

Questions of Canon Viewed through the Dead Sea Scrolls

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The formation of the biblical canon was a gradual one. Questions concerning who, what, when, and how are obscure. The Dead Sea Scrolls indicate that clusters of writings were gathered into recognizable groupings, but that these clusters were not fixed during the time of the Dead Sea community. Indeed, the evidence of Qumran suggests that it was believed that revelation and inspiration continued, at least in the time of the Teacher of Righteousness. The Ms evidence of the Scrolls suggests that the text of even the books of Torah was not finally settled. Therefore, it would better fit the ancient evidence from Qumran if we avoided using the words Bible and biblical for this period and this community.

Key Words: canon, Dead Sea Scrolls, text and text types, Reworked Pentateuch, Jubilees

As nearly as we can tell, there was no canon of scripture in Second Temple Judaism. That is, before 70 CE, no authoritative body of which we know drew up a list of books that alone were regarded as supremely authoritative, a list from which none could be subtracted and to which none could be added. There is nothing new or surprising in a statement such as this. It was thought for a time, apparently a long time, that the finishing touches were put on such a canon only two decades or so after the period of the Second Temple ended, when rabbinic scholars who gathered for discussion and study in Yavneh are supposed to have closed the scriptural list by including the Writings and adding them to the already canonized Law and Prophets. That thesis has taken some heavy blows over the last 35 years and it

Author's note: This paper was read at the 2000 annual meeting of the IBR and bears some resemblance to an essay scheduled to appear in the volume of essays from the Hereford Conference of 2000, sponsored by the Scriptorium. The emphasis in that paper was on text-critical issues; here it has been modified considerably to focus on canonical matters.

richly deserved them. Our evidence for what rabbis at Yavneh did and what authority they possessed is paltry indeed and hardly bears the weight that the theory imposed upon it. Moreover, that the Law and Prophets were *canonized* at earlier times goes beyond our data.¹

In short, we do not know how, when, or by whom the list of books now found in the Hebrew Bible was drawn up. All we have are hints over a considerable historical span suggesting that some books were regarded by certain writers as sufficiently authoritative that they could be cited to settle a dispute, explain a situation, provide an example, or predict what would happen. In that limited sense there is evidence for a set or sets of authoritative works in Judaism from an early time. We would like to know more about which scrolls were involved and what sort of authority was attributed to them, but usually we have to settle for much less. It is evident that many of the books that now find a place in the Hebrew Bible enjoyed lofty status for Jewish writers and did so from early in the Second Temple period, but we are not justified in making such a claim about all of them; also there are other scrolls not in the Hebrew Bible that were deemed authoritative by some individuals or groups. This is simply another way of saying that what we might call canonical boundaries were not definitively drawn in that time.

The thesis that I would like to defend regarding the Second Temple period is that, while there were authoritative writings and these were at times gathered into recognizable groupings (e.g., Law, Prophets, Others), the category of revealed literature was not considered a closed and fixed one, at least not for the type of Judaism for which we now have the most evidence—the people of the Dead Sea Scrolls (Essenes according to most scholars). This is in line with the documented belief of the community that revelation was not confined to the distant past but continued in their time and fellowship. About the Teacher of Righteousness it is said that to him "God made known all the mysteries of the words of His servants the Prophets" (1QpHab 7:4-5).² Regardless whether this gift extended to others, the text is clear that revelation continued at least in the Teacher's time. Whether others who did not belong to the Qumran community's per-

1. See, for example, J. P. Lewis, "What Do We Mean by Jabneh?" *JBR* 32 (1964) 125-32. The most detailed recent study of canonical development remains R. Beckwith, *The Old Testament Canon of the New Testament Church and Its Background in Early Judaism* (Grand Rapids, Mich.: Eerdmans, 1985). For a critique of his views, see my essay "Revealed Literature in the Second Temple Period," in VanderKam, *From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature* (JSJSup 62; Leiden: Brill, 2000) 1-30.

2. Translations of Qumran texts are from G. Vermes, *The Complete Dead Sea Scrolls in English* (New York: Penguin, 1997), unless otherwise specified. For a survey of the issue in the Qumran texts, see my, "Authoritative Literature in the Dead Sea Scrolls," *DSD* 5 (1998) 382-402.

suasion would have agreed that divine disclosures occurred in the present we do not know—with the exception, of course, of the group of Jews who followed Jesus of Nazareth.

It will be most convenient within the space limitations here to limit the topic to the first five books of the Hebrew Bible that we name variously the Books of Moses, the Torah, or the Pentateuch. I have selected these books not only because they raise some intriguing questions but also because with respect to them we now have a substantial body of evidence for addressing the issue of authoritative literature. It can be inferred from Josephus that the Pharisees, Sadducees, and Essenes agreed on the authority of Moses' Torah, and the other literature available to us bears this out. So, for example, several passages in the specifically sectarian scrolls from Qumran refer to normative groups of books such as the law and the prophets. 1QS 1:1-3 says of the *maskil* that he is to teach the community members to "seek God with a whole heart and soul, and to do what is good and right before Him, as He commanded by the hand of Moses and all His servants the prophets." Here, not surprisingly, God's authority stands behind the words of Moses just as it does for the prophetic message. Or, 8:15-16 reads with reference to Isa 40:3: "This (path) is the study of the Law which He commanded by the hand of Moses, that they may do according to all that has been revealed from age to age, and as the Prophets have revealed by His Holy Spirit." For the writer, again the law and prophets are revealed. 4QMMT or the Halakhic Letter (4Q394-99) has made a familiar contribution to discussions of authoritative literature at Qumran. Although most of the work concerns itself with a series of legal disputes between the authors and others (a noteworthy contribution indeed), toward the end, in a peaceful message to the opposition, the writers address more theological or theoretical concerns, including this sentence: "And] we have [written] to you [אל יכדה] so that you may study (carefully [תב"י]) the book of Moses [בספר מושה] and the books of the Prophets and (the writings of) David [and the events of] ages past" (C 9-11).³ Here the Mosaic corpus is conceived as one book. This survey of statements about authoritative literature in the Scrolls could be expanded; there is no question about the authority of the Torah for the covenanters of Qumran. But what was included in this Torah? Does the term *Torah* or *Moses* embrace just what we consider Genesis through Deuteronomy (in whatever textual form), or did the category encompass more?

3. The translation is from E. Qimron and J. Strugnell, *Qumran Cave 4, V Miqsat Ma'asé Ha-Torah* (DJD 10; Oxford: Clarendon, 1994) 59. See the commentary on pp. 93-94, where they cite parallels for "the book of Moses" as "an alternative name for 'the Torah'"; and their brief canonical analysis on pp. 111-12.

All of our pentateuchal books are well represented in the Qumran caves and elsewhere in the Judean Desert. From Qumran alone, we have the following numbers of copies (some copies combine two books; they are counted twice):⁴

Genesis	18
Exodus	17
Leviticus	13
Numbers	6
Deuteronomy	29

Besides actual copies of the pentateuchal works, passages from them are quoted and commented upon in other writings. So, for example, there are several commentaries on Genesis from Cave 4 (4Q252-54), the Sinai revelation in Exodus surfaces elsewhere (for example, in the *Temple Scroll*), Leviticus and Numbers provide the basis for the festal calendar, Numbers contains the Balaam prophecy noted in several scrolls, and Deuteronomy also features in important ways (again, the *Temple Scroll* is an example).

