ריב is the present, for it continues the author’s imperative ועתה לי שמעו לי (And now, heed me). The text continues with “for in their treachery, having deserted Him, God hid His face from Israel and His temple and put them (Israel) to the sword.” Although our text deals with both the past and the future—Israel’s treachery and God’s punishment and awaiting redemption—the context here begins with the present time. The exiles are awaiting redemption. The word translated here “treachery” is from the root מעל, occurring six times in MTA. In Leviticus the noun מעל refers to a profanation that requires a sin offering. מעל generally refers to what the rabbis call מעילה, the profanation of the temple. However, the passage alluded to by our writer must be Ezek 39:23–24.

23 וַיֵּדְעוּ הַגּוֹיִם כִּי בַעֲוֹנָם נָלוּ בֵּית־יִשְׂרָאֵל עַל אֲשֶׁר מָעַלְוּ-בִי  
וְאֶסְתֵּר פָּנַי מֵהֶם וְאֶתְנֵם בְּיַד צָרֵיהֶם וַיִּפְּלוּ בַחֲרֹב כָּלֵם  
24 כְּטִמְאַתֶּם וּכְפִשְׁעֵיהֶם עָשִׂיתִי אֹתָם וְאֶסְתֵּר פָּנַי מֵהֶם

And the nations will know that the house of Israel had gone into exile because of their treachery against me. So I hid my face from them, handing them over to their oppressors, and all of them fell by the sword. According to their uncleanness and transgressions I dealt with them, hiding my face from them. (Ezek 39:23–24)

CD’s paraphrase preserves Ezekiel’s three motifs—the treachery of the house of Israel, God’s hiding his face, and handing them over to the sword—features which are in the past tense.

### 3.2.1.1.2. *God’s Promise to Israel’s Righteous Remnant and the Date of the Eschaton (1:4b–7a)*

Although what follows in CD 1:4b–7a diverges from Ezek 39:25–29, the prophet’s main idea is still echoed in our text—God’s pity on the remnant of Israel. The idea of a remnant for Israel may have its origin in 1 Kgs 19 where the prophet Elijah is commanded to

anoint Elisha who would slay any of Israel's wicked who might survive the sword of King Jehu. However, seven thousand who had not worshipped Baal would survive as a remnant of true Israel. Here too in MTA God intends to establish a remnant led by the מוֹרֵה צְדָק for the people who kept faith (CD 1:10b–12). The Just Teacher, as will be argued below, is an Elijah and Elisha type figure, whose coming, according to the writer, will announce the advent of the Messiah.<sup>70</sup>

With the infinitive construct וּבִזְכוּרֵי in line 4, the situation shifts from the past to the future. The author is looking ahead to the conclusion of the three hundred and ninety years after Nebuchadnezzar's conquest of Jerusalem in 597 B.C.E. At this point God *will* remember the covenant of the ancestral generation.<sup>71</sup> This futuristic understanding diverges from conventional opinion which renders this three hundred and ninety year period as having already elapsed: e.g. "And towards the end of the epoch of anger—three hundred and ninety years following God's handing them over to Nebuchadnezzar, king of Babylon—He remembered them." Schechter, Rabin, Schwartz and Baumgarten take it for granted that the verb and object פָּקְדָם (He remembered them) in conjunction with בְּקֵץ (at the end) refers to the past. In other words God's minding of Israel has already occurred and has transpired some time ago. Therefore, the next clauses dealing with the sprouting of the plant refer also to the past. Hence, the twenty years of blindness and the germination of the plant both necessarily reference bygone times. All these lines as rendered by the scrollists are regarded as having already occurred at the time of the composition of MTA.

Grammatically, the word הַשְׂאִיר is in the suffixed conjugation and is generally understood to refer to the remainder of Israelites following the Babylonian invasion in 597 B.C.E. and the destruction of the temple in 586 B.C.E. However, the action described suggests a futuristic tone, since in the past God did not destroy the wicked nor save the righteous. According to our writer this verb means that God will draw a sharp distinction between good and evil at the time

<sup>70</sup> Cf. Mal 3:23.

<sup>71</sup> Let us remember that the basic ideas of dividing time into the רֵאשִׁיִּיִּים and the אַחֲרֵיִיִּים and the עַד אֲשֶׁר יָבוֹא of 4Q268 F1:2–3 go back to *Jub.* 1:26. However, the referent of the term רֵאשִׁיִּיִּים in our passage differs from that of 4Q268. In the former text it denotes the broad spectrum of historical events. Here it shifts specifically to the personalities of history, namely the patriarchs, the generations in the wilderness and Israel's leaders during the settlement of Canaan and the monarchy.

of the advent of the Messiah. As the text proceeds, at that time all the righteous will have confessed with a perfect heart that they are guilty. God will discern their complete sincerity. At this point the Messiah will arise.

The above scrollists and others never pose the possibility that the words קָן and פָּקַד refer not to the past, but to the present and future—that God is beginning to remember Israel, and that the author of MTA composed his work prior to the end of the three hundred and ninety year epoch, looking forward to the future redemption of his people. What was the actual time interval from this writing until the completion of this period of time? Our text does not give a precise length of time, but does devote an extended account of what would occur during this interval. From this point onward the author is not telling his readers the chronological sequence of the *past*, as is generally supposed, but is announcing a radical break in the history of Israel, the advent of a new epoch. At the end of the epoch of anger God will begin to change the land of Israel from a wilderness into miraculous prosperity, a righteous teacher will arise to guide the nation, and God will forgive its transgressions. It is at that time that there will be an opportunity for members to enroll in this community. CD 4:7b–13a marks the completion of this era:

4:7 וְכָל הַבָּאִים אַחֲרֵיהֶם

4:8 לַעֲשׂוֹת כְּפִרוּשׁ הַתּוֹרָה אֲשֶׁר הִתּוֹסְרוּ בּוֹ הַרְיָשִׁימִים עַד שְׁלֹמֹ

4:9 הַקָּן [כְּמִסְפָּר]<sup>72</sup> לְשָׁנִים הָאֵלֶּה כְּבֵרִית אֲשֶׁר הָקִים אֵל לְרֵאשִׁימִים לְכַפֵּר

4:10 עַל עֲוֹנוֹתֵיהֶם כִּן יִכְפֹּר אֵל בְּעֵרֶם וּבְשָׁלוֹם הַקָּן לְמִסְפָּר הַשָּׁנִים

4:11 הָאֵלֶּה אֵין עוֹד לְהַשְׁתַּפַּח לְבֵית יְהוּדָה כִּי אִם לְעִמּוּד אִישׁ עַל

4:12 מִצּוּרָו נִבְנְתָה הַגֵּדֵר רַחֵק רַחֵק הַחוּק וּבְכָל הַשָּׁנִים הָאֵלֶּה יִהְיֶה

4:13 בְּלִיעַל מְשׁוּלַח בִּישְׂרָאֵל

Now as for all who succeed them, continuing to act in accordance with the elaboration of the Torah by which the forefathers were disciplined until the completion of the epoch [according to the number] of these years, in accordance with the covenant which God had established for the ancestors to atone for their sins, so God will atone for them. And at the end of the epoch by the reckoning of these years one may no longer join the (new) house of Judah, but instead every person shall remain at his stand (literally “stand upon his fortress”). The fence has been completed; the statute is distant. And during all these years Belial will be let loose against Israel. (CD 4:7b–13a)

<sup>72</sup> Restored to 4Q266 F3i:3.



Note that the phrase שלים הקץ, occurring twice in CD 4:8–10, concludes the author's chrono-messianic scheme which began in CD 1:5, and should be read as MTA's chronological schema.

### 3.2.1.1.3. *The Fructification of the Holy Land (1:7b–10a)*

The futuristic understanding of CD 1:4b–7a is inescapable for another reason. There had as yet been no redemption, since the next clauses, ויִצְמַח מִיִּשְׂרָאֵל וּמֵאֲהָרָן שׁוֹרֵשׁ מִטְּעַח לִירוּשׁ אֶת אֶרְצוֹ וְלִדְשֵׁן בְּטוֹב אֲדָמָתוֹ, make little sense as referring to the past. Surely at the writer's time Israel's desert had not yet disappeared. Let us remember that the clauses “to inherit His land” and “to grow fat in the fertility of his soil” allude to a promise presaged in Ezekiel 47. In the second part of this chapter (verses 13–23) the prophet predicts a new re-division of the tribal lands. These reapportionments would ultimately include not only the twelve tribes, but also the proselytes who would share in the tribal divisions of their habitations. In the first part of the chapter Ezekiel speaks of a lake that would emerge from the threshold of the sanctuary, filling the dry lands of Israel from the north in Damascus to all corners of the land, including the oasis of En-gedi. The lifeless Dead Sea would henceforth contain abundant fish as does the great sea, the Mediterranean. Israel's trees would produce crops monthly. The clause . . . ויִצְמַח מִיִּשְׂרָאֵל must be read as the Ezekielian promise of a transformed land. In all, the prophet presages that much of Israel that was desolate would turn into marvelous fertility. In standard translations of CD these events refer to the past. But surely at the time of the composition of MTA the מִדְּבַר and the עֲרֵבָה prevailed in the Holy Land. Clearly Ezekiel's promises paraphrased in CD 1:7–8 had not as yet been realized in the days of the authorship of MTA and must be understood as futuristic. It follows that the rendition of ויִצְמַח as a consecutive past syntagm (וַיִּצְמַח) is not exact. It should be read as וַיִּצְמַח.

CD 1:8b–10a describes Israel's emerging awareness of their sinfulness and their groping in the darkness for twenty years. In this passage too, all the verbs—ויבנינו, וידעו, ויהיו, and ויבן—have been universally rendered as events of the past, their *waws* being read as so-called conversives.<sup>73</sup> In fact, however, all these verbs can, and I believe must be taken as imperfects with their *waws* as simple conjunctions,

<sup>73</sup> For the commonly presumed vocalization see Eduard Lohse, *Die Texte aus Qumran* (München: Kösel-Verlag, 1971), 66.

referring to the future. Surely the author of this composition does not presume to say that all of Israel had already repented. We are still in the period of the קץ הרון (the period of wrath). The three hundred and ninety years had not as yet elapsed; neither had the twenty years of groping in the darkness. God, at the end of this four hundred and ten year period is minding them with a call to return to Him, still in the future. After all, CD does not presume to say that Israel's repentance had occurred in the past. Rather, the author is calling his audience to turn to God. In other words, in this chronological scheme, the point in time is 597 B.C.E. plus three hundred and ninety years, which equals 207 B.C.E., with an additional twenty years of blindness to arrive at 187 B.C.E. as the anticipated year of Israel's full repentance.<sup>74</sup>

#### 3.2.1.1.4. *The Rise of the Just Teacher (CD 1:10b–12)*

Consistent with the previous lines, conventional scholarship without dissent renders the verb וַיִּקָּם as וַיִּקָּם (then He raised up). As to the tense of וַיִּקָּם, two possibilities exist depending on the vocalization. If one points the verb as וַיִּקָּם, it does mean that the raising had occurred in the past. But, if we vocalize it with a *schewa* under the *waw* as וַיִּקָּם or וַיִּקָּם,<sup>75</sup> the “raising up” or “rising up” of the מורה צדק would occur in the future. Which is the correct vocalization of the connective in this context? The מורה צדק introduced here in MTA, a term drawn from ירה צדק in Hos 10:12, is the most important personality mentioned in the Dead Sea Scrolls. The text continuing with להדריכם בדרך לבו (to guide them in the way that will please Him) favors the futuristic rendition as does the next clause, ויודע לדורות אחרונים את אשר עשה בדור אחרון (. . . and He will make known to the eschatological generations what He will have done to the final generation).<sup>76</sup> Here the word אחרונים, contrary to that of the restoration in 4Q268 F1:3 where this term described the *historical events* from the הרבן (the destruction of the temple whose process

<sup>74</sup> See James VanderKam, *The Dead Sea Scrolls Today* (Grand Rapids: Wm. B. Eerdmans Publishing Co., 1994), 100 for a discussion of the sequencing of this material. He sets the 587 B.C.E. conquest as the beginning of the four hundred and ten year period, arriving at 177 B.C.E. as the conclusion of the twenty years of groping.

<sup>75</sup> The medieval scribe who sometimes adds vowels or ambiguous words has placed a *segol* under the *quf*, reading the verb as a *hif'il* stem.

<sup>76</sup> The perfect עשה is to be rendered as prophetic (i.e. what He will have done in the last generation). See Schwartz in Charlesworth, ed., *Damascus Document*, 13, note 8.

began with Nebuchadnezzar's second invasion of Jerusalem in 597 B.C.E., Ezekiel's deportation) until the time of the writer, assumes an *eschatological* denotation, as does אחרון in the title of the book, מדרש התורה האחרון. Likewise, דור אחרון (the final generation) which follows it alludes to the last survivors of the traitors, a group whose fate will be sealed with the coming of the Messiah.

The terms ויודע עשה and ויודע עשה should be understood in tandem ויודע עשה לְדורות אחרונים את אשר עשה ברור אחרון, translated “and he (the Teacher) will make known to the eschatological generations what He will have done to the last generation.” The adjective אחרונים here in CD 1:12 functions in the same manner as does ראשונים eight lines earlier in 1:4 (4Q268 F1:12), both referring to groups of people within Israel—the first to the *ancestors* whose covenant God will remember and the second to the *coming* generation of penitent Israel to whom God will reveal His dealings with mankind. The terms ראשונים and אחרונים (although functioning differently from those reconstructed in 4Q268 F1:2b–3a mentioned above) draw on *Jub.* 1:4 and 26. The author of *Jubilees* exegetes Exod 24:12, calling on Moses,

עלה אלי ההרה וְהִנְחֵשֶׁם וְאֶתְנַהֵלְךָ אֶת־לַחַת הַאֲבָן  
וְהַתּוֹרָה וְהַמִּצְוֹת אֲשֶׁר כָּתַבְתִּי לְהוֹרֹתָם

Come up to me on the mountain and tarry there, and I will give you the stone tablets and the Torah and commandments which I have inscribed to teach them. (Exod 24:12)

As expounded in *Jubilees*, “come up to me and tarry there” refers not only to the mountain, but also above the summit to the cloud where God's glory had descended. The phrase “and tarry there” suggests the forty days, the period that Moses would remain above the mountain. The futuristic sense of the infinitival phrase להדריךכם בדרך לבו in CD 1:11 cited above, draws on that of לְהוֹרֹתָם of Exod 24:12 quoted in *Jub.* 1:1. The clauses “. . . the stone tablets, the Torah and the commandments which I have inscribed to teach them” refers to three texts that God gave Moses: a) the stone tablets, b) the Torah (apparently the Pentateuch) and c) the “commandments,” which *Jubilees* sometimes renders as “testimony” (1:4, 8, 26, 29; 2:33 and 3:14), cited as תעורה in 4Q416 2:4–5 (apparently another name for the מְחַלְקוֹת הַעֵתִים, the work commonly known as the book of *Jubilees*). MTA has already made several allusions to this work. As was noted above, while paraphrasing Ezek 39:23 that God will hide His face, the author of MTA also alludes to *Jub.* 1:12–13.

I will send witnesses to them so that I may testify to them, but they will not listen and will kill the witnesses. They will persecute those too who study the law diligently. They will abrogate everything and will begin to do evil in my presence. Then I will hide my face from them. (*Jub.* 1:12–13)<sup>77</sup>

Note also that the division of time into the three epochs: a) “early,” b) the “last” and c) the “future” formulated in *Jub.* 1 reappears throughout MTA. As stated above, the first allusions are plausibly in the preamble to the work (4Q268 F1:2b–3a). A similar mention of the future occurs a few lines later in line 8 (בכול נהייה עד מה יבוא), translated “all events to eternity (before) they occur to them.” The allusion to the early and latter periods as two epochs of the two covenants and their Torahs occurs in CD 20:8–10.

וכמשפט הזה לכל המאס בראשונים 20:8  
 ובאחרונים אשר שמו גדולים על לבם וישנן וילכו בשרירות 20:9  
 לבם אין להם חלק בבית התורה: כמשפט רעהם אשר שבו 20:10

And this rule applies also to anyone who will despise either the early or the latter (words of the two Torahs), who will have placed abominations upon their heart and live by its stubbornness. They shall not have a portion in the covenant of the Torah. (CD 20:8b–10)

Finally, as I argue elsewhere, MTA both begins and ends with the three words מדרש התורה האחרון, where the word אחרון modifies not מדרש, as translated by Baumgarten and Stegemann, “the last midrash,” but תורה, rendered “the last (eschatological) Torah.” This falls under the historical rubric of the ראשונים (the first events) and the אחרונים (the latter events), reflecting the outlook of *Jubilees*. MTA entitles itself as the amplification or midrash of this work, which CD 16:2–3 describes as מרוקק (perfect) i.e., more so than the first Torah. Hence, these clauses that deal with both the plant and the מורה צדק are predictive and were so understood by the author’s audience, telling them what God will do on the one hand to the penitent generations as well as to the congregation of traitors, not what had already occurred to these entities as is generally assumed.

As to the origin of the sobriquet מורה צדק, as stated above, it goes back to Hos 10:12.

זָרְעוּ לָכֶם לְצִדְקָה קִצְרוּ לְפִי־חֶסֶד נִירוּ לָכֶם נִיר  
 וְעַתָּה לְדָרוֹשׁ אֶת־יְהוָה עַד־יָבֹא וְיָרֶה צִדְקָה לָכֶם

<sup>77</sup> VanderKam, *The Book of Jubilees*, Vol. 1, (Louvain: Peeters, 1989), 3–4.

Spread seed for righteousness; harvest for love; draw a planting line. It is the time to search for the Lord until He comes and teaches righteousness to you. (Hos 10:12)

Likewise the clause preceding that which introduces the Just Teacher, ויבן אל אל מעשיהם כי בלב שלם דרשוהו (CD 1:10b), rendered “And God, noting their (righteous, loving) deeds that *they will have searched for Him* with a perfect heart,” resembles the first part of Hos 10:12, “Spread seed for righteousness; harvest for love; draw a planting line. It is the time *to search for the Lord . . .*” דרש can also in its technical meaning be rendered “to midrashize, interpret (the Lord’s name).”

### 3.2.1.1.5. *The Rise and Fall of the Scoffer and His Associates* (CD 1:13–2:1)

The author then relates the destruction of the wicked generation and their leader, a description that stretches from CD 1:13–2:1. This sinful generation will turn away from the right path. It will occur during the time about which had been prophesied by Hosea: כפרה סורירה כן סרר ישראל (Like a belligerent heifer, so Israel will have rebelled).<sup>78</sup> That is to say, so Israel will behave. The author transforms the prophetic past of סָרַר to the future, reading Hosea’s words as a prediction of things to come. The nemesis of the מורה זדק is introduced as the איש הלצון (the Scoffer . . . who will have dripped lying waters on Israel). The author of MTA has given two lines to describe the Just Teacher but devotes nine to depict his opponent. This passage pictures the scoffer as a futuristic figure, as is the מורה זדק. Thus the word ויתעם, which Lohse vocalizes with a *patah* under the *waw*, making it a consecutive past, should be read with a *schewa* under the *waw*, as futuristic. This would generate an eschatological framework for the remaining lines 15–19.

ויתעם בתוהו ולוא<sup>79</sup> דרך להשת גבהות עולם ולסור 1:15  
מנתיבות זדק ולהסיע גבול אשר גבלו רישונים בנחלתם למען 1:16  
הדבק בהם את אלוה בריתו להסגירם לחרב נקמת נקם 1:17  
ברית בעבור אשר דרשו בחלקות ויבחרו במהתלות ויצפו 1:18  
לפרצות ויבחרו בטוב הצואר ויצדיקו רשע וירשיעו צדיק 1:19

<sup>78</sup> Cf. Hos 4:16. The Masoretic text does not contain כן. This alteration may have been prompted by MTA’s author to stress its futuristic sense.

<sup>79</sup> וילא 4Q266 F2i:19. Lines 15 and 16 are supplemented by 4Q266 F2i:18–20.

Thus, He will lead them astray into a landless wilderness without an escape route, both lowering the heights of the world by turning away from the paths of justice and by removing the boundary that the ancestral generations had set in their inheritance, so that the curses of His covenant cling to them, resulting in them being handed over to a sword which will fiercely avenge (the violation of) the covenant. For they will have interpreted Him with flattering words, choosing farce and looking for loopholes favoring the fine neck, that will result in declaring the wicked as righteous and the righteous as wicked. (CD 1:15b–19)

Both figures, the *מורה צדק* and the *איש הלצון* are, therefore, Elijah type personalities of the eschaton, presaged in Mal 3:23, “Behold I will send you Elijah the prophet before the advent of the great and awesome day of the Lord.”

The figure here named *איש הלצון* is described again in CD 20:13–15 as *איש הכזב* (the Man of Lies) and in CD 8:13 as *מטיף כזב* (the Spewer of Lies). These sobriquets refer to the same individual, since our text indicates that he will have preached false waters (*מימי כזב*). CD 20:13–15 correlates the destruction of the warriors who will have joined the “Man of Lies” as transpiring forty years after the formation of the Teacher’s *assembly* (*האספה*).<sup>80</sup> In other words, according to that text, the Teacher’s convocation and his opposition will have come to prominence at the same time, a period that corresponds to the rise of Moses and the destruction of the wilderness generation that wandered for forty years. The Just Teacher’s opponent could conceivably be understood as a reference to the leader of the Pharisees, a group whom the author labels as the *מסיגי (ה)גבול*.

### 3.2.1.1.6. *Pesharite References to the Just Teacher and His Nemesis*

The figure, *איש הכזב*, appears again in the pesharite commentaries on Habakkuk and Psalms. The above-cited phrase, *מטיף כזב*, occurs in the commentaries on Habakkuk and Micah. *Pesher Habakkuk*, which has survived only in one manuscript, consists of a commentary on the first two chapters of the biblical book. Each comment begins with a quotation from the biblical source and is elaborated on with the words *פשרו* or *פשר הרבר* (its eschatological interpretation). The word *פשרו*, so ubiquitous in the pesharim, appears for the first time in CD 4:14, these commentaries being posterior to and drawing on the vocabulary of MTA. The author of *Pesher Habakkuk* tells us the

<sup>80</sup> For this translation of *האספה* see my discussion on the deserters of the sect (CD-A 8:1b–21 [paralleling CD-B 19:13b–33a]; CD-B 19:33b–20:17a).

words of the prophets of Israel were intended not so much for their own times, but for the *הדור האחרון*, “the last generation” (1QpHab 2:7; 7:2), apparently meaning the final generation of the era of the *אחרונים* to be followed by the *אחרית הימים* (the end of days), that is to say the messianic age.

### 3.2.1.1.6.1. Peshier Habakkuk

These comments have two main themes: 1) the *מורה צדק* and his nemesis, the *איש הכזב*, and 2) a subordinate theme, the conquest and destruction of the Kittim. Scholars have understood the Kittim as referring to the Romans. However, while the Romans might be included, the word Kittim as it is defined by the author really has a wider scope, referring to the conquering nations among the gentiles, Ezekiel’s Gog and Magog. The definition of Kittim is given in 1QpHab 9:4b–7.

פשרו על כוהני ירושלם 9:4  
 האחרונים אשר יקבוצו הון ובצע משלל העמים 9:5  
 ולאחרית הימים ינתן הונם עם שללם ביד 9:6  
 חיל הכתאים *vacat* כיא המה יתר העמים 9:7

Its eschatological interpretation concerns the last priests of Jerusalem who will amass wealth and gain from the plunder of the peoples. However, at the end of days their wealth with their plunder will be given to the armies of the Kittim, for *they are the most powerful* (literally “remainder”) of the nations. (1QpHab 9:4b–7)

The peshier’s author understood Habakkuk’s purpose as to elucidate the eschatological age by showing that the two figures were not merely his inventions, but were presaged by the prophets. He chose to give his visionary comments on the biblical book because its theme depicts the prophet’s complaint of why God allows the wicked to oppress the righteous. Moreover, Habakkuk introduces the theme of the coming of the Chaldeans as an instrument to punish the wicked, but the prophet also predicts their ultimate demise. Our commentator believed Habakkuk referred to the two figures of MTA, namely that the righteous are the coming *מורה הצדק* and the wicked his nemesis, the *איש הלצון*, referred to variously throughout his peshier as the *איש הכזב* (1QpHab 2:1–2; 5:11) and the *משיף הכזב* (1QpHab 10:9). Ultimately the Chaldeans are the Kittim who will perish at the end of time. This theme appears at the very beginning of our peshier.

The first comment is highly fragmentary, but its meaning is never-

theless discernible. Quoting Hab 1:1–2, the commentator says,

פּשְׁרוֹ עַל תְּהִלַּת דָּוִד 1:2  
 כּוֹל הַבְּאִוְתָּה עֲלֵיהֶם [אֲחֵרֹן] 1:3

“[ . . . Its eschatological interpretation refers to the beg]inning of the [final] generation [ . . . all events that will co]me upon them.”<sup>81</sup> (1QHab 1:2b–3)

Much of the text is missing on page 1 of *Pesher Habakkuk*, but enough survives to give an inkling of the major theme, the conflict between the righteous and the wicked. The pesherite author shows how the biblical book depicts the oppression and perhaps the attempt of the wicked figure to murder the Just Teacher. 1QpHab 5:8–12a serves to describe the theme lost in the missing text, but elaborated on further throughout the book.

לִמָּה תִבְיָשׁוּ בּוֹגְדִים וְתַחְרִישׁ בְּבַלְעַ 5:8  
 רֹשַׁע צְדִיק מִמְּנוֹ vacat פּשְׁרוֹ עַל בֵּית אַבְשָׁלוֹם 5:9  
 וְאִנְשֵׁי עֲצָתָם אֲשֶׁר נִדְּמוּ בְּתוֹכָהּ מוֹרֵה הַצַּדִּיק 5:10  
 וְלֹא עֲזָרוּהוּ עַל אִישׁ הַכּוֹז vacat אֲשֶׁר מֵאֵם אֵת 5:11  
 הַתּוֹרָה בְּתוֹךְ כּוֹל עֲדָתָם 5:12

“Why do you traitors look and are silent as the wicked swallows up one who is more righteous than he?” (Hab 1:13b) Its eschatological interpretation refers to the house of Absalom and their council who will have fallen silent at the (time of) the reproof by the Just Teacher, not assisting him against the Man of Lies who will have despised the Torah within their entire congregation. (1QpHab 5:8–12a)

The author claims that the conflict between the righteous and the wicked goes back to David and his nemesis, the house of Absalom. It will reach a climax in the eschatological epoch.

The pesherite writer transforms the phrase רֹשַׁע צְדִיק מִמְּנוֹ in his commentary on Hab 1:13, to refer to the house of Absalom who

<sup>81</sup> Horgan and Brownlee restore ] [תו]הלת דוד ] ([the expec]tation of the generation of . . . ) and Nitzan, ] [תו]הלת דוד [אחרון] ([the expec]tation of the [last] generation). James H. Charlesworth, ed., *Pesharim, Other Commentaries, and Related Documents* (vol. 6b in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations*; ed. James H. Charlesworth; Tübingen/Louisville: J. C. B. Mohr [Siebeck] and Westminster John Knox Press, 1995), 160; W. H. Brownlee, *The Midrash Pesher of Habakkuk* (Missoula: Scholars Press, 1979), 37; Bilhah Nitzan, *Pesher Habakkuk* (Jerusalem: Bialik Institute, 1986), 150. The phrase דוד אחרון suggests a time element, and hence my reconstruction תהלה. We supply the word כול before Horgan's reading הַבְּאִוְתָּה עֲלֵיהֶם.



would become quiet at the reproof delivered by the Just Teacher for not providing him assistance against the attack of his opponent. The pesher continues to use the verb בלע three more times. Brownlee interprets בלעו בכאס חמתו in 1QpHab 11:5 “in order to make him (the Just Teacher) reel through the vexation of his wrath.”<sup>82</sup> In fact בלע, as in Hab 1:13, means “to swallow” and is another term to denote “slaying.” This verb is used again several lines later in 1QpHab 11:6b–8.

ובקץ מועד מנוחת 11:6  
 יום הכפורים הופע אליהם לבלעם 11:7  
 . . . ולכשילם ביום צום שבת מנוחתם . . . 11:8

And during the time of resting on the Day of Atonement he will appear to them to swallow them up and to make them sinful (literally “stumble”) on the day of fasting, during their Sabbath rest.<sup>83</sup> (1QpHab 11:6b–8)

Just as in Hab 1:13, all uses of בלע in the pesher expand upon the sense of slaying found in the biblical *Vorlage*, that the wicked besieges the more righteous than he. All in all, *Pesher Habakkuk* shows that, just as Absalom plotted to kill David, so the Wicked Priest’s intent is to slay the righteous. As God saved David, so will He deliver the Just Teacher. Whether the author meant that the Wicked Priest will actually slay the Just Teacher or merely have the intention to do so is not absolutely clear. Nevertheless, since the writer repeats בלע three times, all in relation to the Scoffer, it suggests that he actually will attempt to or even succeed in carrying it out. This understanding of Habakkuk differs from standard exegesis. Scrollists see in this text contemporary figures, where the Kittim are the Romans and the Just Teacher is one of the Hasmonean rulers. Common is the view that the Man of Lies is Jonathan or the anonymous high priest that ruled Judea prior to Jonathan’s ascent in 152 B.C.E. As I understand it, however, the author is not referring to specific individuals of his age, rather to the apocalyptic figures as I argue are present in MTA.<sup>84</sup>

<sup>82</sup> Brownlee, *Midrash Pesher*, 179. This meaning misconstrues the context. As to the function of לכשילם, it has been rendered as “to cause one to trip.” In this context, however, it refers not to literal stumbling, but to causing a failure in the observance of a most sacred occasion.

<sup>83</sup> הופע, when used for a person, can refer to the appearance of God (cf. CD 20:25–26). Here it pertains to the Wicked Priest.

<sup>84</sup> See Ben Zion Wacholder, “The Righteous Teacher in the Pesherite Commentaries,” *HUCA* 73 (2002): 1–27.

The sobriquets, the *איש הכזב* and *מטיף הכזב*, appear to draw directly on MTA. Other passages in *Pesher Habakkuk* refer to him as *הכוהן הרשע* (the Wicked Priest). This designation does not diverge from MTA, since MTA also refers to the Just Teacher as a priest. Our text then is saying the Just Teacher and the Scoffer will be priests, in consonance with the general name given to this sect, *בני צדוק*, *הכוהנים* (4Q266 F5i:16; 1QS 5:2, 9; 1QSa 1:2, 24; 2:3; 3:22). Following are more texts that continue to describe the Wicked Priest's persecution of the Teacher. Although *הכוהן הרשע* does not occur in the extant portions of the first, 1QpHab 1:10b–13, most scrollists restore it to line 13.

] 10 על כן תפוג תורה  
 11 [פשרו על מטיף הכזב<sup>85</sup> ואנשי עדתו] אשר מאשו בתורת אל  
 12 [ולוא יצא לנצח משפט כיא רשע מכתו] י את הצדיק *vacat*  
 13 [פשרו הרשע הוא הכוהן הרשע והצדיק] הוא מורה הצדק

“So, the Torah becomes numb” (Hab 1:4a). [It refers to the Spewer of Lies and his congregants] who will have despised the Torah of God. [“And judgment will not come forth truthfully, for the wicked will be besie]ging the righteous” (Hab 1:4b). [Its eschatological interpretation: the wicked refers to the Wicked Priest, and the righteous] to the Just Teacher.<sup>86</sup> (1QpHab 1:10b–13)

<sup>85</sup> An alternative reading is *איש הכזב* (the Man of Lies). Cf. 1QpHab 5:11–12a.

11 ולוא עזרוהו על איש הכזב *vacat* אשר מאס את  
 12 התורה בתוך כול עצתם

And will not have assisted him against the *Man of Lies who will have despised the Torah* within their entire congregation.

<sup>86</sup> Brownlee, 43–45; Horgan (p. 150) proposes an alternate reconstruction.

] 10 על כן תפוג תורה  
 11 [ולוא יצא לנצח משפט פשרו] אשר מאשו בתורת אל  
 12 [כיא רשע מכתו] י את הצדיק  
 13 [פשרו הרשע הוא הכוהן הרשע והצדיק] הוא מורה הצדק

Timothy Lim provides another rendition of line 13.

13 [פשרו הרשע הוא איש הכזב והצדיק] הוא מורה הצדק

[Its interpretation: *the wicked* is the man of the lie and *the righteous*] is the Teacher of Righteousness.

He argues that in 4QpHab 5:8–12 the Teacher of Righteousness is equated with the *צדיק* of the biblical text whereas the *רשע* of the biblical lemma is interpreted as the *איש הכזב*. He concludes that, whereas *הכוהן הרשע* does appear later in *Pesher Habakkuk*,

The first extant reference to the Wicked Priest in this pesher is found in 1QpHab 8:8.

8 פשרו על הכוהן הרשע אשר  
 9 נקרא על שם האמת בתחלה עומדו וכאשר משל  
 10 בישראל רם לבו ויעזוב את אל ויבגוד בחוקים בעבור  
 11 הוין

It (Hab 2:5–8) refers to the Wicked Priest who will have been called by the True (God's) Name<sup>87</sup> at the beginning of his accession; but after becoming a ruler in Israel his heart will become vain and he will forsake God and will act treacherously against the statutes for the gain of wealth. (1QpHab 8:8b–11a)

Note that ויעזוב is an imperfect verb. It should be remembered that a large number of the verbs in this work employ the prefixed conjugation to convey the future tense. As we have seen, in accordance with their understanding of MTA, most commentators have interpreted Habakkuk as referring to the past or contemporary times, taking the figure of the Just Teacher as the founder of the Essene movement. However, as argued above, the author of MTA likewise placed the Just Teacher באחרית הימים (at the end of days). *Pesher Habakkuk*, which was composed at least a generation or more after MTA, still envisages the contending figures as operating at the end of days.<sup>88</sup>

2:5 וכן פשר הרברן על הכוהן גדים לאחרית א  
 2:6 הימים המה עריצני הברית אשר לוא יאמינאו  
 2:7 בשומעם את כול הבא[ות ע]ל הדור האחרון מפי

“the adjective ‘wicked’ when it occurs in the biblical lemma is never equated with the title ‘the wicked priest’ anywhere else in the pesher.” See Timothy Lim, “The Wicked Priest or the Liar?” in *The Dead Sea Scrolls in their Historical Context* (ed. Timothy Lim, et al.; Edinburgh: T&T Clark, 2000), 49–50.

<sup>87</sup> For the ambiguity of this clause see Brownlee, *Midrash Pesher*, 134–37, who cites nine possible renditions. It is likely, however, that the sobriquet שם האמת “the Name of Truth” alludes to the deity. For שם, cf. CD 15:1–2, especially the concluding clause:

(לא) ישבע וגם באלף ולמד וגם באלף ודלת כי אם שבועת הבנים  
 באלות הברית vacat ואת תורת משה אל יזכור כי בה כל פדוש השם  
 . . . one should (not) swear, nor by the *aleph* and *lamed* (Elohim), nor with the *aleph*  
 and *dalet* (Adonai), except for (in) “the oath of the youths” during the covenantal  
 curses (at the time of the admission ceremony). Neither shall he make mention  
 of the Torah of Moses, since in it The Name (YHWH) is enunciated.

<sup>88</sup> This may account for the fact that the appellation, Essenes, found in the classical writers, occurs neither in MTA nor in the pesherite writings. In the time of these commentators the Essene movement had not as yet appeared.

2:8 הכותן אשר נתן אל ב[לבו בינ]ה לפשור את כול  
 2:9 דברי עבדיו הנביאים אשר [בידם ספר אל את  
 2:10 כול הבאות על עמו וע[דתו] . . .

And thus is the eschatological meaning [concerning the tr]aitors toward the end of days. They are the breacher[s of the cove]nant who will not trust when they will hear all the (miraculous) event[s] that will come to pass [up]on the ultimate generation by the words of the priest [whom] God had endowed with [understand]ing to presage all the words of his prophetic servants through [whom] God had foretold all the (miraculous) events that will occur concerning His people and [His] con[g]regation . . . ]. (1QpHab 2:5–10a)

Commentators who take it for granted that the priest, identical with the Just Teacher, is a historical figure and therefore, that his prophecies speak of the current scene, have difficulty with this passage which is blatantly eschatological in nature. Note the words לאחרית א הימים (toward the end of days), אשר לוא יאמינא (who will not trust), כול (all the events that will come to pass upon the ultimate generation) and לפשור (to exegete concerning the eschatological epoch). This phraseology is the most eloquent proof that the Just Teacher and the Wicked Priest are depicted not as historical, but as futuristic figures in MTA and the pesherite commentaries.

The next passage deals with retribution that awaits the Wicked Priest.

9:8 מדמי אדם וחמס ארץ קריה וכול יושבי בה  
 9:9 פשרו על הכותן ה[ר]שע אשר בעוון מורה  
 9:10 הצדק ואנשי ענתו נתנו אל ביד אויביו לעננתו  
 9:11 בנגע לכלה במרדו נפש בעבור [א]שר הרשיע  
 9:12 על בחירו . . .

“. . . on account of the blood shed by man and the crime of the land, the city and all its inhabitants” (Hab 2:8b). Its eschatological interpretation refers to the [Wi]cked Priest who on account of his sinning against the Just Teacher and the men of his council, God will have handed him over to his enemies to torture him with strikes to wear him out with afflictions because he will have acted wickedly against His (God’s) elect. (1QpHab 9:8–12a)

In the previous verses we already saw that the Wicked Priest would plot to destroy the Just Teacher. Here the pesherite commentator predicts the destruction of the Wicked Priest as a punishment for his persecution of the Teacher.

The next passage draws up the most dramatic scene of our work

and perhaps of the DSS as a whole: the Wicked Priest's confrontation of the מורה הצדק on the Day of Atonement.

הוי משקה רעיהו מספח 11:2  
 חמתו אף שכר למען הבט אל מועדיהם 11:3  
 פשרו על הכוהן הרשע אשר vacat 11:4  
 רדף אחר מורה הצדק לבלעו בכעס 11:5  
 חמתו אבית גלותו ובקץ מועד מנוחת 11:6  
 יום הכפורים הופע אליהם לבלעם 11:7  
 ולכשילם ביום צום שבת מנוחתם . . . 11:8

“Woe to him who serves his friend drink, erupting in his anger, even intoxicated so as to check their holy days” (Hab 2:15). Its eschatological interpretation concerns the Wicked Priest who will have pursued the Just Teacher to swallow him in his fierce anger in the house of his exile. And during the time of resting on the Day of Atonement he will make an appearance to swallow them and to make them stumble on the day of fasting, their Sabbath rest. (1QpHab 11:2b–8)

This passage has provoked a vast literature dealing with its exegetical and theological problems. For our purpose it suffices to note that our text stresses the calendar wars between the three hundred sixty-four day and the three hundred sixty-five day year.<sup>89</sup> As understood by scrollists, these lines suggest that the Wicked Priest is here the High Priest who appeared in an intoxicated state on the Day of Atonement to swallow the Just Teacher in his house of exile (אבית גלותו). If the passage refers to the High Priest, he came from Jerusalem to the land of Damascus, which current opinion identifies as Qumran. In fact, however, as was noted, in my interpretation our passage must be construed as prophetic. That is to say the calendar wars depicted here refer not to events which had occurred already for which no plausible dating can be found, but to the struggle that will take place during the eschaton.<sup>90</sup> As argued in the introductory material, Damascus refers not to Qumran, but to Syria's capital to where the Israelites would migrate and where God would rescue them from sin and oppression, just as He did their forefathers who had descended to Egypt. Contrary to what has generally been maintained, the exile to Damascus is not

<sup>89</sup> See Ben Zion Wacholder, “Calendar Wars Between the 364 and the 365-Day Year,” *RevQ* 20 (2001): 207–22.

<sup>90</sup> For recent probative debates concerning this text see Brownlee, *Midrash Peshet*, 179–89.

an occurrence of the past, but a futuristic expectation.

The pesherite text that follows likewise exposes the eventual fate of the Wicked Priest.

[	כִּי־אֶחְמַס לְבָנוֹן יִכְסְכֶה וְשׂוֹד בְּהֵמוֹת]	11:17
	יִחַתֶּה מִדְּמֵי אָדָם וְחַמְסֵי אֶרֶץ קָרִיָּה וְכוּל יוֹשְׁבֵי בָּהּ	12:1
	פֶּשֶׁר הַדְּבָר עַל הַכּוֹהֵן הַרְשָׁע לְשֵׁלֵם לּוֹ אֶת	12:2
	גַּמּוּלוֹ אֲשֶׁר גָּמַל עַל אַבְיוֹנִים כִּי־אֶחְמַס לְבָנוֹן הוּא	12:3
	עֲצַת הַיְיָ הַיְיָ וְהַבְּהֵמוֹת הַמָּה פִּתְאֵי יְהוּדָה עוֹשֶׂה	12:4
	הַתּוֹרָה אֲשֶׁר יִשׁוּפְטֶנּוּ אֶל לְכֹלָה <i>vacat</i>	12:5
	כִּאֲשֶׁר זָמַם לְכֹלֹת אַבְיוֹנִים . . .	12:6

“[For the violence of Lebanon will cover you, and the spoil of the beasts] will frighten (them) on account of the blood shed by man and the crime of the land, of the city and all of its inhabitants” (Hab 2:17). The eschatological interpretation of this matter refers to the Wicked Priest (whose acts) will be requited for the fate that he will have bestowed on the destitute, since Lebanon refers to the council of the community, and the beasts to the simple of Judah, the observer(s) of the Torah. (It is the Wicked Priest) whom God will condemn to destruction<sup>91</sup> just as he will have plotted to destroy the destitute. (1QpHab 11:17–12:6a)

Our text finds in Hab 2:17 a reference to the council of the community here identified as Lebanon, whose members are the simple of Judah, the observers of the Torah. The identification of Lebanon here as the *עֲצַת הַיְיָ* is an indication that the pesher is dependent in part on *Rule of the Community*, since this phrase occurs about a dozen times in it, but never in MTA. As stated above, *Rule of the Community* came into being subsequent to MTA. In other words, the composition of this pesher appears to have followed not only MTA, but 1QS as well, in which the men of the *עֲצַת הַיְיָ* are a standard allusion the sect. Quoting I. Rabinowitz, Brownlee argues that the phrase *פֶּשֶׁר הַדְּבָר . . . לְשֵׁלֵם לּוֹ* foretells the doom of the Wicked Priest.<sup>92</sup> This insight is right, except that the prediction is not a reference to what had happened in history as he presumes but refers to an event that is yet to take place.

The penultimate comment of *Pesher Habakkuk* continues to deal with the Wicked Priest.

<sup>91</sup> For *כלה* in MTA see 4Q266 F1:3, 4, [23]; CD 1:5; 8:2 (19:4).

<sup>92</sup> Brownlee, *Midrash Pesher*, 198.

ואשר אמר מרמי 12:6  
 קריה וחמס ארץ פשרו הקריה היא ירושלם 12:7  
 אשר פעל בה הכוהן הרשע מעשי תועבות ויטמא את 12:8  
 מקדש אל וחמס ארץ המה ערי יהודה אשר 12:9  
 גזל הון אביונים . . . 12:10

And which (Habakkuk) said, “On account of the shedding of blood of the city and the crime of the land.” Its eschatological meaning: The city is Jerusalem in which the Wicked Priest will have executed his abominable acts and defiled God’s sanctuary. The crime of the land refers to the cities of Judah wherein (the Wicked Priest) will have robbed the destitute. (1QpHab 12:6b–10a)

Interesting in these passages is the author’s dual interpretation of the blood of man and the city and its inhabitants, where he fuses Hab 2:8 with 2:17. The interpretation of 2:8 links the biblical passage to the Wicked Priest who will have sinned against the Just Teacher and will have been requited for acting wickedly against God’s chosen. Commenting on Hab 2:17, the pesherite writer resumes his midrash on the same wording, on the shedding of the blood of man and the crime against the sanctuary committed by the Wicked Priest. Here the Wicked Priest is requited for his acts against the destitute. It is worth noting that the word אביון (poor) although frequent in Scripture, is relatively rare in the DSS. Nevertheless, the pesher on Psalms twice employs the sobriquet עדה האביונים (the council of the poor) as another name for the community of the יהוד. The Habakkuk commentator, however, applies the term אביונים three times, not as a name for the community, but as an amplification of the oppression committed by the Wicked Priest. In other words the latter apparently does not know of the designation עדה האביונים, a nickname that evidently came into being only in the pesher on Psalms. It may be supposed then that comments on Psalms were composed subsequently to those on Habakkuk.

Two geographic terms in these pesher texts need explanation: 1) the fact that the commentator understands the קריה as Jerusalem where the Wicked Priest resides and commits abominable acts and 2) the phrase אביה גלותה, where אביה is an Aramaicism for בבית denoting “in his house of exile,” that is to say the Teacher’s exile. As is frequently alluded to in MTA, the Teacher will be exiled to the land of Damascus where he will assemble his adherents. If we read this text correctly, the Wicked Priest will have to travel a distance from Jerusalem to Damascus. Such an itinerary may involve several days, perhaps a

week to reach the Just Teacher during the Day of Atonement, especially considering that an individual must refrain from travel on the Sabbath and the holidays. In other words, even a most speedy journey from Jerusalem to Damascus would involve almost the entire interval from the first to the tenth day of the seventh month. Of course, the two calendars observed by these opponents would conflict. Let us not forget 1QpHab 11:6–8 which stresses their divergent calendations: “And during the time of resting on the Day of Atonement he will make an appearance to swallow them and to make them stumble on the day of fasting, during their Sabbath rest.” Such an itinerary presumes an ambitious task for a high priest and his entourage.

The phrase *מטיף הכזב*, is another sobriquet for the nemesis of the *מורה צדק*. It occurs in *Pesher Habakkuk* once.<sup>93</sup>

הוֹי	10:5
בוֹנֵה עִיר בְּדַמִּים וְיֹכֹנֵן קְרִיָּה בְּעוֹלָה הַלּוֹא	10:6
הִנֵּה מַעַם יְהוָה צְבֹאוֹת יִגְעוּ עַמִּים בְּדֵי אֵשׁ	10:7
וְלֹאֻמִּים בְּדֵי רִיק יִיַעֲפוּ <i>vacat</i>	10:8
פֶּשֶׁר הַדְּבַר עַל מְטִיף הַכּוֹזֵב אֲשֶׁר הִתְעָה רַבִּים	10:9
לְבַנּוֹת עִיר שׁוֹו בְּדַמִּים וְלִקְיָם עֲדָה בְּשִׁקֵּר	10:10
בְּעִבּוֹר כְּבוֹדָה לֹאֲגִיעַ רַבִּים בְּעִבּוֹדָת שׁוֹו וְלִהְרוֹתָם	10:11
בְּמַ[ע]שֵׁי שִׁקֵּר לְהִיּוֹת עֲמַלָּם לְרִיק בְּעִבּוֹר יְבוֹאוּ	10:12
לְמַשְׁפְּטֵי אֵשׁ אֲשֶׁר גִּדְּפוּ וַיַּחֲרִפוּ אֶת בַּחֲרֵי אֵל	10:13

“Woe unto him who builds a city by bloodletting and constructs a metropolis with injustice. Behold this is from the Lord of hosts. They make weary nations by poles of fire and they tire the people with vanity.” (Hab 2:12–13) The eschatological meaning of the passage concerns the Spewer of Lies who will have misled the community (literally “the many”) to construct an otiose city by bloodletting and to establish a congregation with lies on account of its glory to weary the community with empty services and to teach them with false observances that their toil might be in vain so that they come to fiery rules by which they will have blasphemed and shamed the chosen of God. (1QpHab 10:5b–13)

Otherwise the verb *נָטַף* is found almost exclusively in MTA, appearing only once elsewhere in the DSS in the phrase *מטיף הכזב* in *Pesher Micah*. By contrast, MTA has the verb *נָטַף* six times and once as the phrase *מטיף כזב* (Spewer of Lies). There is also a resemblance between this Habakkuk pesher and CD 1:14b–15a where both employ the roots *כזב*, *נָטַף*, and *תעה*.

<sup>93</sup> It can perhaps be restored in 1QpHab 1:11.



בעמוד איש הלצון אשר השיף לישראל 14  
מימי כזב ויתעם בתוהו ולוא דרך 15

. . . when the Scoffer arises, who will have dripped lying waters on Israel. Thus, he will lead them astray into a landless wilderness without an escape route. (CD 1:14b–15a)

### 3.2.1.1.6.2. Peshet Micah

As stated above, the phrase משיף הכזב also appears in *Peshet Micah*, in an extended passage that provides commentary on the Just Teacher.

בפשע [ ] F8-10:1  
יעקב כול זאת ובחטאות בית ישראל מה פשע יעקב הלא F8-10:2  
[שומרון ומה במות יהודה הלא יר]וש[לם ושמתי שומרון] F8-10:3  
[לעי השדה למטעי כרם] פשרו על משיף הכזב F8-10:4  
[אשר הואה התעה<sup>94</sup> את ה]פְתָאִים ומה במות יהודה F8-10:5  
[הלא ירושלם פשרו ע]ל מוֹדֵי הצדק אשר הואה F8-10:6  
[יורה התורה לעצת]ו ולכ[ו]ל המתנדבים לוסף על בחיודי F8-10:7  
[אל עושי התורה] בעצת היחד אשר ינצל[ו] מיום F8-10:8  
[משפט . . .] F8-10:9

[“All this is] for the transgression [of Jacob and for the sins of the House of Israel. What is Jac]ob[’s transgression?]. Is it not [Samaria? And what are the high places of Judah? Are they not Jer]usa[lem?”] (Mic 1:5). “I will make Samaria as a ruin of the field, and as places for planting vineyards . . . ” (Mic 1:6.) Its eschatological interpretation pertains to the Spewer of Lies, [who will have led astray the] simple. “And what are Judah’s altars? [Are they not Jerusalem?”] (Mic 1:5). Its eschatological interpretation refers to] the Just Teacher who himself [will teach the Torah to] his [Council] and to all those who will volunteer to be added to the chosen of [God, those ones who will observe the law] in the council of the Yahad who will be saved on the Day of [Judgment . . . ] (1Q14 F8–10:1–9)

<sup>94</sup> Milik restores יהתעה, apparently on the basis of *Peshet Nahum* (4Q169) F3–4ii:8.

פשרו] ע[ל מהתי אפרים אשר בתלמוד שקרם ולשון כזביהם ושפת מרמה יהעו רבים

[Its] eschatological interpretation pertains to those who lead Ephraim astray, who in their lying Talmud, specious tongue, and deceitful lip *mislead* many.

The reading יהתעה is more likely here. Cf. 1QpHab 10:9 cited immediately above pertaining to the משיף הכזב.

This passage, too, lends further support to our thesis that the Just Teacher is a figure of the future. The verb יִנְצֵלְנָהּ in line 8 describes a futuristic salvation of those who choose to join the new community.

Returning to *Pesher Habakkuk*, on the whole, its author expands greatly the theme begun by the writer of MTA. In MTA, the offense of the Spewer of Lies is leading a community against the Just Teacher. Nothing in this work suggests that he personally attacks the מורה and his community. He is corrupt and wicked, but he does not threaten personally the Just Teacher. In Hab 1:13b the prophet asks, “Why are you silent when the wicked swallows the more righteous than he?” Taking the prophet as a theme, this pesherite writer construes this question as his chief concern.

The pesher has a beginning and an ending, both of which unify the author’s vision for the end of time. He apparently started with תחלה דור אחרון (the beginning of the apocalypse) and concludes with the final destruction of paganism from the earth. *Pesher Habakkuk’s* wording and format help to unify it, just as those of MTA demonstrate the unity of this prior work.

### 3.2.1.1.6.3. Pesher Psalms

Two pesherite commentaries on the psalter are attested: 4Q171 with 101 lines on Ps 37, 45 and 60, and 4Q173 with 21 lines on Ps 127, 129 and 118. Let us not forget that the ancient authors and scribes regarded David as a prophet whose words presaged the future. A single topic dominates these pesherite texts: the מורה הצדק, here frequently called the priest, and, as in *Pesher Habakkuk*, the איש הכוזב and the כוהן הרשע. The author of *Pesher Psalms* amplifies MTA which introduces these figures in CD 1:10b–2:1. On several points, however, the pesherite commentator somewhat extends MTA with other minor themes. The sobriquet עדה האביונים, reconstructed at the beginning and recurring twice, is unique to the commentary on Psalms. Note, however, the phrase עצה אביונים in the *War Scroll* text 4Q491 F11i:11. The next passage ascribes to the עדה האביונים the reward for accepting the sectarian date of the Day of Atonement.

ועניים ירשו ארץ והתענו על רוב שלום פשרו על F1-2ii:8

עדה האביונים אשר יקבלו את מועד התעות ונצלו מכול פחי F1-2ii:9

בליעל ואחר יתענו כול ב[נ] הארץ והתדרשנו בכול תענו: F1-2ii:10

*vacat* בשר F1-2ii:11

“And the meek will inherit the land and enjoy the abundance of peace” (Ps 37:11). Its eschatological interpretation concerns the congregation of the destitute who will accept the Day of Atonement (literally “fasting”) and will be rescued from the snares of Belial. And thereafter (as a reward) all the s[on]s of the earth will be joyful and fattened with all the pleasure of flesh.<sup>95</sup> (4Q171 F1-2ii:8–11a)

The Psalms commentator singles out the rewards given to the righteous who will celebrate the Day of Atonement in accordance with the sectarian calendation. This whole passage castigates those who celebrate the festivals by the reckoning of the opposition.

Just prior to this passage is a text that deals with the chronology of the sect, also taken from MTA.

ועוד מעט ואין רשע F1-2ii:5  
 ואתבוננה על מקומו ואיננו פשרו על כול הרשעה לסוף F1-2ii:6  
 ארבעים השנה אשר יתמו ולוא ימצא בארץ כול איש F1-2ii:7  
 ש[ר] F1-2ii:8

“But in a short while the wicked will be no longer. I will search for his place but he will not be there” (Ps 37:10). Its eschatological interpretation concerns all the wickedness at the end of the forty years when they will be exterminated and no [wi]cked man will be found in the land. (4Q171 F1-2ii:5b–8a)

Whence comes the idea of a period of forty years? The source seems to be CD 20:13b–15a.

ומיום 20:13  
 האסף יודה ה'חידר עד תם כל אנשי המלחמה אשר שבו 20:14  
 עם איש הכזב כשנים ארבעים: 20:15

And from the day of the assembling by the Unique Teacher until the destruction of all the warriors who will have joined with the Man of Lies will elapse about forty years. (CD 20:13b–15a)

Scrollists translate האסף to mean the *ingathering* (i.e. the death) of the Unique Teacher. I have argued, however, that this term in CD

<sup>95</sup> Some scrollists translate הענייה as “error” or “distress.” See respectively Cook, in *The Dead Sea Scrolls*, 221 and Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 343. However, it is clear that the phrase מועד הענייה here has the same meaning as it does in CD 6:18–19.

and to observe the day of the Sabbath including its elaborations and the festive seasons and the day of fasting (Atonement) in accordance with the practice of those who will enter the new covenant in the land of Damascus . . .

20:14 as well as in 19:35 does not refer to the Teacher's death, but to the *assembling* of the people under his leadership, and that at its completion (תם) all the warriors who had rebelled will meet their demise.<sup>96</sup> CD 20:14 employs the wording of Deut 2:14.

וְהַיָּמִים אֲשֶׁר־הִלְכְנוּ מִקַּדֶּשׁ בְּרַנֶּעַ עַד אֲשֶׁר־עָבַרְנוּ אֶת־נַחַל זֶרֶד  
שְׁלֹשִׁים וְשָׁמֹנֶה שָׁנָה עַד־תָּם כָּל־הַדֹּר אֲנָשֵׁי הַמִּלְחָמָה כִּמְרַב הַמִּזְבֵּחַ  
כַּאֲשֶׁר נִשְׁבַּע יְהוָה לָהֶם

The time that we spent in travel from Kadesh-barnea until we crossed the wadi Zered was thirty-eight years, until the complete (תם) demise of the whole generation of warriors from the camp, as the LORD had sworn to them. (Deut 2:14)

It stresses that just as those who rebelled in the wilderness against Moses died out after thirty-eight years, so those who will not join the Teacher when he assembles the people in Damascus (resembling Moses' gathering the Israelites in Egypt for liberation) will perish after about forty years.

Drawing on MTA, our pesherite writer makes the same point. Indeed, all three texts (Deut 2:14; CD 20:14 and 4Q171 F1–2ii:6–8) employ the same verbal root תָּם. Each designates a similar chronology of approximately forty years. Thus we may be assured that the pesher's period of forty years draws on MTA. Moreover, the pesherite writer attests to the fact that הַאֲסֵף in MTA does not, as many have argued, allude to the *death* of the Just Teacher, but refers to his act of *assembling* the exiles in Damascus, resembling Moses' gathering the elders of Israel (Exod 3:16; 4:29) and eventually the entire nation for their liberation from oppression. As to the number forty, it is traditional to divide the life of Moses into three periods of forty years. Scripture tells us that Moses was eighty years of age at the time of the exodus and lived to one hundred and twenty. Rabbinic and New Testament literature, likewise, divide his life into three periods of forty years each. Hence, here too our text is modeled after the life of Moses.

Returning to the pesher's main theme, the struggle between the Man of Lies and the Just Teacher, the commentator, like that of *Pesher Habakkuk*, expands upon Ps 37:7.

<sup>96</sup> Ben Zion Wacholder, "The Teacher of Righteousness is Alive, Awaiting the Messiah: הַאֲסֵף in CD as Allusion to the Siniatic and Damascene Covenants," *HUCA* 70–71 (1999–2000): 75–93.

F1-2i:17 [דו]ם ל[יהוה ו]התחולל לו ואל תחר במצליה דרכו באיש  
 F1-2i:18 [עושה]ה מזמות [פשר]ו על איש הכזב אשר התעה רבים באמרי  
 F1-2i:19 שקר כיא בחרו בקלות ולוא שמו[עו] למליץ דעת למען  
 F1-2ii:1 יובדו בחרב וברעב ובדבר

["Be sil]ent before [the Lord and] wait for Him; and be not jealous of the (wicked) who is successful in his way, with the man [who plo]ts schemes" (Ps 37:7). Its [eschatological interpretation] concerns the Man of Lies who will mislead the masses with deceitful words, since they will choose trivial matters and will not hear[ken] to the interpreter of understanding. Hence, they will perish by the sword, famine and pestilence. (4Q171 F1-2i:17-ii:1a)

Note the phrase מליץ דעת, a sobriquet for the Just Teacher. That the מורה הצדק represents the core of this psalmic commentary becomes evident in its amplification of verses 23–26 of the biblical text in Fragment 1+3-4iii:14–19a.

14 כיא מיהו]ן מצעדי גבר כוננ]ו בכול דרכו יחפץ כיא יפ]ל[ לווא  
 15 יושל כיא י]הוה סומך ידו] פשרו על הכוהן מורה הצדק אשר  
 16 [ב]חר בו אל לעמוד ו]אשר] הכינו לבנות לו עדת] האביונים <sup>97</sup>  
 17 [ודר]כו ישר לאמת ] נער היי]תי וגם זקנתי ולוא] ראיתי צדיק  
 18 נעזב וזרעו מבקש לחם] כול היום] חונן ומלוה וזר]עו לברכה פשר]  
 19 הרבר על מו]ד[ה הצדק אשר ]אל מ]לוה בכול דרכי]ן <sup>98</sup>

"For [the steps of a man are estab]lished from the Lo[rd]. He delights in all his way. If he stu[m]bles he does [not] go down, for the L[ord] supports his hand" (Ps 37:23–24). Its eschatological interpretation concerns the Priest, the [Just] Teacher [whom] God [will have ch]osen to rise to office and [whom] He will have prepared to establish for Himself a congregation [of the destitute . . . ] and He straightens his [pa]th for truth. "I [was a youngster] and I also have aged, but I have not [seen the righteous] forsaken, and his seed begging for bread. [All day] he is gracious and lends, and [his] see[d becomes a blessing]" (Ps 37:25–26) Its eschatological [interpretation] concerns the [Just] Teach[er whom ]God will ac[company in all his ways . . . ] (4Q171 F1+3-4iii:14–19a)

The pesherite writer continues his diatribe against the Wicked Priest through his prophetic interpretation of verses 32–33 in Fragment 3–10iv:7–10a.

<sup>97</sup> Martínez and Tigchelaar reconstruct instead בהירו באמת (*Scrolls Study Edition*, vol. 1, 344). There is no such extant phrasing in the DSS, but עדה האביונים appears in 4Q171 F1-2ii:9 and 4Q171 F1+3-4iii:10.

<sup>98</sup> My reconstruction of this lacuna draws on an alternative rendering of the participle מלוה in the preceding line for the pesher of the biblical text.

7 צופה רשע לצדיק ומבקש] להמיתו יה[זה] לוא יעזבנו בידו ולוא י[רשיענו  
 בהשפטו 8 פשרו על [הכו]הן הרשע אשר צ[ופ]ה הצד[יק] ומבקש] להמיתו  
 [ בגלל התוכח]ת והתורה אשר שלח אליו ואל לוא יע[זבנו בידו] ולוא  
 9 [רשיענו ב]השפטו ולן[י] שלם] אל ג[מולו] לתתו 10 ביד עריצ[י] גוא'ם  
 לעשות בן] משפט . . .

“The wicked man spies on the righteous man and attempts [to slay him. The Lo]rd [will not entrust him into his hand, n]o[r will] he declare him guilty at his judgment.” (Ps 37:32–33). Its eschatological interpretation concerns [the] Wicked [Pri]est who will be sp[er]y[ing] on the righte[ous], attempting to] slay him [on account of the rebuk]e and the Torah which he will have sent him. But God will not le[ave him in his hand] and [will] not [declare him guilty during] his judgment. Rather, [God will] pay [him] (the Wicked Priest) his [re]compense by giving him into the hand of the ruthless of the nations to execute [judgment] (death) upon him. (4Q171 F3–10iv:7–10a)

These lines are interesting and perhaps explain why its author chose to compose his commentary on this psalm describing the mortal struggle between the צדיק and the רשע. The Wicked Priest will attempt to kill the Just Teacher, thus bringing about his own destruction. My reconstruction להמיתו [בגלל התוכח]ת והתורה אשר שלח אליו in line 8 compares to similar terminology in 1QpHab 5:8–12a cited above pertaining to the conflict between the מורה הצדק and the איש הכזב.

8 למה תבישו בוגדים ותחריש בבלע  
 9 רשע צדיק ממנו vacat פשרו על בית אבשלום  
 10 ואנשי עצתם אשר נדמו בתוכחת מורה הצדק  
 11 ולוא עזרוהו על איש הכזב vacat אשר מאס את  
 12 התורה בתוך כול ע'צתם

“Why do you traitors look and are silent as the wicked swallows up one who is more righteous than he?” (Hab 1:13b) Its eschatological interpretation refers to the house of Absalom and their council who will have fallen silent *at the (time of) the reproof by the Just Teacher*,<sup>99</sup> not assisting him against the Man of Lies who will have despised the Torah within their entire congregation. (1QpHab 5:8–12a)

<sup>99</sup> See Brownlee's extended discussion as to whether the מורה הצדק is here a subjective or an objective genitive (Brownlee, 93–94). My rendering this phrase as a subjective genitive accords with the use of הוכחה in biblical wisdom literature and the DSS, where God, wisdom and true justice function as the reprovers of those in need of reproof. Cf. especially Prov 3:11: מוסר יהנה בני אל־תמאס ואל־תקן בתוכחתו: (My son, do not despise the correction of the Lord; nor loathe His reproof), a text containing terminology similar to that of our Habakkuk pesher.

As reconstructed and interpreted in light of *Pesher Habakkuk*, the above cited clause *להמיתו* [בגלל התוכח] וְהַתּוֹרָה אֲשֶׁר שָׁלַח אֵלָיו in *Pesher Psalms* is interesting. The reason for the animosity of the Wicked Priest is that the Just Teacher will have reproved him through a Torah which he detested. What specifically that Torah was is of course not given. Yet, the fact that this pesherite work follows MTA, which as I have argued elsewhere is an amplification of the book of *Jubilees* described in CD 16:1–3 as מְדוּקָדֵק “perfect,” suggests, perhaps, that the Torah employed for the rebuke and dispatched by the Teacher to his opponent would be the book of *Jubilees*.<sup>100</sup> A related text in the so-called *Catena*<sup>a</sup>, which is really a pesher composition, contains the same idea.

תְּקַעוּ שׁוֹפָר בְּגִבְעָה הַשּׁוֹפָר הוּא הַסֵּפֶר [הַתּוֹרָה רֵאשׁוֹנָה הַחַ] וְצִרְרָה הִיא אֵה  
סֵפֶר הַתּוֹרָה שְׁנִית אֲשֶׁר כָּל אֲנָשִׁי עֲצָתוֹ וַיְדַבְּרוּ עִלְיוֹ סָרָה

“Blow the *shofar* in Gibeah.” (Hos 5:8). The *shofar* refers to the book [of the first] Torah. “The tr[ans]u[m]pet” (Hos 5:8) is the book of the second Torah which a[ll] the me[m]bers of the council will have despised and spoken of in a deviant manner. (4Q177 F1–4:13b–14a)

This “pesherite” work as reconstructed here<sup>101</sup> reiterates the idea of two Torahs, apparently the Pentateuch and *Jubilees*. The rejection of the second Torah recalls the animosity of the Wicked Priest toward the צַדִּיק (the Just Teacher) in the above cited pesher on Ps 37:32–33 for having reproved him, dispatching to him a copy of the Torah.

4Q171 F3–10iv:13–14, a pesher on Ps 37:35–36 likewise continues to deal with the אִישׁ הַכּוֹב, but because of its fragmentary nature we omit it here. On the other hand, two of the final three texts in *Pesher Psalms* which refer to the מוֹרָה הַצַּדִּיק, although only partially extant and whose state does not allow for a confident reconstruction, nevertheless deserve attention. The comments on Ps 45:2 in lines 26–27 of the above listed 4Q171 F3–10iv composite and in line 1 of fragment 11 of the same manuscript, are interesting. The latter section relates to CD 15, which repeatedly uses the clause “to return

<sup>100</sup> See my above cited article “*Jubilees* as the Super Canon: Torah-Admonition versus Torah-Commandment.”

<sup>101</sup> Allegro transcribes this text as follows:

[תְּקַעוּ שׁוֹפָר בְּגִבְעָה הַשּׁוֹפָר הוּא הַסֵּפֶר] [הו] אֵה  
סֵפֶר הַתּוֹרָה שְׁנִית אֲשֶׁר [א]נָשִׁי עֲצָתוֹ וַיְדַבְּרוּ עִלְיוֹ סָרָה

John M. Allegro, *Qumran Cave 4.1 (4Q158–4Q186)* (DJD V; Oxford: Clarendon, 1968), 68.

to the Torah of Moses with a whole heart and soul . . .”

ולשוני עט [ F3-10iv:26  
 102 [סופר מהיר פשרו] על מורה[ה] הצדק אשר ידבר ל[פניי (?) אל במעני לשון] F3-10iv:27  
 103 [ . . . לשוב יחד לתורה ב[כול לב ובכול נפש] F11:1

“And my tongue is the stylus [of an expert scribe” (Ps 45:2). Its eschatological interpretation] concerns [the Just] Teacher [who will speak be]fore God with a confessional tongue . . . to return together to the Torah with[ a whole heart and soul.] (4Q171 F3–10iv:26b–27; 4Q171 F11:1)

My reconstruction for the pesher portion of the second of these fragmentary texts containing the phrase מורה הצדק draws on Ps 56:6.<sup>104</sup>

[ שו]א לכב[ משכימי קום מאחרי שבת אוכלי לחם העצבים כן יתן לירידי שנת  
 [ פשרו א]שר יבקשו[ן] לעצב את דברי הצדיק כול היום(?)  
 [ נס]תרות מורה הצדק [ ב]הן לאחרית הק[ן]

[“It is vai]n for you [who rise up early, to stay up late, to eat the bread of painful sorrow; for so he gives sleep to His beloved.” (Ps 127:2). Its eschatological interpretation concerns those w]ho will seek [to distort the words of the righteous all day long . . . hid[den] by the Just Teacher[ . . . in] them toward the end of the er[a . . . (4Q173 F1:2–5)

The third of these fragmentary references to the Just Teacher in *Pesher Psalms*, 4Q173 F2:2, contains little that is helpful for constructing its context, save that the subject matter continued to be concerned with this leading eschatological personality.<sup>105</sup>

<sup>102</sup> Allegro (DJD V, 45) transcribes

[ ולשוני עט ] 26  
 [סופר מהיר פשרו] על מורה[ה] הצדק ] 27

<sup>103</sup> For my restoration cf. CD 15:9; 16:4–5.

<sup>104</sup> Allegro (DJD V, 51–52) provides no reconstruction for what he presumes to be the pesher. He transcribes lines 4–5 as follows.

[ ע]תרות מורה הצדק[ ] 4  
 [ כו]הן לאחרית הק[ן] ] 5

*sup]plications* of the Teacher of Righteousness [ . . . <sup>5</sup> . . . ]priest at the end of ti[me . . .

<sup>105</sup> See the different reconstructions in Allegro, 52 and in Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 350.



