

From the Damascus Covenant to the Covenant of the Community

*Literary, Historical, and
Theological Studies
in the Dead Sea Scrolls*

By

STEPHEN HULTGREN

From the Damascus Covenant to the
Covenant of the Community

Studies on the Texts of the Desert of Judah

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VOLUME 66

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BRILL

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2007

The SymbolGreekIP and NewJerusalem fonts used to create this work are available from www.linguistsoftware.com, +1-425-775-1130.

This book is printed on acid-free paper.

Library of Congress Cataloging-in Publication data

LC Control Number: 2007060860

ISSN: 0169-9962
ISBN-13: 978 90 04 15465 0
ISBN-10: 90 04 15465 5

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PRINTED IN THE NETHERLANDS

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PREFACE

It is an exciting time to be engaged in the study of the Dead Sea Scrolls. The full publication of the scrolls invites scholars to come to a deeper and more precise knowledge of this remarkable literature, of the history behind it, of the people that produced it, and of the theology and life that inspired it. Access to the more recently published manuscripts promises to enrich our understanding of the scrolls, of Second-Temple Judaism, and of the New Testament in ways that were not possible in earlier years of scrolls research.

The chapters in this volume were written in the years 2003–06. Prior to the writing of these chapters, I had begun work on a book on Pauline theology. In the course of that work, it became apparent to me that I needed to understand better the covenantal theology contained in the Dead Sea Scrolls. The initial intention had been to summarize that topic in one chapter of the book as background for understanding Paul. I soon realized, however, that, given the large amount of primary literature in the Dead Sea Scrolls, the variety of types of literature, and the complexity of the literature, it would not be possible to come to a satisfyingly thorough understanding of the covenantal theology of the Dead Sea Scrolls in a single chapter. It became clear that a more extensive study was necessary. Literary, historical, and theological studies would all be involved. It would be necessary to engage in studies of the origin, development, and structure of the covenantal theology and politics witnessed in the Dead Sea Scrolls. Hence the present volume.

Chapters 1 and 2 appeared in earlier versions in the *Revue de Qumran*. Chapter 1 was published under the title, “A New Literary Analysis of CD XIX-XX, Part I: CD XIX:1-32a (with CD VII:4b-VIII:18b). The Midrashim and the ‘Princes of Judah,’” *RevQ* 21 (2004) 549–78. Chapter 2 was published as, “A New Literary Analysis of CD XIX-XX, Part II: CD XIX:32b-XX:34. The Punctuation of CD XIX:33b-XX:1a and the Identity of the ‘New Covenant,’” *RevQ* 22 (2005) 7–32. Those articles were modestly revised for publication here. I thank the editor of the *Revue de Qumran*, Prof. Dr. Florentino García Martínez, for granting permission to reprint them. I thank him also for encouraging me to put the several chapters found here into the form of a book and for accepting the work for publication in this fine series.

Thanks go also to Eibert J. C. Tigchelaar, Philip R. Davies, and James C. VanderKam for reading and commenting on different parts of the manuscript. I benefitted from a number of their comments.

Abbreviations and transliterations follow for the most part those found in *The SBL Handbook of Style for Ancient Near Eastern, Biblical, and Early Christian Studies* (ed. Patrick H. Alexander et al.; Peabody: Hendrickson, 1999). Where that is lacking, abbreviations follow the conventions of the *Abkürzungsverzeichnis* of the *Theologische Realenzyklopädie* (ed. Gerhard Krause and Gerhard Müller; 2nd ed.; Berlin: Walter de Gruyter, 1994).

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ABBREVIATIONS

Journals, Reference Works, and Series

AB	Anchor Bible
ABD	<i>The Anchor Bible Dictionary</i> . Edited by D. N. Freedman. 6 vols. New York: Doubleday, 1992
APAW	Abhandlungen der preussischen Akademie der Wissenschaften.
APOT	<i>The Apocrypha and Pseudepigrapha of the Old Testament</i> . Edited by R. H. Charles. 2 volumes. Oxford: Clarendon Press, 1913.
ATANT	Abhandlungen zur Theologie des Alten und Neuen Testaments
ATD	Das Alte Testament Deutsch
<i>Atiqot</i>	' <i>Atiqot</i>
BA	<i>Biblical Archaeologist</i>
BAR	<i>Biblical Archaeology Review</i>
BASOR	<i>Bulletin of the American Schools of Oriental Research</i>
BDB	Brown, Francis, S. R. Driver, and Charles A. Briggs. <i>A Hebrew and English Lexicon of the Old Testament</i> . Revised edition. Oxford: Clarendon Press, 1951
BETL	Bibliotheca ephemeridum theologiarum lovaniensium
BHT	Beiträge zur historischen Theologie
<i>Bib</i>	<i>Biblica</i>
BibOr	Biblica et orientalia
BJRL	<i>Bulletin of the John Rylands University Library of Manchester</i>
BZ	<i>Biblische Zeitschrift</i>
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
BZNW	Beihefte zur Zeitschrift für die neutestamentliche Wissenschaft
CBQ	<i>Catholic Biblical Quarterly</i>
CBQMS	Catholic Biblical Quarterly Monograph Series
ConBT	Coniectanea biblica: Old Testament Series
DJD	Discoveries in the Judaean Desert

<i>DSD</i>	<i>Dead Sea Discoveries</i>
<i>ETL</i>	<i>Ephemerides theologicae lovanienses</i>
<i>Exp</i>	<i>The Expositor</i>
<i>FO</i>	<i>Folia orientalia</i>
<i>HR</i>	<i>History of Religions</i>
<i>HTR</i>	<i>Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
<i>IEJ</i>	<i>Israel Exploration Journal</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JNES</i>	<i>Journal of Near Eastern Studies</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism in the Persian, Hellenistic, and Roman Periods</i>
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
<i>JSOTSup</i>	<i>Journal for the Study of the Old Testament: Supplement Series</i>
<i>JSPSup</i>	<i>Journal for the Study of the Pseudepigrapha: Supplement Series</i>
<i>JSS</i>	<i>Journal of Semitic Studies</i>
<i>LCL</i>	<i>Loeb Classical Library</i>
<i>NTOS</i>	<i>Novum Testamentum et Orbis Antiquus</i>
<i>NTS</i>	<i>New Testament Studies</i>
<i>OBO</i>	<i>Orbis biblicus et orientalis</i>
<i>PEQ</i>	<i>Palestine Exploration Quarterly</i>
<i>Qad</i>	<i>Qadmoniot</i>
<i>QC</i>	<i>Qumran Chronicle</i>
<i>QD</i>	<i>Quaestiones disputatae</i>
<i>RB</i>	<i>Revue biblique</i>
<i>REJ</i>	<i>Revue des études juives</i>
<i>RevQ</i>	<i>Revue de Qumran</i>
<i>RHPR</i>	<i>Revue d'histoire et de philosophie religieuses</i>
<i>RVV</i>	<i>Religionsgeschichtliche Versuche und Vorarbeiten</i>
<i>SBAB</i>	<i>Stuttgarter biblische Aufsatzbände</i>
<i>SBLDS</i>	<i>Society of Biblical Literature Dissertation Series</i>
<i>SBLMS</i>	<i>Society of Biblical Literature Monograph Series</i>
<i>SBLSCS</i>	<i>Society of Biblical Literature Septuagint and Cognate Studies</i>
<i>SBLSP</i>	<i>Society of Biblical Literature Seminar Papers</i>

SBS	Stuttgarter Bibelstudien
<i>Sef</i>	<i>Sefarad</i>
SJLA	Studies in Judaism in Late Antiquity
SNTSMS	Society for New Testament Studies Monograph Series
STDJ	Studies on the Texts of the Desert of Judah
StPB	Studia post-biblica
SUNT	Studien zur Umwelt des Neuen Testaments
SVTP	Studia in Veteris Testamenti Pseudepigrapha
<i>TDOT</i>	<i>Theological Dictionary of the Old Testament</i> . Edited by G. Johannes Botterweck and Helmer Ringgren. Translated by John T. Willis. Grand Rapids: Eerdmans, 1977–
<i>TZ</i>	<i>Theologische Zeitschrift</i>
<i>VT</i>	<i>Vetus Testamentum</i>
VTSup	Supplements to Vetus Testamentum
WBC	Word Biblical Commentary
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
<i>ZABR</i>	<i>Zeitschrift für altorientalische und biblische Rechtsgeschichte</i>
<i>ZAW</i>	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
<i>ZDMG</i>	<i>Zeitschrift der deutschen morgenländischen Gesellschaft</i>
<i>ZHB</i>	<i>Zeitschrift für hebräische Bibliographie</i>
<i>ZNW</i>	<i>Zeitschrift für die neutestamentliche Wissenschaft und die Kunde der älteren Kirche</i>
<i>ZTK</i>	<i>Zeitschrift für Theologie und Kirche</i>

Other Abbreviations and Symbols

CAP	Cowley, A. E. <i>Aramaic Papyri of the Fifth Century B.C.</i> Oxford: Clarendon Press, 1923
DSS	Dead Sea Scrolls
ET	English translation
LXX	Septuagint
MS	manuscript
MT	Masoretic Text
NEB	New English Bible
NRSV	New Revised Standard Version

INTRODUCTION

The subtitle of this volume might lead the reader to suppose that it is a collection of isolated studies devoted to various topics rather than a single work pursuing a single theme. It is true that some of the chapters can stand on their own or can be grouped together with other chapters into particular subcategories. Thus, for example, Chapters 1 and 2 consist of a literary analysis of CD XIX–XX. Chapter 9 also consists of a literary analysis (of the third discourse in CD). Chapters 3 through 5 pursue the biblical-theological and historical origins of “the new covenant in the land of Damascus” and of the *yahad*. The concerns of Chapters 6 through 8 are of a more theological nature: dualism at Qumran in Chapter 6; the relationship between covenant, law, and the righteousness of God in the *hōdāyôt* in Chapter 7; covenant renewal in Chapter 8. Chapter 10 summarizes the results of the preceding nine chapters and also correlates those results with the evidence on the Essenes from the classical sources.

As mentioned in the preface, however, and as suggested by the main title of the book, there is an overarching pursuit in the book, and that is to understand the covenantal theology (or theologies) contained in the Dead Sea Scrolls (henceforth DSS), as well as the history and covenantal polity (or polities) of the people that stand behind them. In order to help the reader understand the functions of the different chapters of the book and to help the reader know how to read the book, it will be useful to give a brief explanation of the way in which the chapters developed and of the relationship between the chapters.

The point of entry for my study of the covenantal theology of the DSS was the unusually rare use of the term “the new covenant in the land of Damascus” in CD. It was an early conviction of mine that grasping the significance of that term would be the key to what I sought, namely, understanding the covenantal theology (or theologies) and the history and covenantal polity (or polities) in and behind the DSS. I had to confront the question whether the “new covenant” referred to the Qumran community or to some other entity. That question, however, led immediately to CD XIX,33–35 and to the literary-critical problems associated with that part of CD. Thus the first necessary step was a literary-critical analysis of CD XIX–XX (with CD VII–VIII), and hence Chapters 1 and 2. Once the question of the

identity of the “new covenant” was resolved to my satisfaction, the next step was to try to uncover the biblical-theological roots and the historical origins of “the new covenant in the land of Damascus” (also referred to in this book as the “new covenant” or as the “Damascus covenant”) (hence Chapters 3 and 4), to determine the relationship between the “new covenant” and the *yahad*, and to uncover the origins of the *yahad* (hence Chapter 5). Thus Chapters 1 through 5 together form one major block of the book and should be read as such.

Chapters 6 and 7 stand somewhat independently of Chapters 1 through 5, and yet they contribute to our understanding of the theology of the *yahad*. In fact Chapter 6 was written in continuation of Chapter 5 as an attempt to fill out our understanding of the development of the *yahad* from its origins in the Damascus covenant to its fully developed dualism. Chapter 8 was written early and independently of the other chapters in an attempt better to understand the concept of “covenant renewal” (which, as I show there, is not simply to be equated with the “new covenant”). Chapter 9 comes where it does because, although it is, like Chapters 1 and 2, a literary analysis of part of CD, it serves to confirm the results of the preceding chapters, especially Chapters 1 through 7. Chapter 10, as mentioned above, pulls everything together.

As the preceding paragraphs suggest, this book deals with some fundamental questions of DSS and Qumran scholarship, such as the history of the groups or communities that produced the literature. The reader will also notice that much of the book deals with the *Damascus Document* and the *Rule of the Community*. The question may be asked: Have not these topics already received sufficient treatment? The answer to that question is, I think, clearly, “No!”

The reinvigorated study of the DSS that has been made possible in recent years through the publication of the remaining scrolls is leading to the reexamination of old hypotheses, with the result that those old hypotheses are being confirmed or modified or, in some cases, dismissed and replaced by new hypotheses that fit the data better. Let us take just one example to illustrate the point. The conventional hypothesis that identifies the Qumran community with the Essenes has been called into question in recent years by the publication of *Miqṣat Maʿaśe ha-Torah* (4QMMT). Since the author(s) of this text subscribed to certain halakic rulings that are attributed to the “Sadducees” of rabbinic literature, this text has strengthened the proposal, already suggested at an earlier time on the basis of the evidence of the *Temple Scroll*, that the origins of the Qumran community may lie in a “Saddu-

cean” (that is, Zadokite) priesthood rather than in the Essenes.¹ At the very least, the new evidence suggests that the origins of Qumran are more complex than a simple identification with the Essenes would suggest.²

Indeed, the wealth of literature that has become available to us through the full publication of the Dead Sea Scrolls also makes it clear that the phenomenon that we call “Qumran” is only one part of a much broader phenomenon than we previously thought. This was already suggested by the *Damascus Document*, whose (apparent) tracing back of the origins of the movement to the exile and whose regulations for the “camps” (plural) of Israel testify to a movement that is older and more extensive than Qumran itself. This picture from the *Damascus Document* is only strengthened through new evidence such as the *Apocryphon of Jeremiah*, which gives evidence of criticism of the priesthood and of Israel at large, and perhaps also of the existence of a renewal movement in Palestine, already in the 3rd century BC.³ The *Apocryphon of Jeremiah* suggests that such movements may have been more extensive than we previously thought, and that a 3rd-century movement of this kind might be the direct parent of the Qumran community. In any case, this evidence suggests that we do well to place Qumran within a larger context and, at least in the first instance, that we should not try to fit it narrowly into the framework of the “Essenes” of the classical sources.

¹ See Lawrence H. Schiffman, “The New Halakhic Letter (4QMMT) and the Origins of the Dead Sea Sect,” *BA* 53 (1990) 64–73; idem, “*Miqsat Ma’aseh Ha-Torah* and the *Temple Scroll*,” *RevQ* 14 (1990) 456–57. See earlier in connection with the *Temple Scroll* Joseph M. Baumgarten, “The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts,” *JJS* 31 (1980) 157–70.

² In fact, a simple identification of the Qumran community with the Essenes has for a long time presented certain problems, particularly in connection with the dating of the sources. All of the classical sources that mention the “Essenes” come from authors of the 1st century AD and later. To be sure, it is nearly certain that these authors had older sources at their disposal, and these may have come from a time closer to the origins of the Essenes. Nonetheless, priority must be given to the older, Hebrew sources that can be safely connected with the origins and early life of the *yahad*. The classical sources can be helpful in confirming or rounding out our picture of the Qumran community acquired from the Hebrew sources, but the evidence of the classical sources should be integrated into, and not superimposed upon, the picture of the Qumran community acquired from the Hebrew sources.

³ See particularly 4Q390 1,6–10 and the commentary in DJD 30.115–16, 241, 243–44. See further Chapter 4 below, pp. 205–06 (n. 184).

Finally, even among those scholars who advocate a connection between Qumran and the Essenes, there is an increasing emphasis on the need to distinguish between the origins of the Essenes and the origins of the Qumran community. So, for example, the proponents of the Groningen hypothesis of Qumran origins have argued that the Essenes were a Palestinian apocalyptic movement that arose in the late 3rd or early 2nd century BC, well before the Antiochian crisis. The Qumran community was the result of a split within the Essene movement, when some members loyal to the Teacher of Righteousness broke away from the rest of the Essene movement. Alternatively, Gabriele Boccaccini has argued that the Qumran community was a radical, minority Essene group that isolated itself from the Essene movement as a whole. Historically considered, mainstream (i.e., non-Qumran) Essene Judaism was a form of Enochic Judaism (which had roots in the 4th or 3rd century BC). In the middle of the 2nd century BC the Essenes sought a greater degree of separation from the rest of Israel than Enochic Judaism did. In turn, the Qumran community was the result of a group within Essene Judaism, led by the Teacher of Righteousness, that called for an even more radical separation from Jewish society.⁴

We are thus in a time of great ferment in DSS and Qumran studies, and it is in full recognition of this situation that the following work is offered.⁵ The field is ripe for fresh approaches to some old questions. It is hoped that the work presented in this volume will not only shed new light on some old problems and give more satisfying answers to some old questions, but also serve as a stimulus to further work on the part of other scholars.

⁴ Florentino García Martínez, "Qumran Origins and Early History: A Groningen Hypothesis," *FO* 25 (1988) 113–36; F. García Martínez and A. S. van der Woude, "A 'Groningen' Hypothesis of Qumran Origins and Early History," *RevQ* 14 (1990) 521–41; Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids: Eerdmans, 1998) 77–78, 165–66, 185–87, 192–93.

⁵ It should be made clear at the outset that, despite the shortcomings of the Essene hypothesis mentioned above, it is not the purpose of this work to challenge, still less to disprove the Essene hypothesis. There are too many obvious points of contact between the Essenes of the classical sources and the Qumran community to deny some connection between them. Rather the point is that we must give the Hebrew sources their full due and try to understand them on their own terms before we bring in the evidence of the classical sources. More on this in Chapter 10.

CHAPTER ONE

THE IDENTITY OF “THE NEW COVENANT IN THE LAND OF DAMASCUS”: A NEW LITERARY ANALYSIS OF CD XIX–XX (PART I)

1.1 Introduction

The term “the new covenant in the land of Damascus” appears three times in the *Damascus Document* (CD VI,19; VIII,21; XIX,33–34).¹ In addition, there is a reference in XX,12 to the “pact” that was established in the “land of Damascus,” which is the “new covenant.”² There is a possible reference to “the new covenant” in 1QpHab II,3 (without “in the land of Damascus”), but since there is a lacuna in the text there we cannot be certain. It is often simply assumed that “the new covenant in the land of Damascus” is to be equated with the Qumran community. There is, however, no compelling evidence to support that contention. Indeed, the evidence speaks against such an identification. On the one hand, the term *yahad*, the word used commonly in the DSS to refer to the entity that scholars commonly identify as the Qumran community, appears either once or not at all in the *Damascus Document* (henceforth *D*; Cairo Genizah manuscripts=CD) depending on whether one reads יחד in XX,32 as equivalent to יחד or not. On the other hand, in all of the numerous texts and fragments that scholars confidently ascribe to the Qumran community, neither the term “the new covenant in the land of Damascus” nor even the “new covenant” appears, save the possible but uncertain 1QpHab II,3. And even if the term should be read in the last mentioned text, it is not at all certain that the reference is to the Qumran community. It would be astounding indeed if the Qumran community called itself the “new covenant” and yet never once called itself by that name unambiguously in its own literature. Our first task, then, will be to determine the identity of “the new covenant in the land of Damascus.” In order to do that, however, it is necessary to undertake

¹ Cf. also the fragmentary 4Q269 4 ii 1 (=CD VI,19).

² On the question of the identity of the “pact” and of the “covenant” in this line, see Chapter 2, pp. 56–62.

a literary analysis of the end of *D*, specifically, CD XIX–XX (along with parallel material in the A text in CD VII–VIII). That is because in three of the four places where the term occurs in *D* (CD VIII,21; XIX,33–34; XX,12), there are troublesome literary-critical problems. Our literary-critical study will be divided into two parts. In this chapter we shall begin with a literary-critical study of CD XIX,1–32a (with the parallel material in VII,4b–VIII,18b). It will focus on two crucial passages in particular: (1) the Isaiah-Amos-Numbers midrash in the A text (VII,10–VIII,1a) with the Zechariah-Ezekiel midrash in the B text (XIX,7–13b), and particularly the relationship between the A and B texts; and (2) the so-called “Princes of Judah” passage in XIX,15b–25a (=VIII,3b–12). In Chapter 2, we shall continue the literary-critical analysis with XIX,32b–XX,34, that is, with the parts of the B text that extend beyond the A text, with particular attention to the statements about the “new covenant.”

1.2 On the Literary Unity of CD VII,9–VIII,12/XIX,5b–25a

In a series of six articles in the early 1970s Jerome Murphy-O'Connor published the results of his study of *D*.³ Of these not less than four were dedicated in whole or in part to various sections of the difficult columns CD XIX–XX or their parallels in CD VII–VIII. Murphy-O'Connor's analysis of these parts was preceded by Stegemann's,⁴ and later Davies also analyzed them as part of his overall study of the document.⁵ Their analyses have constituted the major work done on this section, and since Davies's contribution there has been little new discussion of it. To be sure, since the full publication of the 4QD fragments a number of studies have been dedicated to analyzing the

³ These articles are: “An Essene Missionary Document? CD II, 14-VI, 1,” *RB* 77 (1970) 201–29; “The Original Text of CD 7:9–8:2 = 19:5–14,” *HTR* 64 (1971) 379–86; “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” *RB* 78 (1971) 210–32; “The Translation of Damascus Document VI, 11-14,” *RevQ* 7 (1971) 553–56; “The Critique of the Princes of Judah (CD VIII, 3-19),” *RB* 79 (1972) 200–16; “A Literary Analysis of Damascus Document XIX, 33-XX, 34,” *RB* 79 (1972) 544–64.

⁴ Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 166–83.

⁵ Philip R. Davies, *The Damascus Covenant: An Interpretation of the “Damascus Document”* (JSOTSup 25; Sheffield: JSOT Press, 1982) 143–97.

literary construction of *D*. These studies focus largely on the legal section of *D*, however, since the bulk of the material in the 4QD fragments represents additional, hitherto unknown parts of the legal section of the work, more than the admonition. Only seven fragments among the numerous 4QD finds contain text parallel to CD XIX,1–XX,34 or CD VII,4b–VIII,21.⁶

- (1) 4QD^a (4Q266) 3 iii 6, 17–25 (=CD VII,4b–5; VII,16–VIII,3; cf. XIX,13–15);
- (2) 4QD^a (4Q266) 3 iv 1–6 (=CD XIX,15–21=VIII,3–9);
- (3) 4QD^a (4Q266) 4,7–13 (=CD XX,33–34, with five additional lines not found in CD);
- (4) 4QD^b (4Q267) 3,1–7 (=CD XX,25–28);
- (5) 4QD^d (4Q269) 5,1–4 (=CD VII,17–20);
- (6) 4QD^d (4Q269) 6,1–2 (=CD XIX,17–19=VIII,5–7);
- (7) 4QD^e (4Q270) 2 i 1–3 (=CD XX,32–33).⁷

I believe that a new literary analysis of CD XIX,1–XX,34 with CD VII,4b–VIII,21 (the B and A texts respectively) is necessary. The reason is not because of the new documentary evidence. The 4QD fragments listed above do not add much to our knowledge about this part of CD, although they do help to clarify some questions. Items 1 and 2 may help to clarify the relationship between the A and B texts (though see note 74 below). Item 3 shows that there was some additional material after XX,34 (material that may have also appeared in the *vacat* of lines 4–8 in item 7). Together, items 3 and 7 will help in the reconstruction of the transition from the admonition to the laws. Rather the impetus for a new literary analysis is that my own study of this section has convinced me that previous work on three major points of interpretation has been wrong or inadequate. That is connected with another deficiency. Previous work on this passage has failed to account for its literary coherence and unity. I do not deny that CD XIX–XX is composite, with several different sources pieced together. However, there is greater coherence and unity in this section than has usually

⁶ See Joseph M. Baumgarten, DJD 18.3, 45–47, 98–99, 128–29, 142–43. 5Q12 and 6Q15 contain no parallels to our sections.

⁷ As Baumgarten, *ibid.*, 143, notes, Milik's identification of 4Q270 2 i 1–3 with CD XX,32–33 is conjectural.

been granted. That applies particularly to CD XIX,5b–32a with VII,9–VIII,18b. Moreover, once the coherence and unity of this latter section become visible, new light is shed on the covenantal theology that lies behind it. Thus we shall begin with CD XIX,5b–25a/VII,9–VIII,12. Our goal is to establish the literary (and theological) coherence and unity of this section.

Philip Davies argues that *D*'s admonition originally ended at CD VII,9 (more precisely, at the first word of VII,10a, עֲלֵיהֶם) (=XIX,6) and that what follows in VII,10a–VIII,2 (cf. XIX,7–14) and VIII,2–18 (=XIX,15–31) is secondary. The reasons that he gives for this judgment are as follows: VIII,1b–2a is a (redactional) formula that partly recapitulates VII,9b–10a, and it concludes the material in VII,10–VIII,1a. Davies thinks that the midrashic material in VII,10–VIII,1a was originally intended to illustrate “the fate awaiting those outside the community.” Yet, he continues, VIII,1b–2a is a warning to those who enter the covenant but do not remain steadfast in the precepts, that is, a warning to insiders. Thereby VIII,1b–2a gives a sense to VII,10–VIII,1a that is different from the original sense. That section now becomes less “a warning to outsiders” than “an encouragement to those entering the community to hold fast to the small and powerless remnant to which they are now electing to belong...” That suggests that VII,10–VIII,1a is a secondary addition to the admonition.⁸ As for CD VIII,2b–19, against the “Princes of Judah,” Davies views this section as a self-contained, polemical unit, also directed against outsiders, but composed specifically for this place in CD and closed by a formula of warning in VIII,18b–19 that is directed towards insiders. He hypothesizes that the “Princes of Judah” unit was written “in the context of” the community’s “(recently acquired?) Judaeen environment.” The community “was engaged in preaching its views and gaining adherents in the vicinity of Jerusalem, which incurred the antagonism of the established authorities.”⁹

A further argument that Davies adduces for viewing VII,9 (or VII,10a) as the original ending of the admonition and the material in VII,10–VIII,18 as secondary is the imbalance in the amount of material directed against apostates (or potential apostates) in VII,10–VIII,18 in comparison with the small amount of material announcing God’s

⁸ Davies, *The Damascus Covenant*, 144.

⁹ *Ibid.*, 170. See also 144.

promise to the faithful. The warning to those who “despise the precepts” in VII,9 balances the promise to the faithful in VII,4b–6a. As Davies notes, however, all of the material from VII,9 until the end of the admonition can be seen from a formal point of view as part of a warning against apostasy, and such a large section far outweighs the short promise given in VII,4b–6a.¹⁰ He therefore draws the conclusion: “There is little doubt that an originally briefer warning has been considerably expanded.”¹¹ Davies draws further support for his conclusion from the observation that VII,9 warns only against those who “despise” the precepts, while VIII,19 warns against those who both “despise” and “forsake” them. That may indicate that VII,9 was originally a general admonition to outsiders or to those, such as initiates of the Damascus covenant, who had heard but rejected the precepts of the covenant, warning them either to enter the covenant or to face destruction, while later additions addressed apostates or potential apostates from the covenant.¹²

I am not convinced by Davies’s argument that the materials in VII,10–VIII,1a and VIII,2–18 represent two separate sections or that both are secondary. The difficulty with Davies’s argument can be nicely illustrated by the ambiguity with which he identifies the addressees of these two sections. We have just seen that Davies argues that the “Princes of Judah” unit is directed against outsiders, and yet it is closed by an admonitory formula directed towards *insiders* in VIII,18b–19. That is awkward. Moreover, there is even ambiguity in his argument as to whether the “Princes of Judah” section itself is directed towards outsiders or insiders. On the one hand VIII,2b–19 is “directly aimed at contemporary outsiders.”¹³ On the other hand it is “addressed to those who have already entered the community, and assure[s] them that those outside the community, numerous and powerful as they may seem, are nevertheless destined to perish....”¹⁴ Presumably this ambiguity is to be explained by the difference between the section’s

¹⁰ Against Davies it may be noted, however, that the promise to the faithful in VII,4b–6a refers back to the precepts of VI,11b–VII,4a, which perhaps evens the balance somewhat (cf. André Dupont-Sommer, “Écrit de Damas,” *La Bible: Écrits intertestamentaires* [Paris: Gallimard, 1987] 158 note.)

¹¹ Davies, *The Damascus Covenant*, 143.

¹² *Ibid.*, 149.

¹³ *Ibid.*, 169.

¹⁴ *Ibid.*, 143.

origin and its function in the present context. The section was written originally against outsiders, but in the present context it addresses those who have joined the community. Nonetheless, this ambiguity raises the question whether the purpose and addressees of the section have been correctly discerned. There is a similar ambiguity regarding the addressees of VII,10–VIII,2a.¹⁵ As I shall show below, the ambiguity is removed when we recognize the full significance of the term שרי יהודה (usually translated “the princes of Judah”) and when we recognize the literary unity of VII,9–VIII,12 (and XIX,5b–25a).¹⁶ Once we recognize that VII,9, VII,10–VIII,1a, and VIII,3b–12 form a literary unity (as also XIX,5b, XIX,6–13b, and XIX,15b–25a), the purpose and intended audience of these sections become clear.

An initial indication of the literary unity of these texts can be seen in the way that two very important biblical passages form a framework for them. The first passage is Lev 26. This chapter of Leviticus ends the so-called Holiness Code (Lev 17–26), the laws of which feature prominently in the precepts of *D* and, more importantly for our purposes, also underlie the small “law code” in CD VI,11b–VII,4a that summarizes those precepts.¹⁷ Thus it is no surprise that allusions to Lev 26, the chapter that stands at the very end of the Holiness Code and outlines the consequences of obedience and disobedience to the covenant, should give structure to CD VII,9–VIII,12 (and XIX,5b–25a),

¹⁵ Cf. *ibid.*, 143 and 144.

¹⁶ Thus we find the same ambiguity in Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987). On p. 67 Knibb writes that the “princes of Judah” “most probably represent the leaders of contemporary Jewish society”; yet he also writes that the “passage is directed at potential apostates and serves both as a warning that there can be no compromise with non-Essene Judaism and as a reminder that salvation lies only within the movement... There are significant parallels between the description of the behaviour of ‘the princes’ in lines 4b–9a and other parts of the exhortation. Some of the faults mentioned recall the sins described in the condemnation of non-Essene Judaism in IV.12b–v.15a. But there are also parallels with some elements in the summary of the duties of members (VI.11b–VII.4a): ‘the princes of Judah’ are in effect presented as behaving in the way that members of the movement should not. It is this which indicates that this passage is aimed, not at ‘the princes of Judah’ themselves, but at members who were attracted by non-Essene Judaism and were tempted to abandon their commitment to the movement” (pp. 66–67). Thus it remains unclear with Knibb whether the “princes of Judah” are actually leaders of contemporary society or simply non-Essene Jews.

¹⁷ On this see Murphy-O’Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” 212–17.

which follows closely on VI,11b–VII,4a and also stands at the end of *its* document (or rather its part of the document, the admonition), outlining the consequences of obedience and disobedience to the covenant.¹⁸

The second important biblical text is Isa 7:17. The quotation of this verse appears only in the A text (CD VII,11–12). As we shall see, however, the evidence is strong that the B text (as also the A text) is derived from an earlier document that contained the Isaiah quotation. More important for the present point, however, is that the theme of “departure” binds CD VII,11–12 together with the so-called “Princes of Judah” section (VIII,3b–12=XIX,15b–25a). Isaiah 7:17 says that Ephraim “departed” (סור) from Judah, and so the author of CD VII,11–12 quotes the prophet. The author then “glosses” Isaiah, however, by paraphrasing the verb סור with the verb שור. The homophony between the two verbs allowed an interchange,¹⁹ so that on a superficial level the two words could be taken to mean the same thing. Through this gloss, however, the author gains great exegetical leverage, for just a few verses later the author will quote Hosea’s condemnation of the “princes of Judah” (שרי יהודה). The linkage between the verb שר in CD VII,13 and the שרי יהודה in CD VIII,3=XIX,15 is, I contend, deliberate. Moreover—and this has not been argued before, as far as I know—this linkage produces a unifying theme between Ephraim’s departure (שר) from Judah in CD VII,13 and

¹⁸ The allusions are these: those who “despise the precepts and ordinances,” to be punished in God’s “visitation” (פקד) (CD XIX,5b–6, 15; cf. VII,9; VIII,3; Lev 26:15–16); references to the “sword” (CD VII,13; XIX,13) that carries out “the vengeance of the covenant” (CD XIX,13; cf. Lev 26:25; see also CD VIII,11–12=XIX,24); the confession of sin in CD XX,28–29 (cf. Lev 26:40); the need to remain steadfast “in ‘these are the precepts’ (באלה החקים)” (CD XIX,14; cf. VIII,2; Lev 26:46). On the last phrase see Murphy-O’Connor, *ibid.*, 226; and Chaim Rabin, *The Zadokite Documents* (2nd ed.; Oxford: Clarendon Press, 1958) 32. Contrary to his tendency to favor the A text, Murphy-O’Connor, *ibid.*, 226, considers the allusion to Lev 26:46 in CD VIII,2=XIX,14 (more explicit in the B text) to be original. On p. 223 he does not decide whether the allusion to Lev 26:14–15 (clearly present only in CD XIX,5b–6) is original or a gloss added to the A text. As we shall see below, there are very good grounds for regarding the B text as preserving the original text somewhat more faithfully than the A text does. Thus the more explicit allusions to Lev 26 in the B text are likely to be original.

¹⁹ We also find this phenomenon at least once in the OT; see BDB 693. For the Dead Sea Scrolls see Martin G. Abegg, Jr., *The Dead Sea Scrolls Concordance. Volume One: The Non-Biblical Texts from Qumran* (2 parts; Leiden: Brill, 2003) 2.530.

the “departure from Judah” of the שרי יהודה in CD VIII,3=XIX,15. That is to say, שרי יהודה in VIII,3/XIX,15 is *not* to be interpreted of “princes of Judah” (its literal meaning in Hos 5:10), as is usually done, but of “those who depart from Judah.” That interpretation will both make better sense of VIII,3b–12=XIX,15b–25a and demonstrate the literary unity of VII,9–VIII,12 (and XIX,5b–25a). Before we continue with the study of the Isaiah-Amos-Numbers and Zechariah-Ezekiel midrashim, then, we must study the so-called “Princes of Judah” section.

1.3 Critique of the “Princes of Judah” or of “Those Who Depart from Judah”?

The observation of a word-play between the שר of VII,13 and the שרי יהודה of VIII,3/XIX,15 is, of course, not new. Those who have argued from it before, however, propose a word-play opposite to that proposed here. Rather than determining the sense of שרי יהודה in VIII,3/XIX,15 from the שר of VII,13, they derive the sense of שר in VII,13 from the *assumed* sense of שרי יהודה in VIII,3/XIX,15. The latter is assumed to be “the princes of Judah,” which is not unreasonable, since that is its meaning in Hos 5:10. Thus שר אפרים מעל יהודה in VII,13 is taken to mean “Ephraim ruled over [שר, from the verb שרר] Judah” (when the two houses of Israel separated). Some go even farther to propose that “Ephraim” symbolizes the sect, while “Judah” symbolizes the priesthood (or the authorities in Jerusalem more generally). The sect (“Ephraim”) felt itself superior to the priesthood (“Judah”) because it was the true remnant, while the inhabitants of Judah were destined to perish.²⁰ In that sense Ephraim (the sect) is superior to (“ruled over”) Judah.²¹ This interpretation, however, is completely untenable. “Ephraim” does not represent the sect in the Qumran literature. On the

²⁰ Annie Jaubert, “Le pays de Damas,” *RB* 65 (1958) 228, interprets CD VII,12–14 thus: Those who escaped to the land of the north at the separation of Ephraim from Judah are identified with Ephraim itself by the author. Against Jaubert, however, the text simply says that the “steadfast” escaped; it does not identify them with Ephraim.

²¹ A. S. van der Woude, *Die messianischen Vorstellungen der Gemeinde von Qumrân* (Assen: Van Gorcum, 1957) 23 n. 12, 44, 46; and Jaubert, “Le pays de Damas,” 228. Rabin, *The Zadokite Documents*, 28–29 n. 13, and Davies, *The Damascus Covenant*, 150–51, 160, accept the meaning “to rule” for שר in VII,13 but do not equate “Ephraim” with the sect and “Judah” with the priesthood.

contrary, in 4QpPs^a (4Q171) 1–2 ii 17 “Ephraim” clearly represents the community’s enemies. Furthermore, since CD VII,12–13 interprets a *historical* event typologically, one must ask: Is it accurate to say that Ephraim ever “ruled” over Judah, as proposed in this translation?²² Due to the untenability of the interpretation, “Ephraim ruled over Judah,” some have proposed that the שר of VII,13 be emended to סר.²³ Such an emendation, however, destroys a play on words that *does* exist, but in a very different way, to be explained shortly.

Despite the fact that the word-play between VII,13 and VIII,3/XIX,15 cannot be explained on the basis of the verb “to rule” (שרר), interpreters are nearly unanimous in taking VIII,3b–12=XIX,15b–25a (the so-called “Princes of Judah” section) as a condemnation of the rulers of Judah or, in more general terms, of the Jerusalem authorities. To be sure, some have argued that the passage, while *formally* addressed to the “rulers of Judah,” *actually* condemns apostates from the covenant.²⁴ As we saw above, however, it is precisely this ambiguity that makes the interpretation of this passage as a critique of the “rulers of Judah” untenable. Proponents of this view have been unable to offer an explanation that reconciles the formal and the actual addressees of the text. It is necessary, therefore, to seek another interpretation that can reconcile them. Furthermore, there are features of the text itself that make the usual interpretation difficult.

Murphy-O’Connor, who is himself a proponent of the “rulers of Judah” interpretation, raises some objections to it. For example, he argues that VIII,12–13, which says that “the builders of the wall have not understood all these things, nor those who daub with whitewash, for the one who weighs wind and preaches lies has preached to them, so that God’s wrath has been kindled against his entire congregation,” can hardly be taken as a statement regarding the rulers of Judah.

²² So also Gert Jeremias, *Der Lehrer der Gerechtigkeit* (SUNT 2; Göttingen: Vandenhoeck & Ruprecht, 1962) 111 n. 2. Davies, *The Damascus Covenant*, 150–51, argues that it is not inaccurate to say that Ephraim ruled over Judah because “for certain periods it could be said that Judah was a puppet of Ephraim.”

²³ Solomon Schechter, *Fragments of a Zadokite Work*. Volume 1 of *Documents of Jewish Sectaries* (2 volumes in 1; reprinted ed.; New York: Ktav Publishing House, 1970) 72; Jeremias, *Lehrer*, 111 n. 2; Murphy-O’Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” 224 n. 38.

²⁴ Davies, *The Damascus Covenant*, 143, 169; Knibb, *The Qumran Community*, 66, 67; Dupont-Sommer, “Écrit de Damas,” 158 note.

Murphy-O'Connor takes the "builders of the wall" and the "plasterers" to be the ruling class of Judah. (That point is debatable, but we can bypass it now and return to it later.) The "preacher of lies" must be the "Man of the Lie," the opponent of the Teacher known from elsewhere in the scrolls. Murphy-O'Connor argues that it can hardly be the case that the Man of the Lie is responsible for misleading the ruling class. To solve this difficulty, Murphy-O'Connor, in agreement with Stegemann, considers VIII,13 to be a gloss.²⁵ I agree that VIII,13 is a gloss, although on different grounds (see below). Thus VIII,12–13 does not present, in my view, an insuperable difficulty to Murphy-O'Connor's interpretation.

More difficult, however, is VIII,19. Murphy-O'Connor points out that this line is "much more naturally understood as a warning addressed to members of the community" than to the ruling class of Judah. I think that this observation is correct, and it is an obstacle to taking the preceding section as a critique of the ruling class (cf. our similar critique of Davies above). To solve this difficulty, Murphy-O'Connor proposes that VIII,19 is "a redactional link designed to wed VIII, 3-18 to its present context in the A-text of the Admonition."²⁶ This solution is very doubtful. If VIII,3–18 must be wed to its context in the way that VIII,19 suggests, VIII,1b–2a has already accomplished that. Furthermore, as we shall see, it is more likely that VIII,19 serves to connect the condemnation of apostates in VIII,2–18 with a further condemnation of apostates in what follows than that it connects VIII,3–18 to its context in the A text.

Murphy-O'Connor argues that VIII,3–18 is a "homogeneous document which enjoyed an independent existence before its incorporation into the Admonition."²⁷ He thinks that in it the author gives expression to the community's "bitter disappointment": the ruling class of Judah should have given the community support but did not give it "because of the Hellenised self-interest of the ruling class in Judah."²⁸ Murphy-O'Connor points to the condemnation of the wealthy ruling class as proud, hard-hearted, and lovers of money in Ben Sira and to the portrayal of the "leaders of Judah" as apostates in 1 Maccabees as

²⁵ Murphy-O'Connor, "Critique," 209–10; Stegemann, *Entstehung*, 183.

²⁶ Murphy-O'Connor, "Critique," 211.

²⁷ *Ibid.*, 212.

²⁸ *Ibid.*; cf. also pp. 215–16.

parallels to the condemnation of the “princes of Judah” in CD VIII,4–6. Certainly these parallels are potentially relevant. But Davies raises some important objections to Murphy-O’Connor’s hypothesis. First, it is difficult to find a tone of “bitter disappointment” in CD VIII,3–18. Indeed, nothing elsewhere in the admonition leads one to believe that the movement behind *D* expected any official support from the rulers of Judah. In addition, there are no accusations of defilement of the temple or of usurpation of the priesthood, which one might expect if the passage were actually a condemnation of the ruling class.²⁹ Despite his criticisms, however, Davies himself in the end also argues that “princes of Judah” is to be taken literally. The passage is reacting to “[o]vert hostility on the part of the authorities [that] could well threaten the resolve of potential converts and the loyalty of recent entrants.”³⁰ Against Davies, however, it must be said that nothing in VIII,3–18 suggests that the “princes of Judah” are particularly hostile to the community or that they present a special threat to it.

Gert Jeremias proposes that the “princes of Judah” were former members of the Qumran community. In support of this hypothesis he points to a number of texts where the members of the Qumran community are called “princes.”³¹ Jeremias’s interpretation, in my view, comes closer to the mark than the “princes of Judah” interpretation. The grounds on which Jeremias makes his case, however, are problematic. It is unlikely that the author of CD VIII,3b–12 has in mind former members of the *Qumran* community. If we excise VIII,13 and VIII,18 as interpolations (as will be argued below with other scholars), there is nothing in VIII,3–18 that demands or suggests a Qumran *Sitz im Leben*. It is more likely that VIII,3b–12, like VI,11b–VII,4a, with which it has many parallels, comes from the pre-Qumran period.

²⁹ Davies, *The Damascus Covenant*, 170.

³⁰ *Ibid.*

³¹ Jeremias, *Lehrer*, 111. (However, some of the texts that Jeremias cites may come from the pre-Qumran period.) Stegemann, *Entstehung*, 167, criticizes Jeremias’s proposal on the grounds that “Judah” never refers to the Qumran community in the Qumran literature. That criticism, however, is hardly accurate. The term “Judah” or “House of Judah” probably refers to the Qumran community (or its parent movement) in 1QpHab VIII,1; 4QpNah 3–4 iii 4–5; CD IV,11; VII,12–13; XX,27. Stegemann’s objection (*Entstehung*, A 119 n. 572d) that “House of Judah” in CD IV,11 is an eschatological entity is beside the point. An eschatological “House of Judah” could also exist before the *eschaton* as a temporal “House of Judah.”

For these reasons I propose that the author of CD does not want the words *שרי יהודה* to be understood in the sense of “the princes of Judah” but as “those who depart from Judah.”³² In other words, *שרי* is not the construct state of the plural *שָׂרִים* (“princes”) but the construct state of the masculine plural *qal* participle *שָׂרִים* (“those who depart”) from the verb *שׁוּר* (=סוּר).³³ The following points support this interpretation. First, we noted above that there is a word-play in CD VII, 12–13 on the verbs *סוּר* and *שׁוּר*. That word-play is clearly deliberate. It is completely plausible that we have in VIII, 3/XIX, 15 the same kind of word-play. In other words, the word-play is opposite to that which is usually proposed. The *שרי יהודה* of VIII, 3/XIX, 15 gains its meaning from the *סוּר* – *שׁוּר* word-play in VII, 12–13 rather than vice-versa. The “princes of Judah” (*שרי יהודה*) of Hosea become in the exegete’s interpretation “those who depart from Judah” (also *שרי יהודה*, that is, “Ephraim,” which departed from “Judah” (VII, 12–13). “Those who depart from Judah” are furthermore to be identified with “those who enter the covenant but who do not remain steadfast in [the precepts]” (VIII, 1–2), as the *וכן משפט* of VIII, 1 shows, which draws an analogy between the fate of the renegades in VII, 13 and the fate of the apostates from the covenant in VIII, 2–3.

This explanation of the text finds support in the fact that elsewhere in the Qumran literature “Ephraim” is a cipher for those who are unfaithful to the covenant and “Judah” is a code-name for the covenant movement or community.³⁴ Indeed, at a later time the Qumran community would use Ephraim as a code-name for the followers of the Man of the Lie (4QpNah [4Q169] 3–4 ii 2; 4QpPs^a [4Q171] 1–2 ii 17;

³² Of course I do not deny that there is obvious allusion to Hos 5:10 here. Therefore the translation “the princes of Judah” is not wrong; but it is necessary to recognize the double entendre.

³³ It is more common in both OT and Qumran Hebrew for the verb *סוּר* to be followed by a preposition (*בִּן* or similar) than not (cf. Gen 49:10: “the scepter will not depart from Judah,” *לֹא יִסּוּר שִׁבְט מִיְהוּדָה*, CD VIII, 4 [=XIX, 17]: *לֹא סוּר מוֹדֵרֵךְ*). However, the use of *סוּר* + object (without preposition) is attested elsewhere in CD (I, 13; the same syntax as proposed here for VIII, 3: *סוּרֵי דֶרֶךְ*, construct state of the masculine plural *qal* participle + object, “those who depart from the way”; cf. also CD II, 6; 1QS X, 21) and in the OT (participial form: Prov 11:22; possibly Jer 2:21 [though some take *סוּרֵי* there as a noun]; cf. also participle with suffix in Jer 17:13 [*Qere*]; in finite form: Job 33:17 [but this may be a scribal error]). In the present case, of course, the author was constrained by the specific form of Hos 5:10.

³⁴ See n. 31.

cf. also CD I,13–II,1 [allusion in I,19 to Ephraim in Hos 10:11]; IV,19 [allusion to Ephraim in Hos 5:11]). In the present text, however, the reference is probably to apostasy from the pre-Qumran covenant movement. There is additional support for this reading of the text in a further observation on the exegesis of Hosea. The interpretation of CD VIII,4 is difficult, but most commentators take it thus: “For they [the princes of Judah] hope(d) (יחלו) for healing (למרפא), but the defect cleaves to them.” Schechter, however, translated, “for they became diseased (יחלו) incurably (למרפא).”³⁵ Baumgarten reconstructs 4QD^a (4Q266) 3 iv 1–2 in a way that supports Schechter’s reading: “For they shall be sick (יחלו) with no healing (ללו מרפא).”³⁶ In Hos 5:13 the word “his illness” (חליו) is applied to Ephraim, while the word “healing” (רפא) is applied to both Ephraim and Judah. It seems very likely that the author of CD has transformed the word חליו (“his illness”) in Hos 5:13, which originally applied to *Ephraim*, into the word יחלו (whether from the root יחל or חלה) through metathesis and applied it to the “princes of Judah.” In other words, this exegete equated “princes of Judah” with “Ephraim.” Such an equation was made possible through the linkage: Ephraim=“those who depart from Judah” (see CD VII,13)=שרייהוודה=“princes of Judah.” Thus “Ephraim” and the “princes of Judah” (=“those who depart from Judah”) stand for the same people: those who are unfaithful to the covenant. In CD IV,11 “Judah” is used as a cipher for the covenant movement or community (probably the Qumran community rather than its parent movement). It is quite plausible that “Judah” is used in VIII,3 in a similar sense. “Those who depart from Judah” (Hosea’s “princes of Judah”), then, are the “unfaithful of Judah,” those who were members of the covenant but then left it. More specifically, they are those who reject the “precepts” (VIII,2; cf. XIX,14), by which is most likely meant precepts from the legal section

³⁵ The first reading takes the verb יחלו either as a perfect tense of יחל (“to hope”) or (less likely) as an imperfect tense of חלה II (“to entreat the favor of”). Schechter, *Fragments*, 73, apparently takes יחלו as an imperfect tense of חלה I (“to be sick”) and reads לאין מרפא in place of למרפא. Abegg, *The Dead Sea Scrolls Concordance*, 1.264, lists the word under חלה; he does not distinguish between first and second roots.

³⁶ Baumgarten, DJD 18.46, explains the reading in A יחלו למרפא as due to the loss through haplography of a negative לו in his reconstructed 4QD text יחלו ללו מרפא.

of *D* and as summarized in VI,11b–VII,4a.³⁷ The reading that I have proposed here is much more plausible than the interpretation that takes VIII,3b–12 to be a critique of the “rulers of Judah,” for in my reading the passage fits perfectly with the framework provided by VII,9–14; VIII,1–2, 19, whereas the “rulers of Judah” reading, as noted above, does not fit it.

At first it may seem odd or even an insuperable objection to this reading that it requires that the exegete have equated Ephraim with the faithless within *Judah*. That is not at all implausible, however, in light of the fact that there is a tendency in CD and indeed already in Ezekiel to blur the distinction between the separation of the northern and southern kingdoms, the destruction of the northern kingdom, and the exile of Judah.³⁸ For example, in CD VII,12–14 the author treats the separation of the kingdoms and the exile to Babylon (the “land of the north”) as one event. Thus the author could easily equate Ephraim’s “departure” from Judah (=the separation of the kingdoms) with the faithlessness of those within Judah and its consequences (exile).

³⁷ Murphy-O’Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” 226, following Rabin, *The Zadokite Documents*, 32, points to the grammatical difficulty in לא יחזיקו באלה החקים and states that the “precepts” in question must be “bodies of legal material in the OT” that conclude or begin with the phrase, “these are the precepts” (אַלֶּה הַחֻקִּים), as in Lev 26:46; Num 30:17; and Deut 12:1. It seems possible, however, that the author might also have in mind bodies of legal material from *D* itself. For example, both CD XII,20 and 4QD^a (4Q266) 5 i 17b have the phrase, “and these are the precepts (ואלה החוקים)” [CD XII,21 continues: “for the Instructor”]. The texts are fragmentary, but they both probably preserve remnants of lists of duties for officers of the camp (so Charlotte Hempel, *The Laws of the Damascus Document: Sources, Tradition and Redaction* [STDJ 29; Leiden: Brill, 1998] 106, 119, 120, 174). So also it is possible that in prior sources halakic material or summaries of it such as in CD VI,11b–VII,4a were introduced with a similar formula. The small code of VI,11b–VII,4a and the laws of *D* are heavily dependent on the so-called “Holiness Code” of Lev 17–26, which ends with “these are the precepts.” Therefore it is quite possible that the formula, “these are the precepts,” could apply to the kind of legal material that we find in VI,11b–VII,4a or to the laws of *D*. In a related observation, it is interesting to note that CD VII,4b–6a, which contains the promise to “all those who walk in these (אלה) [precepts],” is directly preceded by the small law code of VI,11b–VII,4a and is directly followed by a quotation of Num 30:17, which begins with אַלֶּה הַחֻקִּים, although those particular words are omitted in CD. That suggests that these bodies of biblical legal material (with the formula “these are the precepts”) have been at work in the design of the document.

³⁸ On this see Murphy-O’Connor, “A Literary Analysis of Damascus Document VI,2 - VIII, 3,” 225; Davies, *The Damascus Covenant*, 153–54.

It has often been noted that there are great similarities between the offenses committed by the שרי יהודה in VIII,3b–12 (=XIX,15b–25a) and the contents of the small, summarizing law code in VI,11b–VII,4a. I shall not list them all here; a convenient comparison of the two passages is available in Davies's book.³⁹ On the basis of these close parallels Davies argues that two conclusions are possible: "[E]ither the injunctions [of VI,11b–VII,4a] have in some way developed from the criticism of outsiders, whether this present passage [VIII,3b–12] or an earlier document on which it is based; or VIII,2bff. is employing language deliberately reminiscent of the injunctions in order to reinforce the message that to follow the 'princes of Judah' is to reject the community (and specifically its laws)." Davies opts (correctly, in my view) for the second possibility, noting that the presence of a large body of laws in CD IX–XVI from *within* the community that are parallel to VI,11b–VII,4a excludes the first possibility. This means that "the criticisms used here of the 'princes of Judah' are deliberately reminiscent of the community's own halachah."⁴⁰ But against Davies, that makes it far more likely that the passage is criticism of those who have entered the covenant and then left it or, more precisely, of those who have entered but have not completely given up the ways of the people outside the covenant (see VIII,4–5, 8=XIX,17, 20–21), that is, people familiar with the halakah of the covenant, than that it is criticism of "rulers of Judah" who never had anything to do with the covenant or its halakah.

Murphy-O'Connor rejects the possibility that VIII,3–9 is directed against apostates. His reasoning is that comparison of VIII,3–9 "with VI, 11-VII, 4 and with XIX, 33b-XX, 34 reveals that there is not the slightest trace of any allusion to the special observances of the Essenes" and that references to "ritual observances proper to the Essenes" are lacking.⁴¹ It is true that there are no references to cultic matters in VIII,3–9 as there are in VI,11b–VII,4a. However, there is a closer connection between the accusations of VIII,3–9 and the laws of *D* than Murphy-O'Connor allows. He writes that the accusations of VIII,3–9 fall into two main categories. "The first [category] criticises a lack of concern for those who had a right to be considered brethren

³⁹ Davies, *The Damascus Covenant*, 161–63.

⁴⁰ *Ibid.*, 164.

⁴¹ Murphy-O'Connor, "Critique," 207.

(VIII, 5d–6). The second highlights an exaggerated self-interest manifested in the pursuit of sex and wealth, and in stubborn attachment to one’s own opinions (VIII, 5bc, 7–8a).⁴² In general Murphy-O’Connor thinks that the greatest offense of which this passage accuses the “princes of Judah” is “self-interest.”⁴³

What Murphy-O’Connor calls “a lack of concern for those who had a right to be considered brethren (VIII, 5d–6),” however, and a “stubborn attachment to one’s own opinions (VIII, 5bc, 7–8a)” —he is apparently referring to the accusations that the “princes” “avenge themselves” and “bear resentment” against their fellows, among others—are not merely general accusations. These transgressions are explicitly defined in CD IX,1–8: to “avenge oneself” or to “bear resentment” (cf. Lev 19:18) within groups governed by *D* is to bring an accusation without “reproach” before witnesses; to bring an accusation when one is angry; to tell one’s elders so as to cause them to despise the accused; or to fail to report a capital crime on the day that it occurs. There is a closer connection to the halakah of the movement here than Murphy-O’Connor allows.⁴⁴ In fact, Murphy-O’Connor is aware of this, because he shows the parallels himself in an earlier article.⁴⁵ This supports the argument that apostate members are in view (probably not those who have physically left, but those who are ostensibly members of the covenant but have “departed” from it by continuing to follow the ways of outsiders). To be sure, the accusations raised against the שרי יהודה in this section could certainly be aimed *also* at corrupt rulers. The probable polemic against Hellenization in VIII,9–11 may give some support to the argument that the ruling class is in view. It is likely, however, that rigorists such as those who stand behind *D* will have directed their anti-Hellenization polemic not only at the ruling class but at “the pernicious effect of Hellenistic influence in Palestine” in general, as Murphy-O’Connor puts it.⁴⁶ And while Stegemann may be

⁴² Ibid., 206–07.

⁴³ Ibid., 207, 209, 212.

⁴⁴ Cf. also the inadequate interpretation of Stegemann, *Entstehung*, 167–68, who takes the “resentment” of VIII,5–6 to be “allgemeine Bösigkeit den Mitmenschen gegenüber.” He calls this and the other accusations traditional in polemic against the ruling class.

⁴⁵ Murphy-O’Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” 214, 217.

⁴⁶ Murphy-O’Connor, “Critique,” 208.

right that the fact that it is the “head of the kings of Greece” that carries out God’s vengeance points to a *political* interpretation of שרֵי יהודה,⁴⁷ the possibility must also be seriously considered that this threat is nothing more than the author’s application of Isa 7:17 to the contemporary situation: as it was the king of Assyria who in Isaiah’s time carried out God’s visitation, so now in the author’s own time it will be the “head of the kings of Greece” that performs the same function. Indeed, as Davies points out, the accusation that the שרֵי יהודה have gone in the ways of the “kings of the people” in CD VIII,9–10 is probably a direct allusion to Ephraim’s “departure” from Judah (Isa 7:17) to “go to Assyria, to the king” (Hos 5:13).⁴⁸ The irony in the case of (historical) Ephraim, of course, is that by “going to [the king of] Assyria” (Hos 5:13), Ephraim brought the king of Assyria—in the form of God’s vengeance—on itself (Isa 7:17). So also the שרֵי יהודה who have adopted Greek ways will be punished by God at the hands of Greek kings. Once again, while the political undertones of this analogy could suggest that the people under discussion in CD VIII,3–18 are the ruling class, it is more likely that the actual point of the comparison is that as Ephraim turned away from Judah and was destroyed, so “those who turn away from Judah (=those who turn away from the covenant of the movement)” will be destroyed.⁴⁹

If the reference to the “builders of the wall” in VIII,12 is original, it is further support for the interpretation advanced thus far. Since that point is disputed, however, it is necessary to investigate the question of its originality. It is generally believed that the references to the “builders of the wall” in VIII,12–13 and VIII,18b are glosses.⁵⁰ I agree that VIII,13 and VIII,18b are glosses (see below). And since VIII,12a offers a very fitting ending to the so-called “Princes of Judah” section, one is inclined to consider the whole of VIII,12b–13 to be secondary. There is, however, one consideration that lends support to the argument that VIII,12b–c is original. There may be an allusion in VIII,12b to Deut 32:28–29 in the words, “the builders of the wall have not understood (הבִּינּוּ) these things.” The verses in Deuteronomy read:

⁴⁷ Stegemann, *Entstehung*, 168.

⁴⁸ Davies, *The Damascus Covenant*, 160.

⁴⁹ Thus the grammatical double entendre noted above may imply a double entendre in the accusation also: both the people who have adopted foreign ways and those who have misled them in those ways will be punished.

⁵⁰ Stegemann, *Entstehung*, 169; Davies, *The Damascus Covenant*, 166.

“They are a nation void of sense; there is no understanding (תבונה) in them. If they were wise, they would understand this; they would discern (יבינו) what the end would be.”⁵¹ If the identification of this allusion is correct, it would indicate that CD VIII,12 is integral to the preceding section (VIII,3b–11), because that section also contains allusions to this part of Deut 32 (cf. CD VIII,9b–10a with Deut 32:33).

Murphy-O’Connor has also argued that VIII,12 is original and that only VIII,13 is a gloss. He holds that the author of VIII,12 has deliberately obscured the distinction in Ezek 13:10 between the “builders” (=the people) and the “plasterers” (=the false prophets) to make a subtle point against the rulers of Judah:

The wall is a symbol for erroneous ideas, and the plastering of the wall is the approbation given to such ideas by those who should know better. The fusion here of the notions of building and plastering suggests the author’s meaning to be that those who originate the erroneous ideas are those with the authority to sanction or reprove them. It should hardly be necessary to emphasise how appropriate this meaning is in a critique of the ruling class in Judah.⁵²

Against Murphy-O’Connor, however, stand two points. First, if the plasterers represent false teachers, as they do in Ezekiel (i.e., false prophets) and as they almost surely do here also, then the critique is *not* against the rulers of Judah but against false teachers. Second, it is not clear that the author has actually obscured the distinction between the builders and the plasterers. There is no indication that the author considers them the same group. He simply mentions them together. That undercuts Murphy-O’Connor’s attempt to prove that the “rulers of Judah” are accused here of both originating and sanctioning erroneous ideas.

In order to determine whether the reference to the “builders of the wall” in VIII,12 is original, let us consider together all the texts in CD that contain references to the “builders of the wall” (IV,19; VIII,12, 18 [=XIX,24–25, 31]). It is probable that the reference to the “builders of the wall” in IV,19 is original to the document. There they are said to go after “Zaw,” which comes from Hos 5:11: “Ephraim was determined...to go after צו.” The verse from Hosea is used, in the original

⁵¹ Of course there is probably also a play on words between “they have not understood” (הבינו) and the “builders” (בנייה).

⁵² Murphy-O’Connor, “Critique,” 209.

admonition, to refer to the corruption of the general population through false teaching (“Ephraim” being those who turn away from the covenant).⁵³ As we have seen, Hos 5:10–13 underlies the midrashic structure of CD VII,10–VIII,12 as a whole, and therefore Hos 5:11 is likely to be a traditional text used by the movement behind *D*. In VIII,3b–12, as we have seen, that part of Hosea is used to reproach those who have betrayed the covenant and gone back to the ways of the people and are therefore regarded by the author of *D* as faithless. That interpretation of VIII,3b–12 agrees excellently with IV,19–V,15, for the latter passage has been aptly characterized as “not an attack on the practice of a particular group within Judaism but a critique of what was commonly considered safe orthodoxy.”⁵⁴ That is, it is directed against members of mainstream Jewish society and mainstream Jewish practice.⁵⁵ Thus IV,19–V,15 indicates that the “builders of the wall” are members of mainstream Jewish society.⁵⁶ That hypothesis agrees also with Ezek 13:10, which uses the term for the general population. If the “builders of the wall” in CD VIII,12 should prove to be original, the use of the phrase there would cohere well with VIII,3b–12.

⁵³ As Stegemann, *Entstehung*, 151–52, points out, the author probably interprets Hos 5:11, “Ephraim is *מִשְׁפָּט*,” in the sense, “Ephraim has broken the law.” Thus “going after *צַד*” in the same verse could be interpreted in terms of breach of the law or of general moral corruption.

⁵⁴ Murphy-O’Connor, “An Essene Missionary Document? CD II, 14–VI, 1,” 220. See also Stegemann, *Entstehung*, 152–57. He notes that the offenses of which the “builders of the wall” are accused are the practices of mainstream Jewish society. Yet he still calls the “builders” “eine festumrissene Gegnergruppe der Qumrangemeinde” (p. 158) and identifies them with the adherents of the Man of the Lie (p. 169).

⁵⁵ In agreement also with Davies, *The Damascus Covenant*, 111–13.

⁵⁶ Davies, *ibid.*, 111–12, makes an observation that further supports the originality of the “builders of the wall” in CD IV,19. The third discourse in CD (II,14–IV,12a) ends with an allusion to Mic 7:11: “the wall (*גִּדָר*) is built (*בְּנִינָה*), the boundary is far away.” In Micah the “building of the walls” and the “extension far away” of the “boundary” are a vision of eschatological salvation. So also in CD the wall and the boundary are expressions of the security of the community in the end time. By contrast, in Ezek 13:5 the prophet reproaches the false prophets for failing to build a wall (*גִּדָר*) for the house of Israel. Five verses later (13:10) appears the term “builder of the wall” (*בְּנֵי חֵיץ*). The word *גִּדָר* provided a link for the author/redactor of the admonition by which he contrasts the security of the wall of the community, drawn from Micah, with the flimsy wall built by the people and whitewashed by the false prophets from Ezekiel. (It is possible, however, that CD III,17b–IV,12a is not original to *D* but is a later [Qumran] addition [see Chapter 9]. In that case the connection produced by the “wall” motif may be coincidental.)

On the other hand, the words, “Zaw is the preacher of whom he said, ‘They will surely preach,’” in IV, 19–20 are rightly regarded by scholars as an interpolation.⁵⁷ The preacher (מְשִׁיף) referred to here is clearly the Man of the Lie (cf. CD I, 14–15 with 1QpHab X, 9–10), the opponent of the Teacher. A redactor (from Qumran) made the interpolation in order to connect the “builders of the wall” (=mainstream Jews, whom he regarded as faithless) with the Man of the Lie. That connection, however, is probably not historical, since the followers of the Man of the Lie constitute a particular group within Judaism, not Jewish society in general.⁵⁸ I suggest that the same phenomenon appears in CD VIII, 12–13. There the “preacher of lies” (מְשִׁיף כֹּזֵב) is said to have preached to the “builders of the wall” and the “plasterers.” The connection between the “builders of the wall” and the “preacher of lies” must be redactional again, since it can hardly have been an accurate statement to say that the Man of the Lie preached to all of mainstream Jewish society; rather, his influence on Jewish society was indirect: he preached to his congregation, and his congregation preached to the rest of the population.⁵⁹

There are two additional considerations that support the contention that the link between the “builders of the wall” and the “Man of the Lie” is secondary. First, CD I, 21–II, 1 says that “the wrath of God was kindled against their congregation” (ויחר אף אל בעדתם). As I, 18–II, 1

⁵⁷ Stegemann, *Entstehung*, 151, 159; Davies, *The Damascus Covenant*, 112–13, 166.

⁵⁸ Contra Stegemann, *Entstehung*, 169. He believes that the connections in CD between the “builders of the wall” and the “Man of the Lie” and his congregation are redactional, but also that there was in fact a historical connection between them. Stegemann (p. 183) considers the title “builders of the wall” synonymous with the “congregation of traitors” (CD I, 12), the “men of mockery” (XX, 11) and the “House of Peleg” (XX, 22), all references to the followers of the “Man of the Lie.”

⁵⁹ It is true that in 4QpPs^a (4Q171) 1–2 i 18 the Man of the Lie is said to have misdirected “many.” But as 1QpHab X, 9–13 shows, the “many” whom he misdirected are primarily those of his own congregation. It is “those who look for easy interpretation” (=the Pharisees; linked [correctly or not] with the Man of the Lie through 1QpHab X, 9–13 and 4QpNah [4Q169] 3–4 ii 1–2) who are accused of misleading Jewish society as a whole, rather than the Man of the Lie himself (see 4QpNah [4Q169] 3–4 ii 8; 3–4 iii 5, 7–8). It is possible, of course, to read the statement in CD VIII, 13 that the Preacher of the Lie preached to “them” as referring only to the “plasterers,” that is, the teachers of the people (the congregation of the Man of the Lie), which would be an accurate statement. But the fact that VIII, 18 (=XIX, 31) says that God’s wrath is kindled against the “builders” indicates that they are also included in the “them” of VIII, 13.

shows, this “congregation” is the congregation of those who “seek easy interpretations,” in other words, the followers of the Man of the Lie (cf. 1QpHab X,9–13 with 4QpNah 3–4 ii 1–2). The phrase, “and the wrath of God was kindled against their congregation,” comes from Isa 5:25. That verse, along with Isa 5:24f, is quoted verbatim in the Isaiah *peshet* (4QIsa^b [4Q162] II,6–10) in reference to the congregation of the Man of the Lie. That text says:

...The men of mockery (אנשי הליצון) who are in Jerusalem are those who “have rejected the law of the LORD” and “have despised the word of the Holy One of Israel. Therefore the wrath of the LORD was kindled against his people (על כן חרה אף יהוה בעמו), and he has stretched out his hand against them and wounded them; and the mountains quaked and their corpses were like refuse in the middle of the streets. For all this [his wrath] has not turned away [and still his hand is stretched out].” This is the congregation of the men of mockery who are in Jerusalem.

The “congregation of the men of mockery” are the same as the “congregation of those seeking easy interpretations who are in Jerusalem,” who “have rejected the law” (4QpIsa^c [4Q163] 23 ii 10–14), in other words, the followers of the Man of the Lie. It is possible that the “kindling of God’s wrath” against the congregation of the Man of the Lie, alluded to in the Isaiah *peshet* and made explicit in CD I,21–II,1, is a reference to the crucifixion of Pharisees (the “seekers of easy interpretations”) under Alexander Jannaeus mentioned in 4QpNah 3–4 i 6–8. It is also possible, however, that the Isaiah *peshet* antedates that event, in which case the kindling of God’s wrath might have a more general eschatological referent, or refer to some other event about which we have no knowledge but that was interpreted by the *yahad* as an act of God’s wrath against the congregation of the Man of the Lie. In any case, it is clear that the community connected the “kindling of God’s wrath” in Isa 5:25 with the punishment merited by the followers of the Man of the Lie, that is, specifically, with his “congregation,” and not with the Jewish population at large. Thus when we read in CD VIII,13 (=XIX,25–26) that “the wrath of God has been kindled against his [the Preacher of the Lie’s] whole congregation,” we expect this statement to be a reference to the congregation of the “seekers of easy interpretations.” Yet the text says that the kindling of God’s wrath is a result of the Preacher of the Lie’s preaching to “them,” that is, to the “builders of the wall,” to the Jewish population at large. Only if the

“builders of the wall” were equivalent to the “congregation of those who seek easy interpretations” could the connection between the “builders of the wall” and the “Man of the Lie” be original.⁶⁰ Since the term “builders of the wall” in both Ezek 13:10 and elsewhere in CD clearly refers to the general population, however, that possibility is excluded. The connection between the “Man of the Lie” and the “builders of the wall” is secondary. The connection was made at a later time when a glossator conflated the “builders of the wall” with the followers of the Man of the Lie. The motif of the “kindling of God’s wrath” shows that the line was written specifically from the perspective of the *yahad* against its enemies, and not against the nation at large, which is the proper subject of VIII,3b–12 (=XIX,15b–24).

That leads to another consideration that supports the secondary nature of the connection. There is clear evidence that the glossator has conflated the “builders of the wall” (Jewish society at large) with the “congregation of those who seek easy interpretations,” the followers of the Man of the Lie. According to VIII,12, neither the “builders of the wall” *nor the plasterers* “have understood these things.” In Ezek 13:10, 15–16, the plasterers are the false prophets who mislead the people. Thus the “builders” are in the position of those who are taught and led. In CD XIX,31–32 (the parallel in the B text to VIII,18), however, the “builders” appear in the position of the leaders and teachers: “And God hates and detests the builders of the wall, and his wrath has been kindled against them *and against all who follow them.*”⁶¹ Clearly there has been a mistaken identification of the builders with the teachers and leaders of the people; in other words, someone has conflated the builders of the wall (the Jewish population in general) with the congregation of the Man of the Lie (a specific group within the population). Such a conflation was easy, since the congregation of the Man of the Lie, who were probably Pharisees, are said to have had a heavy influence on the general population (and historically the Pharisees did have a large following).⁶² The general population who followed the teachers of “easy interpretations” could, from a later perspective, easily become conflated with them. And once having been conflated with the “seekers of easy interpretations,” they could also be

⁶⁰ See the previous note.

⁶¹ The italicized words do not appear in the A text.

⁶² See n. 59; and Josephus, *A.J.* 13.298.

made, again from a later perspective, students of the Preacher of the Lie (hence the interpolation in CD IV,20 and the gloss in VIII,13 [=XIX,25–26]), whom others could “follow” (XIX,31–32).

Thus we conclude that the reference to the “builders” is original in IV,19. It is still not clear whether the reference to the “builders” is also original in VIII,12, although it is clear in any case that the connection between the “builders” and the “Man of the Lie” must be secondary. But if it is original, then against Murphy-O’Connor the “builders” do not represent the rulers of Judah; rather, they stand for mainstream Jewish society, specifically, that segment of society that has accepted Hellenization (VIII,9–11). They do not “understand” (VIII,12) that their acceptance of foreign ways will lead to their destruction by foreign kings. The allusion to Deut 32:28–29 in these lines supports this interpretation, because those verses speak of those who lack understanding as a “nation” that does not understand the “end” that is coming upon it. To be sure, in the original context of Deuteronomy, the “nation” refers to a foreign people (enemies of Israel). But it is within the bounds of midrashic technique to interpret the word “nation” out of context and apply it to Israel (cf. Paul’s reverse procedure with Isa 65:1 in Rom 10:20). Moreover, in CD V,17, at the end of a passage that, as we have seen, refers to mainstream Jewish society, the author explicitly applies Deut 32:28 to the Jewish people (“nation”). Thus the nation as such, that is, mainstream Jewish society, does not understand that it is bringing its own end upon itself by adopting foreign ways. And the *שרי יהודה*, those who have betrayed the covenant and have turned back to the ways of the people (VIII,8/XIX,20–21), to walk in the way of sinners (VIII,9/XIX,21), are threatened with the same judgment as the “builders of the wall,” that is, mainstream Jewish society.

The addition of the “plasterers” to the “builders” in VIII,12 (contrast IV,19) may indicate nothing more than the author’s desire to fill out the allusion to Ezek 13:10. More likely, however, the author wants to include the teachers of the people whom he regards as false teachers (=the false prophets in Ezekiel) along with the people in his condemnation. A glossator, perhaps the same one as was responsible for the gloss in IV,19–20, connected all of these faithless Jews to the Man of the Lie in VIII,13.⁶³ His redactional work is further evident in the words, “so that God’s wrath has been kindled against his entire congregation” in

⁶³ In agreement with Knibb, *The Qumran Community*, 68.

VIII,13, which, as we have seen, is drawn from references to the divine punishment against the followers of the “Man of the Lie.” The connection between the “builders of the wall” and the “kindling of God’s wrath” in VIII,18b, a verse that appears to be a truncation of VIII,12–13, is also to be judged redactional. It probably entered the text when VIII,13 was added, so that there would be an explicit judgment against the “builders” to parallel the “judgment” concerning those who are unfaithful to the covenant (VIII,1–2) and concerning the faithful (VIII,16–17).

If we ask when and why these glosses were made, a simple answer suggests itself. The “builders of the wall” and the “plasterers” are derived from Ezek 13:10. In CD XIX,33–35 there is an allusion to Ezek 13:9: “Thus all the men who entered the new covenant in the land of Damascus and turned and betrayed and departed from the well of living waters *will not be counted in the assembly of the people, they will not be inscribed in their register.*” The italicized words come from Ezek 13:9 and are predicated there of the false prophets who mislead people. I shall argue in greater detail in Part II of my literary analysis (Chapter 2) that the “traitors” of the “new covenant” were those members of the Damascus (new) covenant who turned away from the covenant and who (or at least some of whom) became adherents of the Man of the Lie or of the “men of mockery” (his followers). In CD XIX,33–35 these people are explicitly excluded from the assembly and its register in the words of Ezek 13:9. It is quite likely that it was at this point that the Qumran redactor, with Ezek 13:9 as his foundation, made the “builders of the wall” and the “plasterers” from Ezek 13:10 followers of the Man of the Lie. In other words, the use of Ezek 13:10 in connection with the betrayal of the new covenant led to the identification of the “builders of the wall” and of the “plasterers” not just with mainstream Jewish society and its teachers, but specifically with those who followed the Man of the Lie. Accordingly this Qumran glossator attributed the unfaithfulness of the “builders” (and the “plasterers”) to the influence of this figure.⁶⁴

In conclusion, we have reached a very satisfying reading of VIII,3b–12 that both makes sense internally and coheres well with what

⁶⁴ Davies, *The Damascus Covenant*, 166–69, offers an exegetical explanation for the connection between the “builders” and the Man of the Lie, but he does not offer a historical explanation for it.

comes before it in VII,10–13 and VIII,1b–2a. The passage VIII,3b–12 does not condemn the “rulers of Judah” but rather those who joined the covenant (=Judah) and then turned away from it (שרי יהודה). They have turned back to the ways of the nation at large. Such apostasy is foolish, because mainstream Jewish society (“the builders of the wall”), which has adopted foreign ways, does not understand that its adoption of those ways will be its own undoing. This judgment of VIII,10–12 stands whether the reference to the “builders of the wall” in VIII,12 is original or not. Those who adopt Greek ways will bring upon themselves the “head of the kings of Greece,” who will come to execute vengeance on them.⁶⁵ Apostates or potential apostates from the covenant are warned that if they turn back to the ways of the nation at large, to mainstream Jewish society, they will face the same fate.

1.4 The Isaiah-Amos-Numbers Midrash (CD VII,10–VIII,1a) and the Zechariah-Ezekiel Midrash (CD XIX,7–13b)

We may now turn to the Isaiah-Amos-Numbers and Zechariah-Ezekiel midrashim. We have seen that there is a literary unity between the material in VII,10–13b and the material in VIII,3b–12 (through the common motif of “departure,” שר). I shall now argue that the intervening midrashic material in the B text also shares in and helps to establish that unity.

Much energy has been expended on the relationship between the A and B texts in the midrashic section. My view on that relationship is this: The A and B texts are both dependent on a common, older source that included the Isaiah midrash of VII,10–13b and the Zechariah-Ezekiel midrash of XIX,7–13b. The Isaiah midrash was accidentally omitted from the B text. The Amos-Numbers midrash of VII,13c–21a

⁶⁵ In CD VIII,9c–12a (=XIX,22b–24b) the author has apparently read Deut 32:33 as containing two subjects rather than one subject (with two predicates), thus: “Their wine is serpent’s venom (חמץ תנינם יינם), and the head of the asps (וראש פתנים) is cruel (אכזר).” The interpretation then is: The “wine” (paths) of the people (of Israel) is the “venom” (poisonous influence) of the “serpents” (Greek or other foreign kings), and the “head” of those kings (“asps”) is “cruel” (he is going to come and execute vengeance on them). So also A. Dupont-Sommer, *The Essene Writings from Qumran* (tr. G. Vermes; Gloucester: Peter Smith, 1973) 135 (although his identification of this “head” with Pompey is unwarranted).

did not stand in the common source but was added to it by the redactor of the A text.

It will be easiest to begin with the B text. My plan is to proceed inductively. That is, after some introductory remarks I shall make some observations on the B text. From those observations I shall propose a hypothesis regarding the B text that makes sense of the literary data in both the A and B texts. It would serve no purpose to discuss or to critique in detail the reconstructions of other scholars. I have learned much from them, and in the course of my presentation I shall note areas of agreement and disagreement. Readers who are interested in how my proposal compares with those of other scholars are urged simply to study those other proposals themselves.⁶⁶ I intend here only to state my own view of the matter and to show how that view leads to a coherent reading of the text.

As the text in the common source behind VII,9–VIII,1a and XIX,5b–13b I propose the following. For the sake of convenience we may think of it roughly as VII,9–13b followed by XIX,7b–13b:

But as for all those who despise the precepts and the ordinances: the wicked will receive upon themselves retribution when God visits the earth, when there is fulfilled the word that is written in the words of Isaiah, son of Amoz, the prophet (הנביא), which [or who] said (אשר אמר), “there will come upon you and upon your people and upon the house of your father days that have not come since the day that Ephraim departed from Judah.” When the two houses of Israel separated, Ephraim departed from Judah and all the renegades were delivered up (היוסגרו) to the sword (לחרב), as [or which] he said (אשר אמר) by the hand of the prophet (הנביא) Zechariah, “Awake, oh sword (חרב), against my shepherd, and against the man who is my companion, says God; strike the shepherd, that the sheep may be scattered, and I shall turn my hand

⁶⁶ Proposals to be consulted are: Rabin, *The Zadokite Fragments*, viii, 28–32; Jean Carmignac, “Comparaison entre les manuscrits ‘A’ et ‘B’ du Document de Damas,” *RevQ* 2 (1959) 65–66; Albert-Marie Denis, *Les thèmes de connaissance dans le Document de Damas* (Louvain: Publications Universitaires de Louvain, 1967) 144–46; Murphy-O’Connor, “The Original Text of CD 7:9–8:2 = 19:5–14,” 379–86 (with revision in his “The Damascus Document Revisited,” *RB* 92 [1985] 241–43); G. J. Brooke, “The Amos-Numbers Midrash (CD 7 13b–8 1a) and Messianic Expectation,” *ZAW* 92 (1980) 397–404; Davies, *The Damascus Covenant*, 146–47; Frederick M. Strickert, “Damascus Document VII, 10-20 and Qumran Messianic Expectation,” *RevQ* 12 (1986) 327–35; Sidnie Ann White, “A Comparison of the ‘A’ and ‘B’ Manuscripts of the Damascus Document,” *RevQ* 12 (1987) 544–46.

towards the little ones”; “those who revere him” are “the poor ones of the flock”—these will escape at the time of the visitation, but those who remain (הנשארים) will be delivered up (ימסרו) to the sword (לחרב), when the messiah(s) of Aaron and Israel come(s). As happened at the time of the first visitation, as he said by the hand of Ezekiel: “mark a *tau* on the foreheads of those who sigh and groan”; but those who remained (הנשארים) were delivered up (הסגרו) to the sword (לחרב) that carries out the vengeance of the covenant.

The common source behind A and B continued with “thus will be the judgment...” (VIII,1b–3a/XIX,13c–15a) and the so-called “Princes of Judah” section (actually dealing with apostates from the covenant) (VIII,3b–12/XIX,15b–25a), both of which appear in both A and B.