Given that at least these five books would have been accepted as revealed and hence authoritative by all Jewish groups, what may we infer from this fact regarding the questions mentioned at the beginning of this article? Did the Qumran community consider them *biblical* in the sense of a closed, fixed list—that is, did they regard them as the *full and only* authoritative version of the material from creation to the death of Moses, or is the situation more complex? Do they stand apart from all other texts in this sense? I wish to argue that a series of texts found at Qumran give reasons for thinking that at least for this one tradition in Second Temple Judaism the matter was more complex and that as a result it is inappropriate to use the word *Bible* for our books Genesis through Deuteronomy and to assume that *Torah* or *Moses* means just these five when talking about the Qumran group and its time. It seems that the authoritative representations of pentateuchal material were not limited to these five compositions, and the text of none of them was, as it were, set in stone.

Let me first say a few words about the nature of the evidence we have for the five books of our Pentateuch and then turn to the series of texts offering us the fuller picture.

First, there is one graphic way in which some pentateuchal manuscripts are unusual: they are among the few texts inscribed in a

4. The numbers are based on the list published by E. Tov, "A List of the Texts from the Judaean Desert," appendix 3, in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (2 vols.; ed. R. W. Flint and J. C. VanderKam; Leiden: Brill, 1998-99) 2.669-717.

paleo-Hebrew script. Not all copies of Genesis, Exodus, Leviticus, Numbers, and Deuteronomy were, of course, written in that archaic script but some were: two of Genesis (4Q12, 6Q1), one of Exodus (4Q22), a manuscript with both Genesis and Exodus (4Q11), four of Leviticus (1Q3 [Leviticus and Numbers], 2Q5, 6Q2, 11Q1), and two copies of Deuteronomy (4Q45-46). While the implications of this fact are not clear, it may mean that, for the copyists, these books were associated with Moses and the period of the ancestors. The editor of the paleo-Hebrew texts from Cave 4, Eugene Ulrich, has concluded about them: "except for their script, the palaeo-Hebrew biblical manuscripts from Qumran Cave 4 do not appear to form a group distinguishable from the other biblical scrolls in either physical features, date, orthography, or textual character."⁵ It should be added that there are four other Cave 4 manuscripts copied in the same sort of script (4Q101, 123-25). They are designated as 4QpaleoJob^c, 4Qpaleo-ParaJosh, 4QpaleoUnidentified (1), and 4QpaleoUnidentified (2).⁶ The existence of these four apparently nonpentateuchal copies makes the use of paleo-Hebrew script for some manuscripts of Genesis, Exodus, Leviticus, Numbers, and Deuteronomy interesting but not a unique characteristic.

Second, Emanuel Tov has divided the entire corpus of the so-called Qumran biblical manuscripts and fragments into five categories: texts written with the special orthographic practices of Qumran scribes (ca. 25%); proto-Masoretic texts (ca. 40%); pre-Samaritan texts (ca. 5%), texts close to the Hebrew model for the Septuagint (ca. 5%); and nonaligned texts (ca. 25%).⁷ Although there are some problems with these categories because not all of them are of the same kind (the first deals with copies written with a certain system of spelling, not with the nature of their text), they do give one extremely well-informed scholar's overview of the situation. A sizable portion of the copies belong, to one degree or another, in the textual tradition that

5. E. Ulrich, "The Palaeo-Hebrew Biblical Manuscripts from Qumran Cave 4," in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls by Fellows of the Institute for Advanced Studies of the Hebrew University, Jerusalem, 1989-1990* (STDJ 16; ed. D. Dimant and L. H. Schiffman; Leiden: Brill, 1995) 129 (reprinted in Ulrich, *The Dead Sea Scrolls and the Origins of the Bible* [Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids, Mich.: Eerdmans / Leiden: Brill, 1999] 147).

6. These were published in R. Skehan, E. Ulrich, and J. Sanderson, (eds.), *Qumran Cave 4 IV: Palaeo-Hebrew and Greek Biblical Manuscripts* (DJD 9; Oxford: Clarendon, 1992).

7. Tov, *Textual Criticism of the Hebrew Bible* (Minneapolis: Fortress / Assen: Van Gorcum, 1992) 114-17; the percentages are revisions from those given in the 1992 book and were communicated privately by Tov (see VanderKam, *The Dead Sea Scrolls Today* [Grand Rapids, Mich.: Eerdmans, 1994] 134, 158).

eventuated in the Masoretic Text (yet how does one classify a fragmentary copy that agrees with both MT and the Samaritan Pentateuch?); but in general the situation at the small site of Qumran was one of some textual diversity and fluidity. To step outside the Pentateuch, the *pesharim*, or commentaries on biblical prophecies, indicate that the commentators were aware of variant readings in biblical manuscripts, but no Qumran discussion of the phenomenon of variants and whether they bothered anyone has survived. The pesharists at times even exploited variant readings by using both to argue their case. For our purposes, it should be noted that pentateuchal copies from the caves fall into all of Tov's five categories and therefore in this respect do not differ from the other parts of the corpus. So, for example, among the copies written in the Qumran practice are 1QDeut^a, 4QNum^b, 4QDeut^{h,j,k,m}, 11QLev^b. A proto-MT manuscript would be 4QLevNum^a; 4QpaleoExod^m and 4QNum^b have been identified as pre-Samaritan types; while pre-LXX examples are 4QLev^d, and 4QDeut^q; and among the nonaligned manuscripts are 4QDeut^{j,n} and 5QDeut.

Third, Ulrich, has divided the sorts of variant readings that we find in Qumran "biblical" manuscripts into three categories: (1) orthographic or spelling differences between copies—differences that seem unrelated to the textual type of a manuscript; (2) major individual textual variants, such as the longer passage between 1 Samuel 10 and 11 in 4QSam^a; and (3) variant literary editions (or multiple literary editions) of units "appearing in two or more parallel forms . . . , which one author, major redactor, or major editor completed and which a subsequent redactor or editor intentionally changed to a sufficient extent that the resultant form should be called a revised edition of that text."⁸ Exodus is among his examples of books appearing in revised literary editions.

From this evidence it is clear that at Qumran, even for the pentateuchal books, there was some textual fluidity, not a single fixed text, and that they were treated no differently than other books, apart from the fact that a few copies were made using the paleo-Hebrew script. A group of texts that is especially interesting is the so-called pre-Samaritan one. As Tov describes it, "[t]he main feature

8. Ulrich, "The Canonical Process, Textual Criticism, and Latter Stages in the Composition of the Bible," in *"Sha'arei Talmon": Studies in the Bible, Qumran, and the Ancient Near East Presented to Shemaryahu Talmon* (ed. M. Fishbane and E. Tov, with W. Fields; Winona Lake, Ind.: Eisenbrauns, 1992) 278; see also his "Multiple Literary Editions: Reflections toward a Theory of the History of the Biblical Text," in *Current Research and Technological Developments on The Dead Sea Scrolls* (ed. D. Parry and S. Ricks; STDJ 20; Leiden: Brill, 1996) 78-105. Both of these essays are reprinted in *The Dead Sea Scrolls and the Origins of the Bible* (pp. 51-78 and 99-120).

characterizing these texts is the appearance of harmonizing additions within Exodus and of harmonizing additions in Exodus and Numbers taken from Deuteronomy. . . ."⁹ These texts, which have nothing Samaritan about them other than the fact that one of them presumably served as the textual base for the later Samaritan Pentateuch, will be especially significant as we look at other kinds of compositions.

These "biblical" manuscripts have all been published. As is the practice in the official DJD series, "biblical" manuscripts are placed first in any volume or have entire volumes devoted to them alone. That is, what are identified as "biblical" manuscripts are often treated separately by scrolls scholars, with some focusing all or almost all of their scholarly labors on them. It seems to me that this segregation of texts is not a valid procedure for handling the works found at Qumran in that it does not reflect what comes to expression in the ancient evidence.