## 3.2.1.1.6.4. Peshet Nahum

*Peshet Nahum*, of which portions of 61 lines have survived, has aroused much interest on account of some of its unique content. It diverges from the other pesherite writings in that it alludes to contemporary figures such as the Seleucid rulers, Antiochus and Demetrius. In some respects it resembles them, but in several features it is unique. It repeatedly interprets the destruction of Nineveh as presaging the downfall of the Kittim, a common topic in these biblical commentaries. Unique to *Peshet Nahum* is the repetition of דורשי החלקות (interpreters of smooth things), a polemical phrase which occurs five or six times. These preachers are associated with Menasseh and the house of Peleg on the one hand and Ephraim on the other. The sobriquet דורשי החלקות probably draws on אשר דרשו בחלקות in MTA (CD 1:18). Other works such as *Hodayot*<sup>a</sup>, *Peshet Isaiah* and 4Q177 (4QCatena<sup>a</sup>) likewise have this phrase, but in none of them does it receive the emphasis given to it in *Peshet Nahum* where it occurs six times. Unique to this commentary as well as to the DSS on the whole is a polemic against a “Talmud” ascribed to the Ephraimites.

פשר[ן ע]ל מתעי אפרים אשר בתלמוד שקרם ולשון כזביהם ושפת מרמה  
יתעו רבים

Its eschatological interpretation pertains to those who lead Ephraim astray, who through their specious Talmud, their *lying* tongue, and deceitful lip will mislead many. (4Q169 F3-4ii:8)

כזבים calls attention to the איש הכזב of *Peshet Habakkuk* and *Peshet Psalms* on the one hand, and on the other to the מימי כזב of CD 1:15. Compare also יתעו רבים with ויהעם of CD 1:15. Scrollists have rendered the term תלמוד here as “teaching.” In my opinion, however, the fact that the word תלמוד is preceded by the preposition ב suggests that the meaning here is a literary composition; and since it is followed by the parallel phrase ולשון כזביהם, it alludes to an oral composition that was important to the sect’s opponents, probably an early form of our Mishnah. The Mishnah was edited by Rabbi Judah Ha-Nasi (c. 200 C.E.), but the term תלמוד in our text apparently goes back to the second or early first century B.C.E. Certainly this is the oldest reference to this literature by name. The entire comment on Nah 3:4, “Its eschatological interpretation pertains to those who lead Ephraim astray, who through their specious Talmud, their lying tongue, and deceitful lip will mislead many,” consists of a polemic against the

Pharisees. As to the temporal relation of *Pesher Nahum* to the other pesherite writings, it probably is one of the last of these commentaries in the DSS. Like the others, it speaks of אחרית הימים (the end of days) or אחרית הקץ (the end of the epoch), making its eschatological stance manifest. The extant part of *Pesher Nahum* does not contain the sobriquet מורה הצדק, but its entire language makes it a part of the pesherite literature related to the Just Teacher in MTA.

### 3.2.1.1.6.5. Pesher Isaiah

The remains of five commentaries from the peshers of the book of Isaiah survive (4Q161–165). In essence, they resemble the pesher on Habakkuk which is virtually complete and, like *Pesher Habakkuk*, are dependent on MTA. These works deal with two themes which are amplifications of MTA: 1) the Just Teacher and 2) the Scoffer and his followers. An additional theme common to the pesherite works, preserved also in *Pesher Nahum*, deals with the Kittim, the pesher's sobriquet for the mighty pagan nations, and their eschatological defeat by the Just Teacher. However, one text, 4Q165 F1–2:3, although fragmentary, presents a novel idea that someone, probably the Just Teacher, will disclose a תורה הצדק (a just Torah), giving a legal stance to the instructions of the Teacher, as well as, perhaps, revealing the etiology behind the sobriquet מורה (ה)צדק. In other words, the name “Just Teacher” originated with his presentation of a just Torah to Israel.

These texts emphasize the defeat of the Kittim and the downfall of those who will follow the Scoffer. In the midst of this, the author gives great attention to Isa 10–11 and other Isaianic passages that form an eschatological theme. However, what has survived is so fragmentary that no detailed account can be derived. In one such passage, the author appears to allude to David's conquest when he was ascending from the valley of Akko to make war against the Philistines (4Q161 F5–6:11). Although David is not found in what survives of this passage, he is recorded in 4Q161 F8–10:17–18a, another fragment commenting on Isa 11:1–5.

[ פשרו על צמת] דויד העומד באח[רית הימים  
17  
18 לכלות את או[ן]יב<sup>106</sup>

<sup>106</sup> The reconstruction אה לכלות is mine.

[The eschatological interpretation of the passage concerns the sprout] of David which will arise in the la[st days . . . to defeat] his [en]emy. (4Q161 F8–10:17–18a)

The common denominator of all these pesherite passages is their eschatological stance. Prophecies are not contemporary statements, but futuristic expectations. As we have seen, the authors of both MTA and *Pesher Habakkuk* describe at length the two figures, the מורה צדק and the איש הכוזב. One would be remiss not to repeat that these figures appear also in three other pesherite works (Psalms, Isaiah and Micah) but nowhere else in the DSS.

This analysis of virtually all phrases that allude to the מורה הצדק and the איש הכוזב and its related sobriquets shows the importance of these two personalities in MTA and the pesherite writings wherein they play a vital role. Indeed, scroll scholarship makes the Teacher the founder of the Essene movement and the Man of Lies a Pharisaic leader. Much literature has been devoted to their identification. Louis Ginzberg, writing before the discovery of the DSS, viewed the role of the מורה צדק of CD as a model for the Elijah found in later rabbinic and Talmudic literature, especially his role as the true arbiter in legal subject matter relating to *halakah*. It is the Elijah modeled after the מורה צדק that will answer all unresolved questions raised by the Talmudic sages. Note, however, that Ginzberg, in his lengthy discussion, ignores altogether CD's mention of the conflict between the Just Teacher and his nemesis, the איש הלצון. By contrast, for the pesherite writers it is the struggle between these two personalities and the attempt of the Wicked Priest to destroy, if not murder, the Just Teacher that characterizes their extraordinary role. As we noted above, modern scholarship views the significance of the Just Teacher in MTA as that he was the founder and ideologue of the Essene movement. Nothing in MTA or the pesherite accounts of the מורה הצדק suggests that they saw him as the founder of a movement. On the contrary, what we find in these writings is his millennial role. In the words of CD 7:4b–6a, the life and practices of the Just Teacher will serve as a model for the eschaton: "As for all who walk in these rules in perfect holiness, in accordance with all His chastisements, the divine covenant will remain faithful to them, keeping them alive for thousands of generations." What the pesherite writers understand in these two personalities is the dualism, the conflict between good and evil. It is this dissonance that reflects the author's interest in MTA.

### 3.2.1.2. *A Review of History (CD 2:2–3:12a)*

The perspective of CD 1:1–2:1 has been God’s discord with mankind, those who know righteousness and those who do not. The prototypes for these groups are the two personalities, the *מורה צדק* and the *איש הלצון*. The text also displays a twofold definition of epochs: first the *דיאשונים* (the ancestors) who are a mixture of the righteous and the wicked, whose presence in Israel ends with the *הרבן* (the entire era of the destruction of the first temple), presumably beginning in 597 and continuing until 586 B.C.E.<sup>107</sup> The second period is that of the *אהרונים*, the succeeding generations commencing with this devastation and continuing to the *קץ (ה)רשעה* (restored into line 2 of the preamble)—the “end of the epoch of wickedness” also rendered as *קץ אחרית הקץ* (the end of time) in 4QpNah (169) F3–4iii:3 and the *קץ הרון* (the ‘end’ of the epoch of anger) in CD 1:5—which marks the beginning of the messianic age exposed in part in CD 1:7–12.

#### 3.2.1.2.1. *God’s Providence from Creation until the End of Time (2:2–13)*

CD 2:2–13 begins with a new address to the audience, commencing with the formula *ועתה שמעו אלי* (and now, heed me), a variant of *ועתה שמעו לי*, addressed once again to all the covenanters. Note that the epithet *יודעי צדק* in CD 1:1 is now altered to *באי ברית* (those who are entering the covenant). The phrases *יודעי צדק* and *באי ברית* are essentially synonymous, except that the covenanters are part of a new organization. *ברית* in MTA has two senses: a) emphasizing those who enter the traditional covenant of Moses (*באי ברית*), and b) accentuating its newness (*ברית (ה)חדשה*). Each of these phrases appears seven times in what remains of MTA. The latter receives its proper explication in CD 19:33b–34.

כִּן כָּל הָאֲנָשִׁים אֲשֶׁר בָּאוּ בְּבְרִית  
34 הַחֲדָשָׁה בְּאֶרֶץ דַּמַּשְׁק וּשְׁבוּ וַיִּבְגְּדוּ וַיִּסּוּרוּ מִבְּאֵר מַיִם הַחַיִּים 33

This will also apply to all those who will have entered into the *new covenant* in the land of Damascus but will have changed (their minds)

<sup>107</sup> The inception of this period is the date of Nebuchadnezzar’s second deportation of residents of Judah (Ezek 1:2), the first having been in 605 B.C.E. (Dan 1:1–2) and the third one being in 586, the razing of the temple and turning of the city. This date appears preferable for the starting point, since the author seems to build his chronography on the book of Ezekiel, dating the exile to that of Jehoiachin.

and acted treacherously and turned away from the well of living waters.  
(CD 19:33b–34)

In this sense, the old covenant is reinterpreted in the light of apocryphal, pseudepigraphic and other writings, the remains of many of which have survived in the DSS. It is this fusion of the old and the new *ברית* which became the kernel out of which arose the *אנשי היחד* (the men of togetherness) of *Rule of the Community* and the Essene movement of the classical sources Philo of Alexandria, Flavius Josephus and Pliny the Elder.<sup>108</sup>

Prior to MTA, dissenting views representing a variety of opinions and a multiplicity of biblical amplifications reflected the suppositions of isolated writers and their readers. Such is the case in the book of the Giants, *Enoch*, *Jubilees*, and even *Temple Scroll*. Now we hear the author of MTA urging the formation of a distinct grouping, a sect only beginning to take shape. A name for the members of this emerging group, *באי (ה)ברית*, a term frequent in MTA, occurs only once in *Rule of the Community*, a work that more often uses the above mentioned sobriquet, *אנשי היחד*. Except for perhaps one reference, MTA does not employ the name *יהה*. Hence, in my opinion, *Rule of the Community*, so much influenced by MTA, is posterior to it. The composition of our document occurred subsequent to that of *Jubilees* but prior to *Rule of the Community* and before the pesherite commentaries on Scripture, as we noted in our discussion on CD 1:13–2:1.

The essence of CD 2:2–13 may be described as a historiographic panorama of God's purpose in creating the universe. The author claims to reveal the origins of wickedness. This philosophy is not mere theory, but has as its purpose keeping the people away from evil. God has destroyed wickedness throughout history, but in every generation has preserved a righteous remnant to populate the earth. Our author goes on to stress divine foreknowledge, declaring that God knew the acts of humanity prior to their birth, hating especially those genera-

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<sup>108</sup> This designation gives us the birth of the sect that is partly comparable to the Pharisees and Sadducees. It is not what Schiffman proposes to argue, linking the Essenes with an offbreak of the Sadducees, although the term *צדק* is indeed rooted to both the Sadducees and the Sons of Zadok. The origins of Sadduceism extend back to the Zadokite priests of the First Temple. The sons of Zadok emanate from Ezek 40–48 where they are depicted as those who observed the commandments of the Lord while all of Israel had gone astray.

tions that shed blood (CD 2:7b–8a).<sup>109</sup> God’s providence extends to all of history, *Urzeit* and *Endzeit*; He reveals to us His concept of the historical process, the sequence of the events yet to come (CD 2:9–10). On this point, our writer had earlier noted, “. . . for [(God)] has fore[told the first]t [as well as the latter things and] what will transpire thereafter in them (the Divisions of the Eschatological Epochs) . . .” (4Q268 F1:2b–3a).

3.2.1.2.2. *Those Who Lived Righteously and Those Who Did Not*  
(2:14–3:12a)

The phrases *יודעי צדק* in CD 1:1, *באי ברית* in 2:2 and *בנים* here in 2:14 are employed for a group in the process of formation (as mentioned earlier), rather than as names for an existing organization such as *אנשי היהוד* of *Rule of the Community*. The formula here, *ועתה לי בנים שמעו לי*, draws on the same wording in Prov 5:7 and 7:24, in whose contexts personified wisdom exhorts the young naive males of the community of Israel to heed her wise counsel so as not to be trapped in sin. The same formula occurs in Prov 8:32 wherein wisdom emphasizes the reward for observing her ways.

ועתה בנים שמעו לי ואלתסורו מאמריי פי Prov 5:7

ועתה בנים שמעו לי ותקשיבו לאמריי פי Prov 7:24

ועתה בנים שמעו לי ואשרי דרכי ישמרו Prov 8:32

And now O sons, hear me and do not depart from the words of my mouth.

And now O sons, hear me and give heed to the words of my mouth.

And now O sons, hear me, for happy are they who observe my ways.

The sapiential terminology of each of these passages compares to that of our text. Note especially the exhortation in CD 2:16 not to turn away toward thoughts inclining toward transgression with eyes of whoredom (*זונה*). This compares with wisdom’s warning about the *זונה* (whore) of Prov 6:26 and 7:10. *כי רבים העו בהם* (since many have gone astray through them), the immediately succeeding clause in CD 2:16b–17a, echoes Prov 7:26—*כירבים תללים הפילה נעצמים*—*כל הרגיה* (for she has toppled many wounded; and mighty are all

<sup>109</sup> For the inclusion of a phrase dealing with the shedding of blood, see *Jub.* 6:38, where the author concludes his injunctions concerning calendation with a single clause on the eating of blood. It might be that our writer refers here also not to the shedding of blood, but to its consumption (cf. CD 3:6 below).

her slain). Personified wisdom's compassion toward the young men of the sapiential texts is transformed in MTA into that of a caring father for his children in need of enlightenment. בניים is here a term of endearment as it is CD 13:9 in the phrase וירחם עליהם כאב לבניו (And he will have compassion upon them as a father has for his children).

The author goes on in CD 2:14–15 to show that God wants not only the observance of the commandment, but the sapiential element as well. In the first ועתה formula as reconstructed in 4Q266 F1:5–6 in the preamble, the author tells of the mighty acts of God and the details of how the world came into being. The story of how eternity came into existence in the context of this formula reappears in CD 1:1–2 and here in the phrase ולהבין במעשי אל (and to understand the acts of God).

The giants and the flood, the destruction of the rebellious wilderness generation and the desolation of the land in the text that follows serve as examples of divine retribution in history. On the other hand Noah and the patriarchs Abraham, Isaac and Jacob, God's favorites, are recorded as lovers of God. A close reading of these lines shows not only the author's historiography, but also some of the contemporary lore that he may have used in constructing this survey. Certainly, the mention of the עירי השמים (the Watchers of Heaven) echoes material in the *Book of the Giants* and *Enoch*. The writer shows an awareness of *Genesis Apocryphon* as well as the last section of the book of *Enoch* where the figure of Noah as an extraordinary giant is described in great detail. However, whereas *Genesis Apocryphon* makes Noah phenomenal in this respect, our writer depicts the entire pre-flood generation as people whose height was like that of cedars and mountains. More significantly, the author reflects in his use of extra-biblical texts what we find elsewhere in MTA: a close awareness of the chronological scheme preserved in *Jubilees* as it is evidenced in MTA's classification of history into epochs along with a detailed chronology of the antediluvian generations.

### 3.2.1.3. *The Sons of Zadok and Their Adherents* (CD 3:12b–4:10a)

With CD 3:12b the author begins to present a more vivid picture of the righteous and the wicked. Whereas the previous segments dealt with these contrasting groups of the past, beginning here the author returns to his favorite theme, the organization that he proposes to form. He links these addressees to the righteous of the past as well as to the forerunners of the new epoch.

3.2.1.3.1. *Ezekiel 44:15 and Its Eschatological Exegesis: the Sons of Zadok*  
(3:12b–4:7a)

He refers to his listeners as *מהם אשר נותרו מהם* (those who are clinging to God's commandments, the remnant).<sup>110</sup> For them God will establish the covenant, presumably the *ברית החדשה*. This group will be the privileged ones. *מהזויקים* refers to those who would be joining the new group. That the author repeatedly identifies his audience with this epithet suggests that at the time of this composition this group had as yet not acquired a name. As mentioned above, the tag *יהר*, so prevalent in *Rule of the Community* and elsewhere, occurs perhaps only once or twice in this large text. It must have come into vogue posterior to the composition of MTA.

Thus, MTA has five leading themes: 1) God and His covenant, 2) the historical *ראשונים*, ancestors who are divided into the righteous and the wicked, 3) the audience to whom the work is addressed (known also as the *אחרונים*), 4) the opponents, the *מסיגי הגבול* (the Shifters of the Boundary) against whom the author thunders over and over, and 5) the eschatological generations when the Messiah of Aaron and Israel will arise to form the eternal era.

As to the *נסתרות* (the hidden matters), also restored into the preamble in 4Q266 F1:6 and parallel to *רזים* in 1QH<sup>a</sup> 26:1, lines 13–15 identify what they refer to in this context, namely the Sabbath and the festive seasons in which Israel had gone astray. These clues suggest that the hidden matters pertain to the disputations concerning the calendar. In contrast to the lunisolar reckoning of a three hundred and sixty-five day year, the author refers here to a three hundred and sixty-four day calendation by which the appointed seasons (*מועדים*) should be reckoned as examples of the *נסתרות*.<sup>111</sup> Interestingly enough, the rabbis also refer to the setting of the festive calendars as *סוד העיבור* (the mystery of calendation). By this they mean that the setting of the length of the month and the year is the prerogative of the court and those appointed by them. However, the author of MTA may mean that the matters of calendation under the sectarian reckoning had resulted from direct revelation and must not be interfered with by courts or any other human institution.

<sup>110</sup> See CD 1:20; 3:20; 7:13 and 20:27 for the use of *מהזויקים*. The wording *מהזויקי* from 1QSb 1:2 seems to belong to 4Q266 F2i:24 which is restored from CD 1:20–21, resulting in a somewhat longer line matching the surrounding text.

<sup>111</sup> For the calendric meaning of *מועד*, cf. 4Q268 F1:4.



MTA's stress here on the reckoning of time may help resolve a problem in the sect's history of calendation. Whereas the books of *Enoch* and *Jubilees* devote considerable space to the three hundred and sixty four day year, they make no mention of the *משמרות* (courses). Despite the lengthy treatment of the sectarian calendation in these writings, nothing in these traditions links this reckoning to the priestly courses that took turns in the service of the sanctuary. CD 3:21–4:2a goes on to cite Ezek 44:15 concerning the priests of the sons of Zadok who observe the *משמרת* of the temple. Although the clause *שמרו את משמרת מקדשי* may convey in Ezekiel the maintenance of the service of God's sanctuary (see NJPS), the sense given to this clause in CD 4:1, by reason of what follows in lines 2b–7a describing the listing of the sons of Zadok, is identical to that found in the Mishnah and Talmud—the weekly courses from one Sabbath to another kept by the descendants of Zadok. We now have a number of scrolls that list the calendars with their *משמרות*, the twenty-four priestly courses bearing the names of the sons of Zadok and Abiathar found in the *מהלקות* (divisions) of 1 Chr 24.<sup>112</sup> The catalogue of names in the weekly courses of the DSS differs in one minor point from that of the chronicler. Whereas the latter begins with Jehoiarib, its order in the scrolls starts with Gamul as the first course, perhaps because, whereas the name Jehoiarib echoes contention and conflict, Gamul denotes recompense or retribution, an idea favored in MTA. The question arises, at what point did the sectarian calendation adopt these priestly courses, completely absent in *Enoch* and *Jubilees*? It is likely that our passage in MTA interprets the *משמרת* of Ezekiel's Sons of Zadok as the calendation of the Sabbath and the festive seasons, and created the impetus to link the element of the weekly courses into sectarian calendation. Hence, the number of sobriquets found here which tell about the Sons of Zadok in a list of names alludes to the introduction of the weekly courses into the sect's calendric system. If this was indeed the case, it was of great importance, for by setting the weekly courses to the three hundred and sixty-four day year, each week assumed an additional element of priestly interest and made it possible to have a system of reckoning which made the holidays always fall on the same day of the year.<sup>113</sup> Thus the sobri-

<sup>112</sup> Cf. 1QM 2:2–6; 4Q320–330.

<sup>113</sup> As mentioned on p. 137, the League of Nations deliberated on creating such a reckoning for modernity so that the New Year and all other festive occasions would

quet “called by name, who will arise at the end of days. Here is a listing of their names by their ancestry and the time of their officiating” (CD 4:4–5a) found in this text may have given rise to linking the three hundred and sixty-four day year with the chronicler’s list of divisions. Note that whereas the chronicler calls these divisions *מִהֶלְקָה*, the (priestly) divisions, our writer and the sectarian calendar makers refer to them as *משמרה* or *משמרות*.<sup>114</sup>

The issue of calendation in our text becomes especially important in the preceding clauses of CD 3:14–16 with the injunction that life is dependent upon the following: 1) observance of the festive seasons, 2) His righteous testimony and 3) the desires of His will by which man shall observe and live and dig a well of many waters. The section goes on to say the negative: *לא יהיה* ( . . . but He will not let those who despise them live). The text continues *והם התגלגלו* *בפשע* *אנוש* *ובדרכי נדה* *ויאמרו כי לנו היא* (since they wallowed in man’s transgression and in the ways of impurity, saying, ‘It belongs to us’). This passage too refers to the sinfulness of the past. The meaning of *והם התגלגלו* in CD 3:18 could mean that Israel claimed that *God* had commanded their evil acts, a rendition that is implausible. Therefore, it is more likely that *כי לנו היא* denotes their claim to be righteous.

CD 3:18–20a continues by teaching that, despite Israel’s continued record of wickedness, God in His mysterious ways is acting magnanimously with her (albeit the remnant) by forgiving her sins and will erect for her a new sanctuary, a faithful house (*בית נאמן*), the likeness of which has never been—a claim that the futuristic temple will be more glorious than that of the highly endowed Solomonic sanctuary. Standard translations take these clauses as referring to the temple of the past, that God had forgiven Israel’s sins and built a faithful sanctuary, the likes of which had never existed. Rabin adduces support for this interpretation by referring to the phraseology in 1 Sam 2:35, paraphrases of which he finds in *Rule of the Community* 8:9, *1 En.* 91:13 and *Jub.* 22:24. It follows that the reading *וַיִּבְנֶן* in the consecutive past, “then he built” for them a faithful house, refers to that established by David and Solomon. This interpretation is implausible. True enough, Rabin’s citations are unchallengeable. However, it does not follow that *וַיִּבְנֶן* or, for that matter the other intertestamental references, necessarily

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fall on the same day from year to year. It abandoned its endeavors on the so-called 13-month calendar plan in 1937.

<sup>114</sup> See “Calendrical Documents and Mishmarot” in DJD XXI (2001).

refer to it. The concluding clause in CD 3:19, “the likeness of which had never existed from earliest time until now,” where “now” refers to the time of the author’s book, could not have meant the first temple. Secondly, CD 3:21–4:2a, citing Ezek 44:15, does not refer to the first temple, but to a futuristic sanctuary. Incidentally an awareness of this tendency in MTA is very important for the understanding of the DSS. Scholars tend to mistranslate meaning when they become slavish to the biblical original. We must necessarily read, not  $\text{וַיִּבְנֶה}$  as a past consecutive, but  $\text{וַיִּבְנֶה}$  (and he will build), a future tense verb which the author takes to refer to Ezekiel’s sanctuary.<sup>115</sup> Again, the phrase “the likeness of which had never existed from earliest time until now” also excludes the possibility that the faithful house refers to the post-exilic temple, a sanctuary inferior in quality to that which Solomon had erected.<sup>116</sup> Furthermore, the citation from Ezek 44:15 in CD 3:21–4:2 which follows makes this view a certainty. The last nine chapters of Ezekiel depict a new sanctuary, built not by Zadok of David and Solomon, but by his descendants during the post-exilic period. This section proposes a new division of the tribes of Israel, a new epoch of prosperity, and the creation of a new nation that will prosper in its fertility. The future intent of the author’s use of Ezek 44:15 will be discussed in greater length below.

Our text which continues in line 20,  $\text{הַמְחַזְּקִים בּוֹ לַחַיִּי נִצָּח וְכָל כְּבוֹד אֲדָמָה לָהֶם}$  (The people who cling to Him are destined to eternal life and all human glory will be accorded to them), summarizes the preceding section. Scholars have taken the word  $\text{בּוֹ}$  as referring to the temple. It is more likely, however, that it here refers to the deity, since the sanctuary is God’s house and it is God who will give eternal life to those who cling to Him. With  $\text{הַמְחַזְּקִים}$ , the author continues the theme which extends throughout the work, describing the righteous which is the organization ultimately named Essenes, but here stressing the contrast with the wicked, the  $\text{מְסִינֵי (ה)גְבוּל}$ , “the Shifters of the Boundary.”

As stated above, CD 3:20b–4:2a goes on to cite Ezek 44:15.

כֹּאשֶׁר 3:20  
3:21 הַקִּים אֵל לָהֶם בִּיד יְחֻזְקָאֵל הַנְּבִיאָא לְאָמַר הַכְּתָנִים וְהַלְוִיִּם וּבְנֵי

<sup>115</sup> Cf. also Dan 11 wherein conventional biblical verbal patterns of regular imperfects and perfects consecutive are frequently ignored in favor of shortened imperfects preceded by  $\text{וַיִּ}$  to indicate future time.

<sup>116</sup> Cf. Ezra 3:12 and Hag 2:3.

צדוק אשר שמרו את משמרת מקדשי בתעוֹת בני ישראל 4:1  
 מעלי הם יגישו לי חלב ודם *vacat* הכהנים הם שבי ישראל 4:2

... just as the Lord has established them by Ezekiel the prophet saying, “As for the priests and the Levites and the sons of Zadok who have kept the courses of My sanctuary when the children of Israel strayed from Me, they shall offer me fat and blood.” (CD 3:20b–4:2a)

The mode of citation used in CD 3:20a–21 deserves a comment. On the surface **כאשר** is another term used for quoting the prophets Hosea, Amos and Isaiah, et al. In fact, however, as a citation formula in MTA, **כאשר הקים אל** is used only for referencing Ezekiel.<sup>117</sup> The other prophets are introduced with the phrases **כאשר אמר** or **אשר אהוב**. The citation **כאשר הקים אל** fronts an extended clause in which both the deity and the prophet are joined in a lengthy elaboration that goes on to be interpreted word by word in 4:2–7. It seems that, although MTA quotes Isaiah frequently, it is Ezekiel that receives the greatest emphasis in MTA as we shall see. It is the role of the priests of the house of Zadok in the land of Damascus that is elaborated on over and over from this point to the end of the work.

Ezekiel 44:15 is well known in historical scholarship. Abraham Geiger and Julius Wellhausen cited it to show that the book of Ezekiel, which mentions priests and Levites, had not known the Pentateuch as we have it, referring to the sons of Zadok as both priests and Levites. In other words, the composition of the five books of Moses, especially the priestly code, is presumed to be posterior to that of Ezekiel. Furthermore, as Wellhausen sees it, Ezekiel’s sons of Zadok refer to the high priests of the Solomonic temple.

Although, for the author of MTA, the sons of Zadok likewise have an extraordinary role, they do not refer (as contended by Wellhausen et al.) to the priesthood of the past, but to that of the future. For MTA, the sobriquet “sons of Zadok,” defined by Ezekiel four times as being especially near to God (**קרוב**) while Israel as a whole went astray (**תעה**), is a new priesthood for a new Israel.<sup>118</sup>

Let us now see how MTA exegetes Ezek 44:15.

הכהנים הם שבי ישראל CD 4:2  
 היוצאים מארץ יהודה והנלוים עמהם *vacat* ובני צדוק הם בחירי CD 4:3

<sup>117</sup> Cf. also 4Q271 F2:2a, restored from 4Q270 F3iii:14. The phrase **הקים אל** occurs in CD 3:13 and 4:9, but not to quote a biblical text.

<sup>118</sup> Cf. 40:46; 43:19; 44:15 and 48:11.

CD 4:4 ישראל קריאי השם העמדים באחרית הימים הנה פרוש  
 CD 4:5 שמותייהם לתולדותם וקץ מעמדם ומספר צרותיהם ושני  
 CD 4:6 התגוררם ופירוש מעשיהם <אנשי> קודש <הרי> שונים אשר כפר  
 CD 4:7 אל בעדם ויצדיקו צדיק וירשיעו רשע

The “priests” are the “penitent of Israel” who will depart from the land of Judah, and those who will accompany them. And the “sons of Zadok”<sup>119</sup> are the chosen of Israel, called by name, who will arise in the end of days. Here is a listing of their names by their ancestry and the time of their officiating and the number of their troubles and the years of their sojourn and the elaboration of the deeds of their holy <anc>estors whose (sins) God has atoned for. And they will declare the just righteous and the sinful wicked. (CD 4:2b–7a)

The priests refer to the contrite of Israel who will leave Judah and who, according to CD 6:5, will dwell in the land of Damascus. It is generally taken for granted that this passage refers to the priests of the past. However, it is clear that our text places them in the future. The basis for our futuristic understanding, however, rests in the succeeding clause. The prepositional phrase באחרית הימים in line 4 marks events yet to come, as necessarily does the participle העמדים associated with it. The parallel participial phrase, היוצאים מארץ יהודה, on line 3 must therefore also mark a future event. This means not that the exodus to Damascus had already occurred, but that it would take place in a time to come. This entire passage from lines 2–7 connotes an eschatological era. As was stated above, conventional reading takes this clause and those that follow to refer to the past.<sup>120</sup>

Many scrollists argue that the two words, והלוים הם (and the Levites are) preceded the phrase והנלוים עמהם in CD 4:3 to read “(the Levites are) those who accompanied them.” I believe this misinterprets the text. On the contrary, the phrase והנלוים עמהם is a pun on Levites and places them as subordinate to the priests. In other words, it is the priests and not the Levites that will serve as the chieftains in the futuristic sanctuary. בני צדוק (sons of Zadok) is a sobriquet which

<sup>119</sup> 4Q266 F5i:15–17 quotes this text in part. It may be reconstructed as follows: כול שבי ישראל ה[י]וצים מארץ יהודה ועמהם ב[ני] צדוק הכהנים הנה המ[ה] על ספר מדרש ה[תורה] האחרון (As for all the penitent of Israel who [will exit from the land of Judah and with them the so]ns of Zadok, the priests: behold they are (described) [in the book of the Midrash on the] Eschatological Torah).

<sup>120</sup> Martínez-Tigheelaar, for example, translate lines 2–4 “The priests are the converts of Israel who left the land of Judah; and <the levites are> those who joined them; *Blank* and the sons of Zadok are the chosen of Israel, the men of renown, who stand (to serve) at the end of days” (Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 556–57).

receives much attention in MTA. It depicts the “sons of Zadok” as the “chosen of Israel.” The term *בְּחִיר* is usually an epithet given to Saul, David and the children of Jacob. *קְרִיאֵי הַשֵּׁם* (listed by name) may also be rendered “called by God,” a phrase resembling *פְּרוֹשֵׁי הַשֵּׁם* in CD 15:2 and *וַחֲלַל אֶת הַשֵּׁם* in 15:3, both of which denote the divine name. However, the epithet *בְּנֵי צְדוֹק* normally refers to the tribal leaders named in Scripture. It also makes it apparent that the original text gave the actual names of the sons of Zadok.

The clause *הִנֵּה פְרוֹשׁ שְׁמוֹתֵיהֶם* (Here is a listing of their names) in lines 4–5 suggests that originally this passage was followed by the actual names of the “sons of Zadok,” material that is absent in the extant text. As has been explained, it is an allusion to the list of Zadok’s progeny given in 1 Chr 24 which names sixteen of his descendants plus eight of the sons of Abiathar for a total of twenty-four “sons of Zadok.” If so, the “sons of Zadok” here in MTA function in the system of time reckoning, a feature that is fundamental in the DSS documents and also attested in the Aramaic and Ethiopic books of *Enoch* and *Jubilees*. Note that *Enoch* and *Jubilees* show no awareness of linking the sons of Zadok with the calendar. MTA, however, does. Furthermore, our author’s lengthy elaboration on the sons of Zadok seems to make an additional point. His ignoring the descendants of Abiathar given in 1 Chr 24 gives exclusive credit to the “sons of Zadok,” pointing to a pun on *צְדוֹק* with *צֶדֶק*. The reiteration of the root *צֶדֶק* some two dozen times in the extant remains of MTA indicates the extreme importance of this concept for the author, and seems to link up with the epithet “sons of Zadok.” In addition, it may buttress the rejection of the commonly held view that supposes MTA to be a sheer collection of disparate extracts. On the contrary, much of MTA’s vocabulary points to a singular *tendance* and authorship. And, what is true of *צֶדֶק* could be true of other terms so frequently used in this treatise. Another word, for example, that deserves attention for its frequent usage is *פְּרוֹשׁ*, a term that occurs in our passage twice—in lines 4–5 as *פְּרוֹשׁ שְׁמוֹתֵיהֶם* (a listing of their names) and in line 6 as *פִּירוֹשׁ מַעֲשֵׂיהֶם* (an elaboration of their deeds). The word *פְּרוֹשׁ* is a term not recorded in Scripture, but is ubiquitous in rabbinic literature. Significantly it appears to occur some twenty-one times in the extant remains of MTA with several senses, resembling the usage it frequently has in rabbinic literature.

As to *וּפִירוֹשׁ מַעֲשֵׂיהֶם . . . וּקִין מַעֲמָרָם* in lines 5–6, the itemization of the “sons of Zadok” must have consisted of naming their high priestly pedigree to David and Solomon. These phrases commenting

on the “sons of Zadok” suggest that our text is abbreviating what had originally been an extensive narration of the history of the Zadokite tribe. The Qumran texts, longer in some parts than the later medieval parallels, may have contained the *משמרה* of the Sons of Zadok, perhaps beginning near the end of 4Q266 F2iii and continuing in a fragment that has not survived. As has been noted, at this point the text of 4:6 has fallen into disarray, as the next two words *הקודש שונים* lack coherence. Perhaps *שונים* should read *הרישונים*. Lines 6–7 explain that the priests of Zadok will be accorded distinction not only on account of their prominence, but also because God has forgiven whatever sins they have committed. He will recognize that their acts follow the rules of the Torah.

3.2.1.3.2. *The Successors to the Sons of Zadok during the Eschaton*  
(4:7b–10a)

Lines 7b–10a assert that the prominence of these descendants of Zadok will continue not only among those who are part of the audience, but also to the succeeding generations. Prior to this point, our author refers to the *מהזיקים*, the present audience whom he was addressing. Now he speaks to those who will follow them (*כל הבאים*), the next generation. As long as they will continue to be under the discipline of the Torah which the patriarchal generations endured, God will extend His atonement until the completion of these years. Note that the writer presumes the present generation will experience the discipline of those of the past (the *ראשונים*). This is an important line in our text since it reveals much of the outline of MTA. Repeatedly we hear what will happen to the future generation. They will go to the north (Damascus). Many will continue being penitent, will establish a new covenant and will receive another Torah of Moses, apparently a reference to *Jubilees* and *Temple Scroll*. Finally, the future generations will await the apocalypse wherein all the wicked will be destroyed (resembling those who left Egypt and were destroyed at Kadesh-barnea), but the righteous will live for a thousand generations. It will be the end of the epoch and the beginning of a new.

3.2.1.4. *Israel's Decline: The Past and Impending Crisis* (4:10b–6:2a)

The term *שלום* occurs twice in CD 4: first as *שלום* in lines 8–9 marking the completion of the epoch when God will forgive the sins of Israel and second in line 10 as the new period when it will no longer be possible to join the new association, a view also expressed

in portions of CD 20:1b–17a. However, what is the significance of these two epochs? The first completes the period of divine anger. The second marks the beginning of the eschatological age. The question arises, at what point do these eras divide? What is the nexus of “these years”? MTA articulates this same division again in CD 19:28b–20:1a (paralleled in part in CD 8:16–21). The phrase *עד שלים הקץ* [כמספר] השנים האלה (until the completion of the epoch [according to the number] of these years) probably refers to the קץ defined by our author in CD 1:5 as the epoch of three hundred and ninety plus twenty (=410 years) which was to transpire from Nebuchadnezzar’s second entrance into Jerusalem in 597 B.C.E. until its conclusion in 187 B.C.E.<sup>121</sup> 187 then, is the anticipated date of Israel’s future repentance, after which the Messiah of Aaron and of Israel was expected to appear to inaugurate the eschatological era and the Just Teacher was to emerge to lead the community. This outlines the chrono-Messianic epochs presented in MTA. As stated above, the first is the ראשנים, the beginning period of Israel’s history starting with Adam and the rebellion of the fallen angels, that continues through the age of the patriarchs until the Ezekielian הרבן of 597 B.C.E. The second, that of the אחרונים, began with this conquest and would end four hundred and ten years later. The third period was expected to commence with the debut of the divine appearance in the futuristic temple. The community expected that God would at that point reveal Himself to the righteous, whose longevity would extend for a thousand generations. The author of MTA is living in the last period of the second epoch.

#### 3.2.1.4.1. *Demarcating the New Age (4:10b–12a)*

Lines 10b–12a stress that there will be a solid curtain between the epoch of the אחרונים, the age of the writer’s audience, and that which follows it, the eschatological era. The fence has been built around the אחרונים. The present age will be separated from the future by a fortress with a fence that will demarcate current life from that of the miraculous eschaton. One will no longer be able to construct new laws. נבנתה הגדר רחק החוק (The fence has been built, the statute is distant) paraphrases Mic 7:11: יום לבנות גדר רחוק ירחק החוק

<sup>121</sup> The reconstruction of the temporal [... ב]קץ הרשעה in lines 2–3 of the document preserves the temporal framework of the preceding clause, ער תום מועד הפקודה, the conclusion of the four hundred and ten years marking the inception of the eschaton.



(The day to build your fences. On that day the statute will be far away). It is likely, however, that our author adds a new sense to this biblical reference. *נבנתה הגדר* suggests there no longer will be an exit. *רחק החוק* implies that it may no longer be modified, since each person will become part of a fortress. What was once near and expansive will now remain afar and unalterable. This idea follows the previous sentence, wherein it is warned that the opportunity to join the community is now in the present only, not in the future. Let us remember that the author dates this separation in the near future, which for him in this chronology corresponded to four hundred and ten years after Nebuchadnezzar's first conquest of Jerusalem.

3.2.1.4.2. *A Midrash on Isaiah 24:17 Announcing the Role of Belial*  
(4:12b–5:19)

Having told of the divisions of the epochs, the writer resumes his description of the critical situation at hand, the last days of the *אחרונים* just prior to the eschaton when Belial will still hold sway over Israel. 4:12b introduces this crisis with the familiar formula *ובכל השנים האלה* (and during all these years), emphasizing the critical situation facing the nation. The author communicates that during this epoch they will be reaching a turning point. Israel's sinfulness will witness a point of no return. MTA quotes Isa 24:17, introducing it with special emphasis. This formula *כאשר דבר אל ביר ישעיה* *כאשר דבר אל ביר ישעיה* (as God has spoken through Isaiah the prophet, son of Amoz saying) recalls the introduction to Ezek 44:15 stated above: *כאשר הקים אל להם ביר יהזקאל הנביא לאמר* (just as the Lord has established them by Ezekiel the prophet saying). Both citations, *כאשר אל דבר אל* and *כאשר הקים אל*, enable the writer to present an expansive midrash on the impending crisis.

3.2.1.4.2.1. *Isaiah and the Testament of Levi: Three Categories*  
of (Un)righteous Deeds (4:12b–19a)

The discovery of the presumed title *מדרש התורה האחרון* in the DSS adds additional weight to the midrashic technique used in this work. Now that we know the importance of the term in the Damascus Document we gain new insight into the author's midrashic methodology. As stated above, numerous passages in this volume begin with *אשר* and *כאשר אמר* or *כהוב*, serving as markers for interpreting ancient passages and corresponding to the ubiquitous term *שנאמר* in rabbinics. The term *פשרו* (its interpretation), so characteristic in the biblical commentaries of the DSS, occurs first in MTA, likely

the *Vorlage* from which these later commentaries drew this term. The passage that contains the word פשרו helps illustrate what our author meant by מדרש.

ובכל השנים האלה יהיה	CD 4:12
בליעל משולח בישראל כאשר דבר אל ביד ישעיה הנביא בן	CD 4:13
אמוץ לאמר פחד ופחת ופח עליך יושב הארץ vacat פשרו	CD 4:14
שלושת מצודות בליעל אשר אמר עליהם לוי בן יעקב	CD 4:15
אשר הוא תפש בהם בישראל ויתנם פניהם לשלושת מיני	CD 4:16
הצדק הראשונה היא הזנות השנית ההין השלישית	CD 4:17
שמא המקדש העולה מזה יתפש בזה והניצל מזה יתפש	CD 4:18
בזה	CD 4:19

And during all these years Belial will be let loose against Israel as God has spoken through Isaiah the prophet, son of Amoz, saying, “Fear and the pit and the snare are upon you, inhabitant of the land” (Isa 24:17). Its eschatological meaning (פשרו) is the three nets of Belial concerning which Levi son of Jacob said “with which he (Belial) trapped Israel and paraded them as if they were fronts for three classes of (un)righteous deeds”: the first is whoredom, the second wealth (and) the third the defiling of the sanctuary. He who escapes from one will be trapped in the next; and whoever is saved from that will be trapped in the other. (CD 4:12b–19a)

In this text the author of MTA quotes Isa 24:17, then paraphrases the first part of verse 18.

פחד ופחת ופח עליך יושב הארץ והנה הנס מקול הפחד  
 ופל אל הפחת והעולה מתוך הפחת ילכד בפח

Terror and pit and trap are upon you who inhabitant the earth. It will happen that he who flees from the sound of the terror will fall into the pit; and he who escapes the pit will be caught in the trap. (Isa 24:17a)

MTA understands the prophet as if he were addressing the writer’s contemporaries. However, it quotes Levi, son of Jacob, to explicate Isaiah’s three traps as referring to the three abominations with which Belial had ensnared Israel. The citation of Levi presumably refers to the *Testament of Levi*, which, however, is not present in our Greek version of the *Testaments of the Twelve Patriarchs*. We do not know, therefore, whether Levi cited Isaiah, or as is more likely, that the author of MTA uses Levi’s three traps of Belial as metaphor for the prophet’s terror, pit and snare. In our text Isaiah’s three traps are referred to as three classes of (un)righteous deeds which are euphemistically referred to as צדק (righteousness): whoredom, wealth (or exploitation) and the

defiling of the sanctuary. Note that Levi is used as if he were the father who had been designated for the priesthood. This citation of Levi within the exegesis of Isa 24:17 illustrates the presence of a midrashic couplet in our author's composition. The composite makeup of this passage shows that the midrashic pesher, as used by our writer, diverges from the standard pesher, which is a simple substitution of terminology.

### 3.2.1.4.2.2. The Ensnarement of the Builders of the Wall (4:19b–5:19)

בוני החיץ (builders of the wall), a phrase found several times in MTA but only once in the Bible, serves as one of several appellations for the malevolent spiritual leaders of the era of Belial's sway over Israel. Their poor model of service is exposed through a description of their transgressions and a vilifying discourse on their character.

#### 3.2.1.4.2.2.1. An Exegesis of צו: (4:19b–20a)

Describing the overall character of the בוני החיץ, MTA here expands upon an intertextual midrash on צו stretching from Hos 5:10–11 to Isa 28:9–14 and ending with the בוני החיץ of Ezek 13:1–16. צו is punned from קו, “a (construction) line,” but used here as the spewing gibberish of a foreign tongue. The author of MTA employs both monosyllabic terms to illustrate the nonsense of the people of Judah. Hos 5:10–11 relates that the leaders of the nation follow after אצו, a (useless) commandment, and therefore become the גבול מסיגי (the Shifters of the Boundary), a sobriquet appearing in line 4 of the preamble and also described below in CD 5:20 (see section 3.2.1.4.3).

10 הִיוּ שָׂרֵי יְהוּדָה כְּמַסִּיגֵי גְבוּל עֲלֵיהֶם אֲשַׁפּוֹךְ כַּמַּיִם עֲבָרְתֵי  
11 עֲשׂוּק אֶפְרַיִם רְצוּץ מִשֶּׁשֶׁט כִּי הוֹאִיל הִלְךְ אַחֲרֵי-צוֹ

The princes of Judah have become like the Shifters of the Boundary. I will pour out my wrath like water upon them. Ephraim is oppressed. Justice is trampled, for he has chosen to follow after a *useless commandment* (צו). (Hos 5:10–11)

Expanding upon צו and קו, Isaiah relates of mocking the drunkards of Ephraim with gibberish.

(28:9) אֶת-מִי יוֹרֵה דַעַה וְאֶת-מִי יָבִין שְׂמוּעָה וְגִמּוּלֵי מִחֶלֶב עֲתִיקֵי מִשְׁדֵּי־ם  
(28:10) כִּי צוֹ לְצוֹ צוֹ לְצוֹ קוֹ לְקוֹ קוֹ לְקוֹ וְעִיר שָׁם וְעִיר שָׁם (28:11) כִּי  
כְּלַעֲגֵי שָׂפָה וּבְלִשׁוֹן אַחֲרֵת יְדַבֵּר אֶל-הַעָם הַזֶּה (28:12) אֲשֶׁר אָמַר אֲלֵיהֶם  
זֹאת תִּמְנוּחָהּ תִּנְיָחוּ לְעִנְךָ וְזֹאת תִּפְרָגָעָה וְלֹא אָבוּא שְׂמוּעָה (28:13) וְהָיָה

לְהִלְכוֹת דְּבַר־יְהוָה צוֹ לְצֹו צוֹ לְצֹו קוֹ לְקוֹ קוֹ לְקוֹ זְעִיר שָׁם זְעִיר שָׁם  
 לְמַעַן יֵלְכוּ וְכָשְׁלוּ אַחֲזֵר וְנִשְׁבְּרוּ וְנִקְשְׁוּ וְנִלְכְּדוּ פ (28:14) לְכֵן שָׁמְעוּ  
 דְּבַר־יְהוָה אֲנָשִׁי לְצֹוֹן מִשְׁלֵי הָעָם הַזֶּה אֲשֶׁר בִּירוּשָׁלַם

Whom will He teach knowledge? And, to whom will He expound what He heard? Those weaned from milk, just separated from the breast. For *commandment* upon *commandment*, line upon line, a bit here a bit there (gibberish). For with stammering lips and divergent words He speaks to this people. To whom he said, “This is the resting place, let the weary rest. And this is the place of repose.” However, they refused to hear. The word of the Lord will come to them, “*Commandment* upon *commandment*, line upon line, a bit here a bit there.” And so they will go on, but will stumble backward and be broken and hurt and captured. Therefore, hear the word of the Lord O men of mockery who rule this people of Jerusalem. (Isa 28:9–14)

Ezekiel 13:1–16, a vision against the false prophets of Judah who misled the people, claiming peace when there was no peace, labels them as the בּוֹנֵי הַיֵּן, “the builder(s) of the wall,” who plastered it with vanity. There will be a terrible storm that will remove the plaster from the wall, destroying it and ultimately the false prophets themselves in the pile.

Drawing on these biblical prophecies, MTA builds a case against the current so-called “builders of the wall” who, pursuing their own measuring standard in their edifications, spew false legislation. These are the Pharisees who, according to MTA, arose after the חֲרָבִין, corresponding to the tradition in *Avot* which depicts the rise of the leaders of the Great Assembly. As explained above, this assessment diverges from modern scholarship which tends to set the rise of the Pharisees during the period of the Hasmoneans. The builders of the wall are charged with having been ensnared by two offenses: 1) whoredom (4:20b–5:6a) and 2) defilement (5:6b–19). These *two* offenses are an abridgement of the above cited *three* traps of Belial, the classes of (un)righteous deeds with which he ensnared Israel (CD 4:14b–19a).

### 3.2.1.4.2.2.2. Whoredom (4:20b–5:6a)

Nineteenth and twentieth century rabbinic scholars have divided midrash into two categories: the more ancient *midrash-halakah* and the subsequent *midrash-agadah*. The *halakah* dealt with matters of law, whereas *agadah* had a much wider scope. The following question arises. Does the Qumran author use *halakah* for legal exegesis of Scripture? Our passage of Belial’s three nets—terror, pit and snare—followed

by his exegesis of *צו*, after which he defines whoredom (using both *halakah* and *agadah*), suggests that for him there was no stringent division between the two types of midrash.

The first midrashic truth arguing against whoredom (which here pertains to bigamy) draws on *זָכָר וּנְקֵבָה* (male and female) in Gen 1:27. God created Adam and Eve and they were created male and female. These are two singularities that may not be violated by expansion into bigamy of more than one pair.

The second proof comes from *באי התבה*. Our text is not a direct quote of Gen 7:9, but a slight amplification of it. Compare the two clauses: *בָּאוּ אֵל-נֹחַ אֵל-הַתֵּבָה* (By pairs they came to Noah into the ark) and its expansive formulation in CD: *באי התבה שנים שנים* (Those who entered the ark came in pairs to the ark). The idea that the entrance into the ark was by pairs ironically serves as more authoritative than the practices of the patriarchs who were polygamous, reflecting a subjective use of Genesis.<sup>122</sup> The account of the flood supersedes that of the actual practice of Abraham. Note also that the author changes the biblical formulas to his own style. A phrase such as *באי התבה*, a construct participle with its object, is rare in Scripture. In contrast, this syntagm is characteristic of MTA. Compare phrases such as *באי העדה*, *באי המחנה*, *באי ברית*, and *יודעי צדק* to name a few.

The argument against acquiring more than one wife continues with a third proof.

*vacat* ועל הנשיא כתוב לא ירבה לו נשים

And concerning the leader (of the tribes and the head of the priests) it is written, “He shall not multiply wives for himself.” (CD 5:1b–2a)

Many scholars including Baumgarten note that CD quotes here Deut 17:17.<sup>123</sup>

וְלֹא יִרְבֶּה-לּוֹ נָשִׁים וְלֹא יָסוּר לְבָבוֹ

Neither shall he multiply wives for himself, so that his heart will not turn away (from Me). (Deut 17:17)

Baumgarten, moreover, is amazed that the author of CD ignores the

<sup>122</sup> Our author’s text of Genesis may not have contained Gen 7:2, which says that the animals came to the ark by pairs of seven. Or, just as the writer ignored the patriarchs, he may have disregarded Gen 7:2.

<sup>123</sup> Baumgarten, DJD XVIII, 12.

protasis of Deut 21:15, “If a man has two wives” (פִּי־תִהְיֶינָּה לְאִישׁ) (שְׁתֵּי נָשִׁים). However, the assertion that MTA is quoting Deut 17:17, a text which finds no objection to polygamy, lacks precision. It is noteworthy that while Deut 17:15 uses מֶלֶךְ, MTA has נָשִׂיא, a term favored by *Temple Scroll*.<sup>124</sup> I believe that our author is quoting not Deuteronomy, but *Temple Scroll*, which, while citing Deut 17:17, emends it radically as follows:

לֹא יִרְבֶּה לוֹ נָשִׁים וְלֹא יִסְרוּ לִבּוֹ מֵאַחֲרָי

He shall not multiply wives for himself lest they turn his heart away from Me. (11QT 56:18b–19a)

The royal charter goes on a page later to explicate Deut 17:17 as modified in the above text:

וְלֹא יִקַּח עִלְיָהּ אִשָּׁה אַחֶרֶת כִּי הִיאָה לְבֵרָה תְּהִיָּה עִמּוֹ כֹּל יְמֵי חַיֶּיהָ

He may not take another wife in addition to her, for she alone shall live with him during all of her lifetime. (11QT 57:17b–18a)

The words “all of her lifetime” here embrace the prohibitions of both bigamy and divorce. Marriage is regarded as an indissoluble contract. The importance of this citation from *Temple Scroll* becomes clear from 11QT 56:18b–19a cited above, where it explains the words of Deut 17:17. Hence, CD 5:1b–2a is a quote from *Temple Scroll* which cites Deut 17:17. However, *Temple Scroll* adds a rationalization for it, namely that the many wives might turn his heart away from God. The author of CD, however, goes much further, ascribing to Belial the temptation of polygamy, since he holds sway over Israel.

Although the author cited three passages against bigamy, he is not yet finished with this subject. While ignoring the polygamous relations of Abraham and Jacob, he is not silent about the marital practice of David whose many wives are recorded in the book of Samuel, but nevertheless is exalted throughout Scripture.

וְדוֹדִיד לֹא קָרָא בְּסֵפֶר הַתּוֹרָה הַחַתּוּם אֲשֶׁר CD 5:2

הָיָה בְּאֵרוֹן כִּי לֹא {נִפְתַּח} נִפְתַּח בִּישְׂרָאֵל מִיּוֹם מוֹת אֱלֶעָזָר CD 5:3

וַיְהוֹשֶׁעַ <<וַיּוֹשֶׁעַ>> וְהַזְּקֵנִים אֲשֶׁר עִבְדוּ אֶת הַעֲשָׂתֶרֶת CD 5:4

<sup>124</sup> Cf. (and twelve leaders of the people with him, i.e. the king) in 11QT 57:11–12.

As to David, he could not read in the book of the Torah which had been sealed since it was in the ark, for it (the ark) had not been opened in Israel since the day of the death of Eleazar, Joshua and the elders who worshipped the Ashtoroth. (CD 5:2b–4a)

In other words, David was not obliged to observe the rule of monogamy which was not in his possession, since the book of the Law had been sealed in the ark. However, why was the Law not available to him? VanderKam argues that the reason David could not know Deut 17:17, the text prohibiting bigamy, is because 1 Sam 5–6 records that the ark which contains the Torah had been seized during the Philistine invasion of Israel. Hence, the king could not read the text prohibiting bigamy.<sup>125</sup>

VanderKam's explanation is not persuasive. The wording אשר היה בארון (which was in the ark) does not allude to the absence of the ark. If it were to have meant so, the author would have qualified it with אשר היה ביד פלשתים (which was in the hand of the Philistines). Moreover, David's practice of polygamy extended throughout virtually all his adult life and was not restricted to the seven months of the Philistine seizure of the ark. Furthermore, the text goes on to say כי לא נפתח בישראל מיום מות אלעזר (For it had not been opened in Israel since the day of the death of Eleazar). It should have said, according to VanderKam, כי לא נפתח בישראל כי היה ביד פלשתים (For it had not been opened in Israel since it had been in the hand of the Philistines). What do Eleazar and Joshua have to do with the affair of the Philistines? This phrase אשר היה בארון actually draws on Deut 31:26 which states:

לְקַח אֶת סֵפֶר הַתּוֹרָה הַזֶּה וְשַׁמְתָּם אִתּוֹ מִצֵּד  
אֲרוֹן בְּרִית־יְהוָה אֱלֹהֵיכֶם וְהָיָה-שָׁם בְּךָ לְעֵד

Surely take this book of the Torah and place it on the side of the ark of the covenant of the Lord your God and it shall remain there as a witness against you. (Deut 31:26)

The reason for placing the book of the Torah on the side of the ark becomes apparent in the seeming repetition of Deut 31:19 and 22. In verse 9 of this chapter Moses inscribed the scroll of the Torah and delivered it to the priests and the twelve tribes of Israel. In verses 22–26 he wrote another Torah which he entrusted to the

<sup>125</sup> James VanderKam, "Zadok and the SPR HTWRH HHTWM in Dam. Doc. V, 2–5," *RevQ* 44 (1984): 567–70.

Levites who carried the ark. Various traditions have found it difficult to reconcile verse 9 where Moses autographs the Torah and distributes it among the Levites and the elders of Israel with verses 22–26 which tell about placing the Torah in the ark. According to Maimonides, verse 9 refers to the twelve copies which Moses prepared for each of the tribes of Israel, whereas verses 22–26 pertain to an extra copy which Moses prepared to be placed in the ark in case any of the common copies became questionable. The author of CD, however, has an original response to this apparent redundancy. He makes no comment here on verse 9, but apparently troubled by the sense of this phrase, he explains Deut 31:25–26 where Moses tells the Levites to place the scroll on the side of the ark (מִצַּד אֲרוֹן). Why does the text say מִצַּד אֲרוֹן (on the side of the ark) rather than בְּאֲרוֹן (in the ark)? He evidently resolves the problem by presuming that, while the traditional Mosaic Pentateuch was deposited in the ark itself, that of another Torah also inscribed by Moses himself, but intended for the latter generations and the eschatological epoch, was placed on the side of the ark. And, since in verses 25–26 it is Moses who commands the Levites to place this Torah in the ark, it must have been at first available to Eleazar, Joshua and the elders. This explains why CD claims that the eschatological Torah was still available to Eleazar, Joshua and the elders, since Eleazar and Joshua were among those whom Moses, prior to his death, charged to place it in the ark.

There is another problem. Why is this Torah which had been hidden since the days of Eleazar and Joshua revealed now in the author's time? The sentence וַיִּשְׁמֹן נִגְלָה עַד עֲמוּד צְדוֹק in lines 4b–5a responds to this question. As will be explained below, an allusion to a hidden Torah may already have appeared in the introduction to this work.<sup>126</sup>

CD 5:4b–5a is problematic. Virtually every word has been contested. According to Rabin, the verb וַיִּשְׁמֹן, although an active form, is translated as if it were a passive, “and it was hidden.” He adds a negative after וַיִּשְׁמֹן to read וַיִּשְׁמֹן (בֵּן) צְדוֹק עַד עֲמוּד (וְלֹא) with the rendition, “and it was hidden (and was not) revealed until (the son of) Zadok arose.”<sup>127</sup> The idea of reading וְלֹא was first suggested

<sup>126</sup> The reconstruction of 4Q266 F1:8–9 speaks of the concealment and revelation of God's divine mysteries.

<sup>127</sup> See also Davies who supplies “and not” (Davies, *The Damascus Covenant*, 245).



by Schechter. As to צדוק בן צדוק, this notion goes back to Ginzberg.<sup>128</sup> Schwartz translates “and that which had been revealed was hidden until Zadok arose,” rendering וישמון as a relative clause.<sup>129</sup> Schiffman discusses נגלה at some length, analyzing it from its appearance in the DSS. He regards נגלה as synonymous to תורה (i.e. the Pentateuch) and as a contrast to נסתר (the hidden). He translates lines 4b–5a as “Since they (Israel) worshipped Ashtoret, the נגלה (i.e. the Torah) was hidden until the arising of Zadok.”<sup>130</sup> The first problem with all these renditions is that וישמון is not a passive verb. It is a Qal third person form. None of these translations, moreover, provides the identity of the alleged concealer. Additionally, none explains the purpose of citing Eleazar and Joshua. In my translation, he (Eleazar) hid the Torah as he was commanded by his master, Moses (the Levites in Deut 31:25). It was Moses who goes on to explain in verses 26–30 that Israel would become corrupt after his death. Our text, then, presumes that Eleazar and Joshua carried out this order. Therefore, it is Eleazar who was the Levite who executed Moses’ will.

As to the נגלה, Schiffman correctly translates it as referring to Torah. For him, however, the word Torah refers to the Pentateuch. Although נגלה in the DSS can mean the standard Law, in my opinion this term denotes the sectarian Torah. This sectarian Law known as *Torah* and *Téudah* according to *Jubilees*, was delivered to Moses during his forty days in the cloud of Mt. Sinai.<sup>131</sup> A text from *Rule of the Community* serves to elucidate the term נגלה.

5:8 . . . ויקם על נפשו בשבועת אסר לשוב אל תורת משה  
 ככול אשר צוה בכול 5:9 לב ובכול נפש לכול הנגלה ממנה  
 לבני צדוק הכוהנים שומרי הברית ודורשי רצונו ולרוב אנשי  
 בריתם 5:10 המתנדרים יחד לאמתו ולהתלך ברצונו . . .

He should take it upon himself by an obligatory oath to turn to the Torah of Moses according to all that he commanded with all (his) heart and with all (his) soul, to everything that has been revealed to the Sons of Zadok, the Priests, those who have observed the covenant and who do

<sup>128</sup> See Ginzberg, *Unknown Jewish Sect*, 21.

<sup>129</sup> Charlesworth, ed., *Damascus Document*, 21.

<sup>130</sup> Lawrence H. Schiffman, *The Halakhah at Qumran* (Leiden: E. J. Brill, 1975), 30.

<sup>131</sup> For this rendition of נגלה, see my article “The ‘Sealed’ Torah versus the ‘Revealed’ Torah: an exegesis of Damascus Covenant V 1–6 and Jeremiah 32:10–14,” *RevQ* 12 (Dec. 1986): 351–68.

His will and the multitude of the people of their covenant who volunteer together for His truth and live by His will (1QS 5:8b–10a).

The נגלה in line 9 of this text applies to the sons of Zadok, priests who according to CD 4:3–4 as stated above, *will arise* at the *end of days* as the chosen of Israel, called by God. Three pages later *Rule of the Community* continues with another amplification of this term.

8:14 כאשר כתוב במדבר פנו דרך ייי ישרו בערבה מסלה לאלוהינו  
8:15 היאה מדרש התורה א[ש] צוה ביד מושה לעשות ככול הנגלה עת בעת  
8:16 וזאשר גלו הנביאים ברוח קודשו

As it is written, “Prepare the way of the Lord in the wilderness; make straight the highway of our God in the desert” (Isa 40:3). It (the way) is the Midrash of the (Eschatological) Torah which He commanded by Moses to do according to all that has been revealed from time to time, just as the prophets have presaged through His Holy Spirit. (1QS 8:14–16a)

This passage, too, definitely has a sectarian echo, in that the Torah will be revealed “from time to time,” a clear allusion to the emergence of the subsequent Law.

Two other passages in MTA containing נגלה may likewise pertain to the sectarian Scripture. CD 15:13–14 reads “and everything *revealed* from the Torah to the multitude of the camp.” The phrase, “the multitude of the camp” evidently alludes to that of the sectarians. Likewise 4Q266 F5i:8–9 may be read “. . . [mighty in power] and full of strength in what has been *reve[a]led* [from the Torah . . .”

Scholars have differed as to the identity of Zadok in the clause of CD 5:5, ער עמור צדוק (until Zadok arises). Schechter supposed that it must refer to an unidentified biblical personage.<sup>132</sup> Ginzberg, followed by Rabin and Schiffman emend the text to ער עמור בן צדוק, identifying this Zadok as the (grand)father of Hilkiah who found the book of the Torah (2 Kgs 22 and 2 Chr 34).<sup>133</sup> Hilkiah, along with the scribe Shaphan discovered the book of the Torah in the days of Josiah, a corpus which modern scholarship identifies as Deuteronomy. This Hilkiah who is said to have discovered the lost scroll is, according to 1 Chr 9 and Neh 11, the grandson of Zadok.

The identification of this Zadok as the grandfather of Hilkiah, the alleged discoverer of this biblical text, lacks persuasion. First,

<sup>132</sup> Schechter in Fitzmyer, ed., *Documents*, 68.

<sup>133</sup> Rabin, *The Zadokite Documents*, 18–19; Schiffman, *The Halakhah*, 30–31.

the passage says ער עמוד צדוק (until Zadok arises). It does not say ער עמוד בן צדוק (until the son of Zadok arises). Furthermore, I doubt that the author of CD would have ascribed the book of Deuteronomy to anyone but Moses. And, if he did regard another as the author, he would have disclosed his identity. Hence, the Zadok of this text could be one of two possibilities: 1) the high priest of David or 2) a figure contemporary with the author of the document. The supposition of identifying the Zadok of our text as David's high priest is also problematic, however. How could David have practiced polygamy while Zadok served as his priest for virtually a lifetime, having access to the Torah prohibiting it? It is necessary, therefore, to presume that Zadok here is a figure from the period of the Second Temple. Alluding to the tradition found in *Avot d'Rabbi Natan* 5, al-Qirqisani designates Zadok as the author of a work such as MTA. However, the formula "until the rise of Zadok" can only mean a figure other than the author himself. It follows that, according to him, he attributed not MTA, but other more ancient works such as *Jubilees* and *Temple Scroll* to this personage.

On the other hand, it is possible to conjecture the identity of this Zadok textually. The central question in this passage is this. At what point in time did the prohibition of multiplying wives (Deut 17:17) become an absolute command for the observance of monogamy? Our text makes it clear that monogamy became part of the Torah only after the death of David and presumably Solomon. Our writer says that the prohibition is old, going back to Moses, but was not made public until the rise of Zadok. The answer to this question may lie in *Temple Scroll* 56–57. As was stated above, 11QT 56:18–19 cites Deuteronomy's prohibition against multiplying wives. And, in 11QT 57:17, the author of *Temple Scroll* amplifies this line, stating, "he shall not take another wife." It is necessary to assume, therefore, that the first text which prohibits bigamy and commands the marrying of a single wife is attributed to Zadok, the presumed author of *Temple Scroll*.<sup>134</sup>

<sup>134</sup> See Wacholder, *Dawn of Qumran*, 99–140. However, I no longer hold that Zadok is the author of the Damascus Document, what we now call MTA. Qirqisani's attribution of MTA to Zadok should be modified to *Temple Scroll*, for the attack on polygamy in CD can only refer to it. No other work interprets Deut 17:17 "to marry two wives" as does 11QT 57. Furthermore, in this connection, I want to make it clear that I no longer think as I claimed in *The Dawn of Qumran*, that Zadok may have been the Teacher of Righteousness. I believe now that the מורה צדק was for the author of MTA a future messianic figure.

The problem with this identification, as noted by Baumgarten, is the prevalent presumption that the DSS authors, unlike the Talmudic sages, never cite post-biblical figures.

The above supposition, however, is no longer true. 4Q513 F3–4:5 cites a certain sectarian sage named Anani in an argument against the opponent whose views do not accord with the Torah of Moses: . . . [ולא מתורה משה] [כ]אשר הר[א]ה עננין [as] Anani has sho[w]n [(that) the opinions of the opposition in regard to the raising of the omer]] do not accord with the Torah of Moses.”<sup>135</sup> Hence, the attribution of the citation of *Temple Scroll* in CD to a sage named Zadok is no longer unique. Moreover, al-Qirqisani identifies the founder of the sect as Zadok, whom as stated above, *Avot d’Rabbi Natan* regards as one of two disciples of Antigonus. Al-Qirqisani makes Zadok the author of a work such as MTA and Boethus, the other disciple, the founder of the sectarian calendar. The common assumption that al-Qirqisani’s attribution of the foundation of the Zadokite movement to Zadok and Boethus was based exclusively upon rabbinic sources is a mistake. He seems to have had access the works of Zadok and Boethus which are now lost. He says that a work such as MTA was composed by Zadok, and that Boethus, his colleague, formulated the thirty day month of the sectarian calendar. However, nothing in the DSS knows of such an attribution. And, the DSS do not identify Zadok as the author of MTA. Nevertheless, as argued by Abraham Harkavy, al-Qirqisani had access to the original composition of what we now know as the *Damascus Document*. In ignoring al-Qirqisani as an important source for the history of the Essene movement, modern scholarship is missing rich lore, much of which may be historical. After all, al-Qirqisani quotes many passages that are now verified in MTA and attested among the remains of the DSS.

Our author continues with his defense of David in CD 5:5b–6a.

ויעלו מעשי דוד מלבד דם אוריה ויעזבם לו אל

And the acts of David became acceptable (before God) aside from (the king’s guilt pertaining to) the blood of Uriah, as God made him responsible for them. (CD 5:5b–6a)

<sup>135</sup> That this line reflects a polemical statement can be deduced also from the previous line תעה ערוון (misleading blindness). See Baillet in *Qumrân Grotte 4.III (4Q482–4Q520)* (DJD VII; Oxford: Clarendon, 1982), 290; Wacholder, “The Omer Polemics in 4Q513 Fragments 3–4: Is Ananni Their Author?” *RevQ* 77 (June, 2001): 93–108.

These two clauses have caused much difficulty to commentators, whose renditions tend to ignore the context. See for example translations cited by Jacqueline C. R. de Roo.<sup>136</sup> She interprets both verbs *עלה* and *עזב* as pertaining to *מעשי דויד* (the deeds of David)—in the first clause *מעשי דויד* functions as a subject; in the second as the direct object.<sup>137</sup> Actually, however, the two verbal clauses diverge in these matters. *ויעלו מעשי דויד* pertains to David's style of life, including his polygamous practices which God overlooked, since the rules against it had not yet been disclosed to him. On the other hand, the object in *ויעזבם* relates to the *דם אוריה*—the blood (killing) of Uriah—a heinous act contrived by David and the nearest potential antecedent in the sentence. Its plural number alludes not to the acts of polygamy as many have construed, but to the several violations against Uriah—covetuousness, adultery and murder. As to the exact meaning of *ויעזבם לו אל*, there could be two possible senses: 1) that God *forgave* David for his heinous deeds because of his other virtues,<sup>138</sup> or 2) a more literal meaning—that God did *not* absolve him for his despicable acts, but *left them to him*, i.e., made him responsible for them, punishing him for them through the death of his son through Bathsheba. Rabin cites Rab (*Bavli Shabbat* 56a) who exonerates David for the Bathsheba affair. In fact, however, the cited Talmudic text attributes to Rab two opinions that are contradictory—one exonerating him and the other charging him with accepting *לשון הרע* (evil information). MTA here is likewise balanced, however, in regard to both categories of offense cited in our text. It grants the king absolution for all other misdeeds he may have committed, but makes him responsible for the blood of Uriah. As severe as this text seems to be toward David, it need not be considered contradictory to other passages in the DSS that tend to glorify him, as claimed by de Roo. The rabbis likewise present a balanced view and would not otherwise hesitate to exult the king. After all, David was a mortal.