I suggest that the Isaiah midrash (VII,10–13b) and the so-called “Princes of Judah” passage (VIII,3b–12/XIX,15b–25a) were conceived to stand together from the very beginning. The evidence for this assertion is the literary unity between them demonstrated above. Both texts employ the verb שר to speak of the “departure” of “Ephraim” from “Judah.” The idea of Ephraim’s departure from Judah is already inherent in the Isaiah text. Hosea 5:10 could be creatively interpreted in the same sense by equating the “princes of Judah” (= שרי יהודה = “those who depart from Judah”) with Ephraim. A connection between the Isaiah and Hosea texts was particularly appropriate because of another linkage between the two texts: the “king of Assyria.” Hosea 5:13 says that “when Ephraim saw his sickness...Ephraim went to Assyria and sent to the great king” for healing. As we have seen, however, the author of CD VIII,3b–12 transforms this into the statement that “those who depart from Judah” are sick without healing (or hope for healing). According to Isa 7:17, the “days” that will come as vengeance from God will come in the form of the king of Assyria. The author reads the Isaiah and Hosea passages together, and he understands them to declare together: the king of Assyria, to whom Ephraim=“those who depart from Judah” go in vain for healing, will himself be the instrument of God’s vengeance. That is, of course, precisely what the author says less metaphorically in VIII,8–12/XIX,21–24 of his own time: those who depart from the covenant and walk in the way of sinners, in the way of those who have adopted foreign ways, will receive the vengeance of God in the form of a foreign king. This analogy between past and present is the primary point that the author wanted to make; the linkage between Isaiah and Hosea served him very well.

The idea of “vengeance for the covenant” appears in Lev 26:25. We have seen that this chapter of Leviticus is very important in the last part of the admonition, since it ends the Holiness Code with the blessings and curses of the Sinai covenant, just as the end of the admonition of CD pronounces the blessings and curses of the Damascus covenant. We note that in the B text the midrashic section *begins* (XIX,5b–6) with an allusion to Lev 26:14–15 (truncated in the A text: VII,9). That text in Leviticus begins the section on warnings against disobedience. Likewise, in both the A and B texts, the so-called “Princes of Judah” section *ends* (VIII,12/XIX,24) with an allusion to Lev 26:25. The allusion is more obvious in the B text: the head of the kings of Greece will come (הבא) upon them (עליהם) [those who depart from the covenant] to execute vengeance (לנקם נקמה). Compare this with Lev 26:25: “I will bring (והבאתי) upon you (עליכם) the sword (חרב) that carries out the vengeance of the covenant (ונקמה נקם ברייה).” Thus the last part of the admonition (VII,9–VIII,12 with XIX,5b–25a), in *both* the midrashim and the so-called “Princes of Judah” section, is appropriately framed and undergirded by Lev 26:14–15 and 26:25, which speak of the consequences of the breach of the covenant (see Lev 26:15). That speaks for the fundamental and original unity of the whole of the section VII,9–VIII,12 (with XIX,5b–25a). I contend that Lev 26:25 is the (primary) source for the motif of the “sword” that features so prominently in the midrash. Of course, the sword appears elsewhere in CD (I,4, 17; III,11) and in other biblical texts that relate to the exile (e.g., 2 Chr 36:17, 20). However, the unambiguous allusion to Lev 26:25 *within* the Zechariah-Ezekiel midrash (CD XIX,13) puts it beyond doubt that Lev 26:25 is the source of the motif and is integral to the midrash (cf. likewise CD I,17–18).

That Lev 26:25 has been taken up into the Zechariah-Ezekiel midrash itself indicates that the midrash is original. It served to link, through the motif of the “sword that carries out the vengeance of the covenant,” the fate of the “renegades” who “departed from Judah” in the “first visitation” (VII,10–13b; cf. VII,21; XIX,11) with the fate of “those who depart from Judah” in the present (VIII,3b–12). As we have seen, that is the primary point of the author. We can see quite easily how the Zechariah-Ezekiel midrash performs this function, and how the midrash was fitted into its context.

First, the word “renegades” (הנסוגים) in VII,13b (cf. VIII,1a) most likely comes from Zeph 1:6 (cf. also Ps 78:57, 62), where it refers to

the idolaters of Jerusalem and Judah who have “turned away” from the LORD and who will be cut off (Zeph 1:4).⁶⁷ The author of the original text will have linked Zeph 1:4–6 with Ezek 8–9, a section of Ezekiel that also condemns idolaters in Jerusalem to destruction and that features later in the midrash (XIX,10–13b), as we shall see below. That linkage supports the original connection between the Isaiah midrash in the A text (with the “renegades” in VII,13b) and the Zechariah-Ezekiel midrash in the B text.

Next, Rabin notes that there is a lacuna in XIX,7. As it stands the text reads: “when there comes the word that is written (כתוב) by the hand (ביר) of the prophet Zechariah....” But Rabin observes perspicaciously: “The existence of a lacuna in B is proved by the fact that *bēyadh* elsewhere follows *amar* [Rabin refers to CD III,21; IV,13; XIX,11–12] or *ziwwah* [Rabin refers to 1QS I,13 and CD V,21] but never *kathuv*.”⁶⁸ This evidence makes it likely that in the copy from which the B text was produced the words “when there is fulfilled the word that is written” (בבוא הדבר אשר כתוב) were followed immediately by “in the words of Isaiah, son of Amoz, the prophet” and the Isaiah midrash of VII,10–13b. In support of this view, besides the observation of the lacuna, are (1) that the very four Hebrew words quoted are the same as appear in VII,10 immediately before the Isaiah midrash; and (2) the thematic connection between the Isaiah and Hosea texts, mediated by the Zechariah-Ezekiel midrash (and the text from Zephaniah), which makes it highly unlikely that the passage on the יהודה שרי stood apart from the Isaiah midrash in the original.

The Isaiah midrash (=VII,10–13b) most likely ended in the common source with “were delivered up to the sword.” The words in VII,13c–14a, “but those who remained steadfast escaped to the land of the north,” already presuppose the Amos-Numbers midrash and belong to it. That midrash was not part of the common source behind the A and B texts; it was an independent midrash on the origins of the Damascus covenant that the redactor of the A text added. The motif of the sword in VII,13b, then, is what brings in the Zechariah-Ezekiel midrash, for the first text quoted in it (Zech 13:7) begins, “awake, oh sword.” In accordance with Rabin’s observation above, the introductory words to this midrash, “by the hand of the prophet Zechariah,” will not originally

⁶⁷ Denis, *Les thèmes de connaissance*, 139–40.

⁶⁸ Rabin, *The Zadokite Documents*, 30–31 n. 2 on 20a.

have followed upon “when there is fulfilled the word that is written,” as in the B text (XIX,7), but upon the formula *אשר אמר*, “as he said” (or the like). As it happens, those very words appear as the introduction to the Isaiah midrash in the A text (VII,11). Another link between the Isaiah midrash and the Zechariah-Ezekiel midrash is the word *הנביא* (“the prophet”) in VII,10 and XIX,7. Through these links the absence of the Isaiah midrash in the B text can be explained. The common word *הנביא* caused the eye of the scribe to jump from the introduction to the Isaiah midrash and to pass over the Isaiah midrash itself directly to the introduction to the Zechariah-Ezekiel midrash.⁶⁹

Next the author appropriately and straightforwardly cites Zech 13:7a, which refers to the “scattering of the flock,” and applies it to those who were delivered up to the sword. He cites the second half of the verse, the originally adversarial “and I shall turn my hand *against* the little ones,” in a sense different from the original: God will turn his hands *towards* [a dative of advantage; rather than “against”] the little ones, for the little ones of Zech 13:7 are glossed as the “poor of the flock” and as “those who revere [God],” in the words of Zech 11:11. In other words, they are the faithful who will be saved, as the author says explicitly in CD XIX,10. By contrast he calls those who will be delivered up to the sword “those who remain” (*הנשארים*). That usage is striking in view of the fact that elsewhere in *D* “remnant” terminology is used for the faithful who will be saved (CD I,4). The usage here is to be explained as an allusion to Ezek 9:8. That this passage from Ezekiel is in the author’s view is proved by CD XIX,12, where he explicitly quotes Ezek 9:4. The author uses the “first visitation” of Israel, that is, the destruction of the wicked at the time of the conquest of Jerusalem, as a paradigm for the (future) “age of visitation” (CD XIX,10; cf. XIX,6, 14). As a description of the “first visitation” the author draws on Ezek 9:1–10, which describes the slaughter of the idolaters in Jerusalem (note that the “executioners” here are in Hebrew the *פקדות*,

⁶⁹ So also Murphy-O’Connor, “The Original Text,” 386. It has been objected to this proposal (White, “Comparison,” 543–44) that in this case the scribe of the B text should at least have written “Isaiah the son of Amoz,” since it is only from the end of that phrase that the hypothesized jump takes place. However, it is not inconceivable that the scribe, writing several words at a time, could omit a whole phrase. In addition, an *אשר אמר* in close proximity to both phrases (VII,11; and presumably before “by the hand of the prophet Zechariah”) might have also attracted his eye from the one midrash to the other.

the same word used for “visitation” in CD XIX,10, 11).⁷⁰ The innocent are marked with a sign (the Hebrew letter *tau*) on the forehead, by which they are spared. So the faithful in the future visitation will be spared (CD XIX,10). As the slaughter is happening, the prophet cries to God, asking, “Lord GOD, will you destroy all who remain (כל שארית) of Israel as you pour out your wrath against Jerusalem?” (Ezek 9:8). So in CD XIX,13 the author says that those who “remained” (הנשארים) were delivered up to the sword. Thus the author’s use of הנשארים in CD XIX,10 is an allusion to Ezek 9:8 anticipatory of CD XIX,13.

The connection between Zechariah and Ezekiel probably comes by way of Ezek 5:1–17. As we have seen, in CD XIX,7–10 the author quotes Zech 13:7, which speaks of the scattering of the flock. The next two verses (Zech 13:8–9) read:

In the whole land, says the LORD, two thirds will be cut off and perish, and one third will be left alive. And I will put this third into the fire, refine them as one refines silver, and test them as gold is tested. They will call on my name, and I will answer them. I shall say, “They are my people”; and they will say, “The LORD is our God.”

Similar language is used in Ezek 5:1–17. There the prophet is commanded, as a symbolic gesture, to shave his head and beard and to divide the hair into three parts. One third he is to burn, one third he is to strike with the sword, and one third he is to scatter to the wind. The prophet is commanded next to take a small number of the hairs and put them in his robe. From these he is to take some yet again and throw them into the fire. The whole action symbolizes the utter destruction of Israel. There will be some survivors (those who are “scattered to the wind”), but even they will be pursued by the sword (5:2, 10, 12). Thus the imagery of Ezek 5:1–17 is very close to that of Zech 13:8–9, even if the arithmetic is not exactly the same in the two, and this link leads the author of CD from Zechariah to Ezekiel.

Finally there is a link between the Ezekiel text and Lev 26 that leads the author to end the midrash with reference to the sword that carries out the vengeance of the covenant. Ezekiel 5:6, like Lev 26:14–15 and

⁷⁰ The weapon used by the executioners in Ezek 9:1 is called a כלי משהח, an “instrument of destruction,” which is a hapax legomenon. It is possible that this weapon is a sword, since the verb נכה (*hiph’il*) in Ezek 9:5 is sometimes used in association with the sword in the OT. But the identification is not certain. In 9:2 the weapon is called a כלי כפיץ, “instrument of shattering,” which may be a kind of club.

CD XIX,5–6, directs the imagery of destruction against those who “despise [the] ordinances and precepts (כי במשפטי באסו והקוהי).” Moreover, Ezek 4:16–17 and 5:16 speak of God’s “breaking the staff of bread” and of shortage of food, just like Lev 26:26. Leviticus 26:26 in turn immediately follows Lev 26:25, the verse that speaks of the sword and the vengeance of the covenant. This connection between Ezekiel and Leviticus is enhanced in that Lev 26:25 threatens the people with pestilence and captivity by their enemies if they “withdraw into [their] cities”; the symbolic actions of Ezek 4–5 relate to the siege of one of those cities—Jerusalem—and prefigure the famine, pestilence, and sword that will come upon the people thus isolated within the city. Finally, Lev 26 and Ezek 4–5 share numerous other common images of judgment, including wild animals (Lev 26:22; Ezek 5:17), cannibalism (Lev 26:29; Ezek 5:10), the horror of other nations at Israel’s devastation (Lev 26:32; Ezek 5:15), and God’s bringing of the sword (Lev 26:25; Ezek 5:17) and unsheathing of the sword (Lev 26:33; Ezek 5:2, 12) against Israel.

The author of CD ends the Zechariah-Ezekiel midrash in XIX,13 by tying together three different strands. From Ezek 9:8, already alluded to in CD XIX,10, he derives the word “those who remained” (הנשארים), and from the intertextual connections between Ezek 4–5, 9 and Lev 26 he draws the image of the sword that carries out the vengeance of the covenant. With the word הסגרו (“they were delivered up”), however, he neatly ties the midrash back to the earlier link between the Isaiah midrash and the Zechariah-Ezekiel midrash, since this word for “being delivered up” is also used there (CD VII,13; הוסגרו). By contrast the word for “being delivered up” in XIX,10 is ימסרו. That difference indicates that the author deliberately used הסגרו in XIX,13 to tie the second midrash back to the first. All of this demonstrates the function that the Zechariah-Ezekiel midrash has in establishing the literary unity between the beginning of this section of CD (the threat against “those who despise” in CD VII,9/XIX,5b–6), the Isaiah midrash in VII,10–13b, and the end of this section of CD in the so-called “Princes of Judah” passage (VIII,3b–12/XIX,15b–25a). All of these units are held together by the motif of the sword that carries out the vengeance of the covenant against those who despise the precepts of the covenant (based on Lev 26). The motif of the sword is explicated by the Zechariah-Ezekiel midrash in CD XIX,7–13b. Thus the original author nicely completes a midrashic circle of texts beginning and ending with

Leviticus. He begins with Lev 26 in CD XIX,5b/VII,9, runs through Isaiah (and Zephaniah) in VII,10–13b and Zechariah and Ezekiel in XIX,7b–13a, and ends with Lev 26 again in XIX,13b.

There is less to say about the Amos-Numbers midrash in VII,13c–21a.⁷¹ Unlike some other scholars,⁷² I do not think that the Zechariah-Ezekiel midrash dropped out of the A text through scribal error. Rather, the redactor of the A text deliberately left that midrash out. That the Zechariah-Ezekiel midrash was present in his copy is made clear by the reference to the “first visitation” in VII,21, which is at home in the Zechariah-Ezekiel midrash (XIX,11; and the word “visitation” may depend on the use of Lev 26 and Ezek 9 in that midrash). The redactor of the A text, however, was interested in identifying the “escapees” of the “the first visitation” in the Zechariah-Ezekiel midrash, that is, those alluded to in XIX,12, with the original members of the Damascus covenant. For this reason he deliberately left out the Zechariah-Ezekiel midrash and inserted an originally independent Amos-Numbers midrash on the origins of the Damascus covenant. While the Zechariah-Ezekiel midrash as we have it in the B text, which probably is a faithful representation of the original, mentions explicitly “those who will escape” (XIX,10; the group destined for future salvation), “those who (will) remain” (XIX,10; the group destined for future punishment), and “those who remain(ed)” (XIX,13; the group in the past destined for punishment), it does not *explicitly* mention the fourth group, those who escaped in the past (i.e., the group in the past

⁷¹ As will be discussed below, I do not include VII,21b–VIII,1a as part of the Amos-Numbers midrash, because those lines come from the Zechariah-Ezekiel midrash that stood in the original and still stands in the B text.

⁷² Murphy-O'Connor, “The Original Text,” 385. See the (cogent) criticisms of Murphy-O'Connor on this point by Brooke, “The Amos-Numbers Midrash,” 399; Davies, *The Damascus Covenant*, 146; and White, “Comparison,” 543. White, *ibid.*, 545, also proposes that the Zechariah-Ezekiel midrash dropped out of the A text through haplography. She puts the Zechariah-Ezekiel midrash before the Isaiah-Amos-Numbers midrash in the original text. This has the rather odd effect, however, of making the words of Isaiah point to the *past* as an explication of the end of the Zechariah-Ezekiel midrash. Thus: “...but those who remained were delivered up to the sword [CD XIX,13] when the word was fulfilled that is written in the words of Isaiah, etc.” But in VII,10–13b the words of Isaiah function in the first instance to speak of the future, and that is the most natural application. The words of Isaiah describe the days that *will* come, such as have not happened since (*past*) the day that Ephraim separated from Judah.

destined for salvation); the B text only alludes to them through the words “as it happened in the age of the first visitation” and the quotation of Ezek 9:4 in CD XIX,11–12. But it was this last group, those who escaped in the past, that was precisely the object of interest for the redactor of the A text. To remedy this deficiency he wrote CD VII,21b, “these escaped at the time of the first visitation,” referring to the “steadfast” of VII,13c–14a. This half-verse (VII,21b), then, is simply a designation for the fourth group. It was composed by the author of the A text from the vocabulary (“escape”—cf. use of the root **פלט** in VII,21b with XIX,10; “time of the first visitation”—cf. VII,21b with XIX,11) of the Zechariah-Ezekiel midrash in the original source, in the sense of XIX,12 (=the escapees in the first visitation); thus this group (VII,21b) is identical with those who “escaped to the land of the north” (VII,13c–14a).

As for VIII,1a, it is unnecessary to consider this as a redactional repetition of VII,13b.⁷³ Rather, after the redactor inserted the Amos-Numbers midrash and used the vocabulary from XIX,10–11 to designate the escapees to the land of the north as those who escaped in the first visitation, in the sense of XIX,12, he came to the end of the Zechariah-Ezekiel midrash, which read, “but those who remained (**הנשארים**) were delivered up to the sword that carries out the vengeance of the covenant” (=CD XIX,13ab). Desiring to make this phrase match the first mention of the renegades (**הנסוגים**) who were delivered up in the past (=VII,13b, original to the midrash), and perhaps unaware of (or uninterested in) the allusion to Lev 26:25, he altered and shortened this last line of the midrash to “but the renegades (**הנסוגים**) were delivered up to the sword.”⁷⁴

Thus by paying attention to the literary unity of the whole passage VII,9–VIII,12 (with XIX,5b–25a), we have also been able to come to

⁷³ Contra Murphy-O'Connor, “The Original Text,” 382.

⁷⁴ The new evidence provided by 4QD^a (4Q266) 3 iii 1–25 for the relationship between the A and B texts in the midrashic material is minimal. The fragment is very close to the A text, including the Amos-Numbers midrash, but it agrees (in line 25) with the B text (cf. CD XIX,15b) in having the introductory **כאשר רבר** before the beginning of the so-called “Princes of Judah” section. Since the length of the lines in 4Q266 is similar to that in the A text, the *vacat* in lines 7–16 of the 4Q266 text, which would correspond to lines VII,5c–16a in the A text, cannot have contained the Zechariah-Ezekiel midrash. It may be that 4Q266 preserves an older form of the A text. The **כאשר רבר** dropped out in our (CD) A text.

a satisfying explanation of the differences between the A and B texts in the midrashic material. Previous commentators have not recognized this literary unity, and that has forced them to posit more scribal errors (some of them quite implausible) than are necessary.⁷⁵

The midrashim and the so-called “Princes of Judah” section have been joined together by VIII,1b–3a/XIX,13c–15a. As I show in Chapter 6, this short unit is probably secondary. The words, “this is the day when God will make a visitation (יפקד),” sum up the preceding midrashic argument and connect it back to VII,9/XIX,6, which begins the whole midrashic circle with its announcement of God’s eschatological visitation (פקד). The words also connect the midrashic circle forward to the so-called “Princes of Judah” section. The reference to destruction at the hand of Belial is probably also secondary, and reflects the influence of the later dualistic theology of the *yahad*.⁷⁶ The content of the piece is otherwise very appropriate, however, since, as we have seen, the whole of VII,9–VIII,12/XIX,5b–25a forms a literary unit dealing with those who turn aside from the covenant.

1.5 *The Original End of the Admonition*

As we saw above, Davies proposes that the admonition originally ended at VII,9 (or VII,10a). Our analysis indicates otherwise. The whole of VII,9–VIII,12/XIX,5b–25a forms a literary unity. I suggest that the original admonition ended at VIII,18b/XIX,32a. Our previous discussion of the so-called “Princes of Judah” section left off at VIII,13/XIX,26a, so we must now briefly discuss VIII,14–18b/XIX,26b–32a to indicate how that material ends the admonition.

In VIII,14–18a/XIX,26b–31a there is a blessing on the “converts of Israel who turned aside from the path of the people.” This blessing contrasts directly with the condemnation of the שרֵי יְהוּדָה who “did not turn away from the path of the traitors” (VIII,4–5). We may assume that VIII,14–18a was written as part of the original document in direct

⁷⁵ E.g., Murphy-O’Connor, “The Original Text,” 385–86, and White, “Comparison,” 544–46, both of whom posit scribal error for both the A and B texts (though in different ways), rather than just the B text as proposed here. Also Carmignac, “Comparison,” 60–61.

⁷⁶ See Chapter 6, pp. 401–03.

connection and contrast with VII,9–VIII,12. Like that section, VIII,14–18a begins with a Scripture citation, followed by the formula וכן משפט (cf. VII,10–12; VIII,1). In VIII,17–18 the covenant of the forefathers is said to be for those who come after them. These lines thus form a fine *inclusio* with the beginning of this section in VII,5–6, where the promise is made that “God’s covenant is faithful for them, that they will live a thousand generations.” In the B text that affirmation is supported by quotation of Deut 7:9 (CD XIX,1–2). Deuteronomy 7:8 is quoted (along with Deut 9:5) in CD VIII,14–15 (=XIX,26–28). These two quotations from Deuteronomy strengthen the *inclusio*.

We have already dealt with VIII,18b above, noting that it is probably a gloss. It is a truncation of VIII,12–13 and was added at the same time as VIII,13. When the gloss in VIII,13 was added, a need was felt to say something about the standing of the “builders.” In addition, the statement about God’s “hatred” for the “builders” in VIII,18b provides a balance to the statement about God’s “love” in VIII,16.

With VIII,18c–19 (=XIX,32b–33a) we enter a new stage in the development of CD. The section VII,9–VIII,18b deals with eschatological judgment. But from VIII,18c–19/XIX,32b–33a until XX,13a the focus shifts to judgment within the community (cf. also XX,24–25).⁷⁷ Judgment within the community is of course not unrelated to eschatological judgment, but it does indicate a new stage in the redaction of the document and therefore requires special treatment. We shall take up this new stage of material in Part II of our literary analysis (Chapter 2).

1.6 Conclusion

The preceding literary analysis of CD XIX,1–32a with VII,4b–VIII,18b leads to two important new insights into the meaning, purpose, and structure of the end of the *Damascus Document*, and to an important insight into the origins of the Damascus covenant.

(1) We have seen that the translation of שרי יהודה as “those who depart from Judah” makes better sense of CD VIII,3b–12/XIX,15b–25a than “the princes of Judah.” Murphy-O’Connor, following the “princes of Judah” rendition, argued that CD VIII,3b–12/XIX,15b–25a was

⁷⁷ In XX,13b–22a and XX,25b–34 the focus will shift back to eschatological judgment.

originally directed towards outsiders but was modified, above all by the redactional addition of VIII,19 and by modifications in the B text, to make it fit CD's reproach of apostates.⁷⁸ Davies criticized Murphy-O'Connor, asking why such a piece would have ever been added to an admonition against apostates or potential apostates in the first place.⁷⁹ The solution presented here avoids this problem altogether. The piece was never written against outsiders at all. It is a warning against those who enter the covenant but then revert to the ways of mainstream Jewish society. As such it fits perfectly within the framework provided by VII,9–13b + XIX,5b–13b and VIII,1b–3a/XIX,13c–15a. We thus gain a unified and coherent reading of the whole of VII,9–VIII,18b/XIX,5b–32a. The whole is a warning against those who turn aside from the covenant and tells what the consequences of apostasy will be (on the model of Lev 26).

(2) We have seen that when we recognize this literary unity the function and likely original form of the Isaiah and Zechariah-Ezekiel midrashim are much easier to determine. The Zechariah-Ezekiel midrash, with its strong imagery of the "sword that carries out the vengeance of the covenant" (from Leviticus), nicely connects and mediates between the Isaiah midrash and the so-called "Princes of Judah" section. All three of these units are bound together by the theme of the curses of the covenant, drawn from Lev 26, which along with the blessings of the covenant in CD VII,4b–6a (cf. XIX,1–2a) and VIII,14–18a (cf. XIX,26b–31a) appropriately ends the (original) admonition.

(3) The isolation of the Amos-Numbers midrash as a secondary addition to the A text, and its function in (the original) context as an elaboration of the hint given in CD XIX,11–12 regarding those who were saved in the "first visitation," that is, in the judgment upon Jerusalem at the time of the exile, gives strong support to the hypothesis that the remnant that escaped destruction and went to the "land of the north," that is, to Damascus, are those who formed the Damascus covenant (cf. I,4–5; III,10–14), and that the origins of the Damascus covenant probably lie in the exile. As our study continues, we shall have to look for further evidence that supports that hypothesis.

⁷⁸ Murphy-O'Connor, "Critique," 212.

⁷⁹ Davies, *The Damascus Covenant*, 157.

CHAPTER TWO

THE IDENTITY OF “THE NEW COVENANT IN THE LAND OF DAMASCUS”: A NEW LITERARY ANALYSIS OF CD XIX–XX (PART II)

2.1 Introduction

Part I of our literary analysis of CD XIX–XX (Chapter 1) led to the conclusion that, contrary to common opinion, CD XIX,5b–25a (with VII,9–VIII,12) is a literarily coherent and unified section. The whole section is a warning, based on themes from Lev 26, against those who turn aside from the covenant. It makes an appropriate ending, along with the blessings on covenant obedience in CD XIX,1–2a and XIX,26b–31a (=VII,4b–6a and VIII,14–18a), to the admonition of *D*. We noted at the end of Part I of the analysis that VII,9–VIII,18b (with XIX,5b–32a) deals with eschatological judgment, whereas VIII,18c–19 (=XIX,32b–33a) begins a new stage in the development of the document, treating of judgment within the community. It is our task now to analyze this new stage of material. Our primary goal in this second part of our analysis will be to elucidate the relationship between XIX,33b–35b, with its important statement about the “new covenant,” and the rest of CD XIX–XX. That in turn will allow us to identify the “new covenant” with precision. We shall begin, however, with CD VIII,18c–19 (=XIX,32b–33a), which will show how the new stage of material treating of judgment within the community has been added to the original admonition.

CD VIII,18c–19 (cf. XIX,32b–33a) says: “And like this judgment for all who despise the commandments of God and forsake them and turn aside in the stubbornness of their hearts.” The first questions to be asked about this line are what the “judgment” foreseen for this category of people is, and to what it is “like.” In Chapter 1 we saw that the judgment rendered against the “builders of the wall” (and, in the B text, against “those who follow them”) in VIII,18/XIX,31–32 was a gloss added by a Qumran redactor corresponding to the gloss of VIII,13/XIX,25c–26a. By means of the latter gloss he attributed the errors of the “builders of the wall” (=mainstream Jewish society) to the

influence of the Man of the Lie, a connection that was not directly historical. After he added this gloss, he found it appropriate also to add a condemnation of the “builders of the wall” in VIII,18b/XIX,31b–32a (the builders now understood to be part of the congregation of the Man of the Lie), following the judgments rendered on those unfaithful to the covenant in VIII,1b–2a/XIX,13c–15a and on the faithful in VIII,16–17/XIX,29–31a. Thereby the Qumran redactor transformed the “builders of the wall” from members of mainstream society into apostates from the (Qumran or pre-Qumran) covenant. As we shall see, what comes next in VIII,20–21 and XIX,33b–35b is further condemnations of apostates from the Qumran community. It follows that what we have in VIII,18c–19/XIX,32b–33a is a redactional link made by a Qumran redactor as a transition from the eschatological judgment pronounced upon apostates (and upon the faithful) in VII,9–VIII,18b/XIX,5b–32a to the temporal judgment pronounced by and in the (Qumran) community in VIII,20–21 and XIX,33b–35b (as well as parts of CD XX).

But the judgment pronounced in VIII,18c–19/XIX,32b–33a is still eschatological. The judgment language of VIII,18b/XIX,31b–32a, to which the judgment pronounced in VIII,18c–19/XIX,32b–33a is said to be “like,” is similar to I,21–II,1, which comes in a (probably also redactional) passage on the traitors of the (Qumran) covenant. Therefore we may conclude that the judgment on the “builders of the wall” is God’s wrath, which will “lay them waste” as traitors (cf. II,1). The transition between the eschatological and temporal judgment, effected (in the B text) by the כן of XIX,33b, implies that those who suffer the temporal punishment of expulsion from the Qumran community will also suffer eschatological judgment at the hands of God.

This line (VIII,18c–19/XIX,32b–33a) is very similar to XX,8b–10a. Both lines begin, “and like this judgment for all who despise” (וכמשפט) (הזה לכל המואס), followed by a word introduced by ב. In VIII,18c–19/XIX,32b–33a the ב introduces the direct object, “the commandments of God,” while in XX,8b–10a it introduces the words “the former and the latter” (both terms in the plural). It is not certain what the “former and the latter” are. There are two possibilities. It may be that the word “former” refers to the ordinances of the parent movement of the Qumran community, while “the latter” refers to the directives of the Teacher himself (cf. 1QS IX,10; CD XX,31). It is also possible, however, that on analogy to CD IV,6–8 the “former” are the

early (initial) members of the Qumran community, while the “latter” are those who came in after them. In this case the **ב** before **ראשונים** and **אחרונים** in CD XX,8–9 would not be introducing a direct object but would be functioning as a **ב** of specification, as occurs occasionally in biblical Hebrew.¹ Thus one could translate CD XX,8–9: “And like this judgment for all who despise, whether the first or the latter.” In any case, it is clear that XX,8b–10a in its present form comes from a period after the community had been founded.

While VIII,18c–19/XIX,32b–33a could come from a pre-Qumran period, the transitional function of this line as discussed above makes it likely that it also (like XX,8b–10a) comes from a Qumran setting (or rather from the group that would become the Qumran community). The formulation of XX,8b–10a is simply more precise than VIII,18c–19/XIX,32b–33a. The close relationship between the two lines is shown by the words that follow. Both lines describe those who “despise” as “walking” or “turning aside” in the stubbornness of their hearts. “Stubbornness of heart” is a frequent accusation in CD (II,17; III,5, 11; VIII,8/XIX,20), but the specific formulation of XX,9–10a, “for they have placed idols in their heart and have walked in the stubbornness of their heart,” has its closest parallel in 1QS II,11–14. That passage appears within the curses of the annual covenant renewal ceremony in the *Rule of the Community*. It reads:

And the priests and the Levites will continue and say: “Cursed by the idols of his heart that cause him to transgress be the one who enters this covenant and places the obstacle of his iniquity before himself to stumble [lapse] by it. When he hears the words of this covenant he will congratulate himself in his heart, saying, ‘I will have peace, though I walk in the stubbornness of my heart.’”

The curse pronounced on such a one is that “his spirit will be obliterated, the dry with the moist, without mercy” (cf. Deut 29:18–19). It is probable, but difficult to know with certainty, that the curses of 1QS II,4–18 come from a Qumran *Sitz im Leben*. They are part of a ceremony for those who enter the “rule of the community” (1QS I,16), which probably indicates a Qumran setting. On the other hand, the directions for the ordering of priests, Levites, and lay Israelites, as well as the large numbers of people involved, are perhaps more congruent with the broader movement implied by *D* (cf. CD XII,22–XIII,7;

¹ E.g., Exod 12:19. See BDB, p. 88 (I.2.c).

XIV,3–6). (Of course the numbers could be ideal. And note that there is no provision for the participation of proselytes in 1QS II,19–25, while there is such provision in CD XIV,3–6.) Furthermore, 4QD^a (4Q266) 11,16–18 (=4QD^e [4Q270] 7 ii 11–12) shows that an annual ceremony that included “cursing those who tend to the right or the left of the law” involved an assembly of “all those who dwell in the camps,” which also points to a *Sitz im Leben* for the curses that is not limited to the Qumran community. Vermes has suggested that Qumran was the venue for the annual assembly of the camps and the covenant renewal ceremony.² That might suggest *both* that Qumran was the *Sitz im Leben* for the curses *and* that the curses involved a larger and broader constituency than the Qumran community itself. Against this, however, it might be asked whether after the move to the desert, which involved a radical criticism of the temple not necessarily shared by the rest of the movement behind *D*, such cooperation was still possible. My own guess is that the curses as we have them in 1QS II,4–18 are from Qumran, but they have roots in an older covenant ceremony tradition that preceded the Qumran community’s existence. The point of this discussion is that the parallels with 1QS II,11–14 indicate that CD XX,8b–10a probably comes from a Qumran setting (or, more precisely, from the community that would eventually settle in Qumran). CD XIX,32b–33a, with its reference to “stubbornness of heart,” may contain an echo of the same setting. It is more likely, however, that XIX,32b–33a comes from the pre-Qumran period, and XX,8b–10a reflects a further precision from the Qumran community.

In the comparison of VIII,18c–19/XIX,32b–33a and XX,8b–10a, then, we see a pattern of relationships. Both lines begin with “and like this judgment for all who despise...”; both lines speak of “stubbornness of heart.” The two lines seem to be related to each other, the main difference being that XX,8b–10a is more precise than VIII,18c–19/XIX,32b–33a. This pattern suggests that the material in VIII,18c–19/XIX,32b–33a and the material in XX,8b–10a represent originally the same material. This thesis can be strengthened if we can establish the same for what follows in XIX,33b–35b and XX,10b–13a. That requires, however, that we discuss the punctuation of XIX,33b–XX,1a, and to that we now turn.

² Geza Vermes, *The Dead Sea Scrolls: Qumran in Perspective* (rev. ed.; London: SCM Press, 1994) 96–99.

2.2 *The Punctuation of CD XIX,33b–XX,1a*

Since the discovery and publication of CD nearly all scholars have taken CD XIX,33b–XX,1a together as a unit. The result is a translation along these lines: “Thus all the men who entered the new covenant in the land of Damascus and turned and betrayed and departed from the well of living waters will not be counted in the assembly of the people, they will not be inscribed in their register, from the day of the gathering in of the unique teacher until there arise(s) the messiah(s) from Aaron and from Israel.”³ So construed the text can be interpreted in two different ways. One interpretation is that those who have betrayed the new covenant are (or will be) excluded from the assembly of the people from the death of the Teacher of Righteousness until the arrival of the

³ M.-J. Lagrange, “La secte juive de la nouvelle alliance,” *RB* 9 [21] (1912) 227; R. H. Charles, “Fragments of a Zadokite Work,” *APOT* 2.820; Eduard Meyer, “Die Gemeinde des Neuen Bundes im Lande Damaskus,” *APAW* 9 (1919) 41; Leonard Rost, *Die Damaskusschrift* (Berlin: Walter de Gruyter, 1933) 30 (implied in the punctuation); Chaim Rabin, *The Zadokite Documents* (2nd ed.; Oxford: Clarendon Press, 1958) 36–37 (who, however, takes the שבו of XIX,34 as “again”); Isaac Rabinowitz, “A Reconsideration of ‘Damascus’ and ‘390 Years’ in the ‘Damascus’ (‘Zadokite’) Fragments,” *JBL* 73 (1954) 31–32; Johann Maier, *Die Texte vom Toten Meer* (2 vols.; Basel/Munich: Ernst Reinhardt, 1960) 1.68; Edmund F. Sutcliffe, *The Monks of Qumran* (London: Burns & Oates, 1960) 140; É. Cothenet, “Le document de Damas,” *Les textes de Qumran: Traduits et annotés* (Paris: Éditions Letouzey et Ané, 1963) 178; Gert Jeremias, *Der Lehrer der Gerechtigkeit* (SUNT 2; Göttingen: Vandenhoeck & Ruprecht, 1963) 283; Eduard Lohse, *Die Texte aus Qumran* (Munich: Kösel, 1964) 102–05; Otilie Johanna Renata Schwarz, *Der erste Teil der Damaskusschrift und das Alte Testament* (Diest: Lichtland, 1965) 53; Albert-Marie Denis, *Les thèmes de connaissance dans le document de Damas* (Louvain: Publications Universitaires de Louvain, 1967) 134; Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 172–73; Jerome Murphy-O’Connor, “A Literary Analysis of Damascus Document XIX, 33–XX, 34,” *RB* 79 (1972) 544–47 (who takes שבו in the sense of “they returned [to Judah from exile]”); Theodor H. Gaster, *The Dead Sea Scriptures* (3rd ed.; Garden City, NY: Doubleday, 1976) 77; Philip R. Davies, *The Damascus Covenant: An Interpretation of the “Damascus Document”* (JSOTSup 25; Sheffield: JSOT Press, 1982) 173, 260–63; André Dupont-Sommer, “Écrit de Damas,” *La Bible: Écrits intertestamentaires* (Paris: Gallimard, 1987) 163–64; Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987) 69–70; Florentino García Martínez and Eibert J. C. Tigchelaar, eds., *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: Brill, 1997) 1.577–79; Geza Vermes, *The Complete Dead Sea Scrolls in English* (4th ed.; London: Penguin, 1997) 134; Charlotte Hempel, *The Laws of the Damascus Document* (STDJ 29; Leiden: Brill, 1998) 109–100; and her *The Damascus Texts* (Sheffield: Sheffield Academic Press, 2000) 32.

messiah(s). Once the messiah(s) has (have) come, however, those traitors will be allowed a second chance to enter the assembly of the people.⁴ Murphy-O'Connor explains the basis for the doctrine thus: "The suggestion undoubtedly is that the Teacher of Righteousness would have had the authority to make the decision to admit repentant apostates, but that the community does not feel that it has the right to do so. As the present text stands it is clear that the apostates will be given a second chance, 'they shall not be written in their register...until the coming an [*sic*] Anointed from Aaron and from Israel.'" ⁵ This interpretation stresses the "until." Apostates will have a chance to return to the community, but not *until* the messiah(s) come(s). Davies offers a different interpretation. He rejects the notion of a second chance, but he still reads XIX,33b-XX,1a together: "[T]he sense, as I see it, is that the coming of the Messiah brings the final judgment, by which time it will be too late for these men to join the community, and they will be judged as outsiders. A simpler explanation exists: the only chance these men are offered is to accept the authority of the Teacher while he is still alive...." Davies points to CD IV,10-11 as support for this reading.⁶

At first sight these readings seem plausible. On closer examination, however, there are severe obstacles to reading XIX,33b-XX,1a in *either* of these ways. Immediately after arguing his point, Murphy-O'Connor concedes that the "doctrine [of a second chance] is completely at variance with the teachings of the Essene documents, and I suspect that something has happened to the text. Perhaps XX,1b is a gloss, but this is impossible to prove. Hopefully the Cave 4 material will clarify this point."⁷ As we saw in Chapter 1, the Cave 4 material cannot help us on this point. The objection that Murphy-O'Connor raises against his own reading, however, is a valid one. Indeed, the notion that CD XIX,33b-XX,1a implies a second chance at the coming of the messiah(s) is not only "at variance with the teachings of the Essene documents," but it is directly contradicted by XIX,5b-14 only a few lines above. Those lines say that "those who despise (הַמְאַסִּים) the

⁴ So Stegemann, *Entstehung*, 173; Murphy-O'Connor, "A Literary Analysis of Damascus Document XIX, 33-XX, 34," 546.

⁵ Murphy-O'Connor, *ibid.*

⁶ Davies, *The Damascus Covenant*, 180.

⁷ Murphy-O'Connor, "A Literary Analysis of Damascus Document XIX, 33-XX, 34," 546.

precepts (במצוה) and the ordinances” (XIX,5), or “those who enter his covenant but do not remain steadfast” in the precepts (XIX,13–14), “will be delivered up to the sword at the coming of the messiah(s) of Aaron and Israel” (XIX,10–11). There is no second chance here! And as we saw in Chapter 1, the midrash in which this judgment is pronounced is most likely original to the work. Of course one could argue that XIX,5b–14 and XIX,33b–XX,1a come from two different periods in the history of the document or of the community and that the views of the author(s) or of the community changed. For example, there are strong arguments (which we shall examine later) for viewing all or most of XIX,35c–XX,34 as a Qumran recension of *D*. It is not clear, however, why the death of the Teacher, which is presupposed in XIX,35c–XX,1,⁸ should effect a change from the verdict of XIX,5b–14, namely, that all those who reject the covenant will be destroyed at the coming of the messiah(s), to the verdict that at the coming of the messiah(s) apostates will be given a second chance. Therefore the contradiction between XIX,5b–14 and the *usual* reading of XIX,33–XX,1 remains.

There is another objection to reading XIX,33b–XX,1a together as a unit. Stegemann has argued that the term “new covenant” in CD (and in 1QpHab II,3, if “new covenant” is the correct reading) refers to the pre-Qumran parent community or movement from which the Qumran community arose. I agree with him on this point, although I would place the beginnings of the “new covenant” at a much earlier point than Stegemann does.⁹ He further argues that the Qumran community’s split from its parent movement occurred as the result of the Teacher’s coming to the community. A dispute over the Teacher’s authority (and his doctrine: specifically, a boycott of the temple) led to a division between a “congregation” of those who followed the Teacher and a

⁸ Davies, *The Damascus Covenant*, 180–81, 187, thinks that CD XIX,33–XX,1 comes from a period when the Teacher was still alive. That is unlikely for XIX,35c–XX,1 (see below).

⁹ Stegemann, *Entstehung*, 182, 199, 210, 239–41, 243, 246, 248. Stegemann (pp. 241–43, 247–51; developed further more recently in his *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus* [Grand Rapids: Eerdmans] 149–50) places the founding of the Damascus “new covenant” during and after the events of 175–172 BC. The new covenant consisted of pious exiles in Syria who had fled from Judea. The Essene “union” was founded by the Teacher from out of this group of exiles. Those who followed him became the Qumran community. I shall argue in Chapter 4 that the origins of the Damascus covenant are much older than 175–172 BC.

“congregation” of those who followed one of his opponents, the “Man of the Lie.”¹⁰ From the perspective of the Qumran community, then, those who rejected the Teacher were the ones who left the “new covenant.”¹¹ Stegemann sees in XIX,33–XX,1 and XX,10–13 two different, but related groups of people who left the “new covenant.” The apostates of XX,10–13 are those who joined the congregation of the Man of the Lie (also called the “men of mockery”) at the time of the original split in the movement, while the apostates of XIX,33–XX,1 are those who turned their back on the “new covenant” but did not join the congregation of the Man of the Lie.¹² It is these apostates who, on this reading, will be excluded from the community “from the death of the Teacher until there arise(s) the messiah(s) out of Aaron and Israel.”

My objection to this reading is as follows: If the death of the Teacher occurred many years after his arrival in the community (let us suppose approximately 40 years, as is usually thought), how would the ban on inclusion in the community that applies *after* the Teacher’s death be relevant to apostates from the “new covenant,” which (on Stegemann’s reading) the Qumran community had already defined as the *parent* movement, apostasy from which had happened several decades earlier? Of course, Stegemann does not take this ban as applying to the original apostates (those who joined the congregation of the Man of the Lie decades earlier), but to apostates (presumably at any time) who rejected the “new covenant” in general. But this does not remove the problem. Presumably the Qumran community at the time of the Teacher’s death was concerned about apostasy from its *own* community, not from the parent movement, which may very well have still been in existence at the time of the Teacher’s death, and which the Qumran community had already defined as other than itself (that is, as the “new covenant”). Would the Qumran community have been concerned at the time of the Teacher’s death about apostasy from the “new covenant,” that is, from a group other than itself, as XIX,33–34 on this reading would imply? Stegemann himself seems to be aware of the problem when he writes:

¹⁰ Stegemann, *Entstehung*, 197, 199, 208–09, 225–28, 239. This part of Stegemann’s argument is less convincing. I consider it probable that a separatist community—even if not yet settled in Qumran—withdrew from participation in the temple even before the arrival of the Teacher. I shall discuss this matter in Chapter 5.

¹¹ *Ibid.*, 182.

¹² *Ibid.*, 176–77.

[W]elche besondere Bedeutung in diesem Zusammenhang der zeitlich zwischen Gemeindeentstehung und Gegenwart des Autors dieses Abschnittes liegende Tod des מורה היחיד (=“Lehrer der Gerechtigkeit”) hat, ist hier genauso wenig zu erkennen wie der Grund dafür, daß die Gemeinde in diesem Rahmen als “der ‘Neue Bund’ im Lande Damaskus” auftritt oder dessen Interesse als einer mit ihr nicht unbedingt identischen Größe wahrnimmt.¹³

In other words, Stegemann implicitly asks (but does not answer) the questions: Why does the Qumran community here appear as the “new covenant” when elsewhere that term applies to the parent movement? And why does the community connect its interests to those of that other group? Stegemann is driven into this *aporia* by reading XIX,33b–XX,1a together as one unit.

Davies’s explanation faces similar problems. In contrast to Stegemann, Davies thinks that the “new covenant” refers to the Qumran community and not to its parent movement. I disagree with that judgment, as I shall explain below. The more immediate point, however, is that taking the “new covenant” to be the Qumran community does not solve the problem. CD XIX,34 says of the apostates from the “new covenant” that they “departed from the well of living waters.” Davies notes, quite rightly, that the latter phrase recalls CD III,15–17 and VI,4, where we read of people who “dug a well of plentiful water” and where the well refers to the law.¹⁴ In the context of III,16 and VI,2–11, those who dug the well were those who studied the Torah, apparently under the direction or authority of an “interpreter of the law” (VI,7), to learn and then to practice the “hidden things [of the law] in which all Israel had gone astray” (III,14). But as VI,10–11 makes clear, this searching of the Torah refers to a time *before* the coming of the Teacher, and Davies himself acknowledges that the so-called “Well Midrash” of VI,2–11 is old and refers to a pre-Teacher movement.¹⁵ This strongly suggests that those who “departed from the well of living waters” in XIX,34 are either those who turned away from the original “new covenant” movement before the Teacher arrived or those who (in the eyes of the Qumran community) turned away from the “new covenant” by not following the Teacher (cf. 1QpHab II,1–4)

¹³ Ibid., 173.

¹⁴ Davies, *The Damascus Covenant*, 178–79.

¹⁵ Ibid., 122–24.

when he arrived, rather than apostates from the established Qumran community at a later time. Of course one could argue, as Davies does, that the Qumran community used the phrase “the well of living waters” in XIX,34 deliberately to establish continuity between itself and the original Damascus covenant.¹⁶ Then those who turned away from the well could be apostates from the Qumran community. Against this view, however, is the observation that passages in the Qumran literature that clearly refer to defection from the Teacher or from the community consistently accuse those apostates of not listening to or not believing the voice (words) of the Teacher (1QpHab II,2, 6–10; cf. V,10–12; CD XX:[28?], 32) rather than of turning away from the “well” or the like. Finally, there is one other difficulty with Davies’s reading. It requires us to accept that the regulation of CD XIX,33b–XX,1a meant that after the death of the Teacher, members of the Damascus covenant who had not yet joined the “new covenant” (=Qumran community for Davies) were not able to do so.¹⁷ There is some evidence, however, that admission to the Qumran community after the death of the Teacher was not only possible, but actually happened.¹⁸ In conclusion, then, CD XIX,33–34 seems to speak of a betrayal in the past, not of a reality or possibility in the present, and that interpretation is supported by XX,10–13, which also speaks of an apostasy as a past event.

All of these considerations lead me to believe that the usual reading that takes XIX,33b–XX,1a together as a unit is wrong. There is in these lines no exclusion of those who departed from the “new covenant” “from the day of the gathering in of the unique teacher until there

¹⁶ *Ibid.*, 178.

¹⁷ *Ibid.*, 180.

¹⁸ If “Israel” (or the “majority of Israel”) in 4QpNah (4Q169) 3–4 iii 5 refers to the Qumran community, as it very likely does (in an idealized sense; cf. 1QS V,22 [=4Q258 1 ii 2; 4Q261 1,2]; contrast 4Q397 14–21,7; cf. also Joseph Amoussine, “Éphraïm et Manassé dans le peshèr de Nahum (4 Q p Nahum),” *RevQ* 4 [1963] 394–95), then this passage foresees that in the end time the “simple people of Ephraim” will forsake those who misguided them and will join the Qumran community. The Nahum pesher is to be dated after 67 BC or 63 BC. Furthermore, if we may call on the archaeological evidence, that evidence indicates that in the early first century BC there was an influx of new members at Qumran (see Jerome Murphy-O’Connor, “Qumran, Khirbet,” *ABD* 5.591). If we date the death of the Teacher sometime in the last two decades of the second century BC, both the Nahum pesher and the influx of new members into the community after the Teacher’s death speak against Davies’s reading.

arise(s) the messiah(s) from Aaron and Israel.” How then should the text be read? Interestingly, Solomon Schechter, the original editor of CD, already provided the correct interpretation. Schechter punctuated XIX,33b–XX,1a thus:

So are all the men who entered in to the New ³⁴Covenant in the land of Damascus but they turned and committed treason and turned away from the spring of living waters. ³⁵‘They shall not be counted in the assembly of people, and in its writing they shall not be written.’ From the day when there was gathered in ^{20:1}the only teacher until there will arise the Anointed from Aaron and from Israel. And this is also the Law....¹⁹

Schechter puts a “full stop” between XIX,35b and XIX,35c and leaves the words, “From the day when there was gathered in the only teacher until there will arise the Anointed from Aaron and from Israel,” as an incomplete sentence. Although Schechter produced the *editio princeps* of CD, he has not been followed in this punctuation by anyone, perhaps because of the difficulty produced by the incomplete sentence; but I think that he was exactly right. I suggest that CD XIX,35c, “from the day (מיים) of the gathering in (האסף) of the unique teacher (מורה היחיד) {יור מורה} until (עד)...,” begins a new section. Support for this comes from XX,13b, where we have an almost identical new beginning of a section: “And from the day (ומיים) of the gathering in (האסף) of the unique teacher (יורה היחיד) until (עד) the end of all the men of war....” It is now necessary to establish this hypothesis.

2.3 The “New Covenant” in CD XIX,33–34 and XX,12

We noted above that there is a pattern of relationships between VIII,18c–19/XIX,32b–33a and XX,8b–10a. If we follow Schechter’s punctuation, that pattern of relationships continues in the lines that follow each section. I suggest that in XIX,33b–35b there is an *absolute* exclusion from the assembly of the people (without a point of expiration) of those who betrayed the “new covenant.” Likewise in XX,10b–13a, where the “companions” who turned back with the “men of mockery” and betrayed the “covenant and the pact...the new

¹⁹ Solomon Schechter, *Fragments of a Zadokite Work*. Volume 1 of *Documents of Jewish Sectaries* (2 volumes in 1; reprinted ed.; New York: Ktav Publishing House, 1970) 75.

covenant” are excluded (along with their families) from the “house of the law,” the exclusion is absolute, without expiration or any other qualification. Finally, if we continue with Schechter’s punctuation, a new section begins in XIX,35c: “From the day of the gathering in of the unique teacher until there arise(s) the messiah(s) from Aaron and from Israel.” Just so in XX,13b–15a a new section begins with “and from the day of the gathering in of the unique teacher until the end of all the men of war who turned back with the Man of the Lie, there will be about forty years.” Thus we have the following parallel structure in XIX,32b–XX,1a and XX,8b–15a:

XIX,32b–XX,1aXX,8b–15a

- | | |
|---|---|
| 1. “And like this judgment for all who despise...” + ך
(XIX,32b–33a/VIII,18c–19) | 1. “And like this judgment for all who despise...” + ך (XX,8b–9) |
| 2. stubbornness of heart
(XIX,33a/VIII,19) | 2. stubbornness of heart
(XX,9–10) |
| 3. exclusion from the community for those who betrayed the new covenant (XIX,33b–35b) | 3. exclusion from the community for those who despised the new covenant (XX,10b–13a) |
| 4. “From the day of the gathering in of the unique teacher until...”
(XIX,35c–XX,1a) | 4. “And from the day of the gathering in of the unique teacher until...” (XX,13b–15a) |

This pattern of relationships is not likely to be accidental. The formula הוה כמשפט הזה that begins both VIII,18c–19/XIX,32b–33a and XX,8b–10a appears elsewhere in CD (XII,21–22) as well as in 1QS (VIII,19) (cf. also 4Q493 12[?]) to introduce or conclude regulations regarding life and discipline in the covenant. These examples suggest that the regulations appeared in bodies of legislation that could exist independently or that could be incorporated into a larger context. It appears that VIII,18c–19/XIX,32b–33a was added directly to the admonition (as we saw, in order to provide a redactional link between the eschatological judgment of VII,9–VIII,18b/XIX,5b–32a and the judgment within the community that follows in VIII,20–21/XIX,33b–35b). To that was then added a new section, of which only

the beginning still remains (XIX,35c–XX,1a). By contrast, XX,8b–10a appears to have become part of the nucleus of an independent block of material in XX,1b–13a (more on this below).

Each of the three redactional links VIII,18c–19, XIX,32b–33a, and XX,8b–10a is followed by a statement relating to the “new covenant” (VIII,21b; XIX,33b–34; XX,10–12). It is clear, I think, what has happened. To the original section VII,9–VIII,18b, dealing with *eschatological* judgment, has been added a statement (via the redactional link of VIII,18c–19 and parallels) regarding *temporal* judgment within the community. This pronouncement of temporal judgment became necessary due to the betrayal (from the perspective of the later community) of some of the members of the “new covenant” who transferred loyalty to the teaching of the Man of the Lie. All three texts point to a betrayal. The pronouncement of judgment from within the community on traitors is very clear in XIX,33b–35b and XX,10b–13a. As for VIII,20–21a, the reference to “the word...that Elisha [spoke] to Gehazi his servant” has been explained (correctly, I think) as an allusion to a story of the betrayal of a master. The “word” of Elisha to Gehazi appears in 2 Kings 5:25–27 at the end of the Healing of Naaman (2 Kings 5:1–27), a story in which Gehazi betrays his master Elisha and as a result is afflicted with the leprosy of which Naaman was healed. As Davies puts it, the illustration is “by no means inapplicable to those who abandon the teachings of their master and incur the punishment of those with whom they wrongly have dealings.”²⁰ There is less consensus on identifying “the word that Jeremiah spoke to Baruch the son of Neriah” (also in CD VIII,20–21a). There seem to be two possibilities: Jer 36:5–7 or 45:4–5.²¹ In the former case the allusion would be to God’s anger; in the latter case the allusion would probably be to the coming of God’s judgment (perhaps with Baruch serving as an example of a survivor). Of these two options the latter seems preferable. A more adventurous hypothesis could see

²⁰ Davies, *The Damascus Covenant*, 171–72. Given the context this interpretation is preferable to others, such as Rabin, *The Zadokite Documents*, 36, who takes the allusion to 2 Kings 5:26 as referring to coming judgment (similarly, Schwarz, *Der erste Teil der Damaskusschrift*, 102 [p. 53: God’s wrath]), or Cothenet, “Le document de Damas,” 178, who sees in the allusion a critique of a spirit of lucre.

²¹ Schwarz, *Der erste Teil der Damaskusschrift*, 53, 102 (both texts). Rabin, *The Zadokite Documents*, 36; Cothenet, “Le document de Damas,” 178; and Davies, *The Damascus Covenant*, 172 (with reservations), opt for Jer 45:4–5.

a reference to the betrayal of the Teacher even in the allusion to Jer 45:4–5.²² In any case, taken together the two allusions appear to point to the betrayal of a teacher and perhaps to God’s anger and judgment against the traitors. That would fit perfectly the context of CD. The Scriptural allusion to the betrayal of a master corresponds to the betrayal of the Teacher.

I have suggested above that the term “new covenant” in CD and 1QpHab II,3 does not refer to the Qumran community but to its parent movement. Given the preceding literary analysis it is now possible and necessary to say something more about that point. Davies has argued that the phrase “and that is the new covenant” in CD XX,12 is a gloss from the Qumran community. He argues as follows: The original term to describe the covenant behind *D* was the “covenant in the land of Damascus” (rather than the “new covenant”). The original (pre-Teacher) condemnation of XX,11–12 was against “those who rejected the covenant that they established in the land of Damascus.” The followers of the Teacher could affirm this condemnation, because they considered themselves to be successors to (or members of) the Damascus covenant. They considered the condemnation insufficient, however, because the real issue for them was the acceptance or rejection of the “latter” directives of the Teacher, not the “former” ordinances of the covenant (cf. XX,8b–10a), which both the Qumran community and its parent movement affirmed. Therefore, to condemn those who believed that it was acceptable to reject the “latter” ordinances, the Qumran community added “and the pact.” Davies writes: “To condemn [those who rejected the “latter” ordinances] it was

²² In Jer 45:3 the prophet says to Baruch: “You [Baruch] say, ‘Woe is me! The LORD has added sorrow (גִּיּוֹן) to my pain (כְּאִיב); I am weary with my groaning (אֲנָחָה), and I find no rest.’” The words גִּיּוֹן and אֲנָחָה and כְּאִיב are prominent in the *hōdāyōt*. Particularly striking is 1QH^a XIII,7–13 [Suk. V,7–13], where the author (almost certainly the Teacher; see Jeremias, *Lehrer*, 171, 223) says that God has placed him among wild animals (his enemies) but that “you [God] heard my call in the bitterness of my soul, you regarded the outcry of my pain (גִּיּוֹן) in my groaning (אֲנָחָה)....” In the following hymn (also from the Teacher; Jeremias, *Lehrer*, 171, 240), he speaks of those who have turned against him (XIII,22–23, 26–28 [Suk. V,22–23, 26–28]). Their evil plotting is like “viper’s venom” and “serpent’s poison” (an allusion to Deut 32:33, as in CD VIII,9–10), which has become “an incurable pain (כְּאִיב)” (cf. Jer 15:18). To be sure, the words of Jer 45:3 are said to be Baruch’s, but they are spoken by Jeremiah. It is interesting to speculate whether a longer text behind CD VIII,20–21a may have contained reflection on the betrayal of the Teacher and the sorrow that it caused him.

necessary for some qualification to be introduced to the phrase ‘covenant in the land of Damascus,’ and hence the reason for the addition of אמונה [*sic*].”²³ In other words, the Qumran community believed that the traitors had not only betrayed the “covenant” (=Damascus covenant), but that they had also betrayed the pact (=Qumran community). Davies continues: “Apparently, however, even this qualification was not accepted as adequate, and the gloss והוא ברית החדשה” was added.²⁴ In other words, the “new covenant” enters in as a term that the Qumran community used for *itself* to distinguish itself from the parent movement that rejected the Teacher. Since Davies considers “and that is the new covenant” to be a gloss that modifies the “pact (that they established in the land of Damascus)” and that identifies that pact with the Qumran community, he is led to the conclusion that the Qumran community continued to identify itself with the “covenant in the land of Damascus,” but, since the parent movement also called itself that, the community designated itself as the “pact” and ultimately as the “new covenant (in the land of Damascus).”

Unfortunately I think that Davies has it backwards. I consider it more likely that the “new covenant” is the pre-Qumran parent movement rather than the Qumran community itself. In order to clarify the situation, it is helpful to make the following observations. First, as we shall see in Chapters 3 and 5, there is evidence that the community that eventually became the Qumran *yahad* went through an intermediate period. This intermediate period is visible, for example, in 4QMMT (*Miqṣat Ma‘aṣe Ha-Torah*). It was the period between the time when a group decided to separate itself from the temple and the time when this group became the fully established *yahad*. Another text that bears witness to this same period is CD VI,11b–VII,4a, and for our present purposes this is the more important text. This text speaks of a “covenant” whose members have resolved not to participate in the

²³ Davies, *The Damascus Covenant*, 186. The major editions of the Hebrew text (Schechter, *Fragments*, 100; Rabin, *The Zadokite Documents*, 39; Magen Broshi, *The Damascus Document Reconsidered* [Jerusalem: The Israel Exploration Society, 1992] 47; Lohse, *Die Texte aus Qumran*, 104) read אמונה, “pact.” (Davies himself prints the word thus on p. 262; cf. also p. 185 and lower on p. 186; by contrast אמונה=“faithfulness.”) Murphy-O’Connor, “A Literary Analysis of Damascus Document XIX, 33–XX, 34,” 550, reads האמונה as an adjective modifying ברית, hence: the “faithful covenant.”

²⁴ Davies, *The Damascus Covenant*, 176–78, 186.

temple cult.²⁵ As I show in Chapter 3, however, there are parts of *D* that bear witness to a group that apparently *did* allow participation in the temple. The discrepancy can be explained if we take CD VI, 11b–VII, 4a as coming from a group that adhered to the teaching of CD, but who then decided to boycott the temple.²⁶ That is confirmed by the fact that in VI, 19 the “covenant” group that decided to boycott the temple nonetheless confirms its allegiance to the halakah of “the new covenant in the land of Damascus,” that is, the halakah that is preserved in *D*.²⁷ That suggests that “the new covenant in the land of Damascus” (which I shall also call the “Damascus covenant”) was a group or movement that *preceded* the existence of the “covenant” that decided to boycott the temple; at the same time, that later “covenant” that decided to boycott the temple viewed itself as standing in continuity with the older “new covenant in the land of Damascus.” It also viewed itself as the true heir of the new covenant.

On this view of the matter, we can make good sense of CD XX, 10–12 without appeal to a gloss to explain the phrase, “and that is the new covenant,” in XX, 12. CD XX, 10b–11a says that “they [the men in XX, 8b–10a] shall be judged according to the judgment of their companions, who turned around with the men of mockery.” We have here three distinct groups of people: (1) As we have seen above, the men of XX, 8b–10a (the “they” of XX, 10b) are errant members of the Qumran community. They will be judged according to the judgment of (2) their companions (רעיהם), who turned around (שבו) with (3) the “men of mockery” (אנשי הלציון). As we shall see in Chapter 5, the “men of mockery” (group 3) are the followers of the “Scoffer,” the “Man of the Lie.” They advocated a halakah different from that of the Damascus covenant. It makes most sense if we take those who “turned around” with the “men of mockery” (group 2) as members of the pre-Qumran Damascus covenant who, at some point in time, betrayed the covenant by joining the “men of mockery” and by following the alternative halakah. The “they” of XX, 10 (group 1) are (later) members of the Qumran community who apostatize from the community; they are

²⁵ On this, see Chapter 3, pp. 116–17, especially n. 74.

²⁶ See Chapter 3, pp. 116–18.

²⁷ As Jerome Murphy-O'Connor has shown, the “memorandum” of CD VI, 11b–VII, 4a summarizes much of the legal section of *D*. For more on this and references, see Chapter 3, p. 116, especially n. 73.

condemned with the same punishment as those who apostatized from the pre-Qumran Damascus covenant.

That the reference to the “companions who turned around with the men of mockery” and who “despised the...new covenant” in XX,10c–12 is a reference to traitors of the pre-Qumran Damascus covenant rather than of the Qumran community itself is supported by three pieces of evidence. First, CD XX,13 passes the following judgment on this group: “And neither for them nor for their families [or clans: משפחותיהם] will there be a part in the house of the law.” As CD XV,5–6 and 1QS*a* I,8–10, 21 show, interest in “families” or “clans” presupposes a situation in which people are “enrolled” in the covenant according to “families” or “clans,” and where marriage is permitted. That is not the situation of the Qumran community, which was more individualistic: men entered the community as individuals without reference to “families” or “clans.”²⁸ Thus the judgment of CD XX,13 comes from an early point in the formation of the community that would eventually become Qumran, perhaps from the period of its inception, but not from the Qumran community itself. It passes judgment on those who betrayed the Damascus covenant (the “new covenant”) and excludes them from this community.

Second, the reference in CD XX,10c–11a to people who “turned around” (שבנו) with the men of mockery and who “despised...the new covenant” is reminiscent of XIX,33–34, which speaks of men who had entered the “new covenant in the land of Damascus” but then turned around (שבנו) and betrayed it and departed from the “well of living waters.” As we saw above, the “well” seems to refer to the pre-Qumran (and even pre-Teacher) Damascus covenant rather than to the Qumran community. Thus XIX,33–34 probably also refers to a betrayal in the pre-Qumran period, and that coheres well with our explanation of XX,10c–12 and XX,13.

Third, as we have seen, the community that eventually became Qumran seems to have gone through an intermediate period in which a group that boycotted the temple formed a covenant that was distinguishable from the “new covenant in the land of Damascus” but that also remained loyal to its teachings. Thus we have a “covenant” that stood simultaneously in continuity with and in discontinuity from

²⁸ The ליהד of 1QS*a* I,9 is either a verb (“to unite oneself” in the congregation) or an adverb (“together”) and so has nothing to do with the Qumran *yahad*.

the “new covenant.” In this light we can understand why “covenant” and “new covenant” stand together not only in CD VI,11b–VII,4a but also in XX,10c–12. The people who turned around with the men of mockery despised both the “covenant” and the “new covenant,” that is, the “pact” that they established in the land of Damascus. The “pact” that was established in the land of Damascus is the (pre-Qumran) “new covenant” itself. The usage of the word “pact” (אמנה) for a “covenant” in the post-exilic period is attested in Neh 10:1, and we may surmise that the members of the post-exilic Damascus covenant used the term for their (new) covenant. Thus the words והוא ברית החדשה in XX,12 are not a gloss, as Davies suggests, but rather an accurate naming of the “pact.” On the other hand, the “covenant” of XX,12 probably refers to the covenant of the group that eventually became Qumran.²⁹ The “companions” of XX,10, who are accused of having “turned away” with the “men of mockery” and thereby of having rejected the new covenant, are also accused of having rejected the “covenant.” Since the covenant that eventually became Qumran arose out of the “new covenant in the land of Damascus” and considered itself to be its true heir, those who did not join the “covenant” but who followed instead the men of mockery were viewed as traitors not only of the “covenant” but also of the “new covenant.”

We are presented with a similar situation in 1QpHab II,3–4 (if the usual reconstruction is correct). These lines, which are certainly written from the perspective of the Qumran community, condemn “those who betrayed the *new covenant* because they did not believe in the *covenant* of God.” If we take the “covenant” here as referring to the covenant of the (fully developed) *yahad*, then once again, as in CD XX,10c–12, the

²⁹ Alternatively, though perhaps less likely, the “covenant” of XX,12 could refer to the *content* of the Damascus covenant, so that the “covenant” and the “pact” would be approximately synonymous. Likewise, when CD XX,11 says that the traitors “spoke falsehood against the just regulations (חקי הצדק),” the term “just regulations” can be taken in two different ways. It may refer, as Davies argues, to the directives of the Teacher (cf. XX,32–33; 4QpIsa^c [4Q165] 1–2,3) (see Davies, *The Damascus Covenant*, 197). It is also possible, however, that it refers simply to the precepts of the Damascus covenant, which were also adopted by the community that eventually became Qumran. For example, 4Q266 11,7 mentions “disciplines of justice” (יסורי הצדק), which does not have to be taken to refer to the directives of the Teacher. The term probably refers to the precepts of the pre-Qumran parent movement. The *yahad* later adopted the term (1QS III,1).

point is that those who rejected the covenant of the community were also viewed as traitors of the “new covenant.” The close connection between the terms “new covenant” and “betrayal” in 1QpHab II,3 is reminiscent of CD XIX,33–34. Indeed, given the exegetical background in Hab 1:5 for the theme of “betrayal” in 1QpHab II,1–10, it is possible that a community tradition of exegesis also lies in the background of CD XIX,33–34. Those who betrayed the pre-Qumran “new covenant” by “turning around” (with the men of mockery?) are excluded from the “assembly of the people” and are not to be inscribed in its register. In other words, they will have no part in the covenant of the community. Thus we have in 1QpHab II,3–4 the same kind of continuity alongside of discontinuity that we have in CD XX,10c–12.

Thus I agree with Davies that the Qumran community viewed itself as in continuity with its parent movement, and that the community also found it necessary to distinguish itself from the parent movement. I think that the referents of the terms “covenant” and “new covenant” in CD XX,12 are, however, exactly opposite to that proposed by Davies. The “new covenant” is the parent movement. The “covenant” is the group that rose out of the “new covenant” and that eventually became the Qumran community.³⁰ Another observation gives further support for this contention. In the DSS the term “new covenant” is always used to refer to an entity in the past tense, never in the present tense.³¹ Moreover, the Qumran community *never* identifies itself as the “new covenant” in texts where it unambiguously refers to itself. It uses instead the (absolute) term “covenant” (cf. 1QS II,26; V,5; VIII,16; and *passim*). That strongly supports the hypothesis that the “new covenant” is the parent movement of the Qumran community, not the Qumran community itself. If the Qumran community emerged out of a split in the “new covenant,” as will be argued in Chapter 5, then we can understand why the community may have chosen for itself a new name, calling itself the “covenant” rather than the “new covenant.” With the words *והוא ברית החדשה* (“and that is the new covenant”) in XX,12 the Qumran community (or rather the community that eventually became Qumran) designates its parent movement (the original “pact”) as the “new covenant,” thereby distinguishing the parent movement from itself. At the same time it considers itself to be true continuation of that

³⁰ But see n. 29.

³¹ This point is also made by Stegemann, *Entstehung*, 182–83.

covenant.³² Why the parent movement of the Qumran covenant was called the “new covenant” is a question that I shall address in Chapters 3 and 4.

Before we conclude this discussion, there is only one other question that needs to be treated. Was the betrayal of the new covenant the same as the betrayal of the Teacher of Righteousness? As we saw above, CD VIII,20–21 would seem to suggest that they were indeed one and the same, if we take the reference to the word of Elisha in VIII,20 as an allusion to the betrayal of a master. Moreover, there are a number of texts that indicate that the Teacher of Righteousness was in fact betrayed by some of his own followers. 1QpHab V,9–12 speaks of a confrontation between the Teacher and the Man of the Lie. The “House of Absalom” is accused of not supporting the Teacher when he was rebuked by the Man of the Lie. In the *peshet* the House of Absalom is the interpretation of the “traitors” (בוגרים) of Hab 1:13. That suggests that the House of Absalom consists of members of the community who should have supported the Teacher but did not do so. Did they betray the Teacher and support the Man of the Lie instead? That is suggested by 1QH^a XIII,22–26 [Suk. V,22–26] and XIV,19 [Suk. VI,19] (cf. also 1QH^a 4,8), where the Teacher complains about members of his covenant who have turned against him or who have been “enticed away,” and perhaps also by XII,9–10 [Suk. IV,9–10].

On the other hand, it should be pointed out that there is no reference (at least no direct reference) to the Teacher in CD XX,10c–12,³³ nor is

³² Davies’s explanation of the term “new covenant” in CD XX,12 on the basis of his position leads to a confusing state of affairs. He writes (*The Damascus Covenant*, 177): “If the qualification ‘new’ was introduced here *after* the condemnation was formulated, then it originally condemned those *who had entered the ‘Damascus’ covenant*; in other words, it was directed against all those members of the community who refused to accept the Teacher, and only after the Teacher’s adherents had acknowledged themselves as members of a ‘new covenant’ was the word ‘new’ inserted into the text. If this is the case, those condemned had not ‘entered a new covenant’ at all. As the text now stands, however, the phrase ‘new covenant’ suggests, probably wrongly, *that those condemned had once been members of the Teacher’s community.*” This confusing state of things results only if one assumes that the “new covenant”=the Teacher’s community. But the consistency with which the formula “to enter the new covenant” is used in CD (VI,19; VIII,21b; XIX,33–34) indicates that it was a well-known formula and applied to those who had indeed entered a “new covenant,” namely, the pre-Qumran movement.

³³ But see n. 29 on the possibility that the “just regulations” of XX,11 are the directives of the Teacher.

the word “betrayal” used. The “despising” of the covenant and the new covenant might just as well refer to people who simply left the new covenant as to people who specifically betrayed the Teacher. There is no reference either to the Teacher or to the Man of the Lie in XIX,33–34. Moreover, as mentioned above, since the “well” of XIX,34 refers to a pre-Teacher covenant, the betrayal of the well does not necessarily have to have coincided with the betrayal of the Teacher. 1QpHab II,1–4 does set side-by-side the “traitors with the Man of the Lie” and the traitors of the new covenant. We cannot necessarily assume, however, that these two betrayals are the same.³⁴ It must be

³⁴ 1QpHab II,1–10a interprets Hab 1:5, which speaks of betrayal, three times: first, of the traitors with the Man of the Lie; second, of the traitors of the new covenant (if that is the correct reconstruction); and third, of the traitors in the last days. Although certainty is not possible, I contend that these are references to three different groups of people (contrast Stegemann, *Entstehung*, 55–69, who takes all three references as applying to one group; Jeremias, *Lehrer*, 79–82, 119, argues that there are three groups here, but their identities are quite different from those proposed here; see also his references on p. 80 to other proposals, which again differ from the one presented here; Maurya P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* [CBQMS 8; Washington D.C.: The Catholic Biblical Association of America, 1979] 24–25, also considers there to be more than one group here).

The first reference is probably to persons who betrayed the Teacher by joining the Man of the Lie, who rejected the Teacher’s instruction on the law. That there was such a group is clear from 1QpHab V,9–12. There is, however, another possible interpretation of the first reference. The author of the *peshar* is interpreting Hab 1:5, which speaks of “traitors” who will not “believe” what is happening in “[their] days.” When 1QpHab II,1–2 says that the “traitors with the Man of the Lie” “did not believe the words of the Teacher of Righteousness from the mouth of God,” the reference is not necessarily to rejection of or disbelief in the legal instruction of the Teacher in favor of that of the Man of the Lie. The reference could be to disbelief in the Teacher’s “words” in the sense of disbelief that the traitors will be destroyed, as in CD I,11–12, which says that the Teacher of Righteousness made known to the last generations what he (God) did to the last generation, that is, that he would destroy them (CD I,21–II,1; cf. also 1QpHab VII,1). In other words, the traitors with the Man of the Lie in 1QpHab II,1–2 could be a reference to men over several generations who adhered to the teaching of the Man of the Lie (and who were not necessarily contemporaries of him) and who were destined to be destroyed. Similarly in CD XX,13–14 there is reference to the “men of war” who “turned” with the Man of the Lie. Clearly these men belong to the last generation, immediately before the destruction of the wicked, so that their being “with” the Man of the Lie does not refer to simultaneous existence but to their allegiance to him. Against this interpretation, however, stands the fact that the third group in 1QpHab II,5–10a (the traitors of the last days who will not believe when they hear what is going to come upon the last generation) fits such a reference better than does the first group.

considered at least possible that the betrayal of the new covenant and the betrayal of the Teacher were two different events. In this respect it should be pointed out that there is no necessary connection between CD VIII,20–21a (which implies betrayal of the Teacher) and VIII,21b (reference to the new covenant), as the absence of the former in XIX,33b–35b shows, although such a connection is certainly not excluded.

On the whole I consider it most likely that the betrayal of the new covenant and the betrayal of the Teacher were the same event. I shall develop this point further in Chapter 5. It is very important, however, that we be very precise in describing this betrayal. As we have seen, CD XIX,33b–35b is parallel to XX,10b–13a. Since the “well of living waters” in XIX,34 refers to the pre-Qumran Damascus covenant, we can say only that the betrayal spoken of here is a betrayal that happened in the Damascus covenant. But as we have seen, XX,10b–13a comes from the early period of community formation, when judgment was passed on those who had betrayed the Damascus covenant; they were to be excluded from the community that eventually became Qumran. Thus CD XX,10b–13a indicates that the betrayal of the new covenant happened in the pre-*yahad* period. Putting these texts together, we can say that a betrayal of the new covenant happened in the period before the rise of the *yahad* as such, and that this betrayal may also have been a betrayal of the Teacher.

In both XIX,33b–35b and XX,10b–13a, then, we have parallel condemnations from the Qumran community (or from the community that became Qumran) against those who betrayed or turned away from

Thus it is more likely that the first group (1QpHab II,1–2) refers to traitors who rejected the Teacher, while the third group (lines 5–10a) refers to followers of the teaching of the Man of the Lie in subsequent generations.

By contrast, the second group (lines 3–4) could be traitors of the new covenant before the arrival of the Teacher in the *yahad*. The Damascus (new) covenant was a pre-Teacher movement (CD VI,2b–11a), and the betrayal of the new covenant could have happened before the arrival of the Teacher. They would be people who turned away from the Damascus covenant to follow the proto-Pharisaic halakah, and did not join the *yahad*. By their betrayal of the Damascus covenant, they also rejected the covenant of God, which (from the perspective of the Qumran community) came to be embodied in the *yahad*, while it also stood in continuity with the Damascus covenant.

the “new covenant” (the pre-Qumran Damascus covenant).³⁵ The reference to the men who betrayed “the new covenant in the land of Damascus” in XIX,33b–35b (cf. VIII,21b) (along with the redactional link in VIII,18c–19/XIX,32b–33a) is probably the first addition that was made to CD after VIII,18b/XIX,32a and is therefore likely to be relatively old.³⁶ The evidence for this statement is as follows. First, the A text in VIII,20–21 shows statements on betrayal as the only addition after VIII,19 (unlike CD XX, which has a further addition in XX,1b–8a before XX,8b–10a and XX,10b–13a). Second, the “judgment” of XX,8b–10a seems to presuppose that of XX,10b–13a (which, as I have argued, is parallel to VIII,20–21/XIX,33b–35b). That is, “those who despise, whether the first [members] or the latter [members]” (or “those who despise the former and the latter [precepts]”) in XX,8b–10a are said to receive the same judgment as their “companions” who betrayed the “new covenant,” namely, exclusion from the “house of the law,” which probably means exclusion from the community (either the Qumran community or the community that eventually became Qumran). That implies that the punishment of exclusion for the traitors of the new covenant in XX,10b–13a was already in place when XX,8b–10a was written. This is confirmed by XIX,33b–35b, where the

³⁵ Here we may recall Davies’s point (*The Damascus Covenant*, 149) that, whereas VII,9/XIX,5–6 warns only those who “reject” the precepts of the covenant, VIII,19/XIX,32–33 warns those who “reject and forsake” them. Davies argues that the former warning applied to those who heard the precepts of the covenant and rejected them, but who never actually joined the covenant, while the latter applied to apostates, that is, those who once joined the covenant but then forsook it. Davies’s observation on the difference between the two is helpful. The present literary analysis, however, would suggest a slightly different explanation: the warning of VII,9/XIX,5–6 applied to those who joined the Damascus covenant but then were unfaithful to it (cf. Lev 26:14–16), while the warning of VIII,19/XIX,32–33 applied to those who were members of the Damascus covenant but then abandoned it through betrayal by following the men of mockery; they were to be excluded from the community that became Qumran.

³⁶ Just as CD XX,8b–10a seems to represent a later formulation of XIX,32b–33a, so XX,10b–13a probably represents a later formulation of XIX,33b–35b. The men of XX,11–12 are accused of despising both the covenant and the new covenant. This probably comes from a time when the covenant of the community was established and the epithet, “men of mockery,” had been applied to the opponents. Thus, while XX,8b–13a is parallel to XIX,32b–35b, the latter comes from an earlier period. The former is written on the basis of the latter, reflects the further precision of the Qumran community, and contributed to the formation of the block of material in XX,1b–13a.

penalty for the traitors of the new covenant is that “they will not be counted in the assembly of the people, they will not be inscribed in the register,” very similar to XX,10b–13a. Third, while the judgment of XX,10b–13a applies to both the traitors and “their families” (or “their clans”) (משפחותיהם)—they are both excluded from the “house of the law”—the judgment of XX,8b–10a does not mention any families (or clans). This is further evidence that XX,8b–10a comes from the Qumran community, where, as we saw above, “families” or “clans” were not a concern (or were at least less of a concern), and that XX,8b–10a is very likely from a later date than XX,10b–13a. In effect XX,8b–10a says that those who ostensibly belong to the Qumran community—they are physically members of the community but actually (perhaps secretly) reject the covenant (cf. 1QS II,25–III,3 [כל המואס])³⁷—will suffer the same fate as those who (openly) rejected the covenant of the community at the very beginning of its formation by betraying the new covenant (XX,10b–13a).

If VIII,21b/XIX,33b–35b was indeed the first addition to CD after VIII,18c–19/XIX,32b–33a and is old, then it is further support for the hypothesis that the “new covenant” of XIX,33–34 and XX,12 is not the Qumran community but its parent movement. The material in VIII,21b/XIX,33b–35b (and XX,10b–13a) represents early legislation (earlier than XX,1b–8a and XX,8b–10a) that passed judgment on those who (in the view of the Qumran community) betrayed the “new covenant” by their initial betrayal of the Damascus covenant,³⁸ not on those who later apostatized from the Qumran community itself. And this helps to solve the puzzle of XIX,33b–XX,1a. The time period established by XIX,35c–XX,1a has nothing to do with an exclusion of apostates from the Qumran community “from the death of the Teacher until the coming of the messiah(s).” Rather XIX,33b–35b (taken by itself) refers to traitors who betrayed the Damascus covenant already at or even before the *beginning* of the Teacher’s ministry (VIII,20–21a suggests that it happened at the beginning of his ministry), probably

³⁷ Davies, *The Damascus Covenant*, 184, points out that CD XX,8b–10a alludes to Ezek 14:1–8, where God threatens with destruction certain elders of Israel who appear to be faithful to God but actually continue to venerate idols “in their hearts.”

³⁸ In VIII,20–21a there is an additional (possibly later) judgment on those who betrayed the Teacher. It may have entered the text in connection with VIII,18c–19, a judgment rendered from the perspective of the later Qumran community. On the relationship between VIII,20–21a and VIII,21b, see above.

decades before his death, while XIX,35c–XX,1a begins what was originally a new section, parallel to XX,13b–15a.