First, we have much more direct evidence of the wording of Genesis–Deuteronomy than lists such as Tov's suggest. We have not only the so-called "biblical" manuscripts but also targums, tefillin, and mezuzot that reproduce the text of these books. In other cases we have works that quote from them. These too should be considered in attempting to come to a fuller understanding of the textual situation at Qumran. Including them in Tov's statistics would alter his percentages to a certain extent, though perhaps the picture would not change to a large degree.

Second, stronger evidence warning us about segregating "biblical" manuscripts in modern scholarship comes from another set of works uncovered at Qumran. These are books that experts usually place under Geza Vermes's rubric—*Rewritten Bible*, one that might better be phrased as *Reworked Scriptures*. They are: the *Reworked Pentateuch*, the *Temple Scroll*, and *Jubilees* (one could include the *Genesis Apocryphon*). The focus in the remainder of this paper will be on these-works, which contain evidence pertinent to our deliberations about canonical matters and also large amounts of textual information that is rarely exploited fully in text-critical publications. The compositions in question all have to do with the text of parts of the Pentateuch, and all of them allow glimpses into the history of the scriptural texts in the Hebrew language during the late Second Temple period. As it turns out, all of them also present a range of possibilities and challenges in connection with our question about whether there was a Bible at the time.

9. Tov, *Textual Criticism of the Hebrew Bible*, 98.

In examining the three cases of Reworked Scriptures listed above, the focus should be on two phenomena: the nature of the book in question (for example, how the author presents the material, claims to authority, its relation to older texts, etc.) and the text-type of its scriptural citations. Discerning the nature of a text will give some idea of how it relates to older writings, and identifying the character of the "biblical" material in it will allow us to align (or not align) it with the types identified by Tov. Concentrating on these two phenomena should permit us to have a better understanding of the books and their contributions to the issue of whether there was a Bible. These compositions should now be surveyed along with the scholarship that has been devoted to them in order to see what they may have to contribute to our knowledge of a developing set of authoritative texts in the late Second Temple period. It should be noted that there are other texts that could have been included in this survey (for example, 4Q252, 4Q368), but the ones selected give a good impression of the types of questions that arise.

(1) *Reworked Pentateuch* (formerly called *Pentateuchal Paraphrase* [4Q158, 364-67]): *The Reworked Pentateuch*, present in either four or five fragmentary manuscripts from Qumran Cave 4 and unknown before the Qumran discoveries, is virtually a copy or possibly is a copy of large stretches of the Torah (this is the real question, as we shall see). Tov has subjected the work to close analysis for determining its literary type and has concluded that "this composition contained a running text of the Pentateuch interlaced with exegetical elements. The greater part of the composition follows the biblical text closely, but many small exegetical elements are added, while other elements are changed or omitted and in other cases their sequence is altered."¹⁰ The other editor of the work, Sidnie White Crawford, has written about it: "There are no scribal indications in any of the manuscripts of the Reworked Pentateuch to signal differences from the received text of the Pentateuch; to the casual reader, the scroll would have looked like any other manuscript of the Torah."¹¹ The only exception she notes is that it appears that the work would have included the entire Torah (copy c has parts of all five books) in a single scroll estimated to be some 22-27 meters or 72-89 feet long; if true,

10. Tov, "The Textual Status of 4Q364-367 (4QPP)," *The Madrid Qumran Congress* (2 vols.; ed. J. Treballe Barrera and L. Vegas Montaner; STDJ 11; Leiden: Brill, 1992) 49. See also the edition of 4Q364-367 in *Qumran Cave 4 VIII: Parabiblical Texts, Part 1* (consulting ed. J. C. VanderKam; DJD 13; Oxford: Clarendon, 1994) 191 for virtually the same sentences.

11. S. White Crawford, "Reworked Pentateuch," *Encyclopedia of the Dead Sea Scrolls* (2 vols.; ed. L. H. Schiffman and J. C. VanderKam; New York: Oxford University Press, 2000) 775.

this would be the longest scroll represented in the eleven caves. The other Qumran witnesses for pentateuchal texts have a single book or at most two of them on one scroll.

Though it may indeed contain elements that justify giving the composition a title such as *Reworked Pentateuch* and excluding it from the list of "biblical" manuscripts found at Qumran, it remains the case that it looks like the Pentateuch and it quotes (if this is the right word) sizable amounts of it. *Reworked Pentateuch* is thus another important witness to the Pentateuch's Hebrew wording at a relatively early time. A comparison of its readings with those of other ancient witnesses has led Tov to describe its underlying scriptural text as "belonging to a group of texts recognized previously in research, namely, the so-called pre-Samaritan group."¹²

The specific evidence for the conclusion is that it agrees with the MT in 27 cases and disagrees in 35, while it agrees with the Samaritan Pentateuch 40 times, disagreeing in 17 readings; also it "agrees exclusively with M against $\mu\mu$ in only two instances, while it agrees exclusively with $\mu\mu$ against M in seventeen instances."¹³

Hence, *Reworked Pentateuch* consists mostly of a running text of the Pentateuch in a well-attested textual form. As noted earlier, Tov assigns *Reworked Pentateuch* to the category Rewritten Bible,¹⁴ but if this is its proper classification the accent would have to fall on the word Bible, not on Rewritten. It is not easy to see how the *Reworked Pentateuch* differs in character from, say, the Qumran witnesses to the pre-Samaritan form of the Pentateuch, and in some of his comments Tov acknowledges this state of affairs. As he discusses the relation between 4Q158 and 4Q364-67, he notes that 4Q158 and 4Q364 reflect the text of the Samaritan Pentateuch "in its major harmonizing characteristics in several small details and in its deviating sequence of biblical passages in frg. 6-8."¹⁵ He attributes these readings to the "biblical" manuscript being used by the writer. So, for example, in 4Q158, Exodus passages in the Sinai pericope are supplemented with parallels drawn from Deuteronomy; this procedure of combining passages that are separated in other witnesses such as the MT and LXX is, of course, also characteristic of the pre-Samaritan manuscripts from Qumran and the Samaritan Pentateuch. An interesting example from another context is the pairing of the two passages about the daughters of Zelophehad (Numbers 27 and 36) in 4Q365

12. DJD 13.196.

13. DJD 13.195. The numbers here differ slightly from the earlier formulation in Tov, "The Textual Status," 78.

14. "The Textual Status," 51-52.

15. *Ibid.*, 47.

frg. 36 because 4QNum^b may do the same.¹⁶ In the Numbers manuscript, as reconstructed by N. Jastram, the two pericopes are combined but not in exactly the same way: frg. 36 of 4Q365 presents four words from Num 27:11 before eight words from Num 36:1-2; according to Jastram's reconstruction of the Numbers copy, the order was: Num 36:1-2; 27:2'-11'; 36:3-4; 36:1'-2'; 36:5-13.¹⁷ The procedure in 4QNum^b has not caused the manuscript to be removed from the "biblical" category. Why should similar procedures lead one to classify *Reworked Pentateuch* as reworked, not as *Pentateuch*?

White Crawford distinguishes *Reworked Pentateuch* from the pre-Samaritan copies in that it *adds* new material not drawn from elsewhere in the Pentateuch.¹⁸ Noteworthy among the examples of extra material in *Reworked Pentateuch* are a song of Miriam in Exodus 15 (between vv. 21 and 22 [4Q365 6a ii and c]), a passage before Gen 28:6 in which Isaac consoles Rebekah (4Q364 3 ii), and reference to the festivals of oil and wood after Lev 24:2 (4Q365 frg. 23). Why should such pluses relative to other copies of Genesis, Exodus, and Leviticus be thought to make *Reworked Pentateuch* less authoritative? To cite a parallel case: 4QSam^a has, as we have seen, a longer text between 1 Samuel 10 and 11. This plus has, to my knowledge, not led any scholar to dismiss 4QSam^a from the ranks of "biblical" manuscripts. Why should one think a few modest pluses in *Reworked Pentateuch* remove it from the category into which we place copies of Genesis through Deuteronomy?