The lengthy treatment of David's polygamy in lines 2–6 is revealing

<sup>136</sup> Jacqueline C. R. de Roo, "David's Deeds in the Dead Sea Scrolls," *DSD* 6–1 (1999): 44–65.

<sup>137</sup> In addition to de Roo, see Rabin, *The Zadokite Documents*, 18; Schwartz in Charlesworth, ed., *Damascus Document*, 21; Davies, *The Damascus Covenant*, 245; Martínez-Tigchelaar, *Scrolls Study Edition*, 557; Vermes, *The Complete Dead Sea Scrolls*, 130.

<sup>138</sup> See Cook on CD 5:5b–6a who translates the clause positively: "Nevertheless the deeds of David were all excellent, except the murder of Uriah and God forgave him for that" (Wise, Abegg and Cook, *Scrolls*, 55).

in several respects. First, it tells us that the writer did not hesitate to interrupt his narrative with a lengthy defense of the king's practices, citing first the creation of Adam and Eve, second Deut 17:17, and third, David's affair with Bathsheba. Our author had a special regard for David, as he finds it necessary to deal at length with his marital transgressions. However, it also gives us a glimpse into the writer's midrashic methodology. In a few words the author draws a comprehensive account of David's role as the king. The king committed several terrible acts and these cannot be fully excused by the mere absence of an injunction against polygamy. After all, David did have access to the accounts of creation, Noah and the flood. Yet even his affair with Bathsheba did not suffice to erase his wonderful accomplishments. Furthermore this text sets forth for us the claim that *Temple Scroll's* prohibition of polygamy overrides any Pentateuchal suggestion such as Deut 21:15 which sanctions bigamy, or for that matter, the practice of David and, shall we say, other patriarchs. It also intimates that some texts that became available only as late as Zadok, whoever that Zadok might be, go back to Moses at Sinai. This helps us understand more clearly CD 16:2–3 which labels *Jubilees* as מדויקרק, more perfect and precise than the traditional Pentateuch.

In addition, this lengthy defense of the king may also suggest that the writer regarded David's psalter and even other compositions attributed to him as authoritative biblical text.<sup>139</sup> It is worth noting that the theology of much of Qumran, and especially that of MTA, can be understood as an amplification of the psalter, presenting it as the psalmist's way of life. A striking example of the psalm-like perspective is lines 1–2a of the preamble of our work. It contains the term דרך used throughout the psalter's introductory chapter: [להנזר מדרך בני הושך] (to separate from the way[s] of the sons of darkness).<sup>140</sup> Indeed, much of MTA and the DSS as a whole reflect the way of life of the צדיקים and the wickedness of the רשעים, contrasted in Ps 1. The basic difference between the theologies of the Psalter and those of the DSS is that in the former the two camps, the righteous and the wicked, are portrayed as intermingled within a single community. On the other hand, in the DSS and especially

<sup>139</sup> Cf. 11QPs<sup>a</sup> 27:10, which ascribes to David 4,050 compositions. J. A. Sanders, *The Psalms Scroll of Qumran Cave 11 (11QPs<sup>a</sup>)* (DJD IV; Oxford: Clarendon, 1965), 92.

<sup>140</sup> Or as Baumgarten (DJD XVIII, 31) suggests: להנזר מדרך רשעה (to separate from the ways of wickedness).

in MTA, the two groups are viewed as distinct entities—the children of light and the children of darkness, or as in other terms, the children of God and those of Belial. These are separate in place and theology, and in some sense even in time, in that the wicked are seen as excluded from the messianic era.<sup>141</sup> Furthermore, they are also divergent in their literature. The crucial word then in line 1 of MTA (4Q266 F1:1) is להנזר, an infinitive construct suggesting a sharp line of demarcation wherein all links between two groups are severed absolutely. In the Bible the verb נזר sometimes functions in a more restricted sense to connote an individual's abstaining from wine, letting one's hair grow and refraining from touching a corpse. Here, however, להנזר seems to connote the sense of living by special rules as a whole congregation apart from Israel and remaining separate from the community of sinners who do not accept the commandments of Moses destined for the last days.<sup>142</sup> As reconstructed, lines

<sup>141</sup> The last word of the formula מדרש התורה האחרון serves to call attention to the future separation of the two contrasting camps. The adjective אחרון depicts the social and literary aspects of the community of the new era coming to the fore, the final epoch to which the righteous will enter and from which the wicked will be excluded. Hence, the righteous and wicked living at the end of the era of the אחרונים are not only distinguished in behavior. They will also be separated following the end of days. Whereas Jacob and Esau, the two brothers, serve as a contrast between the two types inhabiting the same womb, whose progeny coexisted during the eras of the ראשונים and the אחרונים, the true community envisaged for the eschaton is one wherein only the righteous will live. One is reminded of the anticipated futuristic demarcation of the wicked and the righteous in Ps 1:4–5.

לֹא־כֵן הַרְשָׁעִים כִּי אִם־כִּמּוֹן אֲשֶׁר־תִּדְפְּנוּ רוּחַ  
עַל־כֵּן לֹא־יִקְמוּ רְשָׁעִים בַּמִּשְׁפָּט וְחַטָּאִים בַּעֲדַת צְדִיקִים

Not so the wicked; rather they are like chaff which the wind drives away. Therefore the wicked will not stand up in (survive) the judgment, nor sinners in the congregation of the righteous.

<sup>142</sup> Cf. CD 6:14–16 where נזר follows בדל.

אִם לֹא יִשְׁמְרוּ לַעֲשׂוֹת כַּפְרוֹשׁ הַתּוֹרָה לְקִין הַרְשָׁע וְלַחֲבֵרֶל  
מִבְּנֵי הַשְּׁחָת וְלַחֲנוֹר מִהוֹן הַרְשָׁעָה הַטְּמֵא בְּנֹדֵר וּבַחֲרָם וּבַהוֹן הַמִּקְדָּשׁ

. . .if they will not take heed to do according to the explanation of the Torah during the epoch of wickedness. *It is imperative to separate* from the sons of [in]justice and to “nazirite” by means of a vow and ban from the wealth of wickedness that is defiling as well as from the property of the sanctuary.

Cf. also 4Q418 F81:2

וְאַתָּה הַבְּדֵל מִכּוֹל אֲשֶׁר שָׂנֵא וְהַנּוֹד מִכּוֹל תַּעֲבוֹת נַפְשׁוֹ [כִּי] אֵל הוּא עֲשֵׂה כּוֹל

1–2a of the book’s preamble combine into a single idea to create a generation of light by making the Torah a psalmic Torah, a psalmic way of life, a Torah for the end of time. MTA is not, as is generally taken for granted, only a work that consists of admonitions and law. Rather it is a unified idea where Torah becomes transformed into righteous living.

### 3.2.1.4.2.2.3. Defilement (5:6b–19)

The author continues his attack on the religious leadership of Israel with a pericope on defilement. Not only were the builders of the wall ensnared in whoredom as explicated above, but they were also entrapped in contaminating practices that defiled both the sanctuary and the spirit.

#### a. Defilement of the Temple (5:6b–11a)

CD 5:6b–11a deals with three prohibitions: 1) having sexual intercourse in the temple (presumably in Jerusalem); 2) lying with a woman during her flux; and 3) marrying the daughter of one’s brother or sister.

The first of these defilements (CD 5:6b–7a) is amplified later in CD 12:1b–2a.

אל ישכב איש עם אשה בעיר המקדש לטמא 12:1  
את עיר המקדש בנדחם 12:2

A man may not sleep with a woman in the city of the Temple, thereby defiling the city of the Temple by their uncleanness. (CD 12:1b–2a)

Prior to the discovery of the Dead Sea Scrolls, scholars were divided as to the meaning or basis for the first prohibition.<sup>143</sup> However, the sense of this clause has become very clear with the publication of *Temple Scroll*. The reference to the עיר המקדש (city of the Temple) in CD 12:1 draws on 11QT 45:11–12a, including its common redundancies.

45:11 ואיש כִּי־א ישכב עם אשתו שכבת זרע לוא יבוא אל כול עיר  
45:12 המקדש אשר אשכין שמי בה שלושת ימים . . .

A man who lies with his wife, having sexual relations, shall not enter any place in the city of the Temple wherein I dwell for three days. (11QT 45:11–12a)

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And as for you, *separate* from everything which He hates and *nazirite* yourself from every abomination of the sou[*l*, for] He has created everything.

<sup>143</sup> See Ginzberg, *Unknown Jewish Sect*, 349.



The city of the Temple in *Temple Scroll* undoubtedly refers to Jerusalem, from which not only sexual activity was excluded, but also from which the blind, one having had a recent seminal emission or contact with a corpse, or who was a leper were restricted (compare 11QT 45:12b–18). However, the extra wording several pages later in 11QT 47:3–6a and 48:14b–17a implies that sexual relations may also have been forbidden in cities other than Jerusalem.

47:3 [והיו] לעריהמה טהורות וש[כנתי אני בתוכמ]ה לעולם והעיר  
 47:4 אשר אקדיש לשכין שמי ומקד[שי בתוכה] תהיה קודש וטהורה  
 47:5 מכול דבר לכול טמאה אשר ישמאו בה כול אשר בתוכה יהיה  
 47:6 טהור וכול אשר יבוא לה יהיה טהור . . .  
 48:14 ובכול עיר ועיר תעשו מקומות למנוגעים  
 48:15 בצרעת ובנגע ובנתק אשר לוא יבואו לעריכמה ושמאום וגם לזבים  
 48:16 ולנשים בהיותמה בנדת טמאתמה ובלדתמה אשר לוא ישמאו בתוכם  
 48:17 בנדת טמאתם

. . . [And] their cities [shall be] pure. And [I will dwell]ell [in their midst] for ever. And the city that I will sanctify to dwell therein; and [my] temple [that is therein] shall be sacred and pure from anything in it that is defiling. Anyone (and anything) in it must be pure. And anyone who enters it must be pure . . . And in each and every city you shall construct places for those suffering with leprosy, an affliction or scall that they might not enter your cities, contaminating them; also for men having a discharge, for women during menstruation as well as for those having given birth, that they not contaminate with their menstrual uncleanness in their midst. (11QT 47:3–6a; 48:14b–17a)

Indeed, the descriptions of the categories of cities in these lines from *Temple Scroll* are similar. Both Jerusalem and the other cities are to be טהור (pure). God would dwell in each grouping. Entry restrictions into the temple city are similar to those of the others.

If sexual activity was barred from the cities of Israel, the following question arises. What were the proper locations for procreative activity in the view of the sectarian? It is noteworthy that the author of MTA elsewhere stresses the differentiation between living by the rules of the *cities* and those of the *camps* (e.g. CD 12:19–13:4). As stated above pertaining to CD 7:6b–9a (19:2b–5a of Ms B), procreation and the raising of families was the way of life prescribed for the residents of the camps. Indeed the מפקד על המהנה (the Supervisor over the camp) was to regulate marriage and divorce in the camps (CD 13:16–17), status changes never attributed to residents of the cities, whose responsibilities were limited to differentiating between the unclean

and the clean and telling between the sacred and the ordinary (CD 12:19b–20a). In contrast to the cities, life in the camps was modeled after that of the *מהנה* of old in the wilderness, a community in which all categories of society lived.<sup>144</sup> Whereas sectarian literature may have forbidden procreative activity in all cities of Israel, the ascription of *קורש* in addition to *טהור* to the city of the Temple (11QT 47:7) suggests that there were two levels of purity in Israel's *ערים*, Jerusalem having the highest level of sanctity.

The second prohibition in our text pertaining to defiling the temple, that of lying with a woman during her flux (CD 5:7b), had likewise been obscure prior to the discovery of the fragments from Cave 4 as well as *Temple Scroll*.<sup>145</sup> This proscription is problematic on account of its paucity, but its sense, by reason of its similar vocabulary and corresponding defilement, is related to 4Q266 F6i:14–15a, the rule concerning the male with a seminal discharge. The two texts are as follows.

ושוכבים עם הרואה את דם זובה CD 5:7b

And they lie with a menstruating woman . . .

[ומן]שפט הזב את זובר כול איש א[שר זב] יז[רב] *vacat* • 4Q266 F6i:15  
מבשר[ן] 4Q266 F6i:15

[Now the r]ule for a male who has a discharge: Any man w[hose] body  
em[its a [hea]vy dis[charge] . . .

In these passages, MTA is altogether dependent on *Temple Scroll*.

<sup>144</sup> Qimron regards the singular and plural number of *מהנה* in the DSS as connoting communities of different design. He cites 4Q394 F8iv:9b–10a (כי ירושלים היאה סהנה הקדש “For Jerusalem is the camp of holiness”), arguing that *מהנה* in the DSS refers to Jerusalem, the city in which celibacy was to be the rule. On the other hand, the *מהנה* signify those cities wherein marriage was sanctioned. See Elisha Qimron, “Celibacy in the Dead Sea Scrolls and the Two Kinds of Sectarrians,” in vol. 1 of *Proceedings of the International Congress on the Dead Sea Scrolls Madrid 18–21 March, 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner); Vol. XI,1 of *Studies on the Texts of the Desert of Judah* (ed. F. García Martínez and A. S. van der Woude; Leiden: E. J. Brill, 1992), 289. This distinction between the singular and the plural is not compelling, at least as far as MTA is concerned. Our author uses both pertaining to sectarians who were to practice family life. The supervisor of the *מהנה* regulated marriage and divorce (CD 13:16–17). By the same token, the *מהנה* were communities where the sectarians were commissioned to take wives and procreate children (CD 7:6b–9a; 19:2b–5a).

<sup>145</sup> See Ginzberg, *Unknown Jewish Sect*, 349–50 for the problems in understanding the CD passage.

This Cave 11 text also contains several references to the second prohibition of the זִבָּה cited above, a male with a discharge.

45:15 וְכֹל אִישׁ אֲשֶׁר יִטְהַר מִזּוּבֹו וְסָפַר לוֹ שִׁבְעַת יָמִים לְטַהַרְתּוֹ וַיִּכְבֵּס בַּיּוֹם

45:16 הַשְּׁבִיעִי בְּגִדָיו וְרָחַץ אֶת כּוֹל בְּשָׂרוֹ בַּמַּיִם הַיּוֹם אַחֵר יָבוֹא אֶל עִיר

45:17 הַמִּקְדָּשׁ

And any man who cleanses himself from his discharge shall count seven days for his purification, and shall launder his garments on the seventh day and shall wash all of his flesh with running water; subsequently he may enter the city of the Temple. (11QT 45:15–17a)

46:16 וְעִשִּׂיתָהּ

46:17 שְׁלוֹשָׁה מְקוֹמוֹת לְמִזְרַח הָעִיר מִזְבְּרָלִים זֶה מִזֵּה אֲשֶׁר יִהְיוּ

46:18 בָּאִים הַמְצֹרְעִים וְהַזֹּבִיבִים וְהָאֲנָשִׁים אֲשֶׁר יִהְיֶה לָהֶם מִקְרָה

47:1 [לֵילָה] . . .

And you shall make three locations to the east of the city, each apart from the other into which lepers and those who have a discharge and men with a [nocturnal] emission shall reside . . . (11QT 46:16b–47:1a)

48:14 וּבְכֹל עִיר וְעִיר תַּעֲשׂוּ מְקוֹמוֹת לַמְּנוֹגְעִים

48:15 בְּצִרְעָתָם וּבִנְגַע וּבִנְתֵק אֲשֶׁר לֹא יָבוֹאוּ לְעִרֵיכֶם וּשְׂמָאוֹם וְגַם לְזֹבִיבִים

48:16 וּלְנָשִׁים בְּהִיוֹתָמָהּ בְּנִדָּת שְׂמָאתָמָהּ וּבִלְדַתָּמָהּ אֲשֶׁר לֹא יִשְׂמָאוּ בְּתוֹכָם

48:17 בְּנִדָּת שְׂמָאתָם

And in every city you shall make places for those who are afflicted, whether with leprosy, or with wound, or with scab who may not enter into your cities lest they contaminate them. And likewise, for men who have a discharge, as well as for women being in their menstrual defilement, and those having given birth, who should not defile in their midst with their menstrual defilement. (11QT 48:14b–17a)

Interestingly, CD differs from *Temple Scroll* in not listing leprosy (צִרְעָתָה) together with the defilement of the זִבָּה, replacing it instead with polygamy. The latter issue, according to CD, then, constitutes a major offense, being addressed especially to the princes with their customary harems. However, according to our text this prohibition applies to ordinary people as well. One senses the polemical stance against polygamy by the author's citation of creation and the flood which, by depicting in CD 4:21b–5:1a their idealized monogamous state, must have implied that bigamy might have been the cause of the deluge.

The text prohibiting one from lying with a woman during her flux is relatively brief. In 4Q270 F2ii:15c–16a it occurs in a long list of transgressions for which God will destroy those who commit any of

them.<sup>146</sup> What is so interesting is that the catalogue of transgressions, as does CD, includes both lying with a menstruating woman and marrying one's niece—the second and third temple defilement. It seems that all of these trespasses, including having sexual intercourse in the temple, are considered by the author of MTA as offenses subject to capital punishment.<sup>147</sup>

It is the third prohibition, marrying the daughter of one's brother or sister (CD 5:7b–11a), upon which MTA expounds at length.

ולוקחים 5:7  
 איש את בת אחיהם ואת בת אחותו *vacat* ומשה אמר אל 5:8  
 אחות אמך לא תקרב שאר אמך היא ומשפט העריות לזכרים 5:9  
 הוא כתרוב וכחם הנשים ואם תגלה בת האח את ערות אחי 5:10  
 אביה והיא שאר 5:11

And they marry the daughter of one's brother or sister. However, Moses said, "You shall not come near the sister of your mother; she is a relation of your mother." And the rules of incest are in male language, but they apply to women as well. Hence, if the brother's daughter uncovers the nakedness of her father's brother, she is a (forbidden) relation. (CD 5:7b–11a)

Scholars have noted that some rabbinic texts not only diverge from the prohibition of marrying the daughter of one's sister, but commend it as halakically desirable, perhaps to stress their disagreement with views such as are found in MTA. The disputative stance of MTA becomes evident in the reappearance of the prohibition in at least one more passage—that which forms part of the so-called catalogue of transgressions mentioned above.

<sup>146</sup> 4Q270 F2ii:17–18 seems to preserve the punishment in the apodosis: בם . . . against whom God has legislated to render destruction by [his] w[rath during the epo]ch . . . .

<sup>147</sup> Whereas levitical law contains numerous references to capital crimes, the terminology of the transgression in Lev 18:21 of offering one's children to Molech is interesting. The infinitive construct להעביר appears here as the offense; in 4Q270 F2ii:18, the conclusion to the so-called catalogue of transgressions, it denotes capital punishment. As the Israelites of antiquity made their children pass through the fire to Molech, so God will make Israel's transgressors during the period of the אחרונים pass through, as it were, His divine anger. Some rabbinic sources interpret the reference to Molech in Leviticus metaphorically as referring to intermarriage of Jews and pagans. For more discussion on the issue of capital crimes in MTA, see the comments on 4Q270 F2i:7–20 (and the parallel 4Q267 F4:11–15) in section 3.2.2.9.6.1 entitled "Capital and Non-Capital Offenses."

[או יקרב א]ל בת[ אחיהו או ישכב איש עם זכר] 4Q270 F2ii:16  
 משכבי אשה vac עוברי א[ת מצות התור]ה ו[א]ת חוקיה[ת] 4Q270 F2ii:17  
 148[ בם חקק אל להעביר בת[רון אפן בק]ץ [הפקודה] 4Q270 F2ii:18  
 [or he who approaches] the daughter [of his brother or lies with a male]  
 as if lying with a woman. It is (these) transgressors [of the command-  
 ments of the Tora]h and [its statutes] against whom God has legislated  
 to render destruction by [His] w[rath during the epo]ch [of redemption  
 . . . ]<sup>149</sup> (4Q270 F2ii:16b–18)

As has been noted, al-Qirqisani, quoting from a work attributed to Zadok, states that the analogy in CD 5:7b–11a is a unicum in Zadok's writings.

Zadok was the first who exposed the Rabbanites and disagreed with them; he discovered part of the truth and wrote books in which he strongly rebuked and attacked them. He did not adduce any proofs for anything he said, but limited himself to mere statements; excepting one thing, namely the prohibition of (marrying) the daughter of the brother and the daughter of the sister, which he inferred by the analogy of the paternal and maternal aunts.<sup>150</sup>

As to the statement given by the author of MTA in CD 5:9b–10a which proclaims that biblical texts, although using masculine language, are intended to incorporate also women, it opens new vistas into the history of biblical hermeneutics. Prior to the discovery of CD in 1887, the earliest biblical hermeneutic principles were attributed to Hillel, who flourished in the first century B.C.E., and Rabbi Ishmael, a century or two later. The former is said to have enunciated seven principles, which the latter increased to thirteen. Of course, it is not necessary to presume that these sages were the earliest to apply such maxims. It might be that they are credited with assembling and organizing them. At any rate, it can no longer be assumed that the establishment of such principles was a new phenomenon in Judaism. The date of composition of MTA probably goes back to the third century B.C.E.<sup>151</sup> The question that arises is,

<sup>148</sup> See the text and translation for the rendition of the editio princeps.

<sup>149</sup> For the other prohibition see the reconstruction אלהוהו בת אהוהו [אל יקה איש את בת] in 4Q266 F14d:1 (Baumgarten, DJD XVIII, 146). In addition to MTA see 11QT 66:17 and 4Q251 F17:2–3.

<sup>150</sup> Nemoy, "Jewish Sects and Christianity," 326.

<sup>151</sup> See my comments in section 1.2.1 of the introduction pertaining to the date of composition.

was the author of MTA, presumably Zadok, the first to announce this principle? Note that, unlike Hillel and Rabbi Ishmael who give names like קל והומר and גוירה שוה, our text offers no specific appellation for the principles. As is implied in the lengthy description, the Talmudic term היקש (analogy) and the like had not as yet been coined at the time of the composition of MTA. Nevertheless, the principle was known to its author. Yet, I do not know whether he was its first expounder. What was used was a technical explanation of how this principle should be applied not only here to matters of the prohibition of the niece, but to other Scriptural passages as well which are formulated in the masculine and, according to MTA, are equally applicable to females.

What is technical in our text is the phrase משפט העריוה (the rule of incest). עריוה is ubiquitous in rabbinic literature, but its earliest attestation is in MTA. In Lev 18 and 20 ערוה, from which the plural עריוה is drawn, precedes each prohibition. However, the term משפט in the construct state with a noun pertaining to a legal issue, as in משפט העריוה, is somewhat foreign to rabbinic terminology, the more common expression being דיין or דיני.<sup>152</sup> Our author's statement on the rules of incest in CD 5:9b–11a is the oldest illustration of scholarly exposition of Scripture on this issue. The same may be said of his citation of Adam, Eve and the flood, as well as Deut 17:17, from which he deduces the prohibition of bigamy. Strictly speaking, therefore, al-Qirqisani's statement that marriage of a niece was the only point for which Zadok, the presumed author of MTA, brought proof, is not accurate, for our author does cite at least three passages for the prohibition of polygamy. It might be, however, that what al-Qirqisani meant by the uniqueness of Zadok's treatment of the marriage of a niece, is that the author of our text extends the argument beyond biblical citations. After all, he frequently buttresses his arguments with the formulas אשר כהוב and אשר אמר fronting biblical citations. For example, compare CD 10:14–17 from which the writer derives that rest from labor must cease at the moment the circuit of the sun passes through the (heavenly) gate in its (the sun's) fullness.<sup>153</sup> He

<sup>152</sup> משפט עריוה does appear later in *Rashi Ketubbot* 46:1.

<sup>153</sup> See *1 En.* 72:4 for "its fullness" as referring to the sun. The standard interpretation that שער here refers to an earthly gate is unacceptable. See Ginzberg (*Unknown Jewish Sect*, 55) who rightly alludes to *1 Enoch*, who speaks of twelve heavenly gates through which the sun enters and exits the heavens. It follows that Ginzberg's argument that this text may correspond to the rabbinic extension of sabbath rest by an

seems to draw proof from the word **יום**, meaning apparently that the cessation of labor begins at the instant the day changes from Friday to Saturday.<sup>154</sup> That is why he uses the word **שמור** (Deut 5:12) rather than **זכור** (Exod 20). One must be on guard to observe the very moment of the sun's transition through the heavenly gate and its disappearance from the sky.

b. Defilement of the Spirit (5:11b–19)

What follows is a lengthy diatribe against the religious leadership extending from lines 11b–19. MTA contains many passages in which the opponents are castigated. This, however, is the most powerful. It divides itself into two parts—one of them specific and the other general. Let us begin with reading the first.

וגם את רוח קדשיהם טמאו ובלשון CD 5:11  
גדופים פתחו פה על חוקי ברית אל לאמר לא נכוננו ותועבה CD 5:12  
הם מדברים CD 5:13

And they (the opponents) also have defiled their holy spirit, and have opened (their) mouth with blasphemous language against the statutes of God's covenant, saying, "They are not right," and speak of them as an "abomination." (CD 5:11b–13a)

So far, the author has listed specific misinterpretations such as polygamy and marriage to a niece. These lines move from the specific to the general. There are many disputations with the opposition. However, this passage is unique, in that the author cites the actual wording of the enemy with the terminological quote **לאמר**.

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hour and a quarter before sunset on Friday is not plausible. The point at which the sun goes into its prescribed gate really matches what we call sunset.

אל יעש איש ביום CD 10:14  
פלא השישי מלאכה מן העת אשר יהיה גלגל השמש CD 10:15  
רחוק מן השער מלואו כי הוא אשר אמר שמור את CD 10:16  
יום השבת לקדשו CD 10:17

One may not do any labor on Friday from the moment the sun's disk faces the gate in its fullness. For this is what He said, "Keep the Sabbath day by sanctifying it."

<sup>154</sup> As explicated in comments on CD 10:14–17a (section 3.2.2.9.12.1) which mandates the cessation of labor at sunset, the majority of DSS scholars have stressed that lines 15b–16a ordain the prohibition of labor on Friday sometime prior to sunset, the length of time which elapses during the sun's descent to the horizon from a distance of its diameter above it. Comments on this text display my rationale for understanding **מלואו** as the very moment in which the sun in its fullness passes through the *heavenly gate*, a concept drawn from *1 En.* 72.

*Rule of the Community*, 1QS 4:9–11a, apparently exegetes lines 11b–17a of CD 5 with some expansion.

9 vac ולרוח עולה רחוב נפש ושפול ידים בעבודת צדק רשע ושקר  
 10 גוה ורום לבב כחש ורמיה אכזרי ורוב חנפ קצור אפים ורוב  
 אולת וקנאת זדון מעשי תועבה ברות זנות ודרכי נדה בעבודת שמאה  
 11 ולשון גדופים עורון עינים וכבוד אוזן קושי עורף וכיבוד לב . . .

However, to the spirit of injustice belong excess, slackness in the service of justice, wickedness, lying, pride, haughtiness of heart, falsehood, cruel deceit, immense hypocrisy, impatience, abundant folly, willful jealousy, abominable acts in the spirit of whoredom, defiling manners in the service of impurity, a blasphemous tongue, blindness, refusal to hear, stiffness of neck and hard heartedness . . . (1QS 4:9–11a)

Another text which seems to echo our MTA passage is *Pesher Nahum*.

פשר[ן] ע[ל] מתעי אפרים אשר בתלמוד שקרם ולשון  
 כזביהם ושפת מרמה יתעו רבים

[Its] (Nah 3:4) eschatological interpretation refers to those who lead Ephraim astray, who through their lying Talmud, their specious tongue, and deceitful lip will mislead many. (4Q169 F3-4ii:8)

The Pesherite text cited above ascribes to Nah 3:4 a polemic against the Pharisees. It is conceivable that the blasphemous tongue refers to a proto-Talmud, whose later form the rabbis called the *תורה שבעל פה* (the oral Torah).<sup>155</sup>

The quote *לא נכונו* (They are not right) in line 12 seems to charge that, according to the Pharisees, the covenantal ordinances, if taken literally without an oral exegesis, would be false.<sup>156</sup> According to the author of MTA, however, this is equivalent to blasphemy. Our text might echo Pharisaic attacks on the book of *Jubilees*, to which it ascribes a covenantal character as the Torah of Moses. The whole Pharisaic methodology of interpreting the biblical text is regarded by the sect as blasphemous against the Bible. The diatribes against Pharisaism, therefore, did not begin with the New Testament (compare Matt 23). They go back at least to the Zadokite invectives.

<sup>155</sup> As stated earlier, *Pesher Nahum* is apparently a late commentary, closer to the rabbinic era than other DSS sectarian texts.

<sup>156</sup> The unlikely alternative is that the Pharisees rejected not an exegesis of them, but the very ordinances themselves.



The vilification continues in lines 12b–13a with the clause והועבה הם מדבריים בם (and they speak of them as an ‘abomination’). This may be interpreted in one of two ways. It could be a claim by the sect that the Pharisaic interpretations of Scripture are abominable. On the other hand, and more likely, it is the opposition who charges that the sect’s legislation is an abomination. This would make sense as stated above, that the opposition was using blasphemous language against the sect’s legal system, regarding it as abhorrent. As we have stated elsewhere, much of MTA is devoted to a defense of the sectarian law, the book of *Jubilees* which is called “perfect” and other schismatic legal texts.

The preceding denunciation was not sufficient for our writer. In his aroused state he expands upon it in lines 13b–15a with a number of pronouncements.

כלם קדחי אש ומבערי זיקות קורי CD 5:13  
 עכביש קוריהם וביצי צפעונים ביציהם הקרוב אליהם CD 5:14  
 לא ינקה כהר ביתו יאשם כי אם נלהץ CD 5:15

All of them (the opponents) kindle fire and burn firebrands. Webs of a spider are their webs and eggs of vipers are their eggs. Anyone who comes near to them will not be innocent. As he increases (his transgressions) he will be declared guilty, unless under duress. (CD 13b–15a)

The wording of these lines draws on Isa 50:11 and 59:5 respectively. Here they are paraphrased to denounce the sect’s opponents and their nonsensical teachings. The construction of the last phrase, הקרוב אליהם, לא ינקה (Anyone who comes near to them will not be innocent) draws on the image of adultery used in Prov 6, which concludes with its consequences in verses 26–29, “Can a man take fire in his bosom, and his clothes not be burned? Can one go upon hot coals, and his feet not be consumed? So he that goes in to his neighbor’s wife; whoever touches her shall not escape punishment.”<sup>157</sup> The words כהר ביתו יאשם have been supposed to denote “As (at) the mountain, his house will be held guilty.”<sup>158</sup> However, it is more reasonable to read the two words כהר כהרבוהו<sup>159</sup> “as he increases (his transgressions),” which is to say the violator will incur more guilt. The text concludes with כי אם נלהץ, saying that no one will

<sup>157</sup> לא ינקה, literally “shall not be clean.”

<sup>158</sup> See Schwartz in Charlesworth, ed., *Damascus Document*, 21.

<sup>159</sup> Rabin, *Zadokite Documents*, 21.

escape punishment unless acting under duress. Only those who were forced to follow the opposition will be absolved. These are called *דיני אונסיין* in rabbinic literature, sins committed under duress (compare *Mekilta Vayasa*' 1). The phrase in our text, *יאשם כי אם נלהץ* (he will be declared guilty, unless under duress), concludes the pericope that began with 4:12, the period when Belial will have dominance in Israel, that is to say the epoch in which the author lived. It ends with the punishment awaiting the enemies of the sect.

Whereas *קץ* (CD 5:20) points to a specific date, *למילפנים* (line 15) is more general, lacking the definite time alluded to in *קץ*.<sup>160</sup> *מלפנים*, then, here refers to the beginnings of Israel's history commencing with Abraham and continuing to the exodus and the giving of the first Torah. Lines 15b–19 are a general statement that embrace the whole period of Israel's history from the formation of the nation to the author's own time. It asserts that the opposition to the Torah did not begin in the exilic period. Rather, elements of it go back to the very formation of the law at Sinai. More specifically it shows that Moses and Aaron confronted the opposition, just as the author and his entourage to whom this work is addressed must likewise do. Facing more opposition than did his ancestor Abraham who had contented with Mastema, Moses dealt not only with Pharaoh, but also Belial (introduced in 4:12–13) and those whom he raised up, *יהנה* and his brother. Moses was, of course, the victor since he was

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<sup>160</sup> An important term in this section as elsewhere in CD is *מלפנים*. We find it first in CD 2:17. Wickedness, according to the writer, started at the very beginning of creation when the watchers came down from heaven and corrupted the human daughters.

And now hear me O children that I may open your eyes to see and to understand the acts of God, to choose what He desires, and to despise what He hates, [to observe the statutes of God with the loving covenant], to walk perfectly in all His ways and not to wander into thoughts inclining towards transgression with eyes of whoredom, since many have gone astray in these matters. Mighty warriors have stumbled into them *since the time of old* until now. (CD 2:14–17)

These lines open the pericope that deal with the fall of the giants, the corruption of the flood and how the men of the wilderness lost their way to enter the holy land. CD 3:19–20a contains the next occurrence of *מלפנים*, speaking of the sanctuary that God will build in the future when He will atone for all sin.

And he will erect for them a faithful temple in Israel, the like of which has never existed *from earliest time* until now.

The temporal term *מקדם* (CD 2:7 and 19:3) is a synonym of *מלפנים*.

guided by the Prince of the Urim (and Thummim).<sup>161</sup>

Note the three-fold emphasis on Israel's lack of wisdom in lines 16–17. The theme of understanding is a characteristic of MTA. Although much of this document deals with theological and legal subject matter, wisdom and sapiential issues remain an essential part of the composition, alluded to already in the preamble of the work.

Lines 18–19 draw on *Rule of the Community* (1QS) 3:20 and 4Q164 F1:5, both of which ultimately paraphrase the levitical blessing in Deut 33:8 concerning the function of the divinatory Urim and Thummim. The idea here in the DSS is pointing to Exod 7:11–12 where the Egyptian magicians duplicated the miraculous acts performed by Moses. Belial in our text retorts to Moses by raising up the magicians יהנה and his companion. According to Targum Yerushalmi, the names of the Egyptian magicians were יִמְבְּרִים and יְהִנֵּים. Talmud *Bavli Menahot* 85a spells these names יוהנא and גמרא. 2 Tim 3:8 refers to Ἰάβνης and Ἰαμβρῆς challenging Moses. The Targum and 2 Tim 3:8 are similar. The spelling of יהנה in CD most closely resembles יוהנא of *Bavli Menahot*. At any rate, CD, *Bavli Menahot* and Paul's letter to Timothy make the same point—the attempt of the Egyptian magicians to outwit Moses and Aaron with their magical skills. In CD it is Belial, a synonym to Mastema (Satan), who is the master of יהנה and his brother, whereas in rabbinic texts יהנה and his brother may be assistants to Balaam. Our text in CD, however, gives only one name, יהנה, identifying the second magician as his brother, apparently paralleling the kinship of Moses and Aaron.<sup>162</sup>

#### 3.2.1.4.3. *The Shifters of the Boundary (5:20–6:2a)*

Whereas hitherto we have dealt with Egypt and the Exodus, these lines move from the ancient epoch when Israel had become wicked

<sup>161</sup> Cf. Deut 33:8 and Isaiah Peshet<sup>b</sup> (4Q164) F1:4–5. Schechter identified the שר אורים of CD 5:18 as the שר הפנים. Ginzberg argues for שר העירים (Prince of the Watchers), the term עירים occurring in CD 2:18 as angels (Ginzberg, *Unknown Jewish Sect*, 26). However, it could not refer to the “watchers,” since they ultimately became the fallen angels, negative figures. The שר אורים should be identified with the oracular instruments, first utilized by Moses in his disputations with Belial. The central idea of the שר אורים in CD 5:18 is that Moses and Aaron themselves used the Urim and Thummim to combat Belial.

<sup>162</sup> The fact that three traditions (MTA, the rabbinic and Paul) know of these brothers' rivalry with Moses and Aaron suggest the existence of a pseudepigraphon now lost which elaborated on this subject.

the first time (הראשונה) to the more recent era that approximates the contemporary scene after the destruction of Jerusalem and the Temple in 586 B.C.E. This period, as will be explicated in the next section, led ultimately to the beginning of the apocalyptic epoch when the Messiah of Aaron and Israel was to arise, in which the righteous were expected to have a longevity of a thousand generations (CD 7:6). Here in 5:20 the text deals with the rise of the opposition, the מסיגי הגבול (the Shifters of the Boundary), a sobriquet for the Pharisees or Rabbanites,<sup>163</sup> introduced earlier in this section as בוני החיץ (the builders of the wall). The juxtaposition of the era of the ריאשונים seen again in 6:2 (the beginning of the next section describing Israel's rise)<sup>164</sup> with the time when the מסיגי הגבול came to prominence draws on Deut 19:14 which prohibited one from moving a boundary established in antiquity.

לֹא תִסֵּיג גְּבוּל רֵעֶךָ אֲשֶׁר גָּבְלוּ רִאשֹׁנִים בְּנַחֲלֶיךָ  
אֲשֶׁר תִּנְחַל בְּאֶרֶץ אֲשֶׁר יִתְּנֶה אֱלֹהֶיךָ נַחֲן לְךָ לְרִשְׁתָּהּ

Do not *shift the boundary* of your neighbor which the *ancestors* have set, in the property which you shall inherit in the land which the Lord your God is giving you to possess. (Deut 19:14)

In interpreting the Shifters of the Boundary as the Pharisees, our author regards this group as having fashioned their own system of interpreting Scripture, a technique which had departed from the plain meaning of holy writ. The opposition had altered, as it were, the hermeneutical boundaries fixed by the writers in antiquity.

CD 5:21–6:1a ties the current events to what had taken place in the wilderness following the reports of the spies in Kadesh-barnea, preparing the reader for the description of the Shifters of the Boundary. Just as the rebellious Israelites perished in the wilderness prior to the nation's entry into Canaan, so also the Shifters of the Boundary and their followers, having spoken evil against the commandments of God through Moses, will perish.

The assumption behind the clause "And the earth has become desolate" is that Israel's wilderness occurred as a result of her rebelliousness following the report in Num 13 of the spies who, despite their

<sup>163</sup> See al-Qirqisani's description of the Rabbanites in *HUCA* 7, 325–26.

<sup>164</sup> ריאשונים in this case is a composite spelling of components preserved in CD 6:2; 4Q267 F2:7; 6Q15 F3:5.

negative report on the size and strength of the people of Canaan, claimed that the land was זָבַת חֶלֶב וְדָבַשׁ (flowing with milk and honey). However, it was Israel's lack of faith in God's enabling them to conquer the land that was the cause of the loss of its fructification. Nevertheless, with Israel's redemption at the end of time, the milk and honey of previous epochs would be restored. This point is radical, since it claims that even the settlement in Canaan under Joshua was not the utopia that it might have been. Israel of the רִיאֲשׁוֹנִים did not as yet possess a perfect Torah. The work of Belial and his entourage had succeeded even in corrupting parts of the Law, rendering the first as imperfect and relegating the ideal Torah of Moses to a future age.

Conventional scholarship emends CD's reading מְשִׁיחֵי (6:1) to a plural, מְשִׁיחֵי, and understands it as alluding to two messiahs.<sup>165</sup> Indeed, both 4Q267 F2:6 and an unclear script in 6Q15 F3:4 seem to have a second *yod* at the end, not a *waw*. If we read CD's בְּמִשְׁיחוֹ, the text refers to Moses ("as God has commanded through Moses, even by his holy anointed"). On the other hand, as was noted by Rabin, the introductory section to *Rule of the Community* has כַּאֲשֶׁר צִוָּה בְּיַד מוֹשֶׁה וּבְיַד כּוֹל עַבְדֵי הַנְּבִיאִים (as He commanded through Moses and all His servants, the prophets), a passage that tends to support the reading בְּמִשְׁיחֵי הַקֹּדֶשׁ. As the author of CD understood our text, the phrase "anointed holy ones" includes Moses, the first prophet, against whose transcribed divine laws the Israelites had rebelled in the wilderness. Reading the word מְשִׁיחֵי gains confirmation in its conceptual parallel in 4Q270 F2ii:14, suggesting another correction in CD 2:12 to read וַיֹּדִיעֵם בְּיַד מְשִׁיחֵי רוּחַ קִדְשׁוֹ (And He has informed them through those who were anointed by His Holy Spirit). The plural in the clause following in CD 2:13, וְרוּחֵי אֱמֶת, "and (by) the seers of truth," a phrase parallel to מְשִׁיחֵי רוּחַ קִדְשׁוֹ, lends additional support for the plural of "anointed" both here and in 6:1.

A distinction should be drawn between these clauses containing the word מְשִׁיחֵי in the plural and that of מְשִׁיחַ (מִן־יִשְׂרָאֵל) (the Messiah from Aaron and Israel) which occurs four times in MTA (CD 12:23–24; 14:19; 19:10–11; 20:1), wherein the term "messiah" is in the singular. The plural refers to those that have been sanctified with oil, set apart for a particular task within historical Israel, whereas the singular pertains to the anticipated Messiah of the future.

<sup>165</sup> See Qimron, "The Text of CDC," in *The Damascus Document Reconsidered* (Ed. Magen Broshi; Jerusalem: The Israel Exploration Society, 1992), 21.

Incidentally the clause “Messiah from Aaron and Israel” is unique to MTA and contains, so to speak, the author’s “signature,” supporting the view that this composition constitutes a unity, not a mere collection of extracts.

Coming back to CD 5:20, our text says, “Now during the epoch of the desolation of the land the Shifters of the Boundary arose and misled Israel.” This passage is interesting since, as was stated, it dates the rise of the Boundary-Shifters during the period of the  $\text{הרִבֵּן}$ , the destruction of the temple and the land. Who were these offenders? The epithet  $\text{מְסִינֵי (ה)גְבוּל}$  appears three times in MTA, first in the preamble in 4Q266 F1:4, second in CD 5:20 and finally in CD 19:15–16. As mentioned above, scrollists have presumed that the sobriquet  $\text{מְסִינֵי (ה)גְבוּל}$  attacks the Pharisees. If so, our author sets the rise of this group during the exilic period, an opinion contrary to the standard view which dates their formation during the Macabean age. Let us not forget that the Talmudic tradition likewise sets the rise of the Pharisees in the exilic and post-exilic age, as does al-Qirqisani, the 10th century Karaite writer. In this connection it is clear that in their view, the sectaries regarded themselves as Israel *veritas*, and that they were those whom God had left as a remnant in the past when the others perished (CD 1:4–5).

The era described thus far depicts the post-exilic epoch when the writer anticipates another rebellion by the Pharisees, this time against the  $\text{יִזְרָה הַצֶּדֶק}$  mentioned just below in 6:11. Hence, our whole passage binds together two periods of history: 1) the epochs of the wilderness when Israel, prompted by the reports of the spies, gave deviant counsel ( $\text{רִבְרוּ עֲצָה סָרָה}$ ) against Moses, and 2) the author’s period of history when the sect’s opponents, the Pharisees, will repudiate the leader of the covenanters (see the text to follow in CD 6:2–11).

This leads us to a more general point in MTA and other Dead Sea Scrolls. There is a constant intermingling of past, present and future—everything that happened in bygone days ( $\text{רִיאַשׁוֹנִים}$ ) is only a model for what is transpiring currently and for what will occur in the coming era. In other words, all history serves as a blueprint for the  $\text{אַחֲרֵית הַיָּמִים}$  (the end of days). Thus, when MTA speaks of the fall of the giants during the antediluvian age and the events leading to the flood, it is not a mere retelling of the past but a stern warning for comparable retribution in the present and future resulting from the non-observance of the Torah. Heeding the commandments serves as a control for desolation and fertility of the land. MTA’s futuristic

tendency and its focus on the אהרית הימים prompts us to recognize that verbal conjugations alone are not the sole determinants as to whether a narrative refers merely to the past or to both past and future. As was noted above, the allusion to Moses as one of the holy anointed, refers, of course, to the events in the wilderness. However, the entire passage “they spoke deviant counsel” may also point to the future. Therefore the words כִּי דִבְרוּ עֲזָה סוֹרָה in 4Q267 F2:5 (הֵבִירוּ דְבָרָה in CD 5:21) could equally be rendered “because they will have spoken deviant counsel.”

The clause וינבאו שקר להשיב את ישראל מאחרי אל (And they have prophesied falsehood to make Israel turn away from God) may also be rendered, “and they are, and will be prophesying falsehood to turn Israel away from God.” The Israelites in the wilderness claimed that they would not be able to conquer the land, since its masters were too mighty. The contemporary Pharisees likewise have spoken deviously against the covenanters, disregarding their interpretations of the Torah and prophesying falsehood resulting in a national departure from God. Our text disputes the Pharisaic concepts of messianism and perhaps attacks the opinion that the people should collaborate with the occupying Ptolemaic authorities.

### 3.2.1.5. *Israel's Rise: The Life of the New Covenant in Damascus*

(CD 6:2b–7:5a; 7:5b–8:21 / CD 19:1–34a; 19:34b–20:32a;  
4Q266 F4)

At this point the text shifts from the negative to the positive, to a verbiage describing the *rise* of a new movement inspired to observe the Torah as guided by the new leadership. The heads of this new community, like the patriarchs of old, will be princes and men of understanding who will know how to interpret the ancient past for the immediate and future epochs. The present is an age when the sinners will be more sinful, but, at the same time, there will arise princes inspired enough to draw living waters from the well of the Torah, both the traditional and the eschatological laws. Incidentally, it would appear that the author of MTA regarded himself as one of these emerging inspired sages. The author then presents a digest of the new sectarian Torah, to be elaborated on by him in the second part of the body of the composition. A future migration from Judah to Damascus and the camp life in this new locale pictures the life of this new community that will await the Just Teacher who will lead them into the messianic epoch.

3.2.1.5.1. *Those Committed to Live a Righteous Life in Damascus*  
(CD-A 6:2a–7:5a, 5b–6a / CD-B 19:1–2a)

Damascus becomes a prominent theme at this point in the book's development, a city to which the searchers pursuing the truth of the Torah will migrate. As stated above, this municipality will become the habitation of the new community awaiting the Messiah and the salvation he will bring.

3.2.1.5.1.1. The Rise of the New Interpreters of the Torah  
(CD-A 6:2–11a)

This text interprets in a new way Num 21:18. As was introduced above, the text beginning with ויזכר אל בריה רישונים (But God will remember the covenant of the patriarchs) shifts to the future and introduces the new era that will bring about the foundation of a new Israel. The nation had reached an impasse, sinking deeply into an abyss. It was only by divine grace that she would receive salvation through the rise of new leaders. These anticipated guides would not be the masters of the past who had misled Israel, but would be a new group with a new understanding of the sense of divinity, whose advent would lead the people to the end of time.

וישמיעם (and He will inform them) pertains in line 3 to the explication of the pesherite meaning of Num 21:18 which follows. Having refuted the argument of the opposition, presumably the Pharisees, the author of MTA now addresses the adherents. He does so with a pesherite midrash on this biblical passage which, as he understands it, foretells the coming rise of the community to whom this work is addressed. The text preceding this verse tells of the Israelites' wandering in the wilderness thirsting for water. God told Moses, "Assemble the people that I might give them water." Our author apparently takes the following phrase in verse 17, אָז יִשָּׂר יִשְׂרָאֵל (Then Israel sang), not only as the past tense of this clause in Exod 15:1, but as futuristic, "Then Israel *will* sing," addressing his assembly and that of the end of days. The two imperative phrases, קָמְּהָר (Rise, O well) and שִׁירָהּ לָהּ (Sing to it), are also taken to anticipate the coming era. שִׁירָהּ לָהּ could also mean "Repeat it," a phrase, which in our writer's opinion, would be directed to the Israel of his time, carrying the repetitive aspect in which the rabbis read the verbs of the שָׁמַע (Deut 6:6–9), thus giving an inspiration to the pesherite exegesis that follows. The water of the well stands for the words of the Torah, and its diggers are its transcribers and instructors. They are identified



here as the penitent members of the new group who will migrate to Damascus. *נדיב* links up with *מתנרב*, especially in *Rule of the Community*, where it forms the core of the membership of the community. For example 1QS 5:1–3a reads

1 וזה הסרך לאנשי היחד המתנרבים לשוב מכול רע ולהחזיק בכול  
אשר צוה להצוננו להבדל מעדת 2 אנשי העול להיות ליתר בתורה  
ובהון ומשיבים על פי בני צדוק הכוהנים שומריו הברית געל פי רוב אנשי  
3 היחד המחזקים בברית

And this is the rule for the members of the community who freely take upon themselves to repent from all evil and to accept all that He has commanded by His will. It is incumbent that they keep apart from the council of the men of evil, becoming a community in (the study of) Torah and in possessions. And they shall respond in accordance with (the principles) of the Sons of Zadok, the priests, the guardians of the covenant and in accordance with the majority of the members of the community who hold fast to the covenant. (1QS 5:1–3a)

This introductory passage to *Rule of the Community* presents itself as an umbilical cord of MTA, using *נרב* as it is interpreted in *נדיבי העם*.

The word *במחוקק* (by the Lawmaker) in CD 6:4 may have seemed out of place in a line that deals with well diggers. For the pesherite interpreter, however, *במחוקק* refers not only to Moses the lawgiver, but to the more abstract *מחוקקה* of CD 6:9, legislation in general. The tendency to change nouns into their abstract sense occurs elsewhere in MTA, such as *גבהוה* (CD 1:15) and *השתחויה* (CD 11:22).<sup>166</sup> Apparently the author of MTA believed himself to be a linguist who could not only interpret Scripture, but also transform ordinary words of Torah into their more abiding sense.

The *מחוקק* (the Lawgiver) is here not a mere transmitter of divine legislation, but also a searcher of the law who expands upon what God had commanded, that is to say making new law. As was stated above, the law refers not only to the Pentateuch, but to other works as well such as *Jubilees*. The pesherizing of the biblical text continues by identifying the well of Num 21:18 as the Torah. Note, however, that it does not specify which Torah it is, apparently referring here to both that given by Moses at Sinai and *Jubilees* said to have been composed by him during his forty day stay on top of the cloud resting

<sup>166</sup> In addition the following occur elsewhere in the DSS: *אלוהות* (“divinity”—4Q287 F2:8; 4Q400 F1i:2 and 4Q403 F1i:33), *ארמולה* (“widowhood”—4Q176 F8-11:6), *חזוה* (“vision”—PAM 43.692 F80:1), *צבוה* (“will”—1QH<sup>a</sup> 18:18) and *העוה* (“error”—1QS 3:21; 1QH<sup>a</sup> 10:14; 12:12, 16, 20; 4Q381 F79:5).

on the mountain. הופרייה (its excavators) are “its interpreters.”

Moses, together with the people of Israel, searched for the meaning of Torah through their digging. The excavators are not only Moses and Aaron and their associates who interpreted the divine legislation; as was stated before, the present diggers of the Torah are also the future penitent of Israel “who will exit from the land of Judah and dwell in the land of Damascus” (CD 6:5). They are the princes whose glorious hermeneutics no one can challenge.

The clause ולא הושבה פארתם בפי אהר has troubled translators. Schechter already noted the problematics of these words. Assuming that our text is related to Ezek 31:12, he understands פארתם as a bough of a tree.<sup>167</sup> Hence, the translation “and their bough was not turned back in the mouth of one.” Ginzberg, quoting Isa 20:5, emends our text from הושבה to הובשה (a verb from the root בוש “shame, embarrassment”), understanding the clause as “because the objects of their pride did not become a cause of shame.”<sup>168</sup> Rabin, followed with the same sense by Cook, Davies, Vermes, Martínez-Tigheelaar and Schwartz, renders it “and their fame was not rejected by the mouth of anyone.”<sup>169</sup> The meaning still is obscure, however. To whom exactly does “their fame” refer and what does it mean? It might be that this difficult clause is parenthetical, commenting on the complex exegesis of the pesherite interpretation of Num 21:18. After all, we see here a chain of aggressive hermeneutics played out with this interpretation. The well means the Torah and its diggers are its interpreters. And perhaps, most significantly, the מהוקק refers now both to the lawgiver Moses and to the דורש ההורה, the futuristic sectarian interpreter of the law known also elsewhere as the מורה צדק. Our phrase in 6:6, כי כולם דרשוהו, meaning “for they all *midrashized* it” might have aroused scorn among the sect’s opponents. Possibly responding to such a critique, the author becomes defensive, saying that no one can reasonably repudiate this pesherite exegesis. Their glorious interpretation may not be challenged. If this is its real meaning, MTA displays a method of argumentation that is somewhat rare in that, anticipating the criticism, it attempts to refute it in advance.<sup>170</sup> Our text now continues with the exegesis to account for its purpose.

<sup>167</sup> Schechter in Fitzmyer, ed., *Documents*, 70, note 11.

<sup>168</sup> Ginzberg, *Unknown Jewish Sect*, 28.

<sup>169</sup> Rabin, *Zadokite Documents*, 22.

<sup>170</sup> Cf. also Jer 13:21 and Rom 9:19.

The association of the infinitive להדריכם (to lead them) with the phrase מורה צדק (the Just Teacher) found in CD 1:11, when compared with that of the similar infinitival phrase להתהלך בם (to walk by them), and the phrases דורש התורה (the interpreter of the Torah) and יורה צדק (the True Lawgiver) in CD 6:6–11, suggests that these sobriquets refer to the same personality. Another passage in the Florilegium (4Q174) confirms this impression.

F1-2i:11      אני אֲהִיָּה לוא לאב והוא יהיה לי לבן הואה צמח  
 דויד העומד עם דורש התורה אשר F1-2i:12 [יקום] [בצִיֹּן] [בא] הרית  
 הימים כאשר כתוב והקימותי את סוכת דויד הנופלת היאה סוכת  
 F1-2i:13 דויד הנופל[ת] א[שר] יעמוד להושיע את ישראל

I will be a father to him, and he will be a son to me. He is the sprout of David who will come to prominence together with the Interpreter of the Torah who will arise in Zion at the end of days, as it is written, “and I will raise up the fallen tent of David.” The fall[en] tent of David is (a way of referring to David) [w]ho will arise to deliver Israel. (4Q174 F1-2i:11–13)

Modern researchers, however, diverge widely as to the identity of these figures. Some, as Frank Cross, fuse all the passages dealing with these personalities into a single construct, historicizing them into what we know of the Hasmonean high priests such as Simon, John Hyrcanus and Alexander Janaeus.<sup>171</sup> Others, like Philip Davies, posit two different personas.<sup>172</sup> The first is the מורה צדק who is regarded as the founder of the movement, the second the יורה הצדק who will arise at the end of time.

Either opinion, relegating both figures into a single historical setting, or making the מורה צדק historical and the יורה הצדק eschatological, makes little sense. As these and other writers say, these texts (and there are many of them) mention no names, leaving the task of identifying them to modern scholarship. Some have taken their identity as far back as Ezra and Nehemiah. No personal name, however, is given to any of these figures in the DSS.<sup>173</sup> In fact, neither is there an allusion to the Seleucid persecution and Hasmonean liberation.

<sup>171</sup> Frank Moore Cross, *The Ancient Library of Qumran* (3d ed. Minneapolis: Fortress Press, 1995), 88–120, 156–65.

<sup>172</sup> Davies, *The Damascus Covenant*, 173–79.

<sup>173</sup> Solome Alexandra, the Hasmonean queen (76–67 B.C.E.), is mentioned, but only in the *mishmarot* texts that deal with Pompei’s conquest of Jerusalem.

Lines 7–11 amplify the function of the *יורה הצדק*, known also as the *דורש התורה*. Our text appears to draw on elements of Gen 49:10 and Hos 10:12. The following elucidates the integration of these components.

לֹא־יִסּוּר שִׁבְט מִיְהוּדָה וּמִחֻקֵּק מִבֵּין רַגְלָיו עַד כִּי־יָבֹא  
שִׁילָה וְלוֹ יִקְהַת עַמּוּם

The scepter will not depart from Judah, nor the *lawgiver* from between his feet until he comes to Shiloh and the people render him homage. (Gen 49:10)

יִרְעוּ לָכֶם לְצַדִּיקָה קִצְרוּ לְפִי־חֶסֶד נִירוּ לָכֶם נִיר וְעַתָּה  
לְדַרוֹשׁ אֶת־יְהוָה עַד־יָבֹא יְרָה צֶדֶק לָכֶם

Spread seed for righteousness; harvest for love; draw a planting line. It is the time to search for the Lord until He comes and *teaches righteousness* to you. (Hos 10:12)

*עד עמד יורה הצדק באחרית הימים* (until the True Lawgiver arises at the end of time) paraphrases *עד כִּי־יָבֹא שִׁילָה* (until he comes to Shiloh) in Gen 49:10 and *עַד־יָבֹא* (until He comes) in Hos 10:12. Our author takes the *מִחֻקֵּק* from the first and *יְרָה צֶדֶק* from the latter, fusing them into one text. The purpose of this legislator in our passage is broad and precise—to follow the laws during the epoch of wickedness that will continue until the end of days when the righteous will live for a thousand generations. Whereas the sectarian text apparently identifies the well as both the Torah given to Moses on Sinai and that which he inscribed during his forty days while on top of the cloud resting on the mountain, the biblical word *מִחֻקֵּק* might have been understood as referring to Moses alone.

The author links these exegetes to creators of art by citing Isa 54:16 which depicts the craftsman as the *מוציא כלי למעשהו* (One who brings forth an instrument for his works). As interpreted by our writer, both Moses and the *דורש התורה* made the Torah as an instrument for reinterpretation to create new meanings. Our text then refers to the members of the community (*נדיבי העם*) as those who will come to dig the well (the Torah) in the land of Damascus. They perform their excavations through legislative mastery (*מחוקקות*) throughout the entire epoch of wickedness and thus help bring about the coming of the True Lawgiver. On the other hand, those who stand apart from this select community will not perceive its meaning. However,

its truth will become apparent to all when the True Lawgiver will arise at the end of time.

### 3.2.1.5.1.2. Those Who Shun the Temple on Account of Its Defilement (6:11b–14a)

Lines 11b–14a are difficult both textually and conceptually. It is likely that the idea of closing the sanctuary in this passage interconnects with the more central idea on this page beginning with line 5 and ending in 19, namely that those who leave Judah will be the wise men who will have the new covenant in the land of Damascus, a contract superior to the traditional Sinaitic covenant. In other words, the pesherite interpretation of Num 21:18 which makes the wise men of Jerusalem leave the holy land to sojourn in Damascus (and I mean Damascus, not Babylon or Qumran) created a problem—that these שְׂבִי יִשְׂרָאֵל would lose all access to the holy temple. The citation of Mal 1:10 in CD 6:13–14 responds to this problem, since according to the prophet, God and not only the prophet (כַּאֲשֶׁר אָמַר אֵל) “as God has said”) had commanded them to abandon the sanctuary. This would require the penitent of Israel to abandon the holy place if only temporarily prior to the coming of the Messiah of Aaron and Israel.

The clause at the beginning of this section, וְכֹל אִשֶׁר הוּבֵא בְּבְרִית, (and anyone who has been brought into the covenant), addresses once again the uniqueness of each member of this group who commits himself to the observance of the new Torah. The prerequisite demands that he not enter the temple to kindle the altar which had been defiled during the period of wickedness. This is a radical requirement for which apparently the writer felt compelled to look for Scriptural support. He found substantiation for it in Malachi. As taken by our author, Mal 1:10 not only sanctions not entering the temple, but requires it, given the deviant leadership of its contemporary leaders. After all, those who have been in charge of the sanctuary have not observed the laws of the entire Torah. However, not all of the members of the community will leave Judah for Damascus, thereby abandoning the defiled sanctuary. Those who elect to remain in the land of Judah will still be dependent upon the temple and its errant personnel and will not take on the obligation to reject it.<sup>174</sup> Yet many

<sup>174</sup> *Pesher Habakkuk* describes the activities of the latter priests in Jerusalem who in the final days will amass wealth (1QpHab 9:4b–7a), and those of the Wicked Priest

others, those who will have joined the exodus, will be subject to the בריית החדשה בארץ דמשק (the new covenant in the land of Damascus) explicated in the next section which describes the digest of the sectarian Torah and in what follows pertaining more specifically to the migration from Judah and the forewarned apostasy. The idea that the obligation to abandon the sanctuary is part of the exodus further illustrates the importance of the temple in our document.

The question anticipated pertains to the duration of the forsaking of the Jerusalem temple. As disclosed in the above paragraph, the subject of the clause אם לא ישמרו לעשות כפרוש התורה לקץ הרשע in CD 6:14 (if they will not take heed to do according to the explanation of the Torah during the epoch of wickedness) refers not to the members of the community,<sup>175</sup> but to the authorities in charge of the sanctuary.<sup>176</sup> In other words the author is not suggesting that they ought to reject the sanctuary in total, but must distance themselves from it as long as the sons of perdition are in charge of its worship during the epoch of wickedness. For despite its defilement, the standing temple retains its sanctity. In line with what we said above, the idea of abandoning applies fundamentally to those who will have participated in the exodus from Judah to Damascus; but certainly, those who remain in the holy city and live under its apostate priests are not excluded. All are invited to partake in the new covenant life in Damascus.

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who will have committed despicable deeds, defiling the temple in Jerusalem (1QpHab 12:7b–9a). *Pesher Nahum* likewise depicts the wealth that the Jerusalem priests will have gathered (4Q169 F3-4i:11b–12a). The presence of these religious leaders presumes an active community in Jerusalem. 4Q162 2:6b–10 (*Pesher Isaiah*) describes the activities of the scoffers of Jerusalem, part of this community, evidently those who side with the איש הלצון (the Scoffer), the nemesis of the מורה צדק who was expected to lead the community of the exodus in Damascus.

<sup>175</sup> See Rabin, *Qadokite Documents*, 22–24. As Rabin reads it, the community has breached the covenant by profaning the temple and not keeping the laws of the Torah.

<sup>176</sup> See Davies, Schwartz and Martínez-Tigheelaar who interpret these lines as an admonition. The covenanters are prohibited from participating in the worship of the temple because of the illicit offerings of the sanctuary personnel (Davies, 249; Charlesworth, ed., *Damascus Document*, 23; Martínez-Tigheelaar, *Scrolls Study Edition*, 559).

3.2.1.5.1.3. A Digest of the Sectarian Torah (CD-A 6:14b–7:5a, 5b–6a / CD-B 19:1–2a<sup>177</sup>)

The following digest serves as a summary of and a link to the detailed elaborations on the Eschatological Torah exposed after its lengthy introduction extending from CD 1:1–8:21; 19:1–20:34 to 4Q266 F4 and 4Q267 F7:1–2. It constitutes the epitomic requirements of those commissioned to forsake the Jerusalem temple explicated above and live under the directives of the Damascene covenant (CD 6:19).

The subject of *להבדל* in CD 6:14b are those who have been brought into and will continue entering the covenant introduced in 6:11b. This infinitive bears a close resemblance to *להנזר* in lines 1–2 of the prologue to our document, [*על בני אור להנזר מדרכי בני חושך*] ([It is incumbent upon the so]ns of light to keep separate from the wa[ys of the sons of darkness]), serving to succinctly present the general contents of this work. It is not merely to emphasize differences of opinion within the collective, but to separate themselves from Israel as a whole, those who remain in Judah under the jurisdiction of the temple. It is necessary that these covenanters who refrain from presenting offerings in the sanctuary defiled by the priests keep away from these transgressors who have profaned the holy place. The two infinitive clauses <sup>178</sup>*להנזר מזהו הרשעה* followed by *להבדל מבני העצ* have a legal dimension, each stressing the demand to separate. These phrases apparently mark the beginning of the movement known from the classical sources as the Essenes.

These verbs also introduce the idea of a separation from Israel, the formation of a new community or sect. In other words as stated before, we are no longer dealing with mere differences of opinion among the collective of the nation, but what we have is a redefinition of the sense of the term Israel. It includes only those who have joined the new movement and yet others who *will* embrace the developing community in the future, a constituency which makes a radical separation from non-adherents in Judah. This suggests that MTA introduces the pivotal idea of creating a new sect, the Essenes, a group which will have separated itself from the body of Israel.

<sup>177</sup> As will be shown, at CD 7:5b (Mss A) there begins a correspondence with CD 19:1 (Mss B) which continues through CD 8:21 (19:34a). However, the B-text is expansive at this juncture, containing a peroration from Deut 7:9, “And know that the Lord God your God is the only God, the faithful who keeps the covenant and love to those who love him and keep his commandments for a thousand generations.”

<sup>178</sup> 4Q266 F3ii:21; *השהה* CD.

The rendition in line 15, “and to ‘nazirite’ by means of a vow and ban from the defiling wealth of wickedness,” diverges from the standard translations which understand the vow and ban as describing the illicit mode of acquisition. As I understand them, however, they affirm the means through which the covenantal community must separate itself from those who have violated the Torah. In my rendition the vow and ban refer to the obligation taken by the members of the covenant to keep apart from the community of the pit. Our text, therefore, describes how Israel must separate from the children of perdition. As to the type of vow involved in the separation, see the broader explication on the covenant and other oaths or vows in CD 15:1–16:22 and continuing into 9:1.

Nevertheless, even in describing themselves as the children of light and defining the others who are not part of the movement as children of darkness, those Israelites who are not part of the new covenant are not to be equated with the pagans. Those who remain in Judah are still part of the “greater” covenant in that they keep the rules of the first Torah, in contrast to the Gentiles who do not follow them at all.

The phrase הוֹן הַמִּקְדָּשׁ in line 16 could be perceived in one of three ways: a) as a rejection of the contemporary sanctuary, b) that the non-priests may not touch the holy or defiled objects, or c) wealth of outsiders which is deposited in the sanctuary. CD 4:17 lists הוֹן along with זְנוּת (whoredom) and טִמְאָה הַמִּקְדָּשׁ (the defilement of the temple) as the three cardinal transgressions which Israel is guilty of. Our text gives הוֹן הַמִּקְדָּשׁ and הוֹן הַרְשָׁעָה as the פְּרוּשׁ (the detailed sense) of הוֹן.

וְלִגְזוֹל אֶת עַנְיֵי עַמּוֹ (to rob the poor of his people) is presumably another item of the list in CD 4:17. The verb גָּזַל occurs nowhere else in MTA, but is frequent in the DSS. Admonishing judges not to accept bribes to pervert justice, *Temple Scroll* states,

57:20 וְלֹא יִקַּח שׁוֹחֵד לְחַטּוֹת מִשְׁפָּט צְדָק וְלֹא יַחְמוֹד  
57:21 שְׂדֵה וְכֶרֶם וְכוּל הוֹן וּבֵית הוֹן וְכוּל חֲמוֹד בְּיִשְׂרָאֵל וְגִזְלָה . . .

One shall not take a bribe to pervert righteous justice and shall not covet field or garden, and any property or house or anything covetable in Israel, and robbery . . . (11QT 57:20–21)

11QT 58 goes on to speak of a gentile nation. The king should make war against any pagan people that robs the Israelites.

58:3 כִּי יִשְׁמַע הַמֶּלֶךְ עַל כּוֹל גּוֹי וְעַם מִבְּקֶשׁ לְגִזְוֹל מִכּוֹל אִשְׁרֵי יִשְׂרָאֵל  
58:4 לְיִשְׂרָאֵל וְשָׁלַח עַל שְׂרֵי הָאֱלֹפִים וְעַל שְׂרֵי הַמִּנְאֹת הַנְּתוּנִים בְּעַרְיָ  
58:5 יִשְׂרָאֵל



When a king hears about any nation or people trying to rob any possessions of Israel, he should send for the princes of the thousand and for the princes of the hundred stationed in Israel's cities . . . (11QT 58:3–5a)

Attacking robbery, 1Q27 (Mysteries) becomes rhetorical:

מי גוי חפץ אשר יעושקנו חזק ממנו מי F1i:10  
 יחפץ כי יגזל ברשע הונו מי גוי אשר לוא עשק רעה[ן] איפה עם אשר לוא F1i:11  
 גזל הו[ן] ל[אחר] F1i:12

What nation wants to be plundered by one that is stronger than it. Who desires that someone should rob his property wickedly? Is there a nation who that has not plundered [its] neighbor? Where can one find a people that has not ravaged proper[ty] belonging to [someone else?]  
 (1Q27 F1i:10b–12a)

The sequence of עני (poor), אלמנות (widows) and יהומים (fatherless) from lines 16–17 of our text resembles that of Isa 10:2.<sup>179</sup>

להשות מדין דלים ולגזל משפט עני עמי  
 להיות אלמנות שללם ואת יהומים ובו

To turn the judgment of the destitute, and to rob my people's poor of justice, that widows may be their prey, and that they may plunder the fatherless! (Isa 10:2)

However, the author of CD combines this Isaiah passage with Ps 94:6, changing the verb from בזז (to plunder) to רצח (to murder).

אלמנה וגר יחלגו ויהומים ירצחו

They kill the widow and the proselyte and murder the fatherless. (Ps 94:6)

By fusing biblical lines, our text shows how the author of MTA drew his charges against the Pharisees. For other sectarian rules applying to widows, see 4Q269 F9:5, 4Q270 F5:19 and 4Q271 F3:12.