2.4 *The Origins and Function of CD XX,1b–8a, 13b–34*

It was suggested above that CD XX,8b–10a, along with XX,10b–13a and XX,1b–8a, became the nucleus of a new block of material. The latter passage may have been at one time an independent piece dealing with community discipline. Its affinity with the *Rule of the Community* has frequently been noted.³⁹ What has usually been missed, however, is that this piece itself appears to be composite. It starts in XX,1b with the now familiar formula, “thus is the judgment for,” but here the category is “all those who enter the congregation of the men of perfect holiness and are loathe to do the instructions of the upright.” But within the remainder of this section there are two different consequences given for such a man “when his deeds become evident” (XX,3, 6). The first, in XX,3b–6a, is that he is temporarily expelled from the congregation but is allowed to return at a later time. The second, in XX,6b–8a, seems to imply permanent expulsion, since its prohibition of association with the wealth and work of the excluded man agrees with 1QS VIII,23, which occurs in a section of the *Rule of the Community* dealing with those who are permanently excluded from the community. The two different disciplines probably come from two different times. This hypothesis is supported by a comparison of this passage with 1QS VIII,16b–IX,2. According to VIII,16b–19, a man who “insolently (ביד רמה) shuns any of the commandments” is to be excluded from the “pure food” and the counsel of the “men of holiness” until his deeds have been purified, at which time he may be restored to full membership. By contrast, in VIII,20–IX,2 a “man of perfect holiness” who “transgresses a word of the law of Moses,” whether insolently (ביד רמה) or through carelessness, is to be excluded forever, and the men of holiness are not to associate with his wealth or counsel (cf. CD XX,7). Only if he transgressed through oversight can he be restored. It seems likely that in both 1QS and CD the more lenient discipline is the earlier. The

³⁹ See Murphy-O’Connor, “A Literary Analysis of Damascus Document XIX, 33–XX, 34,” 553, and references there.

evidence is that CD X,3, whose halakah is probably old,⁴⁰ knows the same kind of lenient punishment—with the possibility of return—as we find in 1QS VIII,16b–19 and CD XX,3b–6a. It appears that 1QS VIII,16b–19 comes from a very early period in the community. The stricter discipline of the men of perfect holiness that we find in 1QS VIII,20–IX,2 comes from a somewhat later time when the community was preparing for the move to the desert (cf. 1QS VIII,10 with VIII,25–26).⁴¹ This view of the situation also makes sense of the composite nature of CD XX,1b–8a. In the original piece the introduction of the new category of offenders (“and thus is the judgment for all...”) in XX,1b–3a continued immediately with the lenient discipline (XX,3b–6a). The stricter discipline (XX,6b–8a) was simply added on at a later time without the removal of the earlier, more lenient discipline (cf. similarly 1QS VIII,16a–19 + VIII,20–IX,2). If XX,1b–8a in its final form comes from about the time that the community was preparing to move to the desert, then it was probably joined to XX,8b–10a and XX,10b–13a after the latter texts had already been composed (see my literary stratigraphy in Chapter 10).

Both XIX,35b and XX,13a are followed by the words “from the day of the gathering in of the unique teacher until...” (XIX,35c–XX,1a and XX,13b–15a). I have argued above that XIX,35c–XX,1a is not to be read with what goes before it but, following Schechter’s punctuation, as a fragmentary beginning of a new section. The sentence is incomplete; it appears to have been truncated and the separate block of material in XX,1b–13a attached to it. I also suggested above that XIX,35c–XX,1a and XX,13b–15a represent originally parallel material,

⁴⁰ On the antiquity of the halakah in *D*, see Chapters 3 (p. 108) and 4 (pp. 221, 227).

⁴¹ Thus I concur with Murphy-O’Connor, “A Literary Analysis of Damascus Document XIX, 33–XX, 34,” 553, and idem, “La genèse littéraire de la Règle de la Communauté,” *RB* 76 (1969) 533, in assigning CD XX,1b–8a to an early period in the community’s history (corresponding to what he calls “Stage 2” of 1QS). However, as Murphy-O’Connor assigns 1QS VIII,16b–19 and VIII,20–IX,2 to two different periods within Stage 2, so also CD XX,1b–6a and XX,6b–8a should be assigned to the same two periods within the same stage. (It is not clear to me, however, that Murphy-O’Connor has correctly related his Stage 1 and Stage 2, or that the texts that he assigns to Stage 2 presuppose the move to the desert [“La genèse littéraire,” 549]. Of course, I also disagree with his late dating [early 1st century BC] of the whole of what he calls the *Grundschrift* of CD XIX,33–XX,34 [“A Literary Analysis,” 555–56]. CD XIX,33b–35b [with XIX,32b–33a], in any case, must be earlier than that. CD XX,1b–13a is probably also old.)

both of them beginning new sections. The question must be asked: If XIX,35c–XX,1a is to be read as the fragmentary beginning of a new section, then what exactly did these lines introduce?

It seems to me that there are two possibilities. The first is that XIX,35c–XX,1a, like XX,13b–15a, introduced material that contained chronological data. The latter text states that “from the day of the gathering in of the unique teacher until the end of the men of war...are approximately forty years.” Possibly what came after XIX,35c–XX,1a was similar. More likely, however, is that XIX,35c–XX,1a introduced a passage on how the community was to regulate itself after the death of the Teacher until the coming of the messiah(s). The support for this hypothesis is threefold. First, since the materials examined heretofore concerning judgment in the community *before* the death of the Teacher in CD XIX–XX are clearly secondary, it is *a priori* likely that the community will have added further material to the document to address the question of how the community was to live without his guidance *after* his death. Second, it appears that the material following XX,13b–15a (parallel to XIX,35c–XX,1a) treats precisely this question, and that suggests that material after XX,1a may have done the same. CD XX,15b–16a speaks of a time of God’s wrath against Israel when “there is no king, no prince, no judge, and no one to reprove in righteousness (בצדק).” The first part of the quoted material (“there is no king, no prince”) comes from Hos 3:4, but the second part (“no judge, and no one to reprove in righteousness”) is a deliberate replacement by the author of CD for the text in Hosea, which reads, “and no sacrifice and no pillar and no ephod and teraphim.” This modification of the quotation of Hosea almost certainly points to the situation after the death of the Teacher. In his absence there is no longer anyone to “reprove in righteousness.” In XX,17b there is an allusion to Isa 59:20 (“those who have turned from the sin of Jacob”). The author does not quote the next verse (Isa 59:21), but he may have it in mind. Isaiah 59:21 reads: “And as for me, this is my covenant with them, says the LORD: my spirit that is upon you, and my words that I have put in your mouth, will not depart out of your mouth....” The author next quotes Mal 3:16, which says, “they will then speak, each to his fellow,” and then the author continues, “each one acting justly with his brother, to steady their steps in the way of God.” The implication of setting these texts from Isaiah and Malachi together is that, in the absence of the Teacher, the men of the (covenant) community will have to reproach each other with the words of the Teacher, which are not to depart from

their mouths.⁴² Finally, a third indication that community discipline in the absence of the Teacher was the original concern of a section beginning in XIX,35c–XX,1a is that in CD XII,23–XIII,1 and XIV,19 we find statements to the effect that the precepts that CD lays down are to be valid “until there arise(s) the messiah(s) of Aaron and Israel.” These lines point to a concern on the part of the community (probably even before the coming of the Teacher) to ensure that the regulations remained in effect until the coming of the messiah(s) (cf. 1QS IX,10–11).⁴³ Even after the coming of the Teacher we find the same concern (CD XX,31–33). Indeed it is possible that this concern led to disputes over the Teacher’s authority. If the community had long believed that its halakah would remain in effect until the messianic age, then any apparent change in that halakah that the Teacher may have introduced or that at least may have been associated with the Teacher will have been a source of contention.⁴⁴ Since this concern is also found in XX,27–34, in a section following XX,13b–15a (which is parallel to XIX,35c–XX,1a), it is not implausible that a discussion of this problem in the period from the death of the Teacher “until there arise(s) the messiah(s) from Aaron and from Israel” originally followed upon XIX,35c–XX,1a also.

I would suggest, then, that in an older source XX,1a was followed by material similar to that in XX,15b–22a about how the community was to be regulated after the death of the Teacher. This material was truncated because the similar material was already present in XX,15b–22a, which had already been attached to the block of material in XX,1b–15a. The whole of XX,1b–22a was then attached to XX,1a.

⁴² Cf. Davies, *The Damascus Covenant*, 186–89.

⁴³ Note that CD XIX,10–11 sets the coming of the messiah(s) as the time for the destruction of the wicked, that is, of those who reject the precepts of the covenant. If we consider XIX,35c–XX,1a and XX,13b–15a to be parallel units, then taken together they also suggest that the coming of the messiah(s) and the destruction of the wicked coincide. That supports the view presented here that there was a concern that the precepts remain in effect until the coming of the messiah(s).

⁴⁴ This would especially be true if the movement believed from an early time that the coming of the Teacher would more or less coincide with the coming of the messiah(s), as may be suggested by 1QS IX,10 (if prophet=Teacher) and CD VI,10–11. The chronological gap between the coming of the historical Teacher and the expected time of the end (which even after his death was set 40 years in the future: CD XX,13–15) may have cast doubt on the authority of the Teacher in the minds of some.

The material that follows in XX,22b–34 (with a few more lines attested in 4QD^a [4Q266] 4,9–13) requires only brief discussion for our purposes. There is mention of a “House of Peleg,” perhaps analogous to the “House of Peleg” and the “wicked of Judah” in 4QpNah 3–4 iv 1 (but the “House of Peleg” in 4QpNah 3–4 iv 1 must be understood in the sense of opponents of the *Qumran* community, whereas in CD XX,22 we may have to do simply with opponents of the Damascus covenant at an earlier period).⁴⁵ In CD XX,22–25a, however, we seem to have to do either with those who “left” the “House of Peleg” or with only a sub-group “within” the “House of Peleg” (cf. the מן in פלג) rather than with the “House of Peleg” as a monolithic group. Their identity is not clear, but possibly they are people who had once joined the Damascus covenant but then reverted back (“again,” ערר) to the ways of mainstream Jewish society (thus causing “division,” פלג), not in all respects, but in some (or small: מעישים) things, thus defiling the temple.⁴⁶ Their status is uncertain, and they will be judged individually in the holy council of the community.⁴⁷ That is to say, if they should seek admission into the community, their application will be decided

⁴⁵ This reuse of the term “House of Peleg” would then be similar to the reuse of the cipher “Ephraim,” which was first used for apostates from the Damascus covenant (e.g., CD VII,12–13) and then was later applied to the opponents of the *Qumran* community (e.g., 4QpNah [4Q169] 3–4 ii 2; 4QpPs^a [4Q171] 1–2 ii 17).

⁴⁶ Davies, *The Damascus Covenant*, 191–92, objects that if the “House of Peleg” left the holy city of Jerusalem, then they cannot have defiled the Jerusalem temple afterwards. He also says that “to accuse the ‘house of Peleg’ of defiling the sanctuary and then ‘returning to the way of the people in *small matters*’ moves from the sublime to the ridiculous,” and so he argues that the charge of defilement cannot be against the “House of Peleg.” But (against Davies) the leaving of the holy city could refer either to the initial departure of the faithful remnant from Judah/Jerusalem (cf. CD IV,3; VI,5) at the time of Israel’s unfaithfulness (cf. CD I,3), that is, at the exile (after which they returned to Judah and so were once again in a position to defile the temple), or (at a later time) to an initial separation from Jerusalem followed by a return there. As for the charge of “returning to the way of the people” appearing after the accusation of defilement of the temple, it can be understood epexegetically: it explains *how* they defiled the temple (contra Stegemann, *Entstehung*, 180).

⁴⁷ Contra Murphy-O’Connor, “A Literary Analysis of Damascus Document XIX, 33–XX, 34,” 557, who argues that the group of XX,22–24 is the same as the group of XX,25–27. He says that both groups are equally guilty and assumes that the same punishment applies to both, but that is clearly not the case.

on a case-by-case basis,⁴⁸ as the rules in 1QS prescribe.⁴⁹ I suggest that the people belonging to this category may be like those mentioned in 4QD^a (4Q266) 5 i 10–15, if Baumgarten’s reconstruction of these lines is correct. Comparison with 4QD^b (4Q267) 5 ii 3 suggests that Baumgarten is correct to conjecture here an allusion to Jer 11:9, which speaks of a “conspiracy among the people of Judah and the inhabitants of Jerusalem” to “return to the sins of the fathers.”⁵⁰ In that case, we have in 4Q266 5 i 10–15 reference to a group accused of reverting to the sins of mainstream Jewish society. These people are to be admitted (by the overseer) “each according to his spirit” (4Q266 5 i 13). As 1QS IX,15 shows (cf. also 1QS VI,13–23), the statement in CD XX,24–25a that “they will be judged in the holy council, each according to his spirit” also probably refers to admission (in 1QS IX,15 admission happens on the authority of the overseer). Also similar to CD XX,24 is that the people of 4Q266 5 i 10–15, if the reconstruction is correct, appear to have, or to be suspected of having, returned to some of the practices of mainstream Jewish society. In both CD XX,24–25a and 4Q266 5 i 10–15, then, we may have legislation from the very beginning of the community that would become Qumran, when a decision on admission had to be rendered on those who were suspected of infidelity to the covenant. It had to be decided whether those who were suspected of defiling the temple in the past could be accepted into the community.

Finally, in XX,25b–27a there is a condemnation of those who enter the covenant but then transgress the law. Here we are dealing once again with cases of clear apostasy and the eschatological judgment that awaits it. In XX,27b–34 there is a promise that those who remain steadfast in the teachings of the community will see salvation. Although it now seems clear from 4QD^a (4Q266) 4,9–13 that a few more lines followed CD XX,34, this last section (CD XX,25b–34) makes a very fitting closure to the admonition, since it has links both with the laws to follow (cf. CD XX,27, *במשפטים*) and with what has come before in the admonition (cf. CD VI,11b–VII,4a; VII,4b–6a; VIII,1b–3).

⁴⁸ Note that in CD V,15 there seems to be the idea of “degrees” of guilt in transgression, which might suggest that an initial decision for admission might be made, even if there was evidence of transgression, if it was believed that the candidate would be able to overcome his transgression.

⁴⁹ See further Davies, *The Damascus Covenant*, 190–94.

⁵⁰ Joseph M. Baumgarten, DJD 18.47–48, 101.

Although XX,28–33a is probably a Qumran interpolation, since it includes both the “first ordinances” of the Damascus covenant and the directives of the Teacher in the criteria of judgment, XX,27b, 33b–34 are likely original to the admonition.

2.5 Conclusion

This second part of our literary analysis offers a reading of XIX,32b–XX,34 that coheres very well with what we have found in the literary analysis of XIX,1–32a in Chapter 1. As we saw there, the unifying theme of XIX,5b–32a (with VII,9–VIII,18b) is the consequences that face those who betray the covenant (based on Lev 26). That section deals with *eschatological* judgment. To this has been added material (beginning in XIX,32b/VIII,18c and running through XX,25a) that also deals with betrayal and its consequences. Here, however, it is a matter of *temporal judgment within* the Qumran community. Betrayal now is defined (from the perspective of the Qumran community) not simply as turning aside from the covenant, but as a specific act of betrayal of the Damascus covenant. That is, those who betrayed the Damascus covenant by turning away with the men of mockery cannot be included in the community (XIX,33b–35b/XX,10b–13a). The material in XX,8b–10a deals with the problem of “secret” betrayal, that is, those who ostensibly belong to the Qumran community but who secretly despise its precepts. The material in XX,1b–8a does not deal with betrayal as such, but with those who lapse within the community. The material in XX,13b–22a deals with the problem of how the community is to live after the death of the Teacher. A reminiscence of the same topic is preserved fragmentarily in XX,1a. The material in XX,22b–25a contains additional directives dealing with community discipline. In XX,25b–34 there is a final statement about eschatological judgment.

We have been able to reach this new insight into the structure of CD XIX,32b–XX,34 by following Schechter’s punctuation of XIX,33b–XX,1a. That punctuation also enables us to solve the puzzle raised at the beginning of the chapter: Why would the Qumran community at the time of the Teacher’s death have been concerned about the “new covenant”? Specifically, why would it have been concerned about traitors of the “new covenant” when it had already defined that entity as other than itself many years earlier? Furthermore,

why would the community here allow the readmission of apostates at the coming of the messiah(s) when elsewhere that point in time marks their destruction (CD XIX,10–11) and when elsewhere the *eschaton* marks the *end* of the period of admission to the community (CD IV,10–12)? And finally, why would we have a statement blocking admission to the community after the death of the Teacher when elsewhere there is evidence that people could and did join the community after that point in time? These problems disappear if we start a new sentence at XIX,35c. Such a division also makes better sense of the redactional seams within XIX,32–XX,15 as a whole, once we appreciate the parallelism between XIX,32b–33a and XX,8b–10a; XIX,33b–35b and XX,10b–13a; and XIX,35c–XX,1a and XX,13b–15a. When we pay attention to these redactional seams we see that XIX,35c–XX,1a has nothing to do with a time period in which admission to the community is blocked. Rather XIX,33b–35b speaks about temporal judgment within the community. It has been added to the preceding material (XIX,5b–32a=VII,9–VIII,18b) that spoke about eschatological judgment through the redactional addition of XIX,32b–33a (=VIII,18c–19). We thus gain a coherent reading of the whole of XIX,5b–35b. A new section (truncated in the present form of the text) began in XIX,35c–XX,1a; it probably dealt originally with community discipline.⁵¹

⁵¹ The present literary analysis differs in many and important ways from that of Stegemann, *Entstehung*, 170–78. I wish to present what seem to me the primary problems with Stegemann’s analysis. He takes the ׀ of XIX,33 to be secondary, so that the judgment of XIX,32–33 is about Jews in general and not about apostates from the community as in XIX,33–35. That is to say, the ׀ provides an artificial connection between XIX,32–33 and XIX,33–35 (pp. 172–73). Stegemann takes the people of XIX,32–33 and XX,8–10 to be the same group, namely, those who never joined the community (pp. 170–71, 173, 175). He argues that the same judgment could hardly be made against those who never joined the community (XX,8–10) and those who betrayed it (XX,10–13). Therefore XX,8–10 must be secondary, and the “they” in XX,10 who will be judged like their “companions” in XX,10–13 are not the people of XX,8–10 but those of XX,1–8. The men of XX,1–8 are excluded from the community like the men of XX,10–13 (p. 175). Furthermore, the men of XX,10–13 are identical to those of XIX,33–35. The difference is that the men of XIX,33–35 betrayed the new covenant without joining the Man of the Lie, while the men of XX,10–13 did join him. The men of XIX,33–35 have nothing to do with the Man of the Lie and are excluded only temporarily, like the men of XX,1–8. Those who joined the Man of the Lie are identical with the “builders of the wall” in XIX,31–32. This identification would be impossible were the ׀ of XIX,33 original, since that would mean that the people of

XIX,33–XX,1 would be different from those of XIX,31–32 (p. 176), that is, XIX,33–XX,1 would serve as an illustration for the judgment made in XIX,32–33 rather than the one made in XIX,31–32 (XIX,32–33 is assumed to be secondary [p. 171], so that an original connection between XIX,33–XX,1 and XIX,31–32 is possible). CD XX,10–13 serves to ensure that the men of XX,1–8 are excluded with the same rigor as those of XIX,33–XX,1. But XX,13–15 reverses the temporary exclusion of XIX,35–XX,1: now the traitors of the new covenant will be destroyed (pp. 177–78).

There are a number of problems with this analysis. (1) The ן of XIX,33 is not at all a problem. As we have seen, XIX,32b–33a (which condemns apostates, not Jews in general, contra Stegemann) serves as a redactional link between the (eschatological) condemnation of apostates in XIX,15–32a and the additional (temporal) condemnation of apostates in XIX,33b–35b. Thus XIX,33b–35b is connected closely with XIX,32b–33a (contra Stegemann), while XIX,32b–33a and XIX,33b–35b are connected with XIX,31b–32a only by the Qumran redactor's equation "builders of the wall"=followers of the Man of the Lie. The integrity of VIII,18b–21 supports this point. (2) The men of XX,8–10 are not Jews who never had anything to do with the community, but apostates. Once one recognizes this, it is completely unnecessary to remove XX,8–10 as secondary. It fits perfectly with XX,10–13. The men of XX,10–13 are apostates who betrayed the covenant at or near the formation of the community. The men of XX,8–10 are later apostates; but they share the same fate. (And even when Stegemann identifies the "they" of XX,10 with the men of XX,1–8, his problem is not solved: XX,1–8 has to do with discipline of men who fail, not those who betray. They do not share the same fate.) (3) Stegemann is inconsistent in his identification of the men of XIX,33–XX,1. In two places (pp. 176, 177) they are traitors who did not join the Man of the Lie. Elsewhere (p. 177) they seem to be connected with him in some sense. Stegemann is driven to this ambiguity by his assumption that ן in XIX,33 is secondary, which in his view connects what was originally a statement about former members of the covenant *not* connected with the Man of the Lie (XIX,33–XX,1) to the "builders of the wall" (XIX,31–32; =congregation of the Man of the Lie for Stegemann; but as we have seen, this identification is itself wrong). Thus the men of XIX,33–XX,1, on Stegemann's explanation, both are and are not associated with the Man of the Lie. But (contra Stegemann) it is easier to take XIX,33b–35b and XX,10b–13a as describing the same group, with XIX,31b–32a as a gloss and the ן as the Qumran redactor's link between XIX,32b–33a and XIX,33b–35b. (4) Stegemann suggests that the men of XX,1b–8a and the men of XIX,33b–XX,1a are similar in that they are both excluded temporarily. Likewise he argues that XX,10–13 serves to ensure that the men of XX,1b–8a are excluded from the community with the same rigor as the men of XIX,33b–XX,1a. But this is manifestly incorrect. The penalties and conditions of re-entry are quite different in each case. Stegemann is driven to this conclusion by reading XIX,33b–XX,1a together as a unit, and by subsuming the men of XX,1b–8a under the judgment of XIX,33b–XX,1a (p. 173), so that both XIX,33b–XX,1a and XX,1b–8a have to do with temporary exclusion. Once one divides between XIX,35b and XIX,35c, however, and recognizes XX,1b–8a to be an independent unit, then the connection between the two sections falls away. (6) Stegemann can give no explanation for why the temporary ban on apostates in XIX,33b–XX,1a was later changed to a threat of their

This insight into the redaction of the end of *D* enables us to make sense of what is said of the “new covenant” in XIX,33–34. Without this insight one is almost inevitably driven, with Davies, to identify the “new covenant” with the Qumran community. But that identification, as we have noted, is extremely problematic, since in every other place where the term appears it serves to designate an entity in the past tense. If we divide between XIX,35b and XIX,35c, the statement about the new covenant in XIX,33b–35b makes perfect sense in itself and coheres exactly with what we find in XX,10b–13a: the new covenant was the parent movement from which the Qumran community arose. Those who betrayed the new covenant by turning away from it and by following an alternative teaching were excluded from the assembly.

In the following chapters we shall look for additional evidence to support the hypothesis that the new covenant was the parent movement of the Qumran community. It will be necessary to examine more deeply CD VI,11b–VII,4a. We shall also have to inquire into the origins of the “new covenant in the land of Damascus.”

destruction (XX,13b–15a). Once again, the division between XIX,35b and XIX,35c eliminates this problem.

CHAPTER THREE

THE BIBLICAL AND THEOLOGICAL FOUNDATIONS OF “THE NEW COVENANT IN THE LAND OF DAMASCUS”

3.1 Introduction

In all four places where the term “the new covenant” (ה[ה] ברית [ה] חדשה)¹ appears in *D* (CD VI,19 [=4Q269 4 ii 1]; VIII,21; XIX,33–34; XX,12), it is attached to the phrase “in the land of Damascus.” Since the discovery of the Cairo Genizah manuscripts it has been recognized that the “new covenant in the land of Damascus” (which I shall also call the “Damascus covenant” for simplicity) refers to a group of Jewish sectarians.² Since the subsequent discovery of the DSS, however, there has been disagreement whether the term refers to a broader group or movement from within which the Qumran community arose,³ or

¹ The article is implicit in the prepositional ב before ברית in CD VIII,21 and XIX,33–34 because of the article with the adjective. The article is missing before ברית only in CD XX,12, but even there the adjective חדשה has the article. I take the articulated noun to be the standard form. Therefore I shall consistently use “the” new covenant rather than “a” new covenant. The unarticulated noun in XX,12 may be due to scribal error.

² Solomon Schechter, *Fragments of a Zadokite Work*. Volume 1 of *Documents of Jewish Sectaries* (2 volumes in 1; reprinted ed.; New York: Ktav Publishing House, 1970) 45 (xiii in the original edition); Louis Ginzberg, *Eine unbekannte jüdische Sekte* (New York: published by the author, 1922) 378–84 (=idem, *An Unknown Jewish Sect* [New York: The Jewish Theological Seminary of America, 1976] 269–73).

³ Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 182, 199, 210, 239–41, 243, 246, 248; and more recently idem, *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus* (Grand Rapids: Eerdmans, 1993) 149–50. Shemaryahu Talmon, “The Community of the Renewed Covenant: Between Judaism and Christianity,” *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. Eugene Ulrich and James VanderKam; Notre Dame: University of Notre Dame Press, 1994) 8, 23, argues that the “renewed covenant” was a wider and earlier phenomenon than the Qumran community. Oddly, however, he speaks (p. 12) of a “(Community of) those who entered into the Renewed Covenant, יחד באי הברית החדשה (CD VI 19),” even though the term יחד does not appear in CD in this connection. Thus Talmon imagines a two-stage development: a pre-Qumran “renewed covenant movement” and then a

whether it refers to the Qumran community itself.⁴ I defended the former view in Chapter 2, where I argued that literary analysis of CD XIX–XX strongly supports the view that the term refers to a pre-Qumran covenant movement, from which the Qumran community arose and which it continued to identify as its parent movement, but from which it was also distinct. The purpose of the present chapter is (1) to uncover the biblical and theological foundations of the idea of “the new covenant in the land of Damascus” or, more specifically, of the idea of “entering the new covenant in the land of Damascus”; and then (2) to explain why the Qumran community used this term to refer to an older covenant movement from which it arose, but with which it was no longer identical. In Chapter 4 we shall try to explain the historical origins of the Damascus covenant.

3.2 “Entering the New Covenant in the Land of Damascus”

The OT rarely speaks of people “entering” a covenant. That language appears in Jer 34:10 and Ezek 16:8 with the verb בוא (cf. also 1 Sam 20:8 and Ezek 20:37 with the *hiph’il*), and with the verb עבר in Deut 29:11 (English 29:12). 2 Kings 23:3 says that the people “stood” (עמד) in the covenant that Josiah made with God at the reading of the book of the covenant, and in Neh 10:30 (English 10:29) the people enter (בוא) into a curse (אלה) and an oath (שבועה), which is in effect a covenant or a pact (אמנה, 10:1 [English 9:38]; cf. Deut 29:11 [English 29:12]).⁵ More often, however, the OT speaks of God or humans making (כרת) or establishing (הקים) a covenant.

structured “Community of the Renewed Covenant.” Its spearhead was at the Qumran “Commune” (but the “Community” was not limited to Qumran). See also his “The Essential ‘Community of the Renewed Covenant’: How Should Qumran Studies Proceed?” *Geschichte – Tradition – Reflexion* (3 vols.; ed. Hubert Cancik et al.; Tübingen: J. C. B. Mohr [Paul Siebeck], 1996) 1.323, 331–32, 345.

⁴ A. S. van der Woude, *Die messianischen Vorstellungen der Gemeinde von Qumrân* (Assen: Van Gorcum, 1957) 85, 231; Annie Jaubert, *La notion d’alliance dans le judaïsme aux abords de l’ère chrétienne* (Paris: Éditions du Seuil, 1963) 224; Philip R. Davies, *The Damascus Covenant: An Interpretation of the “Damascus Document”* (JSOTSup 25; Sheffield: JSOT Press, 1982) 53, 177, 186, 192–93, 198; Geza Vermes, *The Complete Dead Sea Scrolls in English* (London: Penguin Press, 1997) 54, 73.

⁵ 2 Chr 23:1 says that Jehoiada “took [officers] into covenant with him.”

The most important passage for our purposes that speaks of people “entering” (בוא) a covenant is 2 Chr 15:1–15. This passage tells of the reforms of Asa, the king of Judah in the tenth and ninth centuries BC. The prophet Azariah said to Asa and to all Judah and Benjamin (15:2–4):

The LORD is with you, while you are with him. If you seek him (תדרשוהו), he will be found (ימצא) by you, but if you abandon him, he will abandon you. For a long time Israel was without the true God, and without a teaching priest (כהן מורה), and without the law; but when in their distress (בצור לו) they turned (וישב) to the LORD, the God of Israel, and sought him (יבקשוהו), he was found (ימצא) by them.

As a result of these words Asa rid the land of idols and repaired the altar in Jerusalem. In addition he gathered all of Judah and Benjamin, and some from the tribes of Ephraim, Manasseh, and Simeon who were residing with them, to Jerusalem in the “third month” (15:9–10). And there they entered a covenant:

And they entered (יבאו) a covenant to seek (לדרוש) the LORD, the God of their ancestors with whole heart and with whole soul. And whoever would not seek the LORD, the God of Israel, should be put to death, whether young or old, man or woman. And they made an oath (וישבטו) to the LORD with a loud voice, and with shouting, and with trumpets, and with horns. And all Judah rejoiced over the oath (שבעוהו), for they swore with all their heart, and they sought him (בקשוהו) with all their desire, and he was found (ימצא) by them; and the LORD gave them rest all around. (15:12–15)

Since neither of these passages appears in the parallel account in 1 Kings 15:9–15, we very likely have to do here with post-exilic material, perhaps composed by the Chronicler himself.

The points of contact with the DSS and related literature are impressive. The event reported in 15:12–15, which can be viewed as a kind of covenant renewal, takes place in the “third month.” The reference may very well be to the Festival of Weeks, which in *Jub.* 6:19, as in later Jewish sources (*b. Pesah.* 68b), becomes the day when God gave the law at Sinai, that is, when God established the Sinai covenant. The third month then becomes also the month of covenant renewal in *D* (4Q266 11,17=4Q270 7 ii 11) and in *Jubilees*; in the latter work the day of covenant renewal is more precisely the fifteenth day of the third month, the Festival of Weeks (6:11, 17, 19; 14:10–18; 15:1–4; etc.). That day, however, is also regarded in *Jubilees* as the “Festival of

Oaths,” based on a word-play between “weeks” (שבועות) and “oaths” (שבועות). It was on this same day that Noah made a covenant before God and swore an oath not to eat blood (*Jub.* 6:10), and the covenant at Sinai is understood to be a renewal of that covenant and oath of Noah. Since other “covenant renewals” in the OT are not necessarily linked with the third month, that date is evidence that 2 Chr 15:1–15 may have a special connection with the tradition in *Jubilees* and in CD.⁶ The fact that in 2 Chr 15 there is an entrance into a covenant, together with the swearing of an oath, just as in *D* and *Jubilees*, corroborates this view.⁷

Even more support for this view comes in two other observations. First, the content of the covenant in 2 Chr 15 consists of “returning” to God and of seeking him “with whole heart and with whole soul.” Similarly the content of the Damascus covenant is to “return to the law of Moses with whole heart and with whole soul” (CD XV,9–10). Second, the covenant of 2 Chr 15 comes with the stipulation that “all who would not seek (וכל אשר לא ידרש) the LORD the God of Israel” were to be put to death. Similar formulae outlining penalties for non-compliance with a covenant occur not only in Ezra 10:8 but also in CD VIII,1/XIX,13–14 and 1QS V,17–19.⁸ That suggests that the Damascus

⁶ As noted also by Ernst Kutsch, *Verheißung und Gesetz: Untersuchungen zum sogenannten “Bund” im Alten Testament* (BZAW 131; Berlin: Walter de Gruyter, 1973) 167, although Kutsch himself rejects the notion of “covenant renewal” as such in the OT (e.g., p. 172).

⁷ Cf. similarly Annie Jaubert, “Le calendrier des Jubilés et de la secte de Qumrân. Ses origines bibliques,” *VT* 3 (1953) 262, who argues that the calendar of *Jubilees* comes from the same school from which the work of the Chronicler came. Jaubert’s hypothesis that the calendar found in post-exilic (biblical) priestly sources is essentially that of *Jubilees* has been criticized, but James C. VanderKam, “The Origin, Character, and Early History of the 364-Day Calendar: A Reassessment of Jaubert’s Hypotheses,” *CBQ* 41 (1979) 390–411, has reviewed both the objections raised by critics of this hypothesis and the biblical evidence and has concluded that Jaubert’s hypothesis (at least on this point) is sound.

⁸ Ezra 10:8: “and all who would not come (וכל אשר לא יבוא) within three days, on the order of the officials and the elders, were to forfeit all their property and be banned from the congregation of the exiles”; CD VIII,1/XIX,13–14: “and thus is the judgment for all who enter his covenant but who do not remain steadfast in these...they will be visited for destruction at the hand of Belial” (וכן משפט כל באי בריתו אשר לא יחזיקו באלה) (לפוקדם לכלה ביד בליעל); 1QS V,17–19: “for all who are not counted in his covenant are to be separated, they and all that they have...for futility are all who do not know his covenant” (כיא כול אשר לוא נחשבו בביתו להבדיל אותם ואח כול אשר להם...כיא הבל כול אשר) (לוא ידעו את בריתו).

covenant stands in a close relationship to covenantal structures found in post-exilic Judaism as evidenced in Ezra and 2 Chr 15:1–15.⁹

We now turn to a number of important connections between 2 Chr 15:1–15 and Deut 4 and 29–30 that will help to uncover the biblical and theological background for the idea of “entering the new covenant in the land of Damascus” in *D*. The language of “turning” (שוב), “seeking” (בקש/דרש), “finding” (מצא), and “distress” (צר) in 2 Chr 15:2–4, 12 is reminiscent of (and probably dependent on) that of Deut 4:25–31 and 30:1–5. Compare the texts from 2 Chr 15:2–4 and 15:12–15 above with these texts from Deuteronomy:

When you have had children and grandchildren, and become complacent in the land, if you act corruptly and make an idol in the form of anything and do what is evil in the eyes of the LORD your God, so as to provoke him to anger, I call heaven and earth to witness against you today that you will soon utterly perish from the land that you are crossing over the Jordan to inherit. You will not live long on it, but you will be utterly destroyed. The LORD will scatter you among the peoples, and you will be left few in number among the nations to which the LORD will bring you. There you will serve gods, the products of human hands, objects of wood and stone that neither see nor hear nor eat nor smell. From there you will seek (בקשם) the LORD your God, and you will find (מצאת) him if you seek him (חפשנו) with all your heart (בכל לבבך) and with all your soul (ובכל נפשך). In your distress (בצר לך), when all these things come upon you in later days (באחרית הימים), you will return (ושבת) to the LORD your God and heed him. For the LORD your God is a merciful God, he will neither abandon you nor destroy you; he will not forget the covenant with your fathers that he swore to them. (4:25–31)

When all these things have happened to you, the blessing and the curse that I have set before you, and you call them to mind (והשבת אל לבבך) among all the nations to which the LORD your God has driven you (הדיחתך), and you return (שבת) to the LORD your God and heed him

⁹ Cf. the remark of Sara Japhet, *I & II Chronicles* (Louisville: Westminster/John Knox Press, 1993) 726–727: this formula “is in fact known as the mark of a severe warning in other contexts of the Persian period,” and she cites both Ezra 10:8 and 7:26, but not texts from Qumran. This is one piece of evidence, of which there are others, that the Damascus covenant may have roots in the late Persian period. I shall develop that hypothesis in Chapter 4. Of course, the founding of the Qumran community comes much later.

according to all that I am commanding you today, you and your children, with all your heart (בכל לבבך) and with all your soul (ובכל נפשך), then the LORD your God will restore (ושב) your fortunes (שבוותך) and have compassion on you, and he will gather you (ויקבצך) again from all the peoples (מכל העמים) to which the LORD your God has scattered you (הפיצך). Even if you are exiled to the ends of the earth, from there the LORD your God will gather you, and from there he will take you. The LORD your God will bring you to the land that your ancestors possessed, and you will take possession of it. He will make you more prosperous and numerous than your ancestors. (30:1–5)

It is clear that this part of Deuteronomy was very important not only for the Chronicler but also for the author of *D* and the movement behind him. Deuteronomy 29 says that when Israel disobeys God, and God brings upon Israel the curses mentioned in chapter 28, devastating the land, the next generation and the foreigner will wonder: “Why has the LORD done this to the land?” (29:23). The text continues:

They will conclude, “It is because they abandoned the covenant of the LORD the God of their ancestors, which he made with them when he brought them out of the land of Egypt. But they went and served other gods and worshiped them, gods whom they did not know and whom he had not allotted to them. So the anger of the LORD was kindled against that land, so that he brought upon it all the curses that are written in this book. The LORD uprooted them from their land with anger, rage, and great wrath, and cast them into another land as at this day.” The hidden things (הנסתרות) belong to the LORD our God, but the revealed things (הנגלות) belong to us and to our children for ever, to do all the words of this law. (29:24–28)

In response to the exile people asked, in the words of Deuteronomy, “why did God do this?” The answer is clear: Israel abandoned the covenant of the ancestors. And what should they do about it? Deuteronomy 29:28 says, “The hidden things belong to the LORD our God, but the revealed things belong to us and to our children for ever, to do all the words of this law.” This sentence was probably originally intended to make clear to the Israelites that all that God required of them was sufficiently revealed to them in the law of Moses. It was not necessary for Israel to ascend to heaven or to cross the sea to get the law (30:12–13). Nothing needed to be added to it (4:2). Apparently, however, the movement behind *D* read the text differently: The hidden things and the revealed things *together* constitute the will of God, “to do *all the words* of this law.” Therefore in order to do the whole of the

law, it is necessary to know and to do the “hidden things” of God. Hence the author of *D* says that “with those who were left from among them [the exiles], God established his covenant with Israel forever, revealing to them hidden matters (נסתרות) in which all Israel had gone astray” (CD III,13–14; cf. further 1QS V,11; VIII,11; 4Q266 2 i 5=4Q268 1,7; 4Q463 1,4).

When ancient exegetes read these texts from Deuteronomy together, the solution to Israel’s misfortune was clear. In order for Israel to be delivered from its distress (צר; Deut 4:30) in exile (30:4–5) in the “latter days” (4:30; or at the “end of days,” באחרית הימים), it must return (שוב; 4:30; 30:2) to God with all its heart and with all its soul (4:29; 30:2), to seek (בקש) the LORD (4:29). It will find (מצא) him if it seeks (דרש) him with all its heart and with all its soul (4:29). This seeking of the LORD means searching out the hidden things (הנסתרות) of the law (29:28). This is essentially the structure of the Damascus covenant (CD III,13–14; XV,9–10). The same idea is put in negative terms in 1QS V,11: “[The men of injustice] are not included in his covenant because they have neither sought (בקשו) nor examined (דרשו) his statutes in order to know the hidden things (הנסתרות) in which they err...”¹⁰

We may now return to 2 Chronicles and its connection with Deuteronomy. Like Deut 4:25–31 and 30:1–5, 2 Chr 15:2–4 speaks of Israel in a period of “distress” (see text printed above), when it “returned” to the LORD and “sought” him and “found” him. That period of the past serves as a model for the present of King Asa in 15:12–15. The solution to this distress was that he and his people entered into a covenant with an oath to “seek” (דרש) the LORD with all their heart and with all their soul. There can be no doubt that the Chronicler here is directly dependent on Deuteronomic (or Deuteronomistic) vocabulary and theology. For that reason it is interesting that Deut 29, a part of the book that we have seen to be very important for both the Chronicler and for the movement behind *D*, also

¹⁰ Cf. also *Jub.* 1:5–6. Moses is commanded to write the book of *Jubilees* as a testimony against Israel. “And thus will it be, when all of these things happen to them [from Deut 30:1; cf. 4QJub^a (4Q216) I,15], that they will know that I have been more righteous than they in all their judgments and deeds. And they will know that I have truly been with them.” In other words, the book of *Jubilees*, which contains the correct interpretation of the law, will show Israel where it erred when the curses of the law come upon them. Part of their error will consist in “persecuting those who search the law” (*Jub.* 1:12; cf. 4QJub^a [4Q216] II,13: ואת מבקשי החורה ירדופו).

speaks of a covenant into which Israel entered, namely, the covenant in the land of Moab (Deut 28:69; 29:9–11 [English 29:1, 10–12]). That raises the question whether the covenant of Deut 29 may stand in the background of the covenants of both 2 Chr 15 and *D*, and to that question we now turn.

3.2.1 *The Moab Covenant as Entrance into a New Covenant*

It is widely recognized that Deut 28:69 (English 29:1), where Moses is commanded to make a covenant with Israel in the land of Moab “besides” the covenant that he made with them at Horeb, begins a block of material that is a later addition to the main corpus of Deuteronomy.¹¹ Similarities in structure between Deut 29–30 and Ancient Near Eastern (ANE) vassal treaties make clear that Deut 29 and 30 form a unity and belong together.¹² Some have proposed that chapters 31 and 32 also belong to the Moab covenant, but for our purposes it is not necessary to decide that question.¹³ It is furthermore noteworthy that the covenant

¹¹ Klaus Baltzer, *Das Bundesformular* (WMANT 4; Neukirchen: Neukirchener Verlag, 1960) 43, says that Deut 28:69–30:20 is “späten, d.h. mindestens exilischen Datums.” I agree with the majority of recent commentators in viewing 28:69 as the heading for what follows rather than as a conclusion to what precedes. See Baltzer, *ibid.*; Norbert Lohfink, “Der Bundesschluß im Land Moab: Redaktionsgeschichtliches zu Dt 28,69 – 32,47,” *BZ* 6 (1962) 32; A. Cholewinski, “Zur theologischen Deutung des Moabbundes,” *Bib* 66 (1985) 96. Georg Braulik, *Deuteronomium II: 16,18–34,12* (Würzburg: Echter Verlag, 1992) 210–11, has suggested, however, that at a stage prior to our present text Deut 28:69 served as a conclusion, such that the Horeb covenant was understood to be the Decalogue, while the Moab covenant was understood to be chapters 5–28 and the last declarations in 26:17–19 and 27:1, 8. In the final redaction of the Pentateuch the Horeb covenant comes to presuppose the events of Exod 19–34, while the Moab covenant becomes the “words of the covenant” that Moses was to have Israel swear to uphold in the covenant ceremony. See also Norbert Lohfink, “Dtn 28,69 – Überschrift oder Kolophon?” *Studien zum Deuteronomium und zur deuteronomistischen Literatur III* (SBAB 20; Stuttgart: Verlag Katholisches Bibelwerk, 1995) 279–91.

¹² See Baltzer, *Bundesformular*, 43–45; also Lohfink, “Bundesschluß,” 36, 43; Moshe Weinfield, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972) 59–69, 100–16.

¹³ See Cholewinski, “Zur theologischen Deutung,” 97–98 n. 6 and literature there. In this Cholewinski follows Lohfink, “Bundesschluß.” Lohfink’s arguments in support of the inclusion of chapters 31 and 32 in the Moab covenant are not uniformly convincing. For example, the fact that the next “Überschrift” after 28:69 comes in 33:1

of Moab is otherwise unknown in the OT, which suggests that it has a special function within Deuteronomy. A. Cholewinski has pointed out that the Moab covenant does serve a purpose within its present context, but that it also seems to have a function beyond that. On the one hand, the Moab covenant serves to establish the authority of the laws of Deuteronomy itself. In the covenant at Horeb only the Decalogue received the dignity of a covenant (cf. Deut 5:1–22); for their part, the “commandments, the statutes, and the judgments” that Moses taught the people to do in the land (5:31) receive the status of a covenant by means of the Moab covenant.¹⁴ Furthermore, the Deuteronomistic redactors will have seen the Moab covenant as necessary within the framework of the Deuteronomistic History (DH) in accordance with the ANE treaty formula. At a change of leadership (here, from Moses to Joshua) the covenant must be renewed.¹⁵

On the other hand, however, Chowelinski points out that these justifications for the Moab covenant cannot explain why this covenant is so clearly set apart from the Horeb covenant (cf. Deut 28:69, מלבד). After all, even the laws of Deuteronomy were given to Moses at Horeb (5:30–31). Therefore there must have been a reason for the Deuteronomistic redactors to set the Moab covenant apart from the Horeb covenant in this way.¹⁶

Chowelinski finds an explanation in that the Deuteronomistic authors or redactors of Deut 29–32 in the exile understood the Moab covenant in the sense of a “new covenant,” not unlike that of Jeremiah

(p. 35) does not necessarily mean that all of chapters 29–32 must belong together. It is also not clear that Lohfink has proved on pp. 48–50 that there is “eine umfassende Komposition von 29,1 bis hin zu 32,47” (p. 51). On the other hand, the inclusion of chapters 31–32 with chapters 29–30 may be supported by Lohfink’s argument (following Baltzer, *ibid.*, 76–79) that several elements of chapters 31–32 (transfer of authority from Moses to Joshua; periodic reading of covenant; writing and deposition of the covenant document; witnesses) belong to the treaty formula (pp. 47, 54–55).

¹⁴ In this sense Deut 28:69 can be understood as a conclusion to chapters 5–28. Nonetheless, chapters 29–30 (or 29–32) can stand by themselves, as noted above, and therefore 28:69 can be rightly considered as introducing these chapters. See n. 11.

¹⁵ On these two points see also Norbert Lohfink, “Der Neue Bund im Buch Deuteronomium?” *ZABR* 4 (1998) 109–10.

¹⁶ Cholewinski, “Zur theologischen Deutung,” 101–02.

(and Ezekiel).¹⁷ He points to five elements in chapters 29 and 30 that have close connections with the prophetic texts that speak of a “new” or “eternal” covenant to be made by God: (1) the promise that God will effect a change within people that will enable them to observe the law perfectly (a “new heart,” a “new spirit,” “the law written on hearts,” a heart to “know” God, a “circumcised heart”— cf. Deut 30:6 with Ezek 11:19; 36:26; Jer 31:33–34);¹⁸ (2) the setting of this change in a period when the people of Israel are dispersed among the peoples of the earth and when God will bring them home (cf. Deut 30:3–5 with Jer 32:37; Ezek 11:17; 36:24, 28); (3) the accompaniment of these events by blessings and prosperity (cf. Deut 30:7–10 with Ezek 36:29–35); (4) the covenant formula (cf. Deut 29:12 with Jer 24:7; 31:33; 32:38; Ezek 11:20; 36:28); and (5) qualification of the covenant as “new” or “eternal” (here Cholewinski points to Deut 29:14 as a parallel). Thus Cholewinski concludes that the Deuteronomistic redactors created the Moab covenant as a prefiguration of the “new covenant” of the prophets. In this way they give the prophetic “new covenant” Mosaic roots.¹⁹ Indeed Cholewinski goes farther to suggest that the idea of a “new covenant” is itself the product of the Deuteronomistic school, the “new covenant” passage in Jeremiah itself probably stemming from redactors of that school.²⁰

¹⁷ For a similar view see Braulik, *Deuteronomium II*, 212. Braulik also notes that, unlike Exod 34, Deuteronomy does not know of the new making of a covenant after the breach of covenant at Horeb/Sinai. Therefore the parts of Deut 29–30 that echo Jeremiah avoid the word “covenant.” One might say, however, that the innovation of Deut 29 is to transform, via the covenant treaty formula, the idea of covenant from a relationship established by God between himself and Israel to a binding commitment that one “enters” (Deut 29:11).

¹⁸ Cf. also Jer 24:7; 32:39. It is also very significant that in Deut 29:3 Moses says that until now God has *not* given the people a “heart to know” him (contrast Jer 31:34).

¹⁹ As Appendix 1 below shows, we find the same kind of inscription of a “new covenant” theology within the Sinai covenant in Exod 34.

²⁰ Cholewinski, “Zur theologischen Deutung,” 108–11. On the Deuteronomistic origin of Jer 31:31–34 see Winfried Thiel, *Die deuteronomistische Redaktion von Jeremia 26–45* (WMANT 52; Neukirchen: Neukirchener Verlag, 1981) 23–28.

In general I agree with these conclusions.²¹ Although the parallels between Deut 29–30 (or 29–32) and the ANE vassal treaties are clear, there is nothing that stands in the way of thinking that Deuteronomistic redactors may have used that form for their own purposes.²² The ANE treaties that are similar in structure to Deuteronomy, it is true, are from the pre-exilic period, and we must reckon with the possibility that the Moab covenant is based on old Deuteronomistic tradition.²³ But the evidence seems to be decisive that even late Deuteronomistic/Deuteronomistic strata bear analogies to the form of these treaties, and therefore an exilic or even post-exilic setting for the final redaction of

²¹ It is doubtful, however, that Deut 29:14 is the equivalent to the prophetic “eternal” covenant. Problematic also is Chowelinski’s view that the Deuteronomistic redactors implicitly devalued the Horeb covenant by means of the Moab covenant (*ibid.*, 103–06). It may be true, as he argues, that the Deuteronomistic redactors did not have much interest in the Horeb/Sinai covenant. However, it seems to be going too far to say that they considered that covenant to be “eine tote Sache” (p. 106). After all, even if the *חורה* that God will write on the hearts of the people (Jer 31:31–34) is Deut 5–28 (so Cholewinski, p. 110), that law itself is perhaps to be understood as the explication of the Horeb covenant (=the Decalogue) (so Thiel, *ibid.*, 25; Lohfink, “Der Neue Bund im Buch Deuteronomium?” 110).

One might argue of course that Jer 31:31–34 goes beyond even Deut 30:11–14 in certain respects (see below Appendix 1, n. 105) and that therefore the “new covenant” conception of Deut 29–30 does not reach as far as Jer 31:31–34. See Lohfink, “Der Neue Bund im Buch Deuteronomium?” 103, 116–18. See also Pierre Buis, “La nouvelle alliance,” *VT* 18 (1968) 13, who rightly speaks of Deut 30 as a preparatory phase to Jer 31:31–34. Nonetheless, that the two texts are related seems to me beyond doubt. On pp. 112–13 Lohfink argues that the Moab covenant is not a “covenant renewal” (required after breach through sin) but is identical with Deut 5–28, and on p. 118 (cf. also pp. 112–13) he argues that Deut 4 and 30 are based on the priestly understanding of the (patriarchal) covenant rather than on the idea of covenant renewal as in Jeremiah. But if the new covenant of Jeremiah itself is a product of the Deuteronomistic school, as is likely, then this difference loses its importance (and it is in any case insufficient to speak of Jer 31:31–34 as “covenant renewal,” as Lohfink also grants on p. 118). Also, in n. 48 (p. 114) Lohfink’s criticism of Chowelinski overlooks the point that Deut 30 is to be understood as a *prefiguration* of the new covenant rather than as the instantiation of that new covenant in the “present” (as Lohfink acknowledges on p. 119!). Then too the objection that the Moab covenant does not follow the form of a “covenant renewal” (p. 120) becomes irrelevant.

²² Cf. Chowelinski’s view (*ibid.*, 98) that the redactors of Deut 29–32 “zwar nicht ein striktes Bundesformular herstellen wollten, sehr wohl jedoch über den Moabbund in den jenem Formular eigentümlichen Kategorien spontan nachdachten.”

²³ See Weinfeld, *Deuteronomy and the Deuteronomistic School*, 59–60.

the Moab covenant is plausible.²⁴ In any case, even if we do not wish to say that the Deuteronomists invented the Moab covenant outright, we can say at least that they reshaped it in light of the prophetic concept of the new covenant.²⁵

The significance of all of this for our purposes is that we now have evidence for the development, within Deuteronomistic circles in the exilic or post-exilic period, of the idea of “entrance into a covenant” (cf. Deut 29:11), a covenant that has theological affinities to the “new covenant” of the prophets, including that of Jer 31:31–34. We have thus established a first step in uncovering the biblical and theological foundations of the idea of “entering the new covenant in the land of Damascus” that appears in CD, as well as the roots of the covenant of 2 Chr 15. The origin of the idea lies in the Deuteronomistic conception of a “new covenant” (Deut 29–30, connected with Jer 31:31–34) into which Israel can “enter” (Deut 29:11; 2 Chr 15:12) in order to seek the LORD with whole heart and with whole soul (Deut 4:29; 30:2; 2 Chr 15:12), so that God might restore Israel to the land (Deut 30:4–5).

3.2.2 *The Preaching of the Prophets to the Exiles and Its Reception by the Deuteronomists*

We have seen that Deut 4:25–31 and chapters 29–30 were important for the covenantal structure of both *D* and 2 Chr 15, and that chapters 29–30 of Deuteronomy have close connections with the “new covenant” theology of the prophets. Further study shows that these parts of Deuteronomy have a very close relationship to the preaching of the prophets to the *exiles* in particular. A deeper analysis of this relationship will demonstrate that these texts from Deuteronomy lead

²⁴ See Dennis J. McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and in the Old Testament* (Rome: Pontifical Biblical Institute, 1963) 131–40, 174; Lohfink, “Der Neue Bund im Buch Deuteronomium?” 104.

²⁵ Lohfink, “Bundesschluß,” 43, points to a number of parts (parts II, III, and V in his outline) of Deut 29–30 that do not fit into the schema of Baltzer’s *Bundesformular* (and part IV is a later addition by consensus). He therefore concludes that the *Bundesformular* cannot be the immediate model for Deut 29–30. That might suggest that those parts come from the later shaping of the Deuteronomists (cf. similarly Braulik, *Deuteronomium II*, 211). It should be noted, however, that Weinfeld, *Deuteronomy and the Deuteronomistic School*, 100–16, has shown that even these parts have parallels in the ANE treaties.

us back to a situation in the exilic or post-exilic period in which the idea of “entering the new covenant in the land of Damascus” is fully illuminated.

We may begin with Jer 29:10–14. In Jer 29 we read of a letter that the prophet sent to the exiles in Babylon. There are a number of literary-critical problems in this chapter, into which it is not necessary for us to enter,²⁶ but the core of the chapter is evidently the material relating to Jeremiah’s letter to the exiles in 29:1–7 and its consequences in 29:24–32.²⁷ Jeremiah’s letter stated clearly (29:5–7), against the preaching of the false prophets (27:16; 28:3–4, 10–11; 29:8–9), that the exiles would not return soon, and so they should prepare to live in the land of their exile for some time to come. A later Deuteronomistic redactor, however, has added an oracle of salvation in 29:10–14. That these verses are of Deuteronomistic origin is shown by their affinities to Deuteronomic and Deuteronomistic literature, above all Deut 4:29 and 30:3–5 (for the latter two passages see the texts printed above):²⁸

When you seek (ובקשתם) me you will find (ומצאתם) me if you search after me (חדרשני) with all your heart. And I shall be found (תמצאתי) by you, says the LORD, and I shall restore (ושבתי) your fortunes (שביתכם), and I shall gather (ויקבצתי) you from all the nations (מכל הגוים) and from all the places to which I have exiled (הרחתי) you, says the LORD, and I shall return (והשבתי) you to the place from which I exiled you. (Jer 29:13–14)

The oracle of salvation in Jer 29:10–14 assures the exiles that, despite Jeremiah’s word, the exiles will return to their land, and it commends to the exiles the possibility of seeking and finding God even within a foreign land. Thus the oracle can be understood, at least in part, as admonition not to fall away from the worship of Yahweh even in exile,

²⁶ For discussion of these problems see Thiel, *Die deuteronomistische Redaktion von Jeremia 26–45*, 11–19.

²⁷ Thiel, *ibid.*, 12–13, observes that 29:24–32 in its present state is itself confused. Original is 29:26–28, a letter sent from Shemaiah to Zephaniah. The Deuteronomistic redactor is responsible for 29:24–25, as well as for 29:31–32, where he introduces “false prophesy” polemic against Shemaiah. Originally the “sending command” and לֵאמֹר of 29:31a were followed immediately by the formula and pronouncement against Shemaiah in 29:32.

²⁸ See also Thiel, *ibid.*, 14–16; and E. W. Nicholson, *Preaching to the Exiles: A Study in the Prose Tradition in the Book of Jeremiah* (Oxford: Basil Blackwell, 1970) 81.

where the temptation to worship the gods of Babylon will have been strong, and encouragement to continue to search after (דרש) God (Jer 29:13).²⁹

The motif of God's "gathering" of the exiles and "bringing them back" to their land is also prominent in Ezekiel. Three times in that book the prophet is consulted by leading elders of the exiled community in Babylon (8:1; 14:1; 20:1). In the first consultation (cf. 8:1; 11:24–25) the prophet is transported in a vision from the exile to Jerusalem (8:2–4), where he sees the idolatrous behavior of the Jerusalemites (8:5–18), their slaughter (9:1–11), the departure of the glory of God from Jerusalem (10:1–22) (which is the result of the abominations committed in Jerusalem [8:6]), and the judgment on the wicked counselors of Jerusalem (11:1–13). God then tells the prophet that the inhabitants of Jerusalem are claiming that the land vacated by the exiles is given to them to possess, because the exiles "have gone far from the LORD" (11:14–15). But God commands Ezekiel to say to the exiles (11:17),

I shall gather (ויקבצתי) you from the peoples (מן העמים), and I shall assemble you from the lands in which you have been scattered (נפצתם), and I shall give to you the land of Israel.

When God finishes speaking to Ezekiel, the prophet is transported back to the exiles, where he announces God's promise to them (11:24–25; cf. a similar scene in 33:23–33).

In the consultation at 20:3, God says to Ezekiel: "Son of man, speak to the elders of Israel and say to them: 'Thus says the Lord GOD, "do you come to consult [or search after (לדרש)] me? As I live, I shall not be consulted by you," says the Lord GOD.'" God then tells Ezekiel to judge the people and to make known to them their abominations. When God led the children of Israel out of Egypt, he commanded them to cast away from themselves the "abominations of their eyes" (שקוצי עיניי) and not to defile themselves with the idols of Egypt (20:7). But both in the wilderness and in the land Israel continued to worship idols and did not observe the sabbath (20:8, 13, 16, 21, 28). Despite Israel's disobedience, God withheld his hand from completely destroying

²⁹ Thiel, *ibid.*, 16, 112. Thiel dates the promise of 29:10 and the work of the Deuteronomistic redactor to about 550 BC in Palestine (pp. 17, 113–14). I consider it more likely that the Deuteronomistic redaction took place in Babylon (see below).

Israel, so that his name might not be profaned among the nations in whose sight God had brought Israel out (20:13–14, 17, 22). Then, in words similar to 11:17, God says to the exiles through the prophet (20:34),

I shall bring you out from the peoples (בְּתוֹךְ הָעַמִּים), and I shall gather (וְקִבַּצְתִּי) you from the lands in which you have been scattered (נִפְּצָתֶם) with a strong hand and with an outstretched arm and with anger poured out.

God goes on to say that he will bring Israel (the exiles) back into the wilderness, where he will once again enter into judgment with them. After he has purged the rebels from among them, he will bring a purified Israel back to the land that he swore to give to their ancestors (20:35–38, 42).

In both Ezek 11:17 and 20:34, then, as in Jer 29:10–14, we have very close parallels to Deut 30:3–5. All four of these texts promise that God will gather the exiles from the land to which he has deported them and bring them back to the land of Israel. The first three of these texts are addressed directly to the exiles themselves. That raises the question whether Deut 30:3–5 is also an exilic text; we shall return to that question below. The remaining consultation between Ezekiel and the elders comes at Ezek 14:1. This text is not parallel to Deut 30:3–5, but it does have an affinity with Deut 4:25–31, a passage that we have already seen to be related to Jer 29:10–14, and it also has an affinity with Deut 29:17–18. When the elders come to Ezekiel, God says to him (Ezek 14:3–5),

Son of man, these men have taken their idols up into their heart and placed their iniquity as a stumbling block before themselves. Shall I be consulted [or sought after: הֲאִירֶשׁ] by them? Therefore speak with them and say to them, “Thus says the Lord GOD, ‘Any man from the house of Israel who takes up his idols into his heart and places his iniquity before himself as a stumbling block and comes to the prophet—I the LORD will answer him myself for the multitude of his idols, in order to take hold of the hearts of the house of Israel, all of whom have separated themselves from me with their idols.’”

With this we may compare Deut 4:27–28, where Moses states what the consequences will be should Israel fall into idolatry:

The LORD will scatter (וְהִפְּצֶינִי) you among the peoples, and only a few of you will be left among the nations to which the LORD will lead you.

And there you will serve gods, the products of human hands, of wood and stone, who neither see nor hear nor eat nor smell.

The text from Deut 4:27–28 uses the verb פִּוֵּץ (“to scatter”), also used by Ezekiel in the texts discussed earlier, and says that the exiles will worship idols in the land of their exile. Similarly, in Ezek 14:3–5 the elders of the exile community are accused of worshiping idols secretly in their hearts. It will be granted that Deuteronomy speaks of physical idols, whereas Ezekiel may imply an idolatry of the heart carried out in the absence of physical idols. But the connection is not the less interesting because of that. Furthermore, the passage from Ezekiel makes clear that “searching after (דַּרַשׁ)” God is incompatible with idolatry. As we saw above, one of the points of the Deuteronomistic redaction of Jeremiah was that the exiles, despite the fact that they were in a foreign (idolatrous) land, should continue to search after (דַּרַשׁ) the LORD, and he would bring them back to their land. Thus “searching after the LORD” means turning away from idolatry and devoting oneself to Yahweh alone. That is also the message of Deut 4:29, which, as we saw above, promises that from their exile the people will seek the LORD and will find him if they search after (דַּרַשׁ) him with all their heart and with all their soul. Thus there is a possible point of contact between Deut 4:27–28 and Ezek 14:3–5.

Even more noticeable, however, is the similarity between Ezek 14:3–5 and Deut 29:16–20. The scene in the latter text is the plains of Moab where, just before Israel is to enter the promised land, Moses reminds the Israelites of their time in Egypt, and how they saw “their detestable things” (שְׂקִיזִיּוֹת) and “their idols” (גִּלְלִיּוֹת). Moses warns them that if there is anyone “whose heart is turning away today from the LORD our God to go and serve the gods of those nations,” who “blesses himself in his heart and says, ‘I shall have peace, even though I walk in the stubbornness of my heart,’” the anger of the LORD will smoke against that man. Like Ezek 14:3–5, this passage warns against the secret veneration of idols in the heart. Furthermore, this passage is reminiscent of Ezek 20:7–8 discussed above, where the Israelites are accused of having worshiped the idols—the detestable things (שְׂקִיזִיּוֹת)—of the Egyptians.

The striking points of contact between the words to the exiles in Jeremiah and Ezekiel and our passages from Deuteronomy lead naturally to the question of the relationship between them. The fact that Deut 4:25–31 and chapters 29–30 have such close contacts with these

prophetic traditions regarding the *exiles* specifically (and not just prophetic traditions in general) makes it highly likely that Deut 4:25–31 and chapters 29–30 originated in circles in the exile closely related to these prophetic traditions. We have already seen that Jer 29:10–14 has close points of contact with both Deut 4:29 and 30:3–5, and that is strong corroboration for the hypothesis that the latter two passages are related to each other and that they come from an exilic context. The only questions that must be discussed are whether they come from the period of the exile or from after the exile, and whether they come from a Palestinian setting or a Babylonian setting. If we assign these passages to the Deuteronomistic school, then the answers to these questions will depend on when and where we consider the Deuteronomistic school to have been active.

It is generally thought that the Deuteronomistic school finished its work on the Deuteronomistic History (DH) between the year 561 BC, when King Jehoiachin was released from prison—the last historical event mentioned in DH (2 Kings 25:27–30)—and the year 520 BC, since DH shows no knowledge of construction of the second temple. Generally a date closer to the earlier event is preferred (560 or 550 BC), and that seems reasonable.³⁰ At least one scholar has argued, however, that the final redaction of DH happened in the post-exilic period and that Deut 4:30–31 and 30:1–3 are post-exilic.³¹ As far as the location of the work of the Deuteronomistic school is concerned, a number of scholars have argued that the Deuteronomistic school in the exilic and post-exilic periods was active in Palestine.³² However, E. W. Nicholson has argued that Deut 4:29–31 and 30:1–5 have an origin in the exile, since they are manifestly concerned with the return of exiles, and he has also argued that the evidence that the Deuteronomistic school did its work in Babylon is as strong as or stronger than the

³⁰ Robert H. Pfeiffer, *Introduction to the Old Testament* (2nd ed.; London: Adam and Charles Black, 1953) 365; Nicholson, *Preaching to the Exiles*, 116–17; Thiel, *Die deuteronomistische Redaktion von Jeremia 26–45*, 113–14.

³¹ Raymond F. Person, Jr., *The Deuteronomistic School: History, Social Setting, and Literature* (Atlanta: Society of Biblical Literature, 2002) 50–56; idem, *Second Zechariah and the Deuteronomistic School* (JSOTSup 167; Sheffield: Sheffield Academic Press, 1993) 54–59.

³² E.g., Thiel, *Die deuteronomistische Redaktion von Jeremia 26–45*, 113; Martin Noth, *Überlieferungsgeschichtliche Studien* (Halle: Max Niemeyer, 1943) 97, 110 n. 1.

evidence for a Palestinian setting.³³ Given the affinity between Deut 4:29–31 and Jer 29:13–14, it then becomes plausible that the latter text is also a product of Deuteronomistic circles in the exile in Babylon.³⁴ Additional evidence that Deut 30:1–5 (at least) comes from the exile in Babylon rather than Palestine is that Nehemiah, who came from the exile, paraphrases the passage in his prayer while still among the exiles (Neh 1:8–9). In other words, he knew that text in the exile. If we assume that Deut 30:1–5 does indeed come from the exilic period rather than the pre-exilic period (and so did not belong to the pre-exilic Deuteronomistic corpus taken by the exiles to Babylon), then it is more likely that Nehemiah knew it from Deuteronomistic circles in the exile than that it came to him from Palestine. All in all, therefore, I consider it likely that Deut 4:25–31 and chapters 29–30 took shape among the Deuteronomists in exile in Babylon who were deeply influenced by the prophetic preaching to the exiles, particularly that of Ezekiel.³⁵ Their work is also visible in the redaction of the parts of Jeremiah relating to the exiles.³⁶ The burden of their message to the exiles lies in the declaration that, if they will turn away from idolatry and search after (דרש) God wholeheartedly, God will restore them to their land.

As noted above, it is probable that Jer 31:31–34, the passage on the “new covenant,” is itself a product of Deuteronomistic circles in the exile. This passage is one of a series of oracles in Jer 30:1–31:40 that speak of the restoration of Israel. Three (or four) times in this section the prophet introduces the oracles with the words, “the days are coming” (30:3; 31:27, 31; [31:38 is textually uncertain]), and in each case there is the announcement of what God is going to do in those days: God will restore the fortunes of his people Israel and Judah and

³³ Nicholson, *Preaching*, 116–22. Also expressing themselves recently in favor of a Babylonian setting are Norbert Lohfink, “Gab es eine deuteronomistische Bewegung?” *Studien*, 118; and Rainer Albertz, “In Search of the Deuteronomists: A First Solution to a Historical Riddle,” *The Future of the Deuteronomistic History* (ed. Thomas C. Römer; BETL 147; Louvain: University Press, 2000) 15. The latter represents a change from Albertz’s earlier opinion (idem, *Religionsgeschichte Israels in alttestamentlicher Zeit* [2 vols.; Göttingen: Vandenhoeck & Ruprecht, 1992] 2.399), where he favored a Palestinian setting.

³⁴ Nicholson, *ibid.*, 122–23, 131–33.

³⁵ See further Norbert Mendecki, “Dtn 30,3–4 – nachexilisch?” *BZ* 29 (1985) 267–71, who observes that Deut 30:3–4 is heavily influenced by Ezekiel as well as Second and Third Isaiah.

³⁶ On this see further Nicholson, *Preaching to the Exiles*, 126–33.

bring them back to the land, so that they might possess it (30:3); God will repopulate the land (31:27); God will make a new covenant with the house of Israel and the house of Judah (31:31); and (if we include 31:38) God will rebuild the city of Jerusalem. Much of the long passage in 30:1–31:26 is dedicated to the promise that the people of Israel would return to their land and uses language reminiscent of Deut 4:25–31 and 30:1–5. God will “restore the fortunes” of his people (Jer 30:3; cf. Deut 30:3); God will bring them back to the land that he gave to their ancestors, and they will possess it (Jer 30:3; cf. Deut 30:5); the present is a time of distress (Jer 30:7; cf. Deut 4:30); God will “gather” Israel from the farthest parts of the earth and from the “land of the north” (Jer 31:8; cf. Deut 30:4). Thus not only is Jer 29:10–14 closely related to Deut 4:25–31 and 30:1–5; the whole of Jer 30–31 is closely related to these same texts from Deuteronomy.

There is one final observation to be made. We have seen that 2 Chr 15:1–15 is closely related to Deut 4:25–31 and 30:1–5. But there is also a close connection between 2 Chr 15:1–15 and Jer 30–31, for in 2 Chr 15:7 the author explicitly quotes Jer 31:16: “for there is a reward for your work.” That suggests that for his understanding of Asa’s covenant in 2 Chr 15, the Chronicler has depended not only on Deut 4:25–31 and chapters 29–30, but also on Jer 31, the very chapter that speaks of the “new covenant.” We saw above that Asa’s covenant is essentially identical, from a structural point of view, to the Damascus covenant as described in *D*. We now see also that Asa’s covenant has its roots in the very same Deuteronomistic “new covenant” traditions that stand behind *D*.

We have thus established a second step in uncovering the biblical and theological foundations of the idea of “entering the new covenant in the land of Damascus.” The prophets of the exile (especially Jeremiah and Ezekiel) preached to the exiles that they must seek the LORD with their whole heart while in the land of their exile, the “land of the north” (Jer 31:8). God would gather them and restore them to their land. This would happen when God made a new covenant with them. The Deuteronomists of the exilic and post-exilic periods picked up this preaching of the exilic prophets and made it their own. Israel must “enter a covenant” (Deut 29:11; cf. 2 Chr 15:12), that is, the “new covenant” (Deut 29–30; Jer 31:31–34), in the land of its exile, the land of the north (Deut 30:1; Jer 31:8), to seek the LORD with whole heart and with whole soul (Deut 4:29; 30:2; 2 Chr 15:12).

3.2.3 “The Land of Damascus” as the Place of Israel’s Exile in D

The fact that the new covenant is connected in *D* with the term “the land of Damascus” is further evidence for the hypothesis that the idea of “entering the new covenant in the land of Damascus” has its roots in the prophetic preaching to the exiles and in the Deuteronomists’ reception of that preaching, for a strong case can be made that the connection of the “new covenant” with the “land of Damascus” also has roots in Jer 30–31. As we have seen, Jer 31:8 says that God will bring Israel back to the land of Israel from the “land of the north.” The “land of the north” is a generic term for the place of exile in Jer 3:18; 16:15; 23:8, and in Zech 6:6, 8. In Zech 2:10–11, however, the “land of the north” is explicitly identified with Babylon. It is virtually certain that texts such as these that speak of the “land of the north,” and perhaps especially Jer 31:8, lie behind the expression “the land of Damascus” in *D*. The midrash in CD VII,13–14 says that “those who remained steadfast escaped to the *land of the north*,” and the midrash goes on to equate the “land of the north” with Damascus. In Chapter 1 I showed that the purpose of this midrash was to explain the origins of the Damascus covenant and, moreover, that it connected the origins of the Damascus covenant with the exile.

I have identified “the land of Damascus” with the land of Israel’s exile, specifically Babylon. Since that point is disputed, however, I must say something more about it. Much has been written about the expression “the land of Damascus,” and numerous attempts have been made to identify “the land of Damascus” with the city of Damascus itself or with the Qumran community. But there is in the end only one text (the midrash on Amos 5:26–27 in CD VII,12b–14a) that can point us in the right direction, and it shows clearly that “the land of Damascus” is the place of Israel’s exile. CD VII,12b–14a states: “When the two houses of Israel separated, Ephraim detached itself from Judah, and all the renegades were delivered up to the sword; but those who remained steadfast escaped to the land of the north.” As I have shown in Chapter 1, the “departure of Ephraim from Judah” refers, on the one hand, to the historical division between the northern and southern kingdoms, and on the other hand serves as a cipher for those who turn away from the covenant of the movement represented by *D* (=“those who depart from Judah” [שריי יהודה] in CD VIII,3). Similarly in the later DSS (4QpNah [4Q169] 3–4 ii 2, 8; 3–4 iii 5; 4QpPs^a [4Q171] 1–2 ii 17) the term “Ephraim” will refer to the opponents of the Qumran

community. There is no evidence, however, that CD VII,4b–VIII,18b has the *Qumran community* in view yet. The passage rather warns against apostasy from the pre-Qumran covenant movement.³⁷ In VII,13c–VIII,1a the author of the A text identifies the “escapees” of the “first visitation” (=the exile; the term “first visitation” comes from CD XIX,11–12, which belonged to the original midrash from which the A text was produced)³⁸ with the “steadfast” who “escaped to the land of the north” at the separation of Ephraim from Judah (VII,13c–14a).³⁹ That means that the “steadfast” who “escaped” to the “land of the north” are those who went into exile. Since the “steadfast” are set in contrast to the renegades—those who turn aside from the covenant (VII,13;VIII,3)—we conclude that the “steadfast” are those who remained faithful to the covenant in the exile, the “land of the north.”

The midrash on Amos 5:26–27 identifies the “land of the north” (the land of exile) with Damascus. Thus the origin of the term “land of Damascus” in the expression “the new covenant in the land of Damascus” that appears several times in CD is easily explained. The “land of the north” from CD VII,14—that is, the land of exile—is simply replaced by the “land of Damascus” on the basis of the immediately following midrash on Amos 5:26–27.

It may be asked, however, why the “Damascus” text from Amos 5 ever came to be connected with the exile in Babylon (“the land of the north”) at all. Certainly Acts 7:43, where “Damascus” in the text of Amos 5:27 is replaced with “Babylon,” is important external evidence that such a connection was indeed being made at the time. The most likely explanation for the connection, however, is simply that members of the Damascus covenant read Amos 5:26–27 as a prophecy that the law and the prophets would be restored, and their true interpretation revealed, in the exile. As we have seen, it was for the sake of the

³⁷ In agreement with Jerome Murphy-O’Connor, “A Literary Analysis of Damascus Document VI,2 - VIII,3,” *RB* 78 (1971) 227.

³⁸ See Chapter 1, pp. 30–31, 37–38.

³⁹ The fact that the author identifies the apostates as “Ephraim” at the separation of the two kingdoms, while he identifies the “escapees” as those who went into exile at the time of the fall of Jerusalem—drawing on and conflating two different historical events—is unproblematic insofar as the author of CD and even Ezekiel have a tendency to conflate these historical events. On this see Chapter 1, p. 18; Murphy-O’Connor, “A Literary Analysis of Damascus Document VI,2 - VIII,3,” 225; Davies, *The Damascus Covenant*, 153–54.

interpretation of the law and the prophets that the Damascus covenant arose (CD III, 12b–17a): the Damascus covenant traced its roots back (at least in part) to a felt need to seek the “hidden things” of the law (cf. Deut 29:28), and that required preservation and careful study of the law and the prophets.

Viewed historically, this kind of work—preservation and study of the law and the prophets—certainly occurred in the exile. It is generally thought that the community of the exile was responsible for the preservation and redaction of the law and the prophets. The priestly legislation was probably synthesized to a great extent in the exile. Some scholars think that the DH was put in its final form in the exile in Babylon,⁴⁰ and as we have seen, there is evidence to suggest that the Deuteronomists of the exile also undertook far-reaching redaction of Jeremiah. Other pre-exilic prophets (e.g., Hosea, Amos, Zephaniah) may also have been redacted in the exile. Needless to say, the later Jewish tradition would not acknowledge that the exiles ever edited (and thus changed!) the law of Moses or the prophets. From the perspective of later Jewish tradition, however, the activity undertaken by the scribes of the exile was remembered collectively as their preserving, and thus “establishing” (הקים), of the law and the prophets (CD VII, 16).

The midrash on Amos 5:26–27 in CD VII, 13c–19a agrees well with this explanation. The author of the midrash takes Amos 5:26–27a in the MT, which reads, “And you will take up Sikkût your king and Kîyûn your star-god, your images that you have made for yourselves, and I shall deport them beyond Damascus (מהלאה לרמשק),” as “I shall exile the *sikkût* of your king and the *kîyûn* of your images from my tent to Damascus (באהלי רמשק).” He then reads “the Sikkût (סכוח) of your king” as “the booth (סוכה) of your king” and interprets this “booth” as the “books of the law.” This reading comes by way of Amos 9:11, where God says that he will “lift up [or (re)establish: אקים] the booth of David that has fallen.” Why he interprets the “booth” as the “books of the law” is uncertain, although it has been suggested that the author knew a tradition that equated the temple with Scripture.⁴¹ In any case, the

⁴⁰ See the discussion in Nicholson, *Preaching*, 116–22.

⁴¹ See N. Wieder, “Sanctuary as a Metaphor for Scripture,” *JJS* 8 (1957) 165–75, who, however, only adduces very late evidence. More likely perhaps is the explanation of Lawrence H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: E. J. Brill, 1975) 31–32, who explains the exegesis in the following way: והגליתי את סכוח מלככם is read in the sense, “I will reveal the *sikkut* of your King,’ i.e. God. Based on this

idea is that at the exile God deported the books of the law, which had “fallen” (into neglect) and had been “breached” (see Amos 9:11b) in Judah, from the temple to “Damascus,” where he would “(re)establish” them. Since the unusual word *sikkût* has been interpreted as referring to the law, it was natural to interpret the equally unusual “*kîyûn* [or *kênê*] of the (your) images” as referring to the “books of the prophets,” the other main *corpus* of Scripture that went into exile. Thus this midrash on Amos, which locates the beginning of the Damascus covenant in exilic circles who were concerned with the preservation and the correct interpretation of the law and the prophets, agrees well with what we are told about the origins of the covenant elsewhere in *D*.

Moreover, this historical context—scribal activity in the exile—also makes excellent sense of CD VII,17–18. There the author says that Israel “despised the books of the prophets.” This is an obvious allusion to 2 Chr 36:15–16, which says that God “sent persistently to them by his messengers [=the prophets]...but they kept mocking the messengers of God and despising his words and scoffing at his prophets....” The result was that God “brought up against them the king of the Chaldeans...” (36:17). Not only does the allusion to 2 Chr 36:15–16 point to the exile as the historical situation in the author’s mind; but also, if Israel before the exile “despised” the words of the prophets, then it was the community of the exiles who cherished, preserved, and interpreted their words, just as it was the exiles who “(re)established” the law (CD VII,16).

It is also possible that the author of the midrash read the וְהִגַּלְתִּי־י אмос 5:27 in the sense of “I shall reveal” rather than “I shall deport,” thus implying that in the exile God “revealed” the correct interpretation of the law and the prophets.⁴² That would correspond to the notion elsewhere in CD that it was the exiles to whom God gave the correct interpretation of the law (e.g., III,12–16; VI,2–11) and to the historical hypothesis that it was scribes in the exile who sought the correct interpretation of the law through study.

reading of Amos, the *sikkut* must be that revealed by God, the Torah. Amos 9:11 is quoted to provide a proof-text to the effect that *sikkut* can refer to the Torah.” Schiffman refers to Harry Austryn Wolfson, *Philo* (2 vols.; Cambridge: Harvard University Press, 1947–48) 1.149, who cites a passage from Philo (*Leg.* 3.46 on Exod 33:7) as evidence that the tabernacle (*sukkâ*) could be a symbol for the Law (identified with Wisdom). The Philo parallel is, however, quite remote.

⁴² See the previous note.

Finally, as we have seen, the idea of the “new covenant in the land of the Damascus” is itself probably the product of scribal exegesis, from within an exilic setting, of the law (Deut 4:29–31; 30:1–5) and the prophets (Jer 29–32). That agrees with the argument that the Damascus midrash refers to the preservation and study of the law among scribes in the exile and that it connects the origins of the covenant with such activity.

What we have in CD VII,13c–19a, then, is a tradition about the preservation and (correct) interpretation of the law and prophets among exilic scribal circles, a tradition supported by appeal to prophecy (Amos). Accordingly the “escapees” of the “first visitation,” that is, those who escaped to the “land of the north” (CD VII,13–14), which is the “land of Damascus,” are the earliest members of the Damascus covenant, whose origins are set in the exile.⁴³ In short, all of the evidence points to identifying Damascus with the Babylonian exile and neither with the Qumran community,⁴⁴ nor with the city of Damascus itself, nor with the Judean desert, as has been variously proposed.⁴⁵

⁴³ This interpretation is supported by CD III,12–17, where the early members of the covenant are called the “steadfast” at the time of the exile, as in CD VII,13.

⁴⁴ The proposal of Geza Vermes, *Scripture and Tradition in Judaism* (2nd ed.; Leiden: E. J. Brill, 1973) 43–49, that the symbolism of the “land of Damascus” comes from exegetical traditions on Zech 9:1 that identified the place of the eschatological sanctuary with Damascus, is possible. Such might explain why Amos 5:26–27 in particular is connected with the exile of the (temple-related) community in CD VII,13c–VIII,1. Vermes overlooks the problem, however, that the exile to the land of Damascus is understood to be a past event, so that it is unlikely that “Damascus” is a symbol of a future expectation for the Qumran community. On CD VII,18–19 see the next note.