Recently M. Segal has phrased the point a bit differently: "In the (pre-)Samaritan Pentateuch, the additions and harmonizations are taken from other sections of the Pentateuch, and are not composed *ex nihilo* by the scribe responsible for those changes. In contrast, in 4Q364-5 the scribes have gone one step farther. They continue to preserve the biblical text as in the pre-Samaritan biblical texts, but they have now added their own material . . . however, these additions and changes are made in biblical style and follow precedents of textual transmission found within the Hebrew Bible itself."¹⁹ In connection with our concerns, it could be asked whether it is accurate

16. Ibid., 50.

17. Jastram, "4QNum^b," *Qumran Cave 4 VII* (ed. E. Ulrich, F. M. Cross, and others; DJD 12; Oxford: Clarendon, 1994) 262-64.

18. S. White Crawford, "The 'Rewritten' Bible at Qumran," *Erlsr 26* (Frank Moore Cross Volume; 1999) 3*. Writers, such as the author of Jubilees, may in this way signal a difference from the older text. But the case of Jubilees makes plain that the issue of form is a different one from the matter of authority.

19. M. Segal, "4QReworked Pentateuch or 4QPentateuch?" in *The Dead Sea Scrolls Fifty Years after Their Discovery: Proceedings of the Jerusalem Congress, July 20-25, 1997* (ed. L. H. Schiffman, E. Tov, and J. C. VanderKam; Jerusalem: IES and the Shrine of the Book, 2000) 394.

to say "they have added their own material" and, if so, whether this would make any difference for questions of authority and status. Tov distinguishes rewritten scriptural texts from copies of the pre-Samaritan text in that, while the former "insert several or many new elements into the biblical text, the SP group used existing biblical elements, mainly as *repetitions*."²⁰ But his formulation assumes that there was a Bible (note "biblical elements") consisting of the books in our Bibles today, although this is precisely the point in question. For the people of Qumran, it may be that other books besides Genesis-Deuteronomy could serve as sources for these so-called "biblical elements."

One way of ascertaining whether a work was considered authoritative is to check how it is used in other compositions. The pentateuchal texts are often quoted as authorities in the Qumran works, but since *Reworked Pentateuch* consists almost entirely of text that we know from copies of Genesis-Deuteronomy, one cannot tell whether a citation of Torah material is taken from a text other than *Reworked Pentateuch*. Conversely, there are some candidates for use of *Reworked Pentateuch*, not of Genesis-Deuteronomy as we know them from many manuscripts. The Song of Miriam (in 4Q365) seems be unique, but it appears to be fashioned, at least in part, from the language of the Song of Moses in Exodus 15. The plus regarding Isaac and Rebekah is paralleled in *Jub.* 27:14, 17 (the direction of influence, if there was one, is not known); and the two additional festivals are treated in the *Temple Scroll* (again the direction of any possible influence is uncertain). In fact there has been debate whether 4Q365 frg. 23 (= Lev 23:42-24:2 + add.), the piece with the two extra festivals, is a part of the *Temple Scroll*. Yadin identified it as coming from another copy of the *Temple Scroll* with which it agrees not only for the two festivals but also for an unusual order of the tribes (cols. 21-24).²¹ M. Wise deals with it in his analysis of what he calls "the Deuteronomy Source" of the *Temple Scroll* and writes: "I would suggest then that the fragment is a part of the original D source which the redactor rejected when he chose portions for the TS. He did not need it because he replaced the Deut 16 portion of the synopsis—which included the modification of Lev 23 contained in fragment 1 [= 4Q365 frg. 23]—with the Festival Calendar Source."²² The editors Tov and

20. E. Tov, "Rewritten Bible Compositions and Biblical Manuscripts, with Special Attention to the Samaritan Pentateuch," *DSD* 5 (1998) 339.

21. Y. Yadin, *The Temple Scroll* (3 vols; Jerusalem: IES, Institute of Archaeology of the Hebrew University of Jerusalem, and the Shrine of the Book, 1983) 3, pl. 40*, 1.

22. M. O. Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: University of Chicago Press, 1990) 50. He treats the fragment on pp. 46-50 and points to the presence of several instances of deuteronomistic language in it.

White Crawford have kept the fragment with 4Q365, the third copy of *Reworked Pentateuch*, but some sort of relationship with the *Temple Scroll* is clear (and possibly with 4Q365a, which may also be a copy of the *Temple Scroll*).

Reworked Pentateuch, then, is a difficult case. Should we designate it as a copy of the Pentateuch, or is it an example of Rewritten Scripture? Or, more importantly, how can we tell? It seems to be a borderline case falling at a point on a continuum very close to or even at the same place as the so-called pre-Samaritan texts (for example, the earlier stratum in the Samaritan Pentateuch, 4QpaleoExod^m, 4QNum^b, 4QDeutⁿ, 4QTest) by having the same sorts of traits and readings (for example, harmonizations and grammatical adjustments). Since we lack the beginning of the work, we must resign ourselves to guessing about its purpose (if a purpose was stated at the beginning) or the setting chosen by the author. The composition strains the adequacy of our terminology, as the editors may be implying by resorting to an unusual label such as *Reworked Pentateuch*.²³ What is the dividing line between a scriptural text of the "pre-Samaritan" type and a supposedly rewritten scriptural text such as *Reworked Pentateuch*? Or, as M. Bernstein puts it more positively: "The *Reworked Pentateuch* (4Q364-367) texts stand on the unclearly marked border between biblical text and biblical interpretation."²⁴ One could add that 4Q158 and 4Q364-67 may lie at slightly different points on that "unclearly

23. Tov ("Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QparaGen—Exod," in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* [Christianity and Judaism in Antiquity 10; ed. E. Ulrich and J. C. VanderKam; Notre Dame: University of Notre Dame Press, 1994] 111-34) distinguishes between "reworking/rewriting which involved a limited intervention in the biblical text, and rephrasing involving a major intervention, often in such a way that the underlying biblical text is hardly recognizable. Adding exegetical comments to the biblical text is a form of rewriting" (p. 112).

24. Bernstein, "Pentateuchal Interpretation at Qumran," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (2 vols.; ed. P. W. Flint and J. C. VanderKam; Leiden: Brill, 1998-99) 1.134-35. Bernstein doubts that all of the *Reworked Pentateuch* texts are from the same composition and does not think 4Q158 belongs with 4Q364-67. This point was argued by M. Segal, "Biblical Exegesis in 4Q158: Techniques and Genre," *Text* 19 (1998) 45-62. Segal has more recently maintained that, while 4Q158 is from a different work than 4Q364-67, even these latter four numbers are not copies of one composition: 4Q364-65 are copies of the Pentateuch, the fragmentary 4Q366 is also a copy of the Pentateuch, while the poorly preserved 4Q367 may be an excerpted text of Leviticus (Segal, "4QReworked Pentateuch or 4QPentateuch?" 391-99). E. Ulrich has written: "it is possible that 4Q364-367 preserve yet a third variant literary edition of the Pentateuch, alongside the MT and the second Jewish variant edition that was at home in Second Temple Judaism and used by the Samaritans as the textual basis for their form of the Pentateuch" ("The Dead Sea Scrolls and the Biblical Text," *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* [2 vols.; ed. P. W. Flint and J. C. VanderKam; Leiden: Brill, 1998-99] 1.89).

marked border." So, what is it—Scripture or Rewritten Scripture? On the basis of form, wording, and contents, there seem to be no strong reasons for denying *Reworked Pentateuch* the status that scrolls of Genesis to Deuteronomy had, although in the DJD series it was published in vol. 13, one of the parabiblical volumes.