The prohibitions in lines 17–18, “and to distinguish between what is defiling and pure and to tell between what is sacred and ordinary,” fall under the third category of (un)righteousness in CD 4:16–18, טמא המקדש (the defiling of the sanctuary). They interpret the sense of what the Shulchan Aruch calls הלכות גזילה (the rules of theft),

<sup>179</sup> Cf. Zech 7:10 for a different sequence and number of groups.

detailing what one may not appropriate, issues discussed in 4Q270 F2ii:9b–10a, CD 15:3b–5a and 9:10b–16a.

As stated earlier, the noun פרוש never occurs in Hebrew Scripture, but is ubiquitous in the Talmud and rabbinics, and especially so in MTA wherein it occurs sixteen times. The participle מְפָרֵשׁ, however, does occur in Neh 8:8:

וַיִּקְרְאוּ בַסֵּפֶר בְּתוֹרַת הָאֱלֹהִים מְפָרֵשׁ וְשׁוֹם שֶׁכֵּל נִיבְּנוּ בַמִּקְרָא

Then they read in the book of the Torah of God, elaborating upon it and giving attention to its sense, and they perceived (the deeper meaning) of Scripture. (Neh 8:8)

Rabin renders פרוש “exact rules,” Davies “details,” Schwartz, “exact details,” and Martínez-Tigheelaar “exact interpretation.” However, פרוש really serves as a term which amplifies the word מדרש, elaborating on biblical rules such as here, the Sabbath, the festivals and the Day of Atonement, including the calendar. It differs from its synonym פשר, in that the latter alludes to the prophetic meaning of Scripture. At any rate the general sense of פרוש is the elaboration given to it by those belonging to the author’s circle.

What the author of MTA means here in 6:18 pertaining to the elaboration of the Sabbath rules, however, becomes clear in CD 10–11 where many details concerning the observance of the Sabbath are listed. For a more general statement concerning it see 4QApcryphon of Jeremiah C<sup>c</sup> (4Q390) F1:7b–8.

ומתום הדור ההוא ביוכל השביעי 7  
 8 לחרבן הארץ ישכחו חוק ומועד ושבת וברית ויפרו הכול . . .

And at the end of that generation during the seventh jubilee after the destruction of the land they (Israel) will forget the laws and festivals and Sabbath and covenant. And they will abrogate all.

Our text and 4Q390 appear to allude to *Jub.* 1:10; 2:31–33 and the entire chapter 50 (verses 1–13) dealing with the observance of the Sabbath. Interestingly, some of the rules of the Sabbath found in *Jubilees* are mentioned in MTA. For example, *Jub.* 50:5 records the prohibition against sexual relations on the Sabbath, as does CD 12:1. *Jubilees* 50:5 mentions contamination as does MTA שְׂמֵאוֹת (impurities).

In one point, however, MTA diverges sharply from *Jubilees*. *Jubilees* 50:8 reiterates the biblical injunction that labor on the Sabbath constitutes a capital offense. CD 12:3b–5a on the other hand says,

וכל אשר יתעה 12:3  
 לחלל את השבת ואת המועדות לא יזמת כי על בני האדם 12:4  
 משמרו 12:5

Anyone who goes astray to profane the Sabbath and the festivals shall *not be put to death*; rather it is the duty of man to place him in detention. (CD 12:3b–5a)

MTA's dissent from a direct statement in *Jubilees* is interesting in view of CD 16:2–3, which characterizes the book called *The Divisions of the Times* as מְרוּקָק (perfect). This softening of the biblical stringency with regard to the Sabbath and the festivals appears to be unique in the sectarian writings, which in general hold to a more severe mode of punishment.

What is also apparent pertaining to our passage dealing with the Sabbath, festivals and the Day of Atonement, is its polemical nature, evidenced in part in the word כְּפִרוּשָׁה (according to its elaborations). The festivals and the Sabbaths are mentioned in the preamble (4Q268 F1:4–5) and again in CD 3:13–15a. Like our text these passages contain an argumentative flavor. The apologetic stance of our passage further emerges in the next clause וְאֵת יוֹם הַתְּעִנִּית כַּמִּצְוָה בְּאֵי הַבְּרִית הַחֲדָשָׁה בְּאֶרֶץ דַּמַּשְׁק in accordance with the practice<sup>180</sup> of those who will enter the new covenant in the land of Damascus.” The word הַתְּעִנִּית occurs elsewhere in the DSS in the pesher on Ps 37.

וענוים ירשו ארץ והתענגו על רוב שלום. פשרו על F1-2ii:8  
 עדת האביונים אשר יקבלו את מועד התעות ונצלו מכול פחי F1-2ii:9  
 בליעל F1-2ii:10

And the meek will inherit the land and will rejoice in the abundance of peace. It refers to the congregation of the meek who will accept the season of the fast,<sup>181</sup> and thus be saved from any of the snares of Belial. (4Q171 F1-2ii:8–10a)

This disputatious language in regard to the Sabbath, the festivals and the Day of Atonement indicates that our text refers to the disputation

<sup>180</sup> Ginzberg reads כַּמִּצְוָה (Ginzberg, *An Unknown Jewish Sect*, 31), Qimron כַּמִּצְוָה, “in accordance with the commandments” (Qimron, “The Text of CDC,” 21). The manuscript reading, כַּמִּצְוָה (as is the practice) is more likely. כַּמִּצְוָה corresponds to פְּרוּשׁ.

<sup>181</sup> הַתְּעִנִּית occurs also in 4Q508 F2:3; 4Q509 F16:3; 4Q510 F1:7–8; 4Q511 F8:5; 4Q511 F10:4, 6; 4Q511 F121:2.

concerning the calendar. The sectarian calendar placed the Day of Atonement always on Friday and the festivals during the days of the week, thus never coinciding with the Sabbath day. Likewise, the Sabbath in the sectarian reckoning played an important role in the setting of the fifty-two week year. Each week had a name taken from the Sons of Zadok in 1 Chr 24. It should perhaps be emphasized that, although *Enoch* and *Jubilees* deal at length with calendric subject matter, they make no mention of the role of the Zadokite names in the reckoning of time. One may suppose then, that the introduction of Zadokite week names may have begun with the author of MTA or perhaps as stated by al-Qirqisani, with Zadok's companion, Boethus.<sup>182</sup>

The clause in CD 6:19b, "the practice of those who will enter the new covenant in the land of Damascus," is of special interest for the understanding of MTA. It anchors the three-fold legal traditions found in this work (the biblical and the sectarian bible such as *Enoch*, *Jubilees* and *Temple Scroll*) with the author's innovation of the new rules that will be observed under the new covenant in the land of Damascus. Thus, Damascus is recorded seven times in MTA, five of which are ארץ דמשק (the land of Damascus) and is contrasted with ארץ יהודה (the land of Judah). The באי הבריה will have left the land of Judah to go to the land of Damascus. As was noted in the introductory material, some scrollists identify the land of Damascus as Qumran. The context of these passages, however, obviates such an interpretation. Why would ארץ יהודה be literal and ארץ דמשק figurative? Moreover, it is unreasonable to suppose that the author would choose ארץ דמשק, a region geographically far to the north, as a symbol for Qumran, contrasting it with ארץ יהודה, which might include the very area of the Dead Sea where Khirbet Qumran is located. Likewise, as amplified above, the sobriquet ברית החדשה which occurs in MTA three times and once in Peshet Habakkuk where it is a derivative of this work, points to the foundation of the sect. Additionally CD 7:13–15 identifies Damascus as located in the land of the north in connection with Amos 5:27 which mentions the exile to Damascus. Furthermore, CD 7 continues to peshetize both Amos 5:27 and 9:11, but makes no attempt to alter the sense of דמשק as meaning something other than its northern locus. Let us remember that these words are said to have been uttered while the prophet was in the north.

<sup>182</sup> Nemoj, "Jewish Sects," 326.

As in 2 Chr 30 and 35, the verb **הריום** in line 20 refers to the **תרומה**, the produce set aside for the priests and poor. The rules of tithing are prominent in MTA as is evident in the surviving Cave 4 manuscripts of MTA (266–273), but were omitted in the Cairo texts. Note that the term **פרוש** here as in line 14 makes up a thematic linkage of the legal texts, showing that their mention here is an attempt to present the important legal concepts regarding the Sabbath, the festivals, and now, the priestly portions (**תרומה**). What is striking is that some of the headings in MTA bear a close resemblance to those found in the Mishnah and some of its tractates.<sup>183</sup>

The section spanning from CD 6:20b to 7:6 consists of a list of personal obligations, either between one and his neighbor or pertaining to himself alone. For anyone who lives by the aforementioned precepts, it concludes with the promise that God will make a life of a thousand generations (i.e. the messianic epoch will have arrived). MTA sounds ambiguous concerning the concept of immortality. Does a thousand generations denote life for eternity, or is it merely longevity? I discuss this issue below.

The clause “to love each his companion like himself” (6:20) paraphrases Lev 19:18, **וְאָהַבְתָּ לְרֵעֶךָ כְּמוֹךָ** (And you shall love your neighbor as yourself). The formulas following it amplify how one should love one’s neighbor: by supporting the needy and being concerned with his physical and mental wellbeing. **לְהַחְזִיק בְּיַד עֲנִי וְאֲבִיּוֹן וְגֵר** (and to support the poor, destitute and proselyte) in CD 6:21 is an important heading for many passages in MTA. It relates to the preceding lines where the sect is commanded to refrain from robbing the poor of God’s people. CD 14:12–17a lists the poor and destitute as among the deprived group for whom the wages of two days per month are withheld. This passage contains the social structure of the community.

וְזֶה סֵדֶךְ הַרְבִּים לְהַכִּין כּוֹל הַפְּצִיָּהִם שְׂכָר־<sup>184</sup>

14:12

<sup>183</sup> Note for example 4Q266 F6iii:7b–10 and 4Q270 F3ii:17–F3ii(a) (items which require tithing, a section which provides a definition of **תרומה**), subject matter reflected in Mishnah *Terumot*. See also the legislation on the **ערלה** in 4Q266 F6iv and iv(a) (Mishnah *Orlah*), the Sabbath regulations in CD 10:14–11:18a (Mishnah *Shabbat*), the issue of the straying wife in 4Q270 F4:1b–13a (Mishnah *Sotah*), rulings on leprosy in 4Q272 F1i:1–ii:2 and 4Q266 F6i:1–13 (Mishnah *Nega'im*) and bodily emissions explicated in 4Q272 F1ii:3–18, 4Q266 F6i:14–16 and ii:1–4 (Mishnah *Niddah* and *Zavim*).

<sup>184</sup> Outlined text is from 4Q266 F10i.

14:13 שְׁנֵי יָמִים לְכָל חֹדֶשׁ לְמַמְעֵט וַיִּנְתֵּן עַל יַד הַמְבַקֵּר וְהַשׁוֹפְטִים  
 14:14 מִמֶּנּוּ יִתְּנוּ בַעַד [פ]צֵעִים וּמִמֶּנּוּ יִחֲזְקוּ בַעַד עֲנֵי הַהֶאֱבִיזִין וְלוֹקְנֵי אִשָּׁר  
 14:15 [יִכְרֹ]עַ וְלֵאִישׁ אִשָּׁר יִנּוּ[ג]ע וְלֵאִשָּׁר יִשְׁבֶּה לְגוֹי נֹכַר וְלַבְתוּלָה אִשָּׁר  
 14:16 [אִי]ן לֵהָ [ג]א[ל] וְלִנְעָרָ[א] אִשָּׁר אִיִן לֹא דוֹרֵשׁ וְלְכֹל עֲבוֹדַת הַחֵבֶר וְלֹא  
 14:17 [יִכְרַת בֵּית הַחֵבֶר מִיַּד] הָ

And this is the procedure of the ‘Many’ to fill all their needs. (Let there be) a levy from the wages of at least two days per month apportioned by the Supervisor and the judges. From it they shall provide for (the healing of) their [wo]unded. And from it they shall assist the poor and the destitute, the elderly man who is [bent do]wn, him who suffers from lep[ro]sy; him who is taken captive by a foreign nation, a maiden who [does no]t have a re[dee]mer, a lad [w]ho has no guardian, and all the services provided by the association, so that the association not [perish without] their [support] (CD 14:12b–17a).

The above itemization expands on the short list of the membership of the community given in our passage. However, this long enumeration does not contain the גַּר of CD 6:21. That the proselytes were considered an integral part of the sectarian structure is attested in CD 14:3–7, wherein they are listed twice—fourth in the social sequence following the priests, Levites and the Israelites making up the camp of Israel. Evidently the term גַּר, meaning “proselyte” (not “stranger” or “sojourner”),<sup>185</sup> so common in rabbinics and attested in MTA, may go back to Ezek 48. The following question arises. How large a segment of the sectarian community were proselytes or manumitted slaves, some of which joined the status of foreigners who became members of the community?<sup>186</sup> Since these groups are not listed within the stipulations on social welfare toward the end of MTA, one wonders if their numbers were not significant enough to warrant their placement in the legislation (actual legislation indicating historical prominence). Nevertheless, the emphasis given to the גַּרִים in this composition might suggest that their air of devotion hinted at in the DSS was in part due to an influx of converts, perhaps

<sup>185</sup> “Stranger” more correctly translates גַּר or נֹכַר. Whereas “sojourner” and perhaps “resident alien” are adequate renditions of גַּר, “proselyte” is a transliteration of the LXX προσήλυτος and denotes the foreigner who resides within Israel, adopting the way of life of her people.

<sup>186</sup> The injunction against selling slaves who have entered into the covenant of Abraham (CD 12:10–11), undoubtedly the (ה)בְּרִית (ה)רֵאשִׁימִים “the ancestral covenant” of CD 1:3, 4:10 and 6:2, suggests that a portion of the proselyte sector was released slaves.

some of them being released slaves who wished to display zeal for their newly acquired faith. The list of benefits of CD 14:12b–17a which included a minimum of two days of monthly wages for the sick and deprived opens a new dimension of social aid. It seems to resemble the biblical *מעשר עני*, the tithe of the poor to be collected every third and sixth year of the sabbatical cycle. These and the other social benefits of which the judges and the Supervisor were in charge should be noted as unprecedented until modern times.

The requirement *וּלְדְרוֹשׁ אִישׁ בְּשָׁלוֹם אַחִירוֹ* in lines 21b–22a, “that each be concerned with the welfare of his neighbor,” continues to amplify the theme that began with how to love one’s neighbor. What follows the clause *וְלֹא יִמְעַל אִישׁ בְּשֹׂאֵר בִּשְׂרֹוֹ* in 7:1, “and that no one should adulterate his near kin,” widens further the concept of brotherly love. Up to now, our text has amplified the *positive* aspects of loving one’s neighbor. Beginning with this phrase the author lists *negative* facets in expressing love, by setting down general injunctions against sexual transgressions. The statement *לְהִזְיֵר מִן הַזֹּנֹת כַּמִּשְׁפָּט* (to keep apart from prostitutes in accordance with the rules) alludes to other passages in MTA which prohibit sexual transgressions.

As to the chastisement in 7:2b–3a *וְלֹא אַתְּ אַחִירוֹ כַּמִּצְוָה וְלֹא לְהוֹכִיחַ אִישׁ אֶת אַחִירוֹ כַּמִּצְוָה וְלֹא לְנַשֵּׂר מִיּוֹם לַיּוֹם* (to reprove each his neighbor in accordance with the commandment and not to bear a grudge from day to day), note CD 9:7b–8a.

*הוֹכַח תּוֹכִיחַ אֶת רֵעִיךָ וְלֹא תִשָּׂא עָלָיו חַטָּא*

You shall surely reprove your neighbor and not bear sin because of him (compare Lev 19:17).

A more ample paraphrase on the two clauses “to chastise” and not to avenge one’s neighbor appears in CD 9:2–8, which fuses Lev 19:17–18 with Nah 1:2. The difference between our passage and that of CD 9 consists in the brevity of our text and its amplification in the latter. Both texts, however, contain the concept that vengeance applies to keeping a grudge the following day.

*לְהִבְדֵּל* in the clause “and to keep away from all kinds of defilement in accordance with their rule . . .” (CD 7:3) forms part of the vocabulary designating the community as separate from Israel.<sup>187</sup>

<sup>187</sup> Cf. the composite test of CD 6:14–15 *לְהִבְדֵּל מִבְּנֵי [הַעוֹלָם] וּלְהַנְזִיר מִהוֹן הַרְשָׁעָה* *לְהַנְזִיר מִדְּרָ[כֵי כוֹל בְּנֵי הוֹשֶׁךְ]*, *הַטְּמֵא*. See also lines 1b–2a of MTA as reconstructed,

The plural *טמאות* embraces a wide number of acts that degrade the person—not only defilements of which there are many in this text, but other violations of the law which likewise reduce one's path to holiness. The verb *שקץ* occurs once again in CD 12:11 in reference to partaking of prohibited foods such as beasts, creeping things, bee honey and fish not properly slaughtered. Our text and CD 12 suggest a polemical stance against the views attributed to the Pharisees and those expressed by their successors, the rabbis and the sages of the Mishnah, who sanction the eating of bee honey.

As to the phrase *רוח קדש* in 7:4, we gain a sense of its meaning in CD 2:11–13a.

ובכולם הקים לו קריאים<sup>188</sup> שם למען התיר פליטה לארץ ולמלא 2:11  
 פני תבל מזרעם *vacat* ויודיעם ביד משיחו רוח קדשו והווי 2:12  
 אמת ובפרוש <<שמו>> שמותיהם 2:13

And during all (these epochs) He has raised up for Himself well known people in order to preserve a remnant in the earth and to fill the world with their descendants. And He has informed them through those who were inspired by His *Holy Spirit* and (through) the seers of truth by elaborating on their names. (CD 2:11–13a)

Our text emphasizes that the people who violate these prohibitions shrink the presence of the Holy Spirit on this earth. The formulation *אל הבריל אל* attributes to God the separation of the community from all of Israel, going on to explain that those who separate faithfully by observing the covenant will flourish for a long time. The verb *התהלך* appears about fifteen times in various forms in MTA, virtually always as a description of the righteous way of life as described by God. All these repetitions seem to echo the introductory clause of the book of Psalms where the Qal form of the root *הלך* is used.

אשר־האיש אשר לא הלך בעצת רשעים

How happy is the man who has not walked in the council of the wicked.  
 (Ps 1:1a)

This passage stresses the necessity of their remaining apart from the community of the wicked, an entity that, according to the last verses of Ps 1 will suffer separation from the righteous.

The word *נאמנות* (CD 7:5), an abstract noun, appears in both the

<sup>188</sup> Outlined text is from 4Q266 F2ii:11.



A and B texts of CD, as in CD 14:2 where it occurs in the same construction. However, as explained in the textual notes, I follow the reading of 4Q267 F9v:4 which parallels CD 14:2, a passage whose content and syntax matches that of our text. Hence, the participle נִאֲמַנָה, a reading which is buttressed by the use of the participle נִאֲמָן in Deut 7:9, the biblical text from which CD 19:1–2 (Manuscript B) is drawn and which supplements our A text.

וְדַעְתָּ כִּי־יְהוָה אֱלֹהֶיךָ הוּא הָאֱלֹהִים הָאֵל הַנִּאֲמָן שְׁמֵר הַבְּרִית  
וְהַחֲסֵד לְאַהֲבָיו וְלִשְׁמֵרֵי מִצְוֹתוֹ לְאַלְף דָּוָר

Know, therefore, that the Lord your God is God, *the faithful* God who keeps the covenant and love for those who love Him and keep his commandments for a thousand generations. (Deut 7:9)

The statement לְחַיֹּתָם לָהֶם נִאֲמַנָה לָהֶם בְּרִית אֵל (the divine covenant will remain faithful to them, keeping them alive . . .), draws on the account of Joshua's covenant with the Gibeonites.

וַיַּעַשׂ לָהֶם יְהוֹשֻׁעַ שְׁלוֹם וַיַּכְרֹת לָהֶם בְּרִית לְחַיֹּתָם וַיִּשָּׁבְעוּ לָהֶם נְשֵׂאֵי הָעֵדָה

So Joshua established peace with them and made *a covenant allowing them to live*. And the leaders of the congregation made an oath with them. (Josh 9:15)

Note also that CD 19:1–2 presents two versions of our text: 1) אֵלֶךְ דָּוָר in the singular as in CD 7:6 as well as in Deut 9:7, Ps 105:8 and 1 Chr 16:15, and 2) the plural אֲלֵפֵי דָוָר here in CD 19:1. The divergence may be explained in two ways: that the plural אֲלֵפֵי דָוָר is a paraphrase, whereas אֵלֶךְ דָּוָר in CD 19:2 is a literal quote of Deuteronomy. The two alternate readings, then, may serve to reflect two meanings. The singular אֵלֶךְ דָּוָר might be understood literally, that as Adam's descendents lived virtually a *thousand* years, so will the covenanters live a *thousand* generations. The plural אֲלֵפֵי דָוָר, on the other hand, may be a metaphorical plural denoting a very long life. At any rate, both the singular and the plural may call attention to the fact that extreme longevity rather than immortality will be part of the messianic age, a concept not apparent in MTA.

### 3.2.1.5.2. *The Migration From Judah (CD-A 7:6b–8:1a / CD-B 19:2b–13a)*

What follows in CD 7:6–8:21 (Mss. A) parallels parts of CD 19:1–19:34 (Mss. B). As scholars have noted, manuscript A emanates from the 10th century and B from the 12th. The many differences in read-

ing have given rise to two questions. First, how did these divergences arise? Second, when differing, which of them appears to have greater authenticity? As to the differences, the most significant are the citations of biblical texts. For example, whereas manuscript A quotes Isa 7:17, B has Zech 13:7 at this point. Quotations from Amos 5:27 and 9:11 are present in manuscript A but absent in its parallel, B. On the other hand, A quotes Jeremiah and Elisha, references not found in B. In addition, B quotes Hos 5:10 and Ezek 9:4, quotations absent in A. As to the presence or absence of biblical citations, it is likely that MTA quoted both Isaiah and Zechariah. But, copyists intentionally omitted some.

Furthermore, as to the variant readings, by and large B contains more words than does A. For example, compare manuscript A 7:6b–8a with manuscript B 19:2b–4. The first reads:

ואם מחנות ישבו כסרך הארץ ולקחו נשים והולידו בנים  
והתהלכו על פי התורה וכמשפט היסודים כסרך התורה

And if they reside (in) camps according to the rule of the land, they shall take wives and father children and walk in accordance with the Torah and the ordinance on chastisements according to the rule of the Torah. (17 words in the Hebrew text)

The second on the other hand is more expansive.

ואם מחנות ישבו כסרך הארץ אשר היה מקדם ולקחו נשים כמנהג התורה  
וה[נ]לידו בנים ויתהלכו על פי התורה *vacat* וכמשפט היסודים כסרך התורה

And if they reside (in) camps as was the rule of the land formerly (in the wilderness), they shall take wives in accordance with the custom of the Torah, and father children, and they shall walk in accordance with the Torah and the ordinance on chastisements according to the rule of the Torah. (22 words in the Hebrew text)

Some of the variants in the two manuscripts reflect a divergence in verbal conjugation patterns. Whereas A often employs the perfect, B sometimes uses the imperfect, conventionally conveying the future tense. For example, A uses התהלכו (7:7) and מלטו (7:21) whereas B has יתהלכו (19:4) and ימלטו (19:10). In addition, A employs הסגירו (8:1) whereas B has ימסרו (19:10).

As to which text is more authoritative with regard to differences in expression, the following questions arise. Can it be said that there existed a tendency to enlarge upon the original? Or, *aux contraire*, does A reflect a tendency to abbreviate? In keeping with our general method of preferring the more expansive text witnessed in the Cave

manuscripts as well as reading some suffixed conjugation verbs as conveying the future tense, yielding readings which better accord with the historical allusions of the work, we will follow the B-text as a more reliable attestation to the MTA tradition. However, when the B-text is incoherent and the A is more readable, the latter is preferred. Although our rendition of the text favors B readings, the line numbering of this section generally follows that of the more highly represented A-manuscript (except for when a portion of B is not present in A). Indeed, this format fits with greater ease into the sequencing pattern of the Cairo text as a whole.

### 3.2.1.5.2.1. Living in Camps as in Mosaic Times (CD-A 7:6b–9a / CD-B 19:2b–5a)

Scrollists have understood the word *מִתְנַחֵה* in CD-A 7:6 (CD-B 19:2) as the members of the group who lived in Judea, including those who preserved the Dead Sea Scrolls in Khirbet Qumran. Actually, this term has a technical meaning in MTA, differentiating its inhabitants from those who lived in the cities including Jerusalem. The campers in MTA correspond to those of the exodus in the wilderness. Some Qumran scholars think that CD-A 7:6a–9a (CD-B 19:2b–5a) is an intrusion into our text due to its different style and lack of context. Davies defends that these few lines of legislation possibly formed part of the original composition, maintaining that they serve to mandate that even those who are born in the camps must follow all the other rules prescribed in the community, just as must those who enter the community by conversion.<sup>189</sup> However, the fact that the broader section on the migration from Judah (CD-A 7:6b–8:1a) is found in both the A and B Cairo manuscripts as well as in portions of 4Q266 suggests that this short camp legislation was in the earlier manuscripts from the Judean desert and is a relevant part of MTA as a whole. The point of this passage was not so much to include children in the halakah of the community as it was to require that every member of the camp structure be part of a procreative family. Taken this way, family life was not an option for the campers as Davies implies. Moreover, the idea of the distinctions that existed between camps and cities articulated here is crucial for understanding several other passages, as was explained above, in MTA, as in other DSS works. As I see it,

<sup>189</sup> Davies, *The Damascus Covenant*, 142.

MTA divides the community into city dwellers and campers. Note the clauses found in the B-text omitted in the A-text: “as it was in former times” and “in accordance with the Torah” (CD-B 19:3), both of which defend the practice of regular family life in the camps. What the A-text omits is the emphasis given to the fact that family life in the camps was modeled after Israel of old (specifically the mode of living during the wilderness wanderings) and was presumably the official life of the sect of the early Essenes. However, in some passages preserved *only* in A, the sectarian campers are subdivided into the thousands, hundreds, fifties and tens just as their ancestors were depicted in the wilderness (CD 12:22a–13:2a). The minimal counting of ten is synonymous to the word *minyan* in modern Judaism, but its etiology is accounted for in MTA as a memorial of the past. What distinguishes the campers from the city dwellers is the matter of celibacy. This status was required only of those who lived in the cities among the general population. As was explained, this was to keep the city dwelling Essenes separate and pure. By contrast, as our composite text goes on to say, the campers were commanded to marry and procreate as was the custom when Israel camped in the wilderness.

### 3.2.1.5.2.2. The Community’s Escape to Damascus (CD-A 7:9b–8:1a / CD-B 19:5b–13a)

In this section the author returns to his main theme—the community of Damascus and its legal structure that would inaugurate the messianic age. It consists of three elements: 1) Israel’s divisions of the past; 2) the fulfillment of the promise of the prophets; and 3) the ultimate destruction of evil. As was discussed above, it is my opinion that Damascus in CD is the city in Syria, not Qumran or Babylon, as many scrollists believe. Our passage here, which culminates with Damascus, makes this yet more evident. The author emphasizes in CD-A 7:13–14 (text not available in CD-B) that those who cling (to the commandments) escaped (and will escape) to the land of the north (not to Qumran which is to the southeast). The author dealt with this theme in CD 6:2–11. In that passage God recalled the ancestral covenant and established the wise men who dug the Torah—the princes who interpret the law, those forming the community which would migrate from Judah to the land of Damascus. Here in CD-A 7:14b–21a, the author presents more fully the peshar on Num 21:18 developed earlier in CD 6:2–11. What is so interesting is that both pages which together comment on Num 21:18 and 24:17 plus Amos

5:27 and 9:11 are among few DSS texts which peshelize biblical verses term by term.<sup>190</sup> In CD 6:4–11, the words peshelized are “the well,” “the diggers,” “the princes,” and “the Lawgiver.” That peshel serves to introduce the דורש התורה, rendered “the interpreter (or searcher) of the Torah” and the more general theme, those who will depart from Judah to Damascus. Our text in CD-A 7:18–21 makes a subsequent verse from Numbers (24:17) into an eschatological midrash. Here the peshelized word “star,” anticipating the biblical quote, is the “interpreter of the Torah” who will come to Damascus to organize the community. Note, however, that in CD 6:7–11, the word מְחֹקֵק (Lawgiver) is taken to be the דורש התורה. Another term interpreted in our text is the word שֶׁבֶט (scepter), which is taken here to be the prince or king of Israel. As to the question why the writer employs duplicate words from two different texts to refer to the same figure, the “interpreter of the Torah,” perhaps it was inadvertent. Another possibility is that there is an attempt to link the מְחֹקֵק and שֶׁבֶט to two parallel words in Gen 49:10, where the terms together within the blessing of Jacob, a crucial text in biblical tradition, depict the regal status of Judah among the tribes of antiquity, thereby authenticating the leadership roles of the נְשִׂיא of כל העדה (CD-A 7:20) and the מְחֹקֵק of the sectarian community.

לְאַדְסוֹר שֶׁבֶט מִיְהוּדָה וּמִתַּחַק מִבֵּין רַגְלָיו

The scepter shall not depart from Judah, nor the ruler's staff from between his feet. (Gen 49:10a)

Other terms interpreted in this fashion are the סִכּוּה (Amos 5:26), read in CD-A 7:15–16 as סוּכָה (tent), and peshelized together into סוּכָה דָוִד (tent of David) in Amos 9:11 and סְפָרֵי הַתּוֹרָה (the books of the Torah).<sup>191</sup> The word מֶלֶךְ in Amos 5:26 is peshelized as the

<sup>190</sup> But, compare CD 4:14–18 which presumably peshelizes a passage in the Testament of Levi: “Fear and the pit and the snare are upon you, inhabitant of the land.’ Its eschatological meaning is the three nets of Belial concerning which Levi son of Jacob said ‘with which he (Belial) trapped Israel and paraded them as if they were fronts for three classes of (un)righteous deeds’: the first is whoredom, the second wealth (and) the third the defiling of the sanctuary.”

<sup>191</sup> The understanding of מְלֻכָּה (the *Sikkut* of your king) is problematic. The Septuagint renders the phrase as τὴν ἀσπίδα τοῦ Μολοχ (the tent of Moloch). But, the author of CD reads it as positive, since he identifies the סוּכָה הַמֶּלֶךְ (the מְלֻכָּה of Amos 5:26) as the סְפָרֵי הַתּוֹרָה (the books of the Torah). As does the Septuagint, the author of MTA renders סִכּוּה as “tent.” Unlike the Septuagint, however, which translates מְלֻכָּה as Μολοχ, the author of MTA understands it as הַמֶּלֶךְ (the king),

“(prince) of the congregation.” The words כיון הצלמים are said to correspond to the ספרי הנביאים (the books of the prophets). This passage is remarkable, not only in its midrashic pesher, but also in its extraordinary content. Let us remember that, although the plural ספרי התורה occurs neither in the Hebrew Scriptures nor elsewhere in the DSS, ספרי הנביאים has a duplicate in *Miqsat Ma’asé ha-Torah*<sup>d</sup> which may, perhaps, shed light on our text.

[כתב]זו אליכה שתבין בספר מושה [ו]בספר [י] הנביאים וברוי [ד]

We have written to you that you might understand the book of Moses [and] the book[s of the pr]ophets and Davi[d . . . ]<sup>192</sup> (4Q397 F14-21: 10)

As pointed out by Qimron and Strugnell, 4QMMT<sup>d</sup> attests to ספר מושה in the singular, an old reference to the Pentateuch, the ספרי הנביאים (the prophets), and to [ . . . דוי], the latter of which they take to be a reference not only to the psalter, but to the Hagiographa as well.<sup>193</sup> If so, our text, which employs ספרי התורה in CD-A 7:15 and ספרי הנביאים in 7:17, may have referred to the prophets without an allusion to the Hagiographa. On the other hand, it could be that our text included the psalter as part of the the books of the prophets, or that MMT’s mention of David resembles our text by stressing that the Psalms should also be considered part of the prophets.<sup>194</sup> The difference between our text, which uses ספרי התורה in the plural, and ספר מושה of MMT may be important. The author of MTA emphasizes in several passages his dependence on *Jubilees*. The plural ספרי התורה in our text, therefore, might refer to both the Pentateuch and the book of Division of Times (*Jubilees*), the latter of which is described in CD 16:2–3 as “perfect.” This dual Torah was known by the sectarian community as the תורת משה.<sup>195</sup>

The pesherite passages of CD 6 and 7 cited above culminate with the central idea of this text: the new exodus from Judah to Damascus. It is interesting that these two passages stand out in MTA by reason of their lengthy midrashic exegeses, both leading to the

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paralleling it with Amos 9:11 הנפלה דויד ספה, and identifying it as the “the books of the Torah.”

<sup>192</sup> This is seemingly an early attestation of the tripartite division of the canon.

<sup>193</sup> Qimron and Strugnell, DJD X, 59.

<sup>194</sup> For David as a prophet, see 11Q5 27:11.

<sup>195</sup> Wacholder, “The ‘Torah of Moses’ in the Dead Sea Scrolls.”

advent of the Messiah. The author once again takes up the theme of the escape to Damascus in the concluding section of MTA preserved in 4Q266 F11.

16  
 17 [יושבי] המחנות יקהלו בחודש השלישי ואררו את הנוטה ימין  
 18 [ושמאול מן ה]תורה<sup>196</sup> והזה פרוש המשפטים אשר יעשו בכול קץ  
 19 [הפקודה את אשר יפק]ירו [בכו]ל קצי ההרון ומסעיהם לכול  
 20 [יושב מחניהם וכול יושב עריהם הנה הכו]ל ל[פ]תב[ע] ל[מ]ד[ר]ש[ש] ה[תו]ר[ה]  
 21 [ האחרון vacat ]

And all [the inhabitants] of the camps shall assemble on the third month and curse anyone who deviates [from the] Torah, either to the right [or to the left]. And this is the elaboration of the injunctions which they shall observe during the entire epoch [of redemption which they shall remember [during al] the epochs of anger and their journeys, for every [inhabitant of their camps and everyone who dwells in their cities. Behold every]thing has been [written up] on “the Mi[d]ra[sh] on the [Eschatological] Torah.” (4Q266 F11:16b–21a)

Note that the gathering on the third month addresses those who live in the camps, apparently not the city dwellers. However, the concluding lines of the book stress that the injunctions of the work as a whole apply to both groups. This once again distinguishes that, while the book contains injunctions for both, the sect recognizes as official members of the group only those who live in the camps, that is to say those who practice a normal family life after the pattern of ancient Israel in the wilderness.<sup>197</sup> It could be that Josephus had in mind a group like this, a community which outrightly condemned celibacy.

They think that those who decline to marry cut off the chief function of life, the propagation of the race, and, what is more, that, were all to adopt the same view, the whole race would very quickly die out. (Josephus, *J.W.* 2:160 [Thackeray, LCL])

3.2.1.5.3. *The Deserters* (CD-A 8:1b–21 / CD-B 19:13b–33a; 19:33b–20:17a)

This large pericope concerns itself with what was an important theme for the writer: the anticipation of being abandoned by some of its adherents. It is also important in modern scholarship, because

<sup>196</sup> Outlined vacat and text is unique to 4Q270 F7ii.

<sup>197</sup> See Cross, 71, who denies the distinction between the camps and the cities. However, he does mention so-called “secular” camps that had a family life.

it contains two occurrences of the infinitive האסף, once in CD-B 19:35 and again in 20:14, both of which supposedly refer to the death of the מורה, the founder of the Essene movement. However, in my understanding of האסף in these passages the text relates to the “assembling” of the sectaries by the Just Teacher in Damascus. This futuristic assembly corresponds to Moses’ gathering of the Israelites in Egypt, which culminated with the death of the disobedient generation and the entry of their descendants into Canaan after forty years.<sup>198</sup> Two occurrences of האסף in *Rule of the Community* lend additional support to my rendition of this term as a description of the new organization: 1QSa begins with

וזה הסרך לכול עדה ישראל באחרית הימים בהספם [ליחד

And this is the rule for the entire congregation of Israel at the end of days when they will assemble [for the *Yachad* . . . (1QSa 1:1)

Note that this introduction to this version of *Rule of the Community* speaks to the assembly that will take place during the eschaton. The next passage likewise employs האסף for the organizing of the legal structure of the יחד.

ואלה תכון דרכיהם על כול החוקים האלה בהאספם ליחד

And this is the structure of their paths pertaining to all these statutes when they will assemble for the *Yachad*. (1QS 5:7)

In other words, the term האסף never refers to the demise of the Teacher, but rather to his planned assembly inaugurating the messianic age.

This large segment dealing with the forewarned desertion begins with those who will enter the covenant community, but will become disappointed. The text chronicles this period as forty years from the time of the assembling by the Unique Teacher until the appearing of the Messiah of Aaron and Israel (CD-B 19:35–20:1, 12–15). As stated above, the author parallels the forty years of this account with the time of the Israelite sojourn in the wilderness.

My rendition of CD-A 8:3b is a combination of the A and B Cairo manuscripts and scattered cave portions preserved in 4Q266 F3iii:25b–iv:1a. It represents the differences between the medieval versions, each of which diverge from the biblical text, Hos 5:10, from

<sup>198</sup> For support for this view see Wacholder, “The Teacher of Righteousness,” 75–93.



which they derive. Displayed below are the four versions beginning with the biblical base. The fifth is the conflated reading of the MTA witnesses.

1 הָיוּ שָׂרֵי יְהוּדָה כְּמַשְׁיָגֵי גְבוּל עֲלֵיהֶם אֲשֶׁפֶךְ פָּמִים עֲבָרְתִי

The princes of Judah were like the Shifters of the Boundary upon whom I will pour out my anger like water. (Hos 5:10)

2 הָיוּ שָׂרֵי יְהוּדָה אֲשֶׁר תִּשְׁפֹךְ עֲלֵיהֶם הָעִבְרָה

The princes of Judah were those upon whom wrath shall (be) pour(ed). (CD-A 8:3b)

3 כֹּאשֶׁר דָּבַר הָיוּ שָׂרֵי יְהוּדָה כְּמַשְׁיָגֵי גְבוּל עֲלֵיהֶם אֲשֶׁךְ כְּמֵיִם עִבְרָה

. . . as he spoke (through Hosea), “The princes of Judah were like the Shifters of the Boundary against whom I will pour out wrath like water. (CD-B 19:15b–16a)

4 כֹּאשֶׁר [דָּבַר] הָיוּ [שָׂרֵי יְהוּדָה בְּ] יוֹם אֲשֶׁר [אֲשֶׁפֶךְ עֲלֵיהֶם הָעִבְרָה

. . . as [He spoke] (through Hosea), “[The princes of Judah] were in the day that [I will pour out wrath upon them.] (4Q266 F3iii:25b–iv:1a)

5 כֹּאשֶׁר דָּבַר הָיוּ שָׂרֵי יְהוּדָה כְּמַשְׁיָגֵי גְבוּל [בְּ] יוֹם אֲשֶׁר עֲלֵיהֶם אֲשֶׁךְ כְּמֵיִם הָעִבְרָה

. . . as He spoke (through Hosea), “The princes of Judah (will) have become like the Shifters of the Boundary” [on] the day when “I will pour out anger upon them like water.” (CD-A 8:3b with CD-B 19:15b–16a and 4Q266 F3iii:25b–iv:1a)

Note that the citation in the composite rendition employs the word אֲשֶׁךְ, implying that the time of the pouring out of God’s anger upon the aberrant leaders is seen as futuristic. CD-A 8:4–5 which follows (corresponding to CD-B 19:16b–17), a grammatically difficult and somewhat enigmatic text which I likewise have conflated from three sources, appears to say that the princes of Judah upon whom God will execute His anger will have entered the covenant of repentance and will begin the restoration process, even being assisted by the godly, but will return once again to the vices of their ancestors.

CD-A 8:9, a passage which is peshierized, might refer to the change of control from the Persians to the Macedonians, whose head is Alexander, the ראש מלכי יוון (the leader of the kings of Greece). According to common opinion, Alexander never entered Jerusalem. Josephus’ *Antiquities* 11:329–39, which depicts Alexander’s prostration before Judas, the high priest, is commonly branded as part of Pseudo-

Alexander. Our text, however, apparently supposes that Alexander treated Jerusalem as his enemy.

The *בוני ההיץ* (the builders of the wall), mentioned twice in our pericope, draws on Ezek 13:10. The first mention of this entity in MTA (CD 4:19) attacks them for their practice of bigamy and for marrying their brothers' and sisters' daughters. In our passage they are a segment upon whom God will pour His wrath, an element of the earlier mentioned *מְסִיגֵי (ה)גְבוּל* (the Shifters of the Boundary), apparently the Pharisees, who will suffer the same fate (CD-B 19:15–16; CD-A 8:3). In our passage these builders are linked with the Spewer of Lies, whose teachings will provoke God's anger. They form part of the author's polemic against the followers of the *אִישׁ אֵיזוֹ הַכִּזָּב*, the nemesis of the Just Teacher.

In CD-A 8:14–18a (CD-B 19:26a–31a), a parenthetical section presenting the destiny of the followers of the Just Teacher, the author makes Deut 9:5 and 7:8 refer to the righteous of Israel as part of the ancestral promise to the patriarchs. The righteous here are the author's audience who, according to our writer, are beloved of God as were Abraham, Isaac and Jacob (lines 16b–18a). This thesis is a pivotal point in this work that constantly intertwines the *Urzeit* with the *Endzeit*, the eschaton. The followers of the Just Teacher are regarded as part of the ancestral promise to the patriarchs, the inheritors of the pagan lands.

CD-A 8:18b–19 (CD-B 19:31b–33a) shows that, in contrast to patriarchs and their successors who were objects of divine love, God despises the deserters, known here once again by the epithet “the builders of the wall” and those who follow them. Among them are those who despise the commandments of God. Our text stresses that one cannot love God without observing His commandments. The two actions are necessarily intertwined.

CD 8 concludes with a succinct but enigmatic statement: “This is the matter that Jeremiah said to Baruch, son of Neriah and Elisha to Gehazi, his amanuensis.” This presents an enigma. To what is our author referring in his allusions to Jeremiah and Elisha? Scholars have not resolved this issue. Writing in 1910, Schechter suggested that the quotes cited here must have been a reference to passages in lost apocrypha. Indeed, Ginzberg found a reference to Jeremiah's statement in the Syriac Apocalypse of Baruch (*2 Bar.*) 84:5. However, Rabin found this implausible, suggesting instead, that it possibly refers to Jer 45:4–5. Neither of these solutions are satisfactory. In

my opinion, what scholars have not stressed is the nature of this citation. They presume that **אשר אמר** here quotes a passage as the formula **כאשר אמר** in the frequent citations in MTA usually does. Our text, however, says “*asher amar* personal name #1 *l*-personal name #2 *w*-personal name #3 *l*-personal name #4.” It appears to me that the formula . . . **אשר אמר ל** does not refer to textual citations, but to general statements emerging from the biblical accounts of the disciples of Jeremiah and Elisha—namely, that the author has just told us that the group which will go to Damascus will consist of two sorts: 1) those who will remain faithful and thus live to witness the coming of the Messiah of Aaron and Israel and 2) others who will join those believers but later will decide to turn back and desert the faithful. Baruch, ben Neriah, despite all the threats against his life as detailed in the book of Jeremiah, remained faithful. On the other hand, Gehazi who accepted gifts from Naaman against the prophet Elisha’s wishes, characterizes the deserters, those who, although becoming part of the covenant, will abandon it on account of their avarice.

CD-A 8:21b, the last clauses of the A-text, links up with CD-B 19:33b and following to amplify what occurred to Gehazi and his master. Our passage condemns all those who, like Gehazi, accepted God’s covenant and subsequently turned away from the well of the living waters in the land of Damascus. These people and the like of them will neither be regarded as part of the sect nor recorded in the list of faithful Israelites. As was explained above, the author weaves this condemnation into his chronological scheme of the forty years of CD 20:14–15, and stated in 19:35–20:1 as “from the day of the assembling by the Unique Teacher until the Messiah from Aaron and from Israel will arise.” The author apparently has in mind the larger chronology of Israel in their 430 years of sojourn in Egypt mentioned in Exod 12:40. Here too, three hundred and ninety years after Nebuchadnezzar’s conquest of the land (CD 1:5–6) plus the forty years of the period of the assembly until the rise of the Messiah will total four hundred and thirty years. As stated earlier, the chronology of the forty years reappears in *Peshar Habakkuk*, commenting on Ps 37:10.

ועוד מעט ואין רשע	F1-2ii:5
ואתבוננה על מקומו ואיננו פשרו על כול הרשעה לסוף	F1-2ii:6
ארבעים השנה אשר יתמו ולוא ימצא בארץ כול איש	F1-2ii:7
	שע[ר] F1-2ii:8

“But in a short while the wicked will be no longer. I will search for his

place but he will not be there" (Ps 37:10). Its eschatological interpretation concerns all the wickedness at the end of the forty years when they will be exterminated and no [wi]cked man will be found in the land. (4Q171 F1–2ii:5b–8a)

Conceivably the author of the psalmic pesher understood the word **הַאֲסֵף** here in CD 19:35 and in 20:14, the latter of which is followed by **כַּשְׁנִים אַרְבַּעִים** (about forty years), as referring not to the death of the Teacher, but to the end of the wicked in the wilderness who deserted after the evil reports of the spies on the one hand after the assembling of the people by Moses at Sinai (the *Urzeit*), and on the other to the inception of the period of forty years for those who will have joined the Teacher at the time of his assembly, but who subsequently will desert (the *Endzeit*). Both groups, that of the Bible and the rebels of the eschaton, will have been destroyed.

The last two words of CD 19 require comment. The reason for the strike through of **יִיר מוֹרָה** can perhaps be explained by the following scenario. The scribe began to write **יִוֵרָה הַיְהִיר** as he did later in 20:14, but changed his mind to write the more usual **מוֹרָה** (20:28, 31 as well as CD-A 1:11). Not wishing to split the phrase **מוֹרָה הַיְהִיר** across pages, he crossed out both words, wishing to place them both on the next page. Forgetting he had already written **מִיּוֹם הַאֲסֵף** on the previous page, he accidentally began page 20 with **מִיּוֹם**. Erasing this third error he continued with **מוֹרָה הַיְהִיר**.

In CD 20:1b–17a the author applies what he said above to the membership of the community. Anyone who has been accepted as a member, but goes on to reject the Torah shall be expelled as if he were one who had never joined. Being a member does not bestow upon anyone irrevocable privileges. Unless he repents and acts accordingly, such a person shall be excluded as if he were one who had never placed his fate with those who were instructed by God (20:3–6). This entire pericope deals extensively with the deserters who must have been a constant sore for the faithful leadership. People would join the community and, not being able to stand its rigor, would leave. Even the property of such people must be rejected. One's great wealth was not to be a mitigating factor in keeping him within the group.

Lines 8–9 stress that the member in the group must accept unconditionally both the first and latter things (Torahs). In other words, acceptance of the traditional text alone does not suffice. Only those who keep what modern scholarship calls the apocryphal Torah as faithfully as the old sacred text shall be part of this society. The so-

called *Catena*<sup>a</sup> (4Q177)<sup>199</sup> cited above likewise refers to two Torah's, probably the Pentateuch and *Jubilees-Temple Scroll*.

תקעו שופר בגבעה השופר הוא ספר [התורה ראשונה הח] [וצרה ה] אה  
ספר התורה שנית אשר מאסו כ[ול א]נשי עצתו וידברו עליו סרה

“Blow the *shofar* in Gibeah.” (Hos 5:8). The *shofar* refers to the book [of the first Torah. “The tru]m[pet” (Hos 5:8) i]s the book of the second Torah which a[ll the me]mbers of the council will have despised and spoken of deviantly.<sup>200</sup> (4Q177 F1-4:13–14)

The author of our MTA text makes no distinction between what is conventionally known as canonical and apocryphal or pseudipigraphic texts. Both have the same sanctity and are binding upon each of the members. Those who reject any of these principles shall be condemned as if they had joined the opposition to the Teacher, since they will have abrogated the divinely ordained injunctions of the new covenant established in the land of Damascus.

As noted, the author reiterates his chronology once again in CD 20:13b–15a. The period of destruction would be during the forty years of faithless Israel, a group that, like the Israelites of old who had been part of the Sinaitic covenant but transgressed, would receive the Damascene (the new) Covenant but would desert to be ultimately destroyed. Our writer confirms this linkage between the desertion at Sinai and that of the Damascus community by citing Hos 3:4, “There will be neither king, nor prince nor chastiser nor reprove” in *righteousness*. Righteousness constitutes the centrality of both the Sinai and Damascus covenants. MTA asserts that many in Israel rejected the leadership of Sinai and will do so once again by abrogating that of the Damascene assembly.

#### 3.2.1.5.4. *Salvation in the Messianic Epoch* (CD-B 20:17b–34; 4Q266 F4)

With CD 20:17b, MTA returns to one its major topics, the righteous of Israel who will repent of their transgressions, that is to say, the community whom the author addresses. It is these who, having confessed their sins, will rejoice in the salvation God has prepared for them at

<sup>199</sup> Also known as *Midrash on Eschatology*<sup>b</sup>.

<sup>200</sup> See the comments pertaining to this text in my amplification of CD 1:13–2:1. See also my remarks on CD 7:15 pertaining to ספרי התורה as referring to both the Pentateuch and *Jubilees-Temple Scroll*.

the advent of the Messiah during the eschaton. However, those who desert the community, departing from the Torah, will be cut off. This text understands the Midrash on the Eschatological Torah as a song of Israel's triumph of the righteous over sinners.

### 3.2.1.5.4.1. The Book of Remembrance (CD-B 20:17b–20a)

The author paraphrases and expands Mal 3:16, amplifying it with extra clauses. The additions make the point that brethren must assist each other in their righteous paths, supporting one another. Only then will God record their names in His book of memory. 4Q417 F1i:13b–18a likewise exegetes our citation of Mal 3:16, but somewhat differently.

<p>ואתה          14 מבין רוש פעלחכה בוכרון הע[תים] בא חרות תחוק[כה] זחוק כול הפקודה          15 כי חרות מחוקק לאל על כול עתים בני שות וספר זכרון כתוב לפניו          16 לשמרי דברו והואה חזון ההגוי לספר זכרון וינחילוני לאנוש עם עם רוח כ[א]§          17 כתבנית קדושים יצרו ועוד לוא נתן הגוי לרוח בשר כי לא ידע בין          18 [טו]ב לרע כמשפט [ר]יחו</p>	<p>13          14          15          16          17          18</p>
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And you understand the beginning of your (God's) creation in the remembrance of the e[pochs]. In it<sup>201</sup> (the remembrance) the statute is etched, and the entire command is decreed (in it), because it was etched to God's lawgiver (Moses ?) pertaining to all the epochs for the sons of Seth. A memorial volume is written before Him for those who keep His word; and it is the *vision of Haguy* for the memorial volume; and they (the sons of Seth) bequeathed it forthwith to Enosh together with the people of the spirit, be[ca]use he fashioned it as a sacred blueprint. But Haguy had not as yet been given to the spirit of flesh, for it (the spirit of flesh) had as yet not known the difference between [goo]d and evil in accordance with his [spi]ritual nature . . . (4Q417 F1i:13b–18a)

Whereas this Haguy text pesherizes Mal 3:16 as part of a dialogue concerning the origin of good and evil, lines 17–18 of CD 20 interpret the clause, “each spoke to his associate,” as referring to mutual instruction of righteousness in the future. Thus, God will observe man's obedience which will bring about the messianic age exposed toward the end of this section.

<sup>201</sup> Strugnell and Harrington render בּא as “comes.” DJD XXXIV, 155.

## 3.2.1.5.4.2. Salvation for the God Fearers (CD-B 20:20b–22a)

Teaching each other righteousness will enable one to adjudicate between the just and the wicked and between the one who worships God and him who does not. Our text weaves Mal 3:18 with Deut 7:9 into God's love toward the righteous thousands that they might flourish for a thousand generations. As was stated, the phrase אֱלֹהֵי רוּר has some ambiguity. It may be understood either literally or figuratively, “a thousand generations” or “forever.”

## 3.2.1.5.4.3. Punishment of the House of Peleg (CD-B 20:22b–27a)

The problematic readings and syntax following the word רוּר in line 22 have divided translators. Schechter linked מִבֵּית פֶּלֶג (from the house of Peleg) as part of the thousand generations and read נְסִיךְ הָעָם (the prince of the people)<sup>202</sup> at the beginning of line 24 as the beginning of a sentence extending to הִקְדִּישׁ of line 25.<sup>203</sup> Rabin, after some missing words, has בֵּית פֶּלֶג, and read עַד instead of the conventional עוּר at the end of line 23. He translated the next word אֵל not as a preposition, but as the deity. Instead of the standard דֶּרֶךְ of line 24, he proposed to read וְ[יִשְׂרָאֵל] (and let him appease).<sup>204</sup> Both these and other translators understand the verbs יִצְאוּ, וְיִשְׁעֲנוּ, וְיִשְׁמְאוּ and וְיִשְׁבּוּ as historical, but diverge widely as to the role of “the house of Peleg.” Some assume that this was a group that split off from the Just Teacher, which gives it a negative stance. Others take it as a positive move on account of the defilement of the Jerusalem sanctuary. In my view, however, these complex debates have no historical basis whatsoever. These lines do not describe history, but concern the prophecy of those who will leave the land of Judah for the land of Damascus mentioned in CD 4:2–3 and 6:5.<sup>205</sup> As to the connotation of the sobriquet “the house of Peleg,” it has the same sense as the phrase in *Pesher Nahum*. Interpreting Nah 3:9, which deals with the many nations where Israel will migrate, and anticipating Nah 3:10 which speaks of exile, the pesherite writer says,

פֶּשְׁרוֹ הֵם רִשְׁעֵי מְנַשְׁהָ בֵּית פֶּלֶג הַנְּלוּדִים עַל מְנַשְׁהָ

<sup>202</sup> Qimron reads אֱלֹהֵי רוּר (Qimron, “The Text of CDC,” 47).

<sup>203</sup> Fitzmyer, ed., *Documents of Jewish Sectaries*, 77, note 48.

<sup>204</sup> Rabin, *Zadokite Documents*, 40–41.

<sup>205</sup> Cf. also 4Q266 F5i:15–16 discussed below in section 3.2.2.5.

Its eschatological interpretation concerns the wicked of Manasseh as well as the house of Peleg that will join with Manasseh. (4Q169 F3-4iv:1)

It would seem that the author of this pesher draws on our text wherein he understood this reference to “the house of Peleg” as a negative statement. In other words, as taken by him, those who will leave Judah to go to Damascus will eventually split off from the righteous group and join the wicked. The words **בית פלג** then resemble in meaning **בית אבשלום** (the house of Absalom) occurring in 1QpHab 5:9, a phrase which refers to the treacherous act committed by a son against his father, not to a historical group as generally supposed. **בית פלג** in our text does not allude to a group in history, but to anticipated fractures during this whole period of exile. It refers to contemporary Judah who, after leaving Jerusalem with the other exiles, will splinter again. The author of MTA alludes to a similar group in CD 20:26–27 by the words **מְרִשְׁעֵי יְהוּדָה בְּיוֹמֵי מִצְרָפוֹתָיו** (those of Judah who act wickedly during the days of their cleansing). In other words, as understood by the author of MTA, the process of catharsis will be traumatic and enduring, in that this will be a group not united. During their sojourn they will retain their zeal for God, but will retract in some matters to the way of the populace. God will treat each of them according to their individual inclination.

Scrollists also diverge as to the import and sense of the defilement of the sanctuary in line 23. The clause **וַיִּטְמְאוּ אֶת הַמִּקְדָּשׁ** explicates the preceding phrase **בְּקֶץ מַעַל יִשְׂרָאֵל**. Those who will defile the Jerusalem house of worship are those who have been unfaithful during the era of Israel’s lengthy period of profanation extending throughout the epoch of the **אֲחֵרֹנִים**. On the other hand, those exiles who will have intended to conduct themselves in accordance with the rules of God under the Damascene covenant, but who will have violated the laws of the Torah, will be cut off from the faithful camp at the coming of the Messiah. Included in this group are the wicked of Judah who, during the epoch of cleansing, deserted the statutes of the covenant for avarice. Note that our reading rests on combining CD 20:27 with the fragmentary remains of line four of 4Q267 F3. CD 20:27b–28 fuses with 4Q267 F3, and lines 33–34 with fragment 4 of 4Q266.

#### 3.2.1.5.4.4. Confession of Sins (CD-B 20:27b–32a)

Following the above parenthetical section describing the future fracture of Israel, our text continues to depict the spiritual awakening that will occur at the advent of the messianic age. The term **מְהוֹיָקִים**



beginning this segment is common in MTA. However, here it has a special connotation, referring to people who will have withstood all temptations and distractions and will have emerged steadfast in their trust in the new organization. This proposed entity are those who will accept the new covenant in the land of Damascus under the guidance of the Just Teacher. They will cling not only to the commandments of the Torah, but also to the injunctions recorded only in MTA. The word אלה qualifying משפטים emphasizes the rules that were special to this community (important elements such as study and decorum listed in our text). Translators render the phrase לְצֵאתָ וּלְבוֹאָה עַל פִּי הַתּוֹרָה literally as going out and coming in according to the Torah. What it does denote is that one must live entirely by the stipulations of the Law. This affirmation bears a close resemblance to what the leaders of Talmudic Judaism advocated. In this respect, although they may have diverged in many details, the goal of this organization agreed fully with the sages of the Mishnah and Talmud.

Our text then goes on to describe their way of life. A primary point is the obedience to the Just Teacher and asking forgiveness for any transgression. The wording that describes it bears also a close resemblance to the more expanded confession prevailing in Judaism. Both our text and rabbinic Judaism echo the confession in Dan 9:15, “we have sinned, we have been wicked . . . may your wrath and anger turn away from your city Jerusalem, your holy mountain.” As emphasized by Baumgarten, our text has a legal dimension throughout. Here in the confession too, Israel stresses that they have lived contrary to the statutes of the covenant. The text goes on to affirm that Israel’s punishments will have been fully warranted. The author divides their Torah into three categories: a) His holy statutes (apparently a reference to the commandments found in the Pentateuch), b) His righteous injunctions (special rules innovated by the community) and c) His true testimony (the admonitory material that forms the glue of our text). In these three phrases, the author voices the motto of the Damascene Covenant. As stated in the preamble and throughout the work, in spite of the many innovations introduced by these injunctions, our author insists ironically that their legal system, in contrast to that of their opponents, had not departed in any way from the nomistic tradition of the Hebrew Scriptures. The clause “and they shall be chastised by the rules set down by the forefathers” emphasizes that remembering the past is not merely

a cognitive operation. Rather, many of the trials and punishments endured by the patriarchs will reoccur over and over.

### 3.2.1.5.4.5. Harkening to the Just Teacher and Rejoicing in the Law (CD-B 20:32b–33a)

The clause *והאזינו לקול מורה צדק* (And they shall obey the Just Teacher) confirms once again what is emphasized throughout this work—that the Teacher is not in MTA a historical personality and certainly that he had not died as is supposed according to CD 19:35–20:1 and 20:13–14. Instead, he is the futuristic figure who will become the interpreter of the Torah and his decisions must be followed to the letter. The clause “And they shall not reject the true statutes” apparently emphasizes the importance of the social rules innovated to create a more righteous society by maintaining the poor and destitute. These rules should not be abrogated.

Some scholars read the words *בשמעם אתם* in line 33 as part of the previous sentence, meaning that the covenanters shall not reject the words of the Torah when they hear them.<sup>206</sup> However, this understanding would add nothing to what has already been said. On the other hand, if we link this phrase with what follows, it adds *gusto* to the admonition, emphasizing the joyful consequences of obeying the law. Heeding the statutes of the Torah will bring satisfaction and happiness. In addition, the adherents to the covenantal life style will attain a life that is superior to that of any other group.

### 3.2.1.5.4.6. Salvation for the Righteous (CD 20:33b–34; 4Q266 F4:9)

For lines 33b–34a see 1QSb 5:27b–29a, which likewise affirms Israel’s rule over the nations.

27 . . . כִּי אֵל הַקִּימְכָה לְשִׁבְטֵי 28 לְמוֹשֵׁלִים לְפָנֶיכֶם יִקְדְּמוּ וַיִּשְׁתַּחֲווּ  
וְכֹל לְאֻמִּים יַעֲבֹדוּכֶם וּבִשְׁם קֹדֶשׁוֹ יִגְבַּרְכֶּה 29 וְהִיִּתְהָ כֹּה־רִיָּה

For God has raised you up as a scepter over the rulers; [they shall come] befo[re you and prostrate themselves and all peo]ples will serve you. And through His holy name He shall make you supreme; and you shall be like a li[on . . . (1QSb 5:27b–29a)

The next two sentences of CD reiterate a central theme of this work: God and His forgiveness of those who live by the Torah. CD 4:9b–10a asserts that on account of the ancestral covenant, God will forgive

<sup>206</sup> Rabin, *Zadokite Documents*, 42; Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 581; Schwartz in Charlesworth, ed., *Damascus Document*, 37.

Israel's sins. Based upon 4Q266 F4:7 and its corresponding wording in CD 20:33, line 8 of 4Q266 F4 contained ten to fifteen spaces more than its CD parallel *וּכְפַר אֱל בְּעֵרָם וּרְאוּ בִישׁוּעֵתָו*. Thus it is plausible that, based upon CD 4:9b–10a, the extra spacing in the Cave 4 text likewise contained the phrase *כְּבְרִית רִישׁוֹנִים*, to read “And God will forgive them in accordance with the ancestral covenant.”<sup>207</sup>

The construction from now until we return to 15:1 of CD draws almost exclusively on what survives in 4Q266–273. What exactly follows the end of the B manuscript and how it links up with the parts of MTA preserved in the fragments is uncertain. As cited by Baumgarten, Milik maintained that textual and paleographic evidence support the conjoining of the words found in the sub-fragments *a-d* of 4Q266 F4 with CD 20:33–34. Milik also supported the supposition that 4Q270 F2i:1–3 joins with the end of CD 20.<sup>208</sup> Baumgarten wants to place the catalogue of transgressions (4Q270 F2i–ii) immediately after CD 20, since the clause *וְיִתְּנָה שְׁמֵעוּ לִי* found in column 2 line 19 immediately following the catalogue introduces the subsequent laws. However, this formula, which occurs four times elsewhere in MTA, does not introduce legal texts. As I see it, the marking for nomistic sections does have a standard formula in our work: *זֶה פְּרוֹשׁ הַמְּשַׁפְּטִים*, a clause which appears in CD 14:18 and 4Q266 F11:18 (paralleled in 4Q270 F7ii:12). This phrase was probably present in 4Q267 F7:3, a fragment which conjoins with text introducing the subject of integrity in commerce and marriage, legal material. A sub-specification of this broader nomistic subject appears in 4Q271 F3:5 shortly after the conjoin as *זֶה פְּרוֹשׁ הַיִּנְאָה* (And this is the definit[ion of cheating]). This fragment appears then to link up thematically with 4Q266 F5i, a passage which may begin with marital offenses. Whereas Milik's joining of 4Q270 F2i:1–3 with CD 20:32–33 is not in itself implausible, it is problematic to parallel 4Q266 F4:9–13 with any of what spans from 4Q270 F2i:(6) to the beginning of column 2 (the maximum textual parameter of the four sub-fragments in 4Q266 F4, assuming the entire fragment was as many as twenty-five lines in length).<sup>209</sup> For, whereas the former contains positive content, corre-

<sup>207</sup> For *בְּרִית רִישׁוֹנִים* cf. also CD 1:4 and 6:2.

<sup>208</sup> Stegemann does not dissent from this positioning of this fragment. See Hartmut Stegemann, “Physical Reconstructions,” 180, 190–91. However, as explained below, it seems to me that placing this fragment here is tenuous if not unacceptable.

<sup>209</sup> If 4Q266 F4 was a page of twenty-five lines, as many as eighteen may have separated sub-fragments *a-b* from *c-d*. 7–13, the numbers assigned within the editio

sponding to the tenor of the end of CD 20, the latter is negative. The four lines of 4Q266 F4:10–13 (two sub-fragments evidently drawing on the terminology of portions of Ezek 34:23–24, Exod 18:21–22 and 11QT 57:8–9) does not satisfactorily parallel any four lines of extant text from column 1 line 9 of 4Q270 F2 to the beginning of column 2. One must then choose the beginning of either 4Q266 F4 or 4Q270 F2i as conjoining with the end of CD 20, but not both. A more plausible locus for the list of offenses, the so-called catalogue of transgressions (all of 4Q270 F2), is toward the end of the interior section bridging pages 20 and 15 of CD. The placement of the list there has reasoning behind it. The material that would then precede it (4Q266 F7) concerns itself largely with the Supervisor's modes of admission of candidates to the Purity. The purpose of the list at this point would be to present to the new members an outline of the traditional law as perceived by its author. Hence, the function of the catalogue would be pedagogic.

Let us consider now 4Q266 F4, the text which, as was stated above, most likely bridges the ending of CD 20 with what follows. The word חוק read by Baumgarten in line 9 of this text is ubiquitous in MTA. כֹּל אֱלֹהֵי יִשְׂרָאֵל וְיִשְׂמְחוּ בְּמִצְוֹתָיו (All of them will be happy and rejoice in His commandments), our reconstruction prior to it, is based upon what precedes it in our context. The salvation that God has made available to the righteous of Israel will generate joy in the Torah.

#### 3.2.1.5.4.7. The Advent of the Shepherd Messiah (4Q266 F4:10b–13)

Missing material, a line or perhaps as many as eighteen (the potential range of the lacuna of this fragment), separates חוק from the succeeding sub-fragments. These two crumbs of parchment contain paraphrases from Ezek 34. The lacuna preceding the extant text may have contained elements of the theme of this chapter. Chapter 34 begins with the prophet's vision of the coming eschaton. Much of

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princes to the seven lines represented by these four miniscule pieces, are in my opinion arbitrary ascriptions. Not only do we not know how long the lacuna was between *a-b* and *c-d*, but we are not certain of how many lines preceded *a-b* in this fragment. Stegemann notes that the shape of 4Q266 F4 "resembles rather closely the shape of the left edge of (4Q266) frg. 3 iv(a) with lines 1–4 of its column." Hence, he reasons that 4Q266 F4:7–9 of Baumgarten's numbering should be labeled as lines 1–3 of 4Q266 F4 (see Stegemann, "Physical Reconstructions," 180).

this text revolves around the term רועה, the shepherd being God or king David.

The theme of Ezekiel's shepherd frequently appears throughout MTA. For example, in CD 19:7–9, the citations taken from Zech 13:7 and 11:7 link with Ezekiel's metaphor here in 4Q266 F4:10–13 of God and Israel as a shepherd and his sheep. The prophet's use of דרש four times in Ezek 34 may have inspired the sobriquet דורש ההורה in MTA. More significantly, MTA appears to draw a notion from Ezek 47:7–12 (a text which extends conceptually back to Deut 11:7–17 and 28:1–18) that the fertility or desolation of the Holy Land will depend upon Israel's obedience to the Torah. In this prophetic book God promises to gather the dispersed of Israel to their own land where the mountains will contain fertile pastures and fat grasslands prior to David's reascent as the prince of Israel (Ezek 34:13–24). Building on this idea, MTA prefaces the rise of the Just Teacher with the future fertility of Israel.

ויצמח מישראל ומאהרן שורש מטעת לירוש CD 1:7

את ארצו ולרשן בטוב אדמתו . . . . CD 1:8

ויקם להם מורה צדק להדריךכם בדרך לבו CD 1:11

And He will cause to sprout forth from Israel and from Aaron roots of a plant to inherit His land and to grow fat in the fertility of His soil . . . and will raise up for them a Just Teacher so as to lead them in the way that will please Him. (CD 1:7–8a, 11a)

Conversely, when Israel would disobey God, the land would become desolate.

ובקץ חרבן הארץ עמדו מסיגי הגבול ויתעו את ישראל CD 5:20

והישם הארץ CD 5:21

Now during the epoch of the desolation of the land (587 B.C.E.) the Shifters of the Boundary arose and misled Israel. And the land has turned into wilderness. (CD 5:20–21a)

Returning to our text, what survives plausibly continues with “[And] God [will set up a unique] shep[herd] and will feed them in [a good pasture; My servant David, he will feed them] and [he] will become [their shepherd.] And he will select for himself [men of truth and God fearers. They shall execute true justice. Kindness and] acts of mercy [they shall perform towards each other...]” The reconstruction following לוי וברר לוי draws on 11QT 57:8–9 combined with Exod 18:21–22 and Zech 7:9. The author of MTA not only required that judges be

truthful men who feared God, but that they be compassionate as well. CD 10:6 lists an additional qualification; a judge must be an expert in the book of Hagu and in the foundations of the covenant.