⁴⁵ In agreement with Isaac Rabinowitz, “A Reconsideration of ‘Damascus’ and ‘390 Years’ in the ‘Damascus’ (‘Zadokite’) Fragments,” *JBL* 73 (1954) 33–34 (see also 20 n. 38, 21 n. 49, 26 n. 87, 29 n. 96, 31 n. 113, 32–33 n. 125); Jerome Murphy-O’Connor, “The Essenes and Their History,” *RB* 81 (1974) 221; and Davies, *The Damascus Covenant*, 122–23. For a convenient listing of scholars and their views, see Charlotte Hempel, *The Damascus Texts* (Sheffield: Sheffield Academic Press, 2000) 59; and Vermes, *Scripture and Tradition in Judaism*, 44. The term “Damascus” does not appear outside of *D*, which is most odd if it refers to the Qumran community.

CD VII,18–19 does not speak against the identification of Damascus with Babylon. The participle בָּרַח is probably to be taken as a past tense (the Interpreter of the Law “who came” to Damascus) rather than as a future tense (the Interpreter of the Law who “will come” to Damascus) (in agreement with Ginzberg, *An Unknown Jewish Sect*, 34–35 [German: 48]; Chaim Milikowsky, “Again: *Damascus* in Damascus Document and in Rabbinic Literature,” *RevQ* 11 [1982] 104; Davies, *The Damascus Covenant*,

147; and Jerome Murphy-O'Connor, "The *Damascus Document* Revisited," *RB* 92 [1985] 242 [which represents a change from his earlier view in "The Essenes and Their History," 222 n. 39]; and contra van der Woude, *Die messianischen Vorstellungen*, 53, 57). In support of taking it as a past tense are (1) the fact that CD VI,7 speaks of the Interpreter as a figure of the past; (2) that where the Interpreter of the Law does appear as a future figure at Qumran in 4Q174 1–2 i 11, the implication seems to be that the Interpreter will appear in *Zion* and not in Damascus, since the Interpreter is said to rise with the Davidic messiah who appears in *Zion* (and note that while this text cites Amos 9:11, it interprets it in a very different sense from CD VII,15–16); and (3) the fact that the "star" that is interpreted as referring to the Interpreter of the Law comes from Amos 5:26–27, which in CD VII is interpreted of the events of the exile (in the past). The fact that the author passes over the "star" at the beginning of his exegesis (VII,14b–18a) and only comes to it secondarily (VII,18b–19a) does not have to be explained as van der Woude explains it, namely, that the exile of the books of the law and prophets is a past event while the coming of the Interpreter of the Law is a future event. Rather, it may be that the Interpreter of the Law actually "came" to (appeared among) the exiles at a time considerably later than the actual exile (587/86 BC), so that it would have been inappropriate to say that he was "exiled" with the law and the prophets. But even if *הבא* should be taken as a present or future participle, it would not exclude an identification of Damascus with Babylon of the exile, since the author might be interpreting the events from the perspective of Amos's time, for whom the exile to Damascus lies in the future.

The origins of the office of the *דרוש הורה* are not clear. It is possible that the historical "interpreter of the law" was a figure like Ezra, who according to Ezra 7:2 was a Zadokite priest and who according to Ezra 7:10 "set his heart to study (*דרש*) the law (*הורה*)." In *Sifre Deut* §48 (to Deut 11:22) (Finkelstein edition, p. 112) (cf. also *b. Sukkah* 20a–b), Ezra is compared to Moses: If Moses had not established the law for Israel, it would have been forgotten. So also if Ezra had not restored the law, Israel would have forgotten it. Israel forgot the law at the time of the exile (cf. *Jub.* 1:9, 14), but Ezra restored it. In 4Q385a 18 ia–b 2–11 (the so-called *Apocryphon of Jeremiah*), in a section without parallel in the MT, Jeremiah goes to the exiles in Babylon and "commands them what they should do in the land of [their] captivity." In Egypt he tells the exiles to "seek" (*דרש*) God's statutes (4Q385a 18 ii 8). Perhaps we have here another example of someone who might be called an "interpreter of the law" who "came" to "Damascus" (the exile). As Devorah Dimant, "An Apocryphon of Jeremiah from Cave 4 (4Q385^B = 4Q385 16)," *New Qumran Texts and Studies* (ed. George J. Brooke; Leiden: E. J. Brill, 1994) 20–21, 26–28, has pointed out, Jeremiah plays a role like Moses in that he establishes commandments for the people in exile (see also her comments in DJD 30.105, 166). Jeremiah's role in the rest of the apocryphon, namely, giving an overview of the future history of Israel, including exile and restoration, also makes him similar to Moses in *Jubilees*, which further supports the idea that Jeremiah plays the role of an authoritative interpreter of the law.

There is mention of an "Interpreter of the Law" in 4Q174 1–2 i 11 and 4Q177 11,5. These two texts may have originally belonged to one and the same document (see Annette Sieudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde*

(4QMidrEschat^{ab}) [STDJ 13; Leiden: E. J. Brill, 1994] 151). I suspect that in both cases the “Interpreter of the Law” is the priestly messiah who will arise with the Davidic messiah at the end of days. The mention of an “Interpreter of the Law” in 4Q177 11,5 is followed by the words, “for there is no (כִּי־אֵין) ...each one upon his rampart when they arise (אִישׁ עַל מְצוּרוֹ בְּעוֹמְדוֹ).” The last line is reminiscent of CD IV,10–11, which reads: “but when the period corresponding to the number of these years is complete, there will no longer (אֵין עוֹד) be any joining with the House of Judah but rather each one standing on his stronghold (אִישׁ עַל מְצוּרוֹ).” The word עָמַד (“to arise”) used in 4Q177 11,6 is the verb frequently used in the Qumran literature for the coming of the messiahs (CD XII,23; XX,1; 4QpIsa^a [4Q161] 8–10,18; 4Q174 1–2 i 11, 13). I consider it likely that 4Q177 11,6 refers to the coming of the messiahs (note the plural), when there will no longer be a chance to join the community, but every individual not yet in the community will face his own fate (cf. CD IV,11) (contrast Steudel, *Midrasch*, 93). Thus the *Qumran community* looked for an eschatological “Interpreter of the Law” (=priestly messiah).

There is evidence, then, that the “interpreter of the law” was a title used at Qumran and in its parent movement both for a historical figure of the past and for an eschatological figure. The terms “interpreter of the law” and “teacher of righteousness” were sufficiently inexact that both could be used either for the priestly messiah himself or for a forerunner of the messiah (cf. van der Woude, *Die messianischen Vorstellungen*, 54–55, 74; John J. Collins, *The Scepter and the Star: The Messiahs of the Dead Sea Scrolls and Other Ancient Literature* [New York: Doubleday, 1995] 104). Thus it is easy to understand how the “interpreter of the law” could have been understood both as a (past) historical figure, as a (future) eschatological prophet like Moses, and even as a (future) eschatological priestly messiah.

The following is a possible scenario: The pre-Qumran movement believed that the “Interpreter of the Law,” who established its halakah, had already come. It looked for the coming of a priestly messiah (=teacher of righteousness) and a Davidic messiah. For the (later) Qumran community, the teacher of righteousness had come, but he turned out *not* to be the priestly messiah. The community continued to look for a priestly messiah (=final) interpreter of the law) and a Davidic messiah. Collins (p. 104) writes that it is “gratuitous to multiply teachers without cause, by identifying the Interpreter of the Law as yet a third figure who preceded the historical Teacher.” It seems necessary, however, to posit three different figures that the Qumran community and its parent movement knew as past or expected as future authoritative teachers of the law. The Qumran community accepted the halakah of the Damascus covenant and the original interpreter of the law (IQS IX,10; CD XX,8–9, 31–32; cf. CD VI,2b–11a). When the Teacher came, the community accepted his authority as an authoritative interpreter of the law. But as we saw above, the Qumran community also continued to look for an eschatological “interpreter of the law.” Thus the Qumran community knew of two historical teachers of the law (an original “Interpreter of the Law,” who [allegedly] established the halakah of the [old] Damascus covenant; and the historical Teacher of Righteousness), and expected a third (eschatological) “interpreter of the law,” with whom it probably identified the eschatological priestly messiah. (Note also that even IQS VIII,11–12 knows of someone [present or past] called an “Interpreter,” although that

Since the terms “the land of the north” and “the new covenant” in *D* both have their likely origin in Jer 31, it is no longer necessary to remain puzzled as to why the “new covenant” (from Jeremiah) and the “land of the north/Damascus” (via Amos) ever came to be connected.⁴⁶ Underlying the expression “the new covenant in the land of Damascus” is a coherent and comprehensive Deuteronomistic theology according to which a “new covenant” in the “land of the north” (=the exile) is prerequisite for the restoration of Israel. Jeremiah 30–31 shows itself to be the linchpin of the whole idea. This new covenant entailed the preservation and the interpretation of the law, which Amos prophesied would happen in Damascus (=“the land of the north”). Nor is it necessary any longer to doubt whether the term “new covenant” in the Qumran literature has any relationship to the classic “new covenant” text of Jer 31:31–34. Even up to the recent past some scholars have expressed such doubt. Thus in a 1994 essay Talmon writes: “[T]he Covenanters evidently disregarded Jeremiah’s prophecy.”⁴⁷ We now see, however, that Jer 31:31–34 is in fact a central text for understanding the term, as one might have expected.

We have thus established a third step in uncovering the origins of the idea of “entering the new covenant in the land of Damascus.” The new covenant included the study of the law and the prophets to find the correct interpretation of the law, so as to be able to do the revealed and hidden things of the law. The correct interpretation was to begin in the exile, the “land of the north,” the “land of Damascus,” where, as Amos

figure is probably not the Interpreter of the Law of CD VI,7 but one of the “interpreters in the law” of 1QS VI,6.)

⁴⁶ Contrast Hempel, *The Damascus Texts*, 80: “It may be best to remain agnostic as to the identity of the ancient exegete who, inspired by Jer. 31.31 and Amos 5.26–27, introduced the idea of a new covenant in the land of Damascus into *D*.” I do not suggest that we know the identity of the exegete who did this, but we can now understand how the connection was made.

⁴⁷ Talmon, “The Community of the Renewed Covenant,” 13; cf. also idem, “The Essential ‘Community of the Renewed Covenant,’” 346. Of the same view is Raymond F. Collins, “The Birth-Notion of the Cairo Damascus Covenant and Its Comparison with the New Testament,” *ETL* 39 (1963) 573, 575 (but see also 580) (reprinted with the same page numbers in H. van Waeyenbergh, ed., *Mélanges Gonzague Ryckmans: Miscellanea Orientalia et Biblica* [BETL 20; Leuven: University of Leuven Press, 1963]). See p. 572 for a list of scholars who see a connection with Jer 31:31–34. For further references see Walter Gross, *Zukunft für Israel: Alttestamentliche Bundeskonzepte und die aktuelle Debatte um den Neuen Bund* (SBS 176; Stuttgart: Katholisches Bibelwerk, 1998) 156–57.

prophesied, God would restore the law and the prophets and reveal their correct interpretation.

3.2.4 *Summary and Prospect*

At this point it will be helpful to summarize the argument of paragraph 3.2. The idea of “entering the new covenant in the land of Damascus” is a formulation that can be traced back to Deuteronomistic circles in the exilic or post-exilic period. The expression can be explained through scribal activity on and exegetical connections between Deuteronomistic texts such as Deut 4:25–31; 29; 30:1–5; and Jer 29–31, as well as Amos 5:26–27. Jeremiah 30:1–31:40, Deut 4:25–31 and 30:1–5 promise that God will restore Israel to the land from exile. Jeremiah 29:10–14, Deut 4:25–31, and 30:1–5 all agree that this will happen when Israel “seeks” the LORD with all its heart. Deuteronomy 29 speaks of Israel “entering” a covenant, and this chapter comes in a section of Deuteronomy that has been shown to have close connections with the prophetic promise of a “new covenant.” This chapter also speaks of the “hidden things” of the law, which could become an object of study. Jeremiah 31:31–34 promises a new covenant as part of the restoration of Israel to the land. Jeremiah 31:8 says that God will gather Israel from the “land of the north,” the land of its exile. Finally, Amos 5:26–27 (as interpreted by the Damascus covenant) prophesied that the restoration and correct interpretation of the law and the prophets would happen in the land of Damascus.

When these texts are taken together, it is easy to see how the idea of “entering the new covenant in the land of Damascus” arose. If Israel was to be restored to its land, it must enter into a covenant to seek God with all its heart and with all its soul to study the law and the prophets to find the “hidden things.” This was the “new covenant,” announced by Jeremiah, and it would arise while Israel was in the “land of the north,” that is, in Damascus, where, according to Amos 5:26–27, God would deport the law and the prophets. There he would reestablish them and reveal their correct interpretation. 2 Chronicles 15:1–15, which is closely connected to this Deuteronomistic tradition (including the new covenant tradition in Jeremiah), gives a model for this “seeking of God” through entrance into a covenant, sealed with an oath. The Damascus covenant, as this is described in *D*, has the same structure as the covenant of 2 Chr 15:1–15. All of this suggests that the “new

covenant in the land of Damascus” (or at least the idea of such) is based on the same kind of Deuteronomistic traditions as the covenant of 2 Chr 15:1–15.

That such exegetical connections do in fact lie ultimately in the background of the idea of a “new covenant in the land of Damascus” and are not mere speculation on my part is supported by *Jub.* 1:15–16. These lines, in a book that, as we saw above, has important similarities to the Damascus covenant, also bring together motifs from Deut 4:29–30; 30:4; and Jer 29–32 in a context of the restoration of Israel after exile.⁴⁸ Likewise Bar 2:27–35 brings together motifs from Deut 28–30 and Jer 24–32 in the context of the restoration after exile.

The “new covenant in the land of Damascus,” then, was the covenant that the steadfast in the exile, in the “land of the north,” entered, in order to seek the LORD with the whole heart and with the whole soul and to seek the hidden things of the law. They entered this “new covenant” in anticipation of the return to and repossession of the land, which would be the result of their seeking God. That the return to and the repossession of the land were the ultimate purpose of the “new covenant” is confirmed not only by the connections between Jer 31:31–34, Jer 29:10–14 and Jer 30, read in conjunction with Deuteronomy, but also by CD I,7–8, which says that God visited the “remnant” of the exile and “caused to sprout from Israel and from Aaron a shoot of the planting, in order to possess his land and to grow fat with the good things of the soil.”

Jeremiah 29:10–14 says that Israel would not be (fully) restored to the land until the “70 years” of Babylon were fulfilled. These seventy years came to be interpreted in the post-exilic period as seventy sabbaths or seventy weeks of years (=490 years; cf. Lev 26:18, 27, 34–35; 2 Chr 36:21; Dan 9:2, 24). For the Damascus covenant, this time was to be a period of preparation, a time to seek the LORD with the whole heart.⁴⁹ Thus, in the words of CD VI,5–6, the “captivity of

⁴⁸ Of course *Jubilees* comes from long after the exile, but we must consider the possibility that the influence of the Deuteronomistic school continued well into the post-exilic period, as is suggested also by 2 Chr 15 (more on this below).

⁴⁹ The author of *D* was likely confirmed in the view that the present time was a time to “seek the LORD” by Hos 10:12b–c: “It is time to seek (לדרוש) the LORD, that he may come and rain righteousness upon you (עד יבוא ויורה צדק לכם).” This verse is very likely the origin of the idea of the coming of a Teacher of Righteousness, since Hos 10:12c could also be interpreted, “until a teacher of righteousness come to you” (see

Israel” (שבי ישראל)⁵⁰ at the time of the exile “left the land of Judah and lived in the land of Damascus” and there “sought God” (דרשוהו).

The identification of “Damascus” with Babylon and the tracing back of the *idea* of a “new covenant in the land of Damascus” to Deuteronomistic circles in the exile raise the historical question whether the “new covenant in the land of Damascus” as a *movement*,

van der Woude, *Die messianischen Vorstellungen*, 74, 214). (Peter Stuhlmacher, *Gerechtigkeit Gottes bei Paulus* [2nd ed.; Göttingen: Vandenhoeck & Ruprecht, 1966] 164, suggests that the origin of the title “Teacher of Righteousness” lies in Joel 2:23. That is possible, although the consistent use of צדק rather than צדקה [exception: 1QpHab II,2] for the title in the DSS and the appearance of ער in CD VI,10 may speak more strongly in favor of the Hosea text as the origin.) That means that the time before the coming of the Teacher was understood as a time “to seek the LORD.” That is precisely the view represented in CD I,10–11. In the pre-Teacher period the members of the movement “were like blind men groping for a path for twenty years. But God considered their deeds, because they sought him (דרשוהו) with a whole heart. And he raised up for them a Teacher of Righteousness to guide them in the path of his heart.” CD I as we have it obviously presupposes the arrival of the Teacher. But the early period of the movement probably already looked for the coming of a teacher and viewed its own present as the time of “seeking.” If, as is likely, the “Well Midrash” of CD VI,2–11 is pre-Qumranic (see Davies, *The Damascus Covenant*, 123–24), then it is evidence that the early movement understood itself in this way. The members of the movement were “digging the well,” that is, seeking the deep and hidden things of the law (cf. 4QD* [4Q266] 2 i 5; 4Q463 1,4) under the leadership of a (the) “interpreter of the law (ררש הזורה),” “to walk in them...until there arises he who teaches righteousness (יורה הצדק) at the end of days.”

In this connection it is interesting to note that 2 Chr 15:3 speaks of a time in the ancient past when there was no “teaching priest” (כוהן מורה). In their distress Israel sought the LORD, and he was found by them (15:4). One of the techniques of the author of *D* is to draw parallels between the ancient past and the present. For example, the disobedience of the people and their punishment in the period before and during the exile is like the disobedience and the punishment of those in the present who reject the covenant (CD VII,9–VIII,2 with XIX,5–14). Along the same lines it is possible that the author of (the pre-Teacher parts of) *D* viewed his present as a time like the ancient past when there was no (authoritative) “teaching priest” (cf. 2 Chr 15:3) (I agree with Davies, *ibid.*, 201, 202, that *D* was in its earliest parts of pre-Qumran origin). That is another possible point of contact between *D* and 2 Chr 15. Of course, many of the members of the early movement were very likely priests who taught, but the Teacher (מורה) would be the authoritative teacher-priest when he came (we know from 1QpHab II,8–10 that the historical Teacher was a Priest, כוהן). In the meantime, therefore, as they awaited the teacher-priest, the people must seek the LORD, and he would be found by them (2 Chr 15:4).

⁵⁰ On the translation of שבי ישראל, see Chapter 4, p. 146.

that is, the actual organization that is presumably represented by *D*, also arose in the exile. We shall treat that problem in the next chapter. For the moment, however, it must suffice to say two things. First, even if we locate the source of the *idea* of a “new covenant in the land of Damascus” in Deuteronomistic circles in the exile, we are not necessarily compelled to locate the beginnings of the Damascus covenant itself (as an organization) in the exile (either geographically or chronologically). As we have seen, underlying the covenant of 2 Chr 15 are essentially the same theology and structure that underlie the Damascus covenant, and the covenant of 2 Chr 15 has been heavily influenced by Deuteronomistic tradition.⁵¹ Yet 2 Chronicles, of course, does not come from the exilic or even the early post-exilic period, but probably from the mid- to late-Persian period (400–335 BC, or possibly even later).⁵² That raises the possibility that even in the 4th century BC the work of the Deuteronomistic school, and most importantly its (new) covenantal theology, may have continued to exert a strong influence not only in Babylon but also in Palestine. That means that we may be able to set the beginnings of the Damascus covenant at the time of the Chronicler or later, even if the Damascus covenant traced its own theological or ideological origins back to the exile. In other words, the exilic origins of the Damascus covenant could belong to the foundational “myth” of the covenant, a myth constructed on the basis of later exegetical activity. That possibility—a movement claiming origins in the exile, but actually constituting itself in an organized form somewhat later—would be made possible by the continuing influence of Deuteronomistic theology in Palestine among circles that were unsatisfied with the settled polity of Persian Judah, that therefore considered themselves still to be in a period of exile, and that continued to hope for the full restoration of Israel as was promised in the Deuteronomistic theology and understanding of history. It would also

⁵¹ Of course, since the Chronicler used the DH, it is not surprising that Deuteronomistic phraseology should appear in his work, and in fact the Deuteronomistic language of “seeking (בִּקֵּשׁ) God” and “searching after (דָּרַשׁ) God” and God’s “being found” (נִמְצָא) is frequent in his work (1 Chr 10:14; 22:19; 28:9; 2 Chr 11:16; 12:14; 14:3, 6; 17:4; 19:3; 20:3, 4; 22:9; 26:5; 30:19; 31:21; 34:3). Nonetheless, the fact that there are such close parallels between 2 Chr 15:1–15 and Deut 4:29–31; 29–30, and Jer 29–32 *in particular* indicates that the (new) covenantal thought of the Deuteronomists is related to this passage in a special way.

⁵² Of course it is also possible that 2 Chr 15 represents older tradition.

be made possible by the continued influx of Babylonian Jews into Palestine in the 4th and 3rd centuries, who kept the consciousness of the exile alive.

Second, however, there is no reason to reject *a priori* the possibility that at least the halakah of the Damascus covenant does in fact go back to the period of the exile.⁵³ It is with the preservation of the law, and with the development of its distinctive halakah, that the covenant's accounts of its own history are most closely connected (cf. CD III,12–16; VI,2–11; VII,13–18). Therefore even if we do not want to argue that the Damascus covenant constituted itself as a cohesive organization already in the exilic period, we cannot discount the possibility that the exilic foundations of the covenant (understood as a commitment to a distinctive halakah) are an authentic memory. I shall say more on all of this in the next chapter.

3.3 *The New Covenant as the Initiative of God*

Our study thus far has reached the conclusion that, contrary to the view of some scholars, Jer 31:31–34 is very much at the heart of the “new covenant” of the Damascus covenant; indeed, it is the linchpin. The point is sometimes made, however, that the “new covenant” of CD is different from Jeremiah's new covenant in that whereas the latter covenant is made or initiated (כרתה) by God, in CD it is humans who take the initiative to “enter” (בוא) the covenant.⁵⁴ The same, of course, can be said of the covenant described in the *Rule of the Community*. Indeed, this is only one of many differences that have been noted between the (new) covenant of CD and Jer 31:31–34 (and between the covenant of CD and the covenant[s] of Abraham and Sinai).⁵⁵ This

⁵³ An analogy (from a later post-exilic period) is the halakah of the covenant of Nehemiah (cf. Neh 10).

⁵⁴ E.g., Collins, “Berith-Notion,” 568.

⁵⁵ *Ibid.*, 568–75; Gross, *Zukunft*, 156. Collins (pp. 568–69, 574) says that one of the differences between the covenant(s) of Abraham and Sinai and the “new covenant” of Jeremiah, on the one hand, and the (new) covenant of *D* on the other hand, is that whereas the former are all for the nation of Israel as a whole, the latter is only for a remnant. However, this distinction is inaccurate. CD XV,5 clearly states that the covenant of *D* is “for all Israel.” Thus *D* does not diverge in its basic covenantal theology from the traditional Israelite and Jewish belief that God made his covenant with all of Israel. The idea that, at least at the beginning, only a small number would

difference might suggest that the “new covenant in the land of Damascus” has nothing to do with the prophecy of Jeremiah.

As we have seen, however, this difference is due to the Deuteronomistic background of the idea of “entering a covenant,” since both Deut 29 and 2 Chr 15, which are related to both Jer 31 on the one hand and *D* on the other hand, know of a covenant into which people “enter.” Moreover, it is important to note that the author of *D* may well have understood the covenant into which people “enter” as itself coming at God’s initiative. Deuteronomy 4:31 says that God “will not forget the covenant with your ancestors that he swore to them.” This covenant is the promise of God to Abraham and his descendants that he would give them the land of Canaan (Gen 17:8; cf. also Lev 26:42, 45). God will bring Israel back to the land (cf. Deut 30:3–5). In Deut 4:29–31 and 30:1–5 this return to the land is connected with Israel’s returning to the LORD and seeking him. In the case of Deut 30:1–5 it is not clear whether that connection is stated in conditional or unconditional terms.⁵⁶ In 4:29–31, however, the relationship is clearly expressed in unconditional terms:⁵⁷

²⁹From there you will seek the LORD your God and you will find him, if you seek him with all your heart and with all your soul. ³⁰In your distress, when all these things have happened to you in the later days, you will return to the LORD your God and heed him. ³¹For the LORD

“enter” the covenant has its roots in texts such as Deut 4:27 (“only a few of you will be left”) and 2 Chr 36:20 (“those who were left [שארית] from the sword” went into exile to Babylon), texts which, as we have seen, were very important to the author of *D*. Other OT texts that speak of the remnant (שארית) or of the few (במעט) may also have exercised influence. The idea that the covenant is for all of Israel and the idea that only a few enter it could, and apparently did, stand side-by-side in the thought of the author and of others who belonged to the same movement.

⁵⁶ The ושבח (30:2) followed by ושב (30:3) could be an example of a “virtual condition by juxtaposition.” On this terminology see Ronald J. Williams, *Hebrew Syntax: An Outline* (2nd ed.; Toronto: University of Toronto Press, 1976) 85 (§512). So the NRSV: “if...you return to the LORD your God...then the LORD your God will restore your fortunes....” The NEB and the *Einheitsübersetzung* also translate with conditional clauses. But see Lohfink, “Der Neue Bund im Buch Deuteronomium?” 120–21, who argues that the apodosis should begin already in Deut 30:1b, hence: “when these things come upon...you will call it to mind, and you will return....” The LXX translates without a conditional clause. The Hebrew of Neh 1:9, which alludes to Deut 30:1–5, is similarly ambiguous, but the LXX translates Neh 1:9 as a condition, as does the NRSV

⁵⁷ Cf. Lohfink, *ibid.*, 121.

your God is a merciful God, he will neither abandon you nor will he destroy you; he will not forget the covenant with the fathers that he swore to them.⁵⁸

The conditional clause in 4:29 (“if you seek him...”) is not the condition for God’s remembering the covenant, but the condition on which Israel will be able to find the LORD: they will find him *if* they seek him with whole heart and whole soul. But God’s covenantal promise is that Israel *will* return to the LORD and seek him, so that he may restore them to the land.⁵⁹ Indeed a passage in 4Q504 1–2 v 9–16 (*4QWords of the Luminaries*) shows that both Deut 4:29–30 and 30:1–3 (as well as Lev 26:40–45)⁶⁰ not only *could be* interpreted in an unconditional sense in Second-Temple Judaism, but *were* so interpreted. These lines read:

And you [God] remembered your covenant, for you led us out in the sight of the nations [cf. Lev 26:45] and did not desert us among the nations. You did favors to your people Israel in all the lands to which you exiled them, to cause it to come (להשיב) to [Israel’s] mind to return to you and to listen to your voice according to all that you commanded by the hand of Moses your servant [cf. Deut 30:1–2]. For you have poured your holy spirit upon us, to bestow your blessings on us, so that we might look for you in our distress (בצר לנו) [cf. Deut 4:30].

This text is very interesting, not only because it combines allusions to Deut 4:30 and 30:1–2 (as well as Lev 26:45), thus corroborating my argument in the first part of this study that the connection between these two texts from Deuteronomy was deemed significant by some Second-Temple Jews, but also because it does so in a way that

⁵⁸ Following the NRSV. The NEB translates Deut 4:29 as a condition (“if from there you seek the LORD your God, you will find him...”), but 4:30 without a conditional clause (“you will in days to come turn back...”). The LXX, the RSV, and the *Einheitsübersetzung* translate both verses without conditional clauses.

⁵⁹ See also Hans Walter Wolff, “Das Kerygma des deuteronomistischen Geschichtswerks,” *Gesammelte Studien zum Alten Testament* (Munich: Chr. Kaiser Verlag, 1964) 322, who notes that in Deut 4:29–31 and 30:1–10 the conversion of Israel belongs to God’s promise.

⁶⁰ The NRSV and the RSV translate Lev 26:40, 41 with conditional clauses (so also the NEB for 26:41). The LXX and the Luther Bible render them without conditional clauses. The *Einheitsübersetzung* translates 26:40 without a conditional clause, but a condition is implicit in the translation of 26:41 (“ihr unbeschnittenes Herz muss sich beugen...”).

emphasizes God's initiative. Whereas Deut 30:1 simply says that in exile *Israel* will call (והשבתי) to mind the covenant with its blessings and curses and will return to God, and so God will restore Israel's fortune (or on a conditional reading: *if* Israel calls these to mind and returns to God, then God will restore Israel's fortunes), leaving it open as to how this will happen, 4Q504 says explicitly that it is *God* who caused these to come (להשיב) to Israel's mind *so that* Israel could return to God. Furthermore, the text says that God bestowed on the people the holy spirit, so that they might look for God in their distress. This statement affirms God's initiative in causing Israel to seek God. Thus it also affirms an unconditional reading of Deut 4:30 and goes beyond the latter in explicitly identifying God's holy spirit as the agent that causes Israel to seek God.

If the author of *D* shared the general view represented in 4Q504 1–2 v 9–16 (and the reliance on Deut 4:29–30; 30:1–3 in CD XV,8–12, as well as the affinity between CD I,4; VI,2 and 4Q504 1–2 v 9, suggest that he did share it), he could view the covenant that members of the movement “entered”—the covenant to return to the law of Moses with whole heart and with whole soul (CD XV,8–12)—as itself a result of God's own covenant faithfulness. God's remembering of the covenant with the fathers is manifest in his allowing there to be a faithful remnant (the “few” of Deut 4:27; 2 Chr 36:20) who return to the LORD, as God promised that they would. The human response to this covenant faithfulness of God is to enter a covenant to seek the LORD with whole heart and with whole soul (Deut 4:29; 30:2; cf. 2 Chr 15:12). In other words, God remains true to his covenant by raising up a chosen remnant who “enter a covenant” to seek him and to return to him.⁶¹ And that is precisely how the author of *D* understands the matter:

When they were unfaithful in forsaking him, he hid his face from Israel and from his sanctuary and delivered them up to the sword. But when he remembered the covenant with the forefathers, he saved a remnant for Israel and did not deliver them up to destruction. (CD I,3–5; cf. III,13–14)

⁶¹ Apart from (or in addition to) any theory of predestination, this view of the covenant—God remembers his covenant by allowing a remnant to “enter” a covenant—may help to explain the remarkable fact that members of the community at Qumran were both the “chosen” of God (by God's initiative) and those who “volunteered” (as though at their own initiative) for the community.

The very existence of a remnant that binds itself with an oath to enter a covenant to seek God is itself a sign and result of God's own covenant faithfulness. Thus it is inaccurate to say that the (new) covenant of *D* comes *solely* by human initiative. Rather, it comes at God's initiative, and one of the supposed differences between Jer 31:31–34 and the (new) covenant of *D* falls away.

3.4 *The Relationship between Covenant and New Covenant*

With that said, it must be granted that there are other apparent differences between Jer 31:31–34 and the new covenant of *D*. The major difference is that Jer 31:31–34 promises that in the new covenant the law will be written on the hearts of the people, implying intimate knowledge of the law and spontaneous obedience, while the members of the new covenant in *D* must search out the law and must exert effort to fulfill it. Another difference that has been noted is that in Jeremiah the new covenant is a promise for the future, while in *D* the new covenant appears consistently as an entity of the past.⁶²

The second of these differences is, however, hardly a problem. Insofar as the covenant movement behind *D* believed that the words of the prophets had already begun to be fulfilled, there is no reason why Jeremiah's prophecy of a new covenant could not have been fulfilled in the past, at least incipiently.⁶³ The first difference mentioned above can be explained if we pay attention to the relationship between the "new covenant" of Jeremiah and the covenant of the law of Moses. We have seen that the origins of the idea of "entering the new covenant in the land of Damascus" lie in the post-exilic necessity of "entering a covenant" to "seek the LORD with the whole heart," to "find" him and to "return" to him, so that Israel may return from its exile "in the land of the north" (Jer 31:8). It is in connection with this covenantal theology that God promises to make a "new" covenant (Jer 31:31). This covenant, however, was already inscribed in the covenant of the law of Moses (cf. Deut 29–30). Thus the "new covenant" is already part of the

⁶² See Collins, "The Berith-Notion," 574–75. However, not all of Collins's points are convincing. We have seen that (contra Collins) the covenant of *D* is for all Israel, and that it presupposes God's initiative.

⁶³ As Collins, *ibid.*, 574, also notes.

covenant of the law of Moses. One can state it this way: from a post-exilic perspective, when God made the covenant with Moses and with Israel, he also made the new covenant of Jeremiah. The covenant of the law of Moses *includes* the new covenant within itself insofar as the arrangements that govern the covenant of God include within themselves the promise of restoration of the covenant (Deut 4:29–31; 30:1–5), a restoration that will be a new covenant (Jer 31; cf. Deut 29–30). Thus Jeremiah’s new covenant is subsumed under the covenant of the law of Moses. In other words, the Deuteronomists gave the new covenant Mosaic roots.⁶⁴ Thus, if entrance into a covenant to seek the LORD with whole heart and with whole soul (Deut 4:29; 30:2) “in the land of the north” (Jer 31:8) has already happened, that covenant is, from the perspective of the Damascus covenant itself, *de facto* Jeremiah’s new covenant, regardless of whether the covenant matches Jeremiah’s description of the new covenant in all particulars. The apparent difference between the “new covenant” of Jeremiah and the new covenant of *D* discussed at the beginning of section 3.4 can be explained as due to the subsumption of the new covenant of Jeremiah under the covenant of the law of Moses. The content of the “new covenant” is essentially the same as the “covenant”—that is, it is the law of Moses *correctly* interpreted. And correct interpretation of the law requires searching the law and seeking God with whole heart and with whole soul.

There is, then, a certain interchangeability of the terms “covenant” and “new covenant.” We saw in Chapter 2, in reference to CD XX,12 and 1QpHab II,3–4, that the relationship between the Qumran community and its parent movement was one of continuity alongside of discontinuity. What is striking in both texts is the ease with which the authors—without any apparent need for explanation—let the “new covenant” and the “covenant” stand side-by-side, such that betrayal of the “new covenant” is also understood to be betrayal of the “covenant.” In other words, “covenant” and “new covenant,” at least in these two places, seem to be virtually interchangeable. We argued that the explanation for this is that the covenant that became the Qumran community arose out of the new covenant and considered itself to be the true heir of the new covenant.

⁶⁴ See the discussion on the Moab covenant above.

That “covenant” and “new covenant” are virtually interchangeable is confirmed by comparison of the use of the terms in two other passages in *D. CD XV*, 5, 8–9, 12, a section that discusses procedures for entrance into the covenant, says that one who enters the covenant (הבא בברית) must impose upon himself “to return to the law of Moses with whole heart and with whole soul” and swear the oath of the covenant. (Similar is *CD XVI*, 1–2 [=4Q271 4 ii 3–4], which says about the covenant: “therefore one will impose upon himself to return to the law of Moses.”) According to *CD XV*, 10, returning to the law of Moses means returning to “what has been found to do (הנמצא לעשות) (therein).” In *CD VI*, 19, “what has been found (מצאה)”⁶⁵ (presumably, in the law) is described as the interpretation of the law of Moses as developed and promulgated by “those who entered the new covenant in the land of Damascus.” If “what has been found to do” (הנמצא לעשות) in *XV*, 10 is the same as, or approximately the same as, “what has been found” (מצאה) in *VI*, 19, then the implication is that those who enter the *covenant* impose upon themselves to return to the law of Moses as that was interpreted by those who entered the *new covenant*.⁶⁶ Thus covenant and new covenant appear to be identical, at least in this one sense.

The presence of the adjective “new” in the expression, “the new covenant in the land of Damascus,” then, does not point *primarily* to

⁶⁵ Schechter, *Fragments*, 71, read מצאה in the MS (*CD VI*, 19) as במצא and emended it to the command of them who entered....” But Chaim Rabin, *The Zadokite Documents* (2nd ed.; Oxford: Clarendon Press, 1958) 24–25, takes the word as having a mishnaic Hebrew form and meaning (“to arrive at a conclusion, hold a legal opinion”), hence: “according to the finding of the members....” Davies, *The Damascus Covenant*, 248–49, reads במצאה but translates “according to the finding of the members....” Martin G. Abegg, Jr., *The Dead Sea Scrolls Concordance, Volume One: The Non-Biblical Texts from Qumran* (2 parts; Leiden: Brill, 2003) 1.316, derives the word from the verb צא (“to go out”) but does not include the initial מ as part of the form. Cf. also *1QS VIII*, 11; *IX*, 13, 20 for the idea of interpretations of the law that have been “discovered” (נמצא) by the community. See further *1QS V*, 8–9, where those who enter the covenant “swear with a binding oath to revert to the law of Moses, according to all that he commanded, with whole heart and with whole soul, in compliance with all that has been revealed of it to the sons of Zadok.”

⁶⁶ The passage on the new covenant in *CD VI* and the passage on the covenant in *CD XV* are also connected by the phrase “the age of wickedness” (*VI*, 14; *XV*, 7).

new content,⁶⁷ nor to new revelations⁶⁸ (although those may be included), nor to the covenant's eschatological character.⁶⁹ To be sure, God's (re)establishment of the covenant with the "remnant" (CD III,13) after the breach of the covenant implies an element of newness, that is to say, of renewal.⁷⁰ But from a canonical perspective, the new covenant already lies within the arrangements of the (one) covenant of God. The "new covenant" in CD is called "new" primarily because Scripture declares it to be so.⁷¹ Its content is not significantly different from the content of the covenant of the law of Moses. That is, the content of the new covenant is the law of Moses *correctly interpreted*.

⁶⁷ Contra Ellen Juhl Christiansen, "The Consciousness of Belonging to God's Covenant and What It Entails according to the Damascus Document and the Community Rule," *Qumran between the Old and New Testaments* (ed. Frederick H. Cryer and Thomas L. Thompson; JSOTSup 290; Sheffield: Sheffield Academic Press, 1998) 83. It is probable that some of the sectarian halakah—the hidden matters in which all Israel had gone astray but which were revealed to the faithful remnant (CD III,13–14)—was believed to be new revelation after the exile, but in principle the sect saw itself in continuity with those in the generations before the exile who had correctly observed the law (III,12). The movement behind *D* believed that its interpretation and practice of the law stood in continuity with the interpretation and practice of the law that had been observed by members of the (one, true) covenant from the very beginning (cf. CD III,2–4). CD's view of history appears to be similar to that of *Jubilees*, in that God's revelation of the true precepts was progressive: successive generations received new precepts, but they also preserved the precepts that previous generations observed. The faithful of all generations belong to the same covenant. So in *D* one could say that (new) revelations were, in a sense, a feature of the one covenant from the very beginning, not just of the new covenant. See Davies, *The Damascus Covenant*, 86.

⁶⁸ Contra E. P. Sanders, *Paul and Palestinian Judaism* (London: SCM Press, 1977) 242; Jerome Murphy-O'Connor, "The New Covenant in the Letters of Paul and the Essene Documents," *To Touch the Text* (ed. Maurya P. Horgan and Paul J. Kobelski; New York: Crossroad, 1989) 199–200. The remarks in the previous note apply here also.

⁶⁹ Contra Collins, "Berith-Notion," 580.

⁷⁰ The concept of covenant renewal appears elsewhere in the DSS. That concept is related to, but not identical with, CD's idea of a "new covenant." The topic of covenant renewal is treated in Chapter 8.

⁷¹ As we shall see below, the texts that speak of the "new covenant in the land of Damascus" do not belong to the oldest stage of *D*, so that the concept of "newness" does not seem to have been particularly important in the covenantal theology of the original document.

3.5 *The Usage of the Term “The New Covenant in the Land of Damascus” in D*

We have noted that CD uses the term “the new covenant in the land of Damascus” in four places. I agree with Murphy-O’Connor that the use of the term in CD VI,19 is the oldest of the four places and that it belongs to a pre-Qumran document. The occurrences at VIII,21/XIX,33–34 and XX,12, by contrast, stand in texts composed after the rise of the Qumran community (or the community that eventually settled at Qumran).⁷² The latter three texts all appear in the context of community discipline and look back to an act of betrayal in the past. They presuppose that the “new covenant in the land of Damascus” is a known entity. Therefore we best look to CD VI,9 to understand the earliest usage of the term in *D*.

CD VI,11b–VII,4a, the section that contains the term in VI,19, consists of a small law code that corresponds to the contents of the more extensive legal sections of *D* (i.e., CD IX–XVI). It can be viewed as a kind of “memorandum,” as Murphy-O’Connor calls it, that presupposes the large legal corpus of *D* and that encourages obedience to it.⁷³ Therefore when this small law code mentions “what was discovered by those who entered the new covenant in the land of Damascus” in VI,19, it is probably referring to the legal interpretation (the “exact interpretation of the law,” VI,14, 18) of the pre-Qumran movement represented by *D*. This hypothesis is supported by the observation that the law code speaks of the new covenant as a past entity, continuity with which, however, is encouraged. Yet the code presupposes that members of the covenant do not enter the temple (VI,11–14),⁷⁴ while the main body of *D* assumes that members will

⁷² Murphy-O’Connor, “The New Covenant,” 198–99. See also my discussion of these texts in Chapter 2.

⁷³ See Murphy-O’Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” *RB* 78 (1971) 216–17. See also Davies, *The Damascus Document*, 125.

⁷⁴ Davies, *The Damascus Covenant*, 134–40, 148, has argued that CD VI,11b–14a is not an absolute prohibition of entrance into the temple for members of the covenant. Rather it prohibits entrance *except* for those who “are careful to act according to the exact interpretation of the law”; in other words, members of the covenant who act according to the right interpretation of the law are permitted to enter the temple. He takes the words from וידו בסגירי הדלת חגם in VI,12–13 to ולא תאירו מוצבי חגם in VI,13–14 to be an interpolation, so that the original text read: “And all who have been admitted into the covenant: (are not) (לבליד) to enter the sanctuary ‘to light His altar in vain’...unless

enter the temple and offer sacrifices there (CD XI,18–19; 4QD^a [4Q266] 6 ii 3–4; 4QD^f [4Q271] 2,8=4QD^d [4Q269] 8 ii 1)).⁷⁵ That

(אם לא) they are observant in doing according to the law as detailed for the ‘period of wickedness’: to separate....” But this interpretation is untenable for the following reasons: (1) One has to ask: Do not all those who enter the covenant *ipso facto* follow the correct interpretation of the law? If they do not follow it, they are to be expelled (4Q266 11,5–16). In addition, would the author want to state that those members of the covenant who do enter the temple “kindle the altar *in vain*”? (2) In order to arrive at his “original text,” Davies must excise not only the quotation of Mal 1:10, but also the words *ויהיו מסנירי הדלת* in VI,12–13. The reason is that if one takes אם לא as meaning “unless,” it does not make sense to say that “they [i.e., those who enter the covenant] will be those who close the door *unless* they are careful to act according to the exact interpretation of the law.” As Jerome Murphy-O’Connor, “The Translation of Damascus Document VI, 11–14,” *RevQ* 7 (1971) 554, writes: “From the point of view of the prophet [Malachi] the closing of the door is a good act, because its purpose is to impede the offering of insincere sacrifices.” By contrast, the offering of sacrifices “in vain” is the bad act that must be eliminated. Thus Davies is driven to connect the “unless” clause with “lighting his altar in vain.” He suggests that the original text alluded to Mal 1:10 in the words “to light his altar in vain” and that a redactor, recognizing the allusion, added not only the quotation of Mal 1:10, but also filled out the preceding allusion with the words “and they will be those who close the door.” But this is highly unlikely. 4Q266 3 ii 18 has the singular “he is the one who closes the door” in place of the plural, but the fact that the phrase is there supports its originality. Moreover, “shutting the door” fits perfectly with the idea of “not entering the temple,” and so is almost certainly original. In brief, it is best to read CD VI,11b–14a as an absolute prohibition of temple sacrifice. See further Murphy-O’Connor, “Translation,” 553–56; and Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987) 51–54. CD VI,20 may suggest that members of the covenant continued to send offerings to the temple, even if they did not enter the temple themselves to offer sacrifice (cf. Josephus, *A.J.* 18.19). However, one could also understand CD VI,20 to refer to gifts that covenanters gave to priests and Levites (e.g., tithes; cf. Lev 27:30, 32; Num 18:24) (see also Schechter, *Fragments*, 71: “referring probably to differences in the question of tithes”).

⁷⁵ It is unlikely that CD XI,18–19 is *only* “ideal in nature, looking forward to the restored Jerusalem cult of which the sectarian leaders would take charge” (Schiffman, *The Halakhah at Qumran*, 129), if by that one means that no one in the sect ever participated in the temple. Other texts in the 4QD fragments also regulate participation in the temple (see 4Q266 6 ii 3–4; 4Q269 8 ii 1 [=4Q271 2,8]), and the most obvious reading of these texts is that they regulate participation in the temple as a present practice (at any rate, a present practice at the time when the regulations were written down). Ginzberg, *An Unknown Jewish Sect*, 70, takes CD XI,18–19 as forbidding the practice of sending any sacrifices to the Jerusalem temple, since the sect considered the temple defiled. It seems more likely, however, that these lines are not an absolute prohibition but only a prohibition of sending sacrifices by means of a person in his impurity. Of course one can say that in the present form of *D* these regulations “arc

inconsistency suggests a milieu for VI,11b–VII,4a different from the rest of CD and closer to Qumran. That milieu does not have to be the Qumran community itself, however, since there is evidence to suggest that there was a forerunner of the Qumran community that had already separated itself from the temple before the move to the desert.⁷⁶ Furthermore there is no polemic here against anyone or any group that has betrayed the “new covenant” as in VIII,20–21/XIX,32–35 and XX,10–13. Thus we do best to locate the *Sitz im Leben* of CD VI,11b–VII,4a in an interim period between the time when a segment or a community from within the covenant behind *D* began to separate itself from the temple and the time of final separation and move to the desert.⁷⁷

Usage of the term “new covenant in the land of the Damascus,” then, is at least as old as the law code in VI,11b–VII,4a. It is difficult to know exactly how old it is. As we saw above, there is reason to think that the *concept* of “entering the new covenant in the land of

survivals from a period when the sectarians were still participating in the worship of the Temple” and were “preserved in the hope of some day restoring the worship of the Temple to its proper sanctity” (Joseph M. Baumgarten, *Studies in Qumran Law* [SJLA 24; Leiden: E. J. Brill, 1977] 43–44=idem, “Sacrifice and Worship among the Jewish Sectarians of the Dead Sea (Qumran) Scrolls,” *HTR* 46 [1953] 146). It is wrong, however, to say that the members of the Damascus covenant *never* participated in the temple and that the regulations were only for the future. An absolute prohibition seems to come from a later time. (The possibility that some *Essenes* at a later time continued to participate in the temple [see Baumgarten, *Studies*, 57–74] is a problem that goes beyond our concern with the *Damascus covenant* [the *Essenes* and the *Damascus covenant* are not necessarily identical] and is not directly relevant to the discussion of CD VI,11–14 as an absolute prohibition.) Of course, that there were some members of the covenant who chose not to participate in the temple even when it was allowed, due to the risk of defilement of the temple, is suggested by CD XI,21, which on the basis of Prov 15:8 equates the prayer of the righteous with sacrifice, an idea that would be developed much more fully at Qumran (1QS IX,4–5).

⁷⁶ See especially 1QS VIII,1–16a. Cf. Jerome Murphy-O’Connor, “La genèse littéraire de la Règle de la Communauté,” *RB* 76 (1969) 530–31. We shall discuss this question in Chapter 5.

⁷⁷ We receive strong support for this view if we translate CD VI,11–12 with Joseph A. Fitzmyer, “The Use of Explicit Old Testament Quotations in Qumran Literature and in the New Testament,” *NTS* 7 (1961) 311, as “and all who have been brought into the covenant, (agreeing) not to come to the sanctuary...” (cf. also Murphy-O’Connor, “Translation,” 556; and the remarks of Joseph M. Baumgarten in DJD 18.43 *ad loc.*), which would suggest that a primary component of the “covenant” was avoidance of the temple; and that is quite likely on other grounds.

Damascus” has its roots in Deuteronomistic circles, perhaps as far back as the exile. It is also possible, however, that it rose later, for example, at the time of the Chronicler.⁷⁸ The use of the (whole) term in *D* itself cannot be traced back any farther than the interim period during which the separatist movement that would eventually become the Qumran community arose. That does not exclude the possibility, however, that the term, used as a title for the movement that it names, or the concept of entering such a covenant, goes back much further; nor does it exclude the possibility that the entity (covenant movement) so named goes back much further.

With respect to halakah the new covenant included the “exact interpretation of the law” as this was taught and practiced in the old, pre-Qumran movement reflected in *D* (cf. CD VI,14, 18–19). At the time of the initial decision to separate from the temple, the separatists confirmed their allegiance to this inherited interpretation of the law, which they called “what was discovered by those who entered the new covenant in the land of Damascus” (VI,19). That explains the reference to the halakah of the “new covenant” in the same passage that calls for the boycott of the temple: the separatists could no longer accept the temple as their predecessors had done, but they wished to make clear that they otherwise upheld the halakah of the new covenant. Those who (probably at a later time) followed the teaching of the “men of mockery” became known as “traitors” of the new covenant. Out of that situation arose the polemical use of the term “new covenant” in VIII,21/XIX,33–34 and XX,12.

We have noted that the Qumran community never uses the term “new covenant” in any place in its literature where it unambiguously refers to itself, and that is strong evidence that the term refers not to the Qumran community but to its parent movement. At the same time, it is curious that we do not find the term being used more frequently in *D* itself to refer to the pre-Qumran covenant movement. For example, we do not find it used in any of the older parts of the admonition in *D* that detail the history of the Damascus covenant, although we do find, of course, “Damascus” itself used in connection with the origins of the covenant in the Amos-Numbers midrash in CD VII,13c–21a. How do we explain this?

⁷⁸ Murphy-O'Connor, “The New Covenant,” 198, argues that the “new covenant” formula comes from the period during or shortly after the exile.

It seems that there are two primary explanations for the infrequency of use. First, as we have seen, in all of the places where the term “new covenant in the land of Damascus” appears in CD, it is being used from the perspective of the Qumran community, or of the community that would become Qumran, to refer to an entity in the past tense. It is a term that this community uses primarily to distinguish itself from its parent movement, even while affirming continuity with it. That suggests that, while the Qumran community did not coin the term—for the term has roots in Deuteronomistic theology and clearly refers to a known entity that preceded the Qumran community—it may have been a term used primarily for the purposes of making that distinction. And this leads to a second explanation. The term seems not to have been favored by the Damascus covenant itself. As we can see from the accounts of its own history, the Damascus covenant seems to have preferred the term “covenant” even for itself (CD III,13; VII,5; VIII,1 [=XIX,14]; IX,3; X,6; XIII,14; XV,5, 6; XIX,16). Such a preference makes good sense. The term “new covenant” in CD is *always* linked with the “land of Damascus,” which refers to the place of exile. It seems, then, that the term “new covenant” was associated especially with the *past* of the movement, that is, with its presumed origins in the exile. Since, however, as we have seen, the “new covenant” was already subsumed under the covenant of the law of Moses, the movement behind *D* preferred to speak of itself as the “covenant” rather than as the “new covenant.”⁷⁹

Although the separatists who eventually became the Qumran community viewed themselves as in continuity with the “new covenant” (cf. CD VI,11b–VII,4a), they also opted to use the term “covenant” for themselves (cf. CD VI,11b). They reserved the term

⁷⁹ Cf. Dwight D. Swanson, “A Covenant Just Like Jacob’s’: The Covenant of 11QT 29 and Jeremiah’s New Covenant,” *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992* (ed. George J. Brooke; Leiden: E. J. Brill, 1994) 280–82, who argues that the author of 11QT^a (11Q19) XXIX,10 alludes to Jer 31:32 but deliberately negates Jeremiah’s new covenant theology by transferring the glory of the Mosaic covenant to the covenant with the patriarchs, rather than to the new covenant. By establishing the priority of the covenant with the patriarchs over the covenant of Sinai, and by adapting Jeremiah’s words to this usage, the author effectively circumvents the possibility of a truly new covenant. Whether the author of 11QT^a actually alludes to Jer 31:32, however, is debatable. Of course I disagree with Swanson’s contention (pp. 282–84) that the “new covenant” consisted of the followers of the Teacher.

“new covenant” to designate the covenant in the period before the separation, that is, to designate the covenant in the period from the (presumed) beginnings of the covenant in the exile until the separation. They also used the term to distinguish the earlier period in the movement’s history from the separatists’ own communal existence, which they called (simply) the “covenant.” In this way we can account for the infrequency of use of the term “new covenant in the land of Damascus.”

3.6 *An Eschatological New Covenant?*

We have seen that, contrary to the view of some scholars, Jer 31:31–34 does indeed stand behind the term “new covenant in the land of Damascus.” We have also seen that the way that *D* uses the term differs in important ways from the way that it is used in Jeremiah. The prophet announces a time when the law will be written on the hearts of the people and when people will obey the law spontaneously, whereas the movement behind *D* knew the need to search out the law and knew the effort needed to fulfill the law perfectly and correctly.⁸⁰ Jeremiah spoke of a future “new covenant,” while the “new covenant” in CD is an entity of the past. We have seen that these differences can be explained on the basis of the covenantal theology behind *D*. These differences also raise the question, however, whether the usage of the term “new covenant” that we find in CD (and possibly in 1QpHab II,3) exhausts the significance of Jeremiah’s remarkable prophecy for the pre-Qumran movement or for the Qumran community, or whether there was also an expectation of the eschatological fulfillment of Jeremiah’s prophecy.

We have seen that the term “new covenant” is used in CD mostly from a later perspective (namely, from the perspective of the Qumran community or of the community that eventually became Qumran) to

⁸⁰ Note also that the Qumran community knew that its members could fail (IQS III,20–23). Jaubert, *La notion d’alliance*, 235, argues that although the community knew that its individual members could fail, the community believed that as a whole it represented the new covenant of Jer 31:31–32, a new covenant that could not be ruptured. But it seems to make better sense that the Qumran community looked upon the beginning of the restoration in its parent movement as the “new covenant,” and that it looked for the perfection of and renewal of God’s *one* covenant in the future (on this see immediately below).

refer to the covenant of a *past* period. Thus Jeremiah's prophecy of the new covenant was understood not so much as a promise of a future eschatological event, but as a prophecy that had already been incipiently fulfilled in the rise of the Damascus covenant itself. There is nothing in the other (pre-Qumran) parts of *D* that contradicts that understanding of Jeremiah's prophecy. There is abundant evidence, however, that the Qumran community looked for an eschatological fulfillment of the *one* covenant of God (quite apart from Jeremiah's prophecy). That raises the question of the relationship between the new covenant of Jeremiah and the eschatological fulfillment of the one covenant of God.

That the Qumran community looked for the eschatological fulfillment of the one covenant of God is clearly visible in the *Rule of the Community*. According to 1QS II,25–III,12, only those who live within the community of the covenant can be made righteous. A man is cleansed (יטהר) from all his iniquities by the holy spirit (רוח קדושה) of the community, and his flesh is cleansed “by being sprinkled (להזות) with cleansing waters (מי נדה)” through compliance with the laws of God (III,7–9). That will be for him the “covenant of an everlasting community” (III,11–12).

The Qumranians were well aware, however, that even they were liable to sin, because the angel of darkness corrupted the sons of justice (III,20, 24). Therefore they looked forward to the day when God would destroy the power of injustice (IV,18). Then God would purify the structure of man by cleansing him (לטהרו) with the holy spirit (רוח קדוש), and he would sprinkle (יזי) over him the spirit of truth like cleansing water (מי נדה) (IV,20–21), “in order to instruct the upright ones with knowledge of the Most High, and to make those of perfect behavior understand the wisdom of the sons of heaven. For God has chosen them for an everlasting covenant” (IV,22).

The verbal and conceptual parallels between these two passages dealing respectively with present life in the community and with the future are striking and indicate that the Qumran community understood itself—as the community of the covenant—to be a proleptic manifestation of the consummation of the covenant in the end time. Indeed, the time of consummation will be the time of new creation (עשות חדשה) (IV,25). Thus it may be said that the Qumran community did not look for the coming of an eschatological “new covenant” *primarily* in the terms of Jeremiah—the fulfillment of Jeremiah's prophecy had already *incipiently* come—but that it looked for the

eschatological *renewal* of the one covenant of God. Of course, insofar as the new covenant had already been subsumed under the one covenant of God, the eschatological renewal of God's *one* covenant would also bring the *complete* fulfillment of the new covenant. Thus while Jeremiah's prophecy of a new covenant had been incipiently fulfilled in the rise of the parent movement of the Qumran community, its complete fulfillment would coincide with the complete fulfillment of the *one* covenant of God, which included both the Mosaic covenant and the new covenant of Jeremiah.⁸¹ As we shall see in Chapter 8, the Qumran community had a unified covenantal theology, so that the fulfillment of the covenant of Moses and of the new covenant of Jeremiah would also include the fulfillment of all of God's covenants. That unified covenantal theology comes to the fore in the community's concept of *covenant renewal*. Expressions of the hope for the *renewal* of the (one) covenant are found in 1QSb III,26 and V,21. The topic of "covenant renewal" requires a separate discussion; we shall reserve it for Chapter 8.⁸²

⁸¹ Jaubert, *ibid.*, 243 (with pp. 238–42), argues that passages (especially in the *hodayot*) that speak of God's giving of the spirit so as to enable the people to follow God's commandments have a direct relationship to the idea of a new covenant. However, those texts are closer to the idea of Ezek 36:26–27 than to Jer 31:31–34. It may be granted that the Ezekiel and Jeremiah texts are themselves similar, but we still do not find specific allusion to Jer 31:31–34. Jaubert (p. 244) posits a possible allusion to Jer 31:34 in 1QS VIII,9, but as she herself notes, the Qumran community does not believe that it has perfect knowledge of the law yet. She finds an allusion also in 1QM XVII,8, but the allusion is not at all obvious. Likewise, Michael O. Wise, "The Concept of a New Covenant in the Teacher Hymns from Qumran (1QH^a x-xvii)," *The Concept of the Covenant in the Second Temple Period* (ed. Stanley E. Porter and Jacqueline C. R. de Roo; Leiden: Brill, 2003) 99–128, argues that the covenant of the Teacher was the new covenant, but provides no evidence for an explicit link with Jer 31:31–34.

⁸² Contra Collins, "Berith-Notion," 575–82, who treats the "new covenant" as an eschatological entity in the same way as the motif of covenant renewal. Of course, one could say that the Qumran community viewed the "new covenant" of its parent movement as "eschatological" if one uses that term in a sufficiently broad sense, namely, that the whole process of post-exilic restoration happens at the "end of days" (cf. Deut 4:30). In the strict sense, however, the "new covenant" for the Qumran community was and remained essentially a phenomenon of the past, while "covenant renewal" continued to be an expectation for the future. Collins also recognizes that the new covenant for the Qumran community was a phenomenon of the past, but by conflating the ideas of the "new covenant" and "covenant renewal" Collins obscures the important difference between the two.

3.7 Conclusion

The findings of this chapter can be summarized succinctly. Contrary to the view of some scholars, the term “new covenant in the land of Damascus” is indeed derived from Jer 31:31–34. We saw in Chapter 2 that it is unlikely that the term refers to the Qumran community. Rather, it refers to the pre-Qumran covenant movement. In this chapter we have been able to explain the origins of the term. The biblical and theological roots of the idea of “entering the new covenant in the land of Damascus” lie in prophetic and Deuteronomistic traditions relating to the exiles, according to which the restoration of Israel would come when the exiles entered a covenant in the “land of the north” (=“Damascus”) to seek the LORD with whole heart and with whole soul. Thus the term refers to the presumed origins of the covenant in the Babylonian exile. The notion of the “new covenant” was within the covenantal theology behind *D* already subsumed under the larger biblical category of “covenant” and hence was in a sense secondary. As we see the term being used in *D*, it refers (from the perspective of the Qumran community or of the community that eventually settled at Qumran) to an entity in the past. This community used the term “new covenant” to refer to its parent movement, reserving for itself the primary term “covenant.” The separatists who eventually settled at Qumran understood themselves to be the true heirs of the “new covenant,” but used that term for the parent movement in distinction from themselves. The term “new covenant” so used was not in itself primarily eschatological, since the community believed that Jeremiah’s prophecy had already been (incipiently) fulfilled in the past in the rise of the Damascus covenant. However, the community did look for the eschatological renewal of the one covenant of God, and insofar as the new covenant of Jeremiah had already been subsumed under the one covenant of God, the eschatological renewal of that one covenant could also be expected as the complete fulfillment of the new covenant of Jeremiah.⁸³

⁸³ There is one other text from the DSS that deserves mention here. It is 4Q504 1–2 ii 7–19, part of a collection of daily prayers. The text was probably not written at Qumran, so it cannot be used to reconstruct the theology of the Qumran community (see Maurice Baillet, DJD 7.137, who dated the text to about 150 BC and considered it to be non-sectarian; see also Daniel K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* [STDJ 27; Leiden: Brill, 1998] 61–63, 157; and Émile Puech, *La*

croissance des esséniens [2 vols.; Paris: J. Gabalda, 1993] 2.565), but it may be an example of how the new covenant could be understood as both present reality and future hope.

Some of the language of this text is drawn from the same texts that we identified above as central for the development of the idea of the “new covenant in the land of Damascus.” Specifically, 4Q504 1–2 ii 13–14 probably combines allusions to Deut 4: 28; 30 and Jer 31:31–34. The beginning of line 13 is missing, but the word לְ[הַשִׁיבֵנו], “to cause us to return,” is probably to be reconstructed (cf. Maurice Baillet, “Un recueil liturgique de Qumrân, Grotte 4: ‘Les paroles des luminaires,’” *RB* 68 [1961] 216). The phrase “with whole heart and with whole soul” is derived from the Deuteronomic formula “with all your heart and with all your soul” (Deut 4:29 and often), and that formula appears with the verb שׁוּב in Deut 4:29–30 and 30:2, 10. If the reconstruction is correct, it recalls our discussion of 4Q504 1–2 v 12, where we noted that the author interprets Deut 30:1 in the sense of God’s initiative to cause it to come (לְהַשִׁיב) to Israel’s mind to return to the covenant. The phrase “to implant your law in our heart” may be an allusion to Jer 31:31–34 (although there is similar language in Isa 51:7, the first half of which is used in CD I,1; and in Ps 37:31). Healing of “madness, [blindness], and confusion” is an allusion to Deut 28:28. Thus we may have here the same kind of connection between Deut 4: 28; 29–30 and Jer 31:31–34 that we have seen underlying the idea of the “new covenant in the land of Damascus” in CD (cf. also *Jub.* 1:15–16). Moreover, there are allusions to Exod 32–34 in the Sinai pericope in lines 7–12. Thus, if there is an allusion to Jer 31 here, the violation of the covenant in Exod 32 has been brought together with the promise of the new covenant in Jer 31 (as in the final redaction of the Sinai pericope itself: see Appendix 1). In the face of Israel’s disobedience—for which the golden calf incident serves as the prototype—the author of the prayer asks that God will implant the law in the people’s hearts so that they will live in perfect obedience. Thus whereas the “new covenant” of CD is understood primarily as a promise that has already been (incipiently) fulfilled in the Damascus covenant itself, the present text looks forward to God’s “implanting of the law in the heart” as a future event. More precisely, the author of the present text, in accordance with prayer form, probably views the kind of perfect obedience implied by such implanting as God’s gift already in the past and present, for which one might thank God, and as a future hope, for which one might pray. In 4Q504 1–2 ii 16 the author says that God has freed the people from sinning against him, and in line 17 this freedom from sin is linked with God’s making the people to “understand the testimonies.” The term “testimonies” (תְּעוּדוֹת) appears rarely in the OT but is occasionally used in the DSS for the divinely revealed precepts cherished by the community (1QM III,4; 1QH^a XIV,19 [Suk. VI,19]; perhaps also 1QM XI,8; 4Q215a 1 ii 6). It may be used in a similar sense here (cf. CD III,16–18, where the disclosure of revealed matters is connected with the forgiveness of sin). The implication is that God has forgiven the people’s past disobedience and made known to them the correct interpretation of the law. The prayer asks that God also enable the people to obey the law perfectly by implanting the law in their hearts.

One can say, then, that for this author the new covenant promise that God would inscribe the law within human hearts is something that he sees being fulfilled in his

Appendix 1: Covenant and New Covenant in the Sinai Pericope

We have seen that the Deuteronomists inscribed the covenant of the law of Moses with a new covenant theology by means of the Moab covenant of Deut 29–30 (or 29–32). Close study suggests that we have the same phenomenon in the Sinai events of Exodus. The purpose of this appendix is to lay out the evidence.

Careful analysis of the Sinai pericope in Exod 19–34 has made clear that the later (exilic and post-exilic) stages of redaction of this material embedded a “new covenant theology” within the Sinai covenant tradition. It is not possible to offer here an extensive discussion of the redaction of the Sinai pericope, which has been one of the most debated areas of OT scholarship in the past century and is a problem that, as recent authors have emphasized, still has not found an answer satisfying to all.⁸⁴ A review of the secondary literature, however, does indicate considerable agreement that a “new covenant theology” has, to one degree or another, influenced the final redaction of the Sinai pericope, and it will be our primary concern here to outline briefly the main points in favor of that view.

Literary-critical analysis of Exod 19–34 has shown convincingly that the Sinai pericope reached its final form over a long period of time, was composed from several sources, and was touched by numerous redactional hands. Although much of source and redaction criticism of the Pentateuch must be judged to be highly speculative, for present

present context, as God forgives the sins of Israel and teaches them to obey the law of Moses—that is, the covenant of the law of Moses—correctly and perfectly. Yet the new covenant promise also remains something for which the people can pray (lines 13–14). That is, the fulfillment of the new covenant promise is both a present reality—insofar as the people obey God’s law perfectly—and a future hope. Since this text is probably non-sectarian, we cannot use it to reconstruct the theology of the Qumran community. But the Qumran community seems to have held a similar belief: those within the community are able to obey the law perfectly, but because of the presence of evil in the world, members of the community are also susceptible to sin. In the future evil will be destroyed, so that there will be only righteousness. As we have seen, however, the Qumran community does not seem to have connected this eschatological hope explicitly with Jer 31:31–34. But 4Q504 may be an example of a way in which that text could be connected with such a hope within Second-Temple Judaism. It may be noted that *Jub.* 1:15–16 also implies an eschatological interpretation of the part of Jeremiah that includes 31:31–34.

⁸⁴ Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (Philadelphia: Westminster Press, 1974) 344; Gross, *Zukunft*, 13.

purposes we are fortunately relying on observations and conclusions regarding *general* literary development that have won broad agreement. While there is disagreement over attribution of different parts of the material to specific sources and dates, scholars generally agree—and this is our primary interest—that the process of growth and redaction in the Sinai pericope has left clear traces. Among the most important for our purposes are these.⁸⁵

(1) The present form of the narrative leaves the impression that God speaks the ten commandments directly to the people of Israel, that is, without the mediation of Moses (19:9; 20:1–17, 22). There are indications, however, that that was not the original understanding of the Sinai theophany. According to 20:18–19, when the people of Israel “saw” (ראוּם) the thunder (הקולות) and the lightning, they became afraid and said to Moses, “you speak to us, and we will listen; but do not let God speak to us, or we will die.” But presumably God *had* just spoken to them (20:1–17). These verses (20:18–19), then, seem to presuppose a situation in which the people asked for Moses’ mediation. Furthermore, in 20:22 God commands Moses to say to the people, “you have seen (ראוּם) for yourselves that I spoke with you from heaven.” Taken together 20:18–19 and 20:22 imply that the Israelites had in fact *not* heard God’s giving of the decalogue (20:1–17) but had only “seen” the phenomena accompanying the theophany. The people’s request that Moses mediate to them God’s words is then fulfilled in 20:23–26 and 21:1–23:19 (the book of the covenant), which God commands Moses explicitly to present (mediate) to the people (21:1).

All of this has led many scholars to the conclusion, correct in my view, that 20:18–21, which takes up the theme of Moses’ mediation, originally came before the giving of the ten commandments, probably

⁸⁵ The secondary literature is immense. Excellent treatments from the last 35 years, which, of course, build on the work of previous scholars, can be found in Childs, *The Book of Exodus*, esp. 337–39, 344–64, 604–19; Erhard Blum, *Studien zur Komposition des Pentateuch* (BZAW 189; Berlin: Walter de Gruyter, 1990) 45–99; Lothar Peritt, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen: Neukirchener Verlag, 1969) 156–238; Ernest W. Nicholson, *God and His People: Covenant and Theology in the Old Testament* (Oxford: Clarendon Press, 1986) 121–50, 164–78; Christoph Dohmen, “Der Sinaibund als Neuer Bund nach Ex 19–34,” *Der Neue Bund im Alten: Zur Bundestheologie der beiden Testamente* (QD 146; ed. Erich Zenger; Freiburg: Herder, 1993) 51–83.

appearing after 19:19.⁸⁶ Indeed, the scene and vocabulary of 20:18–21 fit well the context of 19:16–19. That suggests that at some point in the history of the tradition Moses was understood to have mediated the ten commandments to Israel. We find confirmation of this in Deuteronomy. This book indicates in several places that God spoke the ten commandments to Israel directly (4:12–13; 5:4, 22; 9:10; 10:4; see also 4:36). Yet juxtaposed to that tradition is a parenthetical remark in 5:5 according to which Moses stood between God and the people to declare to them the words of the LORD, because they were afraid of the fire and did not ascend the mountain. Furthermore, in 5:23–27, as in Exod 20:18–21, the people of Israel ask Moses to mediate between themselves and God, and this mediation then becomes the origin of the specific laws of Deuteronomy, which Moses is to teach the people for the time after they have entered the land (Deut 5:31–33). The tension between 5:4 and 5:5 indicates that there are two competing ideas of what happened at Sinai present. This is an indication that the author of Deuteronomy knew the Exodus narrative in its redacted form (after the transposition of Exod 20:18–21, with the result that God speaks directly to the people), as reflected in Deut 4:12–13; 5:4; 9:10; 10:4, and that 5:5 reflects the older sequence according to which Moses mediated the ten commandments.⁸⁷

Why was Exod 20:18–21 transposed? A simple answer suggests itself: to make room for the book of the covenant (20:23–23:19).⁸⁸ The

⁸⁶ Childs, *The Book of Exodus*, 345, 351, 608; Walter Beyerlin, *Herkunft und Geschichte der ältesten Sinaitraditionen* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1961) 8–9, 17 (ET=*Origin and History of the Oldest Sinai Traditions* [tr. S. Rudman; Oxford: Blackwell, 1965] 4–5, 12). See also Blum, *Studien*, 95; Wolfgang Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren historischem Hintergrund* (OBO 159; Freiburg: Universitätsverlag, 1998) 103.

⁸⁷ Childs, *The Book of Exodus*, 352; Blum, *Studien*, 93–94. It should be noted that the opposite has also been argued: a redactor added Exod 20:18–21 under the influence of Deut 5 (see Oswald, *Israel am Gottesberg*, 13, for references). That seems less likely, however, since one would expect 20:18–21 to come before 20:1 if it were a later addition.

⁸⁸ Exod 23:20–33 is generally regarded as a Deuteronomic addition to the book of the covenant dealing with life in the land (see Perlitt, *Bundestheologie*, 157 n. 6). The book of the covenant proper begins in Exod 21:1. It has been suggested that Exod 20:23 was put before it in view of the golden calf incident of chapter 32. Since the book of the covenant does not include a prohibition against making idols, 20:23, with its obvious reference forward to the golden calf, was added. Similarly, 20:24–26 looks forward to

book of the covenant was an ancient but originally independent piece that was embedded in the Sinai narrative at a later time.⁸⁹ Thus in the present form of Exodus the book of the covenant becomes the “mediated” law (see 20:18–21; 21:1), while the ten commandments become God’s direct address to the people. It may be that in the old Elohists (E) account of the Sinai events the covenant ratification was based on the decalogue alone.⁹⁰ At a later, though still pre-Deuteronomic stage, when the J and E sources were combined (to be discussed below), the book of the covenant was introduced into the Sinai pericope.⁹¹

(2) The motif of the tables of the testimony that runs through the Sinai pericope (Exod 24:12; 31:18; 32:15–16, 19; 34:1–4, 28, 29) binds together what were once disparate units. It also functions to bind the Sinai pericope into a schema of covenant ratification – covenant violation – new making of a covenant. We have already noted that the decalogue and the book of the covenant were originally independent units that were later brought together. The same applies to chapters 32–34. The redactor of these chapters has synthesized originally disparate traditions not only into a story of sin and forgiveness, but also

the altar of 24:4 (Oswald, *Israel am Gottesberg*, 53, 57). These observations are helpful in explaining the presence of 20:22–26 between 20:18–21 and the book of the covenant, especially if one considers the decalogue to be a later addition (so that its prohibition against idols was also lacking).

⁸⁹ Childs, *The Book of Exodus*, 350–51.

⁹⁰ *Ibid.*, 352. In Exod 24:3 Moses puts before the people all the words of the LORD (כל דברי יהוה) and all the ordinances (כל המשפטים). The “words of the LORD” are the ten commandments (20:1), while the “ordinances” are the stipulations of the book of the covenant (21:1). But the people say, “all the words (כל הדברים) that the LORD has spoken we will do,” which suggests that in the original narrative the covenant was based on the decalogue alone (mediated by Moses in the original form of the tradition). The “ordinances” became a part of the ratification ceremony at a later time, when the book of the covenant was included in the Sinai pericope (Childs, *The Book of Exodus*, 502, 505), a change made explicit by the inclusion of “ordinances” in 24:3.

⁹¹ Others have suggested, however, that the book of the covenant was the original Sinai law and that the decalogue was added later (e.g., Oswald, *Israel am Gottesberg*, 111–13). This seems unlikely, however, since the reference to the “words” in Exod 24:3–4 points to an older stage in which the decalogue formed a part of the Sinai events but the book of the covenant did not. For a discussion and references on the question whether the decalogue belonged to the original Sinai story or was added later and if so, when, see Blum, *Studien*, 95 n. 221 and 97 n. 224. Perlitt, *Bundestheologie*, 98, 157–58, argues that the decalogue was not original to the Sinai story. Similarly Dohmen, “Der Sinaibund als Neuer Bund,” 68.

into a story of the new making of a covenant. This can be seen most clearly if we look at how the tables of the law function in the Sinai pericope.

While the contents of the tables (both the first set and the second set) are clearly identified in Deuteronomy as the ten commandments (4:13; 5:22; 10:4), their contents in Exodus are not at all obvious. The tables first appear in Exod 24:12, when God commands Moses to ascend the mountain to receive the tables. Since in 24:7 Moses reads from the “book of the covenant,” which therefore has already been written (cf. 24:4), the tables with the “law and the commandments” written by God must contain something different. Perhaps they contain the ten commandments, but their contents are not given. If the book of the covenant is in fact a later interpolation, then an original connection between the decalogue in chapter 20 and the tables of the law in chapter 24 may have been disrupted, so that the distance between them has been artificially increased. In any case, the next mention of the tables comes in 31:18. There again, however, their exact contents are not given. After Moses breaks the two tables in 32:19 in response to the golden calf incident, God commands Moses in 34:1 to furnish two (new) stone tables, on which God will write the same words as were on the first tables. At the end of chapter 34 there are two references to writing and two references to a covenant. First, 34:27 says: “The LORD said to Moses: ‘Write these words; in accordance with these words I have made a covenant with you and with Israel.’” Then in 34:28b we read: “And he wrote on the tables the words of the covenant, the ten commandments.” Since the most recent subject is Moses, the “he” of 34:28b appears at first sight to be Moses. This is clearly impossible, however, since 34:1 says that God will write on the tables. Moreover, according to 34:27 God makes a covenant with Moses and Israel “on the basis of these words,” which can only mean “on the basis of” the laws of 34:11–26. On the other hand, 34:28 identifies the words of the covenant with the ten commandments. Thus there are two different covenants mentioned in 34:27–28.⁹²

The situation in Exodus, then, is different from Deuteronomy. In Deuteronomy not only is it clear that the tables of the law contain the decalogue, but the decalogue is also *synonymous* with the Horeb/Sinai

⁹² So also Nicholson, *God and His People*, 147; Dohmen, “Der Sinaibund als Neuer Bund,” 60–61.

covenant (Deut 5:1–22). Therefore when Moses breaks the tables and God writes them anew, it is the Horeb/Sinai covenant itself that is broken and renewed. In Exodus, however, it is *not* the (first) Sinai covenant, at least not the “book of the covenant” mentioned in 24:7, that is broken and renewed. Rather there is a new making of a covenant (כרתו אתך בריה ואח ישראל) in 34:27 that is more than a simple renewal of the first as in Deuteronomy.⁹³ Thus while the tables in Exodus function in a way similar to Deuteronomy—namely, as a symbol of newness—Exodus lacks the consistency of Deuteronomy in *identifying* the tables with the “first” and “second” Sinai covenants.

The solution to this inconsistency, as others have shown, lies in redaction history. Childs suggests the following history: The laws of Exod 34 represent an old Sinai covenant tradition, which Childs, like others before him, assigns to J, analogous to but independent from the E tradition in chapters 19–24. This J tradition contained elements parallel to both the decalogue and the book of the covenant. A later redactor introduced the book of the covenant into the Sinai narrative and also combined the J and E Sinai traditions.⁹⁴ This “JE redactor” understood the Sinai covenant to have been concluded on the basis of both the decalogue and the book of the covenant.

His most creative work was to build chapter 34 into a pattern of sin and forgiveness, and of the new making of a covenant, by joining it to chapters 32 and 33.⁹⁵ These two chapters contain material that was originally independent from the rest of the Sinai narrative. Scholars generally recognize that the golden calf incident in chapter 32 is related to and has been influenced by the story of Jeroboam’s golden calves in 1 Kings 12:25–33. Therefore it has been proposed that the story of the golden calf in Exod 32 lies under the influence of Deuteronomistic authorship or redaction, although this does not exclude the possibility that there was an older tradition about idolatry that formed the basis for this later redaction. In any case, literary tensions within chapter 32 (e.g., Moses’ success or lack of it in interceding for the people) indicate that multiple sources and redactional stages underlie the chapter. But

⁹³ Cf. Dohmen, *ibid.*, 62–63.

⁹⁴ It is generally thought that the same hands have been at work in the pre-Deuteronomistic redaction of Exod 19–24 and 32–34 (so Childs, *The Book of Exodus*, 608; Blum, *Studien*, 88–89).

⁹⁵ Childs, *ibid.*, 557–62, 608, 613, 616.

a core story will have already lain before the JE redactor.⁹⁶ Likewise chapter 33 appears to be a collection of different stories having to do with the question of the presence of God that have been brought together by a redactor.⁹⁷

By introducing the motif of the tables into chapter 34 (34:1–4, 28) the JE redactor converted what was originally an independent Sinai covenant tradition into the new making of a covenant after the breach of the “first” Sinai covenant (chapters 32–33). Since he understood the Sinai covenant to have been based on both the decalogue and the book of the covenant, and since 34:11–26 contains elements parallel to both of these, he treated 34:11–26 as a “convenient abbreviation” of the “first” Sinai covenant in both of its parts, the decalogue and the book of the covenant. The (artificial) introduction of the tables motif in chapter 34 caused the confusion in the subject of 34:28b. Since the “second” covenant (34:11–26) is understood to be a “convenient abbreviation” of the “first” covenant, Moses, as is appropriate, writes (34:27–28) the “second” covenant just as he wrote the “first” (cf. 24:4). But an application of the tables motif consistent with 34:1–4 requires that God be the subject of 34:28b. Later a Deuteronomic redactor, who understood the covenant to have been sealed on the basis of the decalogue alone, added “the ten commandments” in 34:28b to specify the contents of the covenant. Thereby he introduced a further distinction between two different covenants *within* chapter 34 that was not originally there.⁹⁸ The introduction of the tables motif in chapter 34 was originally intended only to establish 34:11–26—the “words” on the basis of which God made a covenant with Moses and Israel—as a new making of a covenant after the breach of the first, but the addition of the words “the ten commandments” caused confusion by suggesting an *exact identity* in content between the “first” Sinai covenant (now to be understood narrowly as the decalogue of 20:1–17) and the “second” covenant of 34:11–26 (now understood also as a “decalogue”). Such an identification is appropriate for Deuteronomy, where the decalogue is in fact the content of both the initial Horeb covenant and its renewal, but is inappropriate for Exodus.

⁹⁶ Ibid., 558–61.

⁹⁷ Ibid., 584–86.

⁹⁸ Ibid., 608, 616; Dohmen, “Der Sinaibund als Neuer Bund,” 64.

Given the difficulties inherent in literary criticism of the Pentateuch, it is not surprising that this reconstruction of the history of chapters 32–34 has not been accepted by all.⁹⁹ However, it strikes me as being as plausible an explanation as any available. In any case, even among those scholars who offer a different history, many agree that a redactor has deliberately produced a covenant renewal (better: a new making of a covenant) out of chapters 32–34.¹⁰⁰

(3) Once this idea of the new making of a covenant was established, further developments were possible. In Exod 34:10 we have, in addition to 24:8 and 34:27–28, a third reference to God's making of a covenant.

⁹⁹ For example, Beyerlin, *Herkunft und Geschichte*, 94–96, 101–02 (= *Origin and History*, 81–82, 87–88), proposed that the “ten words” in Exod 34:28b was original to J, and that J once had a decalogue like that in 20:2–17 in the space now occupied by 34:11–26. The “ten words” must be original, since no one would have added the phrase on the basis of 34:10–26. The decalogue was later displaced by laws governing life in the land in 34:14–26. But Beyerlin overlooks the influence of Deuteronomy on the redaction of Exodus.