(2) The *Temple Scroll* (4Q365a?; 4Q524; 11Q19-20; 11Q21?): In logical progression, the *Temple Scroll* should be examined next because it resembles *Reworked Pentateuch* in some ways. As we have seen, some scholars have concluded that a fragment published as part of a copy of *Reworked Pentateuch* is actually from a copy of the *Temple Scroll* (4Q365 frg. 23). In fact, there is even more disputed material: there has been considerable debate about whether the fragments designated 4Q365a (they were copied by the scribe who wrote 4Q365) should be classified as part of *Reworked Pentateuch* or as coming from the *Temple Scroll*. Yadin thought that at least some of the five fragments (nos. 2 and 3) were from a copy of the *Temple Scroll*, while Wise disagreed, assigning frg. 2 to his Temple Source for the *Temple Scroll*. Fragment 3, which overlaps with the *Temple Scroll*, Wise sees as showing that these fragments are from a proto-*Temple Scroll*. Strugnell assigned the fragments to 4Q365 and placed them after frg. 23; the editor, S. White Crawford, concluded that they do not belong to *Reworked Pentateuch* and placed a question mark after the designation 4QTemple.²⁵ My purpose here is not to adjudicate the dispute but simply to say that, wherever they belong, they show a similarity between the two texts.

The contents of the *Temple Scroll* cover the material from approximately Exodus 24 through much of Deuteronomy, but it seems that Deuteronomy is the central scriptural foundation. As Wise writes:

The TS mixes and matches portions from the latter four books with no real regard to the order of books in the Torah. The real basis for the scroll's redactional plan is quite different. Put simply, the redactor had in mind the production of a new Deut—that is, of the legal portions—but he chose to organize that material in terms of concentric circles of holiness. . . . The redactor has rearranged material from the D source in accordance with the circle to which it applies, and added his other sources according to the same plan. Always, however, he had in mind the production of a new Deut, so he accounted for every portion of the relevant laws.²⁶

25. S. White Crawford, "4Q365a: 4QTemple?" in DJD 13.319-33. There she discusses the views advanced by others. Yadin includes the fragments in *The Temple Scroll*, vol. 3 supplementary pls. 38*, 40* and handles them at the appropriate places in his multivolume work on the text. For Wise's treatment, see *A Critical Study of the Temple Scroll*, 50-58.

26. *Ibid.*, 178.

The procedure of the editor makes it seem likely that he was working with and modifying an older text; possibly this has to be said about his sources. It would be difficult to argue that the topical centralization in the *Temple Scroll* is original, while the scattering and repetition in Exodus-Deuteronomy are editorial revisions. There is no evidence that the writer considered the *Temple Scroll* itself a replacement for Exodus through Deuteronomy; rather, it seems to be an authoritative, revealed reading of what we regard as the older text, making it a law for the last times. The author apparently presents it as a revelation given at the same time as the first one.

The *Temple Scroll*, available in one large copy (about 8 meters or 26 feet long, the longest stretch of preserved scroll from Qumran) and perhaps as many as four much more fragmentary ones, often stands at a greater remove textually in relation to what we normally think of as "biblical" manuscripts than *Reworked Pentateuch* does. Furthermore, in it we can glimpse something of the new setting into which the author/redactor has placed all of the older scriptural sections—a direct revelation to Moses. As F. Garcia Martinez has written: "Although the beginning is lost, column ii suggests that the narrative framework, which integrates the body of concrete laws forming the work, was similar to that in *Jubilees* and in the Sinaitic covenant (as in *Ex.* 34 and *Dt.* 7)."²⁷ The first column of the text for which we have evidence is based on Exod 34:10-16.

The many parts of the text that may be called scriptural citations have been isolated and studied in detail by Tov.²⁸ He notes that in the *Temple Scroll* there are numerous deviations in wording relative to the MT and that a number of them agree with the LXX, the Samaritan Pentateuch, or both. But there are two fundamentally different ways of assessing these variants: (1) they preserve ancient readings, or (2) they are due to the nature of the scriptural rewriting in the *Temple Scroll* that must first be considered in evaluating the citations in the scroll. If the latter is the case, the resulting differences from the MT and other witnesses would not constitute ancient readings but redactional touches.

In his essay, Tov tests these two possibilities. First he examines whether variations between the scriptural material in the *Temple Scroll* and the MT are due to the freedom that the author took with details of the "biblical" text, just as he demonstrably took liberties

27. F. Garcia Martinez, "Temple Scroll," *Encyclopedia of the Dead Sea Scrolls* (2 vols.; ed. L. H. Schiffman and J. C. Vanderkam; New York: Oxford University Press, 2000) 929.

28. E. Tov, "מגילת המקדש' וביקורת נוסח המקרא," *ErIsr* 16 (*Orlinsky Volume*; 1982) 100-111.

with its content. Tov does find evidence of such freedom: the writer not only changed third-person references to the deity to first-person ones (a procedure carried out incompletely and inconsistently) but in other places entered the same sorts of changes into different passages, leaving the impression that he altered the base text in such cases. Some of these modifications reflect the linguistic situation of the author's time. The writer also abbreviated scriptural passages worded awkwardly in the original, and he inserted parallel verses that appear in different places—whether in the same chapter, a different chapter, or another book. Tov adds to such examples cases that may be considered omissions and harmonizations. From all of this he concludes that the better one comes to know the *Temple Scroll's* system of combining sources and skipping over "irrelevant" details the more one attributes differences between the *Temple Scroll* and the MT to this authorial tendency.²⁹

As he goes on to explain, however, these types of readings must be balanced by many others in which the *Temple Scroll* differs from the MT and is supported in this disagreement by one or more of the ancient witnesses. In this category, Tov places some 63 readings and compares them with the LXX, the Samaritan Pentateuch, the Peshitta, the Vulgate, and Targums *Onqelos* and *Pseudo-Jonathan*.³⁰ He is inclined to attribute most of the scroll's differences to the author's method of rewriting, but he does acknowledge that the work preserves some ancient pentateuchal readings. His statistics for agreements with the ancient versions are:

<i>Temple Scroll</i> = LXX SP ≠ MT	22
<i>Temple Scroll</i> = LXX ≠ SP ≠ MT	26
<i>Temple Scroll</i> = SP ≠ LXX	2
<i>Temple Scroll</i> = SP = MT	6 ³¹

The statistics suggest that the "biblical" material in the *Temple Scroll* is related most closely to the Hebrew text underlying the LXX and then to the Samaritan Pentateuch.

However, numbers of agreements taken in isolation must be evaluated in the light of two other types of readings: those where the *Temple Scroll* disagrees with the LXX and Samaritan Pentateuch and those for which the scroll has unique readings. When the text of the *Temple Scroll* is scoured for these categories of readings, the following figures result:

29. *Ibid.*, 100-103.

30. *Ibid.*, 104-8.

31. *Ibid.*, 109.