This passage adds a new dimension to the messianic theme of MTA. Without it, the idea of messiah in this work is obscured by the question of whether the Qumran community anticipated a single messiah or two, an issue that has divided scrollists. Some have taken CD 12:23–13:1, 14:19, 19:10–11 (משיח אהרן וישראל) and 20:1 (משיח) (מאהרן ומישראל) to allude to a single Messiah. However, with the publication of *Rule of the Community* the majority of scrollists shifted to a dual messiah theory, largely because of 1QS 9:11 which mentions אהרן וישראל (until the prophet and Messiahs of Aaron and Israel come). Proponents argue that the alleged references to the singular messiah in CD resemble in syntax the phrase מְלֶךְ-סָדֵם וְעַמְרָה in Gen 14:10, whose corresponding verbs are plural, and hence that משיח אהרן וישראל refers to two personages—a priestly and a lay messiah.<sup>210</sup> However, quoting from Ezek 34, our text makes it apparent that David and David alone is the Messiah anticipated by the author of MTA, רֹעֵה אֶחָד (one shepherd) being a messianic phrase. If so, the word משיחי appearing above in CD 6:1 (paralleled in 4Q267 F2:6 and 6Q15 F3:4), should not be understood as “messiahs,” but as the “anointed,” in the sense of the anointing of kings and prophets.<sup>211</sup> The plural משיחי אהרן וישראל in *Rule of the Community* may be construed as a plural form with a singular intent.<sup>212</sup>

3.2.2. *The Elaboration of the Eschatological Torah* (4Q267 F7 / 4Q271 F3 . . . 4Q270 F4 / 4Q266 F12; CD 15–16; 9:1–14:17; CD 14:18–23 / 4Q266 F10ii:1–8; 4Q266 F10ii:8–15 / 4Q270 F7i:1–6a; 4Q270 F7i:6b–17 / 4Q266 F11:1–3a)<sup>213</sup>

What follows the text of messianic dimension exposed above is uncertain. As was stated, 4Q267 F7 and the conjoining 4Q271 F3 con-

<sup>210</sup> James VanderKam, “Jubilees and the Priestly Messiah of Qumran.” *Revue de Qumran* 13 (1988): 353–65. See Schiffman, *The Halakhah*, 51 for a brief bibliography on the two-Messiah concept.

<sup>211</sup> Cf. also elsewhere in the DSS 1QS 9:11; 1QM 11:7 and 4Q287 F10:13 for other uses of משיחי conveying this sense.

<sup>212</sup> Some would see it as reflecting a later development in the Essene community, the expectation of two messiahs.

<sup>213</sup> These references reflect only select primary textual witnesses for what continues to the end of the Cave material that bridges from CD 20 to 15. In similar fashion,

tain the phrase **זֶה פְּרוּשׁ**, a formula which apparently marks nomistic material and which here likely fronts the legal text that bridges CD 20 and CD 15. If we are right, this commences the second major section of the body of our work. As was noted above, the book evidently begins with the title **מִדְרַשׁ הַתּוֹרָה הָאַחֲרֹן**, which inaugurates the preamble continuing up to 4Q268 F1:8 of the composite text. The first part of the body, beginning with CD 1:1, concludes with the immediately preceding lines dealing with the advent of the Messiah (4Q266 F4:10–13). Now begins an extensive list of laws which are to govern Israel during the eschatological epoch. The first section deals with the inability of a debtor to repay the loan prior to the jubilee year so that he could repossess his inherited land. It evidently continues with the parental responsibility to present a daughter to a prospective groom honestly.

Preceding these laws is a short pericope in 4Q267 F7 containing the phrase **וְאַהֲבָ לּוֹ** (and he shall love him). These words in line 1 presume a subject matter which corresponds to the **גֵּר** (proselyte) in Lev 19:33–34, the basis for our reconstruction. CD 6:20–21 contains similar wording: “that each love his companion as himself,” and continues with the clause, “and support the poor, destitute and proselyte (**גֵּר**).” This buttresses the presumed injunction here concerning loving the proselyte. The **גֵּר** is a favorite topic in this work. In several passages proselytes are cited following the priests, Levites and Israelites as part of the four-fold division of the community. The first proselyte, Abraham (CD 16:6), is labeled **אוֹהֵב** (lover), as are Isaac and Jacob (CD 3:2–3). Love likewise forms an important theme in MTA. Compare CD 13:9, “He will have compassion upon them as a father has for his children.” This serves to bridge from the introduction to the eschatological Torah (the first part of the body of our text) to the elaboration of the injunctions that follows. The inclusion of the proselytes at this point tells us the converts are as much an integral part of Israel as are the Israelites themselves. This corresponds to Ezek 47:22 which prescribes that in the messianic age the legal rights of the proselytes will be equal to those of the tribes of Israel in regard to land allotment.

My continued reconstruction, **וְאֵלֶּה הַחֻוּן־קִיּוּם וְהַמִּשְׁפָּטִים אֲשֶׁר תִּשְׁמְרוּן**, [לְעֵשׂוֹת בְּאֶרֶץ] (Now these are the sta]tutes [and the judgments which

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I cite only the main witnesses of that which continues in CD 15 to the end of this section, text which extends beyond the conclusion of the medieval version.

you shall observe to do in the land]), whose wording is taken from Deut 12:1, resembles אֶת־הַקְּתִי הַשְּׁמֹרִי (You shall keep my statutes) immediately following the injunction to love one's neighbor as oneself (compare Lev 19:18b–19a); hence, our choice for filling the lacuna of line 2.

3.2.2.1. *Restoration of Land in the Jubilee Year (4Q267 F7:3b; 4Q271 F3:1–3a)*

The lost text in 4Q271 F3:1 makes it impossible to give the context of the isolated word בַּכֶּסֶף (with silver). It probably dealt with the injunction to lend money to one's neighbor, which leads to the rules that govern sabbatical and jubilee years found in the next line. My reconstruction וְזֶה מִשְׁפַּט הַחֲמִשִּׁים (Now this is the rule for the fiftieth year) at the end of 4Q267 F7:3 and continuing to the first line of 4Q271 F3 serves as a prelude to the jubilee legislation evident in line 2. Lev 25:10, the basis for our reconstruction for much of line 1 and the beginning of line 2 of 4Q271 F3, prescribed that Hebrew slaves were to be released in the sabbatical years, and debts cancelled prior to the jubilee year when any land sold during that period would be restored to the original owner. However, line 2 of this text is concerned with a problem not recorded in the Hebrew Scriptures. The legislator here presumes that the purchase money paid for the land precedes its restoration to the original owner. If so, what happens if the original owner lacks the means to restore the money? What is the status of this property? Unfortunately a portion of our text is lost. It is noteworthy, however, that the problem legislated here does not cohere with the rabbinic understanding of jubilee law. According to the Talmud, there exists no indebtedness during the restoration of the land, because a buyer pays only the prorated cost in proportion to the number of years that he will have actual possession of it. However, it could be that the author of MTA deals here not with a buyer of land, but with a borrower who placed his property as a surety. Now, when the jubilee year arrives and the loan has not been repaid, is that guarantee cancelled or not? A related passage in 11Q13 (Melchizedek) 2:6, like our text, speaks of forgiveness of indebtedness. וְקָרָא לְהִמָּה דְרוּר, conventionally translated “And he shall proclaim liberty to them,” is to be understood here as the announcement of release of the obligation of repayment of debts as is amplified in the succeeding clause, לְעִזּוֹב לְהִמָּה [מִשָּׂא] כְּזֹל עֲוֹנוֹתֵיהֶמָּה, (to forgive them [of the debt] of all their transgressions), a wording



corresponding to the extant portion of line 3 of our text.<sup>214</sup> The word עוונות, generally rendered as “transgressions,” is problematic given the fact that the context refers to forgiveness of *debts*. How does the incurring of a *debt* amount to a *sin*? Whereas these passages do authorize the cancellation of indebtedness when the jubilee year arrives, they apparently do not sanction free and unlimited resort to the absolving of debts in the fiftieth year. The arrears incurred are still considered by these authors as transgressions if not paid off, especially for people of means for whom repayment would not be a burden. MTA and 11Q13 agree that the advent of the jubilee year involves the cancellation of debts.

Line 3 of our text is a mess. The identity of the letter emerging from the first lacuna is uncertain. It could be a remnant of a *waw*, to read from the end of the previous line והגייע[ה] שנת ה'ויובל וישא את (and the year of [jubilee] arrives, [then he shall forgive him] his [loan]). But, if so, we would have to suppose that the letters which Baumgarten transcribes וֹאֲרִם preceding [וְעוֹב] in the parallel 4Q267 F7:6 were a scribal error for the word וְאֵל which follows it. Alternatively, instead of reading [וְעוֹב], we insert [וְאֵל], restored from its parallel in 4Q267. In our restoration the lender will forgo his loss and both he and God will forgive the borrower's indebtedness. What this means is that not only does the lender not collect his rightful money, but he must hold no grudge against the non paying debtor. Nevertheless, I present this interpretation with some hesitancy, inasmuch as I am uncomfortable with the notion of aligning God with man in the matter of forgiveness. Baumgarten takes a different stance concerning what is being forgiven. On the basis of the above cited passage from Melchizedek, he presumes that “the release from sins refers to the divine reward for those who redeem their brother from bondage.”<sup>215</sup> The problem with this understanding, however, is that the wording in line 3 of our text speaks of release from *iniquities* rather than a *reward* for good deeds. Furthermore the text of 11QMelch 2:5–6 is unclear. See the discussion in DJD XXIII, 230–31, where the editors assemble a variety of textual and interpretative possibilities. As to the clause in our text, “[and both man] and God will forgive hi[m all] his transgressions,” it is conceivable that MTA would not

<sup>214</sup> קרא דרור is rendered in the LXX translation of Lev. 25:10 as διαβοῶν ἄφεσιν; in Isa 61:1 as κηρύξαι ἄφεσιν and in Jer 34:8, 15, 17 as καλέσαι (or) καλεῖν ἄφεσιν (to proclaim forgiveness).

<sup>215</sup> DJD XVIII, 176.

object to the voluntary repayment of such debt *following* the jubilee year, especially by those debtors who are not truly indigent.

### 3.2.2.2. *Intermingling Male and Female Garments* (4Q271 F3:3b–4a)

The reading in lines 3b–4a, “[Let] not [a garment of a man be worn by man and woman] in common, for it is an abomination,” paraphrases Deut 22:5. Another rendition of this passage occurs in 4Q159 (Ordinances<sup>a</sup>) F2-4:7, where it links up with related subject matter. The reading יהיה here follows that of MT, whereas Baumgarten’s יהיו accords with 4Q159. On the other hand, both our text and 4Q159 omit the mention of the deity found in the expansive formulation of the MT: כִּי תוֹעֵבָה יִהְיֶה אֲלֵהֶיךָ כָּל-עֲשֵׂה אֵלֶּהָ (For anyone who does such things is an abomination to the Lord your God). The word כֹּאֲהָה (in common), unique to our text, is puzzling. Does it prohibit only the interchanging of clothing between men and women, or does it forbid also any unisex garment worn by either man or woman? On the intermingling of garments see more comments below on lines 9–10 of 4Q271 F3.

### 3.2.2.3. *Honesty in Business* (4Q271 F3:4b–10a)<sup>216</sup>

MTA changes the reading אִם of Lev 25:14 to עֲמִית in line 5, perhaps to clarify that honest business dealings are required of anyone rather than merely one’s kin. Baumgarten wonders whether the word פְּרוֹשׁ in line 5, referring to the explication of Lev 25:14, is restricted to the issue of excessive profits or to not disclosing defects in goods for sale.<sup>217</sup> He then cites *Bava Metzi’a* 4:3–12 which defines the term אִוְנָאָה (defrauding). However, it is likely that the word פְּרוֹשׁ here is intended to explicate the immediately preceding citation of Lev 25:14, and that our text embraces both: profiteering and hiding defects. In fact, this passage itemizes still another kind of אִוְנָאָה not mentioned in *Bava Metzi’a*: not restoring lost objects to their owner.

Let us take a closer look at MTA’s list of fraudulent activity. Examples are a) not returning a lost object to its owner (lines 6–7a), b) conscious lying in business transactions whether concerning people or animals (line 7b), c) not disclosing the defects of a bride to her groom or vice versa (line 8), d) misdirecting people in any matter (line 9a), e) mar-

<sup>216</sup> Parallels 4Q270 F5:14–17a and 4Q269 F9:1–2.

<sup>217</sup> DJD XVIII, 176.

rying off one's son or daughter to someone who is unfit (line 9b) and f) incorrectly pairing objects in any other matter (line 10).

As to a), in rabbinics the tractate *Bava Metzi'a* 1–2 deals with the issue of not returning a lost object to its owner apart from אונאה treated in pericope 4. The author of MTA on the other hand makes it part of his list of fraudulent activity. The role here of the word בארם in example b) may refer to slavery or perhaps to dealings in matters of commerce, whereas זבִּהִימָה clearly refers to defects in trading. With reference to example c), MTA goes beyond the Talmudic tradition in its definition of אונאה. Marriage laws are very extensive in rabbinics, but I am not aware of requiring the parent to disclose his daughter's defects. The listing of example d) is indirect, because what the text actually does is to link the defrauding in business matters to the *soṭah*, the adulterous woman, here called the אר(ו)רה (the cursed one) who is punished for her deceit. This prompts the author to cite a related verse in Deut 27:18, אָרוּר מִשְׁנֵה עוֹר בְּדֶרֶךְ (Cursed be one who misleads the blind in his way). Note however, that although the word אָרוּר that begins the biblical citation seems to be missing in our MTA text, it was clearly intended. Perhaps the omission was due to haplography. By linking the two Deuteronomy passages with the *soṭah*, the author of MTA suggests the severity of fraudulent dealings. Especially interesting in this list is the joining of examples e) and f), namely the marrying of one's daughter to an unfit groom with plowing with an ox and a donkey and mixing together wool and linen together.<sup>218</sup> See also the intriguing references to rabbinic literature cited by Baumgarten in DJD XVIII, 177. Compare also Paul's apparent drawing on this text in 2 Cor 6:14: Μὴ γυνεσθε ἑτεροζυγοῦντες ἀπίστοις τίς γὰρ μετοχῆ δικαιοσύνη καὶ ἀνομία . . . (Do not be unequally yoked with unbelievers; for what partnership has righteousness with lawlessness? . . .).<sup>219</sup>

#### 3.2.2.4. *Marriage and Adultery* (4Q271 F3:10b–16a; 4Q266 F5i:1–2)

For the phrase [בבְּרִית הַקּוֹדֶשׁ] ([into the ho]ly [covenant]) restored in line 11 as defining marriage, compare CD 12:11 which uses “the covenant of Abraham” as the act of manumission of a slave. Both

<sup>218</sup> Cf. 4Q271 F2:6–7; [שִׂים וְשׂוּרִים הוּא כְּלֵאִים] (A field that is mixed with w[heat and barley is under the prohibition of illicit mixtures']). See section 3.2.2.9.3.4 below.

<sup>219</sup> I thank Clark Brooking for this suggestion.

marriage and manumission change the status of a person in that each becomes sanctified by being obliged to observe additional commandments. Hence, the use of the phrase *ברית אברהם* or *ברית קודש*. As Baumgarten notes, the rabbis likewise designate marriage as an act of sanctification (קדושין). The text goes on to deal with a maiden or widow who has sexual relations with a man outside of marriage. No one may marry her. She is like an adulteress. This opinion differs from the rabbinic tradition that restricts adultery to a married woman (not a maiden or widow) who has sexual relations with another man. Furthermore, in rabbinic exegesis the violation of virginity is restricted to cases of women suspected of adultery at the beginning of their marriage. It would not be applicable to a widow or an unmarried maiden. Unique to our text is the detailed description of examining the presence of virginity by expert women, a process which is, as far as I know, absent in Talmudic literature. 4Q159 (Ordinances<sup>a</sup>) F2-4:8–10 explains that if the women find her guilty of illicit sexual relations, she has committed a capital offense. On the other hand, if her husband lies about her, he shall be fined two *minas*. Interestingly, the amount of two *minas*, equaling two hundred *zuz*, corresponds to what the Mishnah defines as the amount which a groom marrying a maiden is contractually obliged to pay. The phrase *יעשה כמ[ש]פֹּט* (he should follow the ru[l]e) in line 15 lacks specification. However, it most likely refers to Exod 21:9–10, “And if he betroths her to his son he (the son) shall treat her in accordance with the prerogatives of maidens (כְּמִשְׁפֹּט הַבְּנוֹת יַעֲשֶׂה לָּהּ). . . He may not diminish her food, her clothing and her conjugal rights.” MTA might have in mind here additional wifely rights beyond those listed in Exodus. See 4Q270 F4:16–18 (see commentary section 3.2.2.9.8.2.3) where these prerogatives are reconstructed into a passage dealing with a priest marrying a maiden.

Whereas the material just discussed is fragmentarily attested in four manuscripts, most of what follows is irretrievably lost. Our setting of the word *הַנְּקִיָּה* (she is innoc[ent]) in 4Q266 F5i:1 as sequential to 4Q271 F3 rests on the presumption that the two texts dealt with the case of an adulterous woman. The words *וְאִם אָנוּס אֵל* ([and i]f a man claimed that he was under duress he likewise shall not [be put to death]) following it a line later may have dealt with a married man who faced capital punishment on account of his relations with another woman. If he claims that he acted under threat, he is absolved as well. Interestingly, according to the Talmud, while duress would

exonerate a woman in a case of illicit sexual relations, it would not do so to a man, perhaps since a woman is more likely to be coerced than a man.

### 3.2.2.5. *Eschatology of the Return* (4Q266 F5i:5–17a)

As to what preceded הַאֲחֵרוֹן in line 5, based on line 17, Baumgarten speculates that it might have been מִדְּרַשׁ הַתּוֹרָה, to read [מִדְּרַשׁ הַתּוֹרָה] הַאֲחֵרוֹן. However, it is more likely that this introduces the short eschatological theme in these lines that would occur with the apocalyptic era. Hence, our reading הַאֲחֵרוֹן [בְּדוֹר], conceivably a parallel to 4Q273 F1:1<sup>220</sup> and arguably reconstructed as well in lines 11–12 of our text as [דוֹ] הַאֲחֵרוֹן]. This section then presumably concludes with הַנָּה הַמֵּן עַל סֵפֶר מִדְּרַשׁ הַתּוֹרָה הַאֲחֵרוֹן in lines 16–17. As has been noted elsewhere, מִדְּרַשׁ הַתּוֹרָה הַאֲחֵרוֹן both begins and concludes the title of the book. Its place here in the middle of the work, however, is puzzling, but may be accounted for perhaps as a tentative conclusion. In other words, the author had thoughts of ending the book at this point, but subsequently changed his mind to enlarge it further. This supposition, then, would explain why the next pericope begins with an introductory formula, וְאֵלֶּה הַחֻקִּים (line 17). This indication of a serial composition of the work is then another hint that this large opus is a unitary endeavor by a single author, rather than a composite text as is generally taken for granted.

As to line 8, the reading מְרֹב אוֹנִים draws on Isa 40:26. However, what is interesting in these lines is the phrase [בְּנִגְלָה מִן הַתּוֹרָה]. The term בְּנִגְלָה has a technical sense in MTA (compare CD 5:4–5, “And he (Eleazar) hid the *Niglah* until Zadok arose”). The context here in CD accounts for David’s failure to heed the commandment against bigamy in Deut 17:17: “The king shall not have many wives.” Indeed, *Temple Scroll* which forms part of the dual Torah and which prohibits polygamy had not as yet been penned. In our line too, מִן הַתּוֹרָה refers to the legal text in *Jubilees* and *Temple Scroll*.

In line 9 Baumgarten reconstructs [הַמַּחֲזִיזִים בְּשֵׁם קוֹדֵשׁ] ([who hold fast to [his] holy name). However, the context makes this reconstruction implausible, since it goes on negatively to depict a conspiracy against turning to the Torah. Hence, our reconstruction based upon

<sup>220</sup> 4Q273 F1 consists of small portions of three lines. I have not attempted to utilize the scattered letters remaining in this piece to reconstruct any portions of lines 6 or 7 of 4Q266 F5i.

4Q162 (4QpIsa<sup>b</sup>) 2:6b–7a: [אנשי הלצון] בשם קוד[שו]ה]ם [יכול אלה המוא]סים בשם קוד[שו]ה]ם [אנשי הלצון] (But as for all these who will despi]se [His] Hol[y] Name, [th]ey are [the followers of the Scoffer who will be in Jerusalem just as] it was formerly).

Several words after our reconstruction based upon CD 19:10 at the beginning of line 13, the text refers to those who should be treated each according to his demeanor. Depending on his attitude toward the Torah, he should be either accepted or rejected from the camp.

4Q266 F5i:15–17 deals with the sons of Zadok depicted at length in CD 4:1–10 which pesherizes Ezek 44:15, thereby extending this reference to the entire contents of the last nine chapters of Ezekiel. This prophetic material describes the eschatological sanctuary, the restructuring of the tribal boundaries and Judea's extraordinary fertility in the eschatological age. If we are right as was mentioned above, that these lines had momentarily been the author's intended valedictory for the work, they might have served as a fitting conclusion, with the exodus from Judah to Damascus as its central theme. Note that the idea of assembling in Damascus is alluded to once again just prior to the book's conclusion in 4Q266 F11:17–18 which leads to its formulaic ending, "The Midrash on the Eschatological Torah."

### 3.2.2.6. *The Leadership of the Sage* (4Q266 F5i:17b–19; 4Q266 F5i c-d)

After this provisional conclusion, line 17b begins the additional pericope which ascribes the injunctions by the *משכיל* (the Sage). A similar introductory clause appears in CD 12:20b–21, "And these are the statutes for the Sage to be guided by with all living persons, each injunction for its own occasion," and subsequently in CD 13:22b–23a, "[And th]ese are the rules [by which] the Sage [is to conduct himself during the epoch when God will remember the land (and) when the matter which He spoke of will transpire]." Each of these three passages stresses the Sage's role as a model which all of Israel should emulate. His exact function and identity are somewhat obscure. Is he a distinct personality, or does this epithet refer to a specialized function of the Supervisor? That the Sage is probably another appellation for the *מבקר* is seen in CD 13:7, which assigns the function of enlightening (*ישכיל*) to the Supervisor. If the two terms refer to the same personality, why the change in names? Perhaps when he controls the camps he is called the *מבקר*, whose primary role is pastoral (compare Ezek 34:12); when he functions as the spiritual ideal of

all righteous Israel, for those in both cities and camps, he is called the *משכיל*.<sup>221</sup> That the responsibilities of the Sage are sandwiched between the procedures of the cities and those of the camps in this passage may lend some support to this notion.

This section pertaining to the Sage also introduces the rules applicable to the recitation of the Torah that follows, a duty which Baumgarten understands as restricted to priests. This ascription, however, is not entirely evident in the text. The matter of the priesthood appears in a later section. MTA does not necessarily restrict the public recitation of the Torah to a priest. This section, absent in CD, tells us that the author attached great importance to public rhetoric. No one defective in speech or recitation was allowed to read the Scripture in public. It might result in an erroneous interpretation of the Torah that would bring about capital punishment. In other words, part of the recitation of the law was to interpret its legal ramifications.

At the suggestion of Milik, Baumgarten places two small pieces of leather under the label 4Q266 F5i(c-d) immediately prior to the text on public recitation. However, Baumgarten goes on to question this positioning on paleographic grounds. I too follow Milik, not knowing where else to place them. The readable words in this passage, *כי לכול ישרי לבב בי[ש]ראל* (for all the upright of heart in I[s]rael) and *אה חוקו הצדיקו* (they declared righteous His statutes), suggest that these lines were part of a prayer, not legal subject matter.

### 3.2.2.7. *Qualifications for Public Recitation of the Torah* (4Q267 F5iii:1–2; 4Q266 F5ii:1–4)

What follows this text in 4Q267 F5iii:2 and continues in 4Q266 F5ii:1–4 lists the qualifications for public reading from the Torah.<sup>222</sup> The phrase *ספר התורה* (book of the Torah), restored in 4Q266 F5ii:2–3 from 4Q273 F2:1, certainly refers to the five books of Moses. However, as has been frequently stated, it has a larger sense that would include also the books which the sect regarded as Scripture, such as *Jubilees* and *Temple Scroll*. The extant lines here make no mention

<sup>221</sup> Cf. *כול ישראל* (4Q266 F5i:18) and *זרע ישראל* (CD 12:22), both of which have the *משכיל* as their heading.

<sup>222</sup> Hempel links this section and what follows from 4Q266 F5ii:5–16 under priestly rules (Hempel, *The Laws of the Damascus Document*, 38–41). However, the qualification *מבני אהרון [ואיש]* (lines 4–5) suggests that the preceding rules were not restricted to priests, but included any Israelite.

of the Sabbath. It is likely, therefore, that our author refers to the daily use of Scripture for prayer and study. The fact that the text is concerned about erroneous readings which might inappropriately result in condemning someone to death would indicate that the recitation of Scripture was part of daily routine for liturgy and study and that, moreover, they studied the legal imputations of the text. A closer look at these lines gives the headings in which the sect expressed special interest. It begins with the blind and the deaf and probably includes other handicapped and unqualified people cited in CD 15:15b–17.

223 ופרל היותו אויל ומשוגע אל יצר וכול פת[ן] ויש[ן] גה<sup>223</sup> 15  
 וכה עינים לבל[תי] ראות והגר או פסה או חרש [ו] נער [ז] עטור[ט] אל 16  
 יבוא אי[ש] מאלה אל תוך העדה כי מלאכי ה[ק]ן[י] יש ? ל ה בם 17

And no one who is a fool or mentally deficient may enter (the community). And as for any simple[ton] or one [prone] to err, one who is dim-eyed, no[t being able to see, or a limper, or lame, or deaf] or a youngster: none of [them] may be admitted [to the community, since the] sa[c]red [angels] . . . with them. (CD 15:15b–17)

If our reconstruction of 4Q266 F5ii:3a–4 is correct, the requirement of literacy is applicable not only to reading Scripture, but to other holy services as well. People whose literacy was not perfect were unfit to lead in the sacred service. Perhaps it is worth comparing this brief passage dealing with the reading of Torah with the more extensive text composed by Maimonides in paragraphs 8–9 of his first chapter on the rules pertaining to the study of Torah. Whereas our text disqualifies the handicapped from public recitation, regardless of their mastery of the text, Maimonides says that blind and deaf scholars may serve as leaders in interpreting the tradition.

8. כל איש מישראל חייב בתלמוד תורה בין עני בין עשיר בין שלם בגופו בין בעל יסורין בין בחור בין שהיה זקן גדול שתשש כחו אפילו היה עני המתפרנס מן הצדקה ומחזר על הפתחים ואפילו בעל אשה ובנים חייב לקבוע לו זמן לתלמוד תורה ביום ובלילה שנאמר והגית בו יומם ולילה 9. גדולי חכמי ישראל היו מהן חוטבי עצים ומהן שואבי מים ומהן סומים ואף על פי כן היו עוסקין בתלמוד תורה ביום ובלילה והם מכלל מעתיקי השמועה איש מפי איש מפי משה רבינו

Every Israelite is obliged to study (Talmud) Torah, whether he is destitute or wealthy, whether he is perfect in body, whether he is a man of sufferings, whether a youngster or a very old man whose strength

<sup>223</sup> Outlined text is supplemented from 4Q266 F8i.



has declined, even if he is so poor that he is supported by charity and begs from door to door. And even if he is married and has children, nevertheless he is obligated to set apart times for the study of Torah day and night. For it is written, “And you shall meditate in it (the study of Torah) day and night” (Josh 1:8). Some of the greatest sages of Israel were choppers of wood and drawers of water; some of them were blind, but nevertheless, they were engaged in the study of Torah day and night. And these people were among those who transmitted the tradition sage after sage going back to the mouth of Moses our Master (Rabbi). (*Talmud Torah* 1:8–9)

Our MTA text emphasizes the importance of understanding Scripture for its correct interpretation. It diverges from the Talmudic tradition whose emphasis is the proper transmission of Scripture, its precise readings. For example, the Masorah stresses the importance of distinguishing between כתיב (*ketib*) and קרי (*qere*), the spelling of words and their oral equivalence, or between the מלא and the הסר. One may argue that these features are part of a later development and had not as yet existed. This may be true. However, even at this earlier stage during the pre-Christian centuries, it would seem that the cultural levels of approaching Scripture diverged between the two traditions. Whereas the concern of MTA centers on the proper understanding of words of Scripture, the Pharisaic tradition had gone beyond understanding to its accurate transmission. In the tradition of the Pharisees, proper understanding is taken for granted. For example, neither the Talmudic tradition nor Maimonides mention the requirement of mastering the proper understanding of textual passages, as our lines do. In other words, the author of MTA presumes a lower level of literacy than does the Pharisaic tradition.

### 3.2.2.8. *Causes for Defrocking a Priest (4Q266 F5ii:5–14a)*

The theme of captive priests follows. Lines 5–7 are one of two passages in MTA which deal with captivity. CD 14:15 obliges the community to redeem any Israelite seized against his will by pagans. In other words, it seems that no matter how he behaved, his redemption was unconditional. Our passage here, however, qualifies this, stating that if the redeemed captive was a priest, his sacerdotal conduct in captivity was to be scrutinized. If he worshipped idols, he would forfeit his priestly privileges. The text itemizes these forfeitures: a) leading in the temple’s worship, b) touching the curtain of the holy of holies, c) partaking of the sacred food and d) handling the purities of the community.

Whereas the previous lines deal with someone who has been taken by force, the text continues by devoting a special injunction against priests who migrate to serve in pagan worship voluntarily (lines 8–9a). This second category of priests differs from those listed first. The former includes any son of Aaron. The latter addresses rituals pertaining to select individuals such as those who minister the Urim and Thummim or serve in the courts that interpret the laws of the Torah, rituals specified in Deut 33:8–10. The term להורוה (to teach) in our text capsulizes Moses' blessing on Levi, but here specifically prohibits anyone who served gentiles from being part of Israel's legal system. As reconstructed, lines 9b–11a ban from membership and appear to bar from reinstatement anyone who has withdrawn his name from the priestly roster and lived against the rules of the priesthood.

The preceding material dealt with priests who acted wrongly. The concluding portion of this section (lines 11b–14a) lacks a clear subject, but seems to address the Israelite who disobeys the rules of the priestly council. Note that the council is restricted to priests. Our reading לֹא יַגַּע אֶת הָאוֹכֵל ([. . .shall not touch] the food) prohibits the violator from partaking of the food of the community. The phrase וְהוּא בָרָם (and guilty of blood) is obscure. Baumgarten points to the clause דָּם יִחַשְׁבֵּ לְאִישׁ הַהוּא in Lev 17:4, “it will be accounted to that man as the shedding of blood.” Compare, however, the words of CD 3:5–7, “and their sons in Egypt followed the willfulness of their heart to plot against the commandments of God, each doing as his eyes pleased. And they consumed blood and He cut off their males in the wilderness in Kadesh.” By sequencing the eating of blood and the cutting off of the violators' offspring, our text seems to paraphrase what was said in CD 3:5–7 and Lev 17:4.<sup>224</sup>

The last extant word of this section, בִּיהֻשׁ־יָם (their genealogy), stands in isolation. Based upon CD 19:33b–35a, our reconstruction יָם בִּיהֻשׁ־יָם ([and he will not be recorded] in their genealogy) is an attempt to make sense of what is present in the text.

כָּן כָּל הָאֲנָשִׁים אֲשֶׁר בָּאוּ בְּבִלְיֹת 33  
 הַחֲדָשָׁה בְּאֶרֶץ דַּמְשֶׁק וַיִּבְגְּדוּ וַיִּסּוּרוּ מִבְּאֵר מַיִם הַחַיִּים 34  
 לֹא יִחַשְׁבוּ בְּסוּר עִם וּבְכַתְּבָם לֹא יִכְתְּבוּ 35

“Thus are all the people who enter into the new covenant in the land of Damascus but will change (their minds) and act treacherously and turn

<sup>224</sup> See also *Jub.* 6:38.

away from the well of living waters; these shall not be counted in the assembly of the people, and *shall not be recorded in their records . . .*”

Alternatively, our text could have read **ולוא ייהשב ביהשם** (and he will not be counted in their genealogy).

3.2.2.9. *Procedures in Both Cities and Camps* (4Q266 F5ii:14b–17 . . . 4Q270 F4:21; CD 15–16; 9–12:18)<sup>225</sup>

The words **זה סרך** in MTA introduce new sections (compare also 4Q266 F5ii:14; CD 10:4; 12:22; 13:7 and 14:12), here drawing attention once again to the legal structure that will be in force in the community. The phrase . . . **וזה סרך מושב** appears to precede injunctions that are neither based upon scriptural texts nor derived from them, but draw upon organizational decorum. Compare the phrase **וזה סרך** (**וזה**) **מושב** in CD 12:19 and 22 which serves to set off another subsection on the organizational structure of the community. In our text, this phrase continues a list of injunctions that will be in force during the eschatological epoch (lines 14–15). Our reconstruction in line 14, differing from **זוה סרך הרבים** of Baumgarten, draws on **אנשי . . . ישראל** of CD 14:12 and **אנשי המים** (**אנשי**) **הקדש** (leaders of perfect holiness) in CD 20:2, 5 and 7.

3.2.2.9.1. *Interrupting the Assembly* (4Q266 F5ii:16–17)

The reconstruction **ו[איש אשר יצחק במו]שב א[נשי הרבים]** (And [anyone who jests in the habit]ation of the m[any. . .]) in lines 16–17 draws on what is extant in our text and 4Q273 F4i:9 combined with wording from 1QS 7:14–15 and elsewhere in MTA, primarily 4Q266 F10ii:12–13. What is problematic about this reconstruction is that the supplementary text from MTA occurs near the end of the composition. I suppose that the author placed this material here and then later repeated it. Repetitions of legal material occur throughout MTA.<sup>226</sup> As to the substance of these lines, they resemble material found in rabbinic works such as *Derekh Eretz Zuta*. However, unlike the rabbinic material, our text presumes the formation of a new community whose members must follow the prescribed discipline.

<sup>225</sup> See the text layout for the full list of texts including parallels in this heading.

<sup>226</sup> CD 5:7–8 mentions the marriage to one’s niece and 4Q270 F2ii:16 seems to include illicit relations with one’s niece in a list of transgressions. Sabbath legislation appears in CD 6:18 and 10:14–12:5. CD 5:7; 12:2; 4Q272 F1ii:3–18 and 4Q266 F6ii:1–4 contain regulations pertaining to bodily discharges.

### 3.2.2.9.2. *Classes of Defilements* (4Q272 F1i–ii; 4Q266 F6i:1–ii:13)

This section deals with the broad subject of contamination spanning skin diseases, sexual emissions and childbearing. Our text consists of a fusion of Leviticus and *Temple Scroll*, but follows the organizational structure of the latter. It begins with the most complex, the issues of skin diseases, and concludes with what is most regular in society, the bearing of children.

#### 3.2.2.9.2.1. Leprosy (4Q272 F1i:1–ii:2 / 4Q266 F6i:1–13)

Two manuscripts, 4Q272 and 4Q266, have preserved extensive pericopes dealing with leprosy (Lev 13–14). Two others have only fragmentary remains. Interestingly, nothing of these larger sections has survived in the Genizah A-B manuscripts, showing that the Cairo texts omit extensive themes of MTA, since most of these rules were no longer applicable in the Middle Ages. These leprosy passages are interesting from another point of view. They show how the author of MTA paraphrased Lev 13–14 into an essay. The essay is introduced by a question, “As for a man who has a swelling or scab or discoloration in his skin: what is it?” This inquiry draws on the wording of Lev 13:2, “. . . a swelling, a scab or a discoloration.” However, the answer extends also to the נחק (Lev 13:29–37), which the author of MTA exposes in 4Q272 F1i:14–ii:2 (4Q266 F6i:5–13) with a generalization, “This is [the rule for the Torah of le]pro[sy for the so]ns of Aaron [with regard to quarantining the affliction of leprosy.]” The organization in MTA apparently follows that of *Temple Scroll*.

ובכול עיר ועיר תעשו מקומות למנוגעים 48:14  
 בצרעת ובנגע ובנחק אשר לוא יבואו לעריכמה ושמאום וגם לזבים 48:15  
 ולנשים בהיותמה בנדה שמאתמה ובלדתמה אשר לוא ישמאו בתוכם 48:16  
 בנדה שמאתם והצרוע אשר בו צרעת נושנת או נחק וישמאנו הכותן 48:17

And in every city you shall make places for those stricken with leprosy, affliction and scall who may not enter your cities thereby defiling them; and also for those who emit a discharge and for women during their menstrual impurity and when they give birth as well, so that they may not defile in their midst with their menstrual impurity. And the leper who has malignant leprosy or scab the priest shall declare as unclean (11QT 48:14b–17).

The following chart illustrates the sequence of the categories of uncleanness in the Temple Scroll 48:15 and those of the two main MTA witnesses on this subject, 4Q272 F1i–ii and 4Q266 F6i:1–ii:13.

<i>Temple Scroll</i> <i>1QT 48:15</i>	<i>MTA</i> <i>4Q272 F1i-ii; 4Q266 F6i:1-ii:13</i>
affliction of leprosy	4Q272 F1i:1-13; 4Q266 F6i:1-5
scall	4Q272 F1i:14-ii:2; 4Q266 F6i:5-13
bodily emissions	
seminal emissions	4Q272 F1ii:3-7a; 4Q266 F6i:14-16
menstruation	4Q272 F1ii:7b-18; 4Q266 F6ii:1-4
child bearing	4Q266 F6ii:5-13

The text's response to the difficult terms *שאת*, *ספחה* and *בהרה*, that they are the result of "wood, stone or any other kind of blow," is surprising. Both ancient and modern commentators take it for granted that these terms pertain to some kind of skin disease resulting from an infectious malady. However, there is a problem with this explanation, since the text goes on to amplify the definition as "when the spirit enters and takes hold of the artery," suggesting that leprosy results from the spirit, an internal factor. As to the exact meaning of *רוה* throughout this section, Baumgarten argues that it is not a moralistic term as it is in biblical and rabbinic exegesis. In his words, "it is the infiltration of the *רוה* which disturbs the normal flow of the blood in the arteries, causing it to recede."<sup>227</sup> The circulatory aspect of the blood causes disorders in the skin. Conversely he supposes that it is the return of the blood to the arteries by the *רוה ההיים* which fosters healing. In other words, according to Baumgarten, the author of MTA, like Hippocrates and the Jewish writer, Asaph, presents the *רוה* as if it were the physiological factor in the health or sickness of the body.<sup>228</sup>

As I see it, however, our text appears to follow closely Ezek 37 which, like MTA, presents the *גידים* (the arteries), the *רוה* and the verb *בוא* in tandem. In Ezek 37:10 the *רוה* functions as the *spirit* that *comes in*, generating life (*וַתָּבוֹא בָהֶם הָרוּחַ וַיְחַיּוּ*), "Then the spirit entered them and they came alive"). However, *רוה* can also be negative, bringing sickness and death. An example of *רוה* bringing leprosy is Job 2:7, articulated in Job 4:15 as the result of a spirit. Depending on what it is commanded to do, the spirit may bring health or

<sup>227</sup> Charlesworth, ed., *Damascus Document*, 62.

<sup>228</sup> Baumgarten's point that passages in Asaph may draw on MTA is perceptive. In fact, Asaph uses the chronology of *Jubilees*, reflecting an awareness of the Essene literature.

sickness. The dual aspect of *רה* is described at length in *1 En.* 76. 4Q270 F2ii:12 catalogues *נגע צרעה* and the *זיב* in a list of transgressions. Finally, it is interesting that our text castigates the one whose thoughts turn to whoredom as being defiled like the *זיב* and adds that his touch is as defiling as that of the leper (4Q272 F1ii:4–5). This indicates that our author, like Scripture and the Talmud, regarded leprosy as a consequence of moral lapse. Miriam’s defamation of Moses brought about her leprous fate, a condition which was healed by prayer (Num 12:1–15). King Uzziah contracted leprosy either because of his condoning of idolatry according to 2 Kgs 15:3–5, or, as the chronicler presents it, because as a king he assumed the role of a priest by burning incense on the altar (2 Chr 26:16–21). Likewise, Gehazi’s craving for worldly goods from Naaman prompted Elisha to castigate his avarice by afflicting him with the same leprosy which had afflicted the Syrian military commander, now healed (2 Kgs 5:20–27). Two passages in MTA may suggest the connection of Gehazi and leprosy. One is CD 8:20–21, which seems to allude to his transgression resulting in his affliction. Interestingly, what precedes the second passage, 4Q270 F2ii:12 mentioned above, is misappropriation of stolen or lost property (4Q270 F2ii:9b–10a), the combination bearing a resemblance to the vice of Gehazi. This is followed in lines 10b–11a by anyone who defiles one’s holy spirit. There also the spirit is the one that could be either holy or defiling, and, in this manner, resembles our text wherein the *רה* either contaminates or heals.

The author repeatedly emphasizes the role of the priest in the treatment of the leper. This recalls CD 12:23–13:7 which says that wherever there is a community of ten men, one of them must be a priest who is expert in the book of Haguy. The text elaborates on this matter by pointing out that “By his authority all of them shall be guided,” and goes on to note,

But if he is not competent in all these matters, but one of the Levites is, the lot of when to go out and to come in shall follow his command for all members of the camp. But if there is a case regarding the law of leprosy, the priest shall come and stand up in the camp (to take charge), and (if the priest lacks competence) the Supervisor shall explain to him the details of the Torah. And even if he (the priest) is a fool, nevertheless he (the priest) must be in charge of quarantining him (the leper), for they alone have the authority to do so. (CD 13:3b–7a)

3.2.2.9.2.2. Bodily Emissions (4Q272 F1ii:3–18 / 4Q266 F6i:14–16; 4Q266 F6ii:1–4)

This subsection dealing with sexual discharges resulting in contamination both modifies and amplifies the biblical references to bodily emissions. Its sequencing after the section on skin diseases follows that of both the Hebrew Scriptures and *Temple Scroll*.

3.2.2.9.2.2.1. Seminal Emissions (4Q272 F1ii:3–7a / 4Q266 F6i:14–16)

As to the זֶרֶם (seminal emission), it appears that our text modifies זֶרֶם זָרָה of Lev 15:25 which states, . . . וְאִשָּׁה כִּי־זָרָה זֶרֶם דְּמָתָה יָמִים רַבִּים. . . (A woman who experiences a discharge of her blood for many days . . .) to זֶרֶם יָזָרָה, apparently making the point that the flow of blood must be intensive. It is fascinating how our text conjoins the זֶרֶם of Lev 15:2–18 with the clause “or into whom a thought of whoredom enters,” thus coupling the mental and physical aspects of seminal emissions. Does this conjunction imply that the discharge results from unclean thinking? In any case, MTA’s idea that whorish thoughts result in a seven-day period of defilement is radical.<sup>229</sup> This indicates that the author of MTA regarded mental deviation as corresponding to physical defilement legislated in Leviticus.

3.2.2.9.2.2.2. Menstruation (4Q272 F1ii:7b–18; 4Q266 F6i a–e; 4Q266 F6ii:1–4)

The pericope pertaining to menstruation extends from 4Q272 F1ii:7b until the end of the column, little of which has survived. It resumes with what is preserved in the first four lines of 4Q266 F6ii. It is not implausible that 4Q266 F6i-c, a sub-fragment containing the clauses וְהִבְדֵּל וְאֵם, followed a line later by וְיִכַּבֵּס בְּגָדָיו [וְיִ] (and be separated, and if . . . and he shall wash [his] clothing . . .), parallels this lost text. Perhaps it came shortly before the clause וְיִנְדָּה עָלָיו [אִישׁ אֲלֵיהָ עַ] (and he shall wash [his] clothing . . .), parallels this lost text. Perhaps it came shortly before the clause וְיִנְדָּה עָלָיו [אִישׁ אֲלֵיהָ עַ] ([one who] comes near [her] must bear upon himself the [s]in of a menstruant) in 4Q266 F6ii:1–2. The phrasing on the נִדָּה and נִדָּה in MTA departs from the corresponding injunctions in Leviticus. In its description of the purification following childbirth, Lev 12:4 states, “she may not touch the holy and may not enter the sanctuary.” MTA replaces the biblical verb נָגַע with אָכַל (to eat) and transplants these

<sup>229</sup> A seven day period of defilement is implied in the phrase “and his touch is like that of the le[per]” of 4Q272 F1ii:5.

prohibitions to the *nidah* section in 4Q266 F6ii:3–4, absent in our biblical source. It is not that MTA softens the interdiction that only eating is prohibited but touching is allowed. Other phrasings make it clear that both touching and consumption are prohibited by MTA. See for example the phrase *מגעו כמגע הַצָּרָה* [רע] (his touch is like that of the lep[er]) in 4Q272 F1ii:5. The only way to account for this paraphrasing of the biblical text is the author's use of rhetoric.

### 3.2.2.9.2.3. Childbearing (4Q266 F6ii:5–13; ii[a])

4Q266 F6ii:5–9 paraphrases Lev 12:2–4. Note that the author places this section following the *זִב* and the *נדה* rather than preceding them as in Lev 12 and 15. What is worth noting is that this long pericope on giving birth strengthens my opinion that MTA does not approve of celibacy as many scholars have presumed. On the contrary, marriage and procreation form part of the community's lifestyle, specifically that of the camps. The statement in lines 9–10 that entering the temple during her period of defilement is a capital offense is extreme. Baumgarten cites Num 19:20 which states, "But a man that is unclean, and has not been cleansed, that person shall be cut off from among the congregation because he has defiled the sanctuary of the LORD: the water of purification has not been sprinkled upon him; he is unclean." If so, the author of MTA read the term *כרתה* (to cut off) as denoting a capital offense. All the biblical passages which prescribe being "cut off" are similarly capital in nature. This runs contrary in spirit at least to another statement in MTA which absolves capital punishment from all who have done prohibited labor on the Sabbath, an offense which according to rabbinic law is capital. CD 12:3–5 states, "Anyone who goes astray to profane the Sabbath and the festivals shall *not be put to death*; rather it is the duty of man to place him in detention." Here our author replaces capital punishment with incarceration. However, the issue of death penalty constitutes an important theme in MTA, since it is frequently alluded to, and is dealt with elsewhere in this work.<sup>230</sup> The mention in line 11 of a *מנקה* to nurse the infant adds a point not in Leviticus. Baumgarten explains that the handing over of the child to a nurse was a necessity, since the mother "was held to be ineligible for nursing her offspring during

<sup>230</sup> CD 15:4–5; 16:8–9; 9:1, 6; 12:4; 4Q266 F5ii:3; 6ii:10; 10ii:1–2 and 4Q273 F3:1. Cf. also 4Q270 F2i:13.



the days of purification.”<sup>231</sup> This view suggesting that all infants be under the care of a wet nurse is unreasonable. In my opinion, the requirement of a wet nurse refers only to situations where a mother is unable to suckle her child; hence my reconstruction in line 10.

3.2.2.9.3. *Harvest Laws* (4Q270 F3i:19–21; 4Q266 F6iii a-b; 4Q266 F6iii / 4Q270 F3ii:17–21; 4Q270 F3ii a; 4Q266 F6iv; 4Q271 F2:1–7)

What immediately follows the section on childbirth is difficult to determine. The presence of the term קציר (harvest) in the pieces of parchment forming 4Q270 F3i:17–21, assembled by Milik and now followed by Baumgarten, suggests that this material relating to harvest follows the passage that dealt with nursing in 4Q266 F6ii and connects to 4Q266 F6iii(a) and (b), two small sub-fragments that also contain the term קציר.<sup>232</sup> These two pieces and the first three lines of 4Q266 F6iii proper provide the ten or eleven lines of intervening text between 4Q270 F3i:21 and 4Q270 F3ii:12 (the latter of which parallels 4Q266 F6iii:4). This arrangement makes the rules of harvest, some forty-nine or fifty lines if not more, a lengthy theme in MTA. It suggests that for the people our author was addressing, agriculture was of paramount interest. This, however, does not cohere with the generally accepted thesis that the CD Cave manuscripts were composed in the wilderness of Qumran, serving its inhabitants. This document speaks of camps and cities, entities that seemingly spanned the entire country. Qumran, on the other hand, was merely one area, a community in the wilderness that later transcribed MTA and other documents. In my opinion Qumran was primarily a scriptorium, an enterprise that copied and disseminated sectarian texts.

3.2.2.9.3.1. The Raising of the *Omer* (4Q270 F3i:19–21)

This heading follows a vacat of one line whose red ink, according to Stegemann, serves as a marker within 4Q270 for new headings on agriculture.<sup>233</sup> The author of MTA seems to introduce this new section on the harvest and priestly prerogatives with the rules for the

<sup>231</sup> DJD XVIII, 57.

<sup>232</sup> In his DJD edition Baumgarten departed from Milik’s placement of the two fragments in PAM 42.398 and 43.295. However, in his article “Corrigenda to the 4Q MSS of the *Damascus Document*” in *RevQ* 74, 217–225 he reverted to their original positioning by Milik. In general my reconstruction follows their sequence.

<sup>233</sup> Stegemann, “Physical Reconstructions,” 189–90.

Holy Land. The phrase ארֶזֶת הַקֹּדֶשׁ (the [Holy] Land) in 4Q270 F3i:19<sup>234</sup> and repeated below in 4Q266 F6iv:3 occurs in Zech 2:16 where the text introduces it and its high priest, Joshua. Our author seems to transform this short section to present the Holy Land and its produce, which serve to list the priestly prerogatives. The text as reconstructed begins with a paraphrase of Deut 16:9 which appears to treat the counting of the seven weeks of the עֵמֶר, at the conclusion of which the festival of the first fruits is celebrated. Leviticus and Deuteronomy require the raising of the *omer* which begins the reckoning of the seven weeks, concluding with the celebration of the Pentecost. Although described at length in Scripture, the biblical text does not explain the function of the *omer* and its counting. On the other hand, our text, although not containing the word עֵמֶר, seems to describe it. It evidently promises that the bringing of the *omer* will result in the land receiving an abundance of water, suggesting that the raising of the bundle of the blossoming grass which begins the counting of the seven weeks will result in a blessing for the Holy Land, thereby making it fertile. Other passages in MTA speak of the eschatological fertility of the land (compare CD 1:7–8), as does Ezek 47 and 48.

### 3.2.2.9.3.2. The Sabbatical Year (4Q266 F6iii a–b – iii:3a)

What follows is troublesome since much of the text has perished. Moreover we are not certain as to the placement and sequence of the small fragments *a* and *b*. They cannot be established paleographically. I have chosen to place *a* before *b* because it relates linguistically to the immediately preceding 4Q270 F3i.<sup>235</sup> Having dealt with the *omer* and the first fruits, judging from the scattered surviving words of 4Q266 F6iii(a–b)–iii:3a, it is likely that our text presented here rules of the sabbatical and jubilee years, some of which are explicated elsewhere. We assume that much of these scantily preserved lines follows Lev 25 with additions taken from 11Q Melchizedek; hence, the reconstruction. Note that sabbatical and jubilee terminology is rather frequent in DSS. As cited in CD 16:3–4, the Hebrew title of the so-called book of *Jubilees* is מַחֲלָקוֹת הָעֵתִים לְיִוְבְלֵיהֶם וּבְשָׁבוּעוֹתֵיהֶם. In the *Apo-*

<sup>234</sup> My reconstruction for this line follows in part that of Baumgarten in “Corrigenda,” 217–18. Baumgarten reverses the sequence of the two pieces of this fragment from that of the editio princeps wherein he originally transcribed [ ] אֶזֶת [ ] אֶרֶזֶת [ ] (DJD XVIII, 147).

<sup>235</sup> Cf. the word קִצִּיר in 4Q270 F3i:20 and 4Q266 F6iii a:2.

*cryphon of Genesis* Noah relates that “. . . in my days, when there had been completed for me - according to the calculation that I calculated . . . ten jubilees, then my sons finished taking wives for themselves for . . .”<sup>236</sup> A prayer in *Rule of the Community* likewise deals with the author’s celebration of דרור (freedom) which is the jubilee year. 1QS 10:8b–9 states, “. . . the season of the harvest up to summer, the season of seed-time up to the season of the grass, the seasons of the years up to their seven-year periods. At the commencement of the seven-year periods up to the season for freedom (מועד דרור). And in all my existence the precept will be engraved on my tongue . . .”<sup>237</sup> Coming back to the MTA readings, our author appears to modify Lev 25:5 and 11 which prohibit the harvesting of inadvertent growth (ספיה) during the sabbatical and jubilee years. Our text seems to prohibit even the touch of this inadvertent growth, likening it to the waters of purification, a subject frequently discussed in MTA.

3.2.2.9.3.3. Prerogatives of the Poor and the Priests (4Q266 F6iii:3b–10; 4Q270 F3ii:17–21; 4Q270 F3ii a; [last line of 4Q266 F6iii]; 4Q F6iv; iv a; 4Q271 F2:1–5a)

In several passages MTA deals with the problem of assisting the destitute and the orphans. CD 14:12–14 prescribes two days of wages per month to be set aside for the destitute and the elderly, an idea not recorded in Scripture. This may be historically important since it is probably the first instance of what is called in the United States “Social Security.” The text here dealing with harvest and tithing is more traditional, and in general corresponds to what is included in the first division of the Mishnah, זרעים. The dominant theme of this lengthy rubric under the harvest laws deals with the portions of the harvest and flock given to the priests. In rabbinics the most common term is מועשר, technically a *tenth*, and is used for all kinds of tithing, not necessarily one part out of ten. However, this word is rather infrequent in MTA. The technical meaning for a tenth used in our text is עשרון. Otherwise the tithing here generally follows that of Ezekiel and, as in Ezek 45:13, is specified as one sixth.

<sup>236</sup> Martínez and Tigchelaar, vol. 1, 33.

<sup>237</sup> Martínez and Tigchelaar, vol. 1, 95. מועד דרור is my addition.

## 3.2.2.9.3.3.1. Gleanings for the Poor (4Q266 F6iii:3b–7a)

Leviticus 19:9–10 and 23:22 require that the corners of the field and isolated fallen berries of the vineyard be left for the poor and proselytes. Our text amplifies this commandment by giving the dimensions and limitations of the amounts to be yielded. It specifies the maximum that the poor may collect in the field and the vineyard. Ten berries are considered the most that could be gleaned. The reconstruction [העל]לת [הזית] ([the glean]ing [of olives]) in 4Q266 F6iii:4–5 draws on [ובנק]וף [הזית] (Now as for when [the olives] are squ[eez]ed) in lines 7–8 (restored by the parallel extant text [זית]וף [הזית] in 4Q270 F3ii:15). For the field, the maximal gleaning is restricted to the amount necessary for the planting of a *seah* of corn. MTA makes no apparent mention of what the rabbis called שכחה, inadvertently ungathered produce (Deut 24:19). Perhaps it is included in the לקט of our text. Lines 6–7a apparently convey the idea that the owner is not required to compensate the poor for the failure of growth. Taken as a whole, these passages dealing with ownership are puzzling in a work about a group whose land was kept in common and who saw צדקה as a serious responsibility. The clause [ג]רגרים] ער עשרה ועוללתו can be paraphrased in two ways: 1) as I do wherein it serves as an inclusio to [ג]רגרים] ער עשרה ועוללתו of line 4 (restored from 4Q270 F3ii:1 and 4Q267 F6:2), or 2) by attaching the clause to the end of the preceding sentence as Baumgarten renders it, “a (field) which does not yield its s[eed] is not subject to *teru[mah]* and fallen berries,) nor its single grapes up to ten b[erries.]” In his translation this clause relates to defining the field as empty if it has only ten berries.

## 3.2.2.9.3.3.2. Items Requiring Tithing (4Q266 F6iii:7b–10; 4Q270 F3ii:17–21; 4Q270 F3ii a)

The text goes on to provide a definition of תרומה. The rabbis recommend that the תרומה be in the range of one part out of forty to sixty. However, if one had given only one seed of corn, it fulfilled the biblical requirement. This view is attributed to the latter prophets Haggai, Zechariah and Malachi (*Bavli Hullin* 137 b). In MTA the תרומה is one *seah* out of thirty. However, if parts of the field have been trampled or scorched, the volume of tithing is reduced from the standard תרומה which is a *seah* of produce per *seah* of planting to a normal tithe (i.e. one tenth). The subject matter here is whether a field requires tithing, if damaged. Tithing, itself, and its dimensions are treated below in 4Q271 F2:1–3a (see commentary section 3.2.2.9.3.3.4).

Baumgarten translates נפרט as “was left,” referring to what remained of the field. However, פרט, as in Dan 5:28, denotes “reduced,” and refers not to what was left of the field, but to the proportion of the tithing. This word is hinted at three lines earlier in 4Q266 F6iii:8 where the words אם שלמה היא, translated “if (the field) is intact (i.e. not damaged),” suggest that the volume of tithing is larger when the harvesting covers the entire field than when parts of it have been damaged. 4Q270 F3ii:17b–19a makes a new point, requiring the poor to tithe what they have gleaned from the fields.<sup>238</sup>

4Q270 F3ii:19–21 and what immediately follows, dislocated wordage which I classify as the beginning of fragment 3, could be reconstructed in two ways. As Baumgarten regards it, based on 1QSa 2:18–19, it refers to the blessing at the beginning of the meal. However, this understanding ignores altogether the wording תלות התרומה in 4Q270 F3ii:19, which requires that the subject matter here deal with the separation of the loaves. תלה occurs in Lev 2:4; 7:12–13; 8:26 and 24:5, but never in connection with the בכורים. However, 4Q256 F9:5–6 does cite the בכורים in connection with the תלות; hence our reconstruction. In rabbinics a piece of each loaf of dough was required to be given to the priest.<sup>239</sup> Our text appears to mandate that a loaf be presented to the priest every year as part of the first fruit offering.

### 3.2.2.9.3.3.3. The Orlah ([last line of 4Q266 F6iii]; 4Q266 F6iv; iv a)

How to reconstruct these scattered lines is problematic. The complexity of this text goes back to Lev 19:23–25 and *Jub.* 7:35–37. Leviticus designates the fruit of a tree’s first three years as ערלה, translated variously as “defiled” (ἀκαθάρσια, LXX); “forbidden” (NJPS) and “(un)pluck(ed)” (Milgrom).<sup>240</sup> The rabbis understand ערלה as completely inedible, *Jubilees* as unpicked produce.<sup>241</sup>

Leviticus classifies the fruit of the fourth year as קִרְשׁ הַלְּוִיִּים,<sup>242</sup> a phrase whose exact meaning is difficult, as the Samaritan text reads חלולים (profanation, redemption). The sages refer to it as כרם רבעי (a

<sup>238</sup> See Maimonides in *Gifts for the Poor* 7:5.

<sup>239</sup> *Halah* 1:1.

<sup>240</sup> Jacob Milgrom, *Leviticus 17–22* (New York: Doubleday, 2000), 1678–79.

<sup>241</sup> Vanderkam, *Jubilees*, vol. 1, 49. Charles translates “will not be gathered”; *Jubilees*, 64.

<sup>242</sup> Milgrom maintains the *’atnah* belongs under קִרְשׁ rather than כָּל-פְּרִיז as in the MT. Milgrom, 1683.

garden in the fourth year), and understand that it is to be brought to Jerusalem, as are other first fruits. *Jubilees* 7:36 states that the fruits of the fourth year will be sanctified, [offered as firstfruits].<sup>243</sup> What exactly does “as first fruits” mean? Charles suggests two possibilities: “(a) If we omit the words in brackets, our text directs that all the fruit of the fourth year is to be accounted holy and offered to God. (b) If the bracketed words are genuine, the text directs that, while all the fruit is to be accounted holy, only the first-fruits are to be offered to God.”<sup>244</sup>

As to the sense of ערלה in MTA, unfortunately the line dealing with the first three years is lost. It appears to me that Baumgarten maintains that our text contains no allusion to the first three years, but does designate the first fruit of the fourth as sanctified, not to be eaten by the owner, but given to the priests as first fruits. Let us observe what the actual text does say and what it implies. What we have in Baumgarten’s transcription and reconstruction for 4Q266 F6iv:4b–5a is:

אִי [טע איש בשנה הרביעית לן יוכל] ל [כי] קדשו בשנה הזאת

a man may [p]lant, in the fourth year he [may not eat of it for] they are sanctified in [that y]ear.

He takes the first three words of the above text as referring to the planting of fruit trees outside of ערלה.<sup>245</sup> However, a closer examination of the sequence of the extant wording in lines 3–8 suggests otherwise. The clause in line 3, ואחר ימכו [רו], (and thereafter they may sell . . .), the phrase in line 4, בשנה הרביעית, (in the fourth year), and the restored text of line 7, ובשנה החמישית, ([however, in the fifth year]), wording which is secure because of the allusion in line 8 to Lev 19:25, strongly indicates that lines 1–3a, as do Lev 19:23 and *Jub.* 7:36, dealt with the produce known as ערלה grown during the first three years of planting. Moreover, the phrasing of lines 1–3a which contains the word [ל]הם (line 2) must have as its subject the priests. It follows that what Leviticus and, perhaps, our text called ערלה was designated to belong to the priests for exchanging other

<sup>243</sup> The Ethiopic text is bracketed.

<sup>244</sup> Charles, *Jubilees*, 64.

<sup>245</sup> Martínez and Tigchelaar read the beginning of the sentence as I do, but understand the word קדשו as a D-stem verb with a suffix pronoun and translate the last clause as “but he shall consecrate it in (that) year” (Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 591).

produce or for commerce within the confines of Jerusalem. Support for this reconstruction emerges from the reading in 4Q<sub>MMT</sub> wherein it seems to catalogue the difference between the opposition and the sect on the issue of ערלה.

ואף על משעת עצי המאכל הנטע בארץ ישראל כראשית הוא לכוהנים

And also concerning (the fruits of) trees for food planted in the land of Israel: they are to be dealt with like first fruits belonging to the priests. (a composite of 4Q394 F8iv:12–13; 4Q396 F1-2iii:2–3 and 4Q397 F6-13:4–5)<sup>246</sup>

Qimron understands this passage as referring to the fruit of the fourth year. However, the wording in MMT suggests that this is a definition of ערלה during the first three years as well as the fourth, as MTA seems to indicate. In our reconstruction, then, the injunction “And i[f] one plants in the fourth year [he may] no[t ea]t (of them) [for] they have been sanctified in [that] y[ear]” applies to one who plants in the fourth year the produce which belongs to the priests. The crop is not edible inasmuch as its planted seed is sacred. The question arises as to how the holiness of the fourth year diverges from the ערלה. The difference seems to be that, whereas the produce of the first three years may be exchanged in the fourth by the priests for other fruit or for commerce, the crops of the fourth year may not. It is apparent, as noted by M. Kister, that these sources reflect a divergence of traditions on the status of ערלה during both the first three years and the fourth.<sup>247</sup>

Lines 5b–6 which contain the word מִמְנַחָה (from a meal offering) are reconstructed on the basis of Lev 2:14 as dealing with a meal offering as first fruit and which our text specifies must be offered as בכורים (first fruits) of the fourth year. Thus our text follows *Jub.* 7:36 which asserts that the fruit of a tree’s fourth year be offered on *Shabuot*. These lines make another point—that the rules of ערלה during the first three years and the fourth are applicable only within the realm of Israel (“in accordance with their rights [in] the Holy [Land]”).<sup>248</sup> The extant wording pertaining to the fifth year (lines 7b–8a) echoes Lev 19:25. Finally, 4Q266 F6iv(a):1–2, a small fragment whose place-

<sup>246</sup> Qimron in DJD X, 52–55.

<sup>247</sup> Menahem Kister, “Some Aspects of Qumranic Halakhah,” in *The Madrid Qumran Congress*, vol. 2 (ed. F. García Martínez and A. S. van der Woude); vol. XI, 2 in *Studies on the Texts of the Desert of Judah* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; Leiden: Brill, 1992), 576–86.

<sup>248</sup> See line 3.

ment is uncertain, seems to belong in this general area, serving as an epilogue to the peroration on the *orlah*. Our reconstruction in line 1 of this piece draws upon Lev 2:9a, וְהָרִים הַכֹּהֵן מִן־הַמִּנְחָה אֶת־אֲזִכָּרְתָּהּ, (Then the priest shall raise up from the meal offering its memorial). Line 2 assumes a polemical tone. The rules of the fruits of newly planted trees must be followed punctiliously, not to be departed from in any manner. Interestingly, these lines dealing with ערלה suggest a tendency to interpret biblical passages for the benefit of the priestly class. That these texts have an argumentative tendency is evident in line 2 of this small fragment: “[And on]e[ shall not turn] to the right nor to [the left from what the priests will instruct . . .]”.

### 3.2.2.9.3.3.4. Dimensions for Tithing (4Q270 F3iii:13a; 4Q271 F2:1–3)

The next theme deals with priestly tithing and its dimensions. But, how precisely this section begins is somewhat complicated, since the material fuses 4Q271 F2 with a small piece of parchment of 4Q270 F3iii, the miniscule beginning of which precedes what is extant in 4Q271 F2:1. Line 13 of 4Q271 F2 contains the letters אה, plausibly reconstructed as תבואה based upon 4Q266 F6iv:8 immediately above. The entire clause would then possibly rest on 2 Chr 31:5. What follows it are the dimensions used to measure the priestly tithings, a subject partly anticipated above. Its emphasis, as in the preceding section, serves to highlight the generous portions made available for the priests. The program of measuring the tithing draws largely on Ezek 45–46. See for example הָאֵיפָה וְהַבָּת תְּכֹן אֶחָד שְׁנֵיהֶן (line 2) which compares to הָאֵיפָה וְהַבָּת תְּכֹן אֶחָד יְהִיָּה (the *ephah* and the *bat* have the same measurement) in Ezek 45:11. Verse 13b of the biblical text says, שְׁשִׁית, הָאֵיפָה מִהֶמֶר הַחֲטִיִּים (a sixth of an *ephah* from a *homer* of wheat) which corresponds to וּמִן־[הַחֲטִיִּים שִׁית] (and from [the wheat a si]xth [of an *ephah* per *homer*) in lines 2–3 of our text. Line 3b is ambiguous since it might be read in one or two ways: “Let no one separate himself from offering (a tithe) of one lamb per hundred (not one per two hundred as specified in Ezek 45:15),” or alternatively, “Let no one separate himself (from what Ezekiel says) by offering (as a tithe) one lamb per hundred (but follow the words of Ezekiel which is one lamb per two hundred).” Baumgarten suggests the latter alternative. This raises a question. If his understanding is right, why did the author not assert simply that the tithe of sheep is two hundred



as required by Ezekiel? However, as was noted above, my understanding that the author tends to deviate from the biblical requirement by specifying larger shares for the priest would accord with the first rendition, namely requiring a double portion of the flock.

### 3.2.2.9.3.3.5. Priestly Blessing of the Bread (4Q271 F2:4–5a)

The hierarchical order at the table recorded in our text is more elaborate in 1QS 6:4b–6a. 1QSa 2:17–22 presents a yet more lengthy sequence: 1) the priest's blessing, 2) the blessing by the Anointed (Messiah) of Israel, then 3) the blessing of each member of the  $\text{יה}$  according to his rank. It is apparent that the author of MTA does not know of this hierarchical seating at the meal. This accords with my general supposition that *Rule of the Community* was composed subsequently to MTA, and that 1QSa is a yet further literary development.

What survives of line 5b is incoherent.<sup>249</sup> My reconstruction posits that this line deals with a person selling a house after which it collapses. Could the buyer ask for compensation? The answer seems to be negative. If my rendition is correct, the subject matter here is parenthetical to the general theme dealing with the harvest and the priestly prerogatives.

### 3.2.2.9.3.4. Illicit Mixtures (4Q271 F2:6b–7)

Baumgarten translates the words  $\text{שדה המערב}$  “mixed(?) field,” Cook as “field mixed” and Martínez-Tigheelaar as “the mortgaged field.”<sup>250</sup> In my opinion these words refer to  $\text{כלאים}$ . MTA dealt with this subject in 4Q271 F3:9–10 in connection with illicit sexual affairs or mismatched marriages, which are compared to illicit mixtures of produce and garments. A similar discussion is found in 4Q418 F103ii:6b–9.

[ במסחורכה אל תערוב אשר ] לרעכה 6  
 7 למנה יהיה כלאים  $\text{גבפרד והייתה כלוב[ש שעטנו ]בצמר ובפשתים ועבודתכה}$   
 כחור[ש] 8 בשור ובת[מו]ד [י]חור[י] וגם תבואתכה תהי לכה כ[זורע כלאים]

<sup>249</sup> Baumgarten translates “house (belongs(?)) to the man, he may sell and with [ ] and then will he be guiltless,” Martínez-Tigheelaar, “a house to someone sells and with . . . [ . . . ] and then he is innocent,” and Cook, “to a man, he may sell it and when he [ . . . ] and then he shall be free of obligation.” Baumgarten, DJD XVIII, 174; Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 619; Wise, Abegg and Cook, *Scrolls*, 64.

<sup>250</sup> Baumgarten, DJD XVIII, 174; Wise, Abegg and Cook, *Scrolls*, 64; Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 619.

אשר הזרע והמלאה ותבוא[ת] 9 ה[כרם] יקד[ש יחדו ? וג]ם הונכה עם בשרכה  
 [ישמאו<sup>251</sup>] ה[י]יכה יתמו יחד ובחייכה לוא תמצא

. . . In] your business transactions do not intermingle (תערוב) what [belongs to your neighbor (with what belongs to you) . . . ] Why should it be *kil'ayim* as in the case of a mule or like one who wea[rs a mixed material] of wool and flax; and your field work (be) like plo[wing] with an or and a do[nke]y [to]geth[er]? And likewise your produce will b[ecome for you like] planting a mixture of *kil'ayim* in which the seed and the full vat and the produce [of] the [vineyard together] will become hol[y (forbidden). And like]wise your property with your sexual relations [will defile] your life. They will come to an end together. And you will no longer be living. (4Q418 F103ii:6b–9)

Like MTA and the above cited Musar text, MMT fuses the theme of illicit sexual affairs with the intermingling of illicit mixtures.