Perlitt, *Bundestheologie*, 190–232, has offered a very different reconstruction. He thinks that the original Sinai story did not contain the making of a covenant at all. It was only at a later stage—and under the influence of the story of the golden calf itself—that the Sinai story became the making of a covenant (pp. 191–96, 206, 231). The focus of chapters 32–34 is *not* on covenant renewal but on sin and forgiveness. The motif of the tables has no anchor in the Sinai story itself, and the smashing of the tables is the main point, symbolizing Israel's sin. The real point of chapter 34 is the theme of sin and forgiveness; the broken and renewed tables are subordinate to that theme and serve no clear purpose beyond it. As Nicholson, *God and His People*, 145, 147–48, has noted, however, Perlitt underestimates the importance of the question of the contents of the tables for understanding the new making of a covenant. See also the criticisms voiced by Oswald, *Israel am Gottesberg*, 102–10; Nicholson, *God and His People*, 177; and Christoph Levin, “Der Dekalog am Sinai,” *VT* 35 (1985) 177–83, of the view held by Perlitt that the original Sinai narrative contained no law.

¹⁰⁰ For example, Blum, *Studien*, 67–70, rejects the idea that 34:28 contains late redaction. In his view, the laws of 34:11–26 were interpolated (into an already existing framework created by the tables motif) to stand for the whole of the foregoing revealed law, and the imitation of 24:3–8 in 34:27 serves to make that point clear: not only the decalogue and the tables (represented by 34:28b), but the whole of the law is renewed. But in this way even Blum agrees that the purpose of the redaction of chapter 34 was to present the laws of 34:11–26 as a reaffirmation of the Sinai covenant. See also Nicholson, *God and His People*, 148; Dohmen, “Der Sinaibund als Neuer Bund,” 72–73, 80; Rolf Rendtorff, *Die “Bundesformel”*: Eine exegetisch-theologische Untersuchung (SBS 160; Stuttgart: Katholisches Bibelwerk, 1995) 73–74, 87. Oswald, *Israel am Gottesberg*, 173–75, sees the purpose of 34:11–26 in an implicit devaluation by Deuteronomic redactors of the first set of laws in favor of the second.

Some scholars have taken this covenant to be the same as that mentioned in 34:27–28.¹⁰¹ As others have pointed out, however, the nature of the covenant in 34:10 is different from that in 34:27. The covenant of 34:10 comes in the form of an unconditional promise of God, in participial form, without the word “with” (i.e., the covenant is not a covenant “with” a partner). By contrast, the covenant in 34:27 comes as stipulations for the people of Israel in 34:11–26, with a finite verb (cf. 24:8), and accompanied by the word “with” (God makes the covenant “with” Moses and “with” Israel). These differences indicate that the covenant of 34:10 is not exactly the same as the covenant of 34:27. The covenant of 34:10 is pure promise.¹⁰² Indeed Exod 34:9–10 stands quite apart from its context. Whereas in 34:11–26 God addresses the people of Israel, in 34:9–10 there is a dialogue between God and Moses. We have already seen that the function of the covenant of 34:27–28 within the whole structure of Exod 19–34 is to establish the notion of God’s new making of a covenant with Israel. The function of the covenant of 34:10 is similar in that it is a declaration of God’s fresh making of a covenant despite and beyond Israel’s disobedience. But it is not identical with the covenant of 34:27–28. The content of the latter appears in the laws of 34:11–26; the content of the former appears in 34:10 itself, God’s salvific purpose and promise. It comes in response to Moses’ plea for forgiveness in 34:9 and connects with the question of God’s presence in chapter 33.

What is most striking in 34:9–10 are the reminiscences of Jer 31:31–34, the famous passage on the new covenant. Moses’ plea in 34:9 that God “forgive (סלח) our iniquity (לעוננו) and our sin (לחטאתנו)” followed by God’s making of a covenant in 34:10 recalls Jer 31:31–34, where God’s promise to “forgive (אסלח) their iniquity (לעונם), and remember their sin (לחטאתם) no more” is the pre-condition for God’s making of a new covenant with Israel.¹⁰³ Indeed, besides Exod 34:9, the three Hebrew words סלח, עון, and חטאת appear together only in Jeremiah (31:34; 36:3; 50:20). Furthermore, as Exod 34:9–10 implicitly connects

¹⁰¹ E.g., Martin Noth, *Das zweite Buch Mose: Exodus* (ATD 5; Göttingen: Vandenhoeck & Ruprecht, 1959) 214 (ET=*Exodus: A Commentary* [Philadelphia: Westminster Press, 1962] 260).

¹⁰² Gross, *Zukunft*, 127, 129; Dohmen, “Der Sinaibund als Neuer Bund,” 69–70, 78; Perlitt, *Bundestheologie*, 216–19; Kutsch, *Verheißung und Gesetz*, 78.

¹⁰³ Gross, *Zukunft*, 140; Dohmen, “Der Sinaibund als Neuer Bund,” 78; Rendtorff, *Die “Bundesformel”*, 87.

the new making of the (Sinai) covenant with a future act of salvation, even greater than the exodus from Egypt (cf. 19:4, where the exodus is the most recent “marvel”), so also Jer 31:31–34 brings the new covenant into connection with both the (broken) Sinai covenant and the exodus from Egypt, and promises a great, future act of God whereby the law will be inscribed in the very hearts of the people of Israel.

These striking connections have led some scholars to posit at least an indirect dependence of Exod 34:9–10 on Jer 31:31–34.¹⁰⁴ Others are not willing to go that far. For example, Walter Gross has argued that Jer 31:31–34 represents a stage in the development of covenantal theology that goes beyond what we have in Exod 34:9–10 and indeed beyond anything else in the OT.¹⁰⁵ There is general agreement, however, that (at least) 34:9 represents a late (exilic or post-exilic) stage in the development of the Sinai narrative and that at a minimum this verse shares a theology approaching that of Jer 31:31–34.¹⁰⁶ And

¹⁰⁴ E.g., Erik Aurelius, *Der Fürbitter Israels: Eine Studie zum Mosebild im Alten Testament* (ConBOT 27; Stockholm: Almqvist & Wiksell, 1988) 123–24, 126: Exod 34:9–10 is dependent on Jer 36:3, which is itself dependent on Jer 31:31–34.

¹⁰⁵ Gross, *Zukunft*, 25–26, 37–39, 102–03, sees Jer 31:31–34 as coming at the end of a line of exilic and post-exilic responses to the catastrophe of 587/86 BC. The solutions of Exod 32–34 (God gives the people another chance), of Deuteronomy (God remains true to his covenant if the people are obedient) and of the priestly redaction (an eternal, unconditional covenant of God with the fathers) all leave certain problems unanswered: What is Israel’s standing before God? Can the covenant be broken again? What is the motivation for Israel’s repentance? What does life look like after repentance? Even the idea of forgiveness found in connection with the covenant in Exod 34:9–10 does not go as far as Jer 31:31–34, since the covenant of Exod 34:10(–27) is not truly *new vis-à-vis* the covenant of chapter 24 but only a renewal, and since the people remain stiff-necked (p. 133). Jeremiah 31:31–34 looks forward to a truly new covenant that is inviolable (p. 134). It looks beyond a return to the land in Jer 30:3 (p. 143) and goes beyond Deut 6:6–9; 30:14: Jer 31:31–34 is un-Deuteronomistic in its implicit doubting of the receptivity of the human heart to an external law (p. 146). One can ask whether Gross puts too great a distance between Jeremiah and Deuteronomy. Does not Deut 30:14 come very close to Jeremiah’s notion of a law written in the heart? Cf. Peritt, *Bundestheologie*, 180: “Dabei geht Jer 31 31ff. mit den Worten (und vielleicht auch im Alter) gar nicht über Dtn 30 11ff. hinaus”; see also Nicholson, *Preaching*, 82–84; Rendtorff, *Die “Bundesformel”*, 87–88; Norbert Lohfink, “Der Neue Bund im Buch Deuteronomium?” 117–18, although he also notes the difference between the two in the lack of the word “covenant” in Deut 30.

¹⁰⁶ Exodus 34:10 has also been dated quite late by some scholars. In any case, 34:9 and 34:10 belong closely together. See Dohmen, “Der Sinaibund als Neuer Bund,” 68–69; Gross, *Zukunft*, 126, 128–29, 132; Aurelius, *Fürbitter*, 119.

as we saw above, there are strong grounds for dating Jer 31:31–34 also to the exilic or even post-exilic period.¹⁰⁷

We may now state the significance of the preceding analysis. It is clear that at a late stage in the development of the Sinai narrative, either in the exilic period or possibly in the post-exilic period, the ideas of “covenant” and “new covenant” were brought together by the redactors of the Pentateuch within a comprehensive covenantal theology.¹⁰⁸ The Sinai covenant was “inscribed” with a new covenant theology by the redactors of the Pentateuch itself. In the first part of our study we saw that this was true of Deut 29–30; now we see the same idea at work in Exodus. In each case the new covenant is given Mosaic roots. If we seek after the theological foundations for this intertwining of covenant and new covenant, they will be found in the profound responses of the prophets and the redactors of the Pentateuch to Israel’s experiences of exile and return. These experiences convinced these figures of the enduring nature of God’s covenantal relationship with Israel and of the possibilities of forgiveness, renewal, and return beyond the breach of covenant and beyond exile. This view left a heavy stamp on the OT, such that from the beginning the covenant of the law of Moses was made to include within itself and to point forward to the possibility of renewal. From here the identification of “covenant” and “new covenant” in the covenantal theology of the movement behind *D* makes perfect sense. The identification was pre-given in the work of the post-exilic redactors of the Pentateuch.¹⁰⁹

¹⁰⁷ Cf. also Gross, *ibid.*, 137–39, 146 n. 49.

¹⁰⁸ This theology goes beyond the texts that we have studied to include the priestly tradition’s important contribution focusing on God’s unconditional covenant with the patriarchs. On this see recently Gross, *ibid.*, 45–70.

¹⁰⁹ These observations support the argument of Annie Jaubert, “Le pays de Damas,” *RB* 65 (1958) 222–23, that priestly circles from the exile related to the Essene movement were involved in the final redaction of the Pentateuch as well as the book of Ezekiel. This also applies to the calendar. See Jaubert, “Le calendrier,” 258–62; and her *La date de la cène: calendrier biblique et liturgie chrétienne* (Paris: J. Gabalda, 1957) 31–41.

Appendix 2: Jubilees and New Covenant Theology

The interpretation of the Sinai pericope that has been presented above finds confirmation in *Jubilees*, for we see similar ideas at work there. As we have noted, in the biblical narrative of Exod 24–34 the content of the tables is ambiguous. The author of *Jubilees* exploits this ambiguity so as to identify the contents of the tables with the contents of his book. He makes Moses' 40-day stay on top of the mountain a period of special revelation. God's command to Moses to "write" in Exod 34:27 becomes a command to write God's revelations in a "book" (*Jub.* 1:5, 26, 29; 50:13), which is, of course, *Jubilees* itself. The tables of the law and the testimony (1:5, 26, 29) are God's revelation to Moses regarding the jubilees—the history of the world and of Israel—and so become the key to the correct interpretation of the law.¹¹⁰

The key to the interpretation of the law that this testimony provides (see 1:8) is a framework of sin, exile, repentance, and restoration. God offers Moses a prospective look at the future of Israel. Israel will fall into sin, sin marked by too close association with Gentiles (1:9); idolatry (1:11); child sacrifice (1:11); calendrical error (1:10, 14); and in general rejection of the law and the prophets (1:12). The list is partly culled from traditional prophetic and priestly criticism (see Exod 23:33; Ezek 20:28, 31; Ezra 9:10–11; see also Ps 106:34–39; Neh 9:26) and partly from the author's special concerns about the calendar. The result of this disobedience will be that God will hide his face from Israel and hand Israel over to the nations to be punished and taken captive. Israel will lose its land and be scattered among the nations (1:13–14) (cf. Lev 26:33; Deut 28:64; 31:17–18; Ezek 39:23–24; Ps 106:41). Then the people, in all the nations to which they have been scattered, will return to God, and God will gather them together again. They will be restored to their land, and God will dwell among them and never forsake them (*Jub.* 1:15–18) (cf. Lev 26:12; Deut 4:29–30; 30:1–4; Ezek 37:27).

A similar pattern of sin, exile, repentance, and restoration appears in 1:22–25. Standing between 1:7–18 and 1:22–25, however, is an

¹¹⁰ Cf. James C. VanderKam, *The Book of Jubilees* (Sheffield: Sheffield Academic Press, 1991) 92, who points out that in *Jubilees* the word "testimony" sometimes denotes the interpretation of (or additions to) the law of Moses provided by *Jubilees* itself.

intercessory prayer of Moses. Within the context suggested by Exod 32–34, Moses' prayer in *Jub.* 1:19–21 is clearly analogous to Moses' intercession in Exod 32:11–14; 33:12–23; 34:9 after the golden calf incident. There are two things to note here. First, since *Jub.* 1 is a prospective view of Israel's future, Moses' intervention, not surprisingly, is a plea for the *future* of God's people, rather than a plea for Israel's past sin to be forgiven, as in Exod 32–34. Moses pleads that God not let Israel "walk in the error of their heart" or deliver them into the hands of the nations (*Jub.* 1:19). He asks that God give them a pure heart and a holy spirit so as always to be able to avoid sin (1:21). Second, God answers that he will purify them and give them a holy spirit, but that this will happen only on the other side of their disobedience (1:22–23). God will circumcise the foreskin of their hearts. If we take 1:7–25 as analogous to Exod 32–34, then *Jub.* 1:22–25, God's response to Moses' intercession, takes the place, at least in part, of Exod 34:10, God's new making of a covenant. In addition, as was noted earlier, we find in *Jub.* 1:15–16 the same kind of connection between Deut 4:29–30; 30:4; and Jer 29–32 that we found lying behind the idea of a "new covenant" in CD.

All of this indicates that the author of *Jubilees*, like the redactors of the Pentateuch and the movement behind *D*, understood covenant and new covenant to be intimately intertwined. As we saw in studying the Pentateuch, the Sinai pericope is inscribed with a new covenant theology. *Jubilees* itself is framed by the Sinai pericope. It begins with Moses' ascent on the mountain, and its historical survey concludes, as does the work as a whole, with the giving of the law at Sinai. By placing a section analogous to Exod 32–34 and analogous to the "new covenant" theology of CD at the very beginning of his work, the author inscribes his work with something like a "new covenant" theology.

Appendix 3: Jeremiah 31:31 in 4QD^f (4Q271) 4 ii 1–4?

In his edition of the 4QD fragments, Joseph Baumgarten has conjectured an allusion to Jer 31:31 in 4QD^f (4Q271) 4 ii 2.¹¹¹ He reconstructs the lacuna thus: יכרות את בית ישראל ואת בית יהודה ברית. An examination of the plate indicates that only the last word of this

¹¹¹ DJD 18.178–79 (Baumgarten mistakenly cites "Jer 31:30").

conjectural reconstruction is established, although the first word is possible.¹¹² If the conjecture should be correct, however, it would have enormous implications for our understanding of the term “new covenant” in *D* and would support the thesis of this chapter.

4Q271 4 ii contains text parallel to CD XVI. CD XVI,1 itself is fragmentary, but it appears to allude to the last part of Exod 34:27, when it reads, “a covenant with you and with all Israel.” That this is indeed the allusion is confirmed by 4Q271 4 ii, which contains one or more lines of additional text before CD XVI,1 and contains some additional text of Exod 34:27. CD XVI,1 differs from MT Exod 34:27 in giving the preposition עם in place of את, in replacing the singular suffix “you” (אתך) with a plural (עמכם),¹¹³ and in adding כל before the word ישראל. These differences may be deliberate changes of the Hebrew text of Exodus. CD XV,5 emphasizes that the “covenant” into which members of the movement enter is for “all Israel” (לכל ישראל). Possibly the author of *D* wanted his audience to understand that the Sinai covenant was made with them particularly (“with you” [plural]), but also with all of Israel.¹¹⁴

If Baumgarten’s reconstruction should be correct, it would indicate that the author of *D* identified the covenant of Exod 34:27 with the new covenant of Jeremiah. The paraphrase of Exod 34:27 is apparently preceded by the words, “and about this covenant” (4Q271 4 ii 2).¹¹⁵ If these words in turn were preceded by an allusion to Jer 31:31, the suggestion would be that the covenant of Exod 34:27, that is, the covenant at Sinai, included within itself the new covenant of Jeremiah. That would agree with the thesis of this chapter that the redactors of the Pentateuch inscribed the Sinai pericope with a new covenant theology and that this has influenced the covenantal theology of the Damascus covenant. Moreover, if there is an allusion to Jer 31:31 in 4Q271 4 ii

¹¹² Ibid., plate XXXVIII.

¹¹³ 4Q271 4 ii 3 has a singular עמכה.

¹¹⁴ In contrast, for example, to 1QS II,25–26, where the covenant is coterminous with the community. Perhaps there is influence in *D* from Deut 5:4 (עמכם). Deuteronomy, of course, emphasizes that the Horeb covenant was made not (only) with the ancestors but (also) with those who are about to enter the land (5:3). The Qumran community and its parent movement understood themselves as those who were about to (re)enter and take possession of the land. See also Exod 20:22 (עמכם).

¹¹⁵ The letters ועל הברית הוזהר are visible, and Baumgarten reconstructs ועל הברית הוזהר (DJD 18.178).

2, the allusion apparently lacked the adjective “new” (חדשה). That would agree with the argument in this chapter that the “new” covenant of Jeremiah had been subsumed under the larger category of “covenant,” so that the adjective “new” was of secondary importance. It would also agree with the argument made above that there was some resistance to the use of the term “new covenant” since the term “covenant” was primary.

Baumgarten’s reconstruction is highly speculative. It is just as likely that 4Q271 4 ii 2 should be reconstructed with another reference to the Sinai covenant as to Jeremiah’s new covenant, perhaps even more likely. As a consequence, the possible implications that I have drawn from it are also speculative. But the thesis of this chapter stands independently of the validity of Baumgarten’s reconstruction.

CHAPTER FOUR

THE ORIGINS OF THE DAMASCUS COVENANT

4.1 Introduction

One of the problems that all too often attends studies of Qumran origins is a lack of clarity about *which entity* in any given case is being studied. That is to say, scholars have a tendency to conflate entities such as the “new covenant in the land of Damascus,” the “Qumran community,” and the “Essenes.” Thus, for example, Talmon has purposed to write on the history of the “(Community [יחד] of) those who entered into the Renewed Covenant (הברית החדשה),” or the “Community of the Renewed Covenant,” of which he considers the Qumran community to have been the motherhouse. Thereby he presupposes what must first be demonstrated, namely, that the *yahad* (at Qumran) understood itself to be (part of) the “new covenant.”¹ But this presupposition is, as I demonstrated in Chapters 2 and 3, quite doubtful. It should also be noted that the word יחד never appears in conjunction with the term “new covenant” in Qumran literature. Stegemann assumed a hereditary relationship between the “new covenant in the land of Damascus” and the “Essenes,” without considering more carefully the exact relationship between these two entities.² To make matters more complicated, another scholar has recently proposed that the “Essenes,” among whom he includes the Qumran community, were an offshoot of “Enochic Judaism”; the *Damascus Document (D)*, which stands at the juncture of Enochic Judaism and the Qumran community, thus represents in

¹ Shemaryahu Talmon, “The Community of the Renewed Covenant: Between Judaism and Christianity,” *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. Eugene Ulrich and James VanderKam; Notre Dame: University of Notre Dame Press, 1994) 8, 12, 23.

² Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 248–50; idem, *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus* (Grand Rapids: Eerdmans, 1998) 150: the Essenes developed out of the “new covenant” (among other groups of the pious).

some way Enochic Judaism.³ Does that mean that the “Damascus covenant” is also to be included within “Enochic Judaism”?

It is not possible to treat in this chapter all of the problems that the previous paragraph raises. The purpose of this chapter is to build on the work of the previous three chapters and to try to uncover the origins of the “new covenant in the land of Damascus” without presupposing its identification with Qumran, Essenism, or Enochic Judaism.⁴ In the first step of my work in Chapters 1 and 2, consisting of a two-part literary analysis of CD XIX–XX, I argued that “the new covenant in the land of Damascus” was a *forerunner* of the Qumran community (*yahad*), with which the Qumran community understood itself to be in continuity, but with which it did not identify itself; in fact, the Qumran community distinguished itself from the new covenant as an entity other than itself. In a second step, in Chapter 3, I attempted to uncover the biblical and theological foundations of “the new covenant in the land of Damascus.” That work led to an initial attempt to determine the historical relationship between the Damascus covenant and the Qumran community. Now, in a third step, I shall attempt to uncover more fully the historical roots of the Damascus covenant in the post-exilic period, drawing upon evidence mainly from *D*. In order to do this, I shall establish three “coordinates” within the social, political, and religious history of Second-Temple Judaism that will enable us to put the Damascus covenant on the “map” of this period. These coordinates will form a *matrix*, out of which, I shall argue, the rise of the Damascus covenant makes sense.

Before I begin, I wish to explain (1) why the evidence will come mostly from *D*; and (2) why I focus on the entity known as the “new covenant in the land of Damascus.” As for the first question, I agree with those scholars who have argued that *D* (at least in its oldest parts) comes from the pre-Qumran period. Most of the other major DSS give us excellent insight into the origins, beliefs, and practices of the Qumran community, but with few exceptions little information on the

³ Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids: Eerdmans, 1998).

⁴ I shall use the terms “the Damascus covenant” or simply “the new covenant” interchangeably for “the new covenant in the land of Damascus.”

pre-history of the community.⁵ Therefore *D* is a potentially unique source of knowledge for the latter. As for the second question, I do not claim that once we have uncovered the origins of the Damascus covenant we have the key to the origins of the Qumran community. Quite the contrary: It is precisely because I recognize the complexity of the history of the Qumran community that I believe that we must focus our work with great precision on *each* of the many and various factors that went into making what we call “the Qumran community.” I believe that understanding the origins of the Damascus covenant is only one element necessary for a comprehensive understanding of the phenomenon that we know as “Qumran.” Other important elements include Palestinian apocalypticism, some of it perhaps related to “Enochic Judaism,” and the history of the Maccabean period, which I consider the most likely matrix for the community that eventually settled at *Qumran* (but not for the Damascus covenant!). Each of these other elements has received attention in the very admirable work of other scholars, and they must continue to receive attention. But the origin of the Damascus covenant, as *one* entity among many that helps to explain Qumran, deserves attention in its own right. As we have seen, however, too often the Damascus covenant is simply conflated with other entities, and therefore its own unique history has been neglected. To remedy that neglect I shall focus on it alone. The light that is shed here on the origins of the Damascus covenant, however, will be useful for uncovering the origins of the Qumran community in the next chapter.

Due to the focused nature of this study, I shall not, at the beginning, follow any one of the major hypotheses on Qumran origins. Rather I shall strike out on a new path, based on the work of the previous chapters, as we seek to uncover the origins of the Damascus covenant,

⁵ A potentially important exception is the *Apocryphon of Jeremiah* (4Q383, 385a, 387, 388a, 389, 390, 387a) (see DJD 30.87–260), which gives an overview of history from Sinai to (apparently) the Maccabean period, and then proceeds to outline an eschatological future. This document does not share exactly the same view of the past as *D*, but it does provide important insights into the way that other groups in the Second-Temple period (perhaps related to the Damascus covenant and/or the Qumran community) understood the history of Israel. See DJD 30.111–12 for a discussion of connections between the *Apocryphon of Jeremiah* and *D*. Of course, some of the Enoch literature also gives overviews of the history of Israel, but once again we cannot assume that the people represented by this literature and those represented by *D* are the same.

rather than of Qumran *per se*. At the end of the study I shall explain how the hypothesis developed here might relate to the major hypotheses on “Qumran origins.”

4.2 *The Hypothesis of Morton Smith*

As a preface to my work I should like to recall a rather neglected article published by Morton Smith in 1961, in which he made a proposal on the origins of the Damascus covenant that has proved to be stimulating to my own work.⁶ In brief the argument is this: The Damascus covenant arose as a sect of the kind that stands behind the covenant (“pact”) that, according to Neh 10, Nehemiah, along with a number of priests, Levites, and others of the people of Israel, established in the province of Judah approximately in the year 432 BC. This pact, and the people who entered it, were in turn something analogous to what Smith called the “Palestinian ‘Organization of Returned Exiles,’” by which he meant that group of returned exiles that the Chronicler (whom Smith regarded as the author of Ezra-Nehemiah) calls the *bēnê haggôlâ*, the “children of the exile” (cf. Ezra 4:1; 6:19, 20; 8:35; 10:7, 16).⁷ Smith himself thought that this “organization” of returned exiles was a fiction of the Chronicler, since it never appears in the memoirs of Nehemiah. He did think that Nehemiah’s covenant was historical, although he thought that it came from a sect that stood in the tradition of Nehemiah (from the time of the Chronicler) rather than from Nehemiah himself. Smith points to a number of parallels between this covenant and *D* (as well as the *Rule of the Community*), including the listing of the names of its members; an oath to observe the law of Moses and to separate from impurity; an assembly that meets, hears debate, and decides on measures with which members must comply under penalty of expulsion; and the reception of converts from “the rank and file of Judaism.” Smith goes so far as to suggest that when the author of *D* says that “those who first entered the covenant made themselves guilty” (CD

⁶ Morton Smith, “The Dead Sea Sect in Relation to Ancient Judaism,” *NTS* 7 (1961) 347–60, here 355–59.

⁷ As Smith, *ibid.*, 357 n. 2, points out, the author usually uses *bēnê haggôlâ* for this “organization” of returned exiles in distinction from *haggôlâ* for the Israelites in exile (Ezra 1:11; 2:1; 6:21; Neh 7:6), but in Ezra 9:4; 10:6, 8 he uses *haggôlâ* as an abbreviation for *bēnê haggôlâ*.

III,10), this covenant is nothing other than the covenant of Neh 10, so that the Damascus covenant could be viewed as a splinter group from it. Smith then immediately retracts the proposal, however, and explains that he makes it only “to illustrate the *sort* of histories which must be supposed to lie behind the sects represented by the Dead Sea material.”

It is surprising that Smith’s suggestion has not played a greater role in studies of the origins of the Damascus covenant and, hence, of the Qumran community. The neglect is likely due in part to the fact that Smith himself, as far as I know, never developed the hypothesis further. As we have just seen, no sooner did Smith propose his hypothesis than he retracted it. Moreover, when he published the above-mentioned article he was in the midst of reworking material, some of which overlaps with that article, that would become *Palestinian Parties and Politics That Shaped the Old Testament*.⁸ In the latter work, of course, his main interest lay elsewhere, and so there is only sparse reference to Qumran literature. In addition, Qumran studies have been so dominated by the Hasidic origins hypothesis (connected especially with the names Stegemann and Vermes) and the Babylonian origins hypothesis (Murphy-O’Connor and Davies) that other hypotheses have had a difficult time being heard. Smith’s hypothesis typically does not find even the briefest mention in discussions of Qumran origins.⁹ I have found, however, that my own study of the origins of the Damascus covenant, initially undertaken independently of Smith’s, as demonstrated in Chapter 3, has converged with his work in an interesting way. It is therefore worthwhile to take up again the line of argument first laid down by Smith. Smith’s own proposal, which he quite wisely abandoned immediately—namely, that the Damascus covenant was a splinter group from the covenant of Neh 10—cannot be accepted. I am convinced, however, that Smith was working in the right direction, and

⁸ See the preface (p. vii) in Morton Smith, *Palestinian Parties and Politics That Shaped the Old Testament* (New York: Columbia University Press, 1971). A second, corrected edition appeared in 1987 under the same title, but published by SCM Press (London).

⁹ An important exception is Philip R. Davies, *The Damascus Covenant: An Interpretation of the “Damascus Document”* (JSOTSup 25; Sheffield: Sheffield Academic Press, 1982) 38–39; idem, “The Prehistory of the Qumran Community,” *The Dead Sea Scrolls: Forty Years of Research* (STDJ 10; ed. D. Dimant and U. Rappaport; Leiden: Brill, 1992) 125; idem, “The Birthplace of the Essenes: Where is ‘Damascus?’” *RevQ* 14 (1990) 516; idem, “Scenes from the Early History of Judaism,” *The Triumph of Elohim* (ed. Diana Vikander Edelman; Grand Rapids: Eerdmans, 1996) 157–63.

so we must revisit the question. We shall now investigate three coordinates on the map of Second-Temple Judaism that together produce a plausible historical matrix for the Damascus covenant.

4.3 Coordinate #1: *The Returnees from Exile and the Deuteronomistic Theology*

4.3.1 *The Analogy of שבִּי יִשְׂרָאֵל and בני הגולה*

In CD IV,2; VI,5; and VIII,16/XIX,29 (cf. also 4QD^a [4Q266] 5 i 15; 4QpPs^a [4Q171] 3–10 iv 24) there is mention of a group known as שבִּי יִשְׂרָאֵל. I shall not repeat here the debate over the translation of this term. It is well known that there are three possible translations: (1) “the captivity of Israel”; (2) “the returnees of Israel”; (3) “the penitent within Israel.” My own view is that “the captivity of Israel” is the best translation, because it can in fact be understood to include all three meanings of the term. That is, the term can be understood to be analogous to the term הגולה (בני) that we find in Ezra 2:1; 4:1–3; 6:21; 10:7–8, 11, 44. In these texts we learn that the הגולה (בני) “returned” (השבִּים) from the “exile” (=captivity, שבִּי) and also “separated” themselves from the ways of the peoples of the land upon their return. That shows that all three senses—captivity, return, and penitence/separation from the people—could be included in the one term בני הגולה. I suggest that the same is true of שבִּי יִשְׂרָאֵל.¹⁰

¹⁰ In CD IV,2 and VI,5, which speak of a group that “left the land of Judah,” the “captivity of Israel” is the most obvious meaning for שבִּי יִשְׂרָאֵל. The meaning “penitents of Israel” is perhaps the best translation of the phrase in CD VIII,16/XIX,29, where this group is said to have “turned away from the way of the people.” The term also appears in 4QpPs^a (4Q171) 3–10 iv 24, where we read of the “seven divisions of the שבִּי יִשְׂרָאֵל.” Stegemann, *Library*, 146, 150, interprets this line as referring to seven groups of *hāsīdīm* who went into exile at the time of the Maccabean crisis, some of whom returned to Palestine to become part of the Essene union. But there is no clear evidence for this interpretation. Since we have here a *pesher* on Ps 45:1, on the “sons of Korah,” “seven divisions” may be a reference to the divisions of the gatekeepers numbered according to the seven sons of Meshelemiah (a Korahite) in 1 Chr 26:1–3. Since these gatekeepers are clearly post-exilic in 1 Chr 9:1–33, it is possible that the שבִּי יִשְׂרָאֵל in this case are “returnees of Israel.” In any case, we cannot dismiss “returnees of Israel” as one possible meaning of the phrase.

As I mentioned above, Smith considered the “organization of returned exiles”—the *bēnê haggôlâ*—to be a fiction of the Chronicler. There are three main reasons for Smith’s doubts about the historical existence of this organization: (1) it is not mentioned by Nehemiah; (2) while according to Ezra 4:1 it was the *bēnê haggôlâ* who rebuilt the temple, according to Hag 1:12 and 2:4 it was the “people of the land” who rebuilt it; and (3) the actual concern of Ezra and Nehemiah was to break the ties between the Judeans, whom they could hope to govern, and other Palestinian worshipers of Yahweh, whom they could not hope to govern. The Chronicler misunderstood their goal, however, and, on analogy to a sect that existed in the Chronicler’s own time, retrojected to the time of Ezra and Nehemiah a sect (the *bēnê haggôlâ*) whose purpose was to “receive proselytes from the rank and file of Judaism,” that is, the ‘*ammê hā’āreṣ*. The Chronicler has further obscured the matter by equating the ‘*ammê hā’āreṣ* with *Gentiles*, so that the sect appears to receive proselytes from the Gentiles.¹¹

These objections, however, are not compelling. As for # 2, it is true that in Hag 2:4 God through the prophet orders Zerubbabel, Joshua, and *כל עם הארץ* to “work” (on the temple). However, it is probable that in this case the term “people of the land” preserves its pre-exilic sense, namely, referring to the recognized body of citizens (thus, in this case, the returnees) and not to the “people of the land” in the more derogatory, post-exilic sense.¹² Moreover, just two verses earlier (2:2) this command from God is said to have been given to Zerubbabel, Joshua, and “the remnant of the people” (*שארית העם*), not to all the people of the land.¹³ Haggai 1:12, which Smith cites in support of his case, uses the same terminology (*שארית העם*). Of course, the “remnant” could refer to the people of the land; however, Ezra 3:8 is a very close parallel to Hag

¹¹ Smith, “The Dead Sea Sect,” 357–58.

¹² See Roland de Vaux, *Ancient Israel: Its Life and Institutions* (tr. John McHugh; London: Darton, Longman & Todd Ltd., 1961) 70–72; Joseph P. Healey, “Am Ha’areṣ,” *ABD* 1.168–69; Joel P. Weinberg, “Der ‘*am hā’āreṣ* des 6.–4. Jh. v. u. Z.,” *Klio* 56 (1974) 331; R. J. Coggins, *Samaritans and Jews: The Origins of Samaritanism Reconsidered* (Oxford: Basil Blackwell, 1975) 49–50.

¹³ In Hag 2:3 the prophet asks, “Who is left (*הנשאר*) among you that saw this house in its former glory?” referring to those who were old enough to remember the first temple. This clearly cannot be the sense of the root *שאר* in 2:2, however, except in the most general terms, since Joshua and Zerubbabel were (presumably) born in Babylon after the destruction of the temple. The *שארית* as a *body* are the “remnants” of pre-exilic Israel, regardless of whether each individual was born before the destruction or after it.

2:2 and confirms that the “remnant” (שאר) are “those who came up from the captivity.”¹⁴ Moreover, Ezra 4:3 says that when the adversaries of the returnees tried to help in the reconstruction of the temple, Zerubbabel, Joshua, and “the rest [or remnant: שאר] of the heads of the families in Israel” said that they alone would rebuild it. Similarly in Neh 10:29 the families whose heads signed the covenant of Nehemiah (cf 10:15) are called “the rest of the people” (שאר העם). This group clearly consists in part of returned exiles, since many of the families listed in 10:15–28 belonged to the returnees (cf. the lists in Ezra 2:2b–35/Neh 7:7b–38; Ezra 8:1–14; 10:25), and those of the group who were not among the returnees were “all who have separated themselves from the peoples of the lands” (Neh 10:29). Furthermore, “the rest of the people” (שאר העם) in Neh 11:1 are also very likely returnees, or rather descendants of returnees, since that verse resumes the narrative of 7:4, 5–72. Nehemiah uses the list of the original returnees in 7:5–72 to establish families of pure Jewish descent for the repopulation of Jerusalem in 11:1–2 (cf. also 11:20). It is clear, then, that even Haggai attributes the reconstruction of the temple to the returnees.

Once we have recognized that שאר העם is synonymous with בני הגולה, objection #1 to the historicity of this organization—namely, that it never appears in the “authentic memoirs of Nehemiah”—also falls away. That is because שאר העם is explicitly mentioned in Neh 11:1, where, as we have just seen, it designates returnees (cf. also 11:20). The term also appears within the covenant of Nehemiah (10:29). That the שאר העם of Nehemiah as a group stand in continuity with the בני הגולה of Ezra is made clear by the fact that in both cases the major concern of the group is to prevent intermarriage with the “people of the land” (cf. Neh 10:31 with Ezra 10:6–9). It is therefore unnecessary to doubt the existence of this group at the time of Ezra and Nehemiah.¹⁵

¹⁴ That “the rest of their brothers” (שאר אחיהם) in Ezra 3:8 are more than fellow priests of Joshua is proved by the fact that these are also “brothers” of Zerubbabel and by 3:2, where “brothers” of Zerubbabel (other members of the royal family, or perhaps lay Israelites?) are mentioned.

¹⁵ Although Smith affirmed the historicity of the covenant of Neh 10, he doubted that it existed yet at the time of Nehemiah, on the grounds (see “The Dead Sea Sect,” pp. 356 n. 3, 357) that the Chronicler contradicted himself by having Nehemiah have to enforce the very stipulations of the covenant that the whole people had supposedly undertaken to observe by their own free will. Contra Smith, however, it is possible that Nehemiah included these stipulations in the covenant because his reform attempts had failed, the covenant of Neh 10 coming historically *after* the reform attempts in Neh 13.

As for Smith's third objection, he was wrong to say that the Chronicler (or whoever the author of Ezra-Nehemiah was) invented the idea of a sect that could receive "proselytes" from the "rank and file of Judaism" (i.e., the *'ammê hā'āreš*) and that the author then obscured the matter by equating the *'ammê hā'āreš* with Gentiles. Those who joined the covenants of Ezra and Nehemiah were not "proselytes," nor does the author of Ezra-Nehemiah present them as such. Furthermore, from the perspective of the בני הגולה, בני הגולה themselves (and those who joined them) alone represented the true Israel.¹⁶ Therefore the "people(s) of the land" encompassed all those, including Jews, who did not belong to the בני הגולה. Thus the *'ammê hā'āreš* could be considered on a par with Gentiles (cf. Ezra 6:21).¹⁷ But the author does not *confuse* the *'ammê hā'āreš* with Gentiles. Finally, the concern of Ezra and Nehemiah to break ties (whether political, religious, or other) between the returnees and the inhabitants of the land was not separate from their interest in establishing a clearly defined religious covenant community ("sect"). As we shall see below, these two concerns were very much intertwined. There is no misunderstanding on the part of the author.

Thus we may take the historical existence of this covenant community, the בני הגולה, as established. The שבי ישראל of CD are best understood as being historically analogous to (although not identical with) the בני הגולה of Ezra. Just as the latter are those who went into captivity, returned from captivity, and separated themselves from the people of the land, so the former are those who went into captivity, returned from captivity, and turned away from the path of the people (see page 146 and note 10 above). As we shall now see, there are good reasons for seeing the שבי ישראל as having roots in the exile very similar to those of the בני הגולה, which also led to their having very similar theologies and political ideologies.

¹⁶ See Ezra 6:16–18, where those who are involved in the rebuilding and dedication of the temple consider themselves to do so for "all Israel." Cf. further Hubertus C. M. Vogt, *Studie zur nachexilischen Gemeinde in Esra-Nehemia* (Werl: Dietrich-Coelde Verlag, 1966) 39–42, 55, 152–54.

¹⁷ Cf. H. G. M. Williamson, *Ezra, Nehemiah* (WBC 16; Waco: Word Books, 1985) 46: "peoples of the land" "refers in a general way to those who were not part of the returned community, both those within the province of Judah and their near neighbors...the possibility of true Jews being among them is simply not envisaged..." See also Ferdinand Dexinger, "Der Ursprung der Samaritaner im Spiegel der frühen Quellen," *Die Samaritaner* (ed. F. Dexinger and R. Pummer; Darmstadt: Wissenschaftliche Buchgesellschaft, 1992) 98–99.

4.3.2 *The Theology and Political Ideology of the Returnees from Exile*

In order to understand the theology and political ideology of those who returned from exile, it is necessary to look at the messages spoken to them by Jeremiah, Ezekiel, and Deutero-Isaiah, the great prophets of the exile, as well as by the Deuteronomistic redactors who used and edited their words. It is clear first of all that the prophets of the exile, the exiles who received their preaching, the Deuteronomists, and finally the Chronicler viewed the exiles as constituting the true remnant of Israel, who would constitute the nucleus of the future, restored Israel, while those who remained behind in the land were largely regarded as no longer of significance to the future of Israel, except insofar as they participated in the renewal of the life of Israel effected by the returning exiles.¹⁸ Perhaps the clearest expression of this belief comes in Jer 24:1–10, where the prophet has a vision of two baskets of figs. The first basket contains good figs and symbolizes the exiles. Of these God says:

Like these good figs, so I shall regard for good¹⁹ the exiles from Judah, whom I have sent away from this place to the land of the Chaldeans. I shall set my eyes upon them for good, and I shall bring them back to this land. I shall build them up, and not tear them down. I shall plant them, and not pluck them up. I shall give them a heart to know that I am the LORD; and they will be my people, and I shall be their God, for they will return to me with their whole heart. (Jer 24:5–7)

But of the bad figs God says: “So shall I treat Zedekiah the King of Judah, and his officials, and the rest of Jerusalem who remain in this land, and those who live in the land of Egypt” (24:8). It is generally acknowledged that this unit is a product of the Deuteronomistic

¹⁸ Note, however, that Jeremiah’s negative verdict on those who remained in Judah was primarily prior to the fall of Jerusalem. After the fall he could also see a future for them. See Peter R. Ackroyd, *Exile and Restoration: A Study of Hebrew Thought of the Sixth Century* (London: SCM Press, 1968) 57, 61; Rainer Albertz, *Religionsgeschichte Israels in alttestamentlicher Zeit. Teil 2: Vom Exil bis zu den Makkabäern* (Göttingen: Vandenhoeck & Ruprecht, 1992) 2.392, 396.

¹⁹ The NRSV translates this phrase, “so I will regard as good the exiles from Judah.” The Hebrew reads כִּן אֶכִּיר אֶת גִּלוֹת יְהוּדָה... לטובה. The primary meaning of this phrase is that God will look upon the exiles with goodness or kindness (cf. 24:6), but there is probably a double entendre, with the secondary meaning that God will consider the exiles to be good (on analogy with the good figs).

redactors of Jeremiah (probably in the exile), although some have argued that it contains a kernel of an authentic oracle of the prophet.²⁰ In that respect it can be regarded as a self-serving piece of propaganda written by the exiles themselves. We also find this view represented in passages in Ezekiel and Deutero-Isaiah, however, whose authenticity we have no reason to doubt. Thus Ezek 11:14–21 and 33:23–29 clearly state that, although the exiles have been removed from the land for a time, the land of Israel belongs to them, and they will return to it, while those who remain behind, whom God regards as idolaters, will be cut off.²¹ The basis for this view is that those who went into exile would go through an experience of judgment and purification (Ezek 20:33–38), so that they would once again be able to inhabit the land (36:16–38).²² Deutero-Isaiah also directs his oracles of salvation to the exiles.²³ He speaks of the community of the exiles as the “remnant of the house of Israel” (Isa 46:3)²⁴ and calls them “Jacob” (48:20). When the exiles return to their land, they will be the ones to restore the tribes of Israel (49:6). The Deuteronomistic History (DH) says that Judah went into exile (2 Kings 25:21), implying that the continuity between the pre-exilic and post-exilic communities was preserved in the community of the exiles, while those who remained in the land were of no significance for this continuity. Even more strikingly, the Chronicler says that during the exile the land lay desolate (2 Chr 36:21), perhaps implying that the people who remained in the land during those years were as good as non-existent.²⁵ The same view is represented in Lev 26, whose

²⁰ See E. W. Nicholson, *Preaching to the Exiles: A Study of the Prose Tradition in the Book of Jeremiah* (Oxford: Blackwell, 1970) 81, 109–10; and Winfried Thiel, *Die deuteronomistische Redaktion von Jeremia 1–25* (WMANT 41; Neukirchen: Neukirchener Verlag, 1973) 253–61 (esp. pp. 254, 260–61).

²¹ See Walther Zimmerli, *Ezekiel 1* (Hermeneia; tr. Ronald E. Clements; Philadelphia: Fortress Press, 1979) 263; and idem, *Ezekiel 2* (Hermeneia; tr. James D. Martin; Philadelphia: Fortress Press, 1983) 198.

²² Cf. Nicholson, *Preaching*, 130.

²³ See Nicholson, *ibid.*, 129 n. 1, who points out that the majority of scholars think that Isa 40–55 does not have a Palestinian background but “presupposes Babylon in the exilic period.” Cf. Ackroyd, *Exile and Restoration*, 120. An exception is Klaus Baltzer, *Deutero-Isaiah* (Hermeneia; tr. Margaret Kohl; Minneapolis: Fortress Press, 2000) 23–24, who thinks that Second Isaiah wrote in Jerusalem.

²⁴ Baltzer, *ibid.*, 258.

²⁵ On the Chronicler’s view of the exile see further Ackroyd, *Exile and Restoration*, 244 (cf. also 55, 247), who suggests that the “Chronicler appears to be utilizing passages such as these [Jer 24 and Ezek 33] which emphasize that hope lies in the exile

connections with Ezekiel demonstrate the chapter's exilic origin.²⁶ As a result of Israel's disobedience, the land will be devastated. Israel ("you") will go into exile, and the land will lie desolate to make up for the sabbath years that it did not enjoy while Israel ("you") lived on the land (Lev 26:34–35).²⁷ Finally, it is significant that Ezekiel uses the term "Israel" for the exiles from Judah. This agrees with his vision of a restored and unified Israel, where there will no longer be a division between the northern and southern kingdoms (Ezek 37:15–28). It is the exiles of Judah, whom Ezekiel calls "the whole house of Israel," who will be the nucleus of this new Israel. Similarly, in Ezra 6:16–17 it is the returned exiles who represent the twelve tribes of Israel.²⁸

This view—that the exiles constituted the true remnant of Israel during and after the exile—is, from one point of view, propaganda that served the interests of the exiles on their return. Clearly the land of Judah was not literally desolate during the exile. On the other hand, however, it can be argued that this view was vindicated by history. The identity markers and practices that would become central to life in Judah after the exile, and which stand out as the primary concerns of the priestly legislators, such as circumcision, strict observance of the sabbath, and concerns for purity and holiness, although having pre-exilic roots, were largely forged in the exile.²⁹ Moreover, there is evidence indicating that upon their return the exiles did in fact make a claim to the land, in line with the words of Ezekiel. Leviticus 25, which deals with the laws for the jubilee year and the return of the dispos-

alone...." One might also add Jer 29:10, which stands behind 2 Chr 36:21. See similarly H. G. M. Williamson, *Israel in the Books of the Chronicles* (Cambridge: Cambridge University Press, 1977) 131. This observation speaks against the claim of Thomas Römer, "L'école deutéronomiste et la formation de la Bible hébraïque," *The Future of the Deuteronomistic History* (BETL 147; Leuven: Leuven University Press, 2000) 192, that the exile was of little significance for the Chronicler.

²⁶ Cf. Lev 26:14–15 with Ezek 5:6; Lev 26:22 with Ezek 5:17; Lev 26:25 with Ezek 5:17; Lev 26:26 with Ezek 4:16–17; 5:16; Lev 26:29 with Ezek 5:10; Lev 26:32 with Ezek 5:15; Lev 26:33 with Ezek 5:2, 12.

²⁷ On all of this see further Nicholson, *Preaching* 127–31; Christiana van Houten, *The Alien in Israelite Law* (JSOTSup 107; Sheffield: JSOT Press, 1991) 151–55.

²⁸ Cf. also 4Q390 1,1–6 (*Apocryphon of Jeremiah*). According to the author of this historical overview, in the period after the exile the people of Israel "will do what is evil in my [God's] eyes, like everything that Israel did in the first days of its kingdom, except those who go up first from the land of the captivity to build the temple." Here again the returnees are the righteous remnant.

²⁹ See Nicholson, *Preaching*, 127; Van Houten, *Alien*, 117, 133.

essed to their lands, probably has its roots in the return of the exiles. The 49-year jubilee cycle is derivable from the approximately 49 years of the exile (587–539/538 BC). There is no evidence for the observance of a jubilee year in the pre-exilic period, and scant evidence for its observance in the post-exilic period. The jubilee cycle would mainly become a means for determining periods of history, particularly in apocalyptic Judaism and especially in apocalyptic circles heavily invested with priestly ideology (*Jubilees*, Qumran). There may be some connection, however, between the jubilee legislation of Lev 25 and Nehemiah's reforms in Neh 5:8–13.³⁰ Both texts address the problem of Israelites who have been sold to non-Israelites (Lev 25:47–53; Neh 5:8). Nehemiah 5:3–5, 11 speak of the alienation of land, a situation that Lev 25 specifically seeks to redress by returning lands to their owners in the jubilee year. Nehemiah's exhortation to his fellow Judeans to "walk in the fear of God" in Neh 5:9 is reminiscent of the exhortation to "fear God" in Lev 25:17, 36, 43. When Lev 25:47–53 addresses the situation in which an alien (גר) has prospered and in which an Israelite has been sold (or sold himself) to him, that fits well the post-exilic period when those who had remained in Judah during the exile, and even invading foreigners, took possession of the lands of the exiles (Lam 5:2; Obad 10–13; Jer 40:1–12; Ezek 11:15), some of whom may have become prosperous, so that on the return of the exiles there were not only disputes over property rights, but many of the exiles also fell into financial difficulties.³¹ All of these considerations support the view that Lev 25 comes from the post-exilic period, when these land disputes had to be resolved. Moreover, the land disputes are clearly resolved in favor of the returnees.³²

The returnees' claims to the land, and their claim to be the true remnant of Israel, were connected with and undergirded by a profoundly theological interpretation of the experience of exile and return. This interpretation was given to them by the prophets of the exile, as well as by the Deuteronomists who received and carried forth the tradition of these prophets. In Chapter 3 I argued that the "new

³⁰ The observance of jubilee years is also mentioned in 4QD^f (4Q271) 3,2.

³¹ On understanding the גרים in the priestly literature as referring to those who had remained in Judah during the exile, see nn. 85 and 86 below.

³² Note Ezek 47:21–23, where in the ideal future Israel the גרים will have to have property *allotted* to them. See further the comments of Baruch A. Levine, *Leviticus* (Philadelphia: The Jewish Publication Society, 1989) 274.

covenant in the land of Damascus” of CD has its biblical and theological roots in certain late Deuteronomistic material relating to the exiles. This Deuteronomistic material in turn has its roots in prophetic preaching to the exiles. It appears prominently, for example, in Deut 4:25–31 and 29–30, as well as in Jer 29:10–14, and this material was probably written by and for the exiles in Babylon. The burden of the message to the exiles in this material is that, if (or when) they search after (דרש) and return (שוב) to God with whole heart and whole soul (Deut 4:29; 30:2; Jer 29:13), God will restore their fortunes (Deut 30:3; Jer 29:14), gather (קבץ) them from the lands to which they were scattered (פויץ) and driven (נדח), and return them to the land of their ancestors (Deut 30:3–5; Jer 29:14). This seeking of God consists pre-eminently in turning away from the worship of abominable idols (Deut 4:28–29), including the secret veneration of idols, which worship was a primary reason for their exile (Deut 4:25–26; 29:15–20, 24–27). This is precisely the message that we find in the words of the prophets to the exiles, particularly in Ezekiel. God will not be sought (דרש) by those who refuse to turn away from their idols, even those who continue to worship idols in their hearts (Ezek 14:1–8; 20:3–4, 31). But those whom God purifies through the exile, God will gather (קבץ) and return to the land from which they were scattered (פויץ) (11:17; 20:34), and they will rid themselves of idols (11:18).

It is striking that we find a similar theological pattern of thought underlying the views of the earliest returnees from exile as they appear to us in Ezra 1–6. There is evidence, for example, that the prophetic motif closely linking the possibility of “seeking (דרש) the LORD” with the rejection of idolatry was preserved and continued by the returnees to Judah. In Ezra 6:21 we read that after the reconstruction of the temple was finished in 515 BC, the Passover was celebrated by “those who had returned from the exile” and by “everyone who had separated himself from the defilement (טמאה) of the nations of the land” to “seek” (דרש) the LORD, the God of Israel. The “defilement” spoken of here is almost certainly the idolatrous worship of foreign gods, which is called “defilement” in Jer 32:34 and Ezek 5:11; 20:7, 18, 30–31; 22:3–4; 23:7, 30; 36:18 (cf. also 36:25); 37:23. Ezekiel had prophesied that when the exiles returned to the land they would remove the abominations from the land and no longer “defile” themselves with idols, and that God would give them the land as its rightful tenants (Ezek 11:17–18). In the eyes of the returnees, this prophesy was fulfilled in them. They were to become the nucleus of the new, restored Israel.

There was thus a close connection between the rejection of idolatry and the sole allegiance to Yahweh, and possession of the land. This connection can be seen not only in Ezekiel; it is also suggested by Ezra 4:1–3 and, perhaps indirectly, by Ezra 10:7–8.³³ The similarity between the exile theology in the prophetic and Deuteronomistic texts that were discussed above and that stand in the background of the Damascus covenant, and the outlook of the returnees of Ezra 1–6 strengthens the hypothesis posited above that the שְׁבִי יִשְׂרָאֵל of CD are analogous to the בְּנֵי הַגּוּלָה of Ezra. Of course, it does not yet explain the origins of the Damascus covenant.

There are also strong connections between Deuteronomy and Deuteronomistic material and the work of Ezra and Nehemiah themselves. Indeed, the strongest connections between the Deuteronomic/Deuteronomistic material and the returned exiles are to be found here. I noted in Chapter 3 that Nehemiah, while still among the exiles, paraphrased Deut 30:1–5 in his prayer (Neh 1:8–9), and I took that as evidence that that part of Deuteronomy had its origin in the Babylonian exile.³⁴ It also indicates, however, that Nehemiah himself was influenced by Deuteronomistic circles in the exile. This is confirmed by the fact that his work in Judah was informed largely by Deuteronomic law.³⁵ His concern to ensure the (employment and) support of the Levites (Neh 10:37; 13:10–14, 22) is inspired by the similar concern in Deuteronomy (cf. Deut 12:19; 14:28–29; 26:12–15, etc.). The release of claims on loans in Neh 5:10 is probably inspired

³³ So Joseph Blenkinsopp, “The Mission of Udgahorresnet and Those of Ezra and Nehemiah,” *JBL* 106 (1987) 418 n. 44. The penalty of forfeiture in Ezra 10:8 seems to have to do with moveable property (רְכוּשׁ) in the first instance (cf. 1 Esdras 9:4: “livestock”), but as Harold C. Washington, “The Strange Woman (אִשָּׁה זָרָה/נְכַרְיָה) of Proverbs 1–9 and Post-Exilic Judaeon Society,” *Second Temple Studies 2. Temple and Community in the Persian Period* (ed. Tamara C. Eskenazi and Kent H. Richards; JSOTSup 175; Sheffield: JSOT Press, 1994) 240, points out, this word could perhaps also refer to real estate (cf. 1 Chr 27:31).

³⁴ See p. 94.

³⁵ For the importance of Deuteronomic law in Nehemiah’s reforms, see Henri Cazelles, “La mission d’Esdras,” *VT* 4 (1954) 120–22. In fact Cazelles argues that Nehemiah’s reforms were based solely on Deuteronomic law (and the prophets), and not at all on priestly legislation. If the covenant of Neh 10 comes from Nehemiah’s governorship, however, it would indicate that Nehemiah was also influenced by priestly law, since the covenant presupposes priestly legislation. See also the discussion above on possible points of contact between Lev 25 and Neh 5.

by Deut 15:2. The covenant of Neh 10, sworn by an oath and a curse, may very well be modeled on the covenant of Deut 29, which is likewise sworn by a curse (29:11). Most significantly, his policy against intermarriage came from Deuteronomy. We shall return to that point shortly.

I have shown in Chapter 3 that the “new covenant in the land of Damascus” in CD has its roots in the “new covenant” theology of the Deuteronomists of the exile. That new covenant theology is reflected, among other places, in Deut 29–30, that is, the Moab covenant. It is therefore significant that we find connections between that same part of Deuteronomy and the work of Ezra and Nehemiah. The account of the return under Ezra bears striking similarities to the Moab covenant of Deut 29–30 (or 29–32). As far as it can be reconstructed, the sequence of events in the return under Ezra seems to have been as follows: Ezra and his company arrived in Jerusalem on the first day of the fifth month in the year 458 BC (or 398 BC on the later dating) (Ezra 7:9; 8:31–36). Two months later there was a public reading of the law on the first day of the seventh month (Neh 7:73b–8:12).³⁶ This was followed on the next day by study of the law by priests, Levites, and the heads of ancestral houses, together with Ezra (Neh 8:13). This was in accordance with Ezra’s desire to study and to teach the law (Ezra 7:10). At this reading the prescription for the observance of the Festival of Booths was found, and so a decree was made to celebrate the festival. Deuteronomy 31:10–11 connects the public reading of the law every seven years (in the year of remission) with the Festival of Booths. That may indicate that behind Ezra’s reading of the law and the celebration of the festival was a legal tradition like Deut 31, which appears in precisely that part of Deuteronomy that came from Deuteronomistic

³⁶ The redactor of Ezra-Nehemiah has put the events of Neh 8–9 in the time of Nehemiah (cf. Neh 8:9), as though the missions of Ezra and Nehemiah overlapped. But Nehemiah’s name in 8:9 is almost certainly an interpolation by the redactor (cf. 1 Esd 9:49). Frank Moore Cross, “A Reconstruction of the Judean Restoration,” *JBL* 94 (1985) 8, argues that the chronology of 1 Esdras, which places Neh 7:72b–8:13 (= 1 Esd 9:37–55) after Ezra 9–10 (= 1 Esd 8:68–9:36), is superior to the chronology of Ezra-Nehemiah. It may be superior in that it (almost surely correctly) separates the missions of Ezra and Nehemiah, but it is likely that Neh 8–9 should come between Ezra 8:36 and 9:1, since the events of Neh 8–9 occur in the seventh month, those of Ezra 9–10 in the ninth month through the first month of the following year (Ezra 10:17). See Blenkinsopp, “The Mission,” 419–20.

redactors in the exile.³⁷ In the ninth month (cf. Ezra 10:9) some of the officials informed Ezra that the people of Israel (that is, the returned exiles) had married foreign women (9:1–4).³⁸ When Ezra heard about this, he prayed and confessed the guilt of Israel to God. Then one Shecaniah proposed to Ezra that the people of Israel “make a covenant” with God to put away their foreign wives and their children. Ezra agreed to the proposal and made the leading priests, the Levites, and all the people of Israel swear to do this. Anyone of the בני הגולה who would not do this was to be expelled from the congregation of the exiles (Ezra 10:1–8). Thus we have the returnees from the exile entering a covenant (cf. Deut 29:11) to separate themselves from foreign women (Ezra 10:1–8; cf. Deut 7:1–4) and from the “defilement” and “abominations,” that is, the idolatry (cf. Lev 18:24–30; Ezek 36:17–18, 25, 31) of the peoples of the land (Ezra 9:11).³⁹ The background of all of this seems to lie in the Deuteronomic and prophetic texts that we have identified as important to the returnees as well as to the Damascus covenant.

There is one other important point of contact between Deuteronomy and the ideology of the returnees. The covenant of Deut 29:11 includes the גר. As we shall see below, there is evidence to indicate that this inclusion represents a development among the Deuteronomists as a way of integrating into the polity of restoration Judah certain foreigners who had a long-standing place within the polity of Israel. This is an issue with which Ezra and Nehemiah also had to deal, and we shall see that they approach it in a way similar to Deut 29:11.

There are also close connections between the prophetic and Deuteronomistic texts discussed above and Nehemiah’s work. Those who signed Nehemiah’s “pact,” namely, returnees from exile (and their descendants) and “all those who had separated themselves from the

³⁷ Note, however, that the decree issued in Neh 8:15 approximates the wording of Lev 23:40 rather than Deut 16:13–15.

³⁸ The reference is most likely to earlier returnees rather than the returnees under Ezra, who had arrived in the land only four months prior to this.

³⁹ By conflating Ezek 36:17–18, 25, 31 (condemnation of Israel’s defilement of the land) with the texts from the Pentateuch (e.g., Lev 18:24–30; Deut 18:9) warning Israel not to follow the practices of the nations that God was dispossessing of the land, Ezra (in Ezra 9:11–12) effectively equates the people of the land in his own time with the pre-conquest peoples of the land (cf. similarly 9:1–2). The returnees from exile thus become like Israel entering the land for the first time. A similar idea is found in the DSS. When the Qumran community moved into the wilderness, it viewed itself as Israel anticipating its (re)entry into the promised land (see Chapter 5, p. 314).

people of the land,” “entered” into a “curse” (cf. Deut 29:11) and an “oath” to walk in the law of God (Neh 10:29–30). Concretely that meant to avoid intermarriage and to be careful in the observance of the sabbath, among other things. In Ezek 20, one of the texts addressed to the exiles, the exiles are told that it was above all their ancestors’ idolatry and profanation of the sabbath that led to the exile (cf. Ezek 20:8, 13, 16, 21, 28), and they are accused of doing the same things (20:31). The exiles must be purified of these abominations before they can possess the land again (20:33–38). Therefore it is no surprise that the first two articles of the covenant of Nehemiah relate to intermarriage (which leads to idolatry) and sabbath observance (cf. also Neh 13:17–18, where Nehemiah attributes the destruction of Jerusalem to profanation of the sabbath).

But clearly the most prominent Deuteronomic/Deuteronomistic element in the work of Ezra and Nehemiah is their attempt to enforce a strict policy against intermarriage. This policy comes by way of combination of three different Deuteronomic and Deuteronomistic texts. In Neh 13:1–3 the law of Deut 23:4–5 (English 23:3–4) that prohibits Ammonites and Moabites from “entering the congregation of the LORD” is used as the basis for the separation of those of “mixed” lineage from “Israel.” This is significant for three reasons. First, the original intention of the prohibition in Deuteronomy against admission of Ammonites and Moabites into the “congregation of the LORD” is ambiguous. Was the intention to prohibit intermarriage with foreigners, or to prohibit the entrance of foreigners into the temple? The author of 1 Kings 11:1–2 and the rabbis understood it to prohibit intermarriage. But Lam 1:10 understands the law as prohibiting foreigners from entering the temple, rather than intermarriage. Nehemiah seems to understand the law in both senses: not only does he use the law to separate Israelites and foreigners within the community in Neh 13:1–3, but in the immediately following story (13:4–9) he drives Tobiah the Ammonite (cf. 2:19) out of the temple.⁴⁰ That points to a very rigorous

⁴⁰ See Shaye J. D. Cohen, *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley: University of California Press, 1999) 248–52, 261. It is not certain whether Tobiah was Jewish or an Ammonite (see Tamara C. Eskenazi, “Tobiah,” *ABD* 6.584–85), but it seems clear in any case that Nehemiah considered him to be a foreigner (see Neh 2:10, 19).

(maximalist) interpretation of the law.⁴¹ And that leads to the second important observation. The fact that Nehemiah interprets this text as prohibiting both intermarriage and entrance into the temple points to the conception of a single polity that is at once politically, ethnically, and religiously homogeneous. We shall return to this point below. Finally, it is significant that Neh 13:1–3 interprets Deut 23:4–5 as prohibiting intermarriage with *all* foreigners, not just Ammonites and Moabites, and *forever*. This is the strictest possible interpretation of the law. In order to extend the prohibition of intermarriage in Deut 23:4–5 to include all foreigners, it must be combined with an expansive reading of Deut 7:1–6, as is done explicitly in Neh 13:23–28 (these verses also draw on 1 Kings 11:1–2). The same kind of expansive reading is found in Ezra 9:1–4 and 1 Kings 11:1–2, where, remarkably, even Egyptians and Edomites respectively are considered ineligible for intermarriage, even though Deut 23:9 allows them admission “into the congregation of the LORD” (in the third generation). In addition, the stipulation of Deut 23:4–5 that Ammonites and Moabites are to be excluded “even to the tenth generation” *could* be interpreted as meaning that after the tenth generation they are to be admitted, but Nehemiah apparently interprets this stipulation in a maximal sense, as meaning that they are to be prohibited *even* to the tenth generation (and so also beyond it) (an interpretation that presumably also lies behind 4Q174 1–2 i 4: ער עולם).

Since the expansive reading of Deut 7:1–6 and 23:4–5 is already attested in the (presumably exilic) 1 Kings 11:1–2, it was clearly not an innovation of Ezra or Nehemiah. That indicates that an expansive prohibition of intermarriage may well have been known already to the earliest returnees to Judah. In the account of the earliest returnees (Ezra 1–6) there is no indication that intermarriage was viewed as a problem, although it may be implied in the requirement of separation from the peoples of the land (6:21). It is also possible, however, that the Deuteronomistic tendency towards ethnic separation was already being tempered by the more tolerant view of the Zadokite priesthood, which, as we can see from P’s legislation on the נר, was more receptive to

⁴¹ A similarly rigorous reading of Deut 23:4–5 as prohibiting both intermarriage with Ammonites and Moabites and their entry into the temple is found in 4QMMT B 39–49.

foreigners within the Israelite polity. It must be noted, however, that no provision is made for the נָ among the earliest returnees to Judah.

The prohibition of intermarriage was a special concern of Deuteronomy and the Deuteronomistic school. The basis for it was, of course, the fear that intermarriage with foreigners would lead to apostasy and idolatry (cf. Exod 34:15–16;⁴² Deut 7:3–4; 1 Kings 11:1–8). By contrast the priestly material in the Pentateuch is nearly silent on intermarriage. This is all the more striking in view of the fact that the Zadokite priesthood had within its own literature a story that implicitly rejected intermarriage (Num 25:6–19),⁴³ and the redactors connected intermarriage with the problem of apostasy (Num 25:1–5). Yet they did not deduce from this narrative a general prohibition of intermarriage. The Holiness Code, and indeed the priestly material as a whole, never explicitly prohibits intermarriage between an Israelite and a non-Israelite, except for the high priest (Lev 21:14).⁴⁴ It is probable that the Zadokite redactors of the Pentateuch preserved the old narrative of Num 25:6–19, even though they disagreed with its implication regarding intermarriage, because the story supported their claims to the high priesthood.⁴⁵

Thus Ezra's and Nehemiah's expansive prohibition of intermarriage, while not an innovation on their part, seems to have been of special importance to them, and that again points to strong Deuteronomic/Deuteronomistic influence on them. Kenneth Hoglund and others have suggested that the policy of endogamy enforced by Ezra and Nehemiah was not based primarily on a theological concern (to prevent apostasy and idolatry) but on social and political concerns. The policy was a function of the Persian administration's need to determine who had access to the land and who did not. That is to say, the Persian government considered the land of Judah to be imperial

⁴² Exodus 34:11–16 is usually regarded as Deuteronomic. See, e.g., Brevard S. Childs, *The Book of Exodus* (Philadelphia: Westminster Press, 1974) 608.

⁴³ For other material within P that supports endogamy, see Gen 26:34–35; 27:46; 28:1–9; but see also Num 31:15–18 (where, however, it is not clear whether the Israelites are to take the young women as wives or as slaves).

⁴⁴ Leviticus 18:21 was interpreted by some ancient Jews as prohibiting intermarriage, but it was probably originally a prohibition of idolatry. See Cohen, *Beginnings*, 260–61 (who does not, however, mention Lev 21:14). Ezekiel 44:22 prohibits intermarriage for all priests. See also Mal 2:11.

⁴⁵ Zadok is made a descendant of Phinehas in 1 Chr 5:30–34 (English 6:4–8).

domain, and when the government resettled the exiles, it had to have a means by which it could clearly determine who had claims to the land and who did not. Intermarriage would have complicated this by blurring the lines of demarcation between various groups. The theological explanation for the policy is the work of the author of Ezra-Nehemiah.⁴⁶ There is a certain attraction to this hypothesis,⁴⁷ although it seems that if the policy came at the behest of the Persian government it would have been enforced earlier and more stringently. Moreover, others have explained Ezra's sudden disappearance from the sources on the grounds that he was recalled by the Persian government because he had overstepped his commission by forcing the dismissal of foreign wives, which would suggest that the policy on intermarriage did not come from the Persian administration.⁴⁸

Whatever may have been the motivations of the Persian government in sending Ezra and Nehemiah,⁴⁹ I do not think that we can dismiss the

⁴⁶ Kenneth G. Hoglund, *Achaemenid Imperial Administration in Syria-Palestine and the Missions of Ezra and Nehemiah* (SBLDS 125; Atlanta: Scholars Press, 1992) 232–40. See also Washington, "The Strange Woman," 231–38.

⁴⁷ The advantage of Hoglund's explanation is that it fits well into his generally convincing hypothesis that the purposes of the missions and reforms of Ezra and Nehemiah were, from the Persian point of view, primarily to enhance Persian control over the western districts, in this case Yehud, and to tie the community more completely into the imperial system through a web of social and economic relationships (*ibid.*, pp. 226, 243–44).

⁴⁸ See Blenkinsopp, "The Mission," 420–21, who points out that it is hardly likely that the Persian administration would have favored a policy that caused unrest between Jews and Gentiles. See further Smith, *Palestinian Parties*, 124–25 (1987 edition: 94).

⁴⁹ For an excellent discussion of the missions of Ezra and Nehemiah within the context of the Persian empire, see (besides Hoglund, *Achaemenid Imperial Administration*) Blenkinsopp, "The Mission," who argues that their missions were part of the Persian policy of restoring, reorganizing, and purifying local cults, as well as the reorganization and administration of the legal and judicial systems. The argument of Cazelles, "La mission d'Esdras," 126, 128–31, 139, that Ezra's mission was to promulgate a law to unite Jews and Samaritans—a law that was in effect our present Pentateuch—is unconvincing. Cazelles argues that the Samaritans already accepted older Palestinian traditions (J, E, Deuteronomy) but Ezra had to integrate into these traditions the Babylonian legal tradition (priestly legislation going back to Ezekiel) that insisted on the unity of legislation for both "native" (אֲרֻחַ) and "alien" (גֵּר). Cazelles identifies the "native" with the Samaritan and the "alien" with the repatriated exiles. But against Cazelles, the "native" of the priestly legislation is almost certainly a member of the post-exilic Jewish community, while the "alien" is the non-Jew (see n. 85). In addition, as we shall see below, it seems that the Zadokite priests had already

theological element behind this policy from the perspectives of Ezra and Nehemiah. For one thing, we have seen that intermarriage (understood in an expansive way) already troubled the Deuteronomists of the exile (if not earlier) on theological grounds (1 Kings 11:1–8); the concern did not originate with Ezra or Nehemiah. Furthermore, the close ties that we have observed between Ezra and Nehemiah, on the one hand, and the exilic-prophetic traditions and the work of the Deuteronomists on the other hand, indicate that these two reformers will have seen the ban on intermarriage as prerequisite to the restoration of the people of Israel on their own land, insofar as that restoration depended on a complete and undivided devotion to the God of Israel (Deut 4:29–31; 30:2; Jer 29:13–14), which devotion was threatened by intermarriage.

4.3.3 Conclusion

In conclusion, we see that the theology (and political ideology) of the returnees, and especially of Ezra and Nehemiah, has roots in the same prophetic and Deuteronomistic traditions that we have detected behind the new covenant of CD. These traditions have to do with (1) the identity of the returnees from exile as the true remnant of Israel, to whom is promised the land; (2) the purification of the returnees through the exile, and the need to maintain that purity in the land through exclusive loyalty to the God of Israel and careful observance of the law; and (3) the constitution of a covenant community to ensure such loyalty. This discovery supports our initial hypothesis that the *שְׂבִי יִשְׂרָאֵל* of CD have roots in the exile that are very similar to those of the *בְּנֵי הַגּוֹלָה* of Ezra.⁵⁰ The prophetic and Deuteronomistic traditions relating

done much in the early post-exilic period to integrate the *גֵר* into the Jewish community. Therefore the legislation to unite “native” and “alien” almost certainly predates Ezra. Finally, although Ezra’s law was probably very much like our Pentateuch, it was probably not identical with it (see Van Houten, *Alien*, 112–13).

⁵⁰ Note also that 4Q390, a text that may be important for dating the rise of the Damascus covenant or related movements (see n. 184 below), also expresses sympathy for the returnees from exile: “And they [the priests of the post-exilic era] will also do what is evil in my eyes, like all that Israel did in the former days of its kingdom, except for those who will go up first from the land of their exile to build the temple.” The editor of the critical edition (Devorah Dimant) notes (DJD 30.240) that “[s]uch a

to the returnees from exile provide us a first coordinate for putting the Damascus covenant on the map of the post-exilic period. They also encourage us to seek the origins of the Damascus covenant in circles related to the returnees from exile and in circles related to the Deuteronomistic tradition. However, there is also a very important difference between the Damascus covenant and the work of Ezra and Nehemiah that does not allow us simply to locate the origins of the Damascus covenant in the exile or in the immediate post-exilic period. The Damascus covenant has a broader outlook than Ezra and Nehemiah. That leads us to our second coordinate.

4.4 Coordinate #2. *The Integration of the גר and the Covenant “for all Israel”*

4.4.1 *The Problem of the Foreigner in Post-Exilic Judah*

I suggested above that Nehemiah conceived of a single polity in Judah that was at once politically, ethnically, and religiously homogeneous, and it is necessary now to say more about that. It is clear that in the time of Ezra and Nehemiah there is a certain coalescence of the political, ethnic, and religious boundaries marking off a distinct community within Judah.⁵¹ In Neh 13:1–9 the “assembly (קהל) of God” into which no foreigner was to enter is understood at once to be both the ethnic community of those of pure Israelite descent as well as the cultic community of those who are allowed access to the temple. It is this same group of people that formed the basis of a political community. According to Neh 7:1–5; 11:1–2 the community of the exiles repopulated Jerusalem by bringing one tenth of their number out of the

favourable attitude to this period [of the returnees] stands out in comparison with other contemporary apocalyptic works, which either ignore (e.g. CD I 10–11; III 9–16; *Jub.* 1:13–15; *I En.* 93:8) or criticize (e.g. *I En.* 89:73) the activities of the returnees.” However, *D* does not ignore the returnees if the “remnant” of CD I,4–5 are precisely those who went into exile (as in 2 Chr 36:20) and who returned later (as in Ezra and Nehemiah), from whom the “root” (CD I,7) sprouted, and if the שבי ישראל of *D* have some historical connection with the returnees from exile.

⁵¹ Similarly Joel Weinberg, *Der Chronist in seiner Mitwelt* (BZAW 239; Berlin: Walter de Gruyter, 1996) 66–67.

towns of Judah and settling them in the holy city. What is interesting about this account is that in the present text of Nehemiah the movement of this tenth of the population comes immediately after the pledge in 10:38–40 to bring the tithes to the temple so as “not to neglect the house of our God.” As others have pointed out, the juxtaposition suggests that those who came to live in Jerusalem formed a holy community, a “tithe of the population,” as it were, dedicated to the holy city.⁵² Thus the center of the political life of Judah was founded on the same basis as its ethnic and religious community. Likewise, when in Ezra 9–10 Ezra and other leaders of the community demand that all the congregation of the exile report to Jerusalem in order to effect the dismissal of foreign wives, a demand enforced by the threat of confiscation of property and of banishment from the קהל, it is clear that the ethnic, religious, and political communities have coalesced.⁵³

As much as they would have liked to realize their vision of a politically, religiously, and ethnically homogeneous polity, however, Ezra and Nehemiah were not able to achieve this in a thoroughgoing way. We find that both Ezra and Nehemiah must resort to threats of punishment and even physical coercion to enforce their policies. As we noted above, when Ezra learned that some of the returnees had married foreign wives, and the decision was made to require divorce, a decree was issued that all those of the returnees who did not report to Jerusalem within three days for examination on this matter were to forfeit their property and be expelled from the “congregation of the [returnees from] exile” (Ezra 10:7–8). It appears that Ezra’s forced dismissal of foreign women within the “congregation of the exile” was not wholly effective,⁵⁴ because later (if we accept the traditional dating

⁵² Hoglund, *Achaemenid Imperial Administration*, 219–20; Tamara Cohn Eskenazi, *In an Age of Prose* (SBLMS 36; Atlanta: Scholars Press, 1988) 114. Even if the placement of chapter 10 before 11:1–2 is the work of a redactor and does not reflect the historical order of events, the giving of one tenth of the population to the holy city was probably an intentional analogy to the tithe.

⁵³ Cf. Hoglund, *ibid.*, 239.

⁵⁴ The text of Ezra 10:44 appears to be corrupt. In the LXX 2 Esd 10:44 (=Ezra-Nehemiah) follows the text of the MT as it now stands, which simply says that the men listed in Ezra (2 Esd) 10:18b–43 had (foreign) wives and that children were born to them, but does not actually say that the women were dismissed. First Esdras 9:36, however, apparently either emended the text (so Smith, *Palestinian Parties*, 121–22 [1987 edition: 91–92]) or (perhaps more likely) followed an alternative reading of the Hebrew, according to which the men dismissed their wives and their children. Against

that places Nehemiah's mission after Ezra's) Nehemiah had to undertake similar measures (Neh 13:1–3). He also resorted to physical coercion to try to compel other Jews to stop marrying foreign women.⁵⁵ Ultimately Nehemiah found it necessary to establish a "pact," adherence to which included a pledge not to marry foreigners (10:30).

The opposition to Ezra's and Nehemiah's policies is clear from the sources. That Nehemiah was seeking to restore the religious and political life of Judah was itself enough of a threat to Judah's neighbors, particularly Samaria, Ammon, and the Arabs, that the rulers of those regions sought to frustrate his plans (Neh 2:10, 19–20; 4:1–2; 6:1–14). But more than that, as Smith observes, these same rulers, along with numerous Judeans, will have objected to Ezra's and Nehemiah's marriage policies, since they threatened marriages between Judean notables and daughters of officials of neighboring provinces.⁵⁶ So, for example, we read that the son of the high priest Eliashib was married to the daughter of Sanballat, the governor of Samaria, and Nehemiah says that he "chased him [Eliashib] away" (Neh 13:28), which presumably means that Nehemiah prevented him or tried to prevent him from serving as a priest in the temple. In a similar story Josephus reports that a century later Sanballat gave his daughter Nikaso in marriage to Manasseh, the brother of the high priest Jaddua, to form an alliance between Samaria and the Jewish nation (*A.J.* 11.303). The elders of Jerusalem were opposed to this marriage, for they feared that intermarriage would be the "beginning of intercourse with foreigners" and believed that intermarriage had been one of the causes of their former captivity. Therefore they gave Manasseh an ultimatum: either divorce Nikaso or stay away from the altar. Interestingly in this case the

Smith, Ezra 10:19 suggests that Ezra's attempt at reform did not fail completely, but Smith is probably correct that it was not wholly effective.

⁵⁵ Nehemiah's actions in Neh 13:23–27 are sometimes taken as evidence that Ezra's measures were viewed as too extreme, and that Nehemiah took a less rigorous stance, not insisting on divorce in the case of existing marriages between Jews and foreign women, but only asking that members of the congregation of returnees pledge not to marry foreigners in the future (cf. Neh 10:30). But Nehemiah's coercion in 13:23–27 is apparently directed at "Jews" (Judeans) in general, not at members of the congregation of the returnees and so should not be taken as evidence for a less rigorous policy on the part of Nehemiah towards the congregation of the returnees. In addition, 13:25, 27 do not exclude the possibility that Nehemiah also tried to dissolve marriages with foreign women.

⁵⁶ Smith, *Palestinian Parties*, 122 (1987 edition: 92).

high priest himself, Jaddua, was also opposed to the marriage. When Manasseh went to his father-in-law to discuss the situation, Sanballat promised to procure for him a high priesthood (in Samaria) and to build a temple for him. These promises convinced Manasseh to keep his wife. Moreover, many of the priests and Israelites in Judah were involved in such marriages, and they went over to Samaria with Manasseh (11.306–12). The historian Hecataeus of Abdera, writing about the year 300 BC, reports that Moses established marriage customs that are different from those of other people, but that during the Persian and Macedonian periods the “mixing with other nations” caused many of the traditional Jewish customs to change.⁵⁷ These sources demonstrate that even a century after Nehemiah a large part of the Judean population, including priests, continued to enter marriages with foreigners.

The fact that at least one high priest and the elders were opposed to intermarriage (according to Josephus), however, indicates that Ezra and Nehemiah were not alone in their views. Indeed, there is abundant evidence indicating that the place of foreigners in post-exilic Judah, and in particular their relationship to the cultic community, exercised both prophets and priests in the exilic and post-exilic periods more than a little. For the most part the Zadokite priesthood, which gained the upper hand in the Jerusalem cult after the exile, and which would also eventually consolidate political authority, had a more tolerant view towards intermarriage and towards foreigners in general than did Ezra or Nehemiah, as is shown by the laxity within the Jerusalem priesthood both in Neh 13:4–9 and in the accounts in Josephus discussed above. However, there was clearly an element within the Zadokite priesthood that took a more stringent view. Chief among these stricter Zadokite priests was Ezra himself.⁵⁸

⁵⁷ This report is found in the *Aegyptiaca*, preserved by Diodorus Siculus, *Bibliotheca Historica* 40.3. See conveniently Menahem Stern, *Greek and Latin Authors on Jews and Judaism* (3 vols.; Jerusalem: The Israel Academy of Sciences and Humanities, 1974) 1.26–29.