<i>Temple Scroll</i> ≠ LXX SP	33 (for these the LXX and SP usually agree)
<i>Temple Scroll</i> ≠ LXX	6
<i>Temple Scroll</i> ≠ SP	11

Moreover, when unique readings (which are difficult to isolate in such a text) are taken into account, it can be seen that the *Temple Scroll* deviates from more than it agrees with the versions. That is, the *Temple Scroll* is an independent witness to the text of the Torah. This is in line with Tov's familiar thesis that we should not speak of text types or recensions but simply of texts that are related to one another in a complicated pattern of agreements and disagreements.³²

After Tov's comprehensive study was published, other treatments of parts of the biblical material in the *Temple Scroll* appeared. George Brooke analyzed the passages in it that "correspond in some measure with Exod 35-40 to discover whether the Hebrew text of Exodus reflected in some parts of 11QT^a can be described as offering an example of what may have been akin to a Hebrew *Vorlage* for the translator of the LXX of these chapters."³³ Brooke does mention a few cases in which the compiler of the scroll seems to reflect a text like the MT, not the LXX, but he finds considerably more evidence of agreement with the LXX, not with the MT. In cols. 3-10, which are poorly preserved, he locates and discusses nine passages. From them he concludes: "Whilst the interpretative skills of the Greek translator of Exod 35-40 should not be denied, nevertheless some of the LXX text's principal characteristics, discernible especially in the order and brevity of its *Vorlage*, are now vaguely recognizable in part of the Temple Scroll, particularly 11QT^a 3 and 10."³⁴

Lawrence Schiffman, in the same collection in which Brooke's essay appeared, contributed a study of what he calls "shared 'halakhic' variants" between the *Temple Scroll* and the LXX. He adduces nine passages in which the two agree on readings where both differ from what is present in the MT and also have legal significance—usually clarifying a law that was left ambiguous in the MT. He writes about these shared exegetical and prescriptive readings:

In these cases, we cannot assume that the scroll has originated the particular reading, especially in passages which deal with halakhic matters known to have been debated in Second Temple times. In general, the examples we have examined are cases in which we must conclude

32. Ibid., 110.

33. Brooke, "The Temple Scroll and LXX Exodus 35-40," in *Septuagint, Scrolls and Cognate Writings: Papers Presented to the International Symposium on the Septuagint and Its Relations to the Dead Sea Scrolls and Other Writings* (Manchester, 1990) (ed. G. J. Brooke and B. Lindars; SBLSCS 33; Atlanta: Scholars Press, 1992) 81.

34. Ibid., 100-101.

that either the author/redactor of the scroll found these variants in his *Vorlage* or that he knew of the exegesis represented in the LXX and incorporated this interpretation into his scroll. In either case, it seems that the rulings of the shared halakhic variants cannot be considered to be original to the *Temple Scroll*.³⁵

Brooke returned to the subject of the underlying scriptural text in his 1992 essay containing comparisons of the text of the *Temple Scroll* with the text of the newly published Qumran manuscripts of the Pentateuch, especially 4QpaleoExod^m, 11QpaleoLev, tefillin and mezuzot, and 4QtgLev.³⁶ He notes the readings with mixed textual associations in all of these witnesses but concludes that "[t]he treatment of the biblical text in the Temple Scroll and even the very text of the scriptural passages it interprets and supplements stands in the tradition of scribal activity to which these Qumran pentateuchal manuscripts witness in the last two or three centuries B.C.E."³⁷ Or, as he says in another place, "it is no longer so easy to distinguish between exegesis within biblical texts and exegesis of biblical texts."³⁸ For our purposes, this is an important point: the *Temple Scroll* or at least the scriptural text presupposed in it stands in the same tradition as the manuscripts with which he compared it—manuscripts whose "biblical" identity is not in dispute.

These studies have helped to clarify the nature of the scriptural readings in the *Temple Scroll*, while at the same time highlighting problems inherent in evaluating their significance for textual criticism and in assessing the nature of the work. The *Temple Scroll* poses another difficulty for our terminology because, though it does in fact rework a scriptural base and place it in a different setting, it does so in ways that are often found in the so-called "biblical" manuscripts from Qumran, and it itself stakes a claim that it is divinely inspired and thus supremely authoritative, the very words of God. So, it may fall into two categories: Scripture and Rewritten Scripture, just as Deuteronomy and 1-2 Chronicles do. Its readings, when they can be separated from the author's method of rewriting, reveal the wording of a Hebrew text of the Torah in the Second Temple period.

If we are going to use the term, should we call the *Temple Scroll* *biblical*? Experts have debated how to characterize the composition. Yadin thought of it as a Torah and believed that it was the one sent

35. L. Schiffman, "The Septuagint and the Temple Scroll: Shared 'Halakhic' Variants," *Septuagint, Scrolls and Cognate Writings*, 292. The article is on pp. 277-97.

36. Brooke, "The Textual Tradition of the *Temple Scroll* and Recently Published Manuscripts of the Pentateuch," in *The Dead Sea Scrolls: Forty Years of Research* (ed. D. Dimant and U. Rappaport; STDJ 10; Leiden: Brill, 1992) 261-82.

37. *Ibid.*, 282.

38. *Ibid.*, 263.

by the Teacher of Righteousness to the Wicked Priest (the Torah mentioned in 4QpPs^a).³⁹ H. Stegemann has maintained that it is a sixth book of the Torah that had originated about two centuries before the Qumran community and whose purpose was to complete the first five books of the Torah; B. Z. Wacholder argued that it was a new Torah (also revealed at Sinai), one meant to replace the older temporary one; and Wise sees it as an eschatological law for the land written by the Teacher of Righteousness—an inspired individual who spoke, not pseudographically as the old Moses, but as a new one.⁴⁰ In a recent study D. Swanson has perceived as its purpose bringing unity to the older texts, harmonizing them, and solving problems in them.⁴¹

These are positions adopted by modern scholars. To reflect the views of the people at Qumran, should we put the *Temple Scroll* in the same category as Genesis–Deuteronomy? It is difficult to imagine why we should not. True, it is another step removed from many manuscripts of Genesis–Deuteronomy than *Reworked Pentateuch* is and shows more evidence of an editorial hand; its lengthy quotations of pentateuchal material come especially in the Deuteronomy section of the scroll—that is, in cols. 51 and following, where Deuteronomy 12-26 is the basis—less so in the other sections. Yet even in the Deuteronomy section the editor's role is evident. As Wise puts it, "The redactor represented every single portion of Deut 12-26 in one of three ways: he either took it over complete, replaced it with a new formulation (or source), or deleted it—all in accordance with a discernible ideology."⁴² But what is the implication of this? The text is still largely that of the Pentateuch, somewhat rearranged with expansions and abbreviations. Its readings align with known types, and it claims to be words spoken directly by God.

Was the *Temple Scroll* regarded as authoritative by the Qumran community? If a legal text claims to be the words of God, and if some five copies of it—an extremely long composition—were preserved in the caves, it seems reasonable to conclude that they did consider it authoritative. Yadin wrote: "it seems that, in light of the

39. Yadin, *The Temple Scroll*, 1.390-92, 396-97.

40. For Stegemann, see, for example, "The Origins of the Temple Scroll," *Congress Volume: Jerusalem, 1986* (VTSup 40; Leiden: Brill, 1988) 235-56; and "Is the Temple Scroll a Sixth Book of the Torah—Lost for 2,500 Years?" *BAR* 13/6 (1987) 28-35; for Wacholder, see *The Dawn of Qumran: The Sectarian Torah and the Teacher of Righteousness* (HUCM 8; Cincinnati: Hebrew Union College, 1983); and for Wise, see *A Critical Study of the Temple Scroll*, 188-89.