ועל בה[מתו הטהורה] F1-2iv:5  
 כתוב שלוא לרבעה כלאים ועל לבוש[ן כתוב שלוא] F1-2iv:6  
 יהיה שעטנו ושלוא לזרוע שרו וז[רמו כלאים] F1-2iv:7  
 [ב]גלל שהם קדושים ובני אהרון ק[דושי קדושים] F1-2iv:8  
 [וא]תם יודעים שמקצת ה[כהנים ז]ה[עם מתערבים] F1-2iv:9  
 [והם] [מתוככים ומטמא<sup>א</sup>ם] את זרע[ה] הקודש ואף] F1-2iv:10  
 את [זרע]ם עם הזונות כ[י] F1-2iv:11

And it is written with regard to [his clean an]imal not to intermingle illicit mixtures (*kil'ayim*). And concerning [one's] garments [it is written not] to wear *shatnez* and neither may one plant his field or [his] vi[neyard with *kil'ayim* be]cause they (Israel) are holy and the sons of Aaron are h[oly of holies. And y]ou are aware that some of the priests and the [people intermingle (מתערבים) and they] interbreed and defile the [holy] progeny [and moreover] (they defile) their [seed] with whores, f[or . . . ] (4Q396 F1-2iv:5b–11).

Unfortunately, virtually nothing survives from our text concerning the mixed field. Nevertheless, the DSS regard כלאים as a major rubric.

One of the most enigmatic passages in MTA is what survives in 4Q271 F2:7b and its parallels, 4Q269 F8:3 and 4Q270 F3iii:19. Baumgarten regards the juxtaposition of these fragments as tentative. The resulting composite, ממשפטי היחד, is interesting since the term יהד, so ubiquitous in *Rule of the Community* and elsewhere, would

<sup>251</sup> The restoration is mine.

only occur here in MTA.<sup>252</sup> שלוש פעמים that follows it is problematic. Our reconstruction of this sentence reflects an attempt to resolve the puzzle. It might be a concluding remark to the harvest laws. The statement, “[ . . . And these are the statutes that shall be recorded among the injunctions of the com]munity three times in the book,” proposed here might be a concluding remark to the harvest laws. Alternatively, it could qualify the next subject, the acquisition of animals and metals from pagans. In any case, this comment has a special interest of its own, as it is an internal remark of the author on the composition of MTA as a whole.

3.2.2.9.4. *Prohibition of Idolatrous Objects and Defilement from a Corpse*  
(4Q271 F2:8–14)

This section presents two issues: the prohibition of objects used by pagans and the cleansing of defiled matter. The first of these subjects introduces a topic dealt with later in CD 12:8b–11a. There the prohibition of trading with pagans is absolute, extending to any possessions including slaves. The question arises. What does our passage add to that text? It is likely that this injunction here attempts to stress the prohibition against acquiring not only animals, but also metals (objects favored in pagan worship). Is it possible that this ban exemplifies the previous injunction that certain laws must be recorded several times? Many rabbinic texts are devoted to the prohibitions against the use of idolatrous objects, especially in the Mishnah and Talmud of tractate עבודה זרה. The second subject pertaining to materials defiled by a corpse is likewise treated later in CD 12:15b–18.

These two sets of injunctions draw on a combination of Num 31:18–24 and 19:11–22. The first of these cited texts contains a list of Midianite metals taken by the Israelites. Verse 23 prescribes that any metal that can withstand fire must pass through it. Other objects must be cleansed with water. Line 10 of our text specifies that only metals which have emerged anew from the furnace can be brought into the holy community. Evidently MTA is more stringent than is the biblical text. The list of items in our pericope which have been defiled by a corpse (lines 10b–11), seem also to echo Num 31:20. However, the apodosis draws on Num 19. The requirement in our passage that

<sup>252</sup> Note that the term היהיר might occur in 4Q270 F7i:8 as restored from 1QS 7:18. However, given the general absence of this word in MTA in contrast to its frequency in *Rule of the Community*, the restoration of היהיר here is questionable.

only a perfectly clean person can do the sprinkling (lines 11b–13a) is found in Num 19:18–19. MTA equates the state of purity of the cleanser to that of the person being cleansed in this biblical text. The cleanser in our passage must have been purified from any taint of defilement in the same manner that Scripture prescribed for the one being purified. Moreover, these lines have the addition that a minor—that is to say one who has not attained the age of twenty—may not perform the required sprinkling. Another supplement here, the clause **ומן כל הכלים אשר העשה מלאכה בהם** (or any [manu]factured utensil[s]) consists of an amplification of the subject matter treated in the above cited text from CD dealing with materials defiled by a corpse. The basic idea of both passages is that objects made by people become defiled by their very presence in a house containing a corpse.

The rule of purification in MTA applies to both priests and laymen. On the other hand, the rabbinic sages were more lenient, restricting defilement from a corpse to priests only. These rules point to how grave MTA considered idolatry and corpse defilement.

#### 3.2.2.9.5. *The Supervisor of the Camp (4Q266 F7)*

Much of column 1 of 4Q266 F7 has perished, with some letters and words surviving here and there. Problematic also is the placement of this fragment, as there are no parallel texts to sufficiently position it within a certain sequence. Baumgarten positions it at the end of the passages presumably bridging pages 20 and 15 of CD.<sup>253</sup> It is more likely, however, that in the material immediately preceding CD 15 the author dealt with the matter of oaths as does the top of that page. If so, 4Q270 F4 (paralleled in 4Q266 F12), the oath of the *soṭah*, is more appropriate for that linkage. The passage in our text seems to have as its main subject, admonition pertaining to the way of life in the camp dominated by its supervisor, a paramount personality initially mentioned in 4Q266 F5i:13b–14. This preceding text defines his position in the camp. According to this passage it is the **מבקר** who had the power to either admit or exclude members. He controlled the purse and was the lay expert who guided the priests who officially at least were in charge of the camp. Thus, for example, in matters of leprosy and other technical problems, the Supervisor would advise the priest on when to isolate or release a leper (CD 13:3b–6a).

<sup>253</sup> Baumgarten, DJD XVIII, 4.

Several passages in MTA deal with the issue of rebuke and some link it with the prohibition against keeping a grudge.<sup>254</sup> CD 9:2–5 relates to the moral order of the community led by the *מבקר*, similar to what is presumably behind our defective fragment. These passages draw on Lev 19:17–18.

17 לֹא־תִשְׁנֵא אֶת־אָחִיךָ בְּלִבְךָ הוֹכֵחַ תּוֹכֵחַ אֶת־עַמִּיתְךָ וְלֹא־תִשָּׂא עָלָיו חֶטְא  
18 לֹא־תִקֵּם וְלֹא־תִטַּר אֶת־פְּנֵי עַמִּיךָ וְאֶהְבֶּתָּ לְרֵעֶךָ כְּמוֹךָ אֲנִי יְהוָה

You shall not hate your brother in your heart. You shall always reprove your friend so that you might not be sinning because of him. You shall not avenge nor bear a grudge against your people, but you shall love your neighbor as yourself. I am the Lord. (Lev 19:17–18)

Lines 4b–5a of our text appear to draw on a combination of Exod 34:7 and Ps 115:17. My reconstructions on column 1, although conjectural, do seem plausible in light of their biblical background.

The extant word *רובעו* (its fourth) at the end of line 7 of column 2 does not occur elsewhere in what survives of MTA. However, its cognate *רביעיה* does appear in 1QS 6:25 where it relates to violations of camp discipline, a subject taught to candidates requesting admission, and presumably dealt with in the lost lines near our reconstruction. The two extant phrases in lines 9 and 10, reconstructed on the basis of 1QS 7:4, 8, 15, 17 and 18 may indicate that my reconstruction on line 7 has plausibility. Yet, its placement here is puzzling, for the subject matter of discipline spans from CD 14:18 (4Q266 F10i:11) to 4Q266 F11:3. Why these injunctions relating to discipline are positioned here in a pericope that does not seem to deal with this subject matter is not clear.

What precedes column 3 of our text fragmentarily survives in 4Q267 F8:1–2. What seems to remain by juxtaposing the extant portions of both 4Q266 F7iii:1 and 4Q267 F8:2 are the phrases *בואם* [לפני] ([before] they come) and *לפני המבקר* (in the presence of the [supervisor] or of the [camp]), both of which relate to *עד עמוד לפני המבקר* (until he appears before the Supervisor) in CD 15:11. My reading of 4Q266 F7iii:1 and what immediately precedes it draws on that text.

The extant part then of 4Q266 F7ii and what follows until column 3 appears to be part of what MTA calls *משפטים*, injunctions governing the behavior of the candidates, such as speaking out of turn and frivolous conduct, actions which led the author to deal with the mat-

<sup>254</sup> Cf. CD 7:2; 8:5–6 (19:18) and 9:2–5.

ters of disrespect of superiors and fellow members. What follows this gap is a matter pertaining to discipline—that candidates for admission as well as their associates learn how to exercise self-control prior to being taken into the association. It is the מבקר who is in charge of training novitiae to master the discipline of the camp.

MTA evidently responds to an implicit problem. Its basic premise stated repeatedly is to observe the commandments and precepts of the Torah. However, there are no biblical texts that directly deal with injunctions such as spitting or other capricious prohibitions prescribed in MTA and, by extension, *Rule of the Community*. Our text already alluded to this in the introductory section to this material on the מבקר (4Q266 F7i:3b–4a), suggesting that they come under the commandments in Lev 19:17, “You shall always reprove your friend . . . ,” i.e. reprimanding them for breaches of good behavior. The allusion here to the admonition of righteous reproof reiterates this point.

Column iii:3b–4 seems to include the biblical injunctions to keep one’s vows as part of this discipline and is a fitting conclusion to this subject matter. The use of the word המוא[ם] on line 5 gives us a clue as to the thought behind this line and what may have preceded it. It is characteristic of MTA to finalize various pericopes with a sentence that contains the verb מאס; hence the reconstruction that follows. The phrase ל[עשות מ]עשים [ישרים],<sup>255</sup> if a valid reading, may be part of an introduction to MTA’s list of offenses which might follow.

3.2.2.9.6. *List of Offenses* (4Q267 F4 / 4Q270 F2i:1–14; i:15–21; ii:1–21 / 6Q15 F5)

As was indicated above, Milik-Baumgarten proposed placing 4Q270 F2 just preceding the general laws bridging pages 20 and 15 of CD. Baumgarten makes the point that the formula ועתה שמעו לי found in 4Q270 F2ii:19 follows the catalogue of transgressors (F2i:9–ii:18) and necessarily introduces the legal material of this work. However, as I have argued, it is more plausible to front the nomistic subject matter and this list with the injunctions concerning integrity in business and marriage beginning with וזה פרוש (4Q267 F7:3), a phrase which probably was followed by המשפטים, forming a clause that the author of MTA characteristically uses to mark legal material.<sup>256</sup> Furthermore,

<sup>255</sup> Or, perhaps [גדולים] מעשים [ישרים] (to [do mighty d]eeds).

<sup>256</sup> המשפטים appears in CD 14:18 and 4Q266 F11:18 (paralleled in 4Q270 F7ii:12). Note however that in one instance זה פרוש is followed by מושב (CD 14:17).

it is not correct to presume as Baumgarten does that the formula *לִי וְעַתָּה שְׂמַעוּ לִי* generally precedes law, since it occurs four other times within so-called “admonition.” Hence, we place the lists of capital and non-capital offenses followed by a catalogue of other transgressions near the *conclusion* of the material spanning CD 20 and 15, just before the oath of the *soṭah*. It seems that its positioning here served an educational purpose. The preceding material concerned itself primarily with the Supervisor’s mode of admitting new members to the Purity. The list of offenses that would follow itemizes to the adherents the most important commandments of the Torah.

At this point, a general word should be said about the list which both Baumgarten and Hempel discuss at some length.<sup>257</sup> Baumgarten speculates that it resembles to some extent the list of curses in Deut 27, a view accepted by Hempel. However in a later article Baumgarten somewhat retracts this connection by stating that “the curse formula, reflected in 1QS 2:11, is not found in the D catalogue, and the nature of the transgressions is entirely different.”<sup>258</sup> Indeed, the curses of Deut 27 diverge also in syntax. Hempel further speculates as to whether the list in our text constituted an independent composition appended to MTA. She also wonders whether the catalogue is sectarian. In my opinion, its *raison d’être* is to dispute conventional rules. For, as I show below, the sectarian and Talmudic schools’ understanding of many of the items in the list diverge radically. The catalogue seems to be part of polemics against the *הגבול* (ה) *מסיגי* announced in line 4 of the book’s introduction and the *דורשי ההלקות* cited in 4Qpap pIsa<sup>c</sup> and 4QpNah,<sup>259</sup> mentioned also in MTA in the phrase *אשר דרשו בהלקות*, “since they will have interpreted (Him) with flattering words” (CD 1:18). As was shown above, a number of the list’s items are rules that contradict the Pharisaic-Talmudic interpretation of the Torah. CD 5 with its lengthy technical argumentation typifies the disputatious nature of MTA’s list.

Another matter concerns the placement of 4Q267 F4, an issue not treated by Baumgarten. The reason for positioning its remains here as a parallel to a portion of 4Q270 F2i rests on similar wording in

<sup>257</sup> Baumgarten, DJD XVIII, 143–46; Hempel, *The Laws of the Damascus Document*, 161–70.

<sup>258</sup> Joseph M Baumgarten, “The Laws of the Damascus Document—Between Bible and Mishnah,” in *The Damascus Document A Centennial of Discovery*, 18.

<sup>259</sup> 4Q163 F23ii:10; 4Q169 F3-4i:2, 7, ii:2, 4, iii:3.

4Q270 F2i:10 and 4Q267 F4:11–12.<sup>260</sup> Although there are differences, their general content is remarkably identical. There remain, however, problems of spacing in the alignment of parts of the surviving letters. 4Q270 F2i appears to be more expansive than is 4Q267 F4. Hence, our reconstruction of this primary text based upon 4Q267 F4 remains somewhat uncertain. Another problem relates to the fragmentary remnants of 6Q15 F5, whose wording may parallel 4Q270 F2ii:15–19. It is clear that fragments 1–4 of this document parallel portions of CD 4–7. Fragment 1 corresponds to CD 4:20–22, fragment 2 to CD 5:13–15, fragment 3 to CD 5:17–6:2 and fragment 4 to CD 6:21–7:2. It might be presumed then that fragment 5 matches a portion of text following CD 7:2, of which 4Q270 F2 is a part, albeit distant. This solution encounters some problems, however. חקק אל להעביר of 4Q270 F2ii:18 contains some variance from עקב להבעיר of 6Q15 F5:4 as does [אל בלבכם] תור of 4Q270 F2ii:19 from אל בלבכם of 6Q15 F5:5.

### 3.2.2.9.6.1. Capital and Non-Capital Offenses (4Q267 F4:11–15 / 4Q270 F2i:7–20)

The first major subject treated in the combination posited above seems to have two basic categories: capital, followed by non-capital offenses. Lines 9–11 of 4Q270 F2i clearly describe cases that would warrant the death penalty. However, the two lines preceding them, drawn from 4Q267 F4:9–11, do not seem at first sight to cohere with the overriding subject. Nevertheless, what is interesting is that the phraseology of these two lines (displayed in the chart below) appear also in Ezek 18 and 22:1–17, passages whose offenses are designated as capital, the major theme of the former being individual responsibility. Line 7a of 4Q270 is difficult because of the sparsity of the extant words drawn from the presumed parallel. Yet, on the basis of *Rule of the Community* 1QSa 1:19–20, MTA here seems to have dealt with people who are excluded from holding public office on account of low intelligence, or perhaps, with unfit judges. The second matter relates to granting security for a debtor and the prohibition of usury. How these two subjects relate to what follows in a schema of capital offenses is unclear. It is possible that the matters of rebellion against leadership and taking usury were included among offenses warranting the death penalty.

<sup>260</sup> For wording in 4Q267 F4:11–12 that seems to be related to 4Q270 F2i:10: ידרד[ו] ש את א[ו]בות ז[א]ת[ו] ידעוני[ם] אה[ו]



How the last six words restored to 4Q270 F2i:8 (reconstructed from 4Q267 F4:10b–11a) would pertain to capital crime is also problematic. Baumgarten translates  $\text{בהבל}$ , a term not found in Ezekiel, as “for vanity.” But, in our restoration  $\text{אל יה[ן הוא מכ]ה בהבל}$  may mean “[one] shall not [stri]ke (another) *for no reason*.”<sup>261</sup> If this is a capital offense, it bears some resemblance to Lev 24:17:  $\text{ואיש כי יכה כל-נפש אדם מות יומת}$ : (And one who strikes any human being shall certainly be put to death). Yet, the *verb* in MTA would compare to that of the protasis of verse 19 in the biblical text,  $\text{ואיש כיהותן מום בעמיתו פאשר עשה כן ועשה לו}$  (As for one who maims his neighbor: just as he has done, so it shall be done to him), a case which does not include the death penalty. If my rendition is correct, the noun  $\text{מכה}$  is used here in MTA rather than the verbal phrase  $\text{אל יך}$  (or  $\text{אל יכה}$ ) to convey a strike *not* unto death, rather a more casual one that has been rendered frivolously, without thought, and which only wounds an individual. It is conceivable that a serious injury which becomes infected, ultimately resulting in death, would warrant the death penalty. It is interesting that, whereas Scripture calls for the so-called *lex talionis* (the law of retribution) for maiming an individual, the sages interpret it as monetary compensation, like that for killing another’s animal (v. 21).

Although the above reconstruction is not alluded to in Ezekiel, much of the introductory portion of this list—which MTA appears to declare as warranting the death penalty—remarkably echoes the prophet.<sup>262</sup> Here follows a table which illustrates the words and concepts (either literal or conceptual) of this MTA text and related biblical passages, the majority of which are from Ezekiel.

<i>MTA Reference</i>	<i>Words</i>	<i>Bible Reference</i>	<i>Words</i>
4Q267 F4:10	$\text{ע[ד]יובת}$	Prov 17:18	$\text{ערב ערקה}$
4Q267 F4:10	$\text{נש[ך]}$	Ezek 18:8, 13, 17; 22:12	$\text{נשך}$
4Q267 F4:10	$\text{תרביה}$	Ezek 18:8, 13, 17; 22:12; Prov 28:8	$\text{תרביה}$
4Q267 F4:11	$\text{מכ[ה] בהבל}$	Lev 24:19	$\text{מום}$
4Q270 F2i:12	$\text{[גוים]}$	Ezek 22:15	$\text{גוים}$
4Q270 F2i:17	$\text{[אלמנה]}$	Ezek 22:7	$\text{אלמנה}$
4Q270 F2i:9–ii:18	$\text{(הועבה)}$	Ezek 22:2, 11	$\text{תועבה}$
4Q267 F4:11–12/ 4Q270 F2r:10	$\text{ידעונים, אוב/אובות}$	Ezek 18:12, 15; 22:3, 4	$\text{גלוים}$

<sup>261</sup> I thank Tim Undheim for suggesting the possibility of reading  $\text{בהבל}$   $\text{מכ[ה]}$  in 4Q267 F4:11.

<sup>262</sup> See the introductory section 1.4 dealing with capital offenses and my comments on CD 12:2a–3.

These parallel items are additional examples of the linkage between the composition of MTA and Ezekiel found in other parts of this work.<sup>263</sup> These lines may give us a clue that the injunctions listed in the so-called catalog frequently draw on the legal material in prophetic or haggiographic writings.

יִרְרוּשׁ בְּאוֹב וּבִידְעוּנִים in 4Q270 F2i:10 (inquires by means of a medium or wizards) draws on Lev 20:6 where the punishment is being cut off from one's people, and Lev 20:27 where it is death through stoning. Maimonides reconciles the two texts by interpreting the former as referring to the sculpturing of these idols, whereas the death penalty is for actually worshipping them in the presence of witnesses (Rambam, *Laws of Idolatry* 6, 1). Unlike the sages of the Mishnah and Talmud, the author of MTA makes no distinction between what the rabbis called כְּרֵת (excision) and the death penalty. Apparently all commandments in Scripture whose punishment is not specified, result in death. Our text also resembles CD 12:2b–3a in condemning necromancy as a capital offense.

שֵׁם, referring to the name of God (4Q270 F2i:11), is frequent in MTA, sometimes occurring as קִרְוֵי שֵׁם, “His Holy Name” (CD 20:34; 4Q266 F5i:9), but more often without any modifier.<sup>264</sup> The concept of profaning God's name occurs also below in CD 15:3. Note that both here and in that passage the text draws on biblical parallels. Our wording corresponds to Lev 20:3 where giving one's children to Molech profanes the holy name of God. CD 15:3 on the other hand follows Lev 19:12 in connection with false oaths. Note also that Lev 20:3 suggests that profaning God's name invokes the death penalty. CD 15:3–5 also indicates that taking a false oath entails punishment by death: “And if he does take an oath (using God's name explicitly) he is in violation and profanes the name (of God). But if the judges make (him) swear with the curses of the covenant, if he transgresses, he is guilty and must confess and make amends so as not to bear sin [and] die.” In other words, if the violator fails to confess, he will lose his life.

The lost material of 4Q270 F2i:13b–16a and what continues in lines 16b through the end of the column presumably contrasted with the preceding material which we have placed under the rubric of offenses warranting death. Differing from crimes of idolatry, whose penalty

<sup>263</sup> See CD 3:21–4:2a.

<sup>264</sup> See also שֵׁם הַנְּכֹבֵד (the Honorific Name) in 1QS 6:27.

according to Scripture is capital in nature, the offenses itemized in this section—one of which seems to be profaning the Sabbath (CD 12:3b–5a), immediately following the death penalty for necromancy (CD 12:2b–3a)—are exempted from the death penalty. As discussed below pertaining to legislation concerning the Sabbath in CD 10:14–11:18a (commentary section 3.2.2.9.12), the reasoning behind the leniency concerning the Sabbath are its numerous legal categories, the violation of any of which would result in death.

The clause spanning from lines 16b–17a, [ב]בְּתוּלִיָּהּ בְּבֵית [אבִיהָ] ([while] in her virginity in the house [of her father]), apparently dealt with a woman who was suspected of having relations with a man previous to her marriage, amplified earlier in 4Q271 F3:11–13. Whereas rabbinic law would not regard this as a criminal act, our text appears to do so. Nevertheless, it would not be regarded as a capital offense under sectarian law, since she had not been married to anyone. The same applies to a widow who has relations with a man, whose wording I also fill in from 4Q271.

Lines 18b–20, as reconstructed on the basis of CD 12:3b–5a; *Jub.* 50:8; Exod 34:21 and 35:2–3, stress that offenses done on the Sabbath are not to be considered capital. Although MTA generally follows *Jubilees*, a work it describes as perfect (CD 16:2–4), its leniency concerning sabbath labor is an outright dissent from this venerable source.

And the man that does any work on it shall die: whoever desecrates that day, whoever lies with (his) wife, or whoever says he will do something on it, that he will set out on a journey thereon in regard to any buying or selling; and whoever draws water thereon which he had not prepared for himself on the sixth day, and whoever takes up any burden to carry it out of his tent or out of his house shall die. (*Jub.* 50:8)<sup>265</sup>

MTA diverges also from Talmudic legislation which, in accordance with Exod 35:2–3, prescribes the death penalty for any of thirty-nine kinds of sabbath labor if done in the presence of two witnesses and “forewarning” (הַתְּרָאָה). MTA’s specific departure from Scripture is noteworthy. In general, its stringency contrasts sharply with the rabbinic tradition. According to the rabbis, prohibitions whose punishment is not specified in Scripture are subject to thirty-nine lashes, not to death.

<sup>265</sup> Charles, 259–60.

3.2.2.9.6.2. A List of Transgressions and the Eschatological  
Punishment of the Transgressors (4Q270 F2ii:1–14,  
15–21 / 6Q15 F5)

As we have seen, MTA divides the offenses into capital and non-capital violations. There is yet another category—transgressions whose doers will be punished in the eschatological age before the advent of the Messiah. The extant letters עַל קְרִי' (probably [עַל קְרִי' שְׁה]) in line 1 of 4Q270 F2ii seem to suggest a heading for the material that follows up to line 18. This pericope, the first portion of which has perished, dealt with a variety of themes pertaining to sanctity, many of which are polemical: a) the sanctity of marriage and its violations (lines 2–3); b) the sanctity of priestly perquisites (lines 5–10a); c) the nature of idolatrous desecration (lines 10b–11a); d) general defilements (lines 11b–12; e) revealing Israel's secrets to pagans (line 13a); f) rebellion against Israel's leadership and commandments (lines 13b–15a); g) the holiness of food (line 15b) and h) illicit sexual relations (lines 15c–17a).

3.2.2.9.6.2.1. The Sanctity of Marriage and Its Violations (4Q270  
F2ii:2–3)

The words אֵל מִקּוֹר[ה] (into [her] source) at the beginning of line 3 suggest a reconstruction for lines 2–3 drawing upon Lev 20:18. The text likely continued with the subject of having relations with a menstruous woman.

3.2.2.9.6.2.2. The Sanctity of Priestly Perquisites (4Q270  
F2ii:5–10a)

For our restoration in lines 5b–6a, compare CD 6:20. Baumgarten's reading [הַרְבִּיעִית] הַמְּשֵׁתָה (the planting [in the fourth year . . .]) in line 6b presupposes his opinion that MTA understood *orlah*, the status of the first three years of planting, to be completely prohibited as it is in rabbinics, whereas the produce of the fourth year was for the priests.<sup>266</sup> As I understand MTA, however, its author perceived *orlah* as belonging to the priests, a view also maintained in 4QMMT as was cited above in commenting on this subject in 4Q266 F6iv—"And also concerning (the fruits of) trees for food planted in the land of

<sup>266</sup> See Baumgarten, DJD XVIII, 59–61.

Israel: they are to be dealt with like first fruits belonging to the priests” (a composite of 4Q394 F8iv:12–13; 4Q396 F1-2iii:2–3 and 4Q397 F6-13:4–5). Hence, our reconstruction [הכרם וכל עצי המאכל] which borrows from [הַמְשַׁעַת הַכֶּרֶם וְכָל עֵצֵי הַמַּאֲכָל] in 4Q266 F6iv:2 (compare also עצי המאכל in the above cited 4QMMT composite). It is interesting that the *orlah* is separated from the other priestly perquisites given in lines 5–10a of our text. Perhaps it was meant to be included under the rubric of the first fruits designated for the priests (line 7). Returning to the beginning of this section, as restored, it starts with a general statement [או אשר י]מחא להרים [ . . . ]”

The word פרוש restored into the lacuna following it hints at the diversity of opinion that existed between this priestly sect and what we know the Pharisaic-Talmudic sages ordained. As alluded in the above paragraph, the priestly perquisite of the *orlah* was controversial. Thus, Lev 19:23–25 defines fruit grown during the first three years of a tree’s life as *orlah*, which the sages interpret as not being able to be consumed at all. The fruit of its fourth is regarded as קָדֵשׁ הַלֹּוֹלִים לַיהוָה (holy, praises to the Lord)—what the sages understand as כרם רבעי (a garden in the fourth year), produce to be carried to Jerusalem. On the other hand, the sect regarded the fruit of the first three as belonging to the priests, able to be exchanged in the fourth for other crops, whereas the produce of the fourth year was sanctified and unable to be eaten. Indeed, there arose divergences of interpretation pertaining to most of the items detailed in this list of transgressions. A glaring example of the differences between the schools is having relations with one’s wife during the Sabbath cited above. In the view of the sages, this is a commendable act (מצוה), while our text condemns it. Another such divergence concerns the issue of pregnancy. Our text below in line 15b prohibits slaughtering and consuming a pregnant animal. It also bans having sexual relations with a pregnant woman (lines 15c–16a). The sages of the Mishnah and Talmud sanction both. CD 5:7b–10a refutes the Pharisaic position which permits marrying one’s niece. As was noted above, al-Qirqisani, writing in the tenth century, called attention to this passage, pointing out its exceptionality. According to him, Zadok did not adduce proofs to any of his statements save this alone.<sup>267</sup>

<sup>267</sup> Nemo, “Jewish Sects,” 326.

Another perquisite mentioned here in lines 9b–10a for the first time relates to a found object whose owner cannot be identified. Whereas in the biblical and rabbinic tradition it would belong to the finder (Deut 22:1–3), MTA assigns it to the priest (CD 9:10b–16a). Both Lev 5:21–26 and MTA (4Q270 F2ii:10) prescribe that, if the finder fails to return the object he must pay an additional fifth of its value. However, whereas according to the Bible the fifth is to be given to the owner, based on CD 9:13–16 MTA evidently apports it to the priest. Neither CD 9 nor our text specifies the identity of the sacerdot to whom it is to be given. Presumably the finder may designate it for any of the “sons of Aaron.”

### 3.2.2.9.6.2.3. The Nature of Idolatrous Desecration (4Q270 F2ii:10b–11a)

Pertaining to the word **בשמותם** (by their names), Baumgarten cites *J.W.* 3:142 which asserts that the Essenes guarded the names of the angels, to which our text might refer. However, this linkage is unlikely since the extant wording following it deals with the defiling of God’s Holy Spirit, and would not refer to angels. Our reconstruction [בן רוחות בליעל ויכתבו] **או** (or [any whom the spirits of Belial take sway of and hence, are recorded]. . .) in line 10, taken in part from CD 12:2 and 14:4, provides a contrast to the clause **רוח קודשו** (His Holy Spirit) and a parallel to the infinitive **לטמא** (for defiling) in line 11.

### 3.2.2.9.6.2.4. General Defilements (4Q270 F2ii:11b–12)

The basis for our reconstruction at the end of line 11 is twofold. The roots **טמא** and **נגע** occur in the adjoining clauses. Furthermore Lev 22:4, from which we restore the lacuna, contains **צָרִיעַ** (leprous), **טָמֵא-נֶפֶשׁ** (a defiled person) and **זָב** (one who has a discharge), paralleling **בנגע צרעת** (with the affliction of leprosy) and **זוב טמא[א]** (uncle[an] flux) in line 12 of our text. The reading for the lacuna at the end of line 12 draws on Lev 15:11. As seen above, MTA devotes a large pericope to the issue of leprosy (compare 4Q272 F1, paralleled in 4Q266 F6i, 4Q269 F7 and 4Q273 F4ii).

### 3.2.2.9.6.2.5. Revealing Israel’s Secrets to Pagans (4Q270 F2ii:13a)

The wording here resembles that of the Ein Gedi inscription: **הי מן**

יהיה איש רכיל בעמו ומשלים את עמו לגוי נכר ועושה רעה בעמו (or whoever reveals the secrets of the city to the pagans).<sup>268</sup> Compare also 11QT 64:6b–8a:

כי 6  
 7 יהיה איש רכיל בעמו ומשלים את עמו לגוי נכר ועושה רעה בעמו  
 8 ותליתמה אותו על העץ וימת

If one gossips against his people, handing over his people to a foreign nation, doing evil to his people, you shall hang him on a tree. Let him die. (11QT 64:6b–8a)

### 3.2.2.9.6.2.6. Rebellion against Israel's Leadership and Commandments (4Q270 F2ii:13b–15a)

In accordance with 11QT 64:10; CD 2:12–13 and 1QS 6:26 see Baumgarten for the restoration of these lines. For speaking evil against authority which would result in the fertile land turning into desert, see CD 5:21.

### 3.2.2.9.6.2.7. The Status of a Fetus (4Q270 F2ii:15b)

As we have stated above, the prohibition against slaughtering a pregnant animal differs from rabbinic tradition which sanctions it. On this ban, see also 11QT 52:5–7a:

5 ולוא תזבח לי שור ושה ועז והמה מלאות כי תועבה המה לי  
 6 ושור ושה אותו ואת בנו לוא תזבח ביום אחד ולוא תכה אם  
 7 על בנים

You shall not sacrifice to me an ox a lamb or a goat when they are full (pregnant), for (slaughtering) them is an abomination to me. And an ox or a lamb with its offspring you may not slaughter at the same time. And you shall not strike the mother with her offspring. (11QT 52:5–7a)

This text diverges from Talmudic tradition. According to the sages, the prohibition against slaughtering a young calf extends from birth to the seventh day of its life (*Hullin* 78:2). However, *Temple Scroll*, by linking Lev 22:28 and a paraphrase of Gen 32:12 which contains the phrase *עַל-בָּנָיִם* in the context of Jacob fearing that Esau might strike him together with all of his clan, suggests that *ביום אחד* means “at the same time.” In other words, it is prohibited to slaughter a fetus when in its mother's womb.

<sup>268</sup> Benjamin Mazar, “כתובה רצפה ביה־כנסת בעין־גדי,” *Tarbiz* 40 (1971): 20. The translation is mine.

Interestingly, the item that follows this prohibition in MTA bans intercourse with a pregnant woman. Baumgarten speculates that the reason for both of these interdictions was concern for the fetus, an independent creation.<sup>269</sup> The ban in MMT pertaining to the fetus of an animal, a clause possibly elucidating this text, is puzzling.

ועל] האוכל [אנת]ו חושבים שאי־אכל את הולד  
 [שבמעו אמו לאתר שחיטתו ואתם יודעים שהו]א כן והדבר כתוב עברה<sup>270</sup>

Qimron translates it, “[ . . . And concerning] eating (a fetus): we are of the opinion that the fetus [found in the (dead) mother’s womb may be eaten (only) after it has been ritually slaughtered. And you know that it is] so, namely that the ruling refers (to) a pregnant animal.”<sup>271</sup> His reconstruction of this text rests on the word **שאי־אכל**, which he assumes is positive, i.e. that one may eat an embryo found in the womb of its mother if it has been slaughtered properly. He bases his reading on MMT’s spelling **שא** for the relative **-ש**.<sup>272</sup> If so, this text would diverge from our line in MTA which clearly forbids the slaughtering (and presumably the consumption) of a pregnant animal. Moreover, given the broader biblical injunction in Lev 22:28 cited above, it is unlikely that this MMT text would devote a special clause authorizing its consumption. **שאי־אכל** may, instead, be a combination of **שאי** and **יאכל**, i.e. that one may *not* eat the embryo. The next item in the list, that of prohibiting sexual relations with a pregnant woman, would seem to support our contention—that lying with a pregnant woman as well as eating the embryo of a pregnant animal are both banned according to MTA.

### 3.2.2.9.6.2.8. Illicit Sexual Relations (4Q270 F2ii:15c–17a)

As stated above, the clause prohibiting the marriage of a niece mirrors CD 5:7b–10a. The reappearance of this prohibition supports my contention that MTA is a unitary work, not a composite as is generally contended. Whereas the mention of the flow of blood in the prohibition of intercourse with a pregnant woman might allude to injury of the fetus as speculated above, the reference to the emission of blood more likely highlights the illicit nature of sexual activity

<sup>269</sup> Baumgarten, “The Laws,” 20.

<sup>270</sup> A composite of 4Q394 F8iii:7–9; 4Q396 F1-2i:3–4 and 4Q397 F4:2.

<sup>271</sup> Qimron, DJD X, 50.

<sup>272</sup> Qimron, DJD X, 68–69.



during pregnancy.<sup>273</sup> The ban on homosexuality completes the list of sexual prohibitions.

### 3.2.2.9.6.2.9. The Punishment of the Transgressors During the Eschaton (4Q270 F2ii:17b–18)

What follows in lines 17b–18 concludes the broader list of biblical offenses that began in column 1 of 4Q270 F2. As reconstructed, it serves to underscore the divinely decreed commandments in contrast to the disciplinary injunctions found near the conclusion of MTA (14:18b–22; 4Q266 F10ii:1–15; 4Q270 F7i:6b–16a; 4Q266 F11i:1–3a). Our text is a cautionary statement admonishing those who diverge from the group's practice. The punishment of these transgressors will be fatal during the eschatological epoch just prior to the advent of the Messiah. For the reconstruction עוברי א[ת מצות] יהוה (transgressors [of the commandments]) see the clause לָמָּה אַתֶּם עֹבְרִים אֶת־מִצְוֹת יְהוָה (Why do you transgress the commandments of the Lord?) in 2 Chr 24:20. For the restoration חקק אל להעביר בח[רון אפיו] (God has legislated to render destruction by [His] w[rath]) compare חרון קצ חקוק א[י] (יהו[ה]) (And H)e decreed epoch(s) of anger for a people who knew Him not) above in 4Q266 F2i:3 (4Q268 F1:5). Baumgarten notes the word play of עוברי and להעביר.<sup>274</sup> In displaying a purpose of the divine law as to destroy evil at the end of time, these clauses serve as a hortatory warning that, much like stated in Num 32:23b, hidden transgressions will not go unpunished.

### 3.2.2.9.7. *The Acts of God in History* (4Q270 F2ii:19–21)

The author resumes here the phrase ועתה שמעו (לי), a topical clause which has appeared once in the introduction to this work (4Q266 F1:5) and three times at the beginning of the body of MTA (CD 1:1; 2:2 and 14). Scrollists used to take the phrase שמעו ועתה to characterize the work as a whole. Now, we can see that the writer employs it to begin new themes wherein he addresses his audience. Three of the four introductory passages containing this formula, and possibly our text as well, have a single theme: revealing מעשי אל (the acts of God), meaning what is now known as “theology.” Under this phrase, our author incorporates a number of concepts.

<sup>273</sup> See also Joseph M. Baumgarten, “A Fragment on Fetal Life and Pregnancy in 4Q270,” in *Pomegranates and Golden Bells* (ed. D. P. Wright, D. N. Freedman and A. Hurvitz; Winona Lake, Indiana: Eisenbrauns, 1995), 448.

<sup>274</sup> Baumgarten, “The Laws,” 21.

He refers first primarily to the acts of creation listed in *Jub.* 2 as the twenty-two acts of creation. To know what is good and evil or righteous and wicked is a second element of this general concept. It recalls what is stated in 4Q417 F1i:17–18, a text depicting the book of Haguy, a work mentioned three times in MTA. These two lines in 4Q417 expose the book of Haguy as the first to record the distinction between good and evil: “But Haguy had not as yet been given to the spirit of flesh, for it (the spirit of flesh) had as yet not known the difference between good and evil as part of his spiritual nature.” A third feature of *מעשי אל* is the history of generations, or *Urzeit* and *Endzeit*. A fourth pertains to the legal material, the *תורה* as it is to be observed during the eschaton. Finally, *מעשי אל* applies to features of the messianic epoch itself.

What is new in the formula of our text is the clause *וּבִינֵנוּ הַתּוֹרָה* [and [discern] the Tora[h of God in you heart]].<sup>275</sup> As was stated, it underscores the legal aspect of this document, the *תורה* as it is to be observed during the eschaton, an idea also present in the title of this work, *מדרש התורה האחרון*, and whose era is restored plausibly in line 18b of our text. The author continues with wording familiar from MTA but in a new context. The extant portion concludes with understanding the acts of every generation, an important theme in MTA.<sup>276</sup> This new fragmentary reappearance in 4Q270 F2 is important in that it tells us the author used the formula *וְעַתָּה שִׁמְעוּ לִי* elsewhere in his work, a clause that is unique to this composition. In other words, it shows that, contrary to the general assumption that the Damascus Document combines sections from a variety of sources, we have to suppose that the MTA composite is a unitary composition.

The five appearances of formulas beginning with *וְעַתָּה שִׁמְעוּ (א) לִי* strengthen the impression that the author regarded his audience

<sup>275</sup> Baumgarten interposes *וְשִׁמְעוּ*. However, *וּבִינֵנוּ* is more likely. Cf. CD 1:1 and 2:14.

<sup>276</sup> It is conceivable that this text, which is partly cited in MMT (4Q397 F14-21:11), may have continued with *בְּסֵפֶר כְּתוּב* (in the book it is written), where the book refers to the *מדרש התורה האחרון*. If so, MMT alludes to our passage and is posterior to MTA. Alternatively, we might reconstruct the lacuna and what continues into the next page of 4Q270 with *הַסֵּדֵי נְבִיאִים תּוֹכְרוּ וּבְמַעֲשֵׂי הַסִּדִּיכִם תִּתְפָּאֲרוּ* with sapiential terminology drawn from 11Q5 (11QPs<sup>a</sup>) 22:3–6, to read, “And when you discern the events of each generation, [you will recall the pious acts of your prophets and you will be beautified by the deeds of your pious ones . . .].” Our reconstruction *אֵל הַבִּינֵנוּ בְּמַעֲשֵׂי אֵל* (you will understand the acts of God) reflects ideology elsewhere in MTA.

as having a share in this work. The sobriquets *באי ברית*, *יורעי צדק*, and *בניי* indicate this was a new organization whose terminology was still fluent. The term *יהר*, so common in *Rule of the Community* but occurring only once in MTA, had as yet not been formulated. This further suggests the author was addressing a new structure just emerging, whose nomenclature had as yet not been set.

3.2.2.9.8. *Domestic Issues (4Q273 F5; 4Q270 F4 / 4Q266 F12)*

The placement of 4Q273 F5 and the parallel texts 4Q270 F4 and 4Q266 F12 is uncertain. The rationale for positioning the latter two parallel passages just before CD 15 rests on some similar wording between them and the medieval version. The Cave texts and CD 15–16 and 9:1 contain the subject of curses and oaths. However, the location of 4Q273 F5 within MTA is less certain. 4Q273 is unique among the MTA manuscripts, in that while the others are inscribed on parchment, it is a papyrus. Moreover, its remaining wordage is crumbly. The words of fragment 5 of this manuscript are more faded than usual in this document. What remains is difficult to read and its subject matter is somewhat impenetrable. Part of the problem in identifying the location and content of this piece results from the fact that considerable sections of MTA have perished. See also the number of unincorporated fragments listed in chapter four. Its placement in the general context of 4Q270 F4 is provisional. However, as reconstructed, it does appear to contain material that relates to the domestic issues of 4Q270 F4 and 4Q266 F12, cited above. Yet, it does not necessarily sequentially precede these two parallel fragments. Lines 2–4a seem to conclude the unit of subject matter dealing with the *soṭah* (the straying wife), perhaps reflecting another variant version to this pericope. The phrase *שבה וכסתה* [ה] פניה (she shall turn and cover [her face]) in line 2 appears to deal with the suspect who must conceal her face during the ordeal. Although the extant wording of these lines does not correspond to that of 4Q270 F4 and 4Q266 F12, its content is certainly parallel. This will be discussed below following my comments on 4Q270 F4:1b–13a (section 3.2.2.9.8.1) pertaining to the issue of the *soṭah*. 4Q273 F5:4b–5 continues with marital themes, matters also addressed in 4Q270 F4:13b–21.

3.2.2.9.8.1. The Straying Wife (4Q270 F4:1b–13a; 4Q266 F12:1–4; 4Q273 F5:2–4a)

4Q270 F4:1b–13a is a lengthy section relating to the *soṭah* (Num 5:12–31). As was mentioned and will be commented upon below, our rationale for positioning it and its parallels here rather than elsewhere in the MTA material not conjoining with CD rests in part on lexical similarities between it and CD 15. Both deal with the term אלה (curse) and the subject of oath taking. Hence, we sequence it following the formula ועתה שמעו לי of 4Q270 F2ii:19–21. By reason of the oath and covenantal terminology throughout and following into CD 15:1–16:22 and 9:1, it stands as *new* material in the legal portion of MTA. The matter of the straying wife is apparently introduced by the topical protasis “כִּי . . .” characteristic of legal material. The wording mainly deals with rules that are implied in the biblical text with important elucidations. Numbers 5:13 states that the ordeal proceeds when there is no single witness attesting adultery (וְיָדָה אִין בָּהּ). Our passage expands upon this by supposing a case where there is a *single* witness. Does it suffice to obviate the ordeal? The answer seems to be that two witnesses are not needed, provided that the single observer attests to the actual act of adultery rather than merely being suspicious of it. *Mishnah Sotah* 6:1–4 affirms the same interpretation of the biblical wording. Lines 3b–4a of our text state that if the suspected woman responds to the charge by claiming that she was under duress, she is absolved and may return to her husband. My reconstruction rests in part on 4Q266 F5i:1 which contains the word תִּנְקָה (she is innoc[ent]), evidently connected with the term אנוס (under compulsion) in line 2.

4Q270 F4:4b–5a deals with a case involving the flow of blood. Citing Milik, Baumgarten inserts the negative לא to read [לא יצא] לא יצא, translating it “unless her blood does [not] come forth,” arguing that the absence of menstrual bleeding is evidence of pregnancy.<sup>277</sup> It is more likely, however, that the issue under consideration is the absence of the flow of virginal blood, a matter described at length in Deut 22:13–21 and in *Mishnah Ketubbot* 1:1. Deuteronomy asserts that in the case wherein a man who suspects that his bride has committed adultery, since he could not find her virginal blood, the parents of the bride may refute the claim by spreading out the (bloody) sheet

<sup>277</sup> Baumgarten, DJD XVIII, 153.

as evidence of her virginity. Our text makes a similar point that her husband may (not) bring charges of infidelity unless no (virginal) blood whatsoever was found. The wording [אל יבִּיאָהּ] ([He may not br]ing her . . .) in line 4 of our text returns to that of line 1 of our passage, “[ . . . When] a man comes to impose a curse on (his) wife (under suspicion of adultery) . . .”

It is my presumption that line 5 refers to the role of the Supervisor of the camp in the *soṭah* ordeal. He may not himself execute the oath upon the woman, but he should defer to a priest whether expert or not. This parallels the case of leprosy in CD 13:4b–7a which states that the *מבקר* may not deal with the matter at all, even in the absence of a competent priest.

ואם	CD 13:4
משפט לתורת נגע יהיה באיש ובא חכהן ועמד במחנה והבינו	CD 13:5
המבקר בפרוש התורה ואם פתי הוא הוא יסגירנו כי להם	CD 13:6
	המשפט CD 13:7

But if there is a case regarding the law of leprosy, the priest shall come and stand up in the camp (to take charge), and (if the priest lacks competence) the Supervisor shall explain to him the details of the Torah. And even if he (the priest) is a fool, nevertheless he (the priest) must be in charge of quarantining him (the leper), for they alone have the authority to do so. (CD 13:4b–7a)

Here, in the matter of our *soṭah* case, it is the priest who is in charge of making the woman take the oath (line 6).

The wording [הכהן את ראשה] ופרע (And [the priest] shall expose [her head]) quotes a portion of Num 5:18, presuming that the reader can complete the biblical words “and place upon her hands the memorial offering . . .” Our text seems to continue with [והשביע את] ([and he shall make] the woman [swear]), paraphrasing a clause picked up in verse 21. The succeeding words, [האשה את המרים] והשקה את [המרים המאררים] (and make [the woman] drink [the waters of bitterness that induce the curse]), quote from verse 24.

Baumgarten understands the restored masculine suffix of *מיד* in line 7b as referring to the priest. The woman may not take anything from the priest’s hand lest he or a vessel he is holding become contaminated.<sup>278</sup> If so, this text appears to contravene the wording of verse 25 of the biblical passage, which commands the priest to take

<sup>278</sup> Baumgarten, DJD XVIII, 154.

the jealousy offering from the woman's hand (וְלִקְחָהּ הַכֹּהֵן מִיַּד הָאִשָּׁה אֶת) (מִנְהַחַת הַקְּנִאָה) a clause which necessarily implies that the priest is not defiled. It seems that our text is saying that, although she is to give the offering to the priest, she may not touch any other food or the bitter waters. This may mean that, whereas she hands over to the priest the jealousy offering, it is the priest alone who may execute the consumption of the bitter water.

Lines 9b–11a, partly supported by its parallel, 4Q266 F12:1–2, articulates a point implied in lines 1–2, that if the adultery had been committed in the presence of witnesses, there would be no need for the ordeal, since this would warrant a capital offense.

The word הַמְּלָכִים at the end of line 12, as Baumgarten notes, is puzzling. Our conjectural reading, drawing on Psalm 2:10, may resolve the puzzle. If so, it accounts for magic ascribed in Num 5:27–28, a rite that enables the bitter waters to give a verdict of absolute guilt or innocence. The psalmic citation וְעָתָה מְלָכִים הַשְּׂכִילוּ (And now, O kings, be skillful; act prudently O judges of the land) affirms the superiority of the Israelite court, which as paraphrased here, buttresses the claim that the Israelite system of justice is able to determine the woman's guilt or innocence.

4Q273 F5, the papyrus, has text which seems to pertain to the *sotah* pericope, perhaps to its ending. Lines 2b–4a insinuate that she must cover her face during the process. Lines 3b–4a, “And behold that is what he will relate to them. They are [all the] eternal [statute]s,” seem to have two purposes: 1) to conclude this long section, and 2) to sustain the validity of these rules, some of which perhaps were objectionable. For example, the biblical rule that the drinking of the bitter waters would, if guilty, result in death and, if innocent, in pregnancy, may have been deemed unacceptable to some. However, our author stresses that these rules are eternal and immutable.

### 3.2.2.9.8.2. Prohibited Marriages (4Q273 F5:2b–5; 4Q270 F4:13b–21)

As stated above, what follows in lines 13b–21 of 4Q270 pertains to marital issues. Although impossible to place in the context of the entire document, I include lines 2b–5 of the papyrus fragment with the larger text from 4Q270, since they likewise appear to contain directives pertaining to matrimony.

### 3.2.2.9.8.2.1. Bigamy (4Q273 F5:4b)

4Q273 F5 has another line and a half of text beyond that pertaining to the straying wife. Line 4b evidently deals with bigamy. CD 4:20–5:2 contains an attack against marrying two wives. As reconstructed, the text draws on Lev 18:18, **וְאִשָּׁה אֶל-אֲחֹתָהּ לֹא תִקַּח לְצֶדֶד לְגִלּוֹת עֲרוֹתָהּ עָלֶיהָ בְּחַיֶיהָ**, (You shall not marry a woman as a rival to her sister, to uncover her nakedness in her lifetime). According to the sages of the Talmud, this verse prohibits a man from marrying two sisters during their lifetime. However, in sectarian texts the word **אֲחֹת** is taken to designate a “rival wife,” and, in this sense, is a prohibition against bigamy. The possible reiteration banning polygamy reflects the author’s tendency to repeat significant points.

### 3.2.2.9.8.2.2. Marriage during Menstruation (4Q273 F5:5)

The next point in this fragment is obscure, but appears to prohibit marrying a woman during her menses.

### 3.2.2.9.8.2.3. A Slave Marrying a Priest (4Q270 F4:13b–21)

At this point we return to 4Q270 F4:13b–21 which is partially paralleled in what remains of 4Q266 F12:5–9. Our text devotes eight fragmentary lines to the topic of a priest marrying an unredeemed slave. It fuses four biblical passages: Lev 19:20–22, Exod 21:7–11, Deut 21:10–14 and Lev 22:10–11. The first pertains to a man having relations with an unredeemed woman. He shall present a guilt offering for atonement. The text from Exodus deals with a man who has sold his daughter as a slave. He cannot treat her like any other slaves. He may not sell her as he would male servants. If he takes another woman, he may not reduce her rights, but must treat her like any other Israelite daughter. The third biblical text pertains to the marrying of a captive woman, a passage amplified in 11QT 63:10–15. She must stay in his home for one month, weeping for her family. Then he may marry her. The fourth relates to a priest acquiring a slave.

In Talmudic literature the injunction in Exod 21 refers to a Hebrew slave, whereas Lev 19 and Deut 21 pertain to a case where the servant or maiden is a pagan. As far as we can tell from the difficult text, MTA combines the four biblical themes into a single case, modifying it radically. Whereas Lev 19:20 has the verb **יִשְׁכַּב**, our text adds the phrase **אֶל יִקְרַב** before **יִשְׁכַּב** [וְאֵל], meaning that a priest may not come near her. What the Bible calls **נִהְרָפֶת**, our text identifies as the passive participle **הֲרוּפָה**, a term also used in Talmudic tradition. What

is strange is the juxtaposition of the slave with the captive beauty. Deut 21:13 specifies that the man must bring her to his house for a month before marrying her. The *Temple Scroll*, evidently followed almost literally in our text, prescribes that for seven years she may not touch anything holy of the *טהרה*, the priestly Purity. As to the phrase *אמר* [כאשר] in line 15b, this clause in the DSS normally flags a biblical citation. However, as far as we can tell, here it appears to introduce a direct citation from *Temple Scroll* 63:14b–15a. In other words, MTA regards the *Temple Scroll* as authoritative Scripture.

ולוא תגע לכה בטהרה עד שבע שנים

Yet, she may not touch your Purity for seven years. (11QT 63:14b–15a)

Note that, whereas Deut 21 refers to warriors in general taking captives as wives, MTA here specifies that the woman cannot touch the priestly Purity (line 16a), suggesting that the subject here refers to a priest acquiring a slave as a wife. Lines 16b–18 then move to a paraphrase of Exod 21:9–10.<sup>279</sup> The clause *לא תאכל* [מן הקד[ש] להמו] in line 19 draws on Lev 22:10–11, which allows the servant purchased by a priest to partake of the priestly emoluments.<sup>280</sup> However, our text, in accordance with *Temple Scroll*, modifies this in that the former slave receives the priestly perquisites only after seven years in her newly acquired home. Whereas *Temple Scroll* employs the words *אהר* *הואכל* following the seven years, line 20 of our text articulates it more precisely as the eighth year in which she may partake of his emoluments. As to the last four letters in line 21, transcribed by the editor as *עולה* (burnt offering), the context here appears to require the construction of *ב[ע]ולה* (*bē'ūlāh*; married). Hence, the final clause in 20b–21a, “He may [not] have sexual relations with [a slave-maiden who has been ma]rried to a m[an],” is an inclusio that generalizes the contents of the preceding pericope dealing with priestly marriage to a slave. This section as well as 4Q251 (Halakha A) F16 are of interest, since both cases pertain to acquiring slaves. Other passages in MTA likewise deal with slaves. CD 12:10b–11a asserts “Nor shall he sell to them (pagans) his male and female slave who have entered with him into the covenant of Abraham.” Another passage prohibits the owner from making his slaves do labor on the Sabbath (CD 11:12).

<sup>279</sup> See also 4Q271 F3:15 which deals with the marital rights of a woman.

<sup>280</sup> 4Q251 F16 uses some of the vocabulary of this text.



Our text suggests that the community was of some means, certainly not destitute.

3.2.2.9.9. *The Covenant and Other Oaths or Vows (CD 15:1–16:22; 9:1)<sup>sic!</sup>*

What follows 4Q270 F4 is problematic. However, several points seem to indicate that our text, perhaps with a few missing lines, connects back with CD 15. To begin with, as stated above, both 4Q270 F4 and the beginning of CD 15 deal with the term אלה (curse). In 4Q270 F4:1 it is the issue of bringing on the curse of the *soṭah*, whereas CD 15:2–3 contains the noun construct אלוה הבריה (the covenantal curses). Furthermore, both texts concern the issue of taking oaths. 4Q270 F4:6 refers to the oath taking of the straying woman. CD 15:1–8 prescribes several types of oaths that are discussed below.

As we have seen, the series of oaths begins with that of the *soṭah* (4Q270 F4:1b–13a and 4Q273 F5:2–4a). However, in CD 15:1–16:22 and immediately following in 9:1, the author particularizes a variety of oaths and vows. The first of these concerns oaths of admission to the covenant (15:1–16:6a). Then comes an oath concerning biblical commandments (16:6b–9). Rules pertaining to the annulment of a woman's oath by her husband or father follow (16:10–12). The text then treats gifts and other vows (16:13–22; 9:1).

3.2.2.9.9.1. Admission to the Covenant (CD 15:1–16:6a)

The main subject embracing CD 15:1–16:6a pertains to the covenant. The word ברית assumes a special meaning in MTA. People are admitted to or rejected from the covenant. Beginning with CD 15:5b and continuing to 16:6a, MTA delineates the obligations incumbent upon the candidates who take the covenantal oath.

3.2.2.9.9.1.1. Restrictions of the Tetragrammaton (CD 15:1–5a)

We come now to textual elucidations of CD 15. The first word on line 1 reads ישבע (he should swear . . .). Schechter read it as a positive statement. However, most modern editors presume that the negative לא preceded it. Compare line 2 ואת תורה משה אל יזכור (but he shall not make mention of the Torah of Moses . . .). The last word of line 1 is also problematic. Schechter read שבועת הברית, “the oath of the covenant,” Ginzberg שבועה הכתובה, “the oath that is written (in the curses of the covenant),” Rabin שבועת ה[סכ]ם, “oath of agreement,” Baumgarten שבועת הבאים, “the oath of those who enter (by the curses of the covenant)”—i.e. those of Deut 28, and Qimron and

Martínez-Tigheelaar שבועת הבנים, “the oath of the youths.”<sup>281</sup> An analysis of the paleography seems to confirm the last reading, and is adopted in our comments below. The first injunction appears to assert that one may not swear by using the names אלוהים and אדוני. Note that these appellations are here abbreviated respectively אלף and ודלת. The context seems to require that the last line of the previous page ended with ביהוה והי לא, to read ביהוה והי לא , “By the *yod* and *hē* (YHWH) one should not swear, nor by the *aleph* and *lamed* (Elohim), nor by the *aleph* and *dalet* (Adonai) . . .”<sup>282</sup>

Scholars have been of the opinion that circumlocution of God’s name originated in rabbinic literature. We now see that this concept is dealt with at some length in MTA. The author of this work makes a theme out of it. The text prohibits the use of YHWH and the like in certain oaths. Line 2 further prohibits the mention of the use of this name and the like when citing the Torah of Moses.<sup>283</sup> That the word שם is an attempt to avoid the overuse of God’s name can be seen in CD 20:20, 34; 4Q266 F5i:9; 4Q270 F2i:11; 1QS 6:27; Ps 72:19 and 96:2, etc. Interesting is the word פרוש in the phrase פרוש השם, denoting the enunciation of the letters of God’s name.

What exactly the clause “the oath of the youths’ during the covenantal curses” in lines 1–2 means is not clear, due to the lacuna of the preceding page. It may refer to the oath taken by children during the division of inheritance. Or it could allude to the father’s role in annulling the vows of his children in accordance with Num 30:4–5. The phrase שבועת הבנים would amplify the biblical injunction whose wording limits it to the vows of a daughter (see below in CD 16:10–12; commentary section 3.2.2.9.2.2). Most likely, however, these words here refer to the oaths of the young men who enter the muster of the community as is stated in lines 5–6: “And each and every one who is entering the covenant of all of Israel by the eternal statute shall impose the oath of the covenant upon their sons who reach (the appropriate age) to be counted in the muster.” It is likely

<sup>281</sup> Ginzberg, *Unknown Jewish Sect*, 91; Rabin, *Zadokite Documents*, 70–71; Fitzmyer, ed., *Documents*, 86; Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 563; Qimron, “The Text of CDC,” 39.

<sup>282</sup> Qimron reconstructs [ש]בע וגם באלף ולמד וגם בארף ודלת and E. Qimron, “שבועת הבנים in the Damascus Covenant 15:1–2,” *JQR* 81, no 1-2 (July–October 1990): 116.

<sup>283</sup> Ginzberg understands this phrase as one may not use the Torah as an oath (Ginzberg, *Unknown Jewish Sect*, 93).

that *אלות הברית* has the same meaning as does *אלות בריתו* (the curses of His covenant) in CD 1:17 and *אלות הברית* (the curses of the covenant) in 15:3, both of which denote the covenantal curses mentioned in Deut 29:20 and listed in Deut 27:13–26. As we understand these lines, the name of God, the tetragrammaton, should be used in the covenantal curses exclusively at the time of admission. One should not employ it in business and other kinds of adjurations.

The concept in CD 15:3 of profaning the divine name occurs likewise above in 4Q270 F2i:11 in the context of idolatrous practice, as it does in Lev 18:21 and 20:3 in relation to sacrificing children to Molech. The taking of false oaths here in CD 15 profanes God's name, as it does in Lev 19:12.

*והשיב* in line 4 of our text draws on Lev 5:23, requiring that the one who appropriated an object not belonging to him must restore it to its owner. However, lines 3b–5a are silent about the additional fifth as well as the guilt offering prescribed in verses 24–25 of the biblical text, if he does not restore the value of the stolen object immediately. MTA, however, does not ignore this requirement; the author does mention the fifth below on CD 16:18 and appears to have recorded the guilt offering in the reconstructed line 21. Furthermore, as was noted, 4Q270 F2ii:9b–10a, reconstructed on the basis of CD 9:13, asserts that anyone who has appropriated something not belonging to him must add a fifth as a fine, which is given to the priest. In addition, CD 9:14 prescribes that the offender must bring a ram as a guilt offering (*איל האשם*). The thought concludes with the assertion that if he restores the lost object he will not incur sin and die. The negative *לא* qualifies both verbs. The word *[וי]מוה* is ambiguous. It may mean that if the judges find out that he is guilty they will condemn him; or perhaps more likely, the punishment is not capital, but refers to divine punishment. However, see above in comments on 4Q270 F2i:11 where profanation of the divine name might involve a capital crime.

### 3.2.2.9.9.1.2. The Initiation of Juniors (CD 15:5b–6)

Lines 5b–6 obligate those who enter the covenant community to bring their children with them into the congregation. It is interesting that our text, although discussing at length the joining of the covenant, does not employ the term *יהר*, so ubiquitous in *Rule of the Community* where 1QS uses the term sixty times. In other words, although the author of MTA may have used *יהר* once or twice, he did not

regard it as the appellation of the sect as do the authors of *Rule of the Community* and other Dead Sea Scrolls. The important term in MTA is *בריה*, illustrating that at the time of this composition there was not yet an organized community. Interestingly also, the sense of this expression undergoes a change. In the Hebrew Scriptures, it suggests an obligation to be faithful to God and His Torah. In MTA, *בריה* denotes a separation from Israel into the precepts of additional laws, a new Torah. Subsequently, in *Rule of the Community* it is defined as joining a separate organization.

The formula *חוק עולם*, as used in the Pentateuch, occurs in specific obligations such as the priestly perquisites. The phrase is relatively less frequent in the DSS, and appears only here in MTA. Its use in our text refers to the covenant in general, not to specific regulations as in the Torah.

### 3.2.2.9.9.1.3. Returning Apostates (CD 15:7–13a)

Lines 7–10a include those who turn back from their corrupt way, who are to retake their covenantal oaths as they return to the community. Our text now assigns a more significant role to the Supervisor, who must not only approve their return, but guide the procedure. Nevertheless, it is the many on the examining board who join in the teaching of the repentant member.

Translators have handled lines 10b–11 variously. Rabin, renders them, “And let no man let him know the rulings until he has stood before the overseer, lest he turn out to be a fool when he examines him.”<sup>284</sup> Martínez and Tigchelaar translate, “But no-one should make him know the precepts before he stands in front of the Inspector: when he stands he should be persuaded by him when he tests him.”<sup>285</sup> Cook provides the rendition, “No one is allowed to tell him the rules until he appears before the Overseer, so that he, the Overseer, is not fooled by him when he examines him.”<sup>286</sup> Our translation tends to agree with that of Cook, that the subject of *יתפחה* is not the enrollee, but the Supervisor. Teaching the novice the rules prematurely may prevent the Supervisor from evaluating him objectively.

<sup>284</sup> Rabin, *Ḥadokite Documents*, 72. See also Baumgarten who translates “Let no one make the precepts known to him until he stands before the Examiner [ . . . ] *’m*”, (lest) he prove to be a fool when he questions him.” Charlesworth, ed., *Damascus Document*, 39.

<sup>285</sup> Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 563.

<sup>286</sup> Wise, Abegg and Cook, *Scrolls*, 65.

The author of MTA here implicitly responds to a question of whether the Supervisor and those who examine with him could be blamed for misjudgment in the event that the candidate they approved returns to his evil ways. Lines 12–13a imply that they need not be concerned about misjudgment, for as long as they have performed their task faithfully they are not responsible for the subsequent apostasy of a candidate. What they must attest is that the returnee had committed himself to the absolute observance of the Torah of Moses. Note that the Mosaic Law here, as explained above and below, is not limited to the Pentateuch, but embraces the futuristic Torah.

#### 3.2.2.9.9.1.4. The Rules for the Many (CD 15:13b–16:6a)

Up to this point the role of the *מבקר* has been noted somewhat incidentally. He provides guidance to the admission process, examining with his associates the returnees. The following lines portray his function in the life of the community as more prominent—personally teaching the sectarian law on a regular basis to adherents and excluding the unfit.

##### a. The Eschatological Torah (15:13b–15a)

*נגלה* is here a finite verb, paralleling other passages where it is used as a substantive (CD 5:5 and 4Q266 F5i:8). In any case, the term is associated with the Torah, but is not limited to it as contended by Schiffman.<sup>287</sup> Rather, by reason of its context and its proximity to the description of the book of *Jubilees* mentioned in CD 16:2–3, it encompasses the eschatological Scriptures accepted by the sect. *נגלה* (revealed) serves as a contrast to *נסתר* (hidden), but not to the mystic concepts as stressed by Schiffman. Rather it alludes to the early stage of Jewish sectarianism when the second Torah had still been hidden prior to its publication by Zadok.<sup>288</sup>

MTA here appears to continue with a repenting candidate reentering the community. Such a person requires extra instruction from the Supervisor. Hence, the repetition of the verbs *יוד[יעה]ו* (he shall in[form] him), *יצוהו* (he shall command him) and *יל[מד]הו* (he shall te[ach] him). Each of these verbs refers to the different tasks of the community's leader—the first to pointing out the candidate's erroneous way, the second to showing him what is the proper path, and the

<sup>287</sup> Schiffman, *The Halakhah*, 22–32.

<sup>288</sup> Cf. CD 5:4–5.

third to ensuring that he has mastered the instruction. The clause *עד שנה תמימה* (for a complete year) has a technical sense in the DSS. Thus 1QS 6:16–17; 4Q256 11:12–13 and 4Q265 F4ii:6–7 reiterate the statement found in our text, namely that an erring candidate should be investigated a full year. *שנה תמימה* implies that the year should not be 365 days, but 364.<sup>289</sup>

b. Excluding the Unfit on Account of Physical or Mental Defects  
(CD 15:15b–16:1a)

This list presents those who are to be excluded from the community due to physical or mental deficiencies. A variant parallel text in 1QSa 2:3–9 contains a somewhat longer list.

2:3 וכול איש מנוגע באחת מכול שמאות  
2:4 האדם אל יבוא בקהל אל <<ה>> וכול איש מנוגע באלה לבלתי  
2:5 החזיק מעמד בתוך העדה וכול מנוגע בבשרו נכאה רגליו או  
2:6 ידים פסח או עור או חרש או אלם או מום מנוגע בבשרו  
2:7 לראות עינים או איש זקן כושל לבלתי התחזק בתוך העדה  
2:8 אל יבואו [אלה להתיצב [ב]תוך עדה א[נ]ושי השם כיא מלאכי  
2:9 קודש [בעדר]הם

And no man who is afflicted in a single one of all human defilements may enter the congregation of God. And as for any man so afflicted that he lacks stability within the congregation; and anyone afflicted in his flesh such as one who is crippled in feet or hands, lame, blind, deaf, mute or one who has a defect in his flesh that is visible, or a stumbling old man who cannot take care of himself within the congregation: these may not en[ter] to take office [with]in the congregation of the m[e]n of God, because the holy angels are in their [congregati]on.

A striking difference between these two passages is in the main verbs employed. Whereas MTA begins with *אל יבוא* (may not enter)<sup>290</sup> and concludes with *אל יבוא איש מאלה אל הוך העדה* (none of them may be admitted to the community),<sup>291</sup> the corresponding prohibitions in *Rule of the Community* commence with *אל יבוא בקהל אל* (shall not enter the congregation of God)

<sup>289</sup> Cf. *יצא נוח מן התבה לקץ שנה תמימה לימים שלוש מאות ששים וארבעה*. “Noah went out from the ark at the end of a complete year, three hundred and sixty-four days” (4Q252 2:2–30). See also my article, “Calendar Wars Between the 364 and the 365-Day Year” cited above.

<sup>290</sup> See the parallel 4Q266 F8i:7 which supplements CD 15:15.

<sup>291</sup> A composite of CD 15:16b–17a; 4Q266 F8i:8b–9a; 4Q270 F6ii:9.

and finish with *אל יבואו אלה להתיצב [ב]תוך עדה א[נ]ושי השם* (these may not en[ter] to take office [with]in the congregation of the m[e]n of God). Both clauses in the MTA text, therefore, may be understood as a prohibition against such people joining the new covenantal community. Whereas the two verbs in MTA might be construed as prohibiting such members from joining the new group, the corresponding wording in *Rule of the Community* echoes more closely Deut 23:2–9 where the main prohibition is against marrying foreigners. Interestingly enough, the author of MTA feels compelled to justify these prohibitions by referring to the period of the flood when, according to our text, human life was shortened apparently to seventy years. The basic idea goes back to Gen 6:1–7 where, on account of the cohabitation of the sons of God with the daughters of men, God in His anger circumscribed human longevity to one hundred and twenty years. Ps 90:9–11 asserts that because of His wrath, God reduced human life to seventy and only exceptionally to eighty years. The author of *Jubilees* (23:12) apparently had the psalmist in mind when he asserts that human life would be decreased to a jubilee and a half (approximately seventy-five years), a unit of time which is between the seventy and eighty years of Ps 90:10. If our restoration is correct, CD 15:18 gives the psalter's lesser period of seventy years.