⁵⁸ On Ezra’s Zadokite lineage see Ezra 7:1–4. The genealogy here, however, cannot be right. It is apparently a conflation of a genealogy like that found in 1 Chr 5:30–33 (English 6:3–7), running from Aaron to Meraioth, and a genealogy like that found in 1 Chr 5:37–40 (English 6:11–14), running from Azariah to Seraiah, so that Ezra appears to be the son of Seraiah, chief priest at the beginning of the exile. The purpose of the genealogy may be to show him to be the rightful heir of the high priesthood (see K. Koch, “Ezra and the Origins of Judaism,” *JSS* 19 [1974] 190–91). It has sometimes

On the one hand Ezekiel inveighed against the admission of foreigners (בני נכר) into the temple and denied them entrance into the future temple (Ezek 44:7, 9). This prohibition may refer to the admission of foreigners for sacrifice, but it is also possible that it is a reference to temple servants of foreign descent (usually identified with the *nētīnīm* of 1 Chr, Ezra, and Nehemiah; but on this see below) who presumably served in the pre-exilic temple, but whose service there became problematic in the post-exilic period.⁵⁹ On the other hand, Third Isaiah gives hope to the בן הנכר that he too will be able to serve at the temple and to offer sacrifices (Isa 56:6, 7). It is probable that here also the foreigner is not a worshiper but a temple servant.⁶⁰ These two competing visions for the post-exilic cult help to frame the issue for us. How was the foreigner to be integrated into a community whose political, religious, and ethnic boundaries had coalesced?

This question was of particular concern for the priestly legislators, and we can discern their solution through the study of their legislation on the גר. The גר (“resident alien”) and the בן נכר (“foreigner”) are not identical. Since the priestly legislation is interested primarily in the “resident alien,” however, and since that legislation is the key to understanding how the priesthood sought to integrate the foreigner into the community, we shall focus on that term. Whereas the identity of the “foreigner” is relatively clear—he is simply a non-Israelite living (either long-term or short-term) among Israelites (Gen 17:12) and with no special rights—the identity of the “resident alien” is more complicated, not least of all because the meaning of the term evolved over time and because the legislation regarding the alien changed.

been doubted whether Ezra was a priest at all, since the accounts about him do not show him engaged in any activities at the temple (Hoglund, *Achaemenid Imperial Administration*, 227–28 n. 70). The problem of the genealogy, however, does not necessarily invalidate his Zadokite genealogy. His apparently high status in the Persian court speaks in favor of it, and as we have seen, there was at least one other Zadokite priest in the Persian period who was opposed to intermarriage.

⁵⁹ See Joseph M. Baumgarten, “The Exclusion of Netinim and Proselytes in 4Q Florilegium,” *RevQ* 8 (1972) 89–91; reprinted in idem, *Studies in Qumran Law* (Leiden: E. J. Brill, 1977) 77–79; Menahem Haran, “The Gibeonites, the Nethinim and the Sons of Solomon’s Servants,” *VT* 11 (1961) 166.

⁶⁰ Baumgarten, *ibid.*, 91 (reprint: 79).

4.4.2 *The Status of the גר in Old Testament Literature*

In what is probably the earliest legal strata of the Pentateuch that mention the גר (the Decalogue; and the Book of the Covenant, from the period of the judges or the early monarchy), the term refers to someone (either an Israelite or a non-Israelite) who, having become separated from family and tribe, is vulnerable and in need of protection. The גר is to be treated humanely (Exod 23:12) and not be oppressed (Exod 22:20; 23:9). The picture of the alien at this early stage is of someone who is a fully dependent member of a household not his own. Since he is socially and economically disadvantaged, he must be protected from abuse. Nothing is said about his possible participation in the cult, but he is included in the sabbath rest (Exod 20:10; 23:12).⁶¹

In the Deuteronomic laws regarding the גר a sharper distinction is made between the Israelite and non-Israelite. In Deut 14:21 Israelites are prohibited from eating anything that has died of itself (נבלה), but they are permitted to give it to a גר or to sell it to a foreigner (נכרי). At a later time the priestly legislation will level this distinction between Israelite and גר. Leviticus 17:15 does not prohibit the eating of נבלה, but it declares that whoever eats it, whether “native” Israelite or גר, is made impure by it. In Deut 14:21, however, different laws still apply to the Israelite and the גר. Moreover, Deut 14:21 indicates that the “foreigner” is understood to be self-sufficient, while the “resident alien” depends on charity. Thus we have here an important distinction between classes of foreigners, with the גר being drawn closer into the community’s life than the foreigner, a distinction that will become important when we consider the later literature.⁶² Throughout Deuteronomy the resident alien appears as among the poor, or perhaps better among the landless,⁶³ and is grouped together with the orphan and the widow as being in need of charity (14:29; 24:14, 19, 20, 21; 26:12, 13). Deuteronomy also preserves the concerns of the pre-Deuteronomic laws for justice for the alien (Deut 1:16; 24:17; 27:19) and his inclusion in the sabbath rest (Deut 5:14). That the ethnic distinction between Israelite and גר was important for the author(s) of Deuteronomy is made clear by

⁶¹ See Van Houten, *Alien*, 43–67.

⁶² *Ibid.*, 81–82.

⁶³ On the distinction between the poor and the landless see Van Houten, *ibid.*, 95, and references there.

the fact that the גר is allowed to participate in the celebration of the Festival of Weeks (16:11) and the Festival of Booths (16:14), but not Passover (see 16:1–8). Since Passover commemorated a past event that defined Israelite identity, it is not surprising that the resident alien is not included in this celebration.⁶⁴ Once again, the later priestly legislation will level this distinction by allowing the alien to participate in Passover, provided that he be circumcised (Exod 12:48). The change in the priestly legislation is significant, because it points to a time when it becomes possible for a non-Israelite to identify himself as an Israelite, or at least to be more fully integrated into the Israelite community. In Deuteronomy such an identification or integration is not yet possible.⁶⁵

There are, however, two important passages in Deuteronomy mentioning the גר that do suggest a greater degree of integration into the Israelite community, namely, 29:10 and 31:12. I have argued in Chapter 3 that these chapters probably come from a later time than the rest of Deuteronomy. That judgment agrees with the observation that the גר in these texts has a different place within the polity of Israel from the rest of the Deuteronomistic legislation. As we have seen, throughout the rest of Deuteronomy the גר is treated as an outsider. In these texts, however, he is included within the covenant of Israel, so that he is part of God's people (Deut 29:11–12). He is to be included in the septennial assembly at the Festival of Booths, when the law was to be read before the people, so that they may "hear and learn...and observe diligently all the words of the law."

Moreover, while these texts differ considerably from the rest of Deuteronomy, they are very close to the account of the treaty between the Israelites and the Gibeonites in Jos 9. There are a number of important connections between the Deuteronomistic texts and Jos 9.⁶⁶ The

⁶⁴ Ibid., 88–91.

⁶⁵ Ibid., 107–08. I use the term "integration" rather than "conversion" because it is not certain that even in the latest of the priestly legislation we can yet speak of "conversion," although what we find there seems to come very close to conversion. More on this below.

⁶⁶ The major connections are these: Deut 29:10 and Jos 9:21, 23, 27 are the only places in the OT that use the phrase "hewer(s) of wood and drawer(s) of water"; Deut 29:10 speaks of the גר who is in the "camp," while elsewhere in Deuteronomy the גר is always "in your gates" or "in your midst," and in Jos 9:6 the Gibeonites come to Israel in its "camp"; in Jos 9 the Gibeonites are integrated into Israel through a disparity

evidence points in the direction of dependence of Deut 29 on Jos 9 (which is further confirmation of the late date of Deut 29).⁶⁷ Joshua 9 is the story of the ruse of the Gibeonites, when they deceived the Israelites into believing that they were foreign visitors to the land and not local inhabitants. As a result the Israelites swore not to kill them, since as supposed foreigners they did not fall under the ban of Deut 7:2 and 20:16–18. When the Israelites discovered the deception, however, they enslaved the Gibeonites as “hewers of wood and drawers of water” for the temple, and so they continue “to this day” (Jos 9:27). Later rabbinic tradition would identify these “hewers of wood and drawers of water” with the *nēṭinīm*, who were assumed to be foreign temple servants. Whether that identification is correct or not is debated (see below), but it is evident from Jos 9 itself that the (priestly) redactors of this text identified these “hewers of wood and drawers of water” with temple servants. The evidence is that a priestly redactor has added 9:18–21 and the word לעדה (“for the congregation”) in 9:27. Jörn Halbe, followed by A. D. H. Mayes, has argued that the result is to make the “hewers of wood and drawers of water” to be slaves for the whole “congregation of Israel” rather than for the “altar of the LORD.”⁶⁸ In other words, the priestly editor of this passage understood these Gibeonites to be foreign temple slaves, and by turning them into servants of the whole congregation rather than the temple he has broken their connection with the sanctuary. Mayes proposes that the author or redactor of Deut 29 has anticipated the work of the priestly editor of Jos 9 by juxtaposing the term “hewer of wood and drawer of water” and the term גר (Deut 29:10). This seems correct, for the result in the final redaction is that Deut 29 anticipates Jos 9 and prepares the reader to understand the Gibeonites not simply (or even no longer) as foreign temple servants but as גרים who are thus more fully integrated into the

treaty, just as in Deut 29 and 31 the גר is incorporated into Israel; worn-out clothing and sandals (Deut 29:4 and Jos 9:5); bread and wine (Deut 29:5 and Jos 9:12–13); references to the defeat of Sihon and Og (Deut 29:6 and Jos 9:10). See Van Houten, *Alien*, 103–04; and A. D. H. Mayes, “Deuteronomy 29, Joshua 9, and the Place of the Gibeonites in Israel,” *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (ed. Norbert Lohfink; BETL 68; Louvain: University Press, 1985) 321.

⁶⁷ Mayes, “Deuteronomy 29,” 322.

⁶⁸ Mayes, *ibid.*; Jörn Halbe, “Gibeon und Israel: Art, Veranlassung und Ort der Deutung ihres Verhältnisses in Jos. IX,” *VT* 25 (1975) 613–16, 630.

community.⁶⁹ Mayes argues that the motivation for this activity on the part of both the priestly redactor and the Deuteronomist(s) was probably the same concern as is expressed in Ezek 44, namely, the problem of the presence of foreigners in the temple.⁷⁰ It should be noted, however, that the mainstream priestly tradition seems *not* to have been opposed to the presence of foreigners in the temple, at least as regards sacrifice (cf. Lev 17:8–9; Num 15:14), and so it seems unlikely that the mainstream priestly tradition would have been opposed to foreign temple servants. That is, Ezek 44:7, 9 represent an extreme view that was not shared by the majority of the Zadokite priesthood. Therefore, while I consider the analyses of Halbe and Mayes to be generally correct—the priestly redactor understood the Gibeonites to be foreign temple servants—I would suggest that the motivation for their redactional work was not to break the foreign temple servants off from the sanctuary completely but to integrate them into the community as גרים. That does not negate the possibility that the problem of foreign temple servants might also stand in the background of the redactional work on these texts.

In any case, if this reconstruction of the redactional activity in Deut 29 is correct, then it is an important witness to the redefinition of the גר by the Deuteronomists in the interest of integrating him into the Israelite community. This interest is also reflected in Deut 31:12, where the גר is to hear the law and obey it (cf. Jos 8:33, 35). Since the rest of Deuteronomy does not envision the גר as obeying the law of Moses, it may be that this late Deuteronomistic material already presupposes the priestly code, at least in an incipient stage, in that the latter lays down for the גר explicit laws for observance. In other words, the גר of Deut 31:12 is probably not yet responsible for doing the whole law, but rather those parts of the priestly legislation that are explicitly addressed to the גר.

In this light the inclusion of *nētînim* within the polities of Ezra and Nehemiah becomes comprehensible. Many or most of the *nētînim* appear to have been of foreign descent,⁷¹ but, despite Ezra's and

⁶⁹ Mayes, "Deuteronomy 29," 322.

⁷⁰ Ibid.; cf. also Halbe, "Gibeon und Israel," 615.

⁷¹ On the foreign origin of many of the names of the *nētînim* in Ezra 2:43–55=Neh 7:46–57, see Ran Zadok, "Notes on the Biblical and Extra-Biblical Onomasticon," *JQR* 71 (1980) 110–14, 115–16. Baruch A. Levine, "The Nētînim," *JBL* 82 (1963) 208–09, notes that even some priestly families had foreign names, so that foreign names alone

Nehemiah's general policy of exclusion of foreigners, Ezra included them in the party that returned with him to Judah (Ezra 7:7),⁷² and Nehemiah even included the *nētînim* in the strictly Israelite covenant of Neh 10. As mentioned above, it is not certain whether the *nētînim* were actually temple servants in the post-exilic period or whether they had some other function. On the one hand, they are included in lists of temple personnel (cf. 1 Chr 9:2; Ezra 2:43–53, 70/Neh 7:46–56, 72; Ezra 7:7, 24; 8:15–20; Neh 10:29). On the other hand, they are grouped together with the “descendants of Solomon’s slaves,” who were not, as far as we know, temple personnel (Ezra 2:58/Neh 7:60). Therefore it has been proposed that the *nētînim* were not temple personnel but members of other guilds.⁷³ In light of the analysis of Deut 29 and Jos 9 outlined above, however, a possible solution to this puzzle presents itself. It may be that in the pre-exilic period the *nētînim* were temple servants of some kind. In the post-exilic period their temple service became problematic for those who held a hard line against the presence of foreigners in the temple (cf. Ezek 44:7, 9).⁷⁴ Therefore their status and function were transformed. The Deuteronomists and the priestly legislators of the exile came to regard the *nētînim* as גרים,⁷⁵ along the lines of Deut 29, and so they were assimilable into the post-exilic community of Israel. In this way Nehemiah’s inclusion of the *nētînim* within the covenant of Israel can be understood as directly parallel to the transformation of the Gibeonites from foreigners into גרים: they too

cannot establish status. It should be noted, however, that the percentage of foreign names is higher among the *nētînim* than among other classes (see Zadok, “Notes,” 116; Joel P. Weinberg, “*Nētînim* und ‘Söhne der Sklaven Salomos’ im 6.–4. Jh. v. u. Z.,” *ZAW* 87 [1975] 361–63).

⁷² The stylized listing of the classes of people that went up with Ezra in Ezra 7:7 is typical of the work of the Chronicler and is possibly not based on historical tradition. However, given the presence of *nētînim* in the first return (cf. Ezra 2/Neh 7), and the inclusion of *nētînim* in the pact of Neh 10, it is likely that *nētînim* were included in Ezra’s party.

⁷³ Weinberg, “*Nētînim*,” 365–71. Levine, “The Netînim,” 212, argues that the *nētînim* were connected to the temple but not as slaves (they “comprised a cultic guild”).

⁷⁴ See already Wolf Wilhelm Grafen Baudissin, *Die Geschichte des alttestamentlichen Priesterthums* (Leipzig: S. Hirzel, 1889) 99, 149, 150, 278, who argues that P replaced the *nētînim* as temple servants with the Levites as *nētînim*. But P does not completely abolish the *nētînim*. It transforms them into servants (“hewers of wood and drawers of water”) for the whole “congregation” (Jos 9:21).

⁷⁵ The view that the *nētînim* were considered גרים in the post-exilic period was already suggested by Baudissin, *ibid.*, 149.

may belong to the holy people, not *qua* foreigners but as integrated into the community of Israel. Since Ezra and Nehemiah otherwise do not seem to have considered the possibility of such integration of non-Israelite peoples into the community, this striking exception is best explained on the grounds that in the period of the exile the *netinim* had already come to be regarded as members of the community of Israel, under the influence of Deuteronomists such as those who were responsible for writing Deut 29 and 31. The *netinim* may have continued to do the most menial of tasks related to the temple cult, but perhaps were also employed in other, non-temple related work.⁷⁶

⁷⁶ The *netinim* are listed as one of the ten genealogical classes that returned from exile in *m. Qidd.* 4:1. There the *netinim* are not allowed to marry Israelites, but they are allowed to marry proselytes (cf. also *m. Yebam.* 2:4; 6:2; 8:3; *m. Mak.* 3:1). Rabbinic tradition identified the *netinim* with the Gibeonites of Jos 9 (*b. Yebam.* 79a), but there is no *explicit* biblical evidence to support that identification. For this reason, and because the *netinim* of Ezra and Nehemiah are apparently considered part of Israel, some scholars have doubted that the *netinim* of the rabbis bear any relation to those of the post-exilic period (e.g., Baruch A. Levine, "Later Sources on the *netinim*," *Orient and Occident: Essays Presented to Cyrus H. Gordon on the Occasion of His Sixty-Fifth Birthday* [ed. Harry A. Hoffner, Jr.; Neukirchen-Vluyn: Neukirchener Verlag, 1973] 107). It has also been proposed that some of the post-exilic Levites may have been drawn from the pre-exilic *netinim*. However, three things must be noted. First, as argued in the text, the inclusion of the *netinim* within the pact of Neh 10 can be explained as a function of the Deuteronomists' attempt to integrate slaves of foreign descent into the community of Israel, without necessarily considering them on an equal footing with ethnic Israelites. The discovery of what appears to be a fragment from a list of *netinim* among the Dead Sea Scrolls (4Q340) suggests that they did exist as a class in the Second-Temple Period (see also 4Q523 1–2,7). The editors of the fragment date it to the first half of the first century BC and also discuss corroborating epigraphic evidence. They suggest that the fragment was "a list of blemished people unfit for marriage, a negative genealogical list" (Magen Broshi and Ada Yardeni, DJD 19.83; see also their article, "On *netinim* and False Prophets," *Solving Riddles and Untying Knots: Biblical, Epigraphic, and Semitic Studies in Honor of Jonas C. Greenfield* [ed. Ziony Zevit et al.; Winona Lake: Eisenbrauns, 1995] 30, 32). If that is correct, then it may be evidence that the *netinim* were in fact considered to be of non-Israelite stock, at least by some, in the Second-Temple period, as also by the later rabbis. Second, as we have noted in the main text, the priestly editors of Jos 9 seem already to have made a connection between the temple servants and foreigners. Third, Ezra 8:15–21 cannot be adduced as evidence that גזרים of this period were among the Levites (as suggested by Haran, "The Gibeonites," 165 n. 1). It is true that in 1 Esd 1:3 the Levites are referred to as ἱερόδουλοι, the word used elsewhere to translate Aramaic גזרים (cf. Ezra 7:24 with 1 Esd 8:22; Josephus, *A.J.* 11.128) or Hebrew גזרים (cf. Ezra 8:20 with 1 Esd 8:48). However, the Levites were known in the biblical period as גזרים (i.e., "those dedicated

The גר of Deut 29 and 31, however, is still far from *fully* integrated into the community of Israel. What we have in these latest parts of Deuteronomy is, rather, a step on the way toward the full inclusion of the foreigner in the community of Israel. The next step in this process was taken by the priestly legislators. We have seen that the Deuteronomic code did not consider the גר to be part of the people of Israel and accordingly made no provision for his participation in the Passover celebration. The priestly code, however, explicitly allows him to celebrate Passover. The only condition is that he and his household be circumcised (Exod 12:48). It is generally recognized that it was during the exile that circumcision took on great significance as the identifying mark of the covenant that separated Israelite from Gentile, and so it is not surprising that the key text on circumcision (Gen

[to God or Aaron or the temple]”) (Num 3:9; 8:16, 19; 18:6; 1 Chr 6:33), and it is easy to understand that the words נחיים and נחיים could be confused (as indeed the disagreement in Ezra 8:17 between the *ketib* and *qere* demonstrates). Haran, *ibid.*, suggests that 1 Esd 1:3 is based on 2 Chr 35:3, and the word המבונים in the latter should be emended to הנחיים. However, it is also possible that it should be emended to נחיים, and by the interchange of נחיים and נחיים the latter was translated as ἱερόδουλοι. In this way Ezra 8:15–21 makes excellent sense: Ezra sent to Casiphia (perhaps a synagogue) for נחיים (Levites). Levites were sent (8:18–19), along with some נחיים (8:20). See Vogt, *Studie*, 129–33. Ezra 8:20 may be an addition from the Chronicler, and perhaps he read the נחיים and משרתים of 8:17 as referring to נחיים who serve the Levites (cf. the suggested emendation to משרתים in 8:20) rather than to Levites themselves. In any case, elsewhere in Ezra and Nehemiah the *nētīnīm* and the Levites are clearly distinguished, and it is more likely, as Baudissin argued (see n. 74), that the Levites replaced the *nētīnīm* as temple servants than that they were identical with them. All in all it seems best to conclude that (1) there was a class of *nētīnīm* in the Second-Temple period, as shown by 4Q340; accordingly the contrary opinion of an older generation of scholars must be revised (e.g., Haran, “The Gibeonites,” 168); what their exact function was, however, remains undetermined; (2) they were integrated into the post-exilic community of Israel (though not counted as part of the “seed of Israel”) on the basis of prior biblical tradition and the work of the Deuteronomists in exile (similar is the case with the class known as the “descendants of the servants of Solomon” [Ezra 2:55–57/Neh 7:57–59], also of foreign descent according to 1 Kings 9:20–21); (3) they were known (or at least believed) to be of foreign descent, but the term had for the most part lost its ethnic connotations and came to designate a subordinate class within the Israelite community (cf. Haran, “The Gibeonites,” 165), with whom intermarriage may have been prohibited (Broshi and Yardeni consider the halakah in *m. Qidd.* 4:1 to come from the Second-Temple period, based on its Aramaic style, although that point is debated [DJD 19.83]).

17:1–14) comes from priestly hands.⁷⁷ The priestly code in general is very much interested in maintaining the purity and the holiness (separateness) of the people of Israel. Ezekiel made clear that Israel was removed from its land because of its defiling practices (Ezek 36:16–19). Therefore in the post-exilic situation it becomes absolutely necessary that all residents of the land, both native and alien, avoid defiling practices (Lev 18:24–30). The irony in this was that the signs of belonging to the people of Israel now came to lie in the distinguishing mark of circumcision and the boundaries of ritual and practice, rather than ethnicity, so that it became possible for non-Israelite individuals, such as the גר, to cross over the boundary and to be more fully integrated into the community of Israel.⁷⁸ The priestly legislation on the גר is therefore concerned above all to accomplish the successful integration of the foreigner while simultaneously maintaining the purity and the holiness of the land and people. Accordingly this legislation is oriented above all towards regulating the participation of the גר in the cult and towards preventing him from practices that defile the sanctuary and the land.⁷⁹ Thus unlike earlier law codes there are in the priestly code explicit laws concerning the sacrifices offered by the גר at the temple (Lev 17:8–9; 22:18–20; Num 15:14–16), and the same prohibitive laws that protect the purity of the land apply to the גר and the native Israelite alike (Lev 18; 20:2–3; Num 19:10).

It has sometimes been argued that the latest material in the Pentateuch already knows the גר as a “proselyte.”⁸⁰ I disagree with this judgment, insofar as the גר was obligated to observe certain prohibitive commandments but not all the commandments.⁸¹ The גר is not required to celebrate Passover, as the native is required, but he *may* do so (Num 9:13–14; cf. Exod 12:48). But there is no biblical evidence to suggest that if he is circumcised and participates in the Passover, he has become a *full* member of the community and is obligated to observe the whole law. At various points the priestly code stipulates that “there will

⁷⁷ Van Houten, *Alien*, 133–34.

⁷⁸ *Ibid.*, 117–18.

⁷⁹ *Ibid.*, 156–57.

⁸⁰ Smith, *Palestinian Parties*, 181–82 (1987 edition: 138–39); Van Houten, *Alien*, 150; Theophile James Meek, “The Translation of *gēr* in the Hexateuch and Its Bearing on the Documentary Hypothesis,” *JBL* 49 (1930) 174, 177, 179.

⁸¹ See the excursus on the “ger” in Jacob Milgrom, *Numbers* (JPS Torah Commentary; Philadelphia: The Jewish Publication Society, 1990) 399.

be one statute [or law] for native and alien” (Exod 12:49; Lev 24:22; Num 9:14; 15:15, 16, 29). The rabbis would later use these verses to justify the view that the *whole* Torah applies to the proselyte as to the native Jew, and there are already hints of this interpretation in the LXX.⁸² Some have proposed that the priestly authors already intended these verses to be read in the same way.⁸³ But that is unlikely. Since the priestly authors make clear distinctions within the laws regarding their applicability to natives and גרים, it is evident that they did not yet consider the גר to be bound by the whole law. The stipulation that “there will be one statute [or law] for native and alien” that we find in the places mentioned above should be understood as applying only to the specific laws in their immediate contexts.⁸⁴

Thus the priestly legislators, aware of the political realities that they faced in Palestine—the returnees from exile living as a minority population in a small and weak state; granted the right to govern themselves by their own laws, but under the eye of the Persian government; surrounded by and intermingling with the Judeans who had remained behind and the “peoples of the land,” whose political rights they must respect—sought a means to integrate the גרים into the Judean polity in a way that would respect their rights but that would also secure the purity and the holiness of land and people. The returnees from exile considered themselves the true Israel, as opposed to those who had remained behind in Judah.⁸⁵ In exile they had developed practices to ensure their survival as a distinct people and to safeguard their exclusive devotion to the God of Israel. Upon their return these practices set them apart to some extent from those who had remained in the land. The returnees could not insist on anything like the “conversion” of those who had remained in the land, nor did they

⁸² *Mekilta Pisha* 15 (to Exod 12:49) (Lauterbach edition, 1.128; Horovitz edition, p. 57); *Sifre Num* §71 (to Num 9:14) (Horovitz edition, p. 67). On the LXX see n. 93.

⁸³ Van Houten, *Alien*, 150: “all rules for all time”; Smith, *Palestinian Parties*, 181 (1987 edition: 138): “to follow all the prescriptions of the indivisible, holy Law.”

⁸⁴ Milgrom, *Numbers*, 399.

⁸⁵ Cf. Van Houten, *Alien*, 154–55. She points out (pp. 134, 137, 140, 151–55, 156) on the basis of texts such as Exod 12:19–20, 48–49; Ezek 47:22–23 that the returnees considered themselves to be the “natives” (אורח) of the land, and those who remained behind, as well as other foreigners who were relocated to Judah during the exile, as the “aliens” (גר). Those who went into exile continued to be the “natives” in that they had a claim to the land (cf. Ezek 11:17), a claim that God would honor (Lev 26:42).

legislate for it, but they did provide means for integration that would meet the priests' primary concerns of purity and holiness.⁸⁶ That would lead in time to the possibility of conversion in a real sense.

Shaye Cohen maintains that becoming a "proselyte," that is, conversion to Judaism (or "Jewishness"), is not a real possibility until the Hasmonean period. He argues (correctly, I think) that the Pentateuchal legislation on the *גר* does not yet provide for the *full* assimilation of the alien into the community of Israel. He identifies as a necessary condition for the institution of proselytism a situation in which it is possible to distinguish between Jewishness (or "Judeanness") as a way of life and "Judeanness" as a political or ethnic identity. This condition, he argues, is first met in the Hasmonean period.⁸⁷ One can object, however, that this distinction was already possible at an earlier point than the 2nd century BC. The evidence is the book of Esther. When King Artaxerxes (or Xerxes) issued a decree allowing the Jews in every city in all the provinces of his kingdom to destroy their enemies (Esth 8:11–13), "many from the peoples of the land *מחיהדים*" (8:17). It is debated whether this participle should be translated "took sides with the Jews," "pretended (or professed) to be Jews," or "became Jews." Regardless of how we translate it, however, it is evidence that by the time Esther was written, the religious (or cultural) sense of the word "Jew/Judean" (*יהודי*) could be separated from its political/ethnic sense. It was now possible to become (or pretend to be or profess to be) a *יהודי* even outside of Judah and even for those not of Israelite descent.⁸⁸ In ancient Judaism it is possible, of

⁸⁶ Cazelles, "La mission d'Esdras," 128–31, and P. Grelot, "La dernière étape de la rédaction sacerdotale," *VT* 6 (1956) 178, 186–87, have proposed that the purpose of Ezra's mission was to unify the "natives" (whom they regard as the Samaritans and others who had remained in the land) and the "aliens" (whom they regard as the returnees from exile) under one law. But we make better sense of the data if we take the "natives" to be the returnees (see previous note). The Zadokite priests who returned from exile were concerned about integrating foreigners, and that is precisely what the laws on the *גר* do.

⁸⁷ Cohen, *Beginnings*, 70, 105, 109–10, 127, 137.

⁸⁸ Cf. Michael Owen Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (Chicago: The Oriental Institute of the University of Chicago, 1990) 170 n. 29, who makes a similar point on Esth 9:27.

course, to “Judaize” at many different levels,⁸⁹ and so we cannot take this text as referring to *full* conversion in the sense that the rabbis defined it. Nonetheless, if Esther is dated to the late Persian period, then it is evidence that already by the mid- to late-4th century BC there was a notion of conversion to “Judaism” of varying degrees apart from the political or ethnic meaning of “Judeanness.”⁹⁰ It has been observed that the priestly legislation prepares the way for this development insofar as it redefines the community of Israel from a national entity to a confessional community. The boundaries of this confessional community would come to be marked less by ethnicity than by rituals and practices that served as marks of self-identification for a minority community, possible even for a community outside of Palestine.⁹¹

Furthermore, Cohen acknowledges that the translators of the LXX translated גר with προσήλυτος, but he writes: “What force the word ‘proselyte’ had in the third and second centuries B.C.E. we cannot be

⁸⁹ The LXX translates the מתיידיים of Esth 8:17 as “they circumcised themselves and Judaized (περιτέμοντο καὶ ἰουδαΐζον).” The verb ἰουδαΐζειν does not necessarily imply full conversion or circumcision, but simply means “to live like a Jew,” which could take different forms, as is indicated by a number of Greek texts. The best evidence comes in Josephus’s account of the massacre of the Roman garrison in Jerusalem in *B.J.* 2.454, where he says that Metilius, the commander of the garrison, saved his life by promising “to Judaize as far as circumcision” (μέχρι περιτομῆς ἰουδαΐσειν). Circumcision was regarded as a requirement for conversion by the rabbis (*b. Yebam.* 47b) and was generally so regarded by other ancient Jews (cf. *Jdt* 14:10; Josephus, *Vita* 112, 149; *A.J.* 20.34–48). Likewise, it was generally understood that conversion entailed the adoption of the whole Torah (cf. n. 82; *Gal* 5:3; *Jdt* 14:10). But Josephus, *B.J.* 2.454, suggests that a man could “Judaize” or “live like a Jew” without circumcision, and that circumcision was the apex of Judaizing. That possibility is confirmed by *Gal* 2:14 in Paul’s account of the Antioch incident, where he rebukes Peter for compelling Gentiles to “Judaize.” The “Judaizing” at issue here is not circumcision but something short of that, probably relating to acceptance of Jewish dietary laws. On these matters see Cohen, *Beginnings*, 175–97, 198–217.

⁹⁰ Cohen, *Beginnings*, 122, argues for a later dating of Esther (“it does not predate the Hasmonean period by very much, if at all”). But for a late Persian dating see Carey Moore, “Esther, Book of,” *ABD* 2.641.

⁹¹ See Van Houten, *Alien*, 117, 119, 132–33, 136–38. She points out (pp. 135–36, citing P. Grelot, “La dernière étape de la rédaction sacerdotale,” 174–89) that the penalty of being “cut off” (גזירה), which probably refers to excommunication from the community, is the penalty primarily for violation of those practices that in the post-exilic situation distinguished Jews as a confessional community (rather than as a nation-state) from Gentiles.

sure; it did not necessarily mean ‘convert.’”⁹² But it has been shown that the translators of the LXX were quite consistent in rendering גר with προσήλυτος and related verbs when the text admitted the religious meaning of “proselyte,” whereas they avoided προσήλυτος and preferred πάροικος and related verbs when the religious meaning “proselyte” was inadmissible.⁹³ Of course, these data do not yet tell us what the word “proselyte” means, and we still cannot assume anything like full “conversion.” But the noun προσήλυτος is derived from the verb προσέρχεσθαι, “to come over,” and the most obvious meaning for the term in these cases is a religious/cultural one rather than a political one: the “proselyte” was one who “went over” to a “new and godly polity...for the sake of virtue and religion,” as Philo explains at a later time (*Spec.* 1.51, 52). Since προσήλυτος does not directly correspond etymologically to גר, it is clear that the biblical category of the גר had taken on a connotation beyond “resident alien”—that is, it was more than a political designation—by the time that the earliest translations of the LXX were being made (early 3rd century BC), at least in Alexandria. We cannot necessarily extrapolate from the Alexandrian translators to the situation in Palestine, but the evidence from Esther does suggest that Palestinian Jews of approximately the same time were

⁹² Cohen, *Beginnings*, 121.

⁹³ W. C. Allen, “On the Meaning of ΠΡΟΣΗΛΥΤΟΣ in the Septuagint,” *Exp* 4/10 (1894) 264–75. An excellent example of this distinction occurs in Deut 14:21 and Lev 17:15. The first text prohibits the Israelite from eating something that has died by itself, but allows him to give it to a גר. The second text pronounces both the native and the גר who eats such food to be unclean. The translators of Deut 14:21 translate גר with πάροικος but Lev 17:15 with προσήλυτος. This is more than a simple harmonization of two contradictory texts. The implication is that the prohibition of Deut 14:21 applies to the “proselyte” as well as the native Jew.

In this respect it is interesting to note that we find a tendency in the LXX to expand the applicability of the whole law to proselytes, as with the rabbis (see n. 82). Thus Lev 18:26, which reads in the Hebrew, “you shall keep my statutes and my judgments...the native and the alien,” is translated in the LXX, “you shall keep *all* my statutes and *all* my ordinances...the native and the προσήλυτος.” Similarly, while the Hebrew of Num 9:14 and 15:15 reads, “there will be one statute (חוקה אחת)” for native and alien, the Greek reads, “there will be one law (νόμος)” for native and alien, thus suggesting an expanded application of the whole law (although the influence of Exod 12:49; Num 15:16, 29 is likely).

aware of the possibility (at least in theory) of a Gentile becoming a “Jew” (in a religious or cultural sense) in the late Persian period.⁹⁴

It must be noted, however, that if we accept Josephus’s dating of the story of *A.J.* 11.302–03, 306–12—the conflict over Manasseh’s marriage to the daughter of Sanballat—in the late Persian period rather than a century earlier in the time of Nehemiah, then it is an indication that even at that time proselytism was not regarded as a solution to the problem of intermarriage by all concerned.⁹⁵ On the one hand the elders of Jerusalem and the high priest Jaddua are said to have been opposed to the marriage, while on the other hand there were others who had also married foreigners (11.306, 309, 312). No one proposed proselytism as a solution any more than in the time of Ezra and Nehemiah. Smith argued that the invention of the class of “proselyte” was a compromise between separatists and assimilationists within the Judean community and that it rose as a response to the problem of intermarriage. The compromise was that foreigners were accepted, while the concern for purity was honored.⁹⁶ It seems unlikely to me that proselytism is quite as old as Smith argues (that is, already being found in the latest strata of the Pentateuch) or that it rose primarily as a way to deal with the problem of intermarriage. As we have seen, the latest strata of the Pentateuch are interested in the integration of foreigners, but we cannot yet speak of proselytes. And the priestly authors were interested in integration on political and theological grounds quite apart from the problem of intermarriage.⁹⁷ If we accept Josephus’s dating of the story, then (contra Smith) proselytism had *not* yet solved the problem of intermarriage by the late Persian period.⁹⁸

⁹⁴ Cf. Wise, *A Critical Study*, 169 n. 29: “the term גר could take either meaning [‘sojourner’ or ‘proselyte’] by the third century B.C.E. at the latest.”

⁹⁵ The problems connected with this story are discussed below.

⁹⁶ Smith, *Palestinian Parties*, 182 (1987 edition: 139).

⁹⁷ It is probable that the Chronicler condones intermarriage (see Williamson, *Israel in the Books of Chronicles*, 60–61; Sara Japhet, *The Ideology of the Book of Chronicles and its Place in Biblical Thought* [Frankfurt: Peter Lang Verlag, 1989], 346–51), but he does not employ the category of the גר in this context.

⁹⁸ Roger T. Beckwith, “The Pre-History and Relationships of the Pharisees, Sadducees and Essenes: A Tentative Reconstruction,” *RevQ* 11 (1982) 32–34, argues that the institution of proselytism was used in the mid-3rd century to make the marriage of the sister of the high priest Onias II to Tobias, an Ammonite prince, acceptable to the scribes and religious leaders in Jerusalem. However, his argument assumes that Tobias was considered an Ammonite and not Jewish, which is possible though not certain (it

We come finally to the work of the Chronicler. In this *corpus* we find a very advanced integration of the גר into the Jewish community. For example, in 2 Chr 2:16–17 the Chronicler refers to Solomon’s forced labor as גרִים. These laborers are apparently described in 1 Kings 9:20–22 as foreigners, “not of the people of Israel.”⁹⁹ From this observation Sara Japhet concludes that “the Chronicler indicates that they are an adjunct to the Israelite community and eliminates their foreign affiliation.”¹⁰⁰ Likewise, in the account of Hezekiah’s Passover in 2 Chr 30:25, we read that the participants included not only priests, Levites, and those assembled from Judah and Israel, but also גרִים who were in Judah and who came from the “land of Israel.” On the basis of these texts Japhet concludes that the גרִים of the Chronicler are at the very least on a level with those of the priestly literature, but considers it more likely that the Chronicler understands the word גר in the sense of a religious convert.¹⁰¹ While this is possible, and would support my argument made above that already by the late Persian period conversion to “Judaism” in a religious or cultural sense was known, caution is required. The redefinition of Solomon’s laborers as גרִים does not go beyond the Deuteronomists’ redefinition of the “hewers of wood and drawers of water” as גרִים. Moreover, the priestly literature, as already noted, also allows the גר to participate in the Passover. Nonetheless, Japhet has pointed out that in the work of the Chronicler the foreigner in effect disappears,¹⁰² which is a development beyond the priestly literature. In the Chronicler’s (ideal) vision all the inhabitants of Israel (should) belong to a single worshiping community, in which there is no longer a distinct, “foreign” population in the land.¹⁰³ If within this idealized schema the גר is not yet a member of Israel and its community of faith, then he is very close to it. We might summarize by saying that

is not known for sure whether his ancestor Tobiah was a Jew or an Ammonite [see Eskenazi, “Tobiah,” 584; also James C. VanderKam, *From Joshua to Caiaphas: High Priests after the Exile* (Minneapolis: Fortress Press, 2004) 177]; and, as Beckwith himself notes, there seems to be no question about Tobias’s Jewish identity in Josephus’s account. Beckwith suggests that this marriage is what precipitated the rise of the proto-Essenes in about 251 BC. As will be argued below, however, it seems that the Damascus covenant was open to proselytes.

⁹⁹ For details see Japhet, *Ideology*, 335–37.

¹⁰⁰ *Ibid.*, 337.

¹⁰¹ *Ibid.*, 346.

¹⁰² *Ibid.*, 328, 346, 351.

¹⁰³ *Ibid.*, 333–34, 351.

in the work of the Chronicler the γ is more fully integrated into the Israelite community than anywhere else in the biblical legislation, in that his foreign affiliation is held of no account, although he remains distinguishable from a Jew and is not yet a proselyte.

4.4.3 *The Chronicler's Vision for Israel and the Place of the Samaritans*

Discussion of the Chronicler leads us back to 2 Chr 15:1–15. In Chapter 3 I demonstrated that the covenant of Asa described in this passage shares essentially the same structure as the Damascus covenant. The covenant of Asa is based on the same Deuteronomistic passages that underlie the Damascus covenant: Deut 4:25–31; Deut 29–30; and Jer 31. It is a covenant to “seek the LORD with whole heart and with whole soul” (2 Chr 15:12), just as the Damascus covenant is a covenant to “revert to the law of Moses with whole heart and with whole soul” (CD XV,9–10, 12). The covenant of Asa is sworn with an oath and carries penalties for non-compliance, like the Damascus covenant (CD VIII,1–2/XIX,13–14; XV,6, 8). The covenant of Asa is made in the third month, just as the Damascus covenant is renewed in the third month (4QD^a [4Q266] 11,17=4QD^c [4Q270] 7 ii 11). These similarities encourage us to find the origins of the Damascus covenant in circles close to the Chronicler.

For the present discussion it is of interest that among those who joined the covenant of Asa “to seek the LORD” were many from “Ephraim, Manasseh, and Simeon” who were “residing as aliens” (הגרים)¹⁰⁴ in Judah and Benjamin, because they had “defected” to Asa when they saw that the LORD was with him (2 Chr 15:9). The reference to resident aliens from Ephraim and Manasseh most directly relates to the account in 2 Chr 11:13–17, where we read of priests and Levites who left the North and went to Judah “to seek the LORD God of Israel” after Jeroboam closed down some of the northern shrines at which they had been employed and appointed non-Levitical priests at new shrines (cf. 1 Kings 12:25–33). As for the aliens from Simeon, these may be refugees from the war waged by the Egyptian king Zerah

¹⁰⁴ הגרים here is a participle; the LXX translates it twice with τοὺς προσηλύτους τοὺς παροικοῦντας.

who according to 2 Chr 14:8–14 invaded Asa's kingdom as far as Mareshah, an arena of battle that would have included the territory of Simeon.

It is difficult, however, to read of "aliens" from "Ephraim" and "Manasseh" who "defected" to Judah when they heard that God was with Asa without hearing, as an undertone, an allusion to the "defection" of Samaritans to the Judean community. The Chronicler upholds an ideal vision in which all of Israel, including the people of the former northern kingdom (Samaria), are united in a single religious and political covenant community dedicated to the worship of God in Jerusalem.¹⁰⁵ The covenant of Asa corresponds perfectly with such a vision and points to a desire on the part of the Chronicler, or of circles close to him, to draw the faithful people of Samaria into a covenant community that is for "all Israel." In order to explore this idea more fully, it is necessary to take account of recent developments in the history of Samaritanism.

Recent studies of Samaritanism and the results of archaeological excavations on Mt. Gerizim have demolished the traditional view, based on an uncritical reading of 2 Kings 17, that the split between Jews and Samaritans happened early (in the pre-exilic period) and that from the beginning of that split the Samaritans were all of mixed descent and syncretists. The biblical (Deuteronomistic and post-Deuteronomistic) account of the "Samaritans" paints them as descendants of Gentile colonists who advocated a syncretistic cult (2 Kings 17).¹⁰⁶ While there is no reason to doubt that there were such people in the North after the fall of the northern kingdom (cf. Ezra 4:2), it is

¹⁰⁵ On the Chronicler's comprehensive understanding of the people of Israel, including a remnant of the former northern kingdom in Samaria, see Yitzhak Magen, "Mt. Gerizim – A Temple City," *Qad* 33 (2000) 116 (Hebrew). See also n. 148 below. It has been suggested that there is an implicit critique of Samaritan separatism in 2 Chr 13:4–12. For brief discussion and references on 2 Chr 13 as a text critical of Samaritan separatism and as a plea for unity, see Coggins, *Samaritans and Jews*, 11–12, 69–71; and Mathias Delcor, "Hinweise auf das samaritanische Schisma im AT," *ZAW* 74 (1962) 282–85 (reprinted in *Die Samaritaner* [ed. Ferdinand Dexinger and Reinhard Pummer; Darmstadt: Wissenschaftliche Buchgesellschaft, 1992] 251–55). See also, however, a critique of this reading in Hans Gerhard Kippenberg, *Garizim und Synagoge: Traditionsgeschichtliche Untersuchungen zur samaritanischen Religion der aramäischen Periode* (RVV 30; Berlin: Walter de Gruyter, 1971) 49–50.

¹⁰⁶ For a brief redactional analysis of this chapter, see Dexinger, "Ursprung," 83–87 (see also 93–94).

equally clear that the biblical account of these people is one-sided. There remained in the North a very large population of people of "pure" Israelite descent.¹⁰⁷ There is clear evidence that even in later times there continued to be people in the North committed to the worship of Yahweh alone.¹⁰⁸ Jeremiah 41:5 shows that there were Yahwists in Samaria even after the fall of Jerusalem. The Yahwistic names (Delaiah and Shelemiah) of the sons of Sanballat the governor of Samaria, attested in an Elephantine papyrus of 407 BC (CAP 30.29; cf. CAP 31.28), as well as the many Yahwistic names in the Wādī ed-Dāliyah papyri, including Hananiah the son of Sanballat (II),¹⁰⁹ may indicate that even among the ruling class in Samaria there were Yahwists, although we cannot necessarily assume that persons with Yahwistic names were committed Yahwists.¹¹⁰ In any case there will have been committed Yahwists among the more conservative Israelite population.

The problem of the origin of Samaritanism and of its relationship to Jerusalem has been put in a new light by the archaeological excavations

¹⁰⁷ Kippenberg, *Garizim und Synagoge*, 36–37.

¹⁰⁸ Dexinger, "Ursprung," 88–90.

¹⁰⁹ Frank Moore Cross, Jr., "The Discovery of the Samaria Papyri," *BA* 26 (1963) 113, 115; idem, "Papyri of the Fourth Century B.C. from Daliyah," *New Directions in Biblical Archaeology* (ed. David Noel Freedman and Jonas C. Greenfield; Garden City, New York: Doubleday, 1969) 41–62; idem "The Papyri and Their Historical Implications," *Discoveries in the Wādī ed-Dāliyah* (ed. Paul W. Lapp; Cambridge: American Schools of Oriental Research, 1974) 19, 21.

¹¹⁰ Sanballat is an Akkadian name, which may mean that one who bore that name was a foreigner (cf. *A.J.* 11.302, where Josephus calls Sanballat [III] a "Cuthean"; but this is probably a redactional note from Josephus; see Dexinger, "Ursprung," 106), although he could have been a repatriated Israelite who adopted a foreign name (like Zerubbabel). In any case he gave his daughter Nikaso a Greek name, which points to Hellenization (on the name see W. Pape and G. Benseler, *Wörterbuch der griechischen Eigennamen* [2 vols.; 3rd ed.; Graz: Akademische Druck- und Verlagsanstalt, 1959] 2.1001; and Friedrich Preisigke, *Namenbuch* [Amsterdam: Adolf M. Hakkert, 1967] 234). See H. G. M. Williamson, "Sanballat," *ABD* 5.973. Dexinger, "Ursprung," 113–14, denies that the Yahwistic names in Samaria point to committed Yahwism. He argues that the Samaritan upper class was, as in Judah, assimilationist and syncretistic. This assimilationism included acceptance of the local Yahweh cult, and that explains the Yahwistic names, but we cannot conclude from the names that the commitment to Yahwism was exclusive. However, Magen, "Mt. Gerizim – A Temple City," 116, argues that Sanballat I was from an old Israelite family. As Magen has shown (p. 113), the temple cult on Mt. Gerizim was Yahwistic. If Sanballat I founded the temple (so Magen, 116–17), then he may indeed have been a Yahwist.

on Mt. Gerizim. We shall discuss the significance of those excavations below. Prior to those excavations, our primary extra-biblical source for the early religious history of Mt. Gerizim was Josephus's account of the founding of the temple on Mt. Gerizim in the last third of the 4th century BC.¹¹¹ According to Josephus the Samaritan cult did not have its origins in religious syncretism of the kind suggested by the biblical account but rather was established first by dissident priests from Jerusalem. Josephus himself knows and subscribes to the biblical account of Samaritan origins (*A.J.* 9.288–91; 11.341; 12.257), according to which the Samaritans were of foreign descent and were from the beginning syncretists. But he also preserves a tradition according to which the Samaritan temple and its priesthood had their origins in dissident circles in Jerusalem. This tradition is connected with the story of Manasseh, the son-in-law of Sanballat (*A.J.* 11.302–03, 306–12, 315, 321–24). Manasseh was the brother of the high priest Jaddua. Sanballat, in order to establish an alliance with Judah, gave his daughter Nikaso to Manasseh in marriage. The elders of Jerusalem, however, resented the fact that Manasseh was married to a foreigner, and they gave him an ultimatum: either to divorce his wife, or not to approach the altar. Thereupon Manasseh went to his father-in-law and told him that, although he loved Nikaso, the priesthood was the highest office in the land and belonged to his family; therefore he did not want to lose his office because of her. Sanballat promised to preserve the priesthood for him, and indeed, to promote him to the high priesthood, and to appoint him as governor over the land, if he would remain married to his daughter. Moreover, Sanballat promised to establish a temple on Mt. Gerizim, and he did so with the consent of Alexander the Great. In addition, many priests and Israelites in Jerusalem were married to foreigners, and they deserted to Manasseh's side. Sanballat gave them money and cultivable land and places to live in order to win support for his son-in-law.

Many scholars have doubted the veracity of Josephus's account of the establishment of the temple on Mt. Gerizim.¹¹² For one thing, Josephus's story is very similar to the story in Neh 13:28, which tells

¹¹¹ For a summary of sources on the cult at Mt. Gerizim see Magen, "Mt. Gerizim – A Temple City," 108.

¹¹² For a discussion of objections to the historical value of Josephus's account, see VanderKam, *From Joshua to Caiaphas, 72–75* (and pp. 75–85 for responses to them), 98–99.

of the departure (under coercion) from Jerusalem of a priest who belonged to the high priest's family and who was married to the daughter of Sanballat (I). Some have regarded the occurrence of two such similar events as too unlikely a coincidence and therefore reject the historicity of Josephus's account, arguing that he put the event recorded in Neh 13:28 a century too late. As Cowley put it: "The view that there were two Sanballats, each governor of Samaria and each with a daughter who married a brother of a High Priest in Jerusalem, is a solution too desperate to be entertained."¹¹³ A second objection is that *A.J.* 11.342–44 suggests that when Alexander first visited the Samaritans the temple had already been built. Moreover, as Josephus tells the story, the temple appears to have been built in only nine months—a suspiciously short time—during the siege of Tyre and Gaza (11.321–42).¹¹⁴

These objections are indeed weighty and must lead to considerable scepticism about the historical value of Josephus's account. Particularly suspicious is the attribution to Alexander of authorization to build the temple; that appears to be a later legendary motif. There are other considerations, however, that require that we not completely dismiss Josephus's information. Frank Moore Cross has argued that the discovery in the Wādī ed-Dāliyeh papyri of the name of a second Sanballat who governed Samaria in the first half of the 4th century BC and the practice of papponymy among the Jews and surrounding nations make it plausible that there was a Sanballat III at the time of Alexander. Cross does not consider the veracity of Josephus's account wholly vindicated by this evidence, but he does suggest that we view the episode with less scepticism.¹¹⁵

It is now necessary to take into account the results of the archaeological excavations on Mt. Gerizim. In his summary report Yitzhak Magen tells of the discovery of a sacred precinct on Mt. Gerizim, at the center

¹¹³ A. Cowley, *Aramaic Papyri of the Fifth Century B.C.* (Oxford: Clarendon Press, 1923) 110.

¹¹⁴ Even if we allow more time for the building of the temple after the siege of Gaza, the temple would still have had to be built in the short time before Alexander's departure for Egypt.

¹¹⁵ Cross, "The Discovery of the Samaria Papyri," 120–21; idem, "The Papyri and Their Historical Implications," 21–22; idem, "A Reconstruction of the Judean Restoration," 5–6, 17; idem, "Papyri of the Fourth Century B. C. from Daliyeh," 54–55.

of which stood a temple.¹¹⁶ This temple was a temple to Yahweh,¹¹⁷ and it was probably similar in design to the temple in Jerusalem, as Josephus reports (*A.J.* 11.310).¹¹⁸ Magen also reports the discovery of vessels and coins dating from the early 5th century BC in the sacred precinct on Mt. Gerizim, and so he concludes that the sacred precinct must have been first built in the 5th century BC rather than in the 4th century BC, as Josephus has it.¹¹⁹ Magen argues that Sanballat I, from the time of Nehemiah, built the Mt. Gerizim temple as a way of establishing Samaria as an independent state (*vis-à-vis* Judah) and of strengthening the connection between the people of Samaria and the Samaritan state. Sanballat himself came from old Israelite stock, and so he did not install pagan priests at his temple, but Aaronic priests and also a high priest from within the Jerusalem priesthood. Moreover, given the difficult economic circumstances of the priests in Jerusalem, it was easy for Sanballat to induce priests from Jerusalem to come to Samaria to serve in his temple. Magen cites as evidence Josephus, *A.J.* 11.312, 346.¹²⁰ Thus even Magen himself finds some historical value in that part of Josephus's account. Magen combines the literary information from Nehemiah and from Josephus's account about the political and economic circumstances of the time with the archaeological evidence from Mt. Gerizim to produce a composite history of the establishment of the temple there in the 5th century BC.

If Magen is correct in all this, then it certainly calls into question Josephus's dating of the establishment of the temple on Mt. Gerizim in

¹¹⁶ Magen, "Mt. Gerizim – A Temple City," 108. See also his introduction in Yitzhak Magen, Haggai Misgav, and Levana Tsfania, *Mount Gerizim Excavations: The Aramaic Hebrew and Samaritan Inscriptions* (vol. 1 of 5 projected; Jerusalem: Israel Antiquities Authority, 2004) 3–10. In the past, of course, many scholars had doubted whether there was ever a temple at all on Mt. Gerizim. See also Yitzhak Magen, Levana Tsfania, and Haggai Misgav, "The Aramaic and Hebrew Inscriptions from Mt. Gerizim," *Qad* 120 (2000) 125–32 (esp. 125, 127, 128, 131, 132) (in Hebrew), where they report the discovery of Hebrew and Aramaic inscriptions on the mountain, probably to be dated to the 3rd and 2nd centuries BC, if not earlier, and containing references to a "temple," "priests," and "offerings" (for reference to the inscriptions in the summary report see Magen, "Mt. Gerizim – A Temple City," 113). The existence of a temple (or at least a cultic center) on Mt. Gerizim is now beyond doubt.

¹¹⁷ Magen, "Mt. Gerizim – A Temple City," 113.

¹¹⁸ *Ibid.*, 109–11.

¹¹⁹ *Ibid.*, 114 (cf. also 117); and Magen et al., *Mount Gerizim Excavations*, 6, 12.

¹²⁰ *Ibid.*, 116–17.

the 4th century BC. The sacred precinct on the mountain appears to belong to the first stage of construction of the city on Mt. Gerizim,¹²¹ and so it may be necessary indeed to conclude that the sacred precinct dates to the 5th century BC. There is, however, at least one question that can be raised against Magen's conclusions. At the present time Magen's dating of the temple to the 5th century BC is dependent primarily on the dating of the pottery and coins found in the sacred precinct, and on the deduction that the sacred precinct (and hence the temple) comes from the same time as those remains. Against this, however, there is literary evidence that calls into question the existence of a temple to Yahweh on Mt. Gerizim already in the 5th century BC. In a papyrus letter from the Jewish community in Elephantine to Bagohi the (Persian) governor of Judah in 407 BC, the authors say that after the destruction of their temple of Yahweh at Elephantine at the hands of the Persian governor and some Egyptians, they wrote to Johanan the high priest and his priestly colleagues in Jerusalem (apparently with a copy to Bagohi)¹²² requesting their support in the rebuilding of their temple. Johanan and his colleagues refused their request. The authors say that they also wrote to Delaiah and Shelemaiah the sons of Sanballat the governor of Samaria (CAP 30; 31). In a reply co-authored by Bagohi and Delaiah, these governors give their support for the rebuilding project (CAP 32). If there was already a temple and priesthood at Mt. Gerizim at this time, why did the Jews of Elephantine not write to the high priest on Mt. Gerizim for support as they wrote to Johanan in Jerusalem?¹²³ A plausible explanation is that the temple on Mt. Gerizim did not yet exist.¹²⁴ This evidence is

¹²¹ Ibid., 75.

¹²² This letter may be preserved as CAP 27 (see Cowley, *Aramaic Papyri*, 98–99, 116–17).

¹²³ Cf. Cowley, *ibid.*, 110; Kippenberg, *Garizim und Synagoge*, 42–43.

¹²⁴ Contra Ralph Marcus in Josephus, *Jewish Antiquities*, Books IX–XI (LCL 326) 507, who argues that “the fact that the Jews of Elephantine appealed to the Samaritans after they had been ignored by the priests of Jerusalem, the high priest Johanan, and the ‘nobles of the Jews,’ and the fact that Bigwai the Persian governor was allied with the Samaritans and hostile to Johanan (according to Josephus’s story), would indicate that there was a break between Judaeans and Samaritans...” The fact that the Jews of Elephantine appealed to the civil authority in Samaria rather than a religious authority speaks against Marcus (cf. further H. H. Rowley, “Sanballat and the Samaritan Temple,” *BJRL* 38 [1955–56] 187–89; republished in *idem*, *Men of God: Studies in Old Testament History and Prophecy* [London: Thomas Nelson and Sons, Ltd., 1963])

certainly not conclusive, for it constitutes an argument from silence, but it does make Magen's case for the 5th century BC establishment of the temple on Mt. Gerizim more difficult.

Certainly Josephus's account cannot simply be taken at face value. Josephus confused Sanballat III (if he existed) with Sanballat I, and there are many other historical problems connected with his story.¹²⁵ Yet it seems equally wrong simply to dismiss it as having no historical value. Especially given the likelihood that there was more than one Sanballat who governed Samaria, it is unnecessary to reject Josephus's account of the marriage of Manasseh to Nikaso as simply a (confused) rewriting of Neh 13:28. As VanderKam points out, the time, characters, and circumstances in the two accounts are quite different.¹²⁶ Against Cowley, it is not implausible that intermarriage between a priest in Jerusalem and the daughter of the governor of Samaria happened more than once. It is also not implausible that each time such intermarriage happened, it provoked opposition in the Jerusalem leadership.

It would help if we could know more about the sources of Josephus's story. Such knowledge, however, is difficult to obtain. Büchler argued that the Manasseh story came from a 2nd or 1st century BC Samaritan source, the purpose of which was to show that the Samaritan temple had a royal foundation.¹²⁷ But there are difficulties with that hypothesis. While the apologetic motif might suggest a Samaritan origin, there are elements of the Manasseh tradition that seem to be Jewish rather than Samaritan, as Kippenberg has also observed.¹²⁸ The story is told from the perspective of Jerusalem. Kippenberg suggests that Josephus had a Jewish source, which he calls a "Shechemite source" ("Sichemiter-Quelle") because it has to do with the city of Shechem and people who settled there. It told, among other things, of Sanballat's construction of the temple on Mt. Gerizim at the request of Jews who had left Judah for Samaria.¹²⁹ This source has been combined with an account (the Manasseh story) that is a development

266–67).

¹²⁵ See the reference in n. 112.

¹²⁶ VanderKam, *From Joshua to Caiaphas*, 82 (cf. also 76).

¹²⁷ Adolf [Adolphe] Büchler, "La relation de Josèphe concernant Alexander le Grand," *REJ* 36 (1898) 10–12, 25.

¹²⁸ Kippenberg, *Garizim und Synagoge*, 52–53.

¹²⁹ *Ibid.*, 55–56.

from Neh 13:28.¹³⁰ Kippenberg dates the Shechemite source to the 2nd century BC. While Kippenberg's source hypothesis is possible, it is not without difficulties. So, for example, *A.J.* 11.340, which Kippenberg counts as part of the Shechemite source because it tells of the settlement in Shechem of the priests and Israelites who left Jerusalem (11.312),¹³¹ reads more like polemic against the Shechemites in calling them "apostates from the Jewish nation." For his part, Dexinger argues that Josephus made use of five different sources in his report of the founding of the temple on Mt. Gerizim. Among these were a proto-Samaritan Sanballat source, which he dates to the end of the 3rd century BC, that had a positive attitude towards the Mt. Gerizim temple as having been founded on the approval of Alexander; and a Manasseh source, which he dates approximately to the year 170 BC (or 220 BC in a later essay) and which he considers to have been a Jewish source that emphasized the illegitimacy of the temple and its adherents.¹³² In the course of his analysis Dexinger offers many helpful insights into the historical development of the schism between Jews and Samaritans, but his source divisions and his view of the relationship of the sources to each other are too speculative to be definitive. In short, the variety of different source theories that have been proposed for this section shows how difficult source criticism in this case is. While it seems likely that Josephus obtained the Manasseh story from some source, it is difficult to determine the provenance of the source or even its date.¹³³

It seems best to conclude that although Josephus's account of the founding of the temple on Mt. Gerizim cannot be accepted at face value, there is some historically valuable information in it. The primary historical value of Josephus's account is that it provides us with a plausible reason for the establishment of the temple on Mt. Gerizim. The founding of the temple, whether we place it in the 5th or 4th

¹³⁰ *Ibid.*, 52, 54.

¹³¹ *Ibid.*, 56.

¹³² Ferdinand Dexinger, "Limits of Tolerance in Judaism: The Samaritan Example," *Jewish and Christian Self-Definition* (ed. E. P. Sanders; 3 vols.; London: SCM Press, 1981) 2.96–97, 100–01, 103, 105, 107. See also more recently Dexinger, "Ursprung," 102–110, 122–27, 138–40. In "Limits" (pp. 96, 103, 107) Dexinger dates the Manasseh source to about 170 BC, in "Ursprung" (p. 122) to about 220 BC.

¹³³ The reference to Daniel in *A.J.* 11.337 probably points to a 2nd century BC (or later) date for the Jaddua source, but that does not help us in setting a date for the Manasseh source. But see also the comment in VanderKam, *From Joshua to Caiaphas*, 79.

century BC, can be traced back to tensions and ultimately a division within the Jerusalem priesthood and to the removal of some Jerusalem priests and other Judeans to Samaria, who were welcomed by the governor of Samaria.¹³⁴ Even if we acknowledge the possibility that Josephus's Manasseh story has a polemical edge (as a Jewish attempt to discredit the Samaritan priesthood and temple as schismatic),¹³⁵ it is not inherently implausible that priests from Jerusalem and other Judeans were in fact among the early devotees of the Mt. Gerizim cult, when we consider the theological and political tensions in Judah during this period, for which we have independent evidence in Ezra and the work of the Chronicler. Of course, that does not exclude the possibility that native Yahwists from the North were also among the earliest devotees of the Mt. Gerizim cult. But it seems unlikely that that alone explains its origins. We have seen that the Chronicler was a proponent of a "greater Israel" that included both Judeans and Israelite remnants of the former northern kingdom, and perhaps even foreigners integrated into the people of Israel. It is possible that the Chronicler even condoned intermarriage. Such a position can be seen as standing in opposition to a narrower view that rejected intermarriage and excluded the former northern kingdom from Israel. In such a situation Josephus's account of the origins of the temple and priesthood at Mt. Gerizim makes excellent sense. The founding of the temple was the result of a schism, not between "Jews" and "Samaritans" over ethnic differences or over differences in allegiance to Yahweh, as has often been thought, but rather a schism between (Yahwistic) priests in Jerusalem who accepted intermarriage and advocated a broad view of Israel to include inhabitants of the former northern kingdom, and (Yahwistic) priests

¹³⁴ Cf. the similar conclusions of Kippenberg, *Garizim und Synagoge*, 57; and Dexinger, "Ursprung," 127. As we saw above, Magen provides a somewhat different explanation for the founding of the temple, only loosely connected with Josephus's account. On Magen's reconstruction, the major initiative for construction came from Sanballat I and for political reasons. But his explanation—a political explanation—and the explanation offered here—a more theological or religious explanation—do not have to be mutually exclusive: Sanballat (I or III) sought to strengthen the position of his state through alliances of marriage with Judah to the South. It was precisely that (inter)marriage that aroused the ire of priests in Judah who espoused a narrow view of Israel. That led to a split within the Jerusalem priesthood and the subsequent departure of a number of priests to Mt. Gerizim.

¹³⁵ Cf. Lester L. Grabbe, "Josephus and the Reconstruction of the Judean Restoration," *JBL* 106 (1987) 237–38, 240–41.

who rejected intermarriage and advocated a narrow view of Israel to exclude inhabitants of the former northern kingdom.¹³⁶ As we saw above, the Yahwistic origin of the temple on Mt. Gerizim is well established by the archaeological data.¹³⁷ In other words, the Samaritan temple was founded by (or for) dissident priests from Jerusalem (who may have been joined by northern Yahwists). The first “Samaritans,”

¹³⁶ Kippenberg, *Garizim und Synagoge*, 57–58. Cf. also pp. 43, 47–48. The (dominant) Jerusalem priesthood’s desire to protect the uniqueness and centrality of Jerusalem and its temple can be seen in the refusal of the high priest Johanan and other priests in Jerusalem to help in the rebuilding of a temple to יהוה (Yahweh) in Egypt in 407 BC (CAP 30.18–19; 31.17–18). Dexinger, “Limits,” 101, thus underestimates the importance of the dispute over intermarriage and relationships between Jerusalem and the North in the origin of the Jewish-Samaritan schism. That there were those in Jerusalem who had broad limits of tolerance, while others did not, was precisely the problem.

¹³⁷ There is no reason to assume with Dexinger that the initiative for the building of the Gerizim temple came from Hellenized Samaritans (on the use of the terms “Samaritans,” “proto-Samaritans,” and “Samaritans,” see n. 144). Developing his earlier work (see n. 132), Dexinger argues (“Ursprung,” 106–08, 122–27 [see also p. 114]) that the Sanballat tradition (*A.J.* 11.321, 324), according to which the initiative for the building of the temple came from Sanballat, whom Dexinger assumes to have been a Gentile and a pagan (a member of the Hellenized ruling class of Samaria), and the Manasseh tradition, according to which the initiative for the building of the temple came from Zadokite priests in Jerusalem, were originally separate traditions, and that the Manasseh tradition presupposes the Sanballat tradition. The Sanballat tradition is the older one, and more historically accurate. The Sanballat tradition is of Samaritan origin, and serves to legitimize the Gerizim temple. The Manasseh tradition is of Jewish origin, and seeks to delegitimize the Gerizim cult. Sanballat belonged to the Samaritan (Gentile and pagan) ruling class. From the beginning the Gerizim temple cult was Samaritan and Hellenized. It attached itself to an already existing proto-Samaritan cult. This cult was run by proto-Samaritan priests primarily for proto-Samaritans, but the priests had to accept Gentile participation in it (pp. 108, 114). But against Dexinger, the evidence that the Mt. Gerizim temple was Yahwistic and modeled after the Jerusalem temple makes this hypothesis dubious. (Dexinger of course did not have the advantage of the full publication of the archaeological excavations on Mt. Gerizim, and he supposed that the temple was built in Hellenistic style; see pp. 108, 110). Even if Sanballat was a Gentile, that does not require that the temple was initiated by Gentiles or that Gentiles were allowed participation in it. Moreover, the Samaritan inscriptions from Delos (which Dexinger himself discusses on pp. 118–19), in which devotees of the Gerizim cult refer to themselves as “Israelites,” show that these “Samaritans” continued to consider themselves part of the people of Israel even in the 3rd and 2nd (and perhaps 1st) centuries BC. That also speaks against the hypothesis of a Hellenized cult at Mt. Gerizim.

in the sectarian sense of the term, that is, those who established the Mt. Gerizim cult, were Jewish.¹³⁸

As we saw above, Magen argued that Sanballat invited Aaronic priests from Jerusalem to serve in the new temple on Mt. Gerizim. I would like to suggest that among the priests that came to Mt. Gerizim was a significant faction of Zadokite priests. The evidence is as follows. First of all, if we grant at least some historical value to Josephus's account, the first high priest on Mt. Gerizim came from the high priestly family in Jerusalem, which was Zadokite. Secondly, it is interesting that the name Phineas appears as the name of one or more priests in the inscriptions that were discovered on Mt. Gerizim. The name Eleazar has also been found in inscriptions, and that may also refer to a priest, although the title "priest" does not appear explicitly in connection with that name.¹³⁹ These two names are particularly connected with the Zadokite genealogy. They were revered in both Jewish and Samaritan tradition, since they were the names of the son and grandson of Aaron, and from them both the Jewish and Samaritan chronicles trace the descent of their high priests. Although the Jewish and Samaritan lists of high priests are considerably different, they both include a Zadok.¹⁴⁰ While certainty on this point may not be possible, the names on the Mt. Gerizim inscriptions would certainly be coherent

¹³⁸ Magen, "Mt. Gerizim – A Temple City," 117, observes that if Sanballat (I) was an Israelite, then the Samaritans will have viewed the offspring produced from a marriage between a Zadokite high priest from the South and Sanballat's daughter as fully legitimate Jewish priests, even if stricter priests in Jerusalem disagreed. The same will have applied to marriages between other Judean priests and Israelite women in Samaria. But it must be noted that according to Josephus (*A.J.* 11.306) the daughter of Sanballat (III) was a foreigner (ἀλλόφυλος). It is difficult to know whether this term, from a Jewish perspective, is being used to refer to someone who is completely non-Jewish, or whether it may refer to a person of partial Jewish descent or even to a member of the 'am hā'āreš (see nn. 85 and 224 on the problem of the identity of the "foreigner"). In any case, given differences of opinion on what constituted a "foreigner" at this time, people whom hard-line Jerusalem priests considered to be foreigners may not have been so regarded by persons in the North.

¹³⁹ See Magen et al., "The Aramaic and Hebrew Inscriptions from Mt. Gerizim," 126, 131, 132; and Magen et al., *Mount Gerizim Excavations*, 26, 67–68, 255, 258–59.

¹⁴⁰ For the genealogy of the Jewish high priests see 1 Chr 5:29–34 (Hebrew); for the Samaritan lists of high priests see John Bowman, *Samaritanische Probleme: Studien zum Verhältnis von Samaritanertum, Judentum und Urchristentum* (Stuttgart: Kohlhammer, 1967) 18; Grabbe, "Josephus and the Reconstruction of the Judean Restoration," 238–40.

with a Zadokite genealogy for the Samaritan high priesthood (and perhaps for other priests). This possibility is important because if, as will be argued later, Zadokite priests constituted a significant element in both the Damascus covenant and in the Qumran community, then common Zadokite origins may help to explain why we find many similarities between Samaritanism and Qumran (see below).

The beginnings of Samaritanism, then, do not lie in an immediate break from Judaism or in any alleged syncretism, but first, in tensions within the Jerusalem priesthood, and then second, in a rivalry between the Jerusalem temple and the Mt. Gerizim temple.¹⁴¹ The schism between Jews and Samaritans would grow only gradually and would not become complete until the end of the 2nd century BC, largely as a result of the Maccabean wars and the Hasmonean political agenda. The Maccabees were able to incorporate territory from Samaria into a greater Judah, and John Hyrcanus destroyed the temple on Gerizim, probably in 112–111 BC,¹⁴² and the city of Shechem in 107 BC. These events led to great bitterness and hostility between Jews and Samaritans, and the two groups would henceforth go their separate ways.¹⁴³ It is probably also at this time (the 2nd century BC) that Jewish polemicists began to use 2 Kings 17 as a basis for the charge that the Samaritans (now called “Cutheans”) were of mixed descent and were syncretists. As has become clear, that text has nothing at all to do with the historical Samaritans, but it will have become a useful polemical tool for condemning the Mt. Gerizim cult and its adherents when the cult underwent forced syncretization in 167 BC.¹⁴⁴ There is other

¹⁴¹ But as Dexinger, “Ursprung,” 116, notes, we cannot trace the actual schism between Jews and Samaritans to the establishment of the temple. The establishment of a rival temple exacerbated relationships between Jews and proto-Samaritans, but it did not in itself yet lead to schism.

¹⁴² On this date for the destruction of Mt. Gerizim, see Magen, “Mt. Gerizim – A Temple City,” 118; and Magen et al., *Mount Gerizim Excavations*, 13.

¹⁴³ See Frank Moore Cross, “Aspects of Samaritan and Jewish History in Late Persian and Hellenistic Times,” *HTR* 59 (1966) 210–11.

¹⁴⁴ For a helpful discussion of the process by which 2 Kings 17 came to be applied to the Samaritans, see Dexinger, “Limits,” 88–114. From the Jewish side the distinction between “Samaritans” and “Samaritans” was blurred for polemical purposes. (Following other scholars I use the term “Samaritans” to refer to the Gentile inhabitants of the province of Samaria, and “proto-Samaritans” to refer to Yahwists in the former northern kingdom who later became the “Samaritans.” See Dexinger, “Limits,” 92; idem, “Ursprung,” 83, 100; similarly also Kippenberg, *Gerizim und Synagoge*, 34.) The

evidence to suggest that by the 2nd century BC there were Jews who were beginning to view the Samaritans as no longer part of the people of Israel. So, for example, Ben Sira (ca. 190–180 BC) says, “Two nations my soul detests, and the third is not even a people (עם): those who live in Seir, and the Philistines, and the foolish nation (גוי) that live in Shechem” (Sir 50:25–26). Thus, in his view, the Samaritans are no longer to be considered part of Israel; indeed, they are in effect Gentiles (גוי).¹⁴⁵ Similar is the view of the author of Jdt 5:16 (late 2nd century BC), who apparently counts the Samaritans among the Gentiles.¹⁴⁶ There are, of course, signs of tension in earlier periods,¹⁴⁷ especially due to the rivalry between the two temples, but it is in the 2nd century BC that Jewish polemic against Samaritans becomes intense.

In this context the work of the Chronicler makes excellent sense. Writing probably sometime in the 4th century BC, when there were

Samaritans were syncretists, but the Samaritans were not (so also Dexinger, “Ursprung,” 108, 132). Dexinger dates the beginning of the application of the biblical account of Samaritan origins to the Samaritans in the Maccabean period (“Limits,” 107) or to the time of John Hyrcanus (“Ursprung,” 134).

¹⁴⁵ Contra Dexinger, “Ursprung,” 119–21 (cf. also idem, “Limits,” 103–04), who takes Ben Sira’s use of עם with reference to the Samaritans as an indication that he does not count them on the same level as the Edomites or Philistines. But Ben Sira says that the Shechemites are “not a people” (אינו עם), and then calls them גוי, like the Edomites and the Philistines. While Dexinger is right that Ben Sira does not call them “Cutheans” or “Samaritans,” he does deny them their status as people of Israel, and so there is visible already here a Jewish tendency to view the Samaritans as foreigners (as Dexinger also admits on p. 121; cf. also p. 125). The allusion to Deut 32:21 here makes that clear (see also on 4Q372 1, 1–32 below). Similarly Coggins, *Samaritans and Jews*, 85–86, who argues that the Hebrew text “seems to imply a distinction between the two nations, Seir and Philistia, and ‘the foolish people that dwell in Shechem’ which is ‘no nation,’” and who discusses the problem whether עם and גוי here are synonymous or are used to distinguish Israelite from non-Israelite, misses the mark insofar as the text makes clear that the Shechemites are a גוי like Seir and Philistia. For a discussion of the possible historical context for Ben Sira’s polemic, see James D. Purvis, “Ben Sira and the Foolish People of Shechem,” *JNES* 24 (1965) 88–94.

¹⁴⁶ Kippenberg, *Garizim und Synagoge*, 88, points out, however, that the “Shechemites” in this text could be a reference to Gentile colonists (Sidonians, cf. p. 79). He interprets (p. 76) 2 Macc 6:1–2 to mean that at the time this book was written (late 2nd century BC) the Samaritans were regarded as part of Israel. Possibly, however, we should distinguish “those who live in the place [Gerizim]” from the “Jews.”

¹⁴⁷ For example, as Kippenberg, *Garizim und Synagoge*, 90–91, points out, the LXX text of Jos 24:1 (probably 3rd century BC) replaces “Shechem” with “Shilo” as the place where Joshua’s covenant is made.

considerable tensions between North and South, but as yet no definitive Jewish-Samaritan schism, he sides with those in Jerusalem who advocate a broad view of Israel and who resist a division between North and South.¹⁴⁸ As we have seen above, the Chronicler has an ideal vision for Israel, in which all are united in a single community to worship the one true God in Jerusalem. Thus the covenant of 2 Chr 15:9–15 can be seen as part of his program for “all Israel,” in which the whole Israelite population, including the Samaritans, are included in the covenant community to worship the one God together in the Jerusalem cult.

4.4.4 *The Damascus Covenant as a Covenant for all Israel*

The significance of all of this for our purposes is that the Damascus covenant seems to reflect the same or a similar view. That is to say, the Damascus covenant shares the Chronicler’s broad vision for Israel, just as the structure of the Damascus covenant is almost identical to Asa’s covenant in 2 Chr 15:9–15.¹⁴⁹ This may seem counterintuitive. We usually associate Qumran and its literature with exclusivism and narrowness. At this point, however, we must recall that we are not presently studying the origins of the *Qumran community*, but the origins of the *Damascus covenant*. Furthermore we note that the Damascus covenant itself is, according to CD XV,5, “for all Israel.”¹⁵⁰ As Berthelot has observed, CD stands out within Qumran literature for its inclusion of the נ within the community.¹⁵¹ Indeed, CD XIV,3–6 gives as the ranking of the members of the camps “priests, Levites,

¹⁴⁸ As Williamson, *Israel in the Books of the Chronicles*, 140, has written, for the Chronicler “the future of the nation and the regathering of those in exile is dependent upon the faithfulness of the community that remained in the land. This may be seen as an attempt to counter the exclusivism of those who had returned from Babylon by granting some status to those who had never been exiled.”

¹⁴⁹ Cf. J. Massingberd Ford, “Can We Exclude Samaritan Influence from Qumran?” *RevQ* 6 (1967) 109, who argues that the Qumran sect constitutes a “Judaism which represents no distinct division between the Northern and Southern ‘kingdoms.’” I would add that this idea has its roots in the Damascus covenant.

¹⁵⁰ See also CD XVI,1 (=4QD^f [4Q271] 4 ii 3), where the author adds “all” to the word “Israel” in Exod 34:27 (“a covenant with you and with *all* Israel”).

¹⁵¹ Katell Berthelot, “La notion de נ dans les textes de Qumrân,” *RevQ* 19 (1999) 194–95, 215. (But see now also 4Q279 5,6, which includes the נ in its list.)

Israelites, and גר.¹⁵² The ranking is precisely that of 2 Chr 30:25, which as we have seen is one of the key texts for the inclusive polity of the Chronicler, and one of the texts that suggest that the Chronicler has attempted to eliminate the category of the foreigner in favor of a broadly envisioned Israel. That indicates that the legislation of CD presupposes a polity in Israel at least as developed as that of the Chronicler.¹⁵³

I suggest, then, that the “covenant for all Israel” envisioned by the Damascus covenant was, at its beginnings, not unlike that envisioned by the Chronicler. The Damascus covenant sought the restoration of “all Israel,” including northern Israelites. Given the similarity to 2 Chr 30:25, it is probable that the גר of CD XIV,3, 6 includes the northern Israelite (the proto-Samaritan), among others who have been integrated into the community of Israel.¹⁵⁴ In any case, it is hardly likely that he is simply the resident alien of the earlier biblical legislation.¹⁵⁵ Everyone

¹⁵² In 4QD^b (4Q267) 9 v 8, the parallel to CD XIV,4, the גר is not included among the members of the camp. But in 4QD^b 9 v 10, parallel to CD XIV, 6, the ranking of the members, the גר is included. Note also that גר is in the singular, whereas the other groups are listed in the plural. Is this difference due to a later addition and evidence for a time when the גר was not included in the camp? Or is there simply a scribal error in 4QD^b 9 v 8? Given the presence of the גר in 4QD^b 9 v 10, the inclusion of the גר in the list of 4Q279 5,6, and the parallel in 2 Chr 30:25, I accept the גר as original to the text and consider 4QD^b 9 v 8 to be an error. See also the next note on rabbinic opinions.

¹⁵³ This ranking would become standard in later Judaism. See, e.g., *Sifre Deut* §247 (to Deut 23:2) [Finkelstein edition, p. 276]; *t. Qidd.* 5:1 (in these two cases the “sages” exclude proselytes); *m. Qidd.* 4:1 (which adds those of impaired priestly stock between Israelites and proselytes). See further Louis Ginzberg, *An Unknown Jewish Sect* (New York: Jewish Theological Seminary of America, 1976) 88–89 (German: *Eine unbekannte jüdische Sekte* [New York: published by the author, 1922] 125–26).

¹⁵⁴ Cf. J. Massingberd Ford, “Can We Exclude,” 117–19, who suggests that Samaritans may have been among those who entered the Damascus covenant. However, I disagree with her suggestion that Judah-critical statements in CD reflect Samaritan (or northern) sentiment towards the South. The criticism is rather of the Jewish leadership and of mainstream Jewish society from within a Jewish sect. She also suggests (p. 129): “[P]erhaps people whom later we include among the Samaritans may have been present at Qumran.” Berthelot, “La notion de גר,” 185, connects CD XIV,6 with Deut 29:10, since both texts mention the גר in connection with the “camp.” We have seen above the importance of Deut 29:10 in the development of the status of the גר, but 2 Chr 30:25 is still the closer parallel.

¹⁵⁵ In CD VI,21 the term גר does seem to retain its traditional meaning of “resident alien.” Members of the community are to care for the “poor, the needy, and the גר” (cf. Lev 19:10). The occurrence of this precept comes as no surprise, since this part of CD

who entered the covenant swore an oath “to revert to the law of Moses with whole heart and with whole soul, to what is found [in it] to do during the whole period of his admission,” and the overseer of the camp was to examine all those who sought to enter the covenant (CD XV,9–11). It is unlikely that a גר who did not agree to observe the whole law of Moses was admitted into the “camps.”¹⁵⁶ Moreover, the legal section of *D* is very clear in restricting social and economic intercourse between members of the covenant and Gentiles (CD XI,14–15; XII,6–11).¹⁵⁷ This indicates that, while the “alien” who had been integrated into the community of Israel could be included within the Damascus covenant, the non-integrated alien (Gentile) could not be so included.

The possibility that the גר of CD XIV,3–6 includes the northern Israelite or (proto-)Samaritan is strengthened by the fact that, as numerous scholars have pointed out, there are important, close

is heavily influenced by the Holiness Code of Leviticus (on this see Jerome Murphy-O'Connor, “A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” *RB* 78 [1971] 210–32). However, as Berthelot, “La notion de גר,” 189–91, has pointed out, CD VI,21 comes within the context of precepts to love the “brother,” and as CD XIV,5–6 shows, the גר is probably considered a “brother” within the community. And as Wise, *A Critical Study*, 170 n. 29, points out, the command to “strengthen the hand of the poor and needy” in CD VI,21 is explicated in XIV,14, where the “poor and the needy” are clearly members of the community. That suggests that the גר of CD VI,21 may also be seen as integrated into the community of Israel.