41. D. Swanson, *The Temple Scroll and the Bible: The Methodology of 11QT* (STDJ 14; Leiden: Brill, 1995).

42. Wise, *A Critical Study of the Temple Scroll*, 167.

analysis of the content of the scroll and the method of its editing, it is difficult to avoid the conclusion that the author—and, *a fortiori*, the members of the sect—regarded it as a veritable Torah of the Lord."⁴³ Yet there are few if any references to it elsewhere in Qumran literature, although we have already seen a few points where it is related somehow to other texts or fragments.⁴⁴ So, for example, we have noted the similarities with material that may belong to the *Reworked Pentateuch* (the festivals of oil and wood). The oil festival is also mentioned in the Qumran calendars, and, if Yadin is correct, the *Temple Scroll* is called a *Torah* in a Psalms pesher.

(3) The *Book of Jubilees* (1Q17-18; 2Q19-20; 3Q5; 4Q176 frgs. 19-21; 4Q216, 218-24; 11Q12): *Jubilees* is a work similar to the *Temple Scroll* in that it is a rewriting of earlier pentateuchal material, which it places in a new setting (Sinai), and it quotes extensively from a more ancient text of Genesis and Exodus. In this case we do have the beginning of the text that supplies us with the full setting: Moses is told to ascend Mt. Sinai, there to receive the law and the testimony—terms that some have interpreted as referring to the Torah (that is, our Pentateuch) and to *Jubilees*. If so, the writer was claiming that both were revealed to Moses at Mt. Sinai, with neither having precedence over the other or replacing it. The contents of *Jubilees* 2-50, from creation to Sinai, are said to have been disclosed to Moses by an angel of the presence who was reading the words from the heavenly tablets. This angel of the presence seems to be modeled on the angel who went before the camp of Israel and who is virtually identified with the Lord himself in Exod 23:20-23 and 33:12-16. As a result, the claim to authority staked out by the book is a powerful one indeed: God commands the angel of the presence to read the words to Moses from the celestial tablets. Clearly *Jubilees* presents itself as inspired and reliable!⁴⁵

Jubilees, packaged as revelation from Sinai, follows the scriptural narrative thread from Genesis 1 to Exodus 24, while the *Temple Scroll* begins at that point (relying more heavily on Exodus 34 than on the parallel in Exodus 24) and then, in its own way as we have

43. Yadin, *The Temple Scroll*, 1.392.

44. Yadin, (*The Temple Scroll*, 1.393-97) considered the possibility that it is the book of Hagu/Hagi, the sealed book of the law in CD 5:1-5, and the book of the second law (4Q177 [4QCaten^a] 1-4:14; see 4Q171 [4QpPs^a] 3-10:8-9 for the law that the Teacher sent to the Wicked Priest). He seems to think it not unreasonable to see all of these as referring to the same book and all as designations for the *Temple Scroll* (p. 397).

45. For an analysis of *Jubilees*' claims to authority, see H. Najman, "Interpretation as Primordial Writing: Jubilees and Its Authority Conferring Strategy," *JSJ* 30 (1999) 379-410. For the law and testimony in Jubilees 1, see C. Werman, 'התורה והתעודה' "התורה והתעודה על הלוחות," *Tarbiz* 68 (1999) 473-92.

seen, carries through to the end of the Pentateuch. *Jubilees'* author makes explicit that he is working with an older text. In 6:22 we read (the angel is speaking to Moses about the Festival of Weeks): "For I have written (this) in the book of the first law in which I wrote for you that you should celebrate it at each of its times one day in a year."⁴⁶ Here we should recall the phrase סֵפֶר הַתּוֹרָה שְׁנִיָּה in 4Q177 1-4:14. In *Jub.* 30:24, where the subject is intermarriage with Gentiles, the angel says: "For this reason I have written for you in the words of the law everything that the Shechemites did to Dinah. . . ." Later in the verse he quotes from Gen 34:14. Just as *Reworked Pentateuch* and the *Temple Scroll* collect parallels and harmonize, so our writer brings together in the same place what he takes to be related passages, which were separated in our Pentateuch. That is, through a kind of harmonizing, he introduces legal material into his text at points where he thinks the narrative implies it. So, for example, he situated legislation about the Festival of Weeks after the flood story because he associated covenants with the festival of the third month, the month when, on his view, Noah entered into the agreement of Genesis 9 (see *Jubilees* 6).

Jubilees exhibits throughout the transparent hand of an editor. A prominent way in which his work comes to expression is through the chronological framework that gives the book its name. The narratives from creation to Mt. Sinai are encased in a chronology of fifty periods of 49 years each (= a jubilee period). The last of these periods will end as the freed Israelite slaves enter their patrimonial land that in *Jubilees* had been given to them at the time of Noah.⁴⁷ Through his efforts at rooting pentateuchal legislation in the narratives of the ancestors, the author/editor shows that at least one of his goals was to demonstrate that the laws were not an innovation from Moses' time but had been practiced long before by the heroes of Genesis. He apparently sensed a need to make this point in the face of contemporary claims that there had been a much more law-free time before Moses came along and separated the Jewish people from other nations by means of narrow legislation.⁴⁸

46. The translation cited is my *Book of Jubilees* (2 vols.; CSCO 510-11; Scriptorum Aethiopicorum 87-88; Leuven: Peeters, 1989) vol. 2.

47. See my "Das chronologische Konzept des Jubiläenbuchs," *ZAW* 107 (1995) 80-100 (an English translation of the article appeared in idem, *From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature* [JSJSup 62; Leiden: Brill, 1999] 522-44).

48. See my "The Origins and Purposes of the Book of Jubilees," in *Studies in the Book of Jubilees* (ed. M. Albani, J. Frey, and A. Lange; TSAJ 65; Tübingen: Mohr Siebeck, 1997) 3-24.

For *Jubilees*, unlike the works considered to this point, we have explicit evidence that it was regarded as authoritative in both Jewish and Christian circles. In the *Damascus Document* it not only is cited as a source of precise information about the times of Israel's blindness but is also placed in a context that is suggestive: "therefore a man shall bind himself by oath to return to the Law of Moses, for in it all things are strictly defined [מְדֻקְדָּק]. As for the exact determination [פְּרֹשׁ] of their times in which Israel turns a blind eye, behold it is strictly defined [מְדֻקְדָּק] in the *Book of the Divisions*" (16:1-4). Here a point is first made from the Torah of Moses and then from *Jubilees* (called The Book of the Divisions . . . in Hebrew sources). It is not clear to me whether the author is here distinguishing two sources—the Torah and *Jubilees*—or referring to a specific text within the Torah. Another Qumran text that may base a teaching on *Jubilees* is 4Q228—a text too broken to be sure about the point.⁴⁹ *Jubilees'* understanding of the festal calendar and of the weeks/covenant association was accepted at Qumran, as was its reading of Leviticus 12, in association with the expulsion from Eden (see 4Q265). Later, whatever its fate in early Judaism, *Jubilees* did find a place in the OT of the Abyssinian Church.⁵⁰

As for the wording of its citations from Genesis–Exodus, *Jubilees* was perhaps the first rewritten scriptural text to be exploited by modern scholars for its possible contribution to understanding the early history of the biblical text in Hebrew. A. Dillmann, who presented the first translation and edition of Ethiopic *Jubilees*, took up the question in his initial publication on the book in 1850-51. At that early stage in his study of *Jubilees*, he concluded that its agreements with the LXX were due to a translator who had altered the original Semitic text toward the Septuagint as he rendered it into Greek.⁵¹ Some 30 years later, when he had a more secure textual basis from which to work, he returned to the question in greater detail. In a weighty article,⁵² he adduced 89 readings in which *Jubilees* sided with the MT against the LXX; in a shorter list he specified cases of the reverse kind, that is, ones in which *Jubilees* supported the LXX against the MT. For this latter set he found three explanations: (1) Most of the readings in agreement with the LXX were due to the person who

49. The text, edited by VanderKam and Milik (DJD 13.177-85 with pl. 12), is called "Text with a Citation of *Jubilees*."

50. See R. Cowley, "The Biblical Canon of the Ethiopian Orthodox Church Today," *Ostkirchliche Studien* 23 (1974) 318-23.

51. Dillmann, "Das Buch der Jubiläen oder die kleine Genesis," *Jahrbücher der Biblischen Wissenschaft* 3 (1851) 88-90.

52. Idem, "Beiträge aus dem Buch der Jubiläen zur Kritik des Pentateuch-Textes" (SPAW 1; Berlin: Verlag der königlichen Akademie der Wissenschaften, 1883) 323-40.

translated *Jubilees* into Greek (or the Latin translator). (2) A smaller number of them were instances in which the author adopted exegetical traditions found in the LXX (especially in explaining rare expressions). (3) Others were actual variants and were to be traced back to the Hebrew scriptural text that the author used. For him this last category proved that the Hebrew copies of the Pentateuch at the time when *Jubilees* was composed by no means agreed fully with the later official text. He thought that the differences relative to that official text were not as numerous as one finds in the LXX and usually concerned only unimportant matters; nevertheless, these readings were often in agreement with the LXX or the Samaritan Pentateuch.⁵³ It is curious that Dillmann found more cases in which *Jubilees* agreed with the MT than with the LXX because, as we shall see, the numbers point in the opposite direction.

I later compiled all of the "biblical" citations in *Jubilees* and compared all of them in detail with the ancient witnesses (MT, Samaritan Pentateuch, Peshitta, LXX, Old Latin, Ethiopic [since *Jubilees* survives fully only in Ethiopic], the targums, the *Genesis Apocryphon*, and Josephus).⁵⁴ There was no indication that *Jubilees'* citations from Genesis and Exodus had been altered toward Greek or Ethiopic (or Latin) biblical versions as the book was translated into those languages. Rather, the data favored the view that the scriptural material reproduced in Ethiopic *Jubilees* was a reliable reflection of a Hebrew copy of Genesis and Exodus. A comparison of Ethiopic *Jubilees* with the few Qumran Hebrew fragments of the book then available gave further grounds for considering the Ethiopic text to be a faithful rendition, via Greek, of the Hebrew base. These data could be interpreted within the framework of F. M. Cross's theory of local texts as evidencing an early Palestinian text, or within the framework of E. Tov's "modern textual outlook" as another independent text of the Pentateuch, closer to the Hebrew base of the LXX and to the Samaritan Pentateuch than to the MT but not identical with any of them. In other words, its underlying scriptural text is of a type familiar to us from the pre-Samaritan copies from Qumran.

So, how did the people of Qumran judge *Jubilees*? It seems to have been important because 14 copies of it have been identified among the fragments from the caves; and it is quoted at least once as an authority. Yet we know of two instances in which its views were opposed: *Jubilees'* rejection of a lunar calendar (6:36-37; some Qum-

53. Ibid., 324-34.

54. VanderKam, *Textual and Historical Studies in the Book of Jubilees* (HSM 14; Missoula, Mont.: Scholars Press, 1977) 142-98; "Jubilees and the Hebrew Texts of Genesis-Exodus," *Text* 14 (1988) 71-85 (= *From Revelation to Canon*, 448-61).

ran calendars have data for both solar and lunar calendars, just as *1 Enoch* 72-82 does), and a detail of its chronology of the flood (compare the simple statement in *Jub.* 5:27 with 4Q252 1:7-10,⁵⁵ which adds two days while the ark rested on the mountain to make up the full total of five months). What do both kinds of evidence say about its authority?

CONCLUSIONS

We have glanced at three compositions that are of different literary types and that work with older texts in one way or another. What conclusions may we draw from the survey?

(1) These three texts are intimately related to the older compositions that we call Genesis-Deuteronomy, although they do not all stand in the same relation to them. *Reworked Pentateuch* is closest in wording and content to Genesis-Deuteronomy, the *Temple Scroll* is somewhat more distant, and *Jubilees* is perhaps still farther removed. For the material from Genesis-Deuteronomy that they reproduce or reflect, the three evidence textual forms that fall into patterns recognizable from the ancient versions of the Pentateuch in the MT, LXX, SP, and the Qumran copies.

(2) It is not easy to define what might separate these works from Genesis-Deuteronomy, apart perhaps from age. There appears to be nothing in content or form that requires us to put the *Reworked Pentateuch* in a different category from Genesis-Deuteronomy—whatever we may call this category. Its contents are those of the Pentateuch and its textual form is of a well-attested type. The same could be said about the *Temple Scroll*, which also reproduces pentateuchal material and generally has a known form of scriptural text. It does stand apart, at least as we have it, by adopting a different setting for some of the pentateuchal legislation (direct speech from God to Moses at Sinai) and engaging in a larger measure of rearranging texts. However, its claim to authority is more apparent than in Genesis-Deuteronomy and *Reworked Pentateuch*. *Jubilees* resembles the *Temple Scroll* but concerns itself primarily with a different part of the Pentateuch. We know that *Jubilees* exercised a certain authority at Qumran and elsewhere. So, then, should we put the *Temple Scroll* and *Jubilees* in a basket other than the one that holds Genesis-Deuteronomy and *Reworked Pentateuch*? If it is charged that these books are different from Genesis-Deuteronomy because they rework these older texts, we can object that generous

55. G. Brooke, "4QCommentary on Genesis A," *Qumran Cave 4 XVII: Parabiblical Texts, Part 3* (consulting ed. J. C. VanderKam; DJD 22; Oxford: Clarendon, 1996) 193-94.

parts of Genesis–Deuteronomy are themselves rewritings of older pentateuchal sources. *Reworked Pentateuch*, *Temple Scroll*, and *Jubilees* could simply represent other points in the same continuum before canonical decisions were made.

(3) Evidence such as this suggests that we cannot be sure about the precise meaning of the term *Torah* when it appears in a Qumran text as a designation for a body of literature. Did it mean just our pentateuchal books or could the works that we have surveyed also be meant? It seems reasonable to think some or all of them could have fallen under the rubric *Torah* and that the term encompasses various renditions of the material from creation to the death of Moses.

(4) The common practice, enshrined even in the official DJD series, of dividing manuscripts into biblical and parabiblical ones, fails to address these issues satisfactorily and merely reflects later canonical decisions. Perhaps more seriously, the scholars who draw up statistics and classifications of biblical manuscripts at Qumran are guilty of reading subsequent authoritative judgments back into earlier sources. The statistics for the types of copies of Genesis–Deuteronomy should include the evidence from the works we have studied (and others as well). Compilations of Qumran scriptural readings, such as in the recently published *The Dead Sea Scrolls Bible*, should include all of the evidence, not just what can be read in the so-called "biblical" manuscripts.⁵⁶

(5) It would better fit the ancient evidence from Qumran if we avoided using the words Bible and biblical for this period and this community. This is not to deny the group had authoritative writings; the difficulty is that we, at our remove of a couple of thousand years, cannot always be sure which works belonged among these writings and which did not. How many books did the word *Torah* embrace? We should follow the ancient practice of using more general, less suggestive terms such as *Scriptures* and *Rewritten Scriptures*, not *Bible* and *Rewritten Bible*.

56. M. Abegg, P. W. Flint, and E. Ulrich, *The Dead Sea Scrolls Bible* (San Francisco: HarperSanFrancisco, 1999). Of course, it should be acknowledged that the translators had intended to include more texts, but constraints of space limited the contents.