The question arises as to how this shortening of longevity shed light on the roster of unqualified members. In CD 10:7–10 the writer restricts the period of functioning judges to sixty years on account of the shortened life of man in the antediluvian epoch. But, what is the relationship here? Perhaps the answer is that, just as according to *Jubilees* and the author of MTA God shortened human life, He also brought about human frailties such as blindness and deafness.<sup>292</sup> This would imply then, as our writer seems to go on, that during the messianic age human frailty and shortness of life will disappear (CD 15:19). The pericope adds to this discussion by invoking the holy angels. The implication appears to be that the physically unfit are restricted from the community because they cannot associate with immortal beings, that is to say that humanity prior to the flood as well as that of the messianic age had and will have an angelic lifestyle.

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<sup>292</sup> Cf. the tradition that Abraham was the first person to contract old age and Jacob the first to become ill (*Bava Metzi'a* 87a).

Most of the last four lines of CD 15 have perished. Our reconstruction of this material, commented on in part above, draws on what survives at the end of lines 19–20, their scanty parallel letters in 4Q271 F4ii:1 and what continues in this scroll for the next two lines. We presume that the original page consisted of twenty-two lines. The suggested readings draw on CD 20:1, 25–26 and Deut 4:30–31. Note that, having introduced the idea of the reduction of human life in antediluvian times in line 18, the expectation of a renewal of longevity during the messianic age presumably follows in line 19. The remains of 4Q271 F4ii:1–3a provide us with the bricks to restore the last two lines of the page, connecting them with page 16.

Hence, although not articulated, the basic supposition in this pericope seems to be that prior to the flood humans were physically perfect with no senility and lived for nearly a thousand years, witness Methuselah. This leads the author to a pivotal point of the book—linking *Urzeit* and *Endzeit* and making human health dependent on the obedience to the Torah. Here the contrast of human frailties in the past and present with longevity in the idealized future suggests that not only will there be no more senility, but handicaps like blindness and deafness will disappear. See the composite reading of CD 8:4 and 19:16, where MTA stresses the linkage between the covenant of repentance and the process of healing. Lines 21–22 of our text and continuing on page 16 connect the covenant of Moses (Exod 34:27) with a (new) covenant. This is suggested by the clause reconstructed from 4Q271 F4ii:2, בְּרִית [יהודה] וְאֵת בֵּית יִשְׂרָאֵל וְאֵת בֵּית יְהוּדָה] בְּרִית, which echoes the prophet Jeremiah's announcement of a new covenant in Jer 31:31–34 (וְכָרַתִּי אֶת־בְּרִית יִשְׂרָאֵל וְאֶת־בְּרִית יְהוּדָה בְּרִית הַחֲדָשָׁה) “And I will make a new covenant with the house of Israel and the house of Judah”).<sup>293</sup>

c. In Praise of the Book of Jubilees (CD 16:1b–6a)

The previous lines merge passages from Exodus and Jeremiah with the renewal of longevity and the healing of mankind. In CD 16:1b–6a the author articulates what is implicit elsewhere, but here stated directly. Throughout MTA we find frequent allusions to ideas appearing only in *Jubilees*. We have just read one of them in CD 15:18 (compare *Jub.* 23:8–9). Here in CD 16:1b–6a, the author goes out

<sup>293</sup> Cf. CD 6:19; 8:21 (19:33–34) and 20:12 for the phrase בְּרִית הַחֲדָשָׁה (the new covenant).



of his way to emphasize the authoritative nature of this work. The linkage is assured by the introductory words *על כן יקום האיש על נפשו לשוב אל תורת מושה* (Therefore, the candidate shall obligate himself to turn to the Torah of Moses). Translators and commentators take the Torah of Moses axiomatically as referring to the Pentateuch, since it says that the Law of Moses is *מדוקדק*. Ginzberg noted a problem in these lines. Whereas the clause *כי בה הכל מדוקדק* (for everything in it is perfect) refers allegedly to the five books of Moses, the lines that follow, *... ופרוש קציהם* (the elaboration of their epochs . . .), pertain to *Jubilees*. He resolved the problem by hypothesizing that “*כי בה הכל מדוקדק* is not to be taken literally, for in respect of the ‘calendar,’ *פרוש קציהם*, one must be guided by what is written on this subject in *Jubilees*. To the *מדוקדק* connected with the Torah is opposed the *מדוקדק* connected with the pseudepigraphon here mentioned.”<sup>294</sup> Baumgarten agrees with Ginzberg.<sup>295</sup> At any rate, the problem alluded to in this passage by Ginzberg remains. Not embracing his solution, how can we reconcile the two consecutive clauses, the first concluding with *כי בה הכל מדוקדק*, and the second with *הנה הוא מדוקדק* (behold it is perfect)? What is the connection between the statement “Therefore the candidate shall obligate himself to turn to the Torah of Moses, for everything in it is perfect” and what follows it that declares the book of *Jubilees* as perfect? The answer is that the *תורת מושה* here along with its five other occurrences in MTA encompasses both the Pentateuch and *Jubilees*, and perhaps *Temple Scroll* as well.<sup>296</sup> Indeed, as mentioned elsewhere, the author of MTA regarded his work as an amplification of *Jubilees*. For example, as reconstructed, 4Q268 F1:1–3a asserts,

- 1 [מתחלקות העתים ה]אחרונות הלוא כן תבואינה [ככול ימיו וכ]ול
- 2 [תקופות מועדי] איזה תחלתו ואיזה סופו וה[גיד את הראישו]ני[ם]
- 3 [ואת האחרונים ואת עד] אשר יבוא במה

“[As for the Divisions of the] Eschatological [Epochs]: Surely they will occur (as was presaged) [according to all (the number of) its days and a]ll [(the number of) the cycles of] i[ts festivals,] when its beginning (was)

<sup>294</sup> Ginzberg, *Unknown Jewish Sect*, 95.

<sup>295</sup> Baumgarten in Charlesworth, ed., *Damascus Document*, 39, note 132. However, he may have changed his mind on this point (see his article on the Damascus Document in the *Encyclopedia of the Dead Sea Scrolls*).

<sup>296</sup> In my opinion, the same is probably true of the two mentions of *תורת מושה* in *Rule of the Community*, a satellite work of MTA.

and ending (will occur); for [(God)] has fore[told the first] [as well as the latter things and] what will transpire thereafter in them (the Divisions of the Eschatological Epochs) . . . ”

Both here and in CD 16:1b–6a our author declares the jubilean calendar of the Sabbath and the festivals as authoritative.

Lines 4b–6a fuse several theological concepts. First, they continue the praise of the Torah of Moses which embraces *Jubilees*. Secondly, they present this sectarian Scripture as indispensable for the salvation of the candidate. Finally, the author gives the historical precedent that Abraham, when he fulfilled God’s covenant of circumcision, was given the Torah of Moses as guidance. When a candidate becomes a member of this community and explicitly obligates himself to live by its precepts, the angel Mastema (elsewhere known as Belial) will lose his grip on the new covenanter.

The circumcision commandment appears above in 4Q266 F6ii:6 pertaining to childbearing. Yet, it is only here in CD 16:4b–6a (which has its basis in *Jub.* 15) that the author comments on its significance, noting that every entrant into the covenant must obligate himself to observe the law in accordance with the sectarian Scriptures. Our writer states that the principle linking the covenant with *Jubilees* dates back to Abraham who committed himself to its observance at the time of his circumcision. We must remember here that the patriarch was an adult when he was circumcised. The candidates for membership in the sectarian community must have entered the age of consciousness. More importantly, however, they must follow Abraham’s mode of accepting the covenant, a point seemingly drawn from and based upon the chronology and text of *Jub.* 15. This chapter not only commands Abraham to circumcise himself and his household, but proceeds with a dissertation on its import, that it is the observance of the covenant of circumcision which will keep Belial (known as Mastema elsewhere in *Jubilees*) from the community.

The two occurrences of  $\text{בַּיּוֹם}$  in CD 16:4–6 could be translated “at the time,” without referring to a precise day, but more probably mean “on the very day,” pointing to *Jub.* 15:1 which dates Abraham’s conversion to “the fifth year of the fourth week of this jubilee [1986]—in the third month, in the *middle of the month* . . . ”<sup>297</sup> Perhaps this elucidates 4Q266 F11:17–18 where the renewal of the covenant should take place every year in the third month. This fragment, like Exod 19:1,

<sup>297</sup> VanderKam, *Jubilees*, vol. 1, 87.

does not mention on which day of the month it occurs, but CD 16:4b–6a, when aligned with *Jub.* 15, suggests that the annual renewal of the covenant should take place during the sect's observance of *Shebu'ot* on the fifteenth of the third month.<sup>298</sup> The text is not explicit as to the kind of knowledge which the patriarch acquired on that day. However, it would appear that *יום דעהו* is an additional reference to *Jub.* 15 where God revealed to Abraham a series of covenantal blessings: a) the celebration of *Shebuot* and its offerings, b) the covenant with God wherein the patriarch's children would inherit the Holy Land, c) the commandment of circumcision and d) the birth of a son, Isaac. Thus, the commendation of *Jubilees* as perfect forms part of this section which likewise deals with covenantal commitment (CD 15:5b–16:6a). The main point in this unit is that the covenant must be accepted with the entire heart and soul, echoing Deut 6:5, which according to MTA, was modeled after Abraham's covenant.

### 3.2.2.9.9.2. Other Oaths and Promises (CD 16:6b–22; 9:1)

This section deals with the broader subject of oaths and promises. Lines 6b–9 deal with prohibitive oaths; 10–12 pertain to the annulment of that made by a woman; 13–22 and what follows sequentially in CD 9:1 concern voluntary contributions and idolatrous vows.

#### 3.2.2.9.9.2.1. Prohibitive Oaths (6b–9)

This segment consists of two statements: a person vowing to fulfill a commandment already in the biblical text and a vow to depart from it. Our text emphasizes the importance of these rules by repeating the threat of a capital offense, *עד מחר מות*. This view accords with the opinion of Rabbi Judah ben Betherah, who in *Bavli Shebu'ot* 27a maintained that if one swears to fulfill a commandment required already in Scripture and does not do so, he has breached two commandments—one prescribed in the Torah and the other his own oath. However, the majority of the Talmudic sages diverge in this matter, arguing that one cannot improve upon an issue dealt with in Scripture, even by an oath. What the Torah said stands and a personal vow in such a matter is irrelevant. Conversely, when one makes

<sup>298</sup> See Baumgarten's remarks on 4Q266 F11:17. He disputes Milik's suggestion that MTA required the renewal of the covenant on Pentecost, the fifteenth day of the month. However, CD 16 does appear to substantiate Milik's hypothesis.

a vow to violate the Torah, his vow is not valid. On this matter the sages would be in accord.

### 3.2.2.9.2.2. Annulling a Woman's Oath (16:10–12)

These three lines summarize the subject dealt with at length in Num 30:4–17 and virtually reproduced in *Temple Scroll* 53:16–54:5. The formula [אשר אמר] which in MTA generally constitutes a quote from Scripture, here is followed by אה שבועהה להניא אלהישה [ל]אשה ([for] her husband to annul her oath), a clause with no exact equivalence in Numbers. אלהישה להניא [ל]אשה could be rendered in one of two ways: that a husband *may* annul the oath of his wife or, alternatively, that he *should* annul her oath. If the latter, our text would express the idea that it is not desirable for women to make a practice of vowing, and therefore her husband is encouraged to void them. What is interesting is that, whereas Scripture deals primarily with the vow of the father, appending to it the vow of the husband, MTA reverses the sequence, making the vow of the husband primary and adds to it that of the father. It is conceivable that the author of MTA had here before him another source which he followed. It might have been material taken from the sapiential work, the book of Haguy cited in CD 10:6, 13:2 and 14:7–8.<sup>299</sup>

ב[רוחה] F2iv:6  
 ולא להוסיף נדר ונדב[ה] F2iv:7  
 השב רוחכה לרצונכה וכל שבועת אסרה לנדר נדר [ר] F2iv:8  
 על מוצא פיכה וברצונכה הניא[ה] F2iv:9

He has given you control over [her] that she accord with your wishes and not make (frivolous) vows and gif[ts.] Follow your own desire and annul any prohibitive oath that she vows. By your own utterance and your desire disavow [her]. (4Q416 F2iv:6b–9a)

MTA and Haguy have these points in common. 1) In contrast to the biblical text, the sapiential work makes no mention of the father's annulment. As noted above MTA does mention the father, but only secondarily. 2) While the biblical text does permit the husband and the father to disavow a woman's oath, there is no inkling of female frivolity in it. By contrast, the sapiential text and MTA go out of their way to stress this point. The requirement that the husband can

<sup>299</sup> As suggested above, the book of Haguy is a work to which MTA assigns significant importance (4Q415–418).

only annul a vow whose content is exactly certain is not recorded in Scripture directly, but is stressed here in our text. It goes on to say that if the wife's vow violates the covenant he is obligated to void it. This prohibition corresponds to what our author said in CD 16:8b–9, “But anyone who [obli]gates himself to turn away fr[om the To]rah shall not fulfill it even at the price of death.”

### 3.2.2.9.9.2.3. Gifts and Vows (16:13–22; 9:1)

The list of vows after the heading includes a prohibition against devoting anything which has been illicitly acquired. Neither may the priests accept from the public anything taken by force. To what exactly the third prohibition (lines 14b–15) refers is uncertain. As we have it, the text reads  $\text{רֵעִיָּהוּ}$  (his neighbor) with the LXX instead of  $\text{אֶחָיו}$  (his brother) as in MT (Mic 7:2). The problem here is the correspondence between the disallowance of dedicating one's food to God and its proof text  $\text{יַצְוֵי הָרֵם הָרֵם}$  (Each together with his neighbor h[u]nt *herem*). As was noted by Rabin, MTA understands the word  $\text{הָרֵם}$  not as a trap, but in its more common usage as a ban, or anathema (Martínez-Tigchelaar).<sup>300</sup> It appears to mean that food which falls under the category of  $\text{הָרֵם}$  is, as stated in Lev 27:28, not redeemable. Rather it is totally dedicated to the Lord and is not even for priestly consumption.

The restoration of the lacuna following  $\text{אֶל יְקָדְ[ש] אִישׁ מִכָּל אֶ}$  in lines 15–16 of the Genizah text draws on the context combined with the lettering extant in 4Q271 F4ii:15–16. What follows the  $\text{א}$  might have been  $\text{לֵה}$  to read  $\text{אֶל־לֵה}$  (from all these). But,  $\text{[חֶזְרָה]א}$  (po[ssession]), a word found at the end of the line, is a more likely reading. The letter  $\text{ס}$  in the parallel text suggests  $\text{אֶנְס}$  (extorted) or as is more plausible, the active participle  $\text{אֶנֶס}$  (compare 4Q270 F6iii:14). The line as reconstructed prohibits the dedication of property that has been purchased from an extorter. Whereas this injunction may have dealt with what an individual himself bought, what comes next (lines 16b–17a) appears to deal with land acquired by inheritance, but which likewise had come into the benefactor's possession illicitly. If our understanding is correct, CD 16:13–17a concerns itself with the principle that one may not sanctify anything that is morally tainted.

<sup>300</sup> Rabin, *Zadokite Documents*, 76–77; Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 565.

The previous theme of dedication continues in CD 16:17b–22 and into the first line of CD 9 which immediately follows. Lines 17b–22 address a case when one has vowed his own personal value where he must add a fifth ([ו]נענש הנודר [את המישיה כסף ערכו]). The use of the word נענש here is puzzling, as the relevant Scripture vocables always use the verb יסף (to add). See for example Lev 27:19. The next extant clause, [לשופט]ים לשפט צרק, (it is the responsibility of the judge[s to judge rightly]), is a wording that is not recorded in Lev 27. However, it is reasonable to suppose that MTA here paraphrases a point made in the Levitical text, that it is incumbent upon the priest to evaluate the produce, whether it is high or low in value (Lev 27:12 and 14). MTA admonishes the *judges* rather than the priests to perform their task fairly. The problem that confronts the reader is determining what preceded the apodosis “. . . it is the responsibility of the judge[s to judge rightly . . . ]” The relevant Levitical passage possibly offers a clue to its protasis. Verses 17–23 begin by stating that if one sanctifies a field in the midst of the jubilee cycle, it belongs to the sanctuary only until the end of that period. It is the priest (in MTA’s version, the judges) who is in charge of computing the number of years and the proportion of the produce that is due the sanctuary. We may have a clue as to the wording of this protasis in the remnant ]י אחר ה[ in 4Q266 F8ii:4, conceivably vestiges whose full text draws on wordage in the biblical verse 18 (עַד שְׁנַת הַיּוֹבֵל), “until the year of jubilee”). Qimron reads אחר המודר (after being vowed),<sup>301</sup> a reading which, however, neither makes sense in the context nor does it have a basis in the biblical and Qumran language. What remains of the letters could, perhaps, be read [ע]י אחר ה[ש]נים הנותרות ביובל] ([un]til after the [remaining] ye[ars in the jubilee]), phraseology which echoes the biblical text. It is reasonable to assume that CD dealt here with the evaluation of one’s field at the advent of the jubilee, where the judges must estimate the amount due for the years of sanctification. What is notable is the difference between the rabbinic and MTA traditions in relation to the observance of the jubilee during the Second Temple period. Contrary to our text, the Talmudic sages believed that rules of the jubilee year were discontinued.

Preceding the interjection of the matter of the jubilee year, the author dealt with dedicated property acquired by force (lines 13b–17b).

<sup>301</sup> Qimron, “The Text of CDC,” 41.

As reconstructed, in lines 20–22 the author addresses the consequences of the actions of an extorter: a) he is to be chastised; b) he must pay the value of the exhorted object plus, as was stated above in line 18, an additional fifth; c) he is required to bring a ram as a guilt offering. The restitution alluded to in what is restored from 4Q266 F8ii:6 and 4Q270 F6iii:14 to the beginning of line 21 draws on Lev 5:16. The reconstruction concerning the guilt offering is based on the broader context of Lev 5. The words מִבְּ[הוֹ] כְּמוֹהוּ (from [his] proper[ty] comparable to it), restored from 4Q266 F8ii:7 into the end of line 21, may allude to verse 7 of the biblical text, where if the guilty party cannot afford a ram offering he may substitute it with two turtle doves, as stated also in 4Q266 F6ii:12–13.

Following the requirement to bring a guilt offering for not speaking truthfully, 4Q266 F8ii:8 returns to Lev 27. Paralleling 4Q266 F8ii:8–9 and 4Q270 F6iii:16, CD 9:1 paraphrases elements of verses 28–29 with a probable misreading כל אדם (every man) instead of כל הרם (every devotion), a reading in verse 29 of the biblical text. Likewise CD changes יהררים אדם to יִהְרֵם אִישׁ. Scrollists diverge in the rendition of this line. Some (Ginzberg, Rabin, Cook and Martínez-Tigheelaar) understand that the person who devotes someone should be handed over to pagan law for condemnation.<sup>302</sup> Others (Winter, Lohse and Baumgarten) understand that the sentence is passed by a Jewish court.<sup>303</sup> Since Lev 27:29 ordains death by the Israelite court, it is self evident that our text which paraphrases the Levitical injunction does likewise. Moreover, it is unlikely that the author of MTA would presume to know that this would be a capital offense in pagan jurisprudence, and, if he knew so, would consider it authoritative. This line pertaining to idolatrous vows completes the section dealing with gifts and vows.<sup>304</sup> The term הרם, my reading for אדם of MTA, receives special attention in Lev 27:21 and 28–29. Our text adds to this emphasis by the additional citation of Mic 7:2. Note that the phrase אשר אמר attested in 4Q266 F8ii:8 has not survived at the end of CD 16.

<sup>302</sup> Ginzberg, *Unknown Jewish Sect*, 43; Rabin, *Ḥadokite Documents*, 44; Wise, Abegg and Cook, *Scrolls*, 66; Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 565.

<sup>303</sup> P. Winter, “Ṣadoqite Fragments IX, I,” *RevQ* 21 (Feb. 1967): 131–36; Eduard Lohse, *Die Qumran Texte* (München: Kösel-Verlag, 1971), 83; Baumgarten in Charlesworth, ed., *Damascus Document*, 43.

<sup>304</sup> See Hempel, *The Laws of the Damascus Document*, 32, 187.

3.2.2.9.10. *Justice (9:2–10:10a)*

CD 9:2 begins a lengthy section of approximately thirty-four lines on the subject of justice. It contains several subthemes: charges pertaining to a capital crime lacking sufficient evidence, theft and misappropriation of lost objects, and issues pertaining to the necessary number of witnesses in capital cases. It concludes with a discussion on the nature of judgeship, the central personnel in the sect's judicial system.

## 3.2.2.9.10.1. Charges of a Capital Crime Without Full Evidence (9:2–10a)

The new topic, as do many other sections in MTA, begins with a citation of a biblical verse, here Lev 19:18, expounding on the difference between legal evidence and gossip. What exactly is meant in the clause *לֹא תִקוֹם וְלֹא תִשׁוּר אֶת בְּנֵי עַמְךָ* (Neither avenge nor keep a grudge against your people)? Our text states that, when a person claims without legal proof that his neighbor has done an illicit act, it constitutes gossip, or, speaking biblically, he is a seeker of vengeance or one who keeps a grudge. Line 5 reconciles the wording in Lev 19:18 prohibiting vengeance and holding a grudge, with Nah 1:2 which ascribes such acts to God.<sup>305</sup> The implied answer is that, since God knows the actual events, He may avenge. However, this is forbidden for humans, since any such assertions without factual evidence is sheer insult to the offended (*לְהַבְזִיתוֹ*).

What follows in lines 6–7 of CD 9 appears to draw on a portion of Deut 19:16, the protasis of a section of legislation pertaining to malicious testimony.

כִּי־תִקוֹם עַד־הַמָּס בְּאִישׁ לְעֵנֹת בּוֹ סָרְהָ

When a malicious witness arises against a man to testify against him falsely . . . (Deut 19:16)

The Genizah text is expanded in 4Q267 F9i:1, the several letters that survive in 5Q12 F1:1, as well as in 4Q270 F6iii:20–21. 4Q270 seems to have been approximately a line and a half longer than its parallel in the medieval manuscript. The two versions do not cohere and are problematic in their wording. Modern translations differ as to the antecedents of the phrase *בוֹ עֵנָה* in CD 9:7. Schechter, followed by

<sup>305</sup> Interestingly MTA alters Nah 1:2 from *יְהוָה יִנְקֵם* to *הוּא יִנְקֵם*.



Baumgarten, emended ענה to read עון, making “(his) sin” the subject of the clause and the object the accused, translating “If he held his peace from day to day but in his fierce wrath he spake against him in a matter concerning death *his sin is upon him* because he did not fulfill the commandment of God . . . ”<sup>306</sup> Rabin, following more closely the syntax of the biblical text, understood the accuser as the subject of ענה and הו the accused, translating “if he held his peace at him from one day to the next, and spoke about him when he got angry with him, (and) it was in a capital matter *that he testified against him*; because he did not carry out the commandments of God . . . ”<sup>307</sup> On the other hand, Martínez-Tigheelaar take the phrase as the accuser testifying against himself and render the sentence “If he kept silent about him from one day to the other, and then, when he was angry, accused him of a capital offense, *he has testified against himself*, for he did not fulfill the commandment of God . . . ”<sup>308</sup> In a similar manner, Cook regards the accuser himself as the object of the verb. He differs, however, in interpreting his *transgression* as the subject of the clause, reading the sentence, “If he kept silent day by day and then in anger against his fellow spoke against him in a capital case, *this testifies against him* that he did not fulfill the commandment of God.”<sup>309</sup> In spite of these heroic efforts, the Genizah rendition remains problematic. Although only Rabin follows the subject and object identities of the biblical clause cited above, his rendition offers no apodosis.

As was stated, the texts from the caves have readings presumably missing in CD, material drawn from the larger context of the biblical text and which would generate better sense in this section. What appears to emerge from this additional wordage is that the author of MTA presented here a case of what happens if the accuser, being a single witness, charged a capital offense against an individual without bringing legal proof. If the charges were determined to be a falsification manufactured by the accuser, he was to be condemned to death in accordance with Deut 19:18–19. My reconstruction reflects an at-

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<sup>306</sup> Fitzmyer, ed., *Documents*, (78); Charlesworth, ed., *Damascus Document*, 43. The italics in Schechter’s translation are mine.

<sup>307</sup> Rabin, *Zadokite Documents*, 44. The italics in the translation are mine.

<sup>308</sup> Martínez and Tigheelaar, *Scrolls Study Edition*, vol. 1, 567. The italics in the translation are mine.

<sup>309</sup> Wise, Abegg and Cook, *Scrolls*, 67. The italics in the translation are mine.

tempt to make sense of the diverse remains of the Qumran additions in light of the biblical background. The reconstruction **וְהָיוּ הַשּׁוֹפְטִים** [the judges] shall be [faith]ful [by condemning him to death]) in 4Q270 F6iii:20b–21a draws on the fact that the author presents the judges as governing this entire text, as is evident in CD 16:18–19 and below in CD 9:10 and 9:23b–10:1. Furthermore, the assumption that the accused shall be condemned would logically follow the clause in CD 9:6 **רָבַר בּוֹ בַּרְבַּר מוֹת** (he charged him with a capital offense). The author’s concern for the integrity of the judges is conceivably a polemic against the sages who would not condemn a single witness, since such testimony in their view would have no legal standing. As to the reconstruction of the fragmentary **נִקְּהָיוּ** from 5Q12 F1:1, it appears to parallel the clause “they (those who examine him), will be absolved (**נִקְיָאִים**) if he (the candidate) transgresses” (4Q266 F8i:3–4; CD 15:13). Here too, those who condemn the avenger will not be faulted. The context of the missing words before the reconstruction from 5Q12 F1:1, [ . . . **נִקְיָאִים כִּי שִׁקַּר עֲנָה בּוֹ . . .** ] (shall be ab[solved since falsely he has testified against him]), apparently dealt with adjudication of the judges.<sup>310</sup> Evidently what follows in CD 9:7 continues to justify the death sentence for an avenger, “for he has not upheld the commandments of God.” The medieval text omits this material and is, as shown, unsatisfactory, since it lacks both the context and the subject that evidently preceded **עֲנָה בּוֹ**. The cave texts, although replete with lacunae, are nevertheless helpful in providing a general theme for the lost material.

Interestingly, this passage contains some unique features. Elsewhere in MTA, a unit either begins or concludes with a citation from Scripture. This pericope both commences and ends with a biblical proof text. It opens with Lev 19:18, going on to reconcile it with Nah 1:2, and comes back to Lev 19, only to verse 17, taking it as an explanation of verse 18 where the passage started.

The author introduces the material which follows with the heading **עַל הַשְּׁבוּעָה** (concerning the oath). It links what precedes it with what ensues, going on to cite presumably an authoritative passage, **לֹא תוֹשִׁיעַךָ יָדְךָ לְךָ**, literally translated “Let your hand not save you,” an

<sup>310</sup> As for the reconstruction **נִקְּהָיוּ עֲנָה בְּאֵהוּיוֹ**, see Deut 19:18 (**שִׁקַּר עֲנָה בְּאֵהוּיוֹ**). See also Exod 20:16.

idiom for “Do not take justice into your own hands.” The prefatory formula **אשר אמר**, as cited throughout MTA, implies that the author is quoting a biblical or an authoritative passage which he proceeds to exegete. However, no such phrase exists either in Scripture or in the extant Scrolls. Schechter suggested that it is a paraphrase of **לך וְהוֹשַׁע יָדְךָ לְךָ** in 1 Sam 25:26 (and saving yourself with your own hand). Rabin conjectured that this quote may have come from a sectarian work. Baumgarten rejects this view, since it is not found in the DSS. He goes on to say that the sectarian writers used the formula **אשר אמר** “for things implied or derived from Scripture as well as what was explicitly stated.”<sup>311</sup> However, this suggestion does not resolve the problem, since the text goes on to repeat the phrase positively, that “anyone who makes someone swear in the field concerning a contention not in the presence of judges or by their command has acted on his own (**הוֹשִׁיעַ יָדוֹ לּוֹ**).” This exegesis makes no sense if there had never existed such an injunction. However, Baumgarten’s argument that since no passage has been found thus far in sectarian texts, therefore it never existed, is not cogent. After all, no one claims that every lost text has been recovered.

Let us take a closer look at the statement that one should not take justice into his own hand. In the rabbinic tradition, an oath is valid even if not done in the presence of the court. Our text states that this would be self executed justice.

#### 3.2.2.9.10.2. Misappropriation (9:10b–16a)

The next subject deals with theft and misappropriation of lost objects, an issue introduced already in 4Q270 F2ii:9b–10a and CD 15:3b–5a. It draws on Lev 5:20–26 and Deut 22:1–3. These passages require the finder of an object whose owner is not known to make an endeavor to identify its owner. If the finder does not do so, Lev 5:24–25 enjoins him to add a fifth of the value of the object as well as a guilt offering (**אָשָׁם**). But, whereas Leviticus prescribes that the fifth should be added to compensate the loser of the object, MTA, although ignoring it here, requires the additional fifth in 4Q270 F2ii:9b–10a: **וְכָל אֲשֶׁם מוֹשָׁב אֲשֶׁר** [אין להשיבה והומשה עליה], “[and any guilt restitution that] cannot be restored (to the owner, which must be given to the

<sup>311</sup> Charlesworth, ed., *Damascus Document*, 43.

priest) with an additional fifth (of its value if he knew the owner and didn't return it)." There seems to be no contradiction between the biblical requirement that the fifth be given to the owner, and MTA's apparent injunction that the fifth belongs to the priest. The former refers to a case wherein the owner of the object has been identified, and the latter probably to a situation where the owner remains unknown and the finder kept it for himself rather than as required—handing it over to the priest, with an additional fifth.

While paraphrasing Scripture, our passage greatly amplifies it. The term *בעלים* in the sense of abstract ownership of property does not appear in Scripture. It is used here four times and occurs frequently in rabbinic literature. In our text, it modifies the formula *מאד המהנה* (the property of the camp), suggesting that there existed the concept of private property within the community.

Our text goes on to emphasize the next point: that lost objects and the guilt offering be given to the priest(s). It does not specify the priests to whom the lost object is to be entrusted, but it probably was intended for the sacerdot of the camp.

The phrase *שבועת האלה* (a maledictory oath) recalls the curse of the wayward woman cited in 4Q270 F4:1b–13a, but is a concept amplified above in CD 15:2 as *אלות הברית* (the curses of the covenant). It is not clear, however, whether *שבועת האלה* here is identical to or contrasted with *אלות הברית*. In CD 15, it is said that the tetragrammaton should be used only for the covenantal adjurations at the time of admission into the community, implying perhaps, that it be not employed for any other instances such as in locating lost objects.

### 3.2.2.9.10.3. The Necessity of Two Witnesses (9:16b–10:3)

After dealing with the issue of the lost object, our text treats the biblical injunction requiring two witnesses for substantial accusations. Deut 17:6 and Num 35:30 exclude a single witness from a capital case. Rather, a minimum of two is required. Deut 19:15 amplifies this concept to exclude a single witness from any offense, not just those of homicide. Rabbinics devotes much attention to the evidence of a single witness. Our text does the same, but modifies the rules in the context of the camp and its supervisor. This section begins with the injunction that if there is a single witness to any offense, it cannot be ignored altogether, even though it would not suffice to convict. However, he who saw the misdeed shall report it

to the Supervisor who personally is to make a record of it in case the offender repeats it a second time. This ruling diverges from the rabbinic tradition which requires that two witnesses must testify in tandem to be valid. Our text is more lenient. Two consecutive testimonies may be combined for conviction. However, if the testimony of the two witnesses deals with two separate cases of homicide, it suffices to exclude the person from the Purity. The author adds that this is true only if they are trustworthy. In other words, it is not enough that the testimony of a single witness be sufficient to exclude a single member from the community. Rather, the testimony must be weighed for its reliability. See CD 9:2–7a for the case of the unreliable witness. The biblical text does not specify that two witnesses are required. Nevertheless, like the sages, our text necessitates it. CD 9:23b–10:2a further restricts witnesses in capital cases to those who have attained maturity (presumably the age of twenty), been accepted by the community, and are known for their piety. The text concludes by telling that an impious member who has lost his right to serve as a witness in homicidal cases may regain his testimonial rights by meriting restoration to the community. CD 15:7–10a deals with the matter of renewing the trust of the community. The qualifications of witnesses taught in this section bridge to the succeeding subsection, the qualifications of justices.

#### 3.2.2.9.10.4. The Nature of Judgeship (10:4–10a)

What follows the section dealing with the necessity of proper witnesses concerns the composition of the community's court and the expertise of the judges. This passage has two other parallels that are, on the one hand, similarly worded, and on the other, contain subtle differences. To facilitate their analysis, I have arranged the three passages in parallel columns. On some points such as the identification of the book of Haguy (Hagi), there exists a vast secondary literature which we can only here summarize. My comments will concentrate on matters rarely discussed in these writings.

## THE BOOK OF HAGUY IN MTA

CD 10:4-7	CD 12:22-13:3	CD 14:3-10
<p>10:4) And this is the rule for the judges of the congregation: a minimum of ten expert men 10:5) from the congregation for the occasion—four from the tribes of Levi and Aaron and six from Israel—10:6) who are <b>experts in the book of Hagi</b> and in the foundations of the covenant, from 10:7) twenty-five to sixty years of age.</p>	<p>Now this is the procedure for the habitation 12:23) of the camps who conduct themselves by these commandments during the epoch of wickedness until the rise of the Messiah of Aaron 13:1) and Israel. (There shall be) a minimum of ten men for the thousands, hundreds, fifties 13:2) and tens. (And where there are ten) there shall not be absent a priest who is <b>expert in the book of Hagi</b>. By 13:3) his authority all of them shall be guided.</p>	<p>14:3) Now for the procedure of the camp sessions. All of them shall be organized by their names: first the priests, 14:4) the Levites second, the Israelites third and proselytes fourth. And they shall be recorded by their names 14:5) one after another: the priests first, the Levites second, the Israelites 14:6) third and the proselytes fourth. And thus they should be seated, and thus should they inquire about any matter. And the priest who will be appointed 14:7) as leader of the Many, shall be between thirty and sixty years of age, <b>an expert in the book 14:8) of Haguy</b> and in all the injunctions of the Torah to interpret them correctly. And the Supervisor 14:9) of all the camps shall be between thirty and fifty years of age, accomplished in every 14:10) issue of the people of the assembly and in every tongue as (spoken) by their families.</p>

What is interesting in these comparisons is that, although the description of the book of Haguy is identical in all three, their contexts diverge. In CD 10, MTA is concerned with the number of judges and their divisions by priests, Levites and Israelites. 12–13 deals with the organization of the camps in the Messianic epoch by the thousands, hundreds, fifties and tens (*a la* the divisions of officers appointed by Moses in Exod 18:21). The concern of 14 is the order of the camp headed by the priests and the Supervisor. Other differences are that CD 10 requires that all ten judges be experts in the book of Haguy. 12–13 specifies that the smallest unit of the camp be ten in number.

The text goes on to say that each group must have among it a priest who is an expert in Haguy.<sup>312</sup> In 14, the requirement of being an expert in it is assigned only to the chief priest of the Many, and perhaps to the Supervisor. The book of Haguy, whose importance is so paramount in MTA, is also stressed in 1QSa 1:6–7, which states that one should start training in the book of Hagi as a youth and be instructed in the statutes of the covenant as he matures.

The sapiential work which Strugnell has named מוסר contains two mentions of Haguy—one being, as I suggest, the *Vision* of Haguy and the other a statement that Haguy had not been available to the antediluvian generations. Cited already on page 247, 4Q417 Fl:13b–18a records,

13  
14 מִבֵּין רוּשׁ פִּעֲלַתְכֶּם בּוֹזְרוֹן הָעַ[תִּים] בָּא הַרוּת הַתְּחֻקַּי {כֹּה} וְחֻקֵּי כֹל הַפְּקוּדָה  
15 כִּי חֲרוּת מִחֻקֵּי לֹאֵל עַל כֹּל עֲתִיּוֹם בְּנֵי שׁוֹת וּסְפָר זְכוּרֹן כְּתוּב לִפְנֵי  
16 לְשִׁמְרֵי דְבָרוֹ וְהוֹאֵה חֻזֹן הַהֲגוּי לְסִפְרֵי זְכוּרֹן וַיִּנְחִילֵנוּ לְאַנּוּשׁ עִם עִם רוּחַ כִּי[י] אֵ  
17 כְּתַבְנִית קְדוּשִׁים יִצְרוּ וְעוֹד לֹא נָתַן הַגּוּי לְרוּחַ בָּשָׂר כִּי לֹא יָדַע בֵּין  
18 [טו] בְּ לִרְעָ כְּמִשְׁפֵּט [ר] וְחָו

And you understand the beginning of your (God's) creation in the remembrance of the e[pochs.] In it (the remembrance) the statute is etched, and the entire command is decreed (in it), because it was etched to God's lawgiver (Moses ?) pertaining to all the epochs for the sons of Seth. A memorial volume is written before Him for those who keep His word; and it is the *vision of Haguy* for the memorial volume; and they (the sons of Seth) bequeathed it forthwith to Enosh together with the people of the spirit, be[ca]use he fashioned it as a sacred blueprint. But Haguy had not as yet been given to the spirit of flesh, for it (the spirit of flesh) had as yet not known the difference between [goo]d and evil in accordance with his [spi]ritual nature . . .<sup>313</sup>

The identity of the book of Haguy, so important in MTA, is puzzling. It has aroused a great deal of speculation by scholars of the Damascus Document. Whether or not Haguy in MTA is identical to that of 4Q417 is controversial. I affirmed their interdependence

<sup>312</sup> See Baumgarten's restoration in 4Q265 F7:6–7 of a priest being an expert in the book of Hagi; DJD XXXV, 69–70.

<sup>313</sup> See also Ben Zion Wacholder and Martin 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), xiii. For a different rendition of these lines, see Strugnell and Harrington in DJD XXXIV, 155.

in our preliminary edition (II, xiii). Strugnell and Harrington argued for the contrary. According to them, their rendition of the clause *ועוד לוא נתן הגו' לרוח בשר* as “*But no more has meditation been given to a(?) fleshly spirit*” precludes a reference to that work as “Haguy.” However, if these words are taken to mean, as I do, “*But Haguy had not as yet been given to the spirit of flesh,*” their objection is no longer valid. Rather, it suggests that a work such as entitled *Haguy* would yet be given in the future, probably the *Sefer He-Haguy* in the DSS.

As to the identity of Haguy, it seems to be an appellation given to a psalm-like composition. It appears that the author of 4Q417 assumed that the psalter was part of sapiential literature. It is interesting that 4Q491 F11i:21 (4Q War Scroll<sup>a</sup>) contains the hymnic line: *ה[ש]מיעו בהגיא רנה* ], “[P]roclaim joy with Hagi (meditation).” The origin of the name, as frequently noted, comes from Ps 1:2 and Josh 1:8. Such an understanding of the book of Haguy would make sense in CD 10:6 which states, “*who are experts in the book of Hagi and in the foundations of the covenant.*” It also would cohere with the requirement in *Rule of the Community* that this work be assigned for the education of the youth. For the authors of MTA and *Rule of the Community*, the book of Haguy intertwined Torah with psalm-like wisdom. The judges (CD 10:4–10a) could uphold justice only if competent in the books of Haguy and the foundations of the covenant.

### 3.2.2.9.11. *Concerning Bathing (CD 10:10b–13)*

The next three lines have a subtopic concerning bathing in waters insufficient to immerse a person. Lines 12–13 are problematic. One could read them, as does Cook, as a continuous sentence.<sup>314</sup> Or, as done by most scrollists, they could be divided into two sentences. It seems that this passage may correspond to the controversy between the Pharisees and Sadducees in *Yadaim* 4:7 on whether defiled water contaminates other water.

אומרים צדוקין. קובלין אנו עליכם פרושים. (שאתם מטהרים את הנצוק. אמרים הפרושים. קובלין אנו עליכם צדוקים.) שאתם מטהרים את אמת המים הבאה מבית הקברות.

<sup>314</sup> “A man may not purify any dish in such water or in any stone cistern that does not have enough water in it to make a ripple and that something unclean has touched, for its water will defile the water of the vessel.” (Wise, Abegg and Cook, *Scrolls*, 68)



The Sadducees say: “We complain against you Pharisees, that you declare a steady stream of liquid as clean.” The Pharisees say: “We complain against you Sadducees, that you declare as clean the stream of water that passes through a cemetery.” (*Yadain* 4:7)

If our text relates to the Mishnah, ושמא מימיו במימי הכלי (he defiles its waters as if by the waters of a vessel) suggests that an unclean person defiles a body of water in the same manner as do unclean waters contaminate clean waters. Thus, MTA would seem to follow the opinion attributed to the Sadducees.

### 3.2.2.9.12. *Concerning the Sabbath (CD 10:14–11:18a)*

The next major section consists of a compendium of rules concerned with Sabbath observance. Note that the heading not only mentions the main subject, the Sabbath, but includes the injunction to keep it properly, indicating a polemical stance against those who tend to be lax or follow different rules in observing it. It may also echo *Jub.* 2 and 50 which repeatedly reiterate the sanctification of the Sabbath. Interestingly, the Sabbath rules in our text begin with the temporal parameters of the seventh day from its commencement on Friday evening. The list concludes with the prohibition against performing private sacrificial offerings on that day. Thus, the actions prohibited in this compendium tend to be polemical in the sense that these practices were very stringent and must have been neglected by the people in general, as they concerned speech or allusions to weekly labor and movements of objects. Several of them, such as not transporting burdens in or out of a habitation or the tent of meeting, drawing water or fasting, or striking an animal on the Sabbath, also echo *Jubilees*. Note that the last item in this section, that of sanctioning sacrificial offerings on the Sabbath, parallels *Jub.* 50:10.

#### 3.2.2.9.12.1. Cessation of Labor on Friday at Sunset (10:14–17a)

From Schechter to Schiffman, scholars have stressed that this text ordains the prohibition of labor on Friday sometime prior to sunset, what is known in rabbinic literature as תוספת שבת (the lengthening of the Sabbath). However, I am not certain that MTA's wording mirrors this Talmudic concept. Note that our text begins with the command that one may not perform labor מן העת (from the moment . . .) and concludes with the citation from Deut 5:12, שמור (watch), implying the observance of the beginning of the Sabbath. It goes on to define מן העת as מן השער מלואו אשר יהיה גלגל השמש רחוק מן השער מלואו as מן העת, literally “when the

disk of the sun is distant from the gate (in) its fullness.” The gate here refers not to the earthly horizon as is commonly understood, the sun’s diameter being some distance from it, but to the astral gates through which the sun enters and exits in its daily orbit. The term שַׁעַר, as Ginzberg notes, alludes to the twelve gates through which the sun enters and exits the heavens, portals described in *1 En.* 72:2–37. Note that the author adds the word גִּלְיוֹא (its fullness), apparently stressing the moment when the sun’s fullness disappears from the sky.<sup>315</sup> Thus it suggests that it refers to the very moment of sunset. Had the author wanted to lengthen the observance of the Sabbath to a period before the moment of the sun’s disappearance from sight, he would have pointed to more definite temporal dimensions to specify clearly how long the Sabbath should be extended. In other words, there is no clear evidence in MTA for the argument that our text has the concept of extending the Sabbath to Friday prior to sunset. To the contrary, our passage may reflect an argument against the positions found in Talmudic literature.

#### 3.2.2.9.12.2. Foul Speech (10:17b–18a)

The first prohibition in our list is against profane speech, what is called in rabbinics נְבוּלָה (ה)פָּה (*Leviticus Rabbah* 24:7). It is interesting that the author begins his list of Sabbatical prohibitions with an injunction drawn from prophetic literature. Our text exegetes וְדַבֵּר דָּבָר of Isa 58:13 to refer to foul speech. Schiffman, however, citing *Targum Isaiah* 32:9, translates דָּבָר נְבוּלָה וְדָרַךְ as “a wicked or vain word,” and takes it as prohibited speech concerning business, a subject which the text goes on to elaborate upon. However, it is unlikely that the speech prohibited here pertains exclusively to business affairs. Rather, as in 4Q266 F10ii:3 (compare also 1QS 7:9) which condemns דָּבָר נְבוּלָה, followed by the next injunction which prohibits interrupting the speech of one’s neighbor, the first clause of our text pertains to foul speech in general, not specifically to that in business. Moreover, note that 4Q266 F10ii:3 prohibits דָּבָר נְבוּלָה at any time, not just on the Sabbath.

#### 3.2.2.9.12.3. Business (10:18b–21)

The first clause pertains to business adjudications. On the basis of Jer 2:35, Ginzberg suggests reading יִשְׁפֹּט as a Nifal, יִשְׁפֹּטִי (to plead or

<sup>315</sup> Ginzberg, *Unknown Jewish Sect*, 55.

dispute about).<sup>316</sup> The wording *לעשות את עבודת הפצו* (to do his desired work) draws on *עשות הפצו* (performing your needs) and *מעשות דרכיך* (neither doing your ways nor fulfilling your needs), clauses from Isa 58:13 which are taken here as a prohibition against transacting business on the seventh day.<sup>317</sup> The radius of a thousand cubits for walking on the Sabbath outside the city draws on Num 35:4. However, CD 11:5b–6a sanctions two thousand cubits for the accompanying of an animal (see section 3.2.2.9.12.8 below).

3.2.2.9.12.4. Preparation of Sabbath Needs on Friday (10:22–11:2a)  
 The first clause prohibits the consumption of anything that has not been prepared on Friday. For the requirement that all foods must be cooked before the Sabbath, see *Jub.* 50:9. The next clause specifies that one may neither eat nor drink anything outside the camp. The question arises as to what one who is *outside* the camp must do on the Sabbath. 11:1–2a states that if one is on a journey and goes down to wash and wishes to drink, he may do so provided he is standing. Not being permitted to draw water into a vessel, he may drink only from the surface of the water without any utensils. A cursory reading of our text suggests that it sanctions washing but not bathing in an immersed position. As Schiffman understands it, לרהוץ “here refers to the ritual cleansing of the hands (and feet?) performed upon rising and before eating.”<sup>318</sup> He posits that על עומרו would be an inappropriate posture for one bathing. However, this interprets our text in the light of rabbinic jurisprudence. We do not know that such requirements existed in the sectarian tradition. רהץ frequently means “to bathe.” If so, in this instance the text might refer to one standing in water while washing oneself and drinking.

3.2.2.9.12.5. Labor by a Proselyte (CD 11:2b)

The clause that one may not authorize a non-Jew to assist him by doing business for him on the Sabbath (CD 11:2) is subject to two interpretations. Rabin understands בן הנכר in light of Isa 56:3–6 to mean a proselyte.<sup>319</sup> Agreeing with the opinions of Yehezkel Kauf-

<sup>316</sup> Ginzberg, *Unknown Jewish Sect*, 58.

<sup>317</sup> For a discussion of the rabbinic sources, see Ginzberg, *Unknown Jewish Sect*, 58–59 and Schiffman, *The Halakhah*, 88.

<sup>318</sup> Schiffman, *The Halakhah*, 102.

<sup>319</sup> Rabin, *Zadokite Documents*, 54.

mann and Emil Schürer, that at the time of the composition of MTA the practice of formal conversion had not as of yet been instituted, Schiffman concludes that *בן הנכר* must refer here to a pagan.<sup>320</sup>

In my opinion, the author of MTA does recognize the existence of the institution of conversion in several passages. CD 12:10–11 prohibits the sale of one’s male and female slave “who have entered with him into the covenant of Abraham.” This makes it clear that the formal conversion of proselytes requiring circumcision was known to the author of MTA. The author also knows of the requirement to recognize monotheism, since he tells us in CD 16:6 that “Abraham was circumcised on the day he came to know (God).” *ברית אברהם* in CD 12:11 must include circumcision as well as recognition of monotheism. Moreover, the prohibition of selling one’s slave to pagans takes for granted that converted slaves were fully subject to Jewish law, a point that is also evident in CD 11:12.

אל ימרא את עבדו ואת אמתו ואת שוכרו ביום השבת.<sup>321</sup>

One shall not command his man servant, his maid servant or his hireling (to perform tasks) on the Sabbath day.

Returning to CD 11:2, the use of *בן הנכר* rather than *גוי*, the standard term for pagans in MTA, favors the view of Rabin, that this formula refers to one who has converted to Judaism.

### 3.2.2.9.12.6. Soiled Garments (CD 11:3–4a)

The word *גז* has given rise to various opinions. Schechter read *גזובאים* (that were brought by a gentile);<sup>322</sup> Ginzberg emended *גזובאים* (soiled by excrement).<sup>323</sup> Schiffman and Rabin understand *גז* as *gazzā*, of Persian etymology, and translate it as “put into storage.”<sup>324</sup> My translation “wool shearings” accords with Deut 18:4. Garments brought into contact with wool would be cleansed with incense.

<sup>320</sup> Schiffman, *The Halakhah*, 104–106.

<sup>321</sup> CD; *בשבת* CD; *ביום השבת* 4Q270 F6v:17.

<sup>322</sup> Fitzmyer, ed., *Documents*, 81.

<sup>323</sup> Ginzberg, *Unknown Jewish Sect*, 62.

<sup>324</sup> Schiffman, *The Halakhah*, 107; Rabin, *Zadokite Documents*, 54.

## 3.2.2.9.12.7. Fasting (CD 11:4b–5a)

Early scholars—Schechter, Ginzberg and Rabin—assume a corruption of יהרעב (to hunger) to יהערב (to intermingle).<sup>325</sup> More recently, however, scrollists have insisted on the received reading, paralleled also in 4Q271 F5i:1. Schiffman construes it “to enter partnership”;<sup>326</sup> Baumgarten “to intermingle (purities with others)”;<sup>327</sup> Cook, “to cross Sabbath borders”;<sup>328</sup> Vermes, “to mingle (with others)”;<sup>329</sup> Abegg in his computerized morphologically tagged text lists it under the broader glosses, “to mix” or “to interfere.”<sup>330</sup> However, in my opinion these translators ignore the import of the word נרצונו (voluntarily), which makes good sense only with the presumption of a metathesis assumed by the early scholars. That one should not go hungry on the Sabbath accords with standard sectarian opinion. *Jubilees* 50:12 and other sectarian writings make fasting on the Sabbath a capital offense.

3.2.2.9.12.8. Pasturing Animals and Moving Objects  
(CD 11:5b–9a)

What follows are rulings concerning the movement of animals and objects. The proscription limits the pasturing to a maximum of two thousand cubits, diverging from CD 10:21 which specifies the radius of the sabbath walk as one thousand. Drawing on MTA, 4Q265 F7:4–5 limits the accompanying of grazing cattle to a distance of two thousand cubits on the Sabbath.<sup>331</sup>

The basis for both the distance of thousand and the two thousand cubits in MTA draws on Num 35:4–5, which limits the pastureland of the Levites to a thousand cubits and that of the other Israelites to two thousand. Rabbinic exegesis ignores the thousand assigned to the Levites in Scripture, but regards the two thousand cubits as the Sabbatical boundary for both humans and beasts.

Our text goes on to prohibit striking (literally raising the arm

<sup>325</sup> Fitzmyer, ed., *Documents*, 81; Ginzberg, *Unknown Jewish Sect*, 64; Rabin, *Zadokite Documents*, 54.

<sup>326</sup> Schiffman, *The Halakhah*, 109–111.

<sup>327</sup> Charlesworth, ed., *Damascus Document*, 47.

<sup>328</sup> Weis, Abegg and Cook, *Scrolls*, 68.

<sup>329</sup> Vermes, 140.

<sup>330</sup> Martin G. Abegg, Jr., *Qumran Sectarian Manuscripts: Qumran text and grammatical tags* (1999–2005), CD 11:4.

<sup>331</sup> Joshua 3:3–4 stipulates the same length for the distance between the ark and the people who follow it.

to strike) a bovine on the Sabbath. Ginzberg conjectures that this prohibition rests on Exod 20:10, which prohibits animals owned by Israelites from performing labor on the Sabbath. He raises the question whether our text prohibits an owner from inflicting pain upon his beast, or whether the striking refers to directing an animal in its work. According to Ginzberg, the next clause, which says that if the animal be rebellious he may not take it out from its house, suggests the second alternative. *Jubilees* 50:12 makes the striking of an animal a capital offense. Note, however, that according to CD 12:3–4, labor on the Sabbath does not entail the death penalty.

The clause prohibiting bringing objects *from* or *into* a domain draws on Jer 17:21–22, but our text here probably depends on *Jub.* 2:29–30. The proscription restricting carrying anything from a *tent* or *house* on the Sabbath paraphrases *Jub.* 50:8.

#### 3.2.2.9.12.9. Opening Sealed Vessels (CD 11:9b)

The word *טוּחַ* appears in Lev 14:42–43 and 48 in the sense of covering a wall with clay. CD 8:12 employs the phrase *טוּחֵי הַתְּפֹל* (those who plaster with whitewash) metaphorically in the sense of covering up with vain speech. The prohibition against opening sealed vessels diverges from the majority opinion in rabbinics which permits it.<sup>332</sup>

#### 3.2.2.9.12.10. Carrying Medications (CD 11:9c–10a)

The sense of *סַמְנִיִּם* is complicated. Baumgarten, Schechter, Schiffman and Vermes translate it as “spices,” Rabin and Cook, “medicine” and Martínez-Tigchelaar, “perfumes.”<sup>333</sup> The word *סַמָּן* could carry the sense of the Aramaic *סַיְמָנָא* (gem).<sup>334</sup> According to Schiffman, the sentence refers to women carrying perfume, a notion which diverges from the masculine wording *יֵשָׁא אִישׁ עֲלָיו*.<sup>335</sup> The singling out of carrying *סַמְנִיִּם* from among all other labors deserves comment. If we posit that it refers to medicines, our text may have a polemical stance, since the rabbis permitted it. See CD 11:16, which prohibits the pulling out of a person who has fallen into water or a pit. Here we

<sup>332</sup> See *Tosefta Shabbat* 16(17):13.

<sup>333</sup> Schiffman, *Halakhah*, 116; Rabin, *Zadokite Documents*, 56; Wise, Abegg and Cook, *Scrolls*, 69; Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 569.

<sup>334</sup> Hebrew *סַמָּן*; cf. *Targum Yerushalmi* Deut 33:19.

<sup>335</sup> Schiffman, *The Halakhah*, 116–17.

find the rejection of the concept known from rabbinics as פקוח נפש (a danger to life overrides the Sabbath).

### 3.2.2.9.12.11. Carrying Rock and Earth (11:10b–11a)

These lines prohibit moving rock and soil on the Sabbath, even within a dwelling place (Lev 25:29). Scholars have noted that this corresponds to the Talmudic מוקצה (objects not usable on the Sabbath), which are proscribed by a rabbinic (non-biblical) ordinance. It is, however, doubtful that the sect accepted the concept of מוקצה. Our prohibition, therefore, stems from the exclusion of coming into contact with objects that have not been specifically prepared (מוכן) to be used on the seventh day.

### 3.2.2.9.12.12. Carrying Infants (CD 11:11b)

Our text specifies that a nurse may not take an infant to and from the house. It does not say whether this nurse was Jewish or Gentile. However, the wording “going out or coming in” must refer to the former, as do the other regulations in this section.

### 3.2.2.9.12.13. Requiring a Servant to Work (CD 11:12)

CD reads ימרא איש את, while 4Q271 F5i:7 has ימר את. Our reading ימרא departs from our principle of following the ancient cave texts when there are divergences between the medieval and the Qumran texts. The verb ימרא seems more plausible than ימר. Its root is debated. Rabin understands מרא as cognate to Arabic *myr* (to urge on) and Baumgarten as a jussive form of *mrh* (to resist, provoke).<sup>336</sup> The translation here “command” draws on the Talmudic מר or מרא (Aramaic) meaning “master,” but, as a verb, has the sense of “to command.” As to the identity of the servant and maid, Schiffman argues that they must be Jewish personnel, since the Essenes did not own slaves.<sup>337</sup> However, CD 12:10–11 which prohibits the sale of one’s slave who has entered the covenant of Abraham, suggests that MTA posits the ownership of slaves among the sectarians.

<sup>336</sup> Rabin, *Zadokite Documents*, 56; Baumgarten in Charlesworth, ed., *Damascus Document*, 49. Baumgarten translates “Let no man contend (?) with his slave, his maidservant, or his hired man on the Sabbath.”

<sup>337</sup> Schiffman, *The Halakhah*, 121.

## 3.2.2.9.12.14. Animal Husbandry (CD 11:13–14a)

Rabin and Schiffman diverge on how to render these two clauses. According to Rabin, they are part of a single injunction.<sup>338</sup> One may not assist an animal, either the mother in giving birth or the young if it is born in a pit. As read by Schiffman, however, the two clauses represent independent ideas—one concerning help for the newborn embryo and the other, if an animal falls into a cistern.<sup>339</sup> Both interpretations can be defended. The first receives support in the CD reading; the second in the cave texts.

## 3.2.2.9.12.15. Socializing with Pagans (CD 11:14b–15a)

The prohibition of camping near pagans draws evidently on Lev 23:3 which commands Israel to keep the Sabbath throughout all their habitations. The implication here is that one could associate with pagans on days other than the seventh day (and festivals). See my comments below on CD 12:6b–11a (section 3.2.2.9.14) pertaining to relations with pagans.

## 3.2.2.9.12.16. Business (CD 11:15b)

For the word לִיָּא see Num 30:3. Ginzberg and Rabin speculate as to the sense of this clause, that it may allude to what is recorded in *Tosefta Erwin* 3(4):5—that one may not desecrate the Sabbath for the sake of saving property, but may do so to save a life.<sup>340</sup> However, our author is here dependent on Neh 13:15–22 and *Jub.* 50:8.<sup>341</sup> The latter specifically prohibits doing business on the Sabbath and renders buying and selling a capital offense.

## 3.2.2.9.12.17. Assisting a Fallen Person (CD 11:16–17a)

Lines 16–17a tell what to do or not to do (depending on the translation) when one falls into a reservoir of water or a pit. Translators diverge. Schechter, Charles, Baumgarten et al. render, “And if any person falls into a gathering of water or into a place of . . . he shall not bring him up by a ladder or a cord or instrument.”<sup>342</sup> Ginzberg and Rabin, regarding it as inconceivable for the sect to have rejected the

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<sup>338</sup> Rabin, *Qadokite Documents*, 56.

<sup>339</sup> Schiffman, *The Halakhah*, 121–22.

<sup>340</sup> Ginzberg, *Unknown Jewish Sect*, 68; Rabin, *Qadokite Documents*, 57.

<sup>341</sup> See also Schiffman, *The Halakhah*, 125.

<sup>342</sup> Fitzmyer, ed., *Documents*, 81.



rabbinic concept that “saving a life suspends the Sabbath,” reconstruct the text to read, “But every living man who falls into a place *full* of water or into a place from which one cannot come up, let *any* man bring him up with a ladder or a rope or *any* instrument.”<sup>343</sup> Schiffman accepts Schechter’s understanding of the wording of the text, but modifies it to conform in spirit to that proposed by Ginzberg.<sup>344</sup> Thus, according to Schiffman, the sect did believe that saving a life overrides the Sabbath. However, this sanction of violating the seventh day because of a life was restricted only through a case where there was no other means of saving the person (בדִּיעֵבֶר). To begin with (לְכַתְּחִילָה), one should attempt to rescue without violating the Sabbath. In my opinion, however, the author of MTA does not display an awareness of the difference proposed by Schiffman that distinguishes between לְכַתְּחִילָה and בְּדִיעֵבֶר. Either way, one may not use an instrument to violate the Sabbath. In fact, as I show in the introduction, a notion that the sectarian writers tended to avoid the imposition of the death penalty cannot be supported by the sources. According to MTA, any violation of biblical proscriptions, except those of the Sabbath and festivals, was subject to capital punishment. Hence, it is not surprising that they prohibit using any instrument for saving the life of one who has fallen into a cistern.

### 3.2.2.9.12.18. Sacrificial Offerings in the Sanctuary (CD 11:17b–18a)

As Baumgarten notes, the verb יַעַל here bridges with the preceding clause which contains the verb יַעֲלֶה. Schiffman understands מִלֵּבֶר מִלְּבָר to exclude any other offering prescribed in Lev 23 and Num 28, except for the burnt offering.<sup>345</sup> This probably misconstrues the meaning of עֹלֹת הַשֶּׁבֶת. First, the word עֹלֹת here does not necessarily restrict it to the burnt offerings alone. Rather, it is a collective term summarizing what is itemized in line 19, עֹלָה וּמִנְחָה וְלִבְנֹתָ וְעֵץ (a burnt, a gift, an incense or a wood offering), bearing a resemblance to those of *Jub.* 50:10 (save burning frankincense and bringing oblations and sacrifices). Moreover, עֹלֹת could be read as a הֶסֶר form for the plural עֹלוֹת, meaning here, not the burnt offering exclusively, but all the sacrificial offerings of the Sabbath. The ruling here that only offerings

<sup>343</sup> Rabin, *Zadokite Documents*, 56.

<sup>344</sup> Schiffman, *The Halakhah*, 125–27.

<sup>345</sup> Schiffman, *The Halakhah*, 128.

mandated in Scripture may be brought on the Sabbath conforms to the Talmudic tradition. This injunction is the last clause on the list of Sabbatical legislation begun in CD 10:14 and as mentioned earlier, corresponds to the final portion of the Sabbatical commandments found in *Jub.* 50:10. The author of *Jubilees* lists it just prior to the conclusion of his work.

A word may be said here about Schiffman's summary of the Qumran sabbath code based on our text. It tends to take for granted what is only conjecture. There is no reason to suppose that the sect had the concept of *מוקצה*. What is prohibited is drawn from the biblical passages which include not only the Pentateuchal rules, but also Isa 58:13–14, Jer 17:21–27 and Neh 13:15–22. Partnership is not specified in this sectarian compendium; only fasting on the Sabbath is prohibited. Of course, it was not necessary for the author to list the prohibition against establishing a partnership, since it would fall under the other prohibitions of doing business, such as not adjudicating concerning matters of property and wealth (CD 10:18). Although Ginzberg and Rabin agree with Schiffman that the first rule mentioned in this code extends the Sabbath to before the Friday sunset, thus echoing the view recorded in the Talmudic tradition, a close analysis of the wording does not affirm this opinion. What the author of this text insists on is that the observance of the Sabbath begin at the moment of the astronomical sunset. Schiffman's assertion that the term *סמנים* in CD 11:10 refers to perfume carried by women is unlikely. The vocabulary of this prohibition is masculine, and probably refers to medications. Finally, it is not necessary to maintain, as Schiffman does, that the author of MTA limited the Sabbatical altar to the burnt offering alone. The word *עולה* includes any Sabbatical offering prescribed in the Torah.

At this point it may be worth mentioning that MTA contains other allusions to the Sabbath outside this compendium. The author of MTA tells that God revealed the mysteries of the Sabbath and the festivals, calendrical observations in which other Israelites have gone astray (CD 3:12–15). In other words, the sabbath laws in MTA form part of the polemics embedded in our work. CD 6:17b–19 reinforces this polemical stance:

6:17 ואת יתומים ירצחו להבדיל בין הטמא לטהור ולהודיע בין  
 6:18 הקודש לחול ולשמור את יום השבת כפרושה ואת המועדות  
 6:19 ואת יום התענית כמצאת באי הברית החדשה בארץ דמשק

It is necessary to differentiate between what is defiling and pure and to make known between what is sacred and what is ordinary; and to observe the day of the Sabbath including its elaborations and the festive seasons and the day of fasting (atonement) in accordance with the practice of those who will enter the new covenant in the land of Damascus. (CD 6:17b–19)

CD 12:3b–5a contains one of the most dramatic passages in this work: “However, anyone who strays by profaning the Sabbath and the festivals shall *not be put to death*; rather let the people keep him in custody.” These lines appear to nullify the injunctions in Exod 31:14–15, which mandate the death sentence to those who desecrate the Sabbath. It also contradicts both *Jub.* 2 and 50 which constantly reiterate capital punishment for its violators. Reasoning that the text could not have flagrantly diverged from biblical rulings, Schiffman interprets לא יומת in CD 12:4 to refer to accidental transgressions (what the rabbis call בשוגג). However, this view is untenable, since the protasis uses the phrase יהעה להלל, denoting willful violation.<sup>346</sup>

### 3.2.2.9.13. *The Sanctification of the Temple and the House of Worship* (CD 11:18b–12:6)

The previous section dealt with the keeping of the holy Sabbath. The next ten and one half lines treat the subject of holy places, concluding with the Sabbath and festivals. This pericope pertaining to holy loci links up into a single theme concerning קדושה (holiness). The first clause ordains the community to refrain from sending gifts with a defiled person to the temple, resulting in its contamination. The itemization of the offerings here is interesting. It includes those of burnt, grain, frankincense and wood. The עולה here stands for any sacrificial offering.<sup>347</sup> The grain offering refers to gifts in general. That of wood corresponds to the [קורבן ה]עצים in 11QT 43:4. As is usual, the author of MTA paraphrases the Masoretic text (here Prov 15:8) for his purposes, influenced perhaps by Prov 15:29. It avoids using the tetragrammaton and alters ישרים (upright) to צדיקים (righteous). 1QS 9:5 echoes our text. CD 11:21b–12:1a deals with an institution not otherwise attested—the בהשתחוזה, literally “house of prostration,” also characterized as בֵּית קֹדֶשׁ (a sacred house). It seems to be related or identical to the traditional synagogue known from

<sup>346</sup> Cf. also CD 1:13; 2:15, etc.

<sup>347</sup> See the comments on עולה השבת above.

ancient sources such as Philo, Josephus and the New Testament. Its Hebrew name, *בית הכנסת* (the house of assembly), goes back to the period of the Second Temple. As described in our passage, this house of worship had features comparable to that of the sanctuary. The service is called *עבודה*. The author of MTA requires that one may enter it only while washed and that trumpets be employed to assemble and disperse the people. This suggests that it was a large assembly.

The next clause prohibits cohabitation with a woman within the confines of the holy city. The epithet *עיר המקדש* (city of the Temple), not recorded in the Hebrew Scriptures, occurs in several DSS passages. 11QT 47:3–18 describes its sanctity as being on a higher level than that of any other Israelite city. Sacrificial offerings or any other slaughtered animals and their skins could be neither imported into nor exported from these cities. CD 5:6–7 charges that the opposition defiles the temple by not separating according to the Torah and by sleeping with women during their menses, apparently a reference to actions within the *עיר המקדש*. 4Q248 F1:6–7 relates the invasion of a king to Egypt, after which he came into the *עיר המקדש*. Presumably all occurrences of this phrase refer to Jerusalem as a whole, including its borders, not as argued by Schiffman that *עיר המקדש* was restricted to the *הר הבית* (the temple mount).<sup>348</sup> If so, the question arises as to why these writers avoided giving its appellation, especially in that the name *ירושלם* plausibly appears in MTA.<sup>349</sup> Possibly the author intends to emphasize the circumlocution as a polemic against the opinion imbedded in rabbinic tradition which sanctioned cohabitation in Jerusalem.

The key to the understanding of CD 12:2b–3 and the reconstructed parallel in the list of transgressions (4Q270 F2i:9–12) is the contrast between idolatrous practices and the violation of the Sabbath. Whereas breaching the former entails the death penalty (*ישפט*), the profanation of the latter does not. Hence, the statement in CD 12:3b–4a, *וכול אשר יתעה לחלל את השבת* (However, anyone who strays by profaning the Sabbath), encompasses the Sabbath regulations from CD 10:14–11:18a as well as the items concerning the Sabbath in the list of transgressions (4Q270 F2i:18b–20).<sup>350</sup> The leniency

<sup>348</sup> See J. Milgrom, “The City of the Temple. A Response to Lawrence H. Schiffman,” *JQR* 85 (1994): 125–28.

<sup>349</sup> Cf. *ירושלם* in 4Q267 F5ii:5.

<sup>350</sup> See in particular the clause “One may not profane (*יהל*) the Sabbath for wealth or business” in CD 11:15 and the reconstruction “or who p[rofan]es (*יהל*) the Sabbath day and the festivals” in 4Q270 F2i:19b–20.

concerning the Sabbath may have resulted from its stringent nature, since the legislation embraces speech and movement, actions easy to transgress.

Schechter and others connect the verb *ירפא* to *רפא* (to heal), but Ginzberg's rendition that if he "desists" from it (*רפה*) appears preferable. The rule of keeping one under observance for a period of seven years occurs in 11QT 63:14–15 in connection with a captive woman (Deut 21:11) and in 4Q270 F4:15–16 (paralleled in 4Q266 F12:8), evidently in connection with *שופחה התרופה* (a betrothed slave).