¹⁵⁶ In agreement with Wise, *A Critical Study*, 170 n. 29.

¹⁵⁷ One presumes that the Damascus covenant was opposed to intermarriage with Gentiles. 4D^d (4Q269) 9,2 (=4QD^e [4Q270] 5,15–16; 4QD^f [4Q271] 3,9–10) says that a man is not to give his daughter to a man who is “not intended for her” (לוא הוכן לה), for that is “two kinds” (כלאים). However, it is not certain that this refers to intermarriage. In 4QMMT B 75–82 the law of כלאים is applied to marriage between priests and Israelites (see commentary in DJD 10.55–57, 171–75). (4QMMT B 39–49 also prohibits intermarriage between Israelites and Ammonites or Moabites in accordance with Deut 23:4–5.) Thus 4Q269 may have limitations on marriage in mind other than intermarriage. Joseph M. Baumgarten, DJD 18.177, suggests “some overt compatibility, such as a great disparity in age.” Whether the Damascus covenant also prohibited intermarriage between an Israelite and a גר is more difficult to determine. The inclusion of the גר in the camp makes it likely that it was allowed. In this respect also the Damascus covenant will have followed the lead of the Chronicler. The Chronicler, as we saw, apparently condones intermarriage by integrating the foreigner into the community of Israel (although he does not use the term גר in this context) (see n. 97).

connections between Samaritan and Qumran sectarianism,¹⁵⁸ and it is possible that, on the side of Qumran, these elements shared with Samaritanism have their roots in an older, pre-Qumran movement such as the Damascus covenant that included northern Israelites or proto-Samaritans in its membership. These common elements include the calendar,¹⁵⁹ the expectation of the prophet like Moses (and particularly the juxtaposition of Deut 5:28–29 and Deut 18:18–19),¹⁶⁰ possible similarities in halakah,¹⁶¹ and textual traditions found both at Qumran and in the Samaritan Pentateuch,¹⁶² among many others.¹⁶³ To be sure, these similarities are hardly decisive. And of course there are also important differences between Samaritanism and Qumran, such as the status of the prophetic books. One must reckon with the possibility that the parallels between Samaritanism and Qumran are to be explained

¹⁵⁸ See Bowman, *Samaritanische Probleme*, 77–96 (who even suggests that the Samaritans and the Qumran sect may have been founded by the same circles, p. 77); and J. Massingberd Ford, “Can We Exclude Samaritan Influence from Qumran?” 109–29 (and see n. 154). Although some of the parallels adduced by these authors are not compelling, there are enough convincing parallels to make a relationship between the Samaritans and Qumran plausible (see n. 163 below, where I have cited the parallels that I consider convincing). See also more recently Ferdinand Dexinger, “Samaritan Origins and the Qumran Texts,” *Essays in Honor of G.D. Sixdenier: New Samaritan Studies* (ed. Alan D. Crown and Lucy Davey; Sydney: Mandelbaum Publishing, 1995) 169–83.

¹⁵⁹ A. Jaubert, “Le calendrier des Jubilés et de la secte de Qumrân. Ses origines bibliques,” *VT* 3 (1953) 263 n. 3; John Bowman, “Is the Samaritan Calendar the Old Zadokite One?” *PEQ* 91 (1959) 23–37; idem, *Samaritanische Probleme*, 95.

¹⁶⁰ These two texts are juxtaposed in 4Q175 (4QTest) 1–8 (cf. also 4Q158 6) and in an addition to Exod 20:21b in the Samaritan Pentateuch (SP). See Kippenberg, *Garizim und Synagoge*, 308, who considers the Qumran juxtaposition to be influenced by SP and the Qumran expectation of a prophet like Moses to come from Samaritanism.

¹⁶¹ See I. R. M. Bóid, *Principles of Samaritan Halachah* (SJLA 38; Leiden: E. J. Brill, 1989) 324.

¹⁶² M. Baillet, “Le texte samaritain de l’Exode dans les manuscrits de Qumrân,” *Hommages à André Dupont-Sommer* (ed. A. Caquot and M. Philonenko; Paris: Librairie d’Amérique et d’Orient Adrien-Maisonneuve, 1971) 363–81.

¹⁶³ See further Baillet, *ibid.*, 363–65; R. Pummer, “The Present State of Samaritan Studies: II,” *JSS* 22 (1977) 35–41; Matthew Black, *The Scrolls and Christian Origins: Studies in the Jewish Background of the New Testament* (New York: Charles Scribner’s Sons, 1961) 58–62. Other similarities that have been noted include the covenant renewal ceremony at Qumran and the rite of entry into the covenant among the Samaritans (Ford, “Can We Exclude,” 121); the self-identification of members of the sect as “sons of light” (Bowman, *Samaritanische Probleme*, 51, 79, 84); and the goal of salvation as the restoration of the glory of Adam (Bowman, *ibid.*, 83).

simply as evidence of a common Jewish inheritance from post-exilic Judaism.¹⁶⁴ At the very least, however, it seems necessary to say that these similarities point to an openness that allowed for exchange between proto-Samaritans in the North and the circles that constituted or would come to constitute the Damascus covenant (and ultimately Qumran) before the Jewish-Samaritan schism became complete.

At this point it is also worthwhile observing that there is apparently little obvious criticism of the Samaritans in Qumran literature.¹⁶⁵ For example, it is striking that the epithets “Ephraim” and “Manasseh,” which one might expect the Qumran community to have reserved as terms of reproach for the Samaritans, since the region that they inhabited lay in those ancient tribal divisions, are instead used for the Pharisees and Sadducees (while in the Damascus covenant Ephraim refers simply to apostates from the covenant).¹⁶⁶

It has been suggested, however, that at least two DSS texts do make mention of or allude to the Samaritans, and probably in a negative light. First, it is possible that 11Q14 2,3 (*11QSefer ha-Milhamah*) mentions the Samaritans (שׁוֹמְרֵי הַרְיָיִם) in a context of eschatological war, which might suggest that the author considered the Samaritans to be among the community’s enemies to be destroyed in the end time. However, the reconstruction of the text here is uncertain.¹⁶⁷ The other text that is thought possibly to reflect an anti-Samaritan sentiment is 4Q372 1,1–32 (*4QNarrative and Poetic Composition^b*), part of what was formerly called *Apocryphon of Joseph*. The text of concern to us appears to consist of a narrative (lines 1–15) focusing on the northern tribes of

¹⁶⁴ See the scepticism regarding the significance of the parallels in S. Lowy, *The Principles of Samaritan Bible Exegesis* (StPB 28; Leiden: E. J. Brill, 1977) 28–30, 255–56.

¹⁶⁵ William H. Brownlee, “The Historical Allusions of the Dead Sea Habakkuk Midrash,” *BASOR* 126 (1952) 13, once suggested that the “men of violence” who “rebelled against God” in 1QpHab VIII,11 were the Samaritans: the reference is to John Hyrcanus’s campaign against the Samaritans. But that is highly doubtful.

¹⁶⁶ The equation Ephraim=Pharisees and Manasseh=Sadducees has become today the standard interpretation (in my view correctly). See recently James H. Charlesworth, *The Pesharim and Qumran History: Chaos or Consensus?* (Grand Rapids: Eerdmans, 2002) 106–07. Contra J. T. Milik, *Ten Years of Discovery in the Wilderness of Judaea* (tr. J. Strugnell; London: SCM Press, 1959) 73, who claimed that references to “Ephraim” and “Manasseh” in the Dead Sea Scrolls as enemies of the sect referred to the Samaritans.

¹⁶⁷ See DJD 23.249–50.

Israel (called by the name “Joseph”), followed by a prayer of deliverance of “Joseph” (lines 16–32). The narrative section tells of Joseph being cast into foreign nations and being dispersed throughout the world, which may be an allusion to the dispersion of the northern tribes. The narrative then mentions “fools” (נבלים; cf. the parallel in 4Q371 1a–b,10) and the building of a high place (במה) on a high mountain, which has provoked Israel to jealousy (להקניא את ישראל). As the editors point out, this is clearly an allusion to Deut 32:21 where, in response to Israel’s making God “jealous with what is no god” and of provoking him with their idols, God promises to make Israel jealous (אקניאם) with “what is no people” (בלא עם) and to provoke them with a “foolish nation” (בגוי נבל).¹⁶⁸ Moreover, Sir 50:25–26, a text that, as we saw above, is perhaps the hitherto earliest known text to call into question the Israelite status of the Samaritans, itself alludes to Deut 32:21 when it says: “Two nations my soul detests, and the third is not even a people (אינו עם): those who live in Seir, and the Philistines, and the foolish nation (גוי נבל) that live in Shechem.” Thus in 4Q372 1,11–12 and Sir 50:25–26 we have apparently a common tradition that interpreted the “foolish” nation that is “not a people” in Deut 32:21 of the Samaritans. In the words of 4Q372 1,12, this foolish nation has provoked Israel to jealousy by their building of a “high place” on a high mountain. Is this a reference to the temple on Mt. Gerizim? It seems very likely that it is. In agreement with that, line 13 even says that “they reviled the tent of Zion,” which can be understood as a reflection of the rivalry between the Mt. Gerizim and Jerusalem temples, or even as an allusion to the tradition of an attempted assault on the Jerusalem temple by the Samaritans.¹⁶⁹ In the prayer section of the text, “Joseph” complains that a “hostile people” are dwelling upon his land and prays for their destruction. These parts of the text support the suggestion of the editors that, in the author’s view, the “people building a *bamah* and acting with hostility toward Jerusalem, the Samaritans (or perhaps better, proto-Samaritans), even though they might claim descent from Joseph, are obviously imposters. If the real ‘Joseph’ is in exile, the Samaritan claim to be descendants of Joseph is spurious.”¹⁷⁰ Along

¹⁶⁸ DJD 28.174.

¹⁶⁹ Ibid., 171, 175. See also Eileen Schuller, “4Q372 1: A Text about Joseph,” *RevQ* 14 (1990) 372–74.

¹⁷⁰ DJD 28.172.

these same lines, it is significant that in a section of 4Q174 (4QFlor) that probably included blessings on the tribes of Israel on the basis of Deut 33, a blessing on Joseph is conspicuously missing in the place where one might expect it to appear in the series of blessings. That omission may point to an anti-Samaritan perspective in the Qumran community, such that a potentially positive reference to Joseph was expunged.¹⁷¹

If this interpretation of 4Q372 is correct, we have clear evidence of anti-Samaritan polemic in the DSS. It is important, however, to define exactly what kind of anti-Samaritanism it is. It is not antipathy towards the northern Israelites. On the contrary, as the editors note, the author looks favorably on the northern tribes ("Joseph").¹⁷² The text is anti-Samaritan only in the sense that it rejects specifically the Mt. Gerizim cult and its adherents.¹⁷³ The author does not call into question the Israelite identity of the northern tribes. He positively confirms it and hopes for the restoration of the tribes. This position agrees with the concept of the "covenant for all Israel" that we have found in the work of the Chronicler and that I have suggested also forms the framework of the Damascus covenant: the covenant for all Israel envisions the restoration of "all Israel," both the South and the North, centered around the worship of the one true God in Jerusalem. The temple in Mt. Gerizim threatens the unity of Israel. Thus the Chronicler seeks closer relations between the North and the South and the incorporation of the northern Israelites into a greater Israel, thereby also implicitly rejecting the necessity of a second temple on Mt. Gerizim.¹⁷⁴ 4Q372 fits well with such a view. As the editors note, there is no reason to think that 4Q372 is a sectarian, that is, a Qumran text.¹⁷⁵ There is also no reason

¹⁷¹ See Annette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschat^{a,b}): Materielle Rekonstruktion, Textbestand, Gattung und traditions-geschichtliche Einordnung des durch 4Q174 ("Florilegium") und 4Q177 ("Catena A") repräsentierten Werkes aus den Qumranfunden* (STDJ 13; Leiden: E. J. Brill, 1994) 38–40.

¹⁷² DJD 28.170–71.

¹⁷³ Yigael Yadin, *The Temple Scroll* (3 vols.; Jerusalem: The Israel Exploration Society, 1977–83) 1.311, 2.304, sees possible anti-Samaritan polemic in 11QT^a (11Q19) XLVII, 14–15, but his reading is unlikely.

¹⁷⁴ Beckwith, "Pre-History," points out that the book of Tobit (which he dates "probably" before the mid-3rd century BC, p. 30 n. 30) holds a similar view, although it is opposed to intermarriage.

¹⁷⁵ DJD 28.154.

to suppose any necessary connection between 4Q372 and the Damascus covenant, although one could argue that the position of 4Q372 would cohere well with that of the Damascus covenant. One might suppose that the Damascus covenant was opposed to the Mt. Gerizim temple as a threat to Israelite unity, while still hoping for the inclusion of northern Israelites in a future, restored, greater Israel. 4Q372 would agree with this view. As was mentioned above, it is possible that 4Q174 *does* reflect antipathy towards Samaritans (northern Israelites) as such. But that would represent the later view of the Qumran community, and we cannot assume that the Damascus covenant held the same view at an earlier time.

I suggest, then, that from the beginning of the Damascus covenant, northern Israelites (among other “outsiders” who had been integrated into the Jewish community) were included within the covenant with the status of גרים, as in 2 Chr 15:9; 30:25.¹⁷⁶ Thus while the new covenant in the land of Damascus may have begun among returned exiles, that is, the שבי ישראל, it did not follow the path of Ezra and Nehemiah in insisting on an exclusive membership of the בני הגולה and their descendants to the exclusion of the Samaritans and the עם הארץ, nor did it follow the exclusivistic path of the Jerusalem leadership, but followed instead the path of the Chronicler and so became the nucleus of a new Israel for *all* Israel.¹⁷⁷

Before we conclude this section, there is one final question to be considered. If, as is evident from CD XIV,3–6, the Damascus covenant included within itself the גר, why does 4Q174 1–2 i 3–4 exclude the גר from the eschatological temple? Michael Wise provides a likely solution to this question. He points out that the redactor of the *Temple Scroll (TS)* and the author of 4Q174 seem to have shared the same view of foreigners. The redactor of *TS* intentionally passes over those parts

¹⁷⁶ Berthelot, “La notion de גר,” 191–92, points out that CD XIII,20 legislates for the “assembly of the camps” for “all the seed of Israel.” If the גר is part of the camp, then is he also part of the “seed of Israel”? Berthelot answers this question in the affirmative, taking זרע ישראל not in a biological sense but in the sense of a category of persons. He argues that in this respect the understanding of the גר in CD agrees remarkably well with, and is probably influenced above all by, the Holiness Code, in that the גר is integrated into Israel but also remains inferior to the native Israelite. I would argue that the status of the גר in CD is influenced both by the Holiness Code and the Chronicler.

¹⁷⁷ See the remarks of Williamson in nn. 148, 225.

of Deuteronomy that legislate for the גר (understood as the “resident alien”), because in the redactor’s eschatological vision there would be no foreigners in the Israel of the future age. In the same way the author of 4Q174 excludes foreigners from the eschatological temple. Thus גר in 4Q174 1–2 i 3–4 refers to the “resident alien.”¹⁷⁸ In 11QT^a (11Q19) XL,6, however, the redactor of *TS* permits the גר (perhaps of the third generation) entry into the third courtyard of the future temple along with women, and it is possible that in XXXIX,5 he permits the convert of the fourth generation entry into the second courtyard along with adult male Israelites (but the text has a lacuna here).¹⁷⁹ It appears, then, that while the redactor excludes the “resident alien” from the future Israel, he does allow a place for the “proselyte.” On other grounds Wise has determined that the sections in which these lines appear (XXXIX,5–11a and XL,6–7) are interpolations that the redactor has inserted from other source material.¹⁸⁰ Interestingly, Wise has argued that the interpolated section XXXIX,5–11a stands in a close relationship to the legal tradition behind *D*,¹⁸¹ and has pointed to a number of striking agreements in the legal tradition behind *D* and *TS* in general.¹⁸² That suggests that the view represented in the interpolated sections—namely, inclusion of the גר as *proselyte* in the future temple—may come from a tradition close to *D*.¹⁸³ That agrees precisely

¹⁷⁸ Wise, *A Critical Study*, 168–75. See also idem, “The Eschatological Vision of the Temple Scroll,” *JNES* 49 (1990) 158, 169–72.

¹⁷⁹ See Berthelot, “La notion de גר,” 183–84. 11Q19 XXXIX,5 is reconstructed thus by Elisha Qimron, *The Temple Scroll: A Critical Edition with Extensive Reconstructions* (Beer Sheva/Jerusalem: Ben Gurion University of the Negev Press and Israel Exploration Society, 1996) 56. Both 11Q19 XXXIX,5–6 and XL,6 may well be interpretations of Deut 23:8–9, which allows the offspring of Edomite and Egyptian converts born in the third generation entry into the “assembly.” Thus in *TS* the convert of the third generation would be allowed access to the “assembly” (=temple), but only the lesser access to the courtyard of the women, while one more generation would be required (for male converts) to gain access equal to that of male Israelites.

¹⁸⁰ Wise, *A Critical Study*, 57, 135.

¹⁸¹ *Ibid.*, 148–49.

¹⁸² *Ibid.*, 139–47. Wise even posits (pp. 140, 153–54, 168) that the redactor of *TS* was a member of the CD community.

¹⁸³ Cf. similarly Berthelot, “La notion de גר,” 194–95, who argues that the interpolator of the *TS* passages stood near the ideology of CD. Incidentally, Wise, *A Critical Study*, argues (pp. 142–43, 154) that the legal tradition behind *TS* is very old, perhaps even reaching back to the exile. That supports the view that the tradition behind *D* is similarly old, perhaps from the exile.

with the present argument that the tradition behind *D* was open to the integration of the foreigner into the covenant. On the other hand, the redactor of *TS*, like the author of 4Q174, rejected the גר as *resident alien* from the future temple. Thus we do not have to see any necessary contradiction between *D* and 4Q174 on the status of the גר.

4.4.5 Conclusion

We now have a second coordinate that helps us to locate the origins of the Damascus covenant within the history of post-exilic Israel. The similarities between the Damascus covenant and the covenant of Asa, as well as the pan-Israelite outlook shared by the Damascus covenant and the Chronicler, lead us to locate the rise of the Damascus covenant in circles close to the Chronicler, during or after the time of the Chronicler but before the Hasmonean period and probably before Ben Sira (i.e., before the Jewish-Samaritan schism became severe). For the moment we can simply say that these *termini* place the rise of the Damascus covenant most likely in the 3rd century BC.¹⁸⁴ The covenant

¹⁸⁴ In this respect it is of great interest to note that other Palestinian Jewish texts point to the 3rd century as a time of the rise of restoration movements. In his historical overview the author of 4Q390 1,7–11 says that “in the seventh jubilee of the devastation of the land, they [the people of Israel] will forget the law, the festival, the sabbath and the covenant, and they will disobey everything and will do what is evil in my [God’s] eyes, and I shall hide my face from them and deliver them to the hands of their enemies and abandon them to the sword. But from among them I shall leave a remnant of survivors, so that they are not exterminated by my anger and by the concealment of my face from them.” The seventh jubilee from the exile (approximately 294–343 years after the exile, 587 BC) falls in the years 293–244 BC. (Antti Laato, “The Chronology in the *Damascus Document* of Qumran,” *RevQ* 60 [1992] 605–07, has argued that some Jews in the Second-Temple period, including Demetrius and the author of CD I,5–6, worked with a chronology for the post-exilic period that was about 27 years too short, with the result that the exile was dated to 560 BC. If the author of 4Q390 shared the same chronological assumptions, then the seventh jubilee would fall approximately in the years 266–217 BC.) And *1 En.* 90:6, in the Animal Vision, speaks of “lambs” in the middle of the Second-Temple Period, but apparently before the Maccabean uprising, who begin to “open their eyes and see.” This is a reference to a religious awakening. George W. E. Nickelsburg, *1 Enoch 1* (Hermeneia; Minneapolis: Fortress Press, 2001) 393, 396, places this event in the mid- to late-3rd century BC. Roger T. Beckwith, “The Significance of the Calendar for Interpreting Essene Chronology and Eschatology,” *RevQ* 10 (1980) 180, dates the beginning of this period

rose as a pan-Israelite restoration movement. It carried forth the vision of the Chronicler for a united, restored Israel when the leadership in Jerusalem pursued a narrower course.

4.5 *Coordinate #3: The Polity of the Chronicler*

There is another aspect of the Damascus covenant that connects it closely with the work of the Chronicler. As noted above, Morton Smith argued that the invention of the “proselyte” was the result of a compromise between separatists and assimilationists within the post-exilic Judean community as a way to integrate the foreigner into the community while preserving purity. I have agreed that there was a concern for integration and purity, but have argued that the institution of the category of the proselyte was not so much the result of a compromise as it was part of the Zadokite priesthood’s reconstruction of Judean life. Smith’s focus on conflict and compromise between separatists and assimilationists in the post-exilic community is inadequate as historical description, but he is correct that this was a period of history when compromises were necessary. An important political compromise that has left its marks on the Pentateuch and on the work of the Chronicler is the compromise between the Zadokite priesthood and the Levites. As we shall see, this compromise is also reflected in the polity of the Damascus covenant, which is another indication that the rise of the Damascus covenant probably stands close to the Chronicler.

4.5.1 *Zadokites and Levites*

The compromise between Zadokites and Levites in the post-exilic community came only after a protracted struggle between these groups, a struggle that began in the period of the early monarchy and that was not resolved until the Persian period. In the tribal period the Levites

to about 251 BC. Note also that *1 En.* 93:9–10; 91:11 places the rise of a righteous plant in the “seventh week,” but it is difficult to date the seventh week in this case to a precise period in history (cf. Nickelsburg, *ibid.*, 447). Finally, *T. Levi* 17:8–11 also locates a religious renewal in the seventh jubilee, although here the seventh jubilee may refer to the Maccabean period (see Beckwith, *ibid.*, 175–81).

had control (as priests) of the central sanctuary with the ark of the covenant. They also served as priests in local sanctuaries, though probably not exclusively, and also served as teachers of the law in the towns.¹⁸⁵ Subsequently, however, the Levites gradually lost influence. When Shiloh, the central sanctuary during the time of the judges (1 Sam 1:3, 9), was destroyed, it likely led to the dispersion of Levitical priests, who now found it necessary to attach themselves more closely to the local sanctuaries. David probably called on Levites to serve in Jerusalem when the ark was installed there, and he may have been responsible for establishing the Levitical cities, as a way of supporting the Levites.¹⁸⁶ But David appointed two chief priests in Jerusalem, Abiathar, who seems to have been either a Levite or an Aaronide, and Zadok, whose lineage is not known.¹⁸⁷ In the struggle between David's sons Solomon and Adonijah for succession to the throne, Abiathar supported Adonijah, while Zadok supported Solomon (1 Kings 1). Once Solomon had consolidated his rule, he put Adonijah to death and banished Abiathar to Anathoth (2:24–27). As a result Zadok became the sole chief priest (2:35). If Abiathar was a Levite, this event will probably have resulted in a decrease of influence for the Levites. Furthermore, after the division of the kingdom on Solomon's death, king Jeroboam appointed non-Levitical priests in some of the northern sanctuaries and attempted to cut off ties between the northern Levites and Jerusalem, where, of course, the central sanctuary was now located. The result was a great impoverishment of the Levites, at least in the north, indications of which are evident in Deuteronomy (cf. 12:19; 14:27–29; 26:12).¹⁸⁸ Then the strict enforcement of the centralization of worship in Jerusalem under Josiah's reforms led to further concentration of power in Zadokite hands, which led to (probably successful) attempts by the Zadokite priesthood to prohibit Levites from participation in the Jerusalem cult (cf. 2 Kings 23:9 with Deut 18:6–8). Jeremiah's hope for the Levitical priests' future participation in the cult

¹⁸⁵ See Merlin D. Rehm, "Levites and Priests," *ABD* 4.301–05.

¹⁸⁶ *Ibid.*, 305.

¹⁸⁷ *Ibid.*, 302, 305. On Abiathar see also William H. Propp, "Ithamar," *ABD* 3.580–81.

¹⁸⁸ Rehm, "Levites and Priests," 305, 307.

(Jer 33:18) is probably polemic against the Zadokites' near monopoly of the priesthood in the pre-exilic period.¹⁸⁹

In the post-exilic period the competition between Zadokites and Levites continued. During the exile the Zadokites planned for the restoration of the temple cult in which their power had preeminently lain, as can be seen above all in Ezek 40–48.¹⁹⁰ It was probably priests, and specifically the Zadokite priests who had dominated the pre-exilic Jerusalem priesthood, who first brought the cause of the Jewish exiles to the attention of the Persian king upon his victory over the Babylonians. That is suggested not only by the fact that according to Cyrus's decree the rebuilding of the temple—where the priests' interests lay—became the central project of the first returnees (cf. Ezra 6:3–12), but also by the fact that priests far outnumbered the returning Levites (Ezra 2:36–42).¹⁹¹

At first, however, the leadership of the returning exiles would not lie in the hands of the (Zadokite) priests, but in the hands of Sheshbazzar, the son of Jehoiachin and of Davidic descent. He bore the title “prince of Judah,” even in exile (Ezra 1:8), having inherited it from his father, a situation that may reflect the Babylonian policy of continuing to recognize the status of their vassal kings even in exile.¹⁹² When Cyrus issued his decree, he apparently honored Sheshbazzar's status and recognized him as the legitimate ruler of Judah to be restored to power. Hence it was Sheshbazzar who first laid the foundation of what was intended to be the restored temple (Ezra 5:16).¹⁹³

This initial attempt at the rebuilding of the temple and the restoration of life in Judah, however, would not succeed. A second group of returnees arrived in Jerusalem under the *dual* leadership of Zerubbabel, a nephew of Sheshbazzar and thus a Davidide, and the Zadokite high priest Joshua. This change of affairs possibly reflects a change in

¹⁸⁹ See further Paul D. Hanson, *The Dawn of Apocalyptic: The Historical and Sociological Roots of Jewish Apocalyptic Eschatology* (revised ed.; Philadelphia: Fortress Press, 1979) 221–225.

¹⁹⁰ *Ibid.*, 225–26.

¹⁹¹ *Ibid.*, 226. It is also possible that there were just not many Levites taken into exile, since at the time of the exile the Levites did not belong to the upper echelons of the priesthood.

¹⁹² See Paolo Sacchi, *The History of the Second Temple Period* (JSOTSup 285; Sheffield: Sheffield Academic Press, 2000) 52–60.

¹⁹³ Gabriele Boccaccini, *Roots of Rabbinic Judaism: An Intellectual History, from Ezekiel to Daniel* (Grand Rapids: Eerdmans, 2002) 49–50.

Persian policy: whereas Cyrus had simply taken over the administrative structure of the Babylonian Empire (with vassal kings), the mission of Zerubbabel and Joshua reflects Darius's policy intended "to reconstruct a political authority" in Judah based on the strategy of "relocating exiled communities and installing loyal representatives of the indigenous populations."¹⁹⁴ This meant a shift in favor of the Zadokite priesthood, and the result was a pro-Persian Zadokite priesthood in Jerusalem.¹⁹⁵

It is evident that the Zadokites' consolidation of power came at the expense of the Levites. The program of Ezek 44:10–16 reserves the priestly office solely for the Zadokites, while the Levites are demoted from the priestly office to that of "servants" in the temple (44:11). These verses very likely belong to a later Zadokite revision of Ezekiel and point to the Zadokites' domination of the post-exilic temple cult.¹⁹⁶ By calling the Zadokites "Levitical priests" in 44:15, a term traditionally used for the (non-Zadokite) Levites, the author or redactor effectively strips the Levites of their priestly status and transfers it to the Zadokites. Moreover, as Hanson points out, when Ezra led a group of returnees some years later and reviewed the people and the priests, no Levites were found (Ezra 8:15). As a result Ezra had to send a special delegation to gather some Levites to return to Jerusalem. This may indicate that the Zadokites had succeeded in gaining the upper hand in Jerusalem and that Levites had little motivation to return there.¹⁹⁷

¹⁹⁴ Boccaccini, *Roots of Rabbinic Judaism*, 53. See also Høglund, *Achaemenid Imperial Administration*, 27. John Bright, *A History of Israel* (3rd ed.; Philadelphia: Westminster Press, 1981) 366–67, thinks it unlikely that the return under Zerubbabel and Joshua happened under Darius, but evidence for similar resettlements of indigenous communities supports that dating (see Høglund, *ibid.*).

¹⁹⁵ Based on recent archaeological evidence, James VanderKam, *From Joshua to Caiaphas*, 101–11, has argued that there may have been Jewish governors of Judea throughout the 5th century BC, so that the high priests were not sole rulers during this time. Even if he is correct, that would not diminish the significance of the Zadokite power base at this time vis-à-vis other groups vying for influence.

¹⁹⁶ Hanson, *Dawn*, 227, 263–67. Sacchi, *History*, 63, and Boccaccini, *Roots of Rabbinic Judaism*, 44–45, treat these verses as being original to Ezekiel, but Hanson's arguments for taking them to be later revision are strong.

¹⁹⁷ Hanson, *Dawn*, 226–27. On p. 271 Hanson points to evidence (Neh 11:18) suggesting that in the second half of the fifth century there were more Levites in Jerusalem than in the century before. This can perhaps be explained by the pro-Levite policies of Nehemiah.

Traces of the conflict between Zadokites and Levites have left themselves in other parts of the OT. In Num 16:8–11, for example, the Levites are accused by Moses of trying to claim the priesthood for themselves. Although there are probably several layers of tradition reflecting various disputes between priestly groups in Num 16–17, the final (probably Zadokite) redaction in any case endorses a hierarchical priesthood both against a democratic priesthood of the whole people of Israel (16:3) and against Levitical participation in the priesthood (16:9–10).¹⁹⁸

The conflict between Zadokites and Levites would not be resolved for some time. Evidence of the resolution of the conflict comes in the work of the Chronicler. The Chronicler clearly favored the Zadokites, and they retained the highest offices (see 1 Chr 24:1–6; 29:22). Moreover the Zadokites had found a way of tracing their lineage all the way back to Aaron through Phinehas and Eleazar (1 Chr 5:27–38), which was probably a way of establishing a priestly (and Aaronic) lineage as ancient as that of the Ithamaride priests (and a lineage ultimately more prestigious than that of the Ithamarides, since the final redaction of the Pentateuch grants the covenant of eternal priesthood to Phinehas and his descendants [Num 25:13]).¹⁹⁹ Nonetheless, it is equally clear that some kind of a resolution occurred that settled the power relationships in a way that, if not totally satisfactory to all parties involved, at least allowed for a manageable *modus vivendi*. There is in the work of the Chronicler a conciliatory spirit that indicates that the severe conflict between Zadokites and other priestly families (particularly the Levites) that we find in the earlier literature has been worked through. Non-Zadokite priestly families are granted a substantial, though still secondary, role in the cult, as 1 Chr 24:1–6 shows.²⁰⁰ Now all the “sons of Aaron,” and not just Zadokites, can participate as

¹⁹⁸ Ibid., 267–69.

¹⁹⁹ Ibid., 271–72. It has been debated whether Zadok was really a descendant of Aaron (see Rehm, “Levites and Priests,” 306; George W. Ramsey, “Zadok,” *ABD* 6.1034–36). It seems probable that he was an Aaronide, but even if he was such, the genealogy of 1 Chr 5 may still be a later creation without historical value.

²⁰⁰ In this text from Chronicles the Ithamaride priests are given a significant share in the priesthood. Hanson, *Dawn*, 271, argues that Levites traced their lineage back to Ithamar. Ithamar was, however, (or at least was claimed to be) a son of Aaron, and it seems more likely that the Ithamarides considered themselves to be Aaronic rather than Levites (see Propp, “Ithamar,” 581; and Hanson, *Dawn*, 272–73, where he mentions Ithamarides and Levites as separate families).

priests. And the Chronicler does not hesitate to praise the work of the Levites (2 Chr 29:34).

This development is also reflected in the final redaction of the Pentateuch, in which ordination to the priesthood belongs to *all* the “sons of Aaron” as a “perpetual ordinance” (Exod 29:9–10; contrast Num 25:13). The final redaction of the Pentateuch even includes a pericope in which the ordination of Levites is recounted. In Exod 32, in the golden calf incident, Aaron is reproached not only for making the golden calf but also for letting the people of Israel run wild (32:25). By contrast, the Levites, on Moses’s command, slaughtered the idolaters and thus “ordained themselves to the LORD” (32:29). Doubtlessly this tradition is related to the events surrounding Jeroboam’s golden calves (1 Kings 12:25–33). As we saw above, Jeroboam installed non-Levitical priests and attempted to cut off ties between northern Levites and Jerusalem (1 Kings 12:28, 31). The tradition in Exod 32 has the purpose of affirming a Levitical priesthood in the face of such opposition.²⁰¹ Perhaps this tradition was too deeply embedded in the Sinai narrative to be removed in any case, but the fact that it was preserved in the final redaction of the Pentateuch is significant, in that it shows that at the time of the redaction the ancient Levitical claim to the priesthood was not totally forgotten. This does not mean, of course, that the Levites actually acted as priests. Rather they served as temple servants. But as Hanson puts it, “[i]t is obvious that the bitter polemic between priestly factions has ended by the time of the Chronicler. The Zadokites retain the top priestly office, but the Ithamarides and Levites have been restored to the hierocratic cult in good favor.”²⁰²

4.5.2 *Compromise between Priestly and Deuteronomic Traditions*

Corresponding to this compromise between Zadokites and Levites was a compromise between priestly and Deuteronomic traditions. Of course it is too simplistic to identify “priestly” with “Zadokite” and “Deuteronomic” with “Levite” without qualification. However, there is evidence to suggest that the Levites were carriers of the

²⁰¹ Hanson, *Dawn*, 223.

²⁰² *Ibid.*, 272–73.

Deuteronomic tradition;²⁰³ that the (mainly Zadokite) priests were the primary carriers of the priestly tradition is also likely. The Pentateuch can be viewed as a compromise between priestly and Deuteronomic traditions that approximately parallels the compromise between the Zadokites and the Levites (and the other priestly families) that we find in 1 and 2 Chronicles. As we have seen, the Pentateuch preserves material from the priestly tradition that reserves priestly prerogatives for the Zadokites (Num 25:13), but it also contains material recognizing the prerogatives of all the sons of Aaron (Exod 29:9–10) and even of the Levites (Exod 32:29). This observation suggests a situation in which priestly interests, above all Zadokite interests, dominate, but in which the interests of Levites and other priestly families are also honored.²⁰⁴

²⁰³ A close connection between Levites and the Deuteronomic/Deuteronomistic tradition has been asserted by, among others, Smith, *Palestinian Parties*, 166–68 (1987 edition: 126–28); and Odil Hannes Steck, *Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum* (WMANT 23; Neukirchen-Vluyn: Neukirchener Verlag, 1967) 196–205 (though see also idem, *Der Abschluß der Prophetie im Alten Testament: Ein Versuch zur Frage der Vorgeschichte des Kanons* [Neukirchen-Vluyn: Neukirchener Verlag, 1991] 145 n. 313, where he is more cautious). The connection has been disputed (e.g., Albertz, *Religionsgeschichte*, 2.399 n. 55). But there is strong evidence for such a connection: (1) The laws of Deuteronomy are particularly concerned about the support and welfare of the Levites and, of course, reserve the priesthood for them (10:8; 12:19; 14:27–29; 18:1–8), in contrast to P and 1 and 2 Chronicles, which reserve the priesthood for the sons of Aaron. These laws also protect the Levite's right to go to Jerusalem to serve "whenever he wishes" (18:6–8), a right that may have been introduced by Josiah and that was needed because of attempts to deny the Levites that right (cf. 1 Kings 12:28; 2 Kings 23:9). (2) According to Deut 33:10 the Levites are entrusted with the duty of teaching the law to Israel. This "law" is, in the first instance, nothing other than Deuteronomy itself. In later times the whole book of the law will become the subject of teaching, but it will also become a prerogative of priests (Sir 45:17). According to 2 Chr 17:8–9, Jehoshaphat appointed the Levites to teach "the book of the law," a term that refers to Deuteronomy (or rather an early version of it; see 2 Kings 22:8; Deut 17:18; CD V,1–5). (3) Hanson (*Dawn*, 268–69) points out that the revolt led by Korah the Levite (Num 16), reflects the Deuteronomic doctrine that the whole people of Israel are holy to the LORD (Deut 7:6; 14:2, 21; 26:19; 28:9).

²⁰⁴ It may also be significant that the Hebrew *Tanak* ends with the work of the Chronicler. The implication is that the *modus vivendi* brought to resolution and represented in this work, a clear hierarchy of priests, Levites, and lay Israelites that was, moreover, (supposedly) the chief work of King David, represents, from the Zadokite point of view, the form of life for the Jewish people willed by God. The hierocratic

Indeed, also in the work of the Chronicler we find a fusion of priestly and Deuteronomic traditions. The Zadokite priestly character of his work has already been discussed above, and we may turn to Deuteronomic elements.²⁰⁵ We have already seen that the Levites of 2 Chr 17:8–9 are to teach “the book of the law” (Deuteronomy). The covenant into which Judah enters at the time of King Asa is based on Deuteronomic models and theology (cf. 2 Chr 15:2, 4, 12–15 with Deut 4:29–31; 29:11). The judicial reforms of Jehoshaphat according to the Chronicler are based on Deuteronomy (cf. 2 Chr 19:5–7 with Deut 16:18–20). In designating priestly groups the Chronicler uses both P’s terminology, “the priests and the Levites,” and the Deuteronomic term “the Levitical priests.”²⁰⁶ In one place the Chronicler even assigns the offering of burnt offerings to the “Levitical priests” (2 Chr 23:18), which follows Deuteronomic legislation (cf. Deut 12:13–14; 18:1–8; 1 Sam 6:14–15; Jer 33:18). There is no reason to think that this actually happened in his time, however, since elsewhere the Chronicler is clear that the Levites only assisted the priests in preparation for sacrifice (cf. 1 Chr 6:33–34 [Hebrew]; 2 Chr 29:34; 30:15–17; 31:2). In 2 Chr 35 the Passover is celebrated according to both the priestly (Exod 12) and the Deuteronomic (Deut 16) legislation.²⁰⁷

4.5.3 *The Judean Polity in Chronicles and in the Damascus Covenant*

The compromises between priestly and Deuteronomic traditions and between Zadokite and Levitical interests in Scripture undoubtedly reflect the political and theological compromises worked out in the Judean polity of the Second-Temple period. By the time we get to the work of the Chronicler, the compromise is complete.

It is noteworthy that once again the Damascus covenant presupposes the political compromises and polity implied in the work of the

polity of post-exilic Judah is understood as the culmination and the correct continuation of the pre-exilic monarchy. See on this further Boccaccini, *Roots of Rabbinic Judaism*, 58–60.

²⁰⁵ For further discussion of the influence of P on Chronicles, see Smith, *Palestinian Parties*, 169 (1987 edition: 129).

²⁰⁶ Hanson, *Dawn*, 273.

²⁰⁷ See Albertz, *Religionsgeschichte*, 2.611.

Chronicler. One could argue, of course, that the whole of Second-Temple Palestinian Judaism presupposes these compromises and this polity, so that it is not helpful in situating the rise of the Damascus covenant. There are two considerations, however, that suggest that the Damascus covenant stands closer to this polity than the rest of Second-Temple Judaism.

First, there appears to have been an anti-Levitical tendency among some Palestinian Jews in the Second-Temple period, who simultaneously sought to enhance the status of the Aaronic priesthood.²⁰⁸ By contrast, a number of scholars have pointed to a definite pro-Levite tendency in the Dead Sea Scrolls.²⁰⁹ That suggests that the high status that the Levites enjoy in both the Damascus covenant and the later Qumran community does not have its roots in Second-Temple Judaism in general but in a particular milieu, such as that represented by the Chronicler.

Secondly, there are some *specific* parallels between the Chronicler and the Damascus covenant that call for situating the Damascus covenant close to the polity of the Chronicler in particular and not just in Second-Temple Judaism in general. The constitution for the “judges of the congregation” in CD X,4–5—courts of ten men: 4 Levites and priests and 6 lay Israelites—reflects the polity of the Chronicler specifically. In 2 Chr 19:8–11 Jehoshaphat establishes a central court in Jerusalem consisting of “Levites, priests, and heads of families of Israel”—in that order. Of course, the high priest still had authority over

²⁰⁸ See Peter Höffken, “Warum schwieg Jesus Sirach über Esra?” *ZAW* 87 (1975) 184–202 (esp. 184–95), who argues for an anti-Levitical tendency in Sirach. Höffken’s main thesis—that Ben Sira passed over Ezra in his praise of the fathers of Israel because Ezra was pro-Levite—is not convincing. Nehemiah was also pro-Levite and yet the author does not hesitate to praise him (Sir 49:13). However, his observations on the anti-Levitical and pro-Aaronic viewpoint of Sirach are otherwise instructive.

²⁰⁹ See George J. Brooke, “Levi and the Levites in the Dead Sea Scrolls and the New Testament,” *Mogilany 1989: Papers on the Dead Sea Scrolls Offered in Memory of Jean Carmignac* (ed. Zdzislaw J. Kapera; Cracow: Enigma Press, 1993) 105–16. Brooke also observes a special affinity between Dead Sea texts mentioning Levi and Levites and 1-2 Chronicles (p. 106). See also Jacob Milgrom, “Studies in the Temple Scroll,” *JBL* 97 (1978) 501–06, who shows that the Levites have a higher status in the *Temple Scroll* than in the rest of Jewish history and even than in the idealistic demands of the Bible. And see Robert Kugler, “The Priesthood at Qumran: The Evidence of References to Levi and the Levites,” *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* (STDJ 30; ed. Donald W. Parry and Eugene Ulrich; Leiden: Brill, 1999) 465–79.

them all (19:11). This is characteristic of the Chronicler—to name Levites before priests, even though he clearly subordinates Levites to priests in the actual hierarchy of power.²¹⁰ So, for example, in 2 Chr 17:7–9 he tells of a commission established by Jehoshaphat to teach the law in the cities of Judah. This commission consisted of five “officials,” eight (or nine) Levites,²¹¹ and two priests, listed in that order. Not only are the Levites mentioned before the priests, but they also outnumber the priests. So also in CD X,4–5 the Levites are named before the priests.²¹²

Although we are not given the exact ratio of Levites to priests, the ratio of “four from the tribe of Levi and Aaron” to “six from Israel” gives us an important clue. The court of ten has biblical roots. Schiffman points to Eccl 7:19 and Ruth 4:2, where we find city or village courts consisting of ten men.²¹³ It is probable, however, that the origin of the court of ten in CD X,4–5 is Moses’ establishment of judges in the wilderness period in Exod 18:13–27 and Deut 1:9–18. When the work of arbitrating disputes became too burdensome for Moses, he appointed, on the advice of his father-in-law, leaders of the tribes who were wise and trustworthy to serve as officials over “thousands, hundreds, fifties, and tens” and to act as judges for the people.

CD XII,22–XIII,3 alludes to these texts directly when it says that the “camps” governed by *D* are to be “ten men at a minimum,” to form “thousands, and hundreds, and fifties, and tens.” This text goes on to say that “in a place of ten there should not be lacking a priest learned in the book of *hagy*; and by his authority will all be governed.” The text presupposes that there are also Levites in the camp (XIII,3) and, presumably, also lay Israelites (XIII,4). Originally each group of ten probably represented a microcosm of Israel (as the Chronicler knew it),

²¹⁰ On the Levites’ subordination to the priests in the work of the Chronicler, see above.

²¹¹ The name “Tob-Adonijah,” missing in the LXX, may be dittography for the preceding two names, “Adonijah” and “Tobijah.”

²¹² Brooke, “Levi and the Levites,” 109–10, points out that we find the same order—Levites and priests—in 1Q22 I,3, and that the Levites’ role as teachers of the law is prominent there.

²¹³ Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code* (Chico: Scholars Press, 1983) 24. Courts of ten are also common in rabbinic texts. See Ginzberg, *An Unknown Jewish Sect*, 84–85, 118 (German: 120–21, 168).

consisting of priest(s), Levites, and lay Israelites (and possibly resident aliens [or proselytes]). In any case that is clearly true of the courts of ten. It seems that originally “ten” referred to the minimum number of people required to form a “camp,” in which there had to be a priest who was learned in the book of *hagy*.²¹⁴ These groups of ten could form larger camps consisting of fifties, hundreds, or even thousands of people. I suggest that once the “camps” grew larger, the “ten” became the court of the camp or congregation.

The hypothesis that the court of ten judges has its origin in the groups of ten is supported by the observation that just as the priest who governs the group of ten must be learned in the book of *hagy* (XIII,2), so also the men on the court of ten have to be learned in the book of *hagy* and in the principles of the covenant (X,6). Thus the court of ten represents an outgrowth of the group of ten. Within the courts of ten the priest presumably continued to have authority. That would explain the reference to “Aaron” in X,5 among the four from Levi and Aaron. If we assume that there was one priest on the court with highest authority, that leaves three men from Levi. That number corresponds to the three sons of Levi (Gen 46:11; Exod 6:16; Num 3:17; 26:57; 1 Chr 5:27 [English 6:1]). The three Levites and the one priest represent the four groups into which the tribe of Levi is divided in Num 3. In this chapter the three sons of Levi and their descendants are to camp on the western, southern, and northern sides of the tabernacle, while the descendants of Aaron (the priests) are to camp on the eastern side. Finally, the remaining six men are (lay) Israelites. Thus within this structure of “ten” we have a microcosm of Israel in its years in the wilderness according to the schema of Numbers, in which the priest has highest authority and the Levites are secondary (cf. Num 3:6), and in which the tribes of Israel are also subordinate to the priest (cf. Num 1; 26). That

²¹⁴ See further IQS VI,1–8, where a similar structure of communal life is suggested. In all the “residences,” where there are ten men of the community council, there must be a priest. The members of these communities apparently also took turns interpreting the law, so that there was “a man to interpret the law day and night, continually, one relieving another.” The “Many” were to spend a third of every night reading the “book.” This book is usually thought to be the Torah, but in the first instance it is probably the “book of *hagy*.” The “book of *hagy*” may be an alternative term for the Torah, but it is more likely a book of meditation, perhaps an anthology of legal interpretations at Qumran (so Baumgarten, DJD 18.67). The word most likely comes from Ps 1:2, which calls blessed the man who “meditates (יָהַיָּה) on the law day and night” (cf. Jos 1:8).

within this judicial structure the priest retained highest authority is suggested by CD XIII,3–4, where the Levites' authority is second to that of the priests. The fact that the Levites are named before the priest in CD X,5, however, suggests that the schema of Numbers has been combined with that of the Chronicler. What we have, then, in the structure of the court in CD X,4–5 is a conflation of the judicial regulations of Exod 18:13–27/Deut 1:9–18 and 2 Chr 19:8–11, set within the framework of Israel's years in the wilderness as portrayed in Numbers.

4.5.4 Conclusion

We thus have a third coordinate that enables us to uncover the matrix out of which the Damascus covenant arose.²¹⁵ The organizational structure of the Damascus covenant reflects the settled polity of late Persian Judah, especially as that is visible in the work of the Chronicler. This polity is one in which the (Zadokite) priesthood holds sway, but where the Levites also have their place. It is also a polity in which the traditional concerns of priestly circles—the maintenance of purity, especially of the temple, proper observance of the calendar, etc.—are central, but in which the influence and concerns of Deuteronomistic circles also continue to be heard.

4.6 The Matrix of the Damascus Covenant

We have uncovered three coordinates that help us to map the matrix out of which the Damascus covenant arose: (1) the ideology of the returnees from exile and the prophetic and Deuteronomistic/Deuteronomistic traditions that accompanied them; (2) the idea of a pan-Israelite covenant, as reflected in the work of the Chronicler, that hoped

²¹⁵ Charlotte Hempel, *The Laws of the Damascus Document: Sources, Tradition and Redaction* (STDJ 29; Leiden: E. J. Brill, 1998) 189, assigns the rules governing admission to the covenant in CD XV,4–10, the rules on the judges of the congregation in X,4–7, and the rules governing the organization of the camps in XIV,3–6 to the same (community) stratum of CD. All three of these sections agree with the outlook of the Chronicler. That supports the thesis that the structure of the Damascus covenant stands near the time and outlook of the Chronicler.

and pleaded for a united Israel in which the historic division between North and South was overcome; and (3) the settled polity of late Persian Judah, and especially the compromises between Zadokite and Levitical interests, and between priestly and Deuteronomistic traditions. These coordinates help us to locate the origins of the Damascus covenant within the social, political, and religious history of post-exilic Palestine. On the one hand, coordinate #1 draws us in the direction of the exile; on the other hand, coordinates #2 and #3 draw us in the direction of the late Persian period. How can we explain the origins of the Damascus covenant in a way that takes into account both of these directions?

Although the hypothesis of the exilic origins of the Damascus covenant has won only limited support, and indeed has encountered considerable criticism, I think that the evidence under coordinate #1, which reveals striking connections between the Damascus covenant, the בני הנזלה of Ezra and Nehemiah, and the ideology of the prophetic and Deuteronomistic traditions relating to the returnees from exile, is simply too strong for us to deny that the ultimate origins of the Damascus covenant lie in the exile. I hasten to add that this does not necessarily mean that the Damascus covenant as a *structured organization* arose directly out of the exile or even in the immediate post-exilic period. The evidence from coordinates #2 and #3 leads us to situate the actual organization of the Damascus covenant in the period of the Chronicler, that is, in the late 4th century BC, or more likely somewhat later (3rd century BC), and prohibits us from dating the beginnings of the Damascus covenant as a definitely formed group with its own organizational structure before that period.²¹⁶ But the Damascus covenant had its roots in the exile in that it shared the ideology of the returnees from exile, particularly as that came to expression in the prophetic and Deuteronomistic traditions.²¹⁷ As we saw from the

²¹⁶ For similar views see Davies, "The Birthplace of the Essenes," 513–16. Davies gives a vigorous defense of the Babylonian origins hypothesis and argues (p. 518) that the problem "Babylonian vs. Palestinian origins" should not be exaggerated. My argument, that the Damascus covenant has (Babylonian) *exilic origins* but was a *Palestinian organization*, agrees with that opinion.

²¹⁷ And, as I shall argue below, it is quite possible that the halakah of the covenant goes back to the exilic or early post-exilic period (thus halakah may precede any formal organization). Cf. similarly Davies, *ibid.*, 512–13 (see also p. 517), who distinguishes between "covenant," "legal tradition," and "organization."

covenant of 2 Chr 15:1–15, these traditions, particularly the Deuteronomistic tradition, continued to exert influence at a later time. The Deuteronomistic tradition carried forth from the exile to later times the (exilic and post-exilic) hope for the restoration of “all Israel” and established the model of a covenant “to seek the LORD with whole heart and with whole soul” as the presupposition for that restoration. Since the Damascus covenant is structurally nearly identical to that of 2 Chr 15:1–15, we may place the rise of the Damascus covenant within the same (Deuteronomistic) tradition out of which the covenant of 2 Chr 15:1–15 arose.²¹⁸

If we ask how it could be that the Damascus covenant had exilic roots and yet did not take firm organizational shape until the 3rd century, let us consider again the בני הגולה. In the time of Ezra and Nehemiah, as much as a century after the return from exile, there was still an entity that identified itself as the בני הגולה, “the children of the exile”—even though those who belonged to it in the time of Ezra were

²¹⁸ I am aware of the problem of pan-Deuteronomism, a charge leveled against the tendency to find Deuteronomistic tradition, theology, and redaction throughout the OT and even into the intertestamental period. How do we know, for example, that the “Deuteronomistic” elements in 2 Chronicles are due to the work of continuing Deuteronomistic circles in the late Persian period and are not just imitation or borrowing of Deuteronomistic ideas and language? This is not a problem that we can discuss at length here. Steck, *Israel und das gewaltsame Geschick der Propheten*, 144–46, however, has argued that texts such as 2 Chr 30:6–9; 29:5–11; and 15:1–7 not only have Deuteronomistic elements, but also share a common Deuteronomistic structure with texts outside of Chronicles, such as Zech 1:2–6 (although not all of the elements of that structure are present in these passages). That suggests that we do not have here mere imitation but a living tradition. Steck (pp. 196–215) argues that Levites in the post-exilic period were carriers of the Deuteronomistic tradition up until 200 BC, after which time the Deuteronomistic view of history became the common possession of numerous groups within Palestinian Judaism. See also idem, *Abschluß*, 145 n. 313. For discussion of the problem of “Deuteronomism,” see the two recent collections of essays: Linda S. Schearing and Steven L. McKenzie, eds., *Those Elusive Deuteronomists: The Phenomenon of Pan-Deuteronomism* (JSOTSup 268; Sheffield: Sheffield Academic Press, 1999); and Thomas Römer, ed., *The Future of the Deuteronomistic History* (BETL 147; Leuven: Leuven University Press, 2000). In the latter see particularly Thomas Römer, “L’*école deutéronomiste et la formation de la Bible hébraïque*,” 180, 192, who sees the influence of a Deuteronomistic school only in Ezra and Nehemiah among the *kētûbîm*; elsewhere in this corpus (including the work of the Chronicler) there is only imitation of Deuteronomism; and Rainer Albertz, “In Search of the Deuteronomists: A First Solution to a Historical Riddle,” 4, who rejects the idea that Levites were the carriers of the Deuteronomistic tradition.

only descendants of those who had actually experienced the exile—and as the שאר העם, “the remnant of the people.”²¹⁹ The witness in Josephus to the existence of a hard-line party opposed to intermarriage in Jerusalem in the 4th century may be an indication of the continuing influence of this group at that time. Moreover, we must reckon with the probability that during the 4th and 3rd centuries Babylonian Jews continued to return to Palestine. The evidence of Mesopotamian influence in 3rd century Palestinian Judaism, such as the Enoch tradition, supports this contention. At least some (and probably many) of these returning Jews will have joined themselves to Palestinian Jews who continued to identify themselves as “children of the exile,” and this influx of Babylonian Jews will have only strengthened their identity. Therefore it is not at all implausible that there were from the time of the exile until the 3rd century BC entities in Palestine that continued to identify themselves as the “children of the exile”—in the terms of Ezra-Nehemiah, as the בני הגולה or the שאר העם, in the terms of *D*, as the שבי ישראל. Common to all these entities was a Deuteronomistic theology that continued to hope for the restoration of Israel. Their new-covenantal theology led to the creation of a variety of theologically and structurally similar “covenants” within Israel in successive periods, including those of Ezra and Nehemiah (5th century), 2 Chr 15:1–15 (4th century; if we assume that a real covenant stands behind this account), and the Damascus covenant (3rd century).²²⁰ As we have seen, the שבי ישראל seem to have followed the more moderate position of the Chronicler than the hard-line בני הגולה of Ezra, but the analogy between the בני הגולה and the שבי ישראל is sound. Thus the rise of the Damascus covenant in the 3rd century can be explained as due to the continuing existence of Deuteronomistically oriented circles out of which covenants had arisen since the early post-exilic period.

The Damascus covenant, then, stands in the great tradition of post-exilic covenant formation. It remains to explain, however, why the Damascus covenant rose as an entity separate from other covenants. We have seen that the Damascus covenant has affinities with a number of other groups and ideologies in the Second-Temple period. The שבי ישראל of *D* are similar to the בני הגולה of Ezra-Nehemiah. The Damascus

²¹⁹ Cf. the remarks of Vogt, *Studie*, 42–43.

²²⁰ Besides the similarities previously noted, observe that both Nehemiah’s covenant (Neh 10:1) and the Damascus covenant (CD XX, 12) are called a “pact” (אמנה).

covenant is similar to the covenants of Nehemiah and of Asa. The “all Israel” perspective of the Damascus covenant is similar to the outlook of the Chronicler, and its organization presupposes the polity of the Chronicler. If the Damascus covenant shared so much in common with these other entities, why did it rise as a separate entity among (or besides) them?

I suggest that there were three main reasons for the rise of the Damascus covenant as a separate entity. First, the Damascus covenant developed a distinctive halakah and preserved it even while the rest of contemporary Palestinian Judaism fell away from what the Damascus covenant regarded as the correct interpretation of the law. As I have suggested in Chapter 3, the development of the halakah of the Damascus covenant is most likely to be traced back to the need discerned by certain members of the exilic and post-exilic community to search the Scriptures to find (and then to do) the “hidden things” of the law (Deut 29:28). That this is the origin of the halakah is confirmed *formally* by the covenant’s own accounts of its history: Israel’s exile was due to failure properly to observe the law. The solution to Israel’s exile comes by God’s initiative, when he raises up a remnant—which is the Damascus covenant itself—whose task it is to search the hidden and deep things of the law, as though digging a well, to find the correct interpretation of the law (CD VI,19; cf. 1QS VIII,11). Thereby God discloses to the covenant the hidden things of the law so that they might properly obey (CD III,10–17a; V,20–VI,11a; cf. 4QD^a [4Q266] 2 i 5; 4Q463 1,4; cf. also 1Q22 II,8–9, where the wise men of the community have the task of explaining [באר] the meaning of the law; the noun באר means “a well”). That this searching of Scripture to find its hidden meaning is the origin of the halakah is confirmed *materially* by the fact that the halakah of the Damascus covenant is a product of Scriptural exegesis:²²¹ Scripture is interpreted through Scripture.

Moreover, 4Q390 1,5–7 (*Apocryphon of Jeremiah*) indicates a belief that the returnees from exile had been given the correct interpretation of the law by God: “I [God] shall speak to them [the returnees from exile], and I shall send them commandments, and they will understand

²²¹ Philip R. Davies, “Halakhah at Qumran,” *A Tribute to Geza Vermes: Essays on Jewish and Christian Literature and History* (ed. Philip R. Davies and Richard T. White; JSOTSup 100; Sheffield: JSOT Press, 1990) 44–49, revising the conclusions of Lawrence H. Schiffman in *The Halakhah at Qumran* (SJLA 16; Leiden: E. J. Brill, 1975) 75–76.

everything that they and their fathers had abandoned.” That belief agrees with the Damascus covenant’s view of its own origins (CD III,12–16) as well as with the view of the returnees from exile in general, which we have examined above, that they constituted the true continuation of the people of Israel. This same text also “predicts,” however, that in the “seventh jubilee” (probably referring to the 3rd century BC), there would be apostasy from the law. As a result, God would “hide his face” from the people and hand them over to their enemies and to the sword. But God would also leave a remnant whom he would not hand over to destruction (4Q390 1,9–11). The language is very similar to the description in CD I,3–5 of the exile and of the post-exilic situation, including the preservation of a remnant and of a “shoot of the planting” (the latter probably to be identified with the Damascus covenant).²²² The sense that one gets by reading these two texts together is that the Damascus covenant was one of those groups that arose from among the “remnants” of the exile, and more specifically from among the returnees from exile. In the course of the post-exilic period, however, and particularly in the 3rd century BC, there was great apostasy. One might connect this apostasy with the increasing Hellenization of Palestine (resulting perhaps in calendrical and other significant changes). Thus one might suppose that while most of the rest of Palestinian Judaism went astray (in the eyes of the Damascus covenant), the Damascus covenant viewed itself as that segment of the “returnees from exile” (and their descendants) that remained faithful to the law. It is in that period that one might place the organization of the Damascus covenant as a well organized entity, even if it traced its ultimate origins back to the exile.²²³

In this light we may be able to offer a first explanation for the rise of the Damascus covenant. While those who continued to identify themselves as among the “returnees from exile” in the later post-exilic period ultimately failed to create and to maintain an ethnically, religiously, and—here, more importantly—politically unified community in the face of apostasy from the law, the Damascus covenant was able to create and to sustain a (mostly non-political) covenant movement that could carry forth the hopes and the ideology of the returnees

²²² On CD I,1–11b see Chapter 9, pp. 532–33, n. 73. See also pp. 228–29 below.

²²³ For more on the 3rd century BC as a time of renewal movements in Palestine in the midst of apostasy, see the references in n. 184 above.

from exile. There was another difference between the Damascus covenant and Ezra and Nehemiah, and that leads us to the second reason for the rise of the Damascus covenant. We have already seen that the Damascus covenant seems to share the broader, “all Israel” view of the Chronicler rather than the narrower view of Ezra and Nehemiah.²²⁴ The dispute over intermarriage led to the establishment of a rival temple at Mt. Gerizim. Thus, as we have seen, although the mainstream Zadokite priesthood in Jerusalem (with some exceptions) was willing to integrate the גַּר into its polity, the establishment of a rival temple and priesthood led *nolens volens* to a rupture within Israel. That is to say, intermarriage itself seems not to have been the primary cause of *permanent* division. To be sure, there were conservative elements in the Jerusalem priesthood who were opposed to intermarriage, and they seem to have been strong enough to prevail, at least initially. But there were also more liberal elements in the priesthood who were ready to countenance intermarriage. The development of the category of the גַּר as a full proselyte might have saved the situation—and the Chronicler presumably would have favored such a solution—but apparently it did not do so. Once the fatal division between Jerusalem and Mt. Gerizim had occurred, there was no going

²²⁴ Of course the issue in the time of Ezra and Nehemiah—intermarriage between Jews and the “people(s) of the land(s)”—and the issue at the time of the Chronicler—the relationship between Jerusalem and Samaritans—were not the same. The two issues came to be linked, however, in that one of the factors that led to the Jewish-Samaritan division was differences in attitudes towards intermarriage. As Williamson, *Israel in the Books of Chronicles*, 138–39, notes, the religious exclusivism of the Jerusalem priesthood towards the Samaritans in the 4th century can be seen as an outgrowth of the ethnic/religious/political exclusivism of Ezra and Nehemiah in the 5th century. It is also worth pondering the possibility, as Tamara C. Eskenazi and Eleanor P. Judd, “Marriage to a Stranger in Ezra 9–10,” *Second Temple Studies 2. Temple and Community in the Persian Period* (ed. Tamara C. Eskenazi and Kent H. Richards; JSOTSup 175; Sheffield: JSOT Press, 1994) 269–70, 285, have argued, that some of the “foreign” women whose marriages with returnees from exile Ezra and Nehemiah tried to dissolve were actually Israelite, but since they were not part of the *gôlâ* community Ezra and Nehemiah did not consider them true Jews. In that case there might be an even closer link between the problem of the Jewish-Samaritan relationship at the time of the Samaritan schism and the problem of intermarriage in the time of Ezra and Nehemiah (i.e., the latter problem may have been in part a problem concerning the relationship between a strictly construed Judaism of the *gôlâ* in Judah and the remnants of the old Israelite people who had remained in the land) (cf. also Washington, “The Strange Woman,” 238).

back. The Chronicler and those of like mind sought to heal the rupture, but the Jerusalem priesthood disappointed the Chronicler's hopes, as it insisted ever more strongly on its own privileges over against Mt. Gerizim.²²⁵

I suggest that the Damascus covenant was the group that continued to uphold the ideal vision of the Chronicler and his party when the Jerusalem priesthood followed a different path. As the Jerusalem priesthood pursued a path of separatism and emphasized the importance of the Jerusalem temple, the Damascus covenant continued to hope for the restoration of "all Israel," and it continued to base that hope on the Deuteronomistic covenantal theology—a theology that had also, although in somewhat different ways, inspired the returnees from exile, Ezra, Nehemiah, and the Chronicler—rather than on the temple. This state of affairs might explain why the Damascus covenant seems to have had a somewhat ambiguous relationship to the Jerusalem temple. The covenant, at least in its earliest stage, does not seem to have been an anti-temple movement,²²⁶ but it also does not seem to have considered the temple to be the center of its existence. This makes sense if the covenant was not opposed to the temple as such but was opposed to the path that the Jerusalem priesthood was following.

That leads to the third reason for the rise of the Damascus covenant. We have seen that the Jerusalem temple was absolutely central in the world-view of the Chronicler, but seems not to have been central for the Damascus covenant. If the Damascus covenant upheld the vision of the Chronicler, how does one explain this difference? Moreover, another difference is that the Damascus covenant was an eschatological movement, whereas eschatology was of little importance for the Chronicler. For the Chronicler the settled polity of late Persian Judah represents the divinely willed state of affairs. That is to say, in the Chronicler's understanding of history, the Jerusalem temple, as well as

²²⁵ Cf. the similar view of Williamson, *Israel in the Books of Chronicles*, 139: "[T]here may have been a tendency within the Jerusalem community of the fourth century, struggling as it was to maintain its distinctive identity, to close in upon itself in a way that denied any part to others who may themselves have had fully justified claims to a share in the community's traditions. The defection of some of the priests may then be seen as an equally strong reaction to the direction affairs had taken in Jerusalem."

²²⁶ For more on the relationship of the Damascus covenant to the temple, see Chapter 3, pp. 116–18; and Hempel, *Laws*, 37–38, 92.

the hierarchy of personnel, with a Zadokite priesthood firmly in control and the Levites in a subordinate but respected position, is the timeless embodiment of the correct worship of God.²²⁷ To be sure, the Chronicler continued to hope for a better future for Israel. Nonetheless, his world-view is not essentially eschatological.²²⁸ The Jerusalem temple is the legitimate expression of God's will for Israel.

As a number of scholars have pointed out, there were in Second-Temple Judaism numerous groups that were dissatisfied with the Zadokite priesthood and its temple. While we cannot go into this matter in detail here, we must at least mention some scholarly opinions. Otto Plöger argued that in the Second-Temple period there developed a division between theocratic and eschatological circles. The interest of the theocratic circles lay especially in the law and in the temple cult. The eschatological circles were not necessarily opposed to the temple cult, but they disagreed with the theocratic notion that the restoration of Israel had been achieved with the constitution of a community centered on Judah and Benjamin. They continued to look for the full restoration of Israel. These circles, taking as their base the words of the prophets that were still to be fulfilled, arose in the early exilic or post-exilic period, in close connection with the Deuteronomistic movement, and in reaction to theocratic circles that allowed no great significance to the words of the prophets. Although at first the eschatological circles did not exist separately from the theocratic circles, the differences between them eventually led to the splitting off of eschatological groups. Among these groups will have been the Damascus covenant.²²⁹

Paul Hanson uses as a framework for understanding the history of the early Second-Temple Period the tension between vision and reality, and conflict between a hierocratic faction and a visionary faction. The hierocratic faction consisted primarily of the Zadokite priesthood,

²²⁷ See Japhet, *The Ideology of the Book of Chronicles*, 229–32; Boccaccini, *Roots of Rabbinic Judaism* 58–60, 64; William Riley, *King and Cultus in Chronicles: Worship and the Reinterpretation of History* (JSOTSup 160; Sheffield: JSOT Press, 1993) 155–56, 203; Hanson, *Dawn*, 277; Steck, *Israel und das gewaltsame Geschick der Propheten*, 204.

²²⁸ See Sara Japhet, "Postexilic Historiography: How and Why?" *Israel Constructs its History: Deuteronomistic Historiography in Recent Research* (JSOTSup 306; ed. Albert de Pury, Thomas Römer, and Jean-Daniel Macchi; Sheffield: Sheffield Academic Press, 2000) 165–66.

²²⁹ Otto Plöger, *Theokratie und Eschatologie* (WMANT 2; Neukirchen: Neukirchener Verlag, 1962) 59, 66, 134–36, 139–41.

which was in charge of the post-exilic restoration of Judah. It was pro-Persian, hierarchical, and pragmatic. Its power lay in the temple, and it sought to uphold the status quo. The visionary faction was an alliance formed from those who had been expelled from positions of power in the temple cult, above all the Levites, as well as members of a prophetic group who continued to uphold Second Isaiah's vision of an eschatological restoration of Israel. They looked for a divine intervention that would replace the status quo. They upheld the democratizing tradition of Deuteronomy according to which the whole congregation of Israel is holy, so that holiness was not the preserve of an elite priesthood. They rejected the temple and its personnel as corrupt and doomed to judgment by God.²³⁰

Two other proposals may be briefly noted. Odil Hannes Steck has argued that the carriers of the Deuteronomistic tradition in the post-exilic period—whom he considers to have been the Levites—were uneasy with the Jerusalem temple and its priesthood because the temple was rebuilt without the full restoration of Israel for which they hoped (Deut 30:3–5). God would be present in the midst of Israel only when he acted decisively to bring salvation to Israel.²³¹ Gabriele Boccaccini finds the beginnings of “Enochic Judaism,” the forerunner of Jewish apocalypticism, and the form of Judaism from which the Qumran community eventually arose, in dissident priestly circles in the 4th

²³⁰ Hanson, *Dawn*, esp. 10, 20, 25–26, 71–72, 75, 95–96, 176–77, 181–82, 204–05, 209–79, 284–85, 402–13. Hanson thinks (pp. 400, 409) that the “development of apocalyptic eschatology” came to a rest in the late 5th century BC when hierocratic leaders successfully restored inner-community peace, and did not break out again until two centuries later when “new inner-community strife provide[d] the impetus for the further development of apocalyptic eschatology.” However, here we see the problem that results from Hanson's one-sided seeking of the roots of apocalypticism from within the canonical books alone. As Boccaccini has argued (*Roots*, 89–103), it is probable that there was a continuous apocalyptic tradition in Palestine from the 4th century right into the 2nd century in circles whose existence and ideology are apparent in the Enochic literature.

²³¹ Steck, *Israel and das gewaltsame Geschick der Propheten*, 203 n. 3. See similarly Raymond F. Person, *Second Zechariah and the Deuteronomistic School* (JSOTSup 167, Sheffield: JSOT Press, 1993) 165–67, 199–205, who argues that, while the Deuteronomists initially supported the restoration of Judah and its cult in the post-exilic period, they came to believe that the restoration was only a partial fulfillment of the promises of the prophets. This resulted in the withdrawal of the Deuteronomists and caused them to become increasingly eschatological in their thinking. In the meantime, however, their message to the people was that they must return to God.

century BC who were opposed to the Zadokite priesthood and who did not accept the legitimacy of the Jerusalem temple.²³²

Such reconstructions of the post-exilic period help further to map the context in which the Damascus covenant arose. The Damascus covenant shared the hopes of the Chronicler for “all Israel,” but it also shared the hopes of eschatological and Deuteronomistic circles for the full restoration of Israel. For these circles the settled, stable polity of late Persian Judah, centered on a pro-Persian temple priesthood, was not enough. Only *God* could truly and fully restore Israel. At the same time, the covenantal background of the Deuteronomistic tradition explains the emphasis on covenant and observance of law “with whole heart and with whole soul” in the Damascus covenant.

4.7 *The Relationship of the Present Hypothesis to Hypotheses on Qumran Origins*

I shall end with some words about how the hypothesis presented here relates to hypotheses on Qumran origins. As I have said above, it is very important that we clearly distinguish between the origins of the Qumran community and the origins of the Damascus covenant. All of the evidence that we have presented confirms the conclusion reached through Chapters 1, 2, and 3 that the Damascus covenant belongs to the pre-history of the Qumran community and is not to be identified with it. It may be noted that this conclusion is corroborated by Charlotte Hempel’s recent study of the laws of *D*, where she has made a compelling case that most of the halakic material in these laws points to the development of the halakah from within an “all Israel” or national frame of reference, rather than from the perspective of a particular community such as Qumran. The halakah is not polemical towards other Jews, as in 4QMMT, but is simply presented as halakah commended for observance by all of Israel.²³³ The halakah is probably quite old, pre-dating not only the *yahad* but also the parent movement of the *yahad*.²³⁴

²³² Boccaccini, *Beyond the Essene Hypothesis*, 71–79, 185; and idem, *Roots*, 89–103.

²³³ Hempel, *Laws*, 18, 55, 58, 70, 72, 77, 129, 149, 188.

²³⁴ *Ibid.*, 70.

It has been common in Qumran studies to link the beginnings of the Qumran community with the *hāsīdīm*. Stegemann has argued that the “new covenant in the land of Damascus” was founded by Jews opposed to the regime of the Hellenizers in Jerusalem in the years 175 BC and following. In these years many pious Jews, known as *hāsīdīm*, fled to the mountains or desert of Judah, or to neighboring countries, and organized groups to ensure continued faithfulness to the Torah. Some members of these groups will have supported the Maccabean uprising. Among these groups of the pious were those who formed the “new covenant in the land of Damascus.” A split occurred in this covenant when a coalition of the pious gathered around the Teacher of Righteousness and became the Essenes (or the Essene union), while others rejected the Teacher. Communities committed to the Teacher existed in different place in Palestine; the Qumran community was founded later as a kind of publishing house for the Essene union.²³⁵ Similarly Geza Vermes argued that the “age of wrath” (CD I,5) in which the Damascus covenant began was the Hellenization crisis of the early 2nd century, and the “root” (I,7) that became the Qumran community consisted of the *hāsīdīm*.²³⁶

The views presented by these authors are, however, quite problematic. Vermes simply conflates the Damascus covenant and the Qumran community, whereas we have seen that it is necessary to distinguish clearly between them. In addition, as Davies has suggested, it is possible that in the original version of the admonition the “root” of I,7 was the same entity as the “remnant” of Israel in I,4. It was only the addition of the 390 year framework—from a later, *post factum* Qumran perspective—that introduced a chronological and material distinction between the rise of the “remnant” and the rise of the “root,” the latter now identified with the Qumran community.²³⁷ In that case, in the original admonition the “root” will have referred to the original members of the Damascus covenant at the time of the exile, who hoped for their full restoration to the land (I,7–8), and had nothing to do with the *hāsīdīm*. My own reading of the text is close to that of Davies, but

²³⁵ Stegemann, *Die Entstehung der Qumrangemeinde*, 247–50; and idem, *The Library of Qumran*, 51–55, 142–52.

²³⁶ Geza Vermes, *An Introduction to the Complete Dead Sea Scrolls* (Minneapolis: Fortress Press, 2000) 16, 132–38. See also Gert Jeremias, *Der Lehrer der Gerechtigkeit* (SUNT 2; Göttingen: Vandenhoeck & Ruprecht, 1963) 159–61.

²³⁷ Davies, *Damascus Covenant*, 65, 199–200.

I make one modification: the remnant of I,4 are the survivors of the exile, as described in the Bible (e.g., 2 Chr 36:20), whereas the “root” of I,7 is a particular subset of the “remnant,” namely, the Damascus covenant itself. The words *בְּקֶץ חַרּוֹן* can be translated “in the period of wrath,” referring to the whole post-exilic period (cf. 4Q266 11,18=4Q270 7 ii 13), and do not have to be taken as referring to a particular point in time, either the time of the exile itself or “390 years” after the exile.²³⁸ In other words, at some point during the post-exilic period (but not necessarily during the Maccabean period), God caused a root (the Damascus covenant) to sprout.²³⁹ Against Stegemann, our study of the roots of the “new covenant in the land of Damascus” points to its rising much earlier than 175 BC. Finally, there is nothing in *D* to indicate that the Damascus covenant rose in response to the Hellenization crisis of the 2nd century BC. It is true that CD VIII,8–12 (=XIX,20–24) sees a great threat in Hellenization and warns against the adoption of foreign ways. It also threatens those who adopt foreign ways with destruction at the hands of the head of the kings of Greece. This does not by any means prove, however, that the Damascus covenant arose only in the Maccabean or post-Maccabean period, for the prediction of destruction at the hand of the head of the kings of Greece can be understood as an authentic prediction and not as *vaticinium ex eventu*. As I have shown in Chapter 1, this part of CD is fully integrated with what comes before it, and the vengeance to be executed by the head of the kings of Greece will be, for the author, the actualization of the prophecies of Isaiah, Hosea, Zechariah, and Ezekiel against those who turn away from the covenant (CD VII,9–13b + XIX,7–11 + VIII,1b–12a [=XIX,13b–25]). Just as Ephraim, who sought help from Assyria, was destroyed by the king of Assyria, so those who adopt Greek ways will be destroyed by a Greek king. Thus the idea that those who adopt foreign ways will be destroyed by a foreign king was an essential biblical insight of the author of *D* and says nothing for a Maccabean date. In addition, since we know that the Hellenization of

²³⁸ In agreement with Davies, *ibid.*, 67.

²³⁹ Alternatively, if the 390 year framework is original to the admonition, which is possible but unlikely, the “remnant” of I,4 could be the original Damascus covenant at the time of the exile, while the “root” of I,7 could be a *pre-Qumran* community that arose in the 2nd century. Cf. IQS VIII,5, where the term “planting” is used for a community that would become Qumran. For more on all this, see Chapter 9 (pp. 532–33, n. 73).

Palestine began not later than the 4th century BC, and was probably well advanced by the 3rd century, there is nothing that compels us to assign the concern over Hellenization in CD VIII,8–12 (=XIX,20–24) to the 2nd century. It can be earlier than that.²⁴⁰

It is also important to distinguish between the Damascus covenant and Essene Judaism. Recently Gabriele Boccaccini has argued that Essene Judaism, in which he includes the Damascus covenant,²⁴¹ was really Enochic Judaism, or at least its “twin.”²⁴² Enochic Judaism was a dissenting priestly movement in the Second-Temple period that was opposed to the Zadokite priesthood. As Boccaccini explains it,

[w]hile the Zadokites founded their legitimacy on their responsibility to be the faithful keepers of the cosmic order, the Enochians argued that this world had been corrupted by an original sin of angels, who had contaminated God’s creation by crossing the boundary between heaven and earth and by revealing secret knowledge to human beings. Despite God’s reaction and the subsequent flood, the original order was not, and could not be, restored.²⁴³

For the Enochians, the only way that the order of the cosmos could be restored was through a radical intervention (an act of new creation) by God. The Jerusalem temple was not enough. Within this ideological framework Boccaccini constructs a chain of documents running from the earliest Enochic literature—the Book of the Watchers—to the latest Enochic literature, including the Similitudes of Enoch, the Qumran literature, and still later Enochic literature. Within this chain of documents Boccaccini places *D* after *Jubilees*. In contrast to the earlier Enochic tradition that viewed all of humanity, both Jew and Gentile, as

²⁴⁰ In his edition of the *Damascus Document*, soon to be published by Brill in the STDJ series, Ben Zion Wacholder argues for a 3rd century BC dating for the *Damascus Document*, which he prefers to call “The Midrash on the Eschatological Torah,” or MTA, since he thinks that the last words of the text as he has reconstructed it (מדרש תורה האחרון) preserve the original title of the work. While I am sympathetic to his dating of the document (although I doubt all of the work goes back to the 3rd century; the work is composite, and some of it certainly comes from a later time), and while that dating gives support to the present argument, I can in no way endorse Wacholder’s overall conception of the document, according to which the document’s “historical” sections are references to future events. I am grateful to Florentino García Martínez for providing me an advance (electronic) copy of Wacholder’s manuscript.

²⁴¹ Boccaccini, *Beyond the Essene Hypothesis*, 126–27.

²⁴² *Ibid.*, 170.

²⁴³ *Ibid.*, 73.

subject to the evil and impurity caused by the fall of the angels, *Jubilees* maintains a doctrine of election according to which the Jewish people are uniquely protected from the impurity of the world, although they always run the danger of becoming exposed to it. Thus there develops also a doctrine of predestination that was unknown in earlier Enochic Judaism. From the beginning of creation God has predestined the Jewish people for salvation. *D* goes beyond this to argue that there is a chosen group within the chosen: “In an astonishing statement that contradicts everything Enochic Judaism had said since *Jubilees*, the Damascus Document claims that at the beginning of the world God did not choose the entirety of Israel but only a remnant of it.”²⁴⁴

While Boccaccini correctly cites CD II,6–7, 11–13 in support of his argument, two things must be noted. First, we have seen that elsewhere the Damascus covenant in fact confirms that the covenant is for “all Israel” (CD XV,5). This inclusivism stands side-by-side with the exclusivism implied in the predestination language of CD II,2–13. But a covenant for “all Israel” does not have to be viewed as contradictory to a doctrine of predestination.²⁴⁵ Second, *D* does not consider the fall of the angels to be a source of the universal contamination of the world through sin, as *Jubilees* and the earlier Enochic tradition do. When *D* narrates the story of the angels, the fallen angels are only an example of sinfulness; they are not the source of it (CD II,14–III,12). For both of these reasons it is very unlikely that the Damascus covenant (as distinct from the *Damascus Document*) falls within the stream of Enochic Judaism that Boccaccini has constructed; the Damascus covenant appears to be a movement that arose apart from Enochic Judaism. That does not mean that at a later time elements of Qumran theology that were (in part) derived from Enochic Judaism could not have found their way into *D*. The Damascus covenant, however, has its own origins, and it should not simply be conflated with Enochic Judaism. Nor should it be simply equated with Essenite Judaism. Rather, once we have understood the origins of the Damascus covenant on its own terms, as this chapter has attempted to do, we will be in a position to move forward and determine its relationship to Enochic Judaism and/or Essenism, as well as to the Qumran community.

²⁴⁴ Ibid., 123.

²⁴⁵ See Chapter 3, pp. 108–09, n. 55.

Something similar can be said about the relationship between the hypothesis of this chapter and the Groningen hypothesis of Qumran origins. The latter finds the origins of the Essenes in Palestinian apocalypticism in the 3rd century or very early 2nd century (but pre-Maccabean in any case). The Qumran community was a break-off from the rest of Essenism; the cause was primarily differences over halakah, and especially over allegiance to the Teacher of Righteousness, who claimed to be the definitive teacher of the law.²⁴⁶ In my view the proponents of the Groningen hypothesis are correct in arguing that the prehistory of the Qumran community lies in the 3rd century BC (that is, before the Maccabean period). I also agree that elements from Palestinian apocalypticism (such as are found in the Enochic tradition) were important in the development of *Qumran* theology. Yet it is still necessary, in my view, to distinguish between the origins of the *Damascus covenant*, which I would suggest arose independently from apocalypticism *sensu stricto*, and the (Enochic?) origins of the Palestinian apocalypticism that undoubtedly lies (at least to some extent) behind Qumran. To be sure, the Damascus covenant stands very close to biblical eschatology, in that it looked for the restoration of Israel, but we do not yet find at the origins of the Damascus covenant the particular view of evil that stands at the heart of Palestinian apocalypticism, namely, the belief in an original sin due to the antediluvian fall of the angels (on CD II,14–III,12 see above). Thus while the Groningen hypothesis contributes one important element to the total reconstruction of Qumran origins, it needs to be supplemented by an explanation of the rise of the Damascus covenant on its own terms.

The present chapter has provided such an explanation. It will be the task of the next two chapters to follow further the path laid out here, in order to trace the emergence of the Qumran community from within the Damascus covenant, and to seek to understand how other aspects of Palestinian Judaism, particularly dualism and the Enoch tradition, came to shape the theology of the Qumran community.

²⁴⁶ See Florentino García Martínez, "Qumran Origins and Early History: A Groningen Hypothesis," *FO* 25 (1988) 113–36; and idem, "The Origins of the Essene Movement and of the Qumran Sect," in Florentino García Martínez and Julio Trebolle Barrera, *The People of the Dead Sea Scrolls* (tr. Wilfred G. E. Watson; Leiden: E. J. Brill, 1993) 87–96.

CHAPTER FIVE

FROM THE DAMASCUS COVENANT TO THE QUMRAN COMMUNITY: THE EMERGENCE OF THE *YAHAD*

5.1 Introduction

In the last chapter we developed a hypothesis on the origins of the Damascus covenant. It was argued there that we must distinguish clearly between the Damascus covenant, which probably arose in the 3rd or even late 4th century BC (although it has exilic roots), and the Qumran community, which arose only much later. It will be the task of the present chapter to try to explain the emergence of the Qumran community from within the Damascus covenant. The thesis of the present chapter is that what became ultimately the Qumran community arose initially as a separatist community from within the Damascus covenant. It will become apparent soon that a major part of my thesis is that the community (*yahad*) that eventually settled at Qumran went through an extended period of development, and indeed that there was a considerable intermediate period in the community's history between the initial decision to separate from the Damascus covenant and the actual settlement at Qumran. Therefore I shall often use the term *yahad* or "community" rather than "*Qumran* community" to refer to the community in its earliest years, since the term "Qumran community" brings to mind the settlement at Khirbet Qumran, which stands only at the end of a long development. By contrast, the term *yahad* or "community" can be used to refer to the community at various stages in its history.

Our first task, then, is to demonstrate that the *yahad* emerged from the Damascus covenant. In order to prove this, we shall show first that the earliest polity of the *yahad* stands in continuity with the Damascus covenant, but that it also developed into a distinctive discipline in the *yahad*. Then we shall show that the halakah of the *yahad* also stands in continuity with that of the Damascus covenant. Once we have done this, our next step will be to demonstrate that the *yahad* went through an intermediate period before completely cutting itself off from the rest of the Damascus covenant and from mainstream Judaism.

5.2 From the "Camp" to the Community

5.2.1 Continuity and Development in Polity

In our study of the Damascus covenant, we saw that entrance into the Damascus covenant took place through an "oath of the covenant...to return to the law of Moses with whole heart and with whole soul, to what is found therein to do" (CD XV,7–10; cf. XV,12). We find a very similar procedure for entrance in the *Rule of the Community*.¹ According to 1QS V,7–10 (cf. 4QS^b [4Q256] 9 v 6–8; 4QS^d [4Q258] 1 i 5–7)² the one who enters the covenant of the community does so "with a binding oath to return to the law of Moses, according to all that he commanded, with whole heart and with whole soul, to all that has been revealed of it" to the members of the covenant.³ These two passages have in common the oath to return to the law, to do so with whole heart and with whole soul, and to return to the law as revealed to the members of the covenant.⁴ At the same time, however, it is clear that the two passages cannot be regulating entrance into the same entity. The covenant of CD XV,7–10 is a covenant "for all Israel," and, as I have shown in Chapters 3 and 4, the basic structure of this covenant is rooted in the covenantal-theological traditions of the post-exilic community and is particularly close to the covenant theology of the Chronicler. That indicates that CD XV,7–10 regulated entrance into a

¹ The similarities between the entrance procedures in CD XV and 1QS V have also been noted by Charlotte Hempel, "Community Structures in the Dead Sea Scrolls: Admission, Organization, Disciplinary Procedures," *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1999) 2.71.

² Citations of the 4QS manuscripts follow the critical edition of Philip S. Alexander and Geza Vermes, DJD 26.

³ In 1QS V,9–10 the members of the covenant to whom the correct interpretation of law has been revealed are the "sons of Zadok and the multitude of the men of their covenant." In 4Q256/4Q258 they are simply the "council of the men of the community." As we shall see below, the reading in 4Q256/4Q258 is probably the older one. But note that 1QS V,8 uses the term "oath" (שבועה), which also appears in CD XV,6, 8, while 4Q256 9 v 7 and 4Q258 1 i 6 use the word "obligation" (אסר).

⁴ It is clear from CD III,13–15; VI,18–19; and XV,13–14 that "what is found to do" in the law (XV,10) is the correct interpretation of the law as God revealed it to the covenant.

covenant that was broadly conceived in regard to membership. The covenant of 1QS V,7–10, on the other hand, is the covenant of a particular community (*yahad*). The simultaneous similarity and difference between the two covenants indicate that the covenants in the two passages do not relate to the same entity, but that they do stand in a tradition-historical relationship to each other. In all likelihood the covenant of CD is older than that of 1QS, the latter having developed out of the former. Additional evidence for this assertion, besides the fact that the covenant of CD for all Israel is rooted in old, biblical tradition, will appear below.

There are other parallel passages in the *Rule of the Community* and the *Damascus Document* that show the continuity between the polity of the Damascus covenant and that of the Qumran community. One such parallel is 4QD^a (4Q266) 11,5c–19 (=4Q270 7 i 19c–7 ii 15)⁵ and 1QS II–III, passages containing instructions for the discipline of those who turn aside from the covenant. 4Q266 11,5c–7 stipulates that “everyone who despises these regulations (וכול המואס במשפטים האלה) according to all the precepts that are found in the law of Moses will not be counted (לו יחשב) among all the sons of his truth, for his soul has loathed the disciplines of justice (כי געלה נפשו ביסורי הצדק). In rebellion he will be expelled from the presence of the Many.” Similarly we read in 1QS II,26–III,1 that “everyone who declines (כול המואס) to enter the covenant of God, in order to walk in the stubbornness of his heart, will not enter the community of his truth, for his soul has loathed the disciplines of knowledge of just judgments (כי געלה נפשו ביסורי דעה) (משפטי צדק). He does not have the strength for the conversion of his life, and with the upright he will not be counted (לוא יחשב).” Furthermore, in both cases this discipline happens at an annual covenant renewal ceremony. The expulsion of the faithless in 4Q266 11,5c–19 takes place at an assembly in the third month each year, when they “curse the one who turns to the right [or to the left of the] law” (ימין [ושמאול מן] “ה[חורה]).”⁶ Similarly the discipline of 1QS II,26–III,1 happens when the community gathers “year by year” to curse those who betray the covenant (II,11–12). The cursed are cut off from the community (II,16–17). Those who remain faithful in the covenant are admonished

⁵ Citations of the 4QD manuscripts follow the critical edition of Joseph M. Baumgarten, DJD 18.

⁶ This (plausible) reconstruction is that of Baumgarten, DJD 18.76.

to walk in perfection and not to turn aside to the right or left (מִיָּמִין וּשְׂמֹאלוֹ) (III, 10).

Along with these agreements, there is again an important difference. Whereas the expulsion ceremony of 1QS II–III is said explicitly to occur in the *yahad*, the expulsion ceremony in 4Q266 11,5c–19 takes place at the annual assembly of the “camps.” Once again, therefore, we find material in the *Rule of the Community* (1QS II,26–III,1) that, although similar to material in the *Damascus Document* (4Q266 11,5c–19=4Q270 7 i 19c–7 ii 15), appears to apply to a different entity. Of course it is possible that the *yahad* is one of the “camps” mentioned in 4Q266 11,5c–19. However, there is reason to think that the material in 1QS II–III comes from a later time than the material in the *Damascus Document*. For one thing, the ceremony in 1QS II–III is much more elaborate than that in 4Q266. As mentioned above, 4Q266 11,17 provides for the cursing of those who reject the covenant. Lines 13–14 give a very simple curse, invoked by a priest. In 1QS II, by contrast, we have separate rubrics for priests and Levites, and the curses are much more elaborate. Moreover, we shall see in the next chapter that the dualism implicit in the curses in 1QS II comes from a time when the *yahad* had already separated itself from the rest of the Damascus covenant. There is every reason to believe, therefore, that, while the ceremony of 1QS II–III is derived tradition-historically from that in 4Q266 11,5c–19, it comes from a time later than, and from an entity different from, the time and entity reflected in 4Q266 11,5c–19.

We have seen a similar pattern in two instances. The procedure for entrance into the *yahad* in 1QS V,7–10 is almost identical to the procedure for entrance into the covenant in CD XV,7–10. Yet while the first is for entrance into a particular *yahad*, the latter is for entrance into a covenant for “all Israel.” The ceremony in 1QS II–III is very similar to the ceremony in 4Q266 11,5c–19 (=4Q270 7 i 19c–7 ii 15). Yet while the former is for a particular *yahad*, the latter is for the “camps.” How do we account for such similarity and difference? The answer, I believe, is that the *yahad* grew out of the camp structure of the Damascus covenant, and then developed in a distinctive way. It is now our task to show how it developed.

Besides the procedure for entrance into the *yahad* in 1QS V,7–10, there is a very different procedure in 1QS VI,13c–23. The procedure in V,7–10 is very simple. The candidate simply swears to return to the law of Moses with the whole heart and with the whole soul, according to all that has been revealed of it to the men of the community. The proce-

ture in VI,13c–23 is more elaborate. When someone wishes to enter the community, the “man appointed at the head of the Many” (the *pāqīd*) is to test the candidate with respect to his understanding and his deeds. If the candidate suits the discipline, he may enter the covenant, and the *pāqīd* is to instruct him in all the precepts of the community. That, however, is not the end of the process. The candidate undergoes further examination. There is an initial appearance before the whole community (the “Many”),⁷ at which time the Many are questioned about the candidate. Depending on the outcome of the lot, the candidate is either included or excluded from the community. If he is included, he begins a two-year novitiate. During the first year, he is not allowed to touch the “purity” (טהרה) of the Many (which is primarily pure food and drink, although it probably included other pure items)⁸ or to share in the possessions of the Many. After this year, he is examined again regarding his understanding and his deeds. If he passes that examination, he enters a second probationary year. During that year, his possessions are deposited in the community, but in a kind of escrow account; his resources cannot be used for the Many. In addition, the novice cannot touch the drink of the Many. At the end of the second year, he is examined one more time by the Many. If he passes this examination, he becomes a full member. He has access to the “purity” of the community, his possessions can be fully mixed with those of the community, and he can participate in the deliberations of the community through his counsel and judgment.

What is striking is that although this entrance procedure is much more elaborate than that in V,7–10, it also has important points of contact with the procedure in CD XV,5b–15b.⁹ According to the latter, on the day that the candidate speaks to the overseer (*mēbaqqēr*) of the Many, he is enrolled by swearing the oath of the covenant to return to the law of Moses with whole heart and with whole soul. No one is to reveal to the candidate any of the precepts of the covenant before the

⁷ As VI,15–16, 18–19 show, the “Many” is simply the term for the full membership of the community, including priests and laity. In VI,15–16, the Many are questioned, and inclusion or exclusion depends on the outcome of the lot of the Many. In VI,18–19, the Many are questioned, and inclusion and exclusion depends on the outcome of the lot of the “priests and the multitude of the men of their covenant.”

⁸ See the discussion on purity in section 5.3.2 below.

⁹ Hempel, “Community Structures,” 72, argues (correctly, in my view) that the procedure in 1QS VI is a later development than the one in 1QS V, but she does not argue for a tradition-historical connection between CD XV and 1QS VI.

candidate has been examined by the overseer. The reason is presumably that, if the candidate is not suited for the covenant (“lest he prove to be a fool”), and so does not enter it, the precepts of the covenant should not be disclosed to him.¹⁰ Since the candidate is not yet familiar with the particular precepts of the covenant, the examination is presumably of a general nature. Perhaps the overseer examines his basic understanding and practice of the law (cf. 1QS VI,14). After his admission, the candidate is taught the precepts of the covenant. If he errs in any of them inadvertently, the overseer puts him on probation for a year,

¹⁰ The Hebrew in CD XV,10b–11 is difficult. The text printed in Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: E. J. Brill, 1997–98) 1.562, reads: ואל יודיעהו איש את המשפטים עד עמדו לפני המבקר. עומר יתפחה בו בדרשו אהו. The editors 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.” But this reading seems wrong. For one thing it would seem that on this reading the participle עומר and the verb יתפחה would have to refer to the same person, namely, the candidate. More importantly, a number of scholars read שמה (“lest”) here in place of עומר. So Chaim Rabin, *The Zadokite Documents* (Oxford: Clarendon Press, 1954) 72–73 (see also his n. 2 on p. 73); Eduard Lohse, *Die Texte aus Qumran* (Munich: Kösel-Verlag, 1964) 98; Lawrence H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: E. J. Brill, 1975) 29. To judge from their translations (“in case...”; “damit...nicht”; “de peur que...ne”), that must be the reading also of A. Dupont-Sommer, *The Essene Writings from Qumran* (Gloucester, Mass.: Peter Smith, 1973) 161; Johann Maier, *Die Texte vom Toten Meer* (2 vols.; Munich: Ernst Reinhardt Verlag, 1960) 1.65, 2.60; and Éd. Cothenet, “Le document de Damas,” *Les textes de Qumran* (2 vols.; Paris: Letouzey et Ané, 1961–63) 2.184. Solomon Schechter, in his edition (*Fragments of a Zadokite Work. Volume 1 of Documents of Jewish Sectaries* [2 volumes in 1; reprinted ed.; Ktav Publishing House, 1970]), prints only an א in front of יתפחה in XV,11 but writes in his commentary *ad loc.* that the word there was probably אשר (“who”). The text in 4Q266 8 i 2 is damaged (see Plate X at the back of DJD 18), but Baumgarten reads למה where עומר stands in CD (DJD 18.63). In any case, “lest” seems to be the best translation here. Most likely the meaning is: “But let no one reveal to him the precepts until he stands before the overseer, lest he (i.e., the candidate) be found by him (i.e., the overseer) to be a fool when he examines him.” The “simpleton” (פוח/פחי) is excluded from the congregation in CD XV,15–17; 1QSa I,19–20. Thus the precepts of the covenant should not be revealed to him. (But see also CD XIII,6, which implies that “simpletons” were in the covenant!) Similarly, in 1QS IX,17 the *maškil* is to hide the “counsel of the law” from the “men of injustice.” Alternatively one could translate: “But let no one reveal to him the precepts until he stands before the overseer, lest he (i.e., the overseer) be deceived by him (i.e., the candidate) when he examines him.” So Maier, *Die Texte*, 1.65. The idea would be that the candidate should not appear to better versed or better practiced in the law than he actually is. This translation is less likely.

during which time the candidate must learn. After the year of probation is over, the candidate is examined again and, if his "knowledge" is satisfactory, he is admitted to the covenant.

The parallels to 1QS VI,13c–23 are clear. In both cases, the candidate is examined with respect to his understanding by an officer who is over the Many. The requirement of 1QS VI,14 that the candidate suit the discipline probably reflects the same concern as CD XV,11 that the candidate not be a "simpleton."¹¹ In both cases instruction in the precepts is explicitly said to come only after the candidate has been admitted to the community. In both cases there is provision for more than one examination of the candidate. In conclusion, as different from each other as the entrance procedures in 1QS V,7–10 and VI,13c–23 are, they are both closely related to the procedure in CD XV,5b–15b. In fact, one could say that the latter text provides a basic framework for the procedures in both 1QS texts.

There is also, however, a very important difference between CD XV,5b–15b and 1QS VI,13c–23. CD XV,15 provides for a second examination of the candidate, presumably before the overseer,¹² but only in the case of the novice who fails inadvertently in the precepts. By contrast, 1QS VI,13c–23 stipulates three examinations of *every* novice by the Many: an initial examination, apparently soon after postulancy, a second examination after the novice has completed a full year in the community, and a third examination after the novice has completed a second year in the community. At each examination the novice can be included (קרב, VI,16, 19, 22; cf. CD XV,15) or excluded. After each successful examination the candidate enters into deeper fellowship with the community.

Since the entrance procedure in CD XV,5b–15b provides a framework for the procedures in both 1QS V,7–10 and VI,13c–23, it is probable that not only 1QS V,7–10 but also 1QS VI,13c–23 represents a development from the procedures described in CD XV,5b–15b. In other words, the mandatory two-year novitiate for all entrants into the covenant of the *yahad* (1QS VI,13c–23) is an outgrowth of the one-year probation required of those in the Damascus covenant who failed in the

¹¹ On יתפתה in CD XV,11, see the previous note.

¹² But that in the case of the candidate's stumbling the overseer gives orders concerning the candidate (XV,14) may suggest that the Many had a role in the candidate's probation.

observance of the law (CD XV, 13–15). Can we trace the history of this development?

It is possible that the relatively recently published 4Q265 gives evidence for how the development happened, although, since the text is fragmentary, the following proposal must remain conjectural. The title used previously for 4Q265 was *Serek Damascus*, although neither the word “Serek” nor “Damascus” appears in the extant fragments. The text received that name because it shares traits with both the *Rule of the Community* (hence “Serek”) and the *Damascus Document* (hence “Damascus”). In the critical edition Joseph Baumgarten entitles the text *4QMiscellaneous Rules*, since, as Baumgarten notes, the earlier title “does not adequately reflect the diverse contents of this text.”¹³ It remains true, however, that 4Q265 does contain, among other things, a blend of materials similar to those found in the *Rule of the Community* and in the *Damascus Document*. It appears that the text may give witness precisely to the development in community discipline from CD to 1QS that we are studying.

Of interest to us is 4Q265 4 ii 3–8.¹⁴ Since the text is fragmentary, and since there is some question as to how the lacunae should be filled, I shall set side by side the text as it appears in the manuscript and Baumgarten’s reconstruction, followed by a translation of each.

4Q265 4 ii 3–8 (manuscript)	4Q265 4 ii 3–9 (Baumgarten)
3 [] ש אשר יבוא לה [] ף אל עצת [] ד [] ה	[ואי] ש אשר יבוא לה [וסי] ף אל עצת ה [יח] ד [ידורשהו הפקיד]
4 [] הרבים אם נפל לו [] כלו ודרשה [] שנה []	[על] הרבים אם נפל לו [ש] כלו ודרשה שנה [אחת ובעמדו]
5 ל [] ני הרבים ונשאלו [] ו ואם לא [] ימצא []	ל [פ] ני הרבים ונשאלו [עלי] ו ואם לא ימצא [פתי יבינהו האיש]
6 המבקר על היחד ב [] התורה [] ולא י []	המבקר על היחד ב [מעשי] התורה ולא י [נע במשקה הרבים]
7 [] עוד שנה תמימה [] ת לו שנת [] []	[עד] עוד שנה תמימה [ובמלא] ת לו שנת [יקרבו את הונו אל]
8 [] ש המבקר על הרבים [] אם היו []	[יד האי] ש המבקר על הרבים [] אם היו []

¹³ In DJD 35.58.

¹⁴ Citation follows the critical edition (DJD 35.66–67).

Translation of 4Q265 4 ii 3–8 (manuscript; translation follows Baumgarten)	Translation of 4Q265 4 ii 3–8 (as reconstructed by Baumgarten)
3 [] who comes to []...the council of the []	[And a ma]n who comes to j[oi]n the council of the com[mu]nity, [shall be examined by the one ap- pointed]
4 [] the Many. If his [] is adequate, he shall instruct him for [] year,	[over] the Many. If his [in]telli- gence is adequate, he shall instruct him for [one] year, [and when he stands]
5 [] the Many, they shall ask ¹⁵ []. If he is not found []	be[f]ore the Many, they shall ask [about] him. If he is not found (to be) [simple-minded, the man]
6 who oversees the community [] [] Law. And he shall not []	who oversees the community [shall make him understand] the [deeds] of the Law. And he shall not [touch the liquids of the pub- lic]
7 [] another complete year. [] [] a second ¹⁶ [] []	[for] another complete year. [And when] a second (year) is [complete]d [they shall deliver his property to]
8 [] who oversees the Many [] if []	[the ma]n who oversees the Many [] if []

We shall discuss the reconstruction of this text in two parts. First we may mention those parts of Baumgarten's reconstruction that seem almost certain. Then we shall discuss those parts of his reconstruction that are more open to debate.

It seems clear that line 3 begins a new topic, namely, the procedure for entrance into a community. Although the word יחד is not certain in this line, the construct state עצה in this line and the appearance of יחד

¹⁵ Following Baumgarten, *ibid.*, 67. Better: "they shall be asked."

¹⁶ Following Baumgarten, *ibid.*, 67, who reads שנייה for שנה. He explains: שנה "corresponds to שנה שנייה (IQS VI 21). Since the construct form is unlikely here, the omission of *yōd* may be an error." However, if the meaning is "a second year," the ordinal number alone would be somewhat unusual. A construct form might be more likely.

in line 6 make the reading of this word at the end of line 3 probable. This is already important information, because it indicates that we are dealing with a text that regulates entrance into a particular community, and not just one of the “camps” of the Damascus covenant as in CD XV. The reconstruction of לְהוֹסִיף therefore also seems correct (cf. 1QS VI,13–14).

In line 4 appear the words, “if there has fallen to him” and a word ending in כָּלוּ. Baumgarten completes this word as שָׁכָלוּ: “if his intelligence is adequate [literally: if his insight has fallen to him], they will examine him.” This reconstruction is likely to be correct. According to 1QS VI,14–15 the “man appointed at the head of the Many” is to test the candidate with respect to his insight (שָׁכָלוּ) and his deeds. If the candidate suits the discipline, he is allowed to enter the covenant, and the head of the Many teaches him the precepts of the community. It is probable that in 4Q265 the phrase “if his insight is allotted to him” implies admission into the community based on the candidate’s grasp of the law.

Finally, on analogy to 1QS VI,15 Baumgarten’s reconstruction of the end of line 4 is likely: “and when he stands before the Many.” However, on analogy to 1QS VI,16 I would translate וַיִּשְׁאַלוּ as “and they are questioned” rather than “and they ask” (about him).

Baumgarten’s other reconstructions are more speculative, although none of them is implausible. I would propose, however, a slightly different construal of the text as a whole. It seems to me that in line 4 we should translate וְדָרְשָׁה as “and one will test him (for one year),” or perhaps, taking the verb as a plural, “they (that is, the Many) will test him (for one year)”¹⁷ rather than “he shall instruct him (for one year).” For one thing, “instruct” is not an obvious translation for דָּרַשׁ. Moreover, in 1QS VI,17 the Many test the candidate (יִדְרֹשׁוּהוּ) for one year. Then, when that first year is completed, the Many are questioned (יִשְׁאַלוּ) about his affairs (VI,18). Such a sequence would also fit 4Q265 4 ii 4–5. That would mean that there would be no initial consultation of the Many after postulancy, as in 1QS VI,15–16, but only an initial interview with the overseer (4Q265 4 ii 3–4), followed by testing (דָּרַשׁ)

¹⁷ The manuscript appears to read יִדְרֹשׁוּ, but Baumgarten reads וְדָרְשָׁה. On the use of the suffix ה- for the 3rd person masculine, see Baumgarten’s comments in DJD 35.67 to 4Q265 4 ii 4, and in DJD 18.30 on the orthography of 4Q266.

and a consultation (תשאלו) of the Many at the end of the first year (4 ii 4–5).

Next, on the analogy of CD XV,14–15, I would suggest that, if at the end of the first year, the candidate is “not found” trustworthy,¹⁸ then the overseer instructs him in the correct interpretation of the law (4Q265 4 ii 5–6).¹⁹ Then, at the end of the second year, he has another chance to become a full member. Lines 6–7 may have read, “he shall not enter the council of the community until another year is complete,” or the like. In other words, on this reading the process of 4Q265 4 ii 3–8 would stand mid-way between the process of CD XV,5b–15b and 1QS VI,13c–23. Similar to CD XV,5b–15b would be that there is an initial examination by the overseer (4Q265 4 ii 3–4). Also as in CD XV,14–15, instruction by the overseer would happen only if the candidate fails in the first year (4Q265 4 ii 5–6). Such instruction would last one year, at the end of which the candidate would have the chance again to become a full member (4 ii 6–7).

In this way, we can see how the two-year novitiate may have grown out of the entrance procedure of the Damascus covenant, as the entrance requirements became ever more stringent. CD XV,5b–15b requires a one-year probation only for those who fail in their practice of the law after being admitted. 4Q265 4 ii 3–8 requires a one-year period of testing for everyone, followed by a year-long probation for those who fail their first year; hence a two-year novitiate for those who fail. Finally, 1QS VI,13c–23 requires a two-year novitiate for *all* new members.

As attractive as this hypothesis is, I must admit that it is speculative. Baumgarten’s reconstruction pushes 4Q265 4 ii 3–8 much closer to 1QS VI,13c–23 in its language and its overall conception. Baumgarten may well be right that 4Q265 4 ii 6–7 prohibits the novice from touching the drink of the Many “until another complete year” (עד [עד] שנה חמימה), and that at the end of the second year (ובמלאה לך שנה), they deliver his property to the overseer, since the language is very similar

¹⁸ This reading seems more likely than Baumgarten’s. Baumgarten reads (DJD 35.67): “if he is not found to be simple-minded.” However, presumably that determination is made at the initial examination (lines 3–4; cf. CD XV,11).

¹⁹ Cf. the reconstruction in Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition*, 1.546–47: “And if he is not found [trustworthy...] the Inspector of the community with regard to [the interpretation of] the law.” The words in brackets are נאמן and פרוש respectively.

to 1QS VI,17 (עד מולאת לו שנה תמימה) and VI,20–21 (עד מולאת לו שנה) (שניה). It should be noted, however, that in 1QS VI the term שנה תמימה is used for the first year of the novitiate, while in 4Q265 4 ii 3–8 it is used for what is apparently the second year of the novitiate. Thus 4Q265 4 ii 3–8 might not be as close to 1QS VI,13c–23 in its outline of the entrance procedure as Baumgarten's reconstruction suggests. It may be that the author of 1QS VI,13c–23 has borrowed language from 4Q265 4 ii 3–8 to describe a similar but considerably different procedure. In any case, the procedure in 1QS VI,13c–23 is more elaborate than the one in 4Q265 4 ii 3–8. And even if Baumgarten's reconstruction is correct, it has similarities to the procedure in CD XV,5b–15b, such as instruction for the candidate only if he is not a "simpleton," and in that case instruction in the precepts for one year.

In conclusion, we see that 4Q265 4 ii 3–8 has many similarities to the entrance procedure in 1QS VI,13c–23, in that it regulates entrance into a יחד, and in that it provides for a two-year discipline. On the other hand, the procedure seems to be less elaborate than that in 1QS VI,13c–23. Moreover, it can be argued that the entrance procedure of 4Q265 4 ii 3–8, like that of 1QS VI,13c–23, is an outgrowth of that in CD XV,5b–15b. Thus we may say that 4Q265 4 ii 3–8 possibly gives us insight into a development from the entrance procedure of the Damascus covenant to that of the *yahad*. Both the simple entrance procedure of 1QS V,7–10 and the more elaborate procedure of VI,13c–23 are ultimately based on the procedure of CD XV,5b–15b. The more elaborate procedure of 1QS VI,13c–23 comes by way of the development of a two-year discipline as seen also in 4Q265 4 ii 3–8, which is itself, however, probably based on the procedure that appears in CD XV,5b–15b. The importance of 4Q265 4 ii 3–8, then, is that it may give us insight into a transitional period from the Damascus covenant to the *yahad*.

5.2.2 Continuity in Halakah

In Chapter 3 I argued that the "memorandum" in CD VI,11b–VII,4a witnesses to the period between the time when a segment or a community from within the Damascus covenant began to separate itself from the temple (and probably from the rest of the covenant) and the time of final separation and move to the desert. The Damascus covenant cannot have been originally an anti-temple movement (although, as we saw in

Chapter 4, it seems to have had an ambiguous relationship to the temple), because we have evidence that its members participated in the temple cult (CD XI,18–19; 4QD^a [4Q266] 6 ii 3–4; 4QD^f [4Q271] 2,8=4QD^d [4Q269] 8 ii 1]). At some point, however, some members of the Damascus covenant decided to boycott the temple (CD VI,11b–14a), at least to the extent that they did not enter the temple to offer sacrifices at an altar that they considered invalid.²⁰ But these same members of the covenant affirmed the halakah of the Damascus covenant (VI,14, 19). Thus they stood in both continuity with and discontinuity from the Damascus covenant. I have suggested that this “memorandum” bears early witness to the break-off of a segment of the Damascus covenant. They entered a “covenant” (VI,11), an essential aspect of which was the boycott of the temple (VI,12–14a), which distinguished itself from the “new covenant in the land of Damascus” (=the Damascus covenant; VI,19) and yet stood in continuity with its halakah and its basic theological orientation. This “covenant” (VI,11) is, I suggest, the covenant that would eventually become the *yahad*.

That the halakah of the *yahad* stood in continuity with that of the Damascus covenant is supported by several texts. First, 1QS IX,9–10 says of the members of the *yahad* that they are to be “ruled by the first regulations by which the men of the *yahad* began to be disciplined until the prophet comes, and the messiahs of Aaron and Israel.” CD XX,31 also mentions the “first ordinances,” and, as I argued in Chapter 2, the “first” ordinances are very likely the old halakah of the Damascus covenant.²¹ They remain binding on the members of the *yahad*.

Moreover, we have direct evidence that the *yahad* continued to be governed by that halakah. CD IX,2–8b interprets Lev 19:17–18 thus:

And as for what he [God] said [Lev 19:18]: “You shall not take vengeance or bear resentment against the sons of your people”: everyone of those who are brought into the covenant who brings an accusation (דבר) against his fellow without reproach before witnesses (אשר לא בהוכח לפני עדים), or who brings it in the heat of his anger, or who tells it to his elders so as to cause them to despise him, he is the one “who avenges himself and who bears resentment.” It is not written except only that [=it is written that only] “he [God] takes vengeance on

²⁰ It is possible that they continued to send gifts to the temple. See p. 117, n. 74 in Chapter 3.

²¹ See p. 73 in Chapter 2.

his adversaries, and bears resentment against his enemies” [Nah 1:2]. If he keeps silent about him from day to day, and then, in the heat of his anger against him, brings an accusation against him in a capital matter, he has testified against himself, because he has not fulfilled the commandment of God who said to him [Lev 19:17]: “You shall reproach your fellow and not incur sin because of him.”

CD IX,16–X,3 sheds further light on this regulation:

Any matter in which a man sins against the law, and his fellow sees it, and he is alone, if it is a capital matter, then he shall report it in his presence...with reproach to the overseer, and the overseer will record it personally, for the time when he might do it again before someone, and he again reports it to the overseer. If he is caught again in the presence of someone, his judgment is complete. But if there are two, and they testify about one occasion,²² then the man is to be excluded from the purity...if they are trustworthy. On the day that he sees the man, he is to make it known to the overseer. And concerning riches, they will accept two trustworthy witnesses. And on the basis of one they will exclude from the purity. But a witness will not be accepted by the judges to condemn to death on his word who has not completed his days to pass over into those who are enrolled, who fears God. Not to be believed as a witness against his fellow is a man who deliberately transgresses anything commanded until he has been purified to return.

This regulation is intended to ensure that accusations are brought fairly, promptly, and with sincere motivation. If a member of the covenant catches another member violating the law, he must rebuke that member and report the violation to the overseer in the presence of the culprit, and he must do so on the day that the violation occurs. The “reproach” (הוכח) is a report to the overseer that became a part of a member’s official record. More than one witness was needed to convict, as stipulated by biblical law (Deut 17:6; 19:15). The Damascus covenant interpreted the texts from Deuteronomy as meaning that three witnesses were necessary in capital cases, and two in other cases. The two or three witnesses, however, did not have to be witnesses to the *same occurrence* of the violation. Two or three witnesses to successive violations were also valid. Thus the reproach served the purpose of keeping a careful record of multiple occurrences. Every reproach had to be made on the day that the violation occurred. Later memories of a

²² Reading דבר אחר for דבר אחר. So Rabin, *The Zadokite Documents*, 48.

violation could not be trusted. If an accuser waited, and then reported a violation at a later time, he might be suspected of bearing a grudge against a neighbor, or of seeking vengeance unjustly.

It is clear from CD VII,2–3 that this halakah belonged to the Damascus covenant (cf. also VIII,5–6/XIX,18).²³ But there is evidence that it continued to be binding later in the *yahad* also. The interesting document 4Q477 shows us that these “reproaches” really were recorded. The initial title proposed for this text was *The Rebukes by the Overseer*,²⁴ but it is more appropriately called *The Overseer’s Record of Rebukes* or the like, since the reproaches were reported to the overseer by members of the covenant and recorded by him.²⁵ In any case, what we have in fragment 2 is a series of names, presumably of members of the community, with the reasons why others “reproached” (הוכיחו) them. The first line of fragment 1 reads: “to remember their sins” ([ל]הזכיר את נעויהם). That agrees precisely with the purpose of the reproaches, as we discussed above: to keep an accurate record, since later “memory” of past violations was not valid.

The texts are fragmentary, but the word יחד quite likely appears in 2 ii 6, and possibly also in 2 i 1. There is no way to be certain that the יחד referred to here is the *yahad* of Qumran (or the one that eventually settled there). It seems from 1QS VI,3–4 that there may have been more than one *yahad* that arose out of the Damascus covenant (more on this below). But there is no reason not to think that the *yahad* of 4Q477 is the Qumran community or the one that eventually settled there. Some of the reproaches in 4Q477 are rather general: for being an “evildoer” (2 ii 2), for having a “boastful spirit” (2 ii 4), for troubling the spirit of the community (2 ii 6), for “badness” (2 ii 7). One of the reproaches is for being short-tempered” (2 ii 4), a trait that is attributed to the spirit of injustice in 1QS IV,10. Another reproach (2 ii 6) is for “mixing” or “sharing” (ערב). We know from the *Rule of the Community* that full members were not to “mix” (ערב) their possessions with the posses-

²³ Note also that those who enter the Damascus covenant in XV,5–6 are described as those who have reached the age “to pass over into the enrolled” (לעבור על הפקודים), just as in X,1–2.

²⁴ Esther Eshel, “4Q477: *The Rebukes by the Overseer*,” *JJS* 45 (1994) 111–22.

²⁵ As pointed out by Charlotte Hempel, “Who Rebukes in 4Q477?” *RevQ* 16 (1995) 655–56. In the critical edition (DJD 36.474–83) Eshel entitles the work *4QRebukes Reported by the Overseer*. She points out (p. 476 n. 4) that the overseer may also have reported (read in public) the list of rebukes.

sions of those who were outside the community or who were not yet full members (1QS VI,17; VII,26; VIII,23; IX,8).²⁶

In 1QS V,24d–VI,1b we have a small piece of halakah that is probably directly dependent on the halakah of the Damascus covenant:

[One should] reproach (להוכיח) one another in truth (אמת) and humility (ענוה) and compassionate love (אהבה חסד) for one's fellow. No one should speak to his brother in anger or in murmuring or with [stubborn] neck [or with the zeal of a] wicked spirit, and he should not hate him [in the foreskin] of his heart, but rather he should reproach him (יוכיחי) on that day and not incur sin because of him. And in addition no one should bring a case (דבר) against his fellow before the Many unless it is with reproach before witnesses (אשר לוא בתוכחה לפני עדים).

We have here the same concerns as we find in CD IX–X, namely, that reproaches be brought on the day of violation, and that no case be brought against anyone without the proper reproach. That the halakah here is dependent on that in CD is suggested by the fact that the combination of the legislation from Lev 19:17–18 and Deut 17:6; 19:15 is not worked out as it is in CD IX–X but simply presupposed. The fact that this halakah appears in the *Rule of the Community*, embedded between two pieces of community legislation (1QS V,20b–23c and VI,1c–8), indicates that it continued to be binding in the *yahad*. Furthermore, the virtues of truth, humility, and compassionate love are the classic virtues of the *yahad* (V,3–4; VIII,2); the halakah on reproach has been set within the framework of those virtues.

It is interesting to note, however, that VI,1c–8 regulates life “in all *their* residences,” that is, requiring that “in *every place* where there will be ten men from the council of the community (יחד)” there also be a priest. That implies that there may have been more than one *yahad* that grew out of the Damascus covenant. The stipulation that wherever ten men are gathered together there must be a priest among them also appears in CD XIII,2–3, which says: “and in a place of ten there should not be lacking a priest learned in the book of *hagy*, and by his authority shall all be governed.” As I showed in Chapter 4, this group of ten, led by a priest, was the basic unit that constituted the congregations of the

²⁶ CD IX,16–17 applies the halakah regarding reproaches to sins against the law. The examples of 4Q477 do not appear to be sins against the law of Moses. However, one can imagine that the halakah regarding reproaches for violations of the law could be expanded to cover violations of community discipline.

camps of the Damascus covenant.²⁷ In 1QS VI,4 also the priest has highest authority among the ten. Moreover, just as in CD XIII,2 the priest must be learned in the book of *hagy*, so also in 1QS VI,7 the Many are to read “the book” every night. As I have argued in Chapter 4, this “book” is most likely the book of *hagy*. That all members of the ten are to study the “book” probably reflects CD X,4–6. I showed in Chapter 4 that the group of ten men who act as judges for the congregation in CD X,4–6, and who must be learned in the book of *hagy*, are probably a development of the group of ten known to us from CD XIII,2. Thus the groups of ten in 1QS VI,1c–8 reflect the developed polity of the Damascus covenant and are an outgrowth from it.

The fact that the halakic material in 1QS V,24d–VI,1b appears in connection with the section VI,1c–8 suggests that it was halakah common to all the “camps” of the Damascus covenant, and that the *yahad* that produced the *Rule of the Community* was originally one of those camps. The fact that the halakah appears in CD VII,2–3, which, I have argued, reflects the views of a segment of the Damascus covenant that boycotted the temple, entered a covenant, and eventually became the *yahad* (of Qumran), gives further support for this view. It is striking that in 4Q477, which gives us concrete illustrations of how this halakah was used, we find the very same juxtaposition of the *yahad* with the “camps.” As noted above, the reading יחד in 4Q477 2 ii 6 is probable, though not certain. The document probably comes from the *yahad* that settled at Qumran. Yet alongside of the *yahad*, the document also mentions the “camps of the Many” (2 i 3). That juxtaposition, like 1QS VI,1c–8, indicates that the *yahad* was an outgrowth of the camps of the Damascus covenant. In fact, it may even indicate that the *yahad* and the camps coexisted for some time.

At this point it will be helpful to summarize our findings. We have found that the procedure for entrance into the *yahad* stands in direct continuity with the Damascus covenant. In fact, we have found two different entrance procedures, one in 1QS V,7–10, and one in VI,13c–23, that are explicable on the basis of the procedure for entrance into the Damascus covenant in CD XV,5b–15b. There is a development from the simpler procedure in 1QS V,7–10 (and CD XV,5b–15b) to the more elaborate one in VI,13c–23. The way this development occurred may still be visible in 4Q265 4 ii 3–8.

²⁷ See Chapter 4, pp. 214–17.

The halakah of the *yahad* also stands in direct continuity with the Damascus covenant. We have seen an example of this in the halakah on “reproach.” Moreover, the study of this halakah has led us to texts that indicate that the *yahad* developed out of, and for a time may have even existed side-by-side with, the “camps” of the Damascus covenant. This result agrees with our findings from CD VI,11b–VII,4a, namely, that a group broke away from the Damascus covenant, entered its own covenant, and eventually became the *yahad*, and that this group affirmed the halakah of the Damascus covenant. The issue of participation in the temple cult appears to have been an important factor that led to the breaking off of this group.

5.3 *The Rise of the yahad: The Intermediate Period*

5.3.1 *The Evidence of MMT*

It is now time to extend this investigation in order to see whether there is further evidence that can clarify this history. It is thought by some that the Damascus covenant arose in response to the Hellenization crisis,²⁸ and furthermore that the Qumran community (or the community of the Teacher) arose either out of that crisis,²⁹ or as a result of disagreement over allegiance to the Teacher of Righteousness,³⁰ or disagreement over the decision to boycott the temple,³¹ or disagreement over the decision to move to the desert.³² I have argued in Chapter 4 that the roots of the Damascus covenant go back considerably farther than the Maccabean period. Moreover, although I consider the split that occurred over allegiance to the Teacher and the decision to move to the

²⁸ Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 247–50; idem, *The Library of Qumran: On the Essenes, Qumran, John the Baptist, and Jesus* (Grand Rapids: Eerdmans, 1998) 145–49; Geza Vermes, *An Introduction to the Complete Dead Sea Scrolls* (Minneapolis: Fortress Press, 2000) 132–38.

²⁹ Vermes, *ibid.*

³⁰ Stegemann, *Entstehung*, 251–52; idem, *Library*, 150–51.

³¹ Stegemann, *Entstehung*, 251.

³² Jerome Murphy-O'Connor, “The Essenes and Their History,” *RB* 81 (1974) 237–38.

desert to have been important events in the history of the *yahad*, it has become increasingly clear that these events alone cannot explain the rise of the Qumran community. There are a number of DSS texts that testify to an intermediate period in the history of the *yahad*, that is, to a period between the time when a group within the Damascus covenant decided to separate from the Damascus covenant and to form a new community, and the time when that community moved to the desert. We have already seen that 4Q265 and CD VI,11b–VII,4a are, so to speak, transitional texts, in that they reflect development in polity from the Damascus covenant to the *yahad* (4Q265) and a transitional period in the history of a group that broke off from the Damascus covenant yet retained allegiance to its halakah (CD VI,11b–VII,4a). There is another such “transitional text” that will help us to understand this intermediate period even more clearly: 4QMMT (4Q394–399), also known as *4QHalakhic Letter* or *Miqsat Ma‘ase Ha-Torah* (henceforth *MMT*). It is necessary to discuss this work at some length.

Although work on this very important text is likely to continue for years to come, it is possible already to draw from *MMT* some essential insights that can help us understand the earliest history of the group that formed the *yahad*. I shall discuss five important insights:

(1) It is probable that *MMT* comes from a very early time in the history of the group that became the Qumran community. Indeed, we would properly speak of the document reflecting a *pre-Qumranic* stage in the history of the group that became Qumran.³³ There are numerous indications that suggest a pre-Qumran dating. The characteristic theology, community designations, and polemic of the Qumran community are not yet present in *MMT*. So, for example, while *MMT* contains polemic against a group with whom it has halakic disagreements, it lacks the polemical terminology of the later Qumran literature (e.g., “sons of the pit”; “seekers of smooth things,” etc.). *MMT* lacks the dualistic language (e.g., “sons of light”) and apocalyptic outlook of

³³ The editors of the critical edition, John Strugnell and Elisha Qimron, disagreed on this point. While Strugnell favors the view that *MMT* originated “in the Qumran group, or in one of its antecedents” (DJD 10.121; cf. also pp. 113, 117, 120), Qimron favored the view that the authors’ group “is clearly the Dead Sea sect” (p. 175). Also favoring a pre-Qumran setting is Florentino García Martínez, “4QMMT in a Qumran Context,” *Reading 4QMMT: New Perspectives on Qumran Law and History* (ed. John Kampen and Moshe J. Bernstein; Atlanta: Scholars Press, 1996) 15–27.

Qumran writings (although see “Belial” in C 29).³⁴ Finally, *MMT* is concerned with intermarriage between priests and Gentiles (or priests and laity) but not with the occupation of the high priesthood. That is very different from later Qumran literature, such as the *pesharim*, which are concerned with the issue of the occupant of the high priest but are not concerned with intermarriage in the priesthood.³⁵ All of this supports the view that *MMT* comes from an early time in the history of the group that would become the Qumran community, but that we cannot speak of the text as coming from the Qumran community itself.³⁶

(2) *MMT* may very well be evidence for a division within the Zadokite priesthood. One of the most interesting things about *MMT* is that the group represented by the authors espouses halakah that is attributed to the “Sadducees” in rabbinic literature, while the opponents of this group espouse halakah that is attributed to the “Pharisees” in rabbinic literature.³⁷ Since the classical sources seem to indicate that the Sadducees and Essenes were different parties, scholars have sought to explain the apparent anomaly that in *MMT* the “Essenes” (if we call the authors of the text by that name)³⁸ hold Sadducean positions by

³⁴ I follow the section divisions and line numbers of the “composite text” in the critical edition (DJD 10.43–63). On “Belial” here see Chapter 6 (p. 319).

³⁵ DJD 10.121 (Strugnell). On pp. 171–75 Qimron discusses the halakah on priestly marriage. Cited on p. 171 n. 178a is a personal communication from Joseph M. Baumgarten, who proposes that *MMTB* 80 has to do with intermarriage between priests and Gentiles rather than priests and lay Israelites (see now also Joseph M. Baumgarten, “The ‘Halakha’ in *Miqsat Ma‘ase ha-Torah (MMT)*,” *JAOS* 116 [1996] 515–16). The reconstruction of the end of B 80 and the beginning of B 81 is too uncertain to draw a definite conclusion. For our purposes, the important point is that the polemic against illegitimate marriages is different from polemic against a disputed occupancy.

³⁶ Since the term *קהל* does not appear in *MMT* it is best that we avoid the term “community” to describe the entity that produced it, even if it was the early *yahad* (that is, the group that was in the process of forming what would become the *yahad*) that produced it. The editors in DJD 10 use the words “group” (p. 121), “movement” (p. 120), and even “community” (p. 114). Henceforth I shall use the word “group.”

³⁷ DJD 10.116–17, 152–54, 161–62, 176; see further Joseph M. Baumgarten, “The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts,” *JJS* 31 (1980) 157–69.

³⁸ I do not think that we should call the authors of *MMT* “Essenes.” That is to denominate them according to a title that appears in the classical sources only at a much later time. I use the term only to present the argument of others. One of the purposes of the present volume is to show that we have to be very careful to distinguish between different groups in Second-Temple Judaism (e.g., Essenes, Qumran, Damascus

suggesting that what the rabbinic sources call the “Sadducees” may have actually constituted more than one party.³⁹ That hypothesis is very likely to be correct. The name “Sadducee” (Greek Σαδδουκαῖος; Hebrew צדוקי) is probably derived from “Zadok” (צדוק), and the Sadducean party probably originated among Zadokite priests. It will be no surprise if, after the loss of Zadokite control over the temple in 175/172 BC, more than one party laid claim to the leadership of the Zadokite priesthood. That will have happened first when Jason and Menelaus were appointed high priests. To be sure, Jason was a Zadokite (Oniad), but he will not have won support from priests in conservative Zadokite circles (cf. Josephus, *A.J.* 12.237–41; 2 Macc 4–5). After a short high priesthood he was replaced by Menelaus who was probably not a Zadokite (Oniad) at all.⁴⁰ Nor was the next high priest, Alcimus, a Zadokite. With the (at least temporary) end of the Zadokite high priesthood there will have been a struggle for the leadership of the Zadokite priesthood.⁴¹ This may have led to a division within the Zadokite priesthood. There was one group of conservative Zadokite priests who eventually constituted the leadership of the Qumran community. Other Zadokites, perhaps pro-Hellenistic priests, eventually became the party of the “Sadducees” as usually understood. That would explain why we find similar halakah in the group behind *MMT* and in the later reports on the views of the צדוקים in rabbinic literature. Thus we may suppose that behind *MMT* lie the views of Zadokite priests who were espousing traditional Zadokite halakah.⁴²

Covenant). Although these groups may have been very closely related to each other, we cannot simply assume their identity with each other.

³⁹ DJD 10.116–17; Baumgarten, “Controversies,” 157, 166–67.

⁴⁰ According to *A.J.* 12.238–39 Menelaus (also called Onias) was a brother of Jason (Jesus) and therefore son of Simon the high priest and an Oniad (see also 12.387; 15.41). But according to 2 Macc 4:23 Menelaus was the brother of a different Simon (cf. 3:4–6) and not an Oniad. See the note in Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ* (3 vols.; rev. ed.; Edinburgh: T & T Clark, 1973–87) 1.149 n. 30.

⁴¹ It has usually been thought that the Hasmonians were non-Zadokites. Recently, however, Alison Schofield and James C. VanderKam, “Were the Hasmonians Zadokites?” *JBL* 124 (2005) 73–87, have argued that they were Zadokites.

⁴² Thus there is no reason to call *MMT* an “Essene” work (see n. 38 above). *MMT* is better called Zadokite (or even “Sadducean,” if that term is understood broadly enough) than “Essene.”

It has long been thought that dispossessed Zadokite priests played a leading role in the Qumran community.⁴³ We shall say more about that later, but for the moment we may note that *MMT* can serve as important confirmation of that view also. That is to say, what we have in *MMT* is probably the halakah of a group of Zadokite priests who were opposed to the adoption of a proto-Pharisaic halakah and an alternative calendar by some in the priesthood (different from those who became the Sadducees) and by the leadership in Jerusalem. This group would eventually form the leadership of the Qumran community. Such a hypothesis coheres well with the postulated early date for *MMT*. The document comes from a period when its Zadokite authors had separated themselves from the priesthood in Jerusalem but had not yet isolated themselves in a separatist community; nor had they hardened into a separate “sect,” such as the “Essenes.” The authors are best described as dissident Zadokites who preserved a traditional form of Zadokite halakah and were opposed to other priests who had adopted proto-Pharisaic halakah.⁴⁴

(3) That *MMT* preserves a traditional form of Zadokite halakah is supported by another observation that deserves to be treated separately, namely, that there are affinities between *MMT* and the halakah of the *Damascus Document*. Since others have demonstrated the affinities in detail, it is unnecessary to repeat them here.⁴⁵ Elsewhere I have argued that much of the halakah of the *Damascus Document* is relatively old,

⁴³ See, for example, Frank Moore Cross, “The Early History of the Qumran Community,” *New Directions in Biblical Archaeology* (ed. David N. Freedman and Jonas C. Greenfield; Garden City, N.Y.: Doubleday, 1969) 72.

⁴⁴ In agreement with DJD 10.121; cf. also Otto Betz, “The Qumran Halakhah Text Miqṣat Ma‘ašê Ha-Tôrâh (4QMMT) and Sadducean, Essene, and Early Pharisaic Tradition,” *The Aramaic Bible: Targums in their Historical Context* (ed. D. R. G. Beattie and M. J. McNamara; JSOTSup 166; Sheffield: Sheffield Academic Press, 1994) 197; Lawrence H. Schiffman, “The Place of 4QMMT in the Corpus of Qumran Manuscripts,” *Reading 4QMMT* (ed. John Kampen and Moshe J. Bernstein) 98.

⁴⁵ See Charlotte Hempel, “The Laws of the Damascus Document and 4QMMT,” *The Damascus Document: A Centennial of Discovery* (ed. Joseph M. Baumgarten, Esther G. Chazon, and Avital Pinnick; STDJ 34; Leiden: E. J. Brill, 2000) 69–84; and Schiffman, “The Place of 4QMMT in the Corpus of Qumran Manuscripts,” 90–94, 97–98. Some of the parallels adduced by Hempel and Schiffman are too general to be of probative value, but there seem to be enough examples of agreement between *MMT* and the halakah of the *Damascus Document*, at least in the principles of the halakah and sometimes also in the details (see especially Hempel’s list on p. 82, and p. 93 in Schiffman), to make a relationship between them probable.

having roots in early Second-Temple Judaism, and that the Damascus covenant that espoused this halakah consisted at least in part of dissident Zadokite circles who were opposed to some of the policies of the Zadokite priesthood in Jerusalem in the 3rd (and perhaps already the 4th) century.⁴⁶ It is likely, then, that the halakah of the *Damascus Document* (or at least some of it) has a Zadokite origin. The agreement of *MMT* with the *Damascus Document* speaks in favor of a Zadokite origin for the halakah of *MMT* also.⁴⁷

⁴⁶ See Chapter 4, pp. 196–206, 221–24, 227.

⁴⁷ It may also be noted that there are agreements between *MMT* and the halakah of the *Temple Scroll*. Once again, other scholars have demonstrated the affinities, and it is not necessary to repeat them here (see Schiffman, “The Place,” 86–90, 97–98; idem, “*Miqṣat Ma‘aśeh Ha-Torah* and the *Temple Scroll*,” *RevQ* 14 [1990] 435–57). Schiffman has also pointed out some differences (“The Temple Scroll and the Systems of Jewish Law of the Second Temple Period,” *Temple Scroll Studies* [JSPSup 7; ed. G. J. Brooke; Sheffield: JSOT Press, 1989] 245–50). Affinities between the *Damascus Document* and the *Temple Scroll* have also been demonstrated (see Lawrence H. Schiffman, “The Relationship of the Zadokite Fragments to the Temple Scroll,” *The Damascus Document: A Centennial of Discovery*, 138–43; Michael O. Wise, *A Critical Study*, 139–47; Yigael Yadin, *The Temple Scroll: The Hidden Law of the Dead Sea Sect* [New York: Random House, 1985] 230–32 and passim). Schiffman, “The Sadducean Origins of the Dead Sea Scroll Sect,” *Understanding the Dead Sea Scrolls* (ed. Hershel Shanks; New York: Vintage Books, 1993) 44–45, observing that sometimes “the Temple Scroll provides a scriptural basis when *MMT* cites only the law,” suggests that the exegetically based halakah of the *Temple Scroll* may give us some insight into the Sadducean brand of literalism attributed to the Sadducees in ancient sources. “They rejected laws unrelated to the Bible.” Indeed, it is well known that the halakah of the *Damascus Document* is also exegetically based (see Philip R. Davies, “Halakhah at Qumran,” *A Tribute to Geza Vermes: Essays on Jewish and Christian Literature and History* [ed. Philip R. Davies and Richard T. White; JSOTSup 100; Sheffield: JSOT Press, 1990] 44–45). As I have argued in Chapters 3 and 4 (see pp. 82, 83, 98, 221), the biblical basis for the exegetical origin of this halakah very likely lies in Deut 29:28: the need to find out the hidden things of the law, which was accomplished by “digging a well,” that is, by exploring Scripture ever more deeply, to explain Scripture via Scripture (cf. CD VI,2b–11a: God raised up wise men [חכמים] to dig a well [באר]; 1Q22 II,8–9, if the editors’ reconstruction is correct [DJD 1.93–94]: God commands Israel to choose wise men [חכמים; perhaps with reference to Deut 1:13] whose task is to explain [לכאר] the law). Might this be the basis for Josephus’s statement (*A.J.* 13.297) that the Sadducees reject the Pharisaic oral tradition and accept only the Bible? That does not mean, of course, that the Sadducees did not interpret the law, for it must always be interpreted. The exegetically based halakah of the *Damascus Document* and the *Temple Scroll* may be an example of a “Bible only” approach.

Another point of agreement between *MMT* and the *Damascus Document* provides further support for the hypothesis that *MMT* contains a halakic tradition similar to that of the *Damascus Document*, as well as the general outlook of the Damascus covenant. *MMT*, like the *Damascus Document*, has an all-Israel frame of reference rather than that of a particular community.⁴⁸ I have argued in Chapter 4 that in its origins the Damascus covenant was a covenant for “all Israel.” That suggests that *MMT* comes from a time in history when the group behind it was still conscious of an all-Israel scope and purpose, and had not yet isolated itself from the rest of Jewish society. We saw above that the halakah of the *yahad* as we know it from the *Rule of the Community* stands in continuity with that of the Damascus covenant. That the halakah of *MMT* is similar to that found in the *Damascus Document* suggests that *MMT* also stands in continuity with the Damascus covenant and thus forms a bridge between the Damascus covenant and the *yahad*.

(4) Prominent among the concerns of *MMT* is the matter of purity. The authors accuse their opponents of not maintaining high enough standards of purity (B 15, 55–59, 64–68, 72–74) and of accepting all kinds of legal interpretations and practices that lead to the defilement of the temple (B 5, 8, 41–42, 49, 54, 58). The text leaves the impression that the authors consider the temple to be practically in a constant state of defilement because of the failure of the priests and the people to safeguard purity. For this reason, I consider it probable that the group behind *MMT* has already decided to boycott the temple.⁴⁹ In that judgment I differ from the editors of the critical edition, who remark that “*MMT* implies that the ‘we’ group regularly administered the Jerusalem Temple. Qumran literature does not imply that, but rather the opposite, sometimes *e silentio* and sometimes most specifically.”⁵⁰ However, the editors give no evidence for the first part of their assertion. When the “we” group says that “we have separated ourselves from the multitude of the people [and from all their impurity] and from

⁴⁸ In agreement with Hempel, “Laws,” 71, 73, 81. Cf. also DJD 10.115: “From *MMT* we learn that the sectarians did try to propagate their halakha elsewhere in Israel.” That differs from the later position of the *yahad*, represented in 1QS IX, 16–17, which prohibits arguments with the community’s enemies.

⁴⁹ Cf. similarly Lawrence H. Schiffman, “The New Halakic Letter (4QMMT) and the Origins of the Dead Sea Sect,” *BA* 53 (1990) 66.

⁵⁰ DJD 10.121.

being involved in these matters and from participating with them in these things" (C 7–8), that seems to imply that the "we" group has turned away not only from the multitude of the people but also from the temple ("participation with them in these matters" presumably including participation in the temple). In CD XX,23–24 defilement of the temple is connected with walking in the way of the people. It is possible that in *MMT* also the practices of the people of Israel are seen as defiling the temple and making participation in the temple cult impossible for the "we" group. The "we" group, however, has not yet given up hope that the Jerusalem leadership will adopt its standards of purity, so that they might be able to return to the temple. And there is no evidence that the group has physically left Jerusalem to move to the desert.⁵¹

(5) The main halakic section of *MMT* (B 1–C 9) addresses the recipients of the letter in the second-person plural, while the third section (the epilogue, C 10–32) addresses a single recipient in the second-person singular. Moreover, the third section contains references that suggest that the recipient addressed there was a political ruler of Israel. In C 23 the authors call upon the addressee to "remember the kings of Israel and contemplate their deeds," that is, they call upon the recipient to learn from the experiences of kings of the past: whoever of them feared the Torah was delivered from trouble and forgiven sin. In C 25–26 they give David as an example to be followed. The authors say that they have sent the letter "for your [singular] welfare and the welfare of your [singular] people" (C 26–27). Similarly, C 31–32 says that "it will be reckoned to you as righteousness when you do what is upright and good before" God, "for your welfare and for the welfare of Israel." These lines strongly suggest that the recipient is a ruler of Israel. By contrast, the earlier halakic section is probably addressed to priests who are admonished not to forsake the Zadokite halakah for proto-Pharisaic halakah.⁵² Moreover, although the ruler is admonished to follow the correct interpretation of the law given by the authors, the

⁵¹ If the group behind *MMT* considered Jerusalem, insofar as it was the "camp" (B 29–30), to be defiled, they may have felt obliged not only to cease participation in the temple but also to stay outside of Jerusalem. As we shall see when we return to the *Rule of the Community*, however, there is evidence that the *yahad*'s move to the desert did not happen immediately upon the community's formation. So perhaps in *MMT* we witness a period in the history of the group before it had departed from Jerusalem.

⁵² Schiffman, "The New Halakhic Letter," 69.

leader is still addressed in respectful terms (C 27–28), and the authors apparently have not yet given up hope that they can win over this ruler to their side.

As the editors of the critical edition observe, this irenic attitude, so different from the hostility towards the Jewish leaders in the later Qumran literature, makes sense in light of 1QpHab VIII,8–11. There we read with regard to the (or a) Wicked Priest that he was “called faithful [or belonged to the faithful] at the beginning of his office, but when he ruled over Israel he became proud and deserted God and betrayed the law for the sake of riches.”⁵³ If the recipient of *MMT* is none other than the Wicked Priest described in 1QpHab VIII,8–11, we can understand the document as coming from the earliest period of this (high) priest’s office, the period when according to 1QpHab VIII,9 he was considered to be “faithful.” Given the polemic of *MMT* it may seem difficult to believe that its authors viewed the recipient as “faithful.” It must be remembered, however, that the polemic regarding halakah in B 1–C 9 does not have in view the ruler himself, but rather those (probably priests and the laity who follow them) who are espousing an alternative halakah. Note that the authors of *MMT* consider the recipient to “have wisdom and knowledge of the Torah” (C 27–28). In other words, they view him in a friendly way. The authors look upon the recipient as one who has not yet been completely lost to their cause. They call on him to support their halakah and not that of their opponents.

I shall not enter here into the vexing problem whether the Qumran *pesharim* apply the epithet “Wicked Priest” to one priest only, or whether they use the term for more than one priest. It seems likely to me that the multiple references to the “Wicked Priest” (or simply the “Priest”) in the Habakkuk *peshar* may refer to more than one high priest.⁵⁴ For our purposes, however, it will be helpful if we can identify

⁵³ DJD 10.118.

⁵⁴ See William H. Brownlee, “The Wicked Priest, the Man of Lies, and the Righteous Teacher—The Problem of Identity,” *JQR* 73 (1982) 1–37; A. S. van der Woude, “Wicked Priest or Wicked Priests? Reflections on the Identification of the Wicked Priest in the Habakkuk Commentary,” *JJS* 33 (1982) 349–59; Timothy H. Lim, “The Wicked Priests of the Groningen Hypothesis,” *JBL* 112 (1993) 415–25; A. S. van der Woude, “Once Again: The Wicked Priests in the *Habakkuk Peshar* from Cave 1 of Qumran,” *RevQ* 17 (1996) 375–84; Igor R. Tantlevskij, “The Two Wicked Priests in the Qumran Commentary on Habakkuk,” *QC* 5 (1995) 1–39 (Appendix C) (this is

the Wicked Priest of 1QpHab VIII,8–11. The editors of *MMT* argue that the most likely candidates for identification of the Wicked Priest mentioned in 1QpHab VIII,8–11 are Alcimus, Jonathan, and Simon Maccabaeus (less likely John Hyrcanus).⁵⁵ I think that there is significant evidence that supports an identification of the Wicked Priest in those lines with Jonathan.⁵⁶ A. S. van der Woude has argued that since 1QpHab IX,9–12 probably refers to Jonathan, and since that passage already presupposes a rift between Jonathan and the Teacher of Righteousness, it is “extremely doubtful” that VIII,8–11 also refers to Jonathan.⁵⁷ He proposes instead that the Wicked Priest of 1QpHab VIII,8–11 be identified with Judas Maccabeus.⁵⁸ But this reasoning constitutes a *non sequitur*. It is only valid if we assume that there cannot be more than one reference to Jonathan among the Wicked Priest passages. But there is no *a priori* basis for such a limitation. Even if 1QpHab IX,9–12 refers to Jonathan, which is quite possible but not certain, VIII,8–11 could refer to an earlier time in Jonathan’s career, before the rift with the Teacher.

Moreover, the evidence of 4Q448 and 4Q523, texts that mention a “(King) Jonathan,” may give some additional support for viewing the Wicked Priest of 1QpHab VIII,8–11 as Jonathan. 4Q448 includes a prayer for “King Jonathan,” namely, that God would rise on his behalf,

available from Enigma Press [Cracow – St. Petersburg], 1995); Timothy H. Lim, “Wicked Priest,” *Encyclopedia of the Dead Sea Scrolls* (2 vols.; ed. Lawrence H. Schiffman and James C. VanderKam; Oxford: Oxford University Press, 2000) 2.973–76.

⁵⁵ DJD 10.118–19.

⁵⁶ It would be difficult to characterize Alcimus as having been faithful at the beginning of his rule, as far as we know it. According to Josephus, Alcimus was appointed high priest in 162 BC by Antiochus Eupator after the latter executed Menelaus (*A.J.* 12.385, 413). According to 1 Macc 7:9 Demetrius appointed Alcimus in 161. But 2 Macc 14:3–14 suggests that Alcimus may have been reconfirmed rather than appointed by Demetrius, and that would support Josephus’s dating. That means that we do not know what Alcimus’s performance was like at the beginning of his term (for about one year). However, 2 Macc 14:3 implies that he was faithless from the beginning, and the descriptions that we do have of his term in office show that he colluded with the Seleucid kings and betrayed the *hāsīdīm* (1 Macc 7:8–25; 2 Macc 14:1–14). There is no reason to think that pious Jews ever considered him faithful.

⁵⁷ van der Woude, “Once Again,” 383.

⁵⁸ *Ibid.*; see also van der Woude’s earlier article, “Wicked Priest or Wicked Priests?” 354–55.

give the people of Israel peace and, apparently, grant Jonathan success in his wars. The first editors of 4Q448 argued that this “Jonathan” could not be Jonathan, the brother of Judas Maccabeus, since he did not bear the title “king.” Therefore he must be Alexander Jannaeus, also known as Jonathan, who did bear the title “king.”⁵⁹ However, subsequent writers have argued that there is a very good chance that contemporaries of Jonathan, son of Mattathias, did view him as a king.⁶⁰ Probably Jonathan would not have dared to accept the title of king. According to 1 Macc 10:65 Jonathan was appointed “general and governor” by King Alexander. Yet according to 1 Macc 10:20, when Jonathan became high priest, King Alexander gave him a purple robe and a golden crown. The author of 1 Maccabees interprets the robe as a “holy vestment,” but these accoutrements could have been viewed by

⁵⁹ See Esther Eshel, Hanan Eshel, and Ada Yardeni, “Who Was He? Rare DSS Text Mentions King Jonathan,” *BAR* 20 (1994) 75–78; and “A Qumran Composition Containing Part of Ps. 154 and a Prayer for the Welfare of King Jonathan and his Kingdom,” *IEJ* 42 (1992) 208, 216–18; and DJD 11.404, 412–413, 422. See now also Hanan Eshel and Esther Eshel, “4Q448, Psalm 154 (Syriac), Sirach 48:20, and 4QpISA^a,” *JBL* 119 (2000) 645–59, where they suggest that column A of 4Q448, which contains material similar to the apocryphal Psalm 154, contained a prayer of Hezekiah and Isaiah to God for deliverance from Sennacherib, and that columns B and C connected this event with events in the reign of Alexander Jannaeus. Columns B and C contained a prayer for the welfare of Jannaeus. The argument is highly speculative.

⁶⁰ Geza Vermes, “The So-Called King Jonathan Fragment (4Q448),” *JJS* 44 (1993) 297–300; Émile Puech, “Jonathan le prêtre impie et les débuts de la communauté de Qumrân,” *RevQ* 17 (1996) 260–63; idem, “Le grande prêtre Simon (III) fils d’Onias III, le Maître de Justice?” *Antikes Judentum und Frühes Christentum: Festschrift für Hartmut Stegemann zum 65. Geburtstag* (ed. Bernd Kollman et al.; BZNW 97; Berlin: Walter de Gruyter, 1999) 140–41; André Lemaire, “Le Roi Jonathan à Qoumrân (4Q448, B–C),” *Qoumrân et les Manuscrits de la mer Morte: Un cinquantenaire* (ed. E.-M. Laperrousaz; Paris: Cerf, 1997) 67, argues that, if 4Q448 is to be taken as favorable to King Jonathan, then a date before 152 BC is difficult, since it was only from after that time that Jonathan had the title “high priest,” and it is unlikely that any of his supporters will have given him the title “king.” However, as others have pointed out (e.g., Vermes, “The So-Called King Jonathan Fragment,” 299–300), and as Lemaire also recognizes, 2 Macc 2:16–18 suggests that the term “kingdom” could have been used for the leadership of Judas (and Jonathan) even before any of the Hasmoneans took the official title “king”; presumably the term “king” could have been used in the same period as well. And some of Jonathan’s early actions can have been seen as royal in nature (cf. Puech, “Jonathan le prêtre impie,” 261).

Jews as marks of royalty.⁶¹ We might consider as a parallel situation the fact that Herod Antipas, who was the tetrarch of Galilee and Perea (Matt 14:1; Luke 9:7), could be called “king” (βασιλεύς) by Mark the evangelist (6:14). Moreover, Geza Vermes has argued that the script of 4Q448 places its composition more likely in the second century BC than in the first century BC.⁶² If that dating is confirmed, then it would automatically exclude Alexander Jannaeus from consideration. Finally it should be noted that the all-Israel framework of 4Q448 B 3–4 makes it rather difficult to date this text late (to the time of Alexander Jannaeus).⁶³ Thus there is a strong possibility that the Jonathan of 4Q448 is indeed Jonathan, son of Mattathias.

Other evidence from 1 Maccabees can also be cited as support. According to 1 Macc 9:23–31, after the death of Judas Maccabeus (160 BC) the “renegades” and the “evildoers” rose (again) in all of Israel, and Bacchides, a Friend of the Seleucid king and governor of the province Beyond the River, appointed the godless to positions of power over the land. The friends of Judas chose Jonathan to lead them in battle in place of Judas. Jonathan accepted the leadership and “rose” (ἀνέστη) in place of his brother Judas. In 157 BC, after battling the renegades of Israel, Jonathan settled in Michmash, where he “began to judge” (κρίνειν) the people of Israel and destroyed the godless from Israel (9:73). In biblical terminology, “judging” the people is the work of kings (among others).⁶⁴ One can understand that in this period, at the beginning of Jonathan’s “rise” to office (עומדי, 1QpHab VIII,9; cf. ἀνέστη, 1 Macc 9:31), the group behind *MMT* that would later

⁶¹ In this connection it may also be significant that 4Q388a 7 ii 8 speaks of three who will rule (ימלכין) at or near the time of Antiochus IV. Might this be a reference to the three unfaithful high priests Jason, Menelaus, and Alcimus (cf. also 4Q387 3,4)? Or, as the editor (Devorah Dimant) suggests (DJD 30.211), might it be “an allusion to three of the Hasmonean rulers who did not possess royal titles” (she suggests Jonathan, Simon, and John Hyrcanus I)? But if Jonathan could be said to have ruled (מלך) might he also have been called “king” (המלך) by some of his subjects? In any case, the text would seem to suggest that the high priests of this era could be viewed in some way as enjoying royal prerogatives.

⁶² Vermes, “The So-Called King Jonathan Fragment,” 297; Puech, “Jonathan le prêtre impie,” 258.

⁶³ Cf. Puech, *ibid.*, 263.

⁶⁴ For references, see BDB, 1047, under שפט. Of course the Maccabees are portrayed in terms of the classic holy war tradition, so that Jonathan’s “judging” is perhaps more like the ancient judges of Israel than its kings.

constitute the leadership of the Qumran community may have viewed Jonathan as faithful and hoped that he would remain faithful—and that he would adopt their viewpoint.⁶⁵ After he was appointed high priest (1 Macc 10:20; *A.J.* 13.45), however, he became a Friend of the Seleucid king (1 Macc 10:20; *A.J.* 13.85; cf. 13.146). The reference to the Wicked Priest's corruption through power (1QpHab VIII,9–10) could refer to Jonathan's appointment to the high priesthood by Seleucid kings, his being a Friend of the Seleucid king Alexander, and his alliances with Sparta and Rome.

In this connection we must also mention 4Q523, the second text that mentions a "Jonathan." This text, like 4Q448, is perhaps to be dated to the second half of the 2nd century BC.⁶⁶ Puech has argued that 4Q523 1–2, 2–3, 7, 9, 11 may refer to an act of plunder of the Jerusalem temple by Jonathan.⁶⁷ Jonathan is said to have plundered from both Jews and non-Jews in 1 Macc 9:40; 10:87; 11:61; 12:31. That activity would correspond to the accusation in 1QpHab VIII,12 that the Wicked Priest stole the "money of the peoples."⁶⁸ The Wicked Priest's "defilement" (VIII,13) may refer to his failure to observe or to enforce the correct regulations for purity as outlined in *MMT*. In conclusion, then, although I do not want to rule out the possibility that there was more than one Wicked Priest, I consider it likely that Jonathan, the brother of Judas Maccabeus, was a (if not the) Wicked Priest, that he was the (singular) addressee of *MMT*, and that during his rule in Israel there occurred a pivotal change in the relationship between the group behind *MMT* and

⁶⁵ In agreement with Hanan Eshel, "4QMMT and the History of the Hasmonean Period," *Reading 4QMMT* (ed. John Kampen and Moshe J. Bernstein) 62–63: "The beginning of his public life before he ruled over Israel—as we read above in 1QpHab—probably alludes to the years when Jonathan was in Michmash 'where he began to judge the people' (1 Macc 9:56–73)."

⁶⁶ Puech, "Jonathan le prêtre impie," 241–42; DJD 25.75.

⁶⁷ Puech, "Jonathan le prêtre impie," 266, 267.

⁶⁸ Puech, *ibid.*, 266–67, suggests that Jonathan needed these funds for his building projects in Jerusalem and for gifts to Kings Ptolemy and Alexander. That Jonathan as high priest "robbed wealth from the men of violence who rebelled against God" (1QpHab VIII,11) is nowhere explicitly attested in the sources, but there may be a hint of it in 1 Macc 10:61, which says that when Jonathan offered gifts of gold and silver to Kings Ptolemy and Alexander, some "lawless men" (παράνομοι) tried to confront him, perhaps because the gifts were plunder from them (cf. also 11:25–26; and *A.J.* 13.121–24, 133). However, their "lawlessness" was perhaps lawlessness towards Jonathan as ruler rather than towards God.

the leadership in Jerusalem, and specifically between the group behind *MMT* and Jonathan himself.

The editors of 4Q448 point out that it is unusual to find a pro-Hasmonean text at Qumran. Indeed, a text supportive of Alexander Jannaeus at Qumran would be particularly surprising in light of 4QpHos^b (4Q167) 2,3 and 4QpNah (4Q169) 3–4 i 4–8, which are highly unfavorable to Alexander Jannaeus.⁶⁹ Therefore the editors suggest that 4Q448 was composed outside the Qumran community, and that a member of the community brought it to Qumran.⁷⁰ However, given the possibility that 4Q448 and 4Q523 do refer to Jonathan Maccabeus, it seems to make better sense to correlate these texts with *MMT* and to conclude that at the very beginning of Jonathan's rise to power the group behind *MMT* was not yet irreconcilably opposed to him. The group still considered him to be faithful (1QpHab VIII,8–9), sought peace with him, tried to win him over to their views of the law (*MMT*), and prayed for his welfare (4Q448).

When we take all five of these points together, we are able to draw a composite picture of the circumstances in which *MMT* was produced. Sometime after the Zadokite high priesthood had been dispossessed, a group of Zadokite priests, who belonged to the Damascus covenant, or who at least espoused a halakah very much like it, separated themselves from mainstream Judaism, and boycotted the temple. We may assume that with them were lay persons who agreed with them. These people probably even separated themselves from those in the Damascus covenant who continued to participate in the temple cult. These priests and lay people were opposed to what they saw as the defilement of the temple through practices of the law that violated purity; they were also opposed to persons (probably priests) who were espousing this alternative (proto-Pharisaic) halakah.

They did not regard their separation as permanent. At this time in Jerusalem there seems to have been a struggle over which halakah—traditional Zadokite or proto-Pharisaic—would be followed. The authors of *MMT* sought to win over the leader of the nation, who was at that time probably Jonathan Maccabeus, to their side of the debate. They wrote *MMT* to the leadership of the nation, addressing both the

⁶⁹ See comments and references in DJD 11.414 n. 38. Cf. also Vermes, "The So-Called King Jonathan Fragment," 299.

⁷⁰ DJD 11.413–15.

ruler himself and some of the priests, urging them to accept and to implement Zadokite halakah. They hoped that their missive would bring a resolution to their dispute. The missive was probably written and sent in the period after Jonathan arose to be leader over the nation (1 Macc 9:30) but before he became high priest (10:20), that is, between 157 and 152 BC.⁷¹ After an initial period of good relations, however, the relationship between Jonathan and this group soured, perhaps due to his rejection of its halakah (if 4QpPs^a [4Q171] 3–10 iv 8–9 refers to *MMT*)⁷² as well as what this group saw as Jonathan's arrogance and corruption. In addition, Jonathan's accession to the high priesthood was viewed as a usurpation of the office that rightly belonged to the Teacher of Righteousness.⁷³ It is in light of this (later) negative view of Jonathan that the polemic of 1QpHab VIII,9–13 must be seen.

It is probable that the decision to boycott the temple had already been made prior to the writing of *MMT*. As we have seen, CD VI,11b–VII,4a points to a time when some members of the Damascus covenant broke away and entered a covenant that included a boycott of the temple. This covenant eventually became the covenant of the *yahad*. Thus CD VI,11b–VII,4a is to be assigned to the intermediate period between the break-off of that group and the formation of the *yahad* itself. *MMT* is to be assigned to this same intermediate period. I do not suggest that CD VI,11b–VII,4a and *MMT* come from the same

⁷¹ The missive may have been written under the guidance of the Teacher of Righteousness himself, if we identify the “Torah” of 4QpPs^a (4Q171) 3–10 iv 8–9 with *MMT*. That identification is disputed, however, and may be wrong, especially if we date *MMT* to the period 157–152 BC, which may precede the time that the Teacher joined the community (152 BC?). See also Schiffman, “The New Halakic Letter,” 68. Puech, “Le grand prêtre,” 142, prefers to date *MMT* to the very early period of Jonathan's high priesthood.

⁷² See the previous note.

⁷³ It is possible that 4Q523 1–2,2 refers to Jonathan's usurpation of the high priesthood from the Teacher of Righteousness (if we read Jonathan as a subject of אָוִי, and the latter as a *hiph'il* of יָרָה II, “to remove”; Puech, “Jonathan le prêtre impie,” 244, suggests either the influence of Aramaic *aph'el* or scribal error [cf. 1QS X,2]), but this is by no means certain (see Puech, pp. 264, 266). On p. 267 Puech proposes alternatively to read the first person אָוִי as referring to God: it is a prophecy that God will remove Jonathan from the high priesthood to the advantage of the Teacher. He also proposes (pp. 244, 266) reading the verb as the equivalent to a *hoph'al* (“ont été repoussés Jonathan [et X...]”).

authors; but they are similar in that they both represent groups that belonged or were closely related to the Damascus covenant and that were alienated from the temple (perhaps they even come from the same group). If we date *MMT* to between 157 and 152 BC, then we must recall that already in the preceding two decades, under the pontificates of Jason, Menelaus, and Alcimus, the temple had suffered defilement at the hands of Hellenizing high priests. While Onias III (high priest until 175 BC) was known for his piety (2 Macc 3:1; 4:2), and while the laws were observed in Jerusalem during Onias III's priesthood (2 Macc 3:1), the temple was defiled under Jason (2 Macc 4:14), Menelaus (5:15; 13:8), and Alcimus (1 Macc 9:54).⁷⁴ It is not difficult to imagine that already under the first of these impious high priests, if not earlier, many pious Jews, including members of the Damascus covenant, may have given up the temple as incorrigibly defiled. Moreover, if, during this same period, when the Zadokites had lost the high priesthood, the traditional halakah of the Zadokites was threatened by an alternative, proto-Pharisaic halakah in Jerusalem, that will have been all the more reason for conservative members of the Damascus covenant to boycott the temple. Thus it is during the period 175–157 BC, I suggest, that many members of the Damascus covenant decided to boycott the temple. *MMT* was written when that boycott was already well underway.

5.3.2 *The Problem of Purity*

As we noted, a major concern of *MMT* is that the practices of the opponents of the authors do not preserve purity (טהרה) (*MMT* B 3, 13, 23, 52, 54, 56, 65, 68). I contend that this issue—preservation of purity—was a major cause of the rise of the *yahad* from out of the Damascus covenant. In order to demonstrate this, we must investigate the topic of “purity” (טהרה) in the DSS.

In several places in 1QS there is reference to the “purity” (טהרה) of the “Many” (VI,16, 25; VII,3, 16, 19) or of the “men of holiness” (V,13; VIII,17) (cf. also VI,22; VIII,24). In these places, novices or outsiders or those in the community who are to be punished for

⁷⁴ The three priests who are criticized for faithlessness in 4Q387 3,4 are probably to be identified with Jason, Menelaus, and Alcimus (cf. DJD 30.193).

transgressions are separated from or prohibited from touching the *טהרה*. It is debated what exactly the term *טהרה* includes, but it clearly refers to items whose purity must be preserved. In the first instance it seems to refer to foodstuffs. In 11QT^a (11Q19) XLVII,17 the term refers to wine, oil, food, and liquids of various kinds (cf. XLVII,6–7, 12–13). In this case, the foodstuffs and liquids are intended for the temple. But the usage elsewhere in the DSS indicates that *טהרה* could include pure foodstuffs for use outside of the temple also. Moreover, the “purity” includes utensils used for the storage and preparation of such food (XLVII,8–17). One might suppose that, as in rabbinic literature, it also included such things as garments.⁷⁵

The fact that (full) members of