### 3.2.2.9.14. *Relations with Pagans (CD 12:6b–11a)*

The next five lines concern relations with people who practice idolatry. Lines 6b–7a prohibit anyone from shedding the blood of a pagan for gain. The phrase *לשפוך דם* could mean either "to slay" or "to injure." Ginzberg understood this clause to refer to receiving money in support of Israelite charities. The text goes on with an interesting conclusion: *כי אם בעצה חבור ישראל* (unless authorized by the association of Israel). This wording may suggest that there was at this moment enmity between the two groups, denoting that even during hostilities one might not appropriate pagan goods unless explicitly authorized by the association. As to the meaning of *חבור*, scholars compare it to the rabbinic *חבורה* (association). This term seems to occur in the Testament of Amram wherein he (Amram) describes, "(when there came) news about a frightening war our [gro]up went ba[ck] to the land of E[gypt]" (*שמועה קרב מבהלה האב[ן]ה חבו[ן]תנא לארעא מ[צריין]*).<sup>351</sup> Lines 8b–10a go on to disallow the sale of sacrificial animals, wine or oil to pagans, for they might utilize them for idolatrous purposes. Neither may one sell slaves who have converted to Judaism (CD 12:10b–11a). That the phrase *ברית אברהם* here refers to circumcision as part of the conversion process becomes apparent from CD 16:6 which affirms that Abraham was circumcised on the day he came to know God. In other words, according to MTA, the institution of conversion goes back to the time of the patriarch. If so, the clause *בברית אברהם* is conceivably the oldest allusion we have to the institution of *גרות*.

<sup>351</sup> 4Q545 F1a-bii:16. Martínez and Tigchelaar read, however, *שמועה קרב מבהלה* (*rumor of war, frightening those returning [from] here to the land of E[gypt] . . .*); Florentino García Martínez and Eibert J. D. Tigchelaar, eds. and translators, *The Dead Sea Scrolls Study Edition, Volume Two: 4Q274–11Q31* (Brill: Leiden, 1998), 1090–91.

3.2.2.9.15. *Prohibited Foods (CD 12:11b–18)*

The next eight and one half lines deal with dietary restrictions, another aspect of sanctification. The first phrase, **אל ישקץ**, appears in CD 7:3, retaining its biblical meaning of detesting. Here **שקץ** has the sense of not abominating oneself with prohibited foods. The first statement is general and includes any consumption of forbidden creatures or creeping things. According to Ginzberg **מעגלי הרבורים** refers to the Syriac **עגלי דבריהא** (little worms). He interpreted thusly because it seemed inconceivable to him that the sect would have prohibited the consumption of honey, since Samson partook of it (Judg 14:8–9).<sup>352</sup> Furthermore its prohibition accords with Lev 11:29. It is more likely, however, that **מעגלי הרבורים** refers to the larvae of bees and that, contrary to the halakah, the sect considered it prohibited, as did Philo.<sup>353</sup> The **רבש** in the Hebrew Bible (Exod 3:8 etc.) refers to fruit honey. As to the fish, the sect diverges from the Talmudic halakah. Rabbinic law does not require special ritual for the consumption of fish. Nevertheless, the author of MTA does. Fish are not to be consumed unless they have been sliced open and their blood extracted. As Ginzberg understands lines 14b–15a, the process of eating locusts is by roasting or cooking them. It is, however, more plausible that MTA's concern is their cleansing.

The next two passages, lines 15b–18, are likewise polemical against concepts embedded in the Mishnah and Talmud. According to the latter, defilement is reduced progressively. Thus, items that come into contact with defiled objects contract lower levels of contamination as the process continues from item to item. The author of MTA, however, insists that an object which has touched something defiled becomes itself defiled on the same level as did its source. Thus, our writer was aware of the Talmudic concept of **ראשון** and **שני לטומאה** (the first contact and the second contact of contamination), but repudiated it. For the writer, anyone who touches oil that has been contaminated by the presence of a corpse would be likewise defiled.<sup>354</sup>

Translators understand lines 17b–18 as affirming that household items attached to the wall in the proximity of a corpse become defiled

<sup>352</sup> Ginzberg, *Unknown Jewish Sect*, 78–79.

<sup>353</sup> As cited by Rabin, *Zadokite Documents*, 61.

<sup>354</sup> For a discussion of this passage in relation to Josephus' treatment regarding the abstention of the Essenes from oil, see J. Baumgarten, "The Essene Avoidance of Oil and the Laws of Purity," *RevQ* 6 (1976): 183–92.

just as do any implements of standard use. However, this rendition would add little to what has been already stated in lines 15b–17a. Furthermore, this understanding would require a comparative כ before כְּלֵי מַעֲשֵׂה. As I see it, the central point here is that stationary household items become the source that defiles any manufactured object. Again, the author points out that the level of contamination is continuous and not reduced as argued by the Talmudic sages.

### 3.2.2.10. *The Organizational Structure of the Community (CD 12:19–14:18a)*

At this point, the author presents two organizational structures within the community: the procedures for the *cities* and the *camps*. Other such headings appear in CD 10:4 dealing with the rules for the justices, in 13:7 pertaining to the role of the Supervisor, in 14:3 concerning the camps, and 14:12 on a tax for the benefit of the needy. A related heading summarizing the procedures for the cities and camps is reiterated in the last lines of the book (4Q266 F11:18–21).

#### 3.2.2.10.1. *The Cities (CD 12:19–22a)*

Lines 19–20 highlight the contents of the work, that of separating between the defiled and the pure, and distinguishing what is sacred and what is ordinary. As explained elsewhere, the cities were apparently subject to special rules of purity such as celibacy, a status not practiced in the camps.

The text continues by introducing the מִשְׁכִּיל (the sage), a personage already mentioned in 4Q266 F5i:17–18. For the broader implications of the sage, see the comments above. That the statutes pertaining to this leader are sandwiched between the procedures of the cities and those of the camps may accentuate his duties as a spiritual guide for the communities of both. The מִשְׁכִּיל is mentioned a third time in CD 13:22, where once again he serves as the spiritual prototype for all Israel to follow.

#### 3.2.2.10.2. *The Camps (CD 12:22b–14:18a)*

What follows describes the camps: a classification of their general rank and the intellectual quality of their leadership. It then elaborates at length on the duties of its leader.

## 3.2.2.10.2.1. The Leadership of the Camps (CD 12:22b–13:2a)

This large pericope on the camps begins with the skills required of the leaders of Israel, abilities that should prevail until the community is taken over by the Messiah of Aaron and Israel. What CD 12:22b–13:2a insists is that the organizational structure advocated in MTA not be altered arbitrarily. Only the anointed of Aaron and Israel will establish a new order. The camps of Israel in the messianic age will follow the model recorded in Exod 18: a partition into thousands, hundreds, fifties and tens. The ten, then, is the minimum division. In rabbinic tradition, the reason for the *מנין* draws on the ten spies dispatched by Moses in Num 13. Our text points to another source alluding to the so-called *מנין*.

## 3.2.2.10.2.2. The Sacerdote and the Supervisor (13:2b–7a)

CD 13:2b–7a deals with the qualifications of the primary leaders of the camps and exposes us to their hierarchy. This is the second time the author describes the qualifications of the community's leadership. In CD 10 we heard of those of the justices. Here it is those of the priests and evidently their substitutes, the Levites, along with the Supervisor. The sensational qualification required of these leaders is that of being expert in wisdom literature, specifically in the book of Hagi (Haguy), a work that I understand is an amplification of the book of Psalms.<sup>355</sup> The author draws attention to the fact that the priestly office is lineal. Hence, there is no certainty that each successive leader of the decimal subdivision will have mastered the requisite skills. MTA provides that, in the absence of a qualified priest, a trained Levite may assume that office; and, implicitly, if there is no Levite, an ordinary Israelite or proselyte who possesses the necessary expertise may serve. His epithet is the *מבקר* (Supervisor), a term used in Talmudic literature, but not recorded in the Hebrew Scriptures. It is, nevertheless, derived from the clause in Ezek 34:12 *כַּבְקֵרֶה רֵעָה עֲדָרָו* (as a shepherd cares for his flock). This term is a favorite in MTA, occurring some twenty-one times in the extant text. As are the leaders of each decimal, the *מבקר* is presumably also an expert in the book of Haguy. Nevertheless, he may not formally do tasks that Scripture assigns to the priests. These responsibilities belong to the leading priests and their descendents. If there is a need for expertise, such as analyzing the state of a leper,

<sup>355</sup> See the chart on page 327 for a comparison of the three texts that present leadership responsibilities and qualifications.



and the priest lacks the competence to do so, it is the Supervisor who instructs the priest in the procedures of the case (CD 13:5). So far, however, our text has not told us of the precise role of the **מבקר**. This is described in CD 13:7–14:18a.

### 3.2.2.10.2.3. The Duties of the Supervisor (13:7b–14:18a)

The author has already introduced his readers to some of the duties of the camp's Supervisor, namely oversight in the admission process and instruction of new members. Here he provides more detail on the responsibilities of this leader, highlighting his directing of spiritual matters, oversight of the hierarchical system, and his participation in caring for social needs.

#### 3.2.2.10.2.3.1. Spiritual Guidance (CD 13:7b–10)

The text requires the Supervisor to enlighten the many in the acts of God, explaining what they are. The phrase **מעשי אל** occurs twice elsewhere in MTA.<sup>356</sup> Only in this passage, however, does the author expand on its broader sense. He begins by disclosing the responsibility of the Supervisor to expound upon the mighty wonders of God. **גבורות פלאו** is a variant of **רזי פלאו**.<sup>357</sup> The next clause tells us that the Supervisor must relate to the community the events of eternity with their explanations. The exact sense of this clause is obscure. CD reads **בפרתיה** (in its details). The reading adopted here follows 4Q267 F9iv:5. This clause apparently refers to the various amplifications found in works such as *Jubilees*, *Enoch* and, perhaps, *Apocryphon of Genesis*, where biblical heroes and events are told in greater detail. For fatherly compassion toward offspring see Ps 103:13, “as a father has compassion on (his) children” and 1 John 3:1, “Look at what kind of love the father has displayed to us, that we be called the children of God.” As to the motif of God shepherding His people, see my reconstruction of 4Q266 F4:11, apparently alluding to David. CD 13:10 is unique in ancient literature in that it displays an awareness for the care of an individual, namely that the leader of a community must pay attention to the welfare of each person so that no one be made a scapegoat.

<sup>356</sup> CD 1:1–2; 2:14–15. See also my reconstruction [**מעשי אל**] in 4Q266 F1:5.

<sup>357</sup> For other examples of **רזי פלאו** cf. CD 3:18; 1QS 9:18; 11:15; 1QH<sup>a</sup> 5:8; 9:21; 10:13; 15:27; 19:10; 1Q27 F1i:7; 4Q259 3:17; 4Q417 F1i:2; F1i:13; 4Q418 F219:2; 4Q511 F44-47:6.

### 3.2.2.10.2.3.2. Supervision of the Hierarchical System (13:11–14:12a)

It is the duty of the Supervisor to install each new member into his appropriate rank within the community hierarchy. 14:3–6 later divides the community into four classes: priests, Levites, Israelites and proselytes. The Supervisor places each individual into his appropriate rank within these classes. He is in charge of analyzing the fitness of each person along with his material possessions and must record each sequentially into the membership roll of the children of light.<sup>358</sup> Thus each member knew who was above or below him in rank. CD 13:12b–13 reemphasizes the paramount role of the *מבקר* of the camp.

Scrollists used to read *בני השחה* (sons of the Pit) in line 14, but as noted by Baumgarten, the reading *בני השחר* is secure. These lines evidently prohibit all conventional trade using a monetary medium within the community. Exchanges must be exclusively by barter. However, the text implicitly allows trading with people outside the community.<sup>359</sup> Whether exchanges are by barter or through pieces of silver, they require the authorization of the Supervisor.

CD 13:16b–17a adds that what is true of commercial dealings applies as well to marriage and divorce. Both require the Supervisor's consent. The identity of the person who should seek counsel in the clause *וזה [ו] אה יע[ו] ש[ה] ב[ע]צה* (And he shall d[o so with] counsel) is uncertain. It might refer to the one who is taking the wife, stipulating that he should seek the counsel of the Supervisor. Or, as is more likely, the clause specifies that the Supervisor not act arbitrarily in matters of marriage, but seek advice from others before issuing decrees on matrimony. In other words, marriage is not like commerce. In the former, the Supervisor may act on his own. He may not do so, however, in anything pertaining to familial issues.

What follows in 13:17b–18a relates to the Supervisor acting as a disciplinarian of the camps' families. The phrases "humble [spirit] and gracious love" echo Mic 6:8 ". . . what does the Lord require of you, except to do justice, to love mercy and to walk humbly with your God?"<sup>360</sup> It is interesting that MTA itemizes the offspring as

<sup>358</sup> That *האור* refers here to the community of the children of light, see *אור* in 4Q266 F1:1.

<sup>359</sup> J. Baumgarten, "The 'Sons of Dawn' in CDC 13:14–15 and the Ban on Commerce among the Essenes," *IEJ* 33 (1983): 81–85.

<sup>360</sup> Cf. 1QS 2:24 and 4Q417 F2i:2–3.

sons, (probably) daughters and infants. This makes it clear once again that the camps were not celibate and that the Supervisor acted as a disciplinarian, perhaps together with the father. The text continues in 13:18b–19a by urging the Supervisor not to treat them harshly for their transgressions (evidently meaning not only those of the children, but of all the members of the camp). This statement to treat sinners mildly gives the impression that it is out of line with the general treatment of sin in MTA which requires severe, even capital punishment for the sinner. The solution may be that פשעים here has a less stringent sense than elsewhere, as it seems to be explained in the next clause. Unfortunately the lacunae in 19b–20a deprive us of a clear solution. If one reads the text with my proposed reconstruction “even (against) that which is not bound by [the covenantal] oa[th] pertaining to their disciplinary rules,]” the author himself distinguished between two types of violations—those that draw on Hebrew Scriptures and form part of the covenantal oath, and those which are not bound by them (ואת אשר איננו נקשר), rather are part of the discipline imposed independently of sacred writ. The latter conform to the disciplinary rules in the conclusion to the book (CD 14:18b–23; 4Q266 F10ii; 4Q270 F7i:1–17; 4Q266 F11:1–3a) where the consequences for violation are temporary exclusion and a fine rather than expulsion from the sect.

CD 13:20b–22a summarizes the preceding material, but how far back we are not certain. It undoubtedly extends at least to 12:22–23, introducing the procedures for the camps. However, it may include the procedures for the cities beginning in 12:19. The phrase [לְרַע יִשְׂרָאֵל] in 13:20, whose restoration is supported by 4Q266 F9iii:11, tends to favor that the summary applies to both camps and cities. Aside from the individual consequences for sin, the author prescribes also corporate responsibilities. The failure of the entire community to keep these procedures would have severe results: expulsion from the holy land and oppression (מִצְוִקוֹת), apparently in exile.

CD 13:22b–14:2 urges the people to live by the precepts of the מִשְׁכִּיל. This is the third time MTA deals with this leader. As explained above, the sage is probably a broader term describing the מִבְּקֵר, referring to his place as the spiritual leader of all Israel, both the communities of the cities and camps. Our text here continues by citing Isa 7:17 in an abbreviated format. This verse was quoted in CD 7:11–12 where the prophetic source is named. There it noted that Israel would split once again into two parts as it had in the days of Jeroboam I, one migrating north to Damascus, the other perishing.

The verse has a parallel purpose in our passage, noting that Israel will split again in the messianic age into two parts. One will be saved and the other will vanish. CD 14:1b–2 presages salvation for all those who walk in the way of God because of their trust in the divine covenant which will deliver them from those that are ensnared by the pit. Scholars differ on the reading of the succeeding clause. פִּתְּהוֹמִים, as suggested by Qimron and others, is textually implausible on two grounds. The reading פִּתְּהוֹמִים is secure in CD and not unlikely in 4Q267 F9v:5. Contextually the suggested emendation makes little sense here, for the term פִּתְּהוֹמִים in MTA alludes to one who lacks wisdom, not necessarily to a sinner. Thus, CD 13:7 calls the leading priest who is not trained in matters of leprosy a פִּתְּהוֹמִים without infringing in any way on his lofty office. In my understanding וַיִּעֲנֶשׂוּ [וְ] פִּתְּהוֹמִים עֲבָרִים would refer to מִוִּקְשֵׁי שְׁחָת “those who are *ensnared by* the pit” in contrast to the righteous who will be delivered in the messianic age.

CD 14:3–12a goes on to relate the order of seating within the camps as administered by the Supervisor. The system follows the four-fold divisions of priests, Levites, Israelites and proselytes. 1QS 6:8–9 alters this formula. It has the priests, followed by the זְקֵנִים (the elders) instead of the Levites, then followed by the שאר כול העם (the remainder of all the people). This could be interpreted in one of two ways. *Rule of the Community* does not recognize the existence of proselytes. Indeed, the term גֵּר does not occur in 1QS. Or, it could signify that according to this sectarian text the proselytes were integrated within the remainder of the people.<sup>361</sup> On the other hand, the four-fold division of MTA should be compared to that of *Mishnah Qiddushin* 4:1 where the people are divided into ten classes led by the priests, Levites, Israelites, unfrocked priests, proselytes, and redeemed slaves. It is apparent that our text here assigns a status to the גֵּר not inferior to the preceding groups. It, therefore, seems to draw on Ezek 47:22–23 where the גֵּר has the same status as that of the tribes of Israel. However, it diverges from 4QFlorilegium (4Q174) F1–2i:4 which places the proselyte among the nations with whom intermarriage is forbidden (Deut 23:4).<sup>362</sup>

For the requirement that the chief priest be an expert in the book of Haguy, see our discussion above on the nature of judgeship (CD

<sup>361</sup> See Hempel's discussion of the proselytes (*The Laws of the Damascus Document*, 135).

<sup>362</sup> See M. Broshi and A. Yardeni (DJD XIX, 83) on the treatment of the גֵּר in 4Q340.

10:4–10a). Note, however, that whereas here the priest must be an expert in the book of Hagi (Haguy) as well as the *משפטי התורה*, its parallel in CD 10:6 has the variant *יסודי הברית* (the foundations of the covenant). On the other hand, no other work is mentioned along with the book of Haguy in the second parallel of CD 13:2. Our text makes another point not mentioned in the above parallels, suggesting that the laws of the Torah must be understood in consonance with the book of Haguy.

CD 14:8b–9 limits the age of the *מבקר* to between thirty and fifty years. This diverges from that of the *כוהן* who is required to be between thirty and sixty. Does this indicate that the office of the Supervisor cannot be identical to that of the priest? Lines 9b–10a require that the Supervisor must be cognizant of every language found in the community. It follows that the sect was multilingual. That a complainant must bring his legal matter to the Supervisor who evidently assigns it to the justices suggests that this community leader played an important role in settling disputes.

### 3.2.2.10.2.3.3. Social Needs (14:12b–18a)

The role of the Supervisor extends also to his part in regulating the personal needs of each member. The text pays particular attention to the care of the needy: the wounded, the destitute, the debilitated elderly, the leper, he who has been taken captive by foreigners, and maidens and lads who need assistance. The Supervisor together with the judges distribute the withheld wages to the needy, whose combined minimum provision was a distributed income of two days per month of the working days of the community's able, or about 8.3% of their total income. Given this description, depending upon the needs of the community this levy could possibly be increased. As far as I know, this is the oldest record attested in antiquity for the raising of a special tax for the needs of the handicapped. The list evidently reflects the makeup of the association. The last item in this list, *ולכול עבודת החבר*, which we translated as “all the services provided by the association,” literally means “and for all the labor of the association.” This wording may imply that the list of the needy given here is not exhaustive. Other categories were also to be supported.

As was mentioned above, CD 12:8 notes the existence of a *חבור* *ישראל* (the association of Israel) that was concerned with neighborly relations. A variant *חבורה* appears to occur also in the Testament of Amram (4Q545) F1a-bii:16 that alludes to the patriarch's group

as *חברו*[רָתַנָּא] (our [gro]up). Our text indicates that the *בית החבר* was apparently a special subgroup which had been designated to deal with social problems. This term might be compared to the phrase *בית ההשתחויה* in CD 11:22 and *בית התורה* in CD 20:10. The three refer to institutions dedicated to fulfill tasks such as prayer, study and social services. The concluding words that the association not perish due to a lack of material support of the community may suggest the existence of a social group that collected levies from the people and whose existence was precarious. Lines 17b–18a have two functions. They conclude the section on fulfilling social needs. In a larger sense, they also tell us that the list begun in CD 12:19 which describes the organization of the community ends here.

This section dealing with social wants has, of course, its basis in Scripture containing provisions for the support of the needy. However, whereas the *לִקְט* legislation of Lev 19:9–10 and 23:22 served to provide for the needy, nothing in the biblical text indicates an organized system of social care as described here in sectarian literature; nor do other DSS texts, except MTA. Moreover, this section was intended perhaps to serve as a transition to the book's conclusion. What has preceded it contains items drawn from Scripture. However, what follows does not.

3.2.2.11. *Discipline within the Community (14:18b–23; 4Q266 F10ii:1–15; 4Q270 F7i:6b–16a; 4Q266 F11:1–3a)*

The last line of CD 14 has been lost, as has what CD contained of MTA's ending. However, most of this material can be confidently restored from the combined parallels in 4Q266 F10ii–F11; 4Q269 F11i:8–ii, F16; 4Q270 F7 as well as 1QS 7:8–21. Together, these manuscripts form most of what is missing following CD 14, the last major section of our work.

The new pericope beginning with CD 14:18b (4Q266 F10i:11) and continuing to the third line of the last page of 4Q266 consists of the disciplinary rules to prevent disorderly conduct. These injunctions have no biblical or even Talmudic parallel, but are unique to the Dead Sea Scrolls, and with his finale in MTA, they serve as the author's ending to the work.

3.2.2.11.1. *Introduction to the Disciplinary Injunctions (CD 14:18b–19)*

It is interesting that at this point, what has survived in MTA and its parallel, *Rule of the Community*, contains lists of disciplinary cases which

frequently correspond to each other. Indeed, both begin with similar wording as displayed below.

<i>MTA (CD 14:18b–19)</i>	<i>Community Rule (1QS 6:24a)</i>
And these are the verdicts [by which they shall be judged until the Anoint]ed of Aaron and Israel [arises] and atones for their transgressions by an off[ering, a sin offering or a gift.]	And these are the verdicts by which they shall be judged through the <i>midrash-Yāchad</i> according to (their) commands.

A basic difference between the two introductory passages is the term *יהר* מדרש, present in *Rule of the Community*, but not in MTA. Indeed, the term *יהר* is ubiquitous in the former, occurring some sixty times in 1QS, but evidently only once in MTA.<sup>363</sup> Thus, the title *יהר* for the community opens a new chapter in the communal and literary tradition of the Essene movement. As a technical term, *יהר* was not known to the author of MTA, since it was not mentioned by the authors of *Enoch* and *Jubilees* whose work preceded the composition of our text. Incidentally the word מדרש preceding *יהר* in 1QS 6:24 may refer to the title of our work, מדרש התורה האחרון, the source from which the משפטים in the *יהר* were drawn. As was noted elsewhere, MTA and 1QS contain numerous parallel passages. Scrollists have wondered which of the two was the source and which the derivative. If I am correct, the naming of מדרש as the heading for the verdicts in *Rule of the Community* clearly resolves the enigma. *Rule of the Community* followed MTA.

3.2.2.11.2. *The Injunctions (CD 14:20–22; 4Q266 F10ii:1–15; 4Q270 F7i:6b–15a)*

Below is a harmonization listing the parallels and divergences between the rules found in MTA and those later incorporated into *Rule of the Community*. I list the verdicts of MTA in their natural sequence. The injunctions found in *Rule of the Community* sometimes deviate, modifying those of MTA. Following this listing the commentary continues, including a brief exposition on the elements of the table.

<sup>363</sup> See the composite of 4Q270 F3iii:19 and 4Q271 F2:7 cited above.

THE DISCIPLINARY RULES OF THE COMMUNITY  
PARALLELS BETWEEN MTA AND RULE OF THE COMMUNITY

*MTA*

CD 14:20 And any]one w[h]o knowingly speaks falsely in matters of business, [they shall separate from the Purity 14:21<sup>a</sup> for one year, and] he shall be fined for sixty days.

CD 14:21<sup>b</sup> And he who addre[sses his neighbor haughtily or 14:22 holds a grudge against his neighbor] unjustly should be pun[is]hed and [his sentence] shall b[e like that of the preceding case . . . ]

*IQS*

6:24 If there be found one who lies 6:25<sup>a</sup> concerning property, doing so knowingly; they shall separate him from the Purity of the many one year and they shall withhold a quarter of his ration of bread.

7:5 And anyone who addresses his neighbor haughtily or who knowingly practices fraud shall be punished for six months.

6:25<sup>b</sup> And anyone who retorts to 6:26 his neighbor with hardness of neck, and speaks with impudence, disregarding the foundation of friendship with him, defying his friend's authority who is listed before him, 6:27 [a]cting on his own, shall be fined on[e] year [and separated. And he w]ho makes mention of any matter employing the glorious name (God) above all [ . . . ] 7:1 And if he blasphemes or, being frightened by trouble or for any matter with which he is concerned . . . he recites in a book or curses, they shall separate him 7:2 and he shall not return to the council of the community. And if he speaks with anger against one of the priests recorded in the book, he shall be fined 7:3 for one year and separated into isolation from the Purity of the many. And if he speaks so without intent, he shall be fined for six months. And if he intentionally lies 7:4 he shall be fined for six months.

. . . And if 7:6 one cheats his neighbor, he shall be fined for three months. And if he cheats regarding communal property, causing a loss, he shall repay it 7:7 in full. 7:8<sup>a</sup> And if he cannot afford to compensate him, he shall be fined for sixty days.



## MTA

## IQS

4Q266 F10ii:1a . . .(and shall be separated)  
for two [hundred] days and fined for one  
hundred days.

4Q266 F10ii:1b And if he holds a grudge  
involving a capital offense he [shall]  
not be permitted to return <sup>2a</sup>[(to the  
Purity).]

7:8b And he who holds a grudge against  
his neighbor unjustly shall be fined for  
one year.

7:9a And the same applies for one who  
takes vengeance on his own in any  
matter.

4Q266 F10ii:2b Any one who [mo]cks his  
neighbor without authorization of the  
counsel [shall be sep]arated (from the  
Purity) for one year and be fi[n]ed <sup>3a</sup>for  
s[ix months].]

7:4b And anyone who mocks his neighbor  
without reason, fully aware that he is  
doing so, shall be fined for a year <sup>7:5a</sup>and  
be separated.

4Q266 F10ii:3b One who uses lewd speech  
shall be fined for t[wen]ty <sup>4a</sup>[days and  
separated] (from the Purity) for three  
month[s].]

7:9b And one who uses lewd speech, three  
months.

4Q266 F10ii:4b [One who] talk[s] on top of  
[his neighbor] disruptively <sup>5a</sup>[shall be  
fined ten] days.

7:9c And anyone who talks on top of his  
neighbor, <sup>7:10a</sup>ten days.

4Q266 F10ii:5b [One who lies dow]n [and]  
sleeps during the [ses]si[ons of the Many  
thre]e (times) <sup>6a</sup>[shall be separated] (from  
the Purity) for thirty days [and] fined for  
ten days.

7:10b And anyone who lies down and  
sleeps during the session of the many,  
thirty days.

<sup>6b</sup>[And the same applies to one who  
lea]ves <sup>7a</sup>without the permission of the  
M[a]n[y.]

And the same applies to the one who  
departs in the middle of the session of  
the many <sup>7:11</sup>without permission.

<sup>7a</sup> [And] he who [dozes off] up to three  
ti[mes during] one [session] <sup>8</sup>shall [be  
fined] for ten days. And if [when they  
arise], he leaves [the session (without  
permission), he shall be fined for thirty]  
<sup>9a</sup>da[ys.]

7:11b And he who dozes off<sup>364</sup> up to three  
times at a single session shall be fined for  
ten days. And if when they arise, <sup>7:12a</sup>he  
leaves, (without permission), he shall be  
fined for thirty days.

4Q266 F10ii:9b One who walks around naked  
[in the house] in front of [his] neigh[bor  
or parades naked in the field before]  
<sup>10a</sup>p[e]ople shall be separated (from the  
Purity) for six [months].]

7:12b One who walks around naked in  
the presence of his neighbor, not being  
compelled to do so, shall be fined for six  
months.

<sup>364</sup> The text has ׀נ׀ (for nothing)

## MTA

## IQS

4Q266 F10ii:10b [One who spits into the session, or] 11) [draws o]ut his hand from under [his] garment [which has] holes so that [his penis becomes visible, shall be separated (from the Purity) for thir]ty <sup>12a</sup>[da]ys and fined for ten.

4Q266 F10ii:12b And anyone who stupid[ly] j[es]ts, [loudly raising his voice, shall be separated (from the Purity) for] <sup>13a</sup>[t]hirty <days> and fined for fif[tee]n days.

4Q266 F10ii:13b [One who takes out] his le[ft ha]nd <sup>14a</sup>[to uri]nate with it shall be fined [for ten days and separated for thirty.]

4Q266 F10ii:14b And as for anyone] who goes around [gossiping] <sup>15</sup>[about] his [neigh]bor, [they shall separate him from the Purity for one year and he shall be fined for six months.]

4Q270 F7i:6b [One who goes around] <sup>7a</sup>[gos]siping about the Many shall be expelled and] shall [not] be r[e]admitted.

4Q270 F7i:7b [And if he complains unjustly against his neighbor, he shall be fined for six] <sup>8a</sup>[months.]

4Q270 F7i:8b [And any]one whose [spirit] is vain [before the many by repudiating the Truth and walking in the stubbornness of his heart] <sup>9</sup>[shall] be se[parated (from the Purity). And if he should be readmitted] he shall be fined for sixty [days. When the sixty days have passed, the Many shall deliberate] <sup>10</sup>concerning [his] statu[s. And if he is to be readmitted, they] should list [him in his rank. Thereafter, he shall inquire into the verdict.]

7:13 He who spits into the habitation of the many shall be fined for thirty days. Also, he who puts out his hand from under his garment, and he is <sup>7:14a</sup>not covered and his penis becomes visible shall be fined for thirty days.

7:14b And anyone who stupidly jests, loudly raising his voice shall be fined for thirty <sup>7:15</sup>days.

7:15b One who takes out his left hand to urinate with it shall be fined for ten days.

7:15c And as for anyone who goes around gossiping about his neighbor, <sup>7:16a</sup>they shall separate him from the Purity of the many for one year and he shall be fined.

7:16b One who goes around gossiping about the Many shall be expelled <sup>7:17a</sup>and shall not be readmitted.

. . . <sup>7:17c</sup>And if he complains <sup>7:18a</sup>unjustly against his neighbor, he shall be fined for six months.<sup>365</sup>

. . . <sup>7:17b</sup>One who complains against the foundation of the community shall be expelled and may not be readmitted.

7:18b And as for anyone whose spirit is vain before the foundation of the community by repudiating the Truth <sup>7:19</sup>and walking in the willfulness of his heart, if he repents he shall be fined for two years. During the first he may not touch the Purity of the many. <sup>7:20</sup>And during the second he may not touch the drink of the many, and he shall be ranked lower than all the men of the community. When <sup>7:21</sup>two years have passed they shall consult the Many concerning his case. And if he is to be readmitted, he should be listed by his rank. Thereafter, he shall inquire into the verdict.

<sup>365</sup> *Rule of the Community* proceeds in line 17b with a clause not in MTA, then follows 4Q270 F7i:7b in line 17c.

<sup>4Q270 F7i:11a</sup> [The man] who despises the (final) verdict of the many shall exit and [never again return.]

<sup>7:22</sup> Anyone who is a member of the council of the community for a full ten years, <sup>7:23</sup> and his spirit moves him to become a traitor against the community, abandoning <sup>7:24</sup> the many to follow the stubbornness of his heart, shall not be allowed to return again to the council of the community. And as for anyone from the people of the commun[ity w]ho intermingles <sup>7:25</sup> with him in his Purity or his property whi[ch is part of the session of] the many, his verdict shall be that [he] be dismis[sed] like that of his associate.

<sup>4Q270 F7i:11b</sup> One who appropriates <sup>12a</sup> food illicitly shall return it to the man from [whom] he took it.

<sup>4Q270 F7i:12b</sup> And one who approa[ch]es <sup>13a</sup> his wife to have sexual relations contrary to the law shall exit and not return.

<sup>4Q270 F7i:13b</sup> [Any one who rebe]ls against the fathers <sup>14</sup> [should be expelled] from the community and not return. [But if] he rebels against the mothers, he shall be fined for ten days, for mothers do not have the ornate glory (as do the fathers) [in] <sup>15a</sup> [the community.]

### 3.2.2.11.2.1. Business Fraud (CD 14:20–21a)

The first clause, CD 14:20–21a, relates to business fraud, what the sages of the Talmud call **אִי־נֶאֱדָר**. Although the text in *Rule of the Community* resembles that of MTA, interesting differences emerge. Whereas the former employs the biblical term **הָרָן**, the latter uses **מִמְרוֹן**, a word recorded only in rabbinics and the New Testament. A more significant distinction is, whereas MTA describes the fine as sixty days, 1QS specifies **אֵה רְבִיעִית לַחֲמוֹ** (a quarter of his ration). The change from sixty days in MTA to the bread ration in *Rule of the Community* may be behind two divergent social structures, the first penalty developing into the latter during the evolution of the sect.

### 3.2.2.11.2.2. Improper Speech (CD 14:21b–22)

The next two clauses in MTA continue to deal with improper speech—a haughty demeanor and plotting against one’s neighbor

(CD 14:21b–22). *Rule of the Community* treats these matters differently, however, scattering them out within a new narrative from 1QS 7:5–8. Moreover, there is a divergence in the verdicts. If we are right, MTA has the verb  $\text{וְיִעָנֵשׁ}$  (he shall be fi[n]ed),<sup>366</sup> without specifying about what his penalty is, except apparently referring to the verdict of the previous clause dealing with business fraud, a fine of sixty days. Furthermore, MTA links haughty speech with plotting against one’s neighbor, whereas 1QS 7:5 connects it with the clause  $\text{אוֹרְיָעֵשׂה רְמִיָה בְּמַדְעָר}$  (or who knowingly practices fraud).

What immediately follows CD 14:22 is uncertain. Line 21 restores line 15 of 4Q266 F10i, none of which survives. The lacuna that follows in 4Q266 may have spanned approximately eight lines for a total of twenty-five in fragment 10i. Although we cannot conjecture the text of the lost material, we may nevertheless assume that it continued to deal with the disciplinary injunctions begun in column 1 line 11 (CD 14:18), and virtually paralleled in 1QS 6:24–7:21. It may have contained portions preserved in 1QS 6:25b–7:8a and 7:22–25, material not paralleled in MTA. The last word of 4Q266 F10i probably was  $\text{וְהוּבְדַל}$  (and shall be separated), to conjoin with  $\text{יָמִים וְנֶעֱנַשׁ מֵאַה יוֹם}$  (for two [hundred] days) of line 1 column 2. These missing lines prevent us from guessing the wording of the protasis, whose apodosis concludes with  $\text{וְנֶעֱנַשׁ מֵאַה יוֹם}$  (and fined for one hundred days). At any rate, this verdict has no counterpart in 1QS, which makes no mention of a period of one hundred days.

### 3.2.2.11.2.3. Holding a Grudge Involving a Capital Offense (4Q266 F10ii:1b–2a)

The clause in line 1 of 4Q266 F10ii,  $\text{וְאִם בְּרַבֵּר מוֹת יִנְטוֹר}$  (And if he holds a grudge involving a capital offense), indicates that the preceding injunctions dealt with offenses that did not involve the death penalty. The formula  $\text{בְּרַבֵּר מוֹת}$  appears above in CD 9:6, likewise concerning keeping a grudge. Capital punishment is a major theme in MTA. CD 9:1 condemns anyone who devotes someone else to idolatry. CD 9:23–10:2 specifies that to adjudicate a capital offense a judge must be a member of the community. CD 12:3–4 asserts that violations of the Sabbath do not warrant a death penalty. Finally, MTA states that anyone whose reading lacks clarity may not par-

<sup>366</sup> Literally “he shall be pun[is]hed.”

ticipate in public recitation of Scripture, lest he error in a reading that concerns the death penalty (4Q266 F5ii:1–3).

#### 3.2.2.11.2.4. Mocking (4Q266 F10ii:2b–3a)

The next injunction deals with mocking (צִהָה), a term which some render as “insult.” 1QS 7:4–5 qualifies that punishment be rendered only if the act was done בְּרֵעָהָ (intentionally). *Rule of the Community* also diverges in the punishment. Where MTA says that the offender must be separated for one year and fined for six months, *Rule of the Community* specifies that he be fined for a year and separated, without giving the time.

#### 3.2.2.11.2.5. Lewd Speech (4Q266 F10ii:3b–4a)

Line 3 contains the second mention of the phrase דְּבַר נָבֵל (lewd speech) in MTA. CD 10:17b–18a reads דְּבַר נָבֵל וְרַק (a lewd or empty word) in the context of unacceptable speech on the Sabbath. The question is, if lewd speech is prohibited even on weekdays, why would it be specifically forbidden on the Sabbath? It could be that the consequence of Sabbath violation would be more stringent. 1QS 7:9 omits the punishment of twenty days.

#### 3.2.2.11.2.6. Interrupting Another (4Q266 F10ii:4b–5a)

Lines 4b–14a list clauses which generally concern the decorum required during communal sessions. 4b–5a have their counterpart in 1QS 6:10, altering, however, the ending. Instead of the vague term פָּרַע (to disturb), *Rule of the Community* amplifies this word with טָרַם יְכַלֵּה אֶחָיו לְדַבֵּר (before his friend finishes speaking).

#### 3.2.2.11.2.7. Intentionally Sleeping during the Assembly (4Q266 F10ii:5b–6a)

1QS 7:10 does not have the specification that sleeping during the assembly could occur three times prior to punishment, a requirement listed in the next injunction of MTA. Likewise *Rule of the Community* omits the final clause that the offender be fined for ten days.

#### 3.2.2.11.2.8. Leaving the Assembly Without Permission (4Q266 F10ii:6b–7a)

Our text and *Rule of the Community* ascribe the punishment of the above case also to one who leaves the session without its authorization.

### 3.2.2.11.2.9. Dozing Off During the Assembly or Leaving Without Permission (4Q266 F10ii:7b–9a)

For line 7 Baumgarten transcribes [וְהָיָה] [וְהָיָה] [וְהָיָה], “‘[doing so]’ . . . (three times).<sup>367</sup> Hempel transcribes [וְהָיָה] [וְהָיָה] “‘with]out [cause].”<sup>368</sup> As noted by Qimron, the second letter of this word in the parallel, 1QS 7:11, was corrected in the manuscript to either הָ or הַ. For his transcription he chose וְהָיָה. Charlesworth on the other hand translates it as if it were וְהָיָה (And whoever falls asleep).<sup>369</sup> We read here [וְהָיָה] [וְהָיָה] ([and] who [dozes off]). Should he who dozes off to sleep also arise and leave the session he shall be fined for an additional thirty days, corresponding to the separation period of the one who deliberately sleeps during the council session.

### 3.2.2.11.2.10. Nakedness (4Q266 F10ii:9b–10a)

The question arises whether lines 9–10a of 4Q266 F10ii form part of a group of rules that relate to decorum during communal sessions. The reference to nakedness in a field could be interpreted in one of several ways in this regard: 1) it is an incidental addition to legislation pertaining otherwise to etiquette in public meetings, complementing the proscription against bodily exposure within a building, or 2) it describes another aspect of the sessions of the community, implying that they were conducted sometimes outside in the open. At any rate, indecent exposure serves to parallel the main concern of this portion of the *משפטים*—proper conduct during public sessions. Note also the prohibition against exposure of one’s genitals described below in line 11. 1QS 7:12a radically alters this injunction against nakedness. It omits the wording *בבית או בשדה* *בבית או בשדה* (in the house or pa[rades] n[aked] in the field) preserved in 4Q270 F7i:2 and *ה[ב]לפני* *ה[ב]לפני* of 4Q266 ([before] p[e]ople), replacing them with *ולוא היה אנש* (not under constraint).

<sup>367</sup> Baumgarten, DJD XVIII, 75. See also Martínez and Tigchelaar’s rendition of *אחד* [וְהָיָה] [וְהָיָה] [וְהָיָה] “‘[ and that] up to three ti[m]es in] one [session]” (Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 597).

<sup>368</sup> Hempel, *The Laws of the Damascus Document*, 83, 141–42. Cook similarly translates “for no reason” (Wise, Abegg and Cook, *Scrolls*, 72).

<sup>369</sup> Charlesworth, ed., *Rule of the Community*, 30–31.

3.2.2.11.2.11. Spitting or Exposing One's Genitals (4Q266 F10ii:10b–12a)

For the filling of the lacuna of line 10, either of two reconstructions is conceivable. The punishment of the previous case relating to nudity could be extended to include another verdict as proposed by Hempel and Martínez-Tigchelaar: “shall be excluded for six [months and punished for thirty days (?).]”<sup>370</sup> A more plausible restoration, however, is to fill the missing words with the protasis of the subsequent case, absent in our text, but preserved in 1QS 7:13. Let us remember that both MTA and *Rule of the Community* frequently omit a second punishment in the *משפטים*. Conversely, *Rule of the Community* sometimes expands upon the corresponding verdicts of MTA (compare 1QS 7:17–18a and 4Q270 F7i:7b–8a). Moreover, note that the case in *Rule of the Community* on exposure likewise only has a single punishment. Furthermore, if we adopt the alternative reading, an entire parallel apparently preserved in 1QS would not find its place here.<sup>371</sup>

The next case (lines 11–12a) deals with genital exposure. Commenting on its parallel wording in *Rule of the Community*, Qimron argues that יד denotes “penis.”<sup>372</sup> I believe this sense is unlikely, since, whatever יד may denote elsewhere in ancient Jewish literature, it does not have directly this sense here. Our text amplifies the word יד with *ערוותו* וְ[נראתה] [זוֹה] וְהואה “[which has] holes so that [his penis becomes visible.]”<sup>373</sup> If יד itself means penis, this explanation would be unsatisfactory. If any word in this case has a genital denotation, it is *ערוה* rather than יד.

3.2.2.11.2.12. Loud Jesting (4Q266 F10ii:12b–13a)

Lines 10b–13a condemn loud jesting during public meetings. *Rule of the Community* gives the *נענש* clause only. On the other hand, MTA contains two punishments. Hence, the reconstruction of *והבדל*.

<sup>370</sup> Hempel, *The Laws of the Damascus Document*, 141–43; Martínez and Tigchelaar, *Scrolls Study Edition*, vol. 1, 597.

<sup>371</sup> The syntax of our reconstruction draws on that of 1QS 7:5. *ואשר ידבר את רעהו במרים או יעשה רמיה במדעו ונענש ששה חודשים*

<sup>372</sup> Qimron in Charlesworth, ed., *Rule of the Community*, 33, n. 185.

<sup>373</sup> For the sense of “having holes” (*פורה*) see Charlesworth in Charlesworth, ed., *Rule of the Community*, 33, n. 186.

3.2.2.11.2.13. Urinating with the Left Hand (4Q266 F10ii:13b–14a)

The subsequent case in lines 13b–14a addresses an issue whose content is not clear. The infinitive לְשַׁח, in 1QS 7:15 לְשַׁח, corresponds to the biblical hapax legomenon לְשַׁח in Gen 24:63. Biblical translators diverge as to the meaning of this verb. The Septuagint and the Talmud, following the root שִׁיחַ, take the word to mean “to meditate.” The Talmudists claim that Isaac went out to pray the מְנַחֵה service, thus the origin of this prayer in Judaism. Some scrollists take this verb as שָׁחַ, to denote reclining or sinking down, and translate it as “to gesticulate.”<sup>374</sup> In my opinion, however, the word לְשַׁח here means “to urinate.” This would explain Isaac’s ironic encounter in the field with Rebekah’s arriving entourage at this particular time. Moreover, the use of the left hand in our text corresponds to what the rabbis recommend for urination.

3.2.2.11.2.14. Gossiping and Unjust Complaints (4Q266 F10ii:14b–15; 4Q270 F7i:6a–8a)

As stated above, the מְשַׁפְּטִים spanning lines 4b–14a of 4Q266 F10ii pertain mostly to proper decorum within the sessions of the community. What follows in lines 14b–15 of this fragment and in 4Q270 F7i:6b–15a concerns decorum in the broader life of the community. The holiness code contains an injunction against gossiping (Lev 19:16), and the Prophets and Proverbs condemn it (Jer 6:28; 9:3; Ezek 22:9; Prov 11:13; 20:19). MTA lists two kinds of gossip (4Q266 F10ii:14b–15; 4Q270 F7i:6b–7a): 1) against a friend for which the punishment is a separation of one year and a fine for six months, and 2) against the entire community, resulting in expulsion. We find the author’s concern about gossip early in his introductory prayer: “[. . . and we will not go around] slandering [those] who seek refuge [in Him (God)], God’s commandments [and in His covenant]” (4Q266 F1:16–17).

After listing gossip in the previous two מְשַׁפְּטִים, the text as reconstructed in 4Q270 F7i:7b–8a deals with a related issue: filing a complaint לֹא בְּמִשְׁפַּח אִשֶּׁר (unjustly). This conveys attempting to twist the law to one’s favor.

<sup>374</sup> Martínez-Tigchelaar, *Scrolls Study Edition*, vol. 1, 597; Baumgarten, DJD XVIII, 75; Cook in Wise, Abegg and Cook, *Scrolls*, 73.



## 3.2.2.11.2.15. A Rebel Spirit (4Q270 F7i:8b–10)

The succeeding injunction, 4Q270 F7i:8b–10, is the last case in which MTA and *Rule of the Community* correspond to each other. Each goes its own path in the remaining list of injunctions. MTA's wording in the next two lines is problematic. On the one hand it has a lacuna. On the other it contains the supralinear letters  $\text{רש}$  above the presumed  $\text{ונלענש}$ . On the basis of 1QS 7:19, Baumgarten reconstructs  $\text{[ן]הו[ברל] שתי שנים}$  ([shall be suspended for two years]) at the beginning of the apodosis and regards the supralinear lettering as obscure. In my opinion,  $\text{רש}$  should be assumed to have been part of the word  $\text{ופורש}$  (and he shall be expelled). This would reflect emendation by a later MTA scribe who felt that the punishment for the offense of acting treacherously against the people was not stringent enough in this text. Baumgarten's proposed reading is unlikely in that none of MTA's listed items contains a separation for two years. Furthermore, *Rule of the Community's* amplification of this period of two years (1QS 7:19b–20) is clearly absent in MTA. We may retrieve the original construction of this apodosis by combining it with wording found in *Rule of the Community*, which reads  $\text{אמ ישוב ונענש שתי שנים}$  (if he returns he shall be fined for two years). In other words, if he does not repent he is to be expelled. MTA then may have read  $\text{[ן]הו[ברל] ואם ישוב ונלענש ששים יום}$  (shall] be se[parated. And if he is readmitted he shall be] fined sixty [days). Sensing excessive leniency for the offense involved, the emender interpreted  $\text{הוברל}$  to mean absolute expulsion, clarifying it with the supralinear  $\text{ופורש}$  and altering the conditional particle  $\text{ואם}$  to a negative  $\text{ולא}$ . Being less stringent, *Rule of the Community*, then, allowed for restoration of the apostate member.

Ignoring the supralinear emandation, Baumgarten transcribes much of the wording found in *Rule of the Community*. According to it, MTA's apodosis began with the words  $\text{[ן]הו[ברל] שתי שנים}$ . Abbreviating the wordage of *Rule of the Community*, Baumgarten posits that MTA continued with the injunction that at the end of *two years* the community should deliberate the case again. If they allow the offender to reenter the assembly, he shall be reinstated to his position.

As stated above, MTA could not have included the amplification of the two years found in 1QS 7:19b–20, the first during which the offender was prohibited from touching the communal purity, and the second during which he was not to handle its liquid. There is simply not enough space for its inclusion. In our reading, these clauses would have had no meaning since it is not likely that a period of

*two years* was in the text. Hence, following *זיום ששים* [זיום] we read *זיום ששים* [זיום ששים יום ישאלו הרבים] על דב[ר] ([When the *sixty days* have passed, the Many shall deliberate] concerning [his] statu[s]).

### 3.2.2.11.2.16. Despising the Rules (4Q270 F7i:11a)

The next case of MTA and *Rule of the Community* diverge, but with some common ideas.<sup>375</sup> The former has a simple clause—that anyone who despises the rules of the many should be expelled and not allowed to return. The author of *Rule of the Community* perhaps regarded this succinctness with its categorical exclusion from the community as incoherent with the preceding case, which dealt with the matter at length. This perhaps explains its modification in 1QS 7:22–24a, which limits expulsion to a veteran of ten years. In other words, a novice receives more leniency since he may have backslidden unwittingly. Furthermore, it amplifies the nature of the offense to acting treacherously against the *יהר*, a technical term not used in MTA.

### 3.2.2.11.2.17. Illicitly Appropriating Food (4Q270 F7i:11b–12a)

The succeeding injunction in *Rule of the Community* differs from the contents of the subsequent verdict in MTA. The latter, 4Q270 F7i:11b–12, speaks of taking food outside the camp. 1QS 7:24b–25 on the other hand links the case with its precedent ruling which pertains to a ten year veteran who acts treacherously against his community. It expands upon this by specifying that anyone who shares with this unfaithful member in either purity or property likewise should be expelled.

### 3.2.2.11.2.18. Marital Sex Contrary to Law (4Q270 F7i:12b–13a)

At this point *Rule of the Community*, no longer dealing with the disciplinary injunctions, takes up other matters. MTA, however, has two more *משפטים*. The first, lines 12b–13a, pertains to one whose sexual relations with his wife are not in accordance with the rules. Unfortunately, the text does not specify the type of violation intended. The verb *זנה* occurs only here in MTA. However, the noun *זנות*, used as either sexual violations or evil inclinations, occurs several times. Baumgarten interprets *כמשפט* as possibly referring to *משפטה* in 1QSa 1:10–11, which stipulates that a man must be twenty years

<sup>375</sup> I place them as parallels in the above comparisons between the *משפטים* of MTA and those of *Rule of the Community*.

of age before marriage and that “the wife upon her nuptials 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 (במשמע משפטים) and fulfilling them (ובמלואו בו).”<sup>376</sup> However, this interpretation is implausible. As noted by the editors of 1QSa, the text likely refers to the man who should master the משפטות התורה. Furthermore, as explained in the text, the injunctions of the Torah hardly speak of sexual offenses and therefore, cannot be related to our text as suggested by Baumgarten. S. Talmon posits that MTA’s injunction against whoredom refers to those who transgress the community’s law of sexual abstinence, albeit limited in time.<sup>377</sup> This understanding is unacceptable, since the very next injunction speaks of the presence of both fathers and mothers in the community. Moreover, the institution of marriage plays a paramount role within MTA.

We must then suppose that לא כמשפט אשר לא may have two possible interpretations. It might refer to one who does not fulfill the marital rights of his wife (Exod 21:9–10); hence a protection for the woman. Or, perhaps what is meant here is what the rabbis call הבא עליה שלא כדרכה (one who has sexual relations in an unnatural manner), literally “one who has sex not according to her way” (*Rambam Hilchot Isurei Biah* I 9).

### 3.2.2.11.2.19. Rebellion against Parents (4Q270 F7i:13b–15a)

The final case has no exact parallel in *Rule of the Community*. However, 1QS 7:17, dealing with a member’s protest against the foundation of the *Yahad*, may have been a variation of this case. If so, the discussion of murmuring against the fathers and mothers has its parallel in grumbling against the יסוד היחד of 1QS. This work tends to transform the injunctions relating to the family in MTA, applying them to the community. The previous case pertaining to illicit sex has no parallel in *Rule of the Community*, perhaps because the injunctions of *Rule of the Community* applied to males only. MTA’s statement that mothers have a lower status than that of fathers in the legal structure<sup>378</sup> of

<sup>376</sup> Baumgarten, DJD XVIII, 165.

<sup>377</sup> Shemaryahu Talmon, “The Community of the Renewed Covenant: Between Judaism and Christianity,” in *The Community of the Renewed Covenant* (ed. E. Ulrich and J. Vanderkam; Notre Dame: University of Notre Dam Press, 1994), 9.

<sup>378</sup> J. Elwolde argues that the term רוקמה (embroidered fabric) in this context serves as a metonymy to signify status, such garments being worn only by people of standing in the community; John F. Elwolde, “*rwqmh* in the *Damascus Document* and Ps

the community is worth noting, since it seems to contravene the argument in CD 5:9–10 that, although Scripture generally addresses itself to males, its legislation applies equally to both genders.

3.2.2.11.3. *Conclusion to the Disciplinary Injunctions (4Q270 F7i:15b–16a; 4Q266 F11:1–3a)*

This concludes the injunctions which commenced in CD 14:18 (4Q266 F10i:11). 4Q270 F7i:15–16 and the succeeding 4Q266 F11:1–3a form a summary of and a rationale for these disciplinary rules. All or portions of twenty-six injunctions survive in MTA, each of which has no biblical precedent. The text now addresses the question of who should exact these rules. It responds by asserting that this will be the responsibility of the priest in charge of the camp. MTA goes on to explain that the basis for his authority draws on Levitical texts which require the sinner to submit to priestly jurisdiction (Lev 4:2). Although only four words of this verse (and succeeding verses) are cited, the author presumes that the reader would know the entire passage which states that the anointed priest is in charge of the discipline for any prohibited acts (אֲשֶׁר לֹא תַעֲשִׂינָהּ).

Our insertion of the negative in the lacuna at the beginning of line 16 diverges from the reconstruction in the editio princeps. The rationale behind it is twofold. Baumgarten's restoration אֲשֶׁר [יְתִיבֶנּוּ] is misleading since if one falls under discipline, why should he submit to more discipline (וְיִקְבַּל אֶת מִשְׁפָּטֵי)? Furthermore, the length of the lacuna seems to require additional letters.

3.3. *Finale (4Q266 F11:3b–21)*

To understand this concluding section it is necessary to recall the beginning of the work. As reconstructed, lines 1b–2a of MTA ordain that the members of the community separate themselves from the

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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); Vol. XXXVI in *Studies on the Texts of the Desert of Judah* (ed. F. Garcia Martínez and A. S. van der Woude; Leiden: 2000), 65–83. V. Hurowitz suggests alternatively that this word is a phonetic variant of Akkadian *rugummû* (legal claim), signifying that "the mothers have *a priori* no legal claim on one who complains against them, so one who maligns them is punished less severely"; Victor Avigdor Hurowitz, "רוֹקְמָה in Damascus Document 4QD<sup>e</sup> (4Q270 7 i 14)," *DSD* 9-1 (2002): 35.

way of the wicked and live by the rules of the Torah. The author repeats these themes, admonishing the people to live by all the injunctions of the Torah. This passage recalls that of all nations only Israel was chosen to have the law. Hence, the community should expel anyone who does not follow it, and those who fraternize with the violator must be carefully watched. The book begins and ends with a blessing.

### 3.3.1. *The Convocation of the Camps in the Third Month (4Q266 F11:3b–18a)*

The finale commences with a conflation of phrases from Jer. 5:5 (אֶל־כָּה־לֵךְ), Deut 30:4 (בְּקִצָּה הַשָּׁמַיִם) and Lev. 26:31 (וְלֹא אָרִיחַ בְּרִיחַ). These quotations continue with a paraphrase of Joel 2:12–13. Each of these introductory formulas serves to emphasize the author's synopsis of Judaism exposed in the citations of Joel, "to return to God with weeping and fasting . . . rend your hearts and not your garments." Repentance stems from the heart, not from words or superficial acts. Hence, anyone who rejects the law, whether the traditional or eschatological Torah, will be excluded from the community.

Our passage reemphasizes that it is the priest who has the supreme authority over the entire membership. To him is entrusted the benediction of lines 9–14a, a prayer whose vocables are unusual. The noun אָז occurs both in Scripture and in the DSS, signifying "strength." However, here it functions adjectivally, modifying the term הָי. Baumgarten notes that הָי alludes to the divine name, as it does in *Mishnah Sukkah* 4:5.<sup>379</sup> The text continues with phrases glorifying the Lord as the creator of the universe. However, the final clause seems to go back to comment on the clauses preceding the prayer, ordaining that those who despise the Torah be expelled from the community. Preceding this, our text specifies that anyone who associates with these wicked shall be scrutinized.

As to the benediction, it seems to complement two key concepts exposed in MTA's introduction. 4Q266 F1:5b–6a, telling of the glory of the divine acts of creation, parallels line 9a of the concluding prayer to the work. Another element occurring in both the beginning and the end is Israel's commitment to observe the Torah (4Q266 F1:16–18a; F11:9b–14a).

<sup>379</sup> Joseph M Baumgarten, "A New Qumran Substitute for the Divine Name and Mishnah Sukkah 4.5." *JQR* 83 (1992): 1–5.

As explained in comments on CD 16:1b–6a, the assembling of the camps on the third month refers to Pentecost, which in *Jubilees* is celebrated on the fifteenth of the month, a festival whose tradition according to CD 16:6 presumably goes back to Abraham. According to *Jub.* 1:1 (4Q216 1:5), on the sixteenth of the month Moses ascended the cloud on Mount Sinai (Exod 24:16) where he stayed for forty days. Perhaps the annual assembly prescribed in our text refers not to the fifteenth, but to the sixteenth day of the third month. 4Q275, a fragmentary text, probably contained details of this annual assembly.<sup>380</sup> Interestingly it is likely that the ceremony described at the beginning of *Rule of the Community*, which goes on to specify that the Levites curse the followers of Belial (1QS 2:4–5), draws on the convocation prescribed in our text. Thus, the author of *Rule of the Community* begins his composition with MTA's finale. 4Q266 F11:17b–18a goes on to recall the introductory lines of our work which contain the assembly's promise not to depart from the commandments of the Torah in any way (4Q266 F1:17–18a), serving to illustrate once more the linkage of the beginning and the ending of MTA.

### 3.3.2. Epilogue (4Q266 F11:18b–21)

It is interesting that the manuscripts diverge on the spelling of the first word of the last portion of the book. Whereas 4Q270 F7ii:12 begins the ultimate sentence with זה, 4Q266 lengthens it to וזה, a unicum in both the Hebrew Scriptures and the DSS. If not a grammatical slip, evidently this is an attempt to call attention to the fact that we are approaching the last words of the composition.

The restoration of הפקודה suggested by Baumgarten in line 19 finds support in הפקודה /הַפְקוּדָה/ עַד תּוֹם מוֹעֵד of line 2 of the work's beginning, serving as one of several common features between the preamble and the finale of the work, among them the title and supplication. The formula קִין הַפְקוּדָה occurs in CD 7:21 (19:10) and likewise in 19:11 as בְּקִין פְּקֻדַת הַרְאֲשׁוֹן. Both refer to the redemption from Egypt; that of our passage signifies the messianic era. The text goes on to amplify הפקודה as קִצְי הַחֲרוֹן [בְּכֹל] יְפִקְדוּ [אֵת אֲשֶׁר יִפְקְדוּ] ([which they shall remem]ber [during all] the epochs of anger). The repetition here of the root פִּקַד as a noun (הַפְקוּדָה) and as a verb (יִפְקְדוּ) reemphasizes the future deliverance. This entire sentence is concerned with the

<sup>380</sup> See P. Alexander and G. Vermes in DJD XXVI, 209–16.

theme of redemption, an apt prelude to the summary of Israelite tribulations, both past and future, as well as to the title of the composition. The interjectory particle הנה is used here as well as in 4Q266 F5i:16, which likewise mentions MTA. That the author favors this particle in citing an important composition, can be seen also in CD 16:3 where it introduces *Jubilees*. Unfortunately, the first part of line 1 of the book perished. As stated in comments on the preamble, both Stegemann and I have independently advocated the restoration מִדְּרַשׁ הַתּוֹרָה הַאֲחֵרֹן. He fronts this formula with the demonstrative זה; I do so with הנה. That the introduction and the finale have common vocabulary and ideas gives additional support to the supposition that this is largely a unitary work, not as has been hitherto supposed, a compilation of extracts from a variety of sources.

CHAPTER FOUR

UNINCORPORATED FRAGMENTS

Except for 4Q266 F34, the following list of unincorporated fragments reproduces Joseph Baumgarten's unidentified fragments in DJD XVIII. Note, however, my additional reconstructions are marked by superscripted *w*.

4.1 – 4Q266

הקודש ]	F13:1
כמדת ]°	F13:2
ואם <sup>w</sup> ר[אִים עובר א]ת	F13:3
ואם איש אח[ר <sup>w</sup> יעיד את רעה]ו במעשה רע <sup>w</sup>	F13:4
הדם <i>vacat</i> ה[ר]	F13:5
אשר לא יג[יד] <sup>1</sup>	F13:6
ה ]ל[	F13:7
עד אשר לו ]	F14a: 1
ארושים ]	F14a: 2
ל[°]	F14a: 3
לוק]ה [	F14b: 1
ים לה] [	F14b: 2
ל ד] [	F14c: 1
אל יקה איש אח בת <sup>w</sup> ]אחותו [	F14d: 1
מה כ] [	F14d: 2
נות] [	F14e: 1
ה ל] [	F14e: 2
° ] [	F14: 1

<sup>1</sup> Baumgarten ]°



	[תעוה	F14:2
	על]	F14:3
	[מלאכי ה' קודש	F15:1
	ל] במה יתה[לכו	F15:2
	ל' קדושי קודש[ים <sup>w</sup>	F15:3
	להבי[ם עומק ותחת כב' ודרו הוד רקיע <sup>w</sup>	F15:4
	ל' לבחירי <sup>w</sup> ° ° °]	F15:5
	[כמה מן הרם ]	F16a:1
	בה מן איש בר[וש <sup>w</sup>	F16a:2
	[מקנה באחד]	F16a:3
	לם עונם מן]	F16a:4
	ה' ארז'אל]	F16a:5
	ל' כו]ל	F16b:1
	] הוא ה'	F16b:2
	° °]	F16b:3
	] F17:1	[דר ושובחה
	] F17:2	שבע <sup>w</sup> [שנים אחד <sup>2</sup>
	F17:3	ע]ליהם ]האכל <sup>w</sup>
	] F17:4	°]
	F18:1	[ב-] ]ידעו מל[רשי <sup>w</sup>
	F18:2	ים ביט[וע]הו ישי[שו וישמחו <sup>w</sup> 3
	F18:3	עד [עול]ם
	F19:1	]א[ש' <i>vacat</i>
	F19:2	לגוי]ם <sup>w</sup> בע[בור <sup>w</sup>
	F19:3	ל]
	F20:1	]ים
	F20:2	<sup>w</sup> אי]ש א[שר <sup>w</sup>
	F21:1	°]משפט]

<sup>2</sup> Perhaps this fragment is a part of 4Q266 F12.

<sup>3</sup> Baumgarten transcribes ]י ישי[ים ביט[.

א <sup>4</sup> ש[א <sup>w</sup> שר	F22:1
]° ° °[	F22:2
המ[ת]הלכ <sup>b</sup> ים <sup>w</sup> באלה בקץ הרשעה <sup>w</sup>	F23:1
]° ° °[	F24:1
אש[ר <sup>w</sup> ה[ו]אה יא <sup>w</sup> מר <sup>4</sup>	F24:2
[ ]הש[	F24:3
]ש <sup>°</sup> מ <sup>°</sup>	F25:1
]כי[	F26:1
]ה[	F26:2
]כי[	F27:1
]ה[	F27:2
]א <sup>°</sup> י[	F28:1
]ה[	F28:2
]ע <sup>°</sup> ד <sup>°</sup> י[	F29:1
]ש <sup>°</sup> ול[	F29:2
]כ <sup>°</sup> ח <sup>°</sup>	F30:1
]°[	F30:2
]מ <sup>°</sup> מ <sup>°</sup>	F31:1
]ע <sup>°</sup> י <sup>°</sup>	F32:1
]°°[	F32:2
[ ]י[	F33:1
[ ]א <sup>°</sup> [	F33:2

<sup>5</sup>F34:1–2

<sup>4</sup> or כל]א

<sup>5</sup> For Baumgarten's unidentified 4Q266 F34, see its possible parallel in CD 4:17–18.

]	שׁ לְ	F35:1
]	◦ ◦	F35:2
]	◦	F36:1
]	וְרָא <i>vacat</i>	F36:2
]		F36:3
]	◦ ◦	F37:1
]	וְעִ	F37:2
]	לְ	F37:3
]	וְרָא לְ	F38:1
]	וְרָא <i>vacat</i>	F38:2
]	תְּ הִ	F39:1
]	עֵת	F40:1
[	]	F41:1
[	אֲשֶׁר	F41:2
]	וְיָכַר	F42:1
]	טָא	F42:2
]	שׁ	F43:1
]	לְ ◦	F43:2
]	הִג	F44:1
]	תְּ	F45:1
]	ע	F46:1
]	◦ ◦	F46:2
]	עֵרַת	F47:1
]	אֲמַטְ	F47:2
]	לֹ לְ	F48:1
]	יְ הִ	F49:1

]א[	F50:1
][	F51:1
]ל[	F51:2
]ב[	F52:1
לא <sup>w</sup> ]יענה האיט' את הגר ואת האלמנה <sup>w</sup>	F52:2
א]ת כול[	F52:3
]ני[	F52:4
]ים[	F53:1
][	F53:2
]ע[	F54:1
]א[	F54:2
]א[	F54:3
תש]א <sup>w</sup> פניכה]	F55:1
כו]ל <sup>w</sup> א]י'ש י'	F55:2
][ ]ל י'	F55:3
][	F56:1
נב]אים <sup>6</sup>	F56:2
ל[	F56:3
]ע[	F57:1
]ר[	F57:2
]א[	F57:3
]א[	F58:1
]נים אב[	F58:2
אם ישו]ב <sup>7</sup>	F58:3
]ת היא]	F58:4
ע]שרה ] <sup>w</sup>	F58:5
]בני ה[	F59:1

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<sup>6</sup> Or ]זאים

<sup>7</sup> Baumgarten transcribes ]יש.

]] ה' ° ° [	F60:1
] ° ° ° [	F60:2
] ה [	F61:1
] ° ל' ° [	F62:1
] ם [	F63:1
] של'ן [ ש <sup>8</sup> שנים	F63:2
] את אל [	F64:1
שמעו אלי <sup>w</sup> [ ואדבר'ן לכם <sup>w</sup>	F64:2
] חם והצ'ן [	F65:1
] מ'שפ'ט הזה <sup>w</sup> [	F65:2
] ה' [	F66:1
] ואש'ר [	F66:2
] ° ל' ° [	F66:3
] מ'ש[פ'ט <sup>w</sup> [	F67:1
] ה [	F67:2
] ° ה [	F68:1
] ש' [	F68:2
]ן ש'מ'ן [	F69:1
] ° י ° [	F69:2
] ° ° [	F70:1
] ה'יה [	F70:2
[ ] ° ° [	F71:1
[ ] ° ל' ° [	F71:2
] ה'נ'ם [	F72:1
] ° ש'ר [	F72:2

<sup>8</sup> Alternative restorations are ש[ש and ש[מנ].

[ ]° [	F73:1
[ ]דהנ[	F73:2
]° ° [	F74:1
]בר[	F74:2
]° ° [	F75:1
]ת° [	F75:2

## 4.2 – 4Q267

]° [	F10:1
] הכוהן מ[	F10:2
]°° [	F11:1
°ית ויוד[ע <sup>w</sup>	F11:2
]° ° ° [	F11:3
]ת זה[	F12:1
]° [	F12:2
י[שראֵל]	F13:1
פ[קוד עוון]	F13:2
מִשְׁגָּה [	F14:1
הֵם אֵת [	F14:2
° ° ° [	F14:3
ע <sup>w</sup> [עֵלֶיךָ	F15:1
לם [	F15:2
° [	F15:3
° ° ° [	F15:4
אל] F16:1	
לכֵּם] F16:2	
אֵת] F17:1	
טִפּוֹ] F17:2	
אֵ] F18:1	

][ג'וּׁ]	F18:2
][ה'ה'ג]	F18:3
][ׁ]	F18:4

## 4.3 – 4Q268

][ׁ]	F3:1
][vacat]	F3:2
שׁ[ה את הקוד']	F3:3
][ׁ ׁ ׁ]	F3:4

## 4.4 – 4Q269

][איש]	F12:1
][ם וידעו']	F13:1
][ם לישועתו']	F13:2
][ה והמה ]	F13:3
][ג'ג']	F13:4
][לה יס']	F14:1
][ם ׁ]	F14:2

## 4.5 – 4Q270

מוש]ב ונע]נש <sup>9</sup>	F8:1
על <sup>w</sup> ]כן יקום [האיש על נפשו <sup>w</sup>	F8:2
][ל' ]ל' ]	F8:3
][נמאתם]	F9:1
][ג'ג אש]ר <sup>w</sup>	F10:1
][ה ואם את ב']	F10:2
][ג'ג']	F11:1
][לה ]	F11:2

<sup>9</sup> Baumgarten suggests this fragment was part of the penal code.

לִּי־קָם עֵי	F12:1
]° ° ° ° °[	F12:2

## 4.6 – 4Q272

]ש[	F2:1
]הוואה[	F2:2
]כי כ[	F2:3
]° רם [	F2:4
° ° °[	F3:1
]°° א°[	F3:2

## 4.7 – 4Q273

]ה א[	F7:1
]ויצא <sup>w</sup> [	F7:2
]ה אש[	F8:1
]° ה°[	F8:2
]° ° וכ° °[	F9:1
]הרבר לאה <sup>h</sup> [	F9:2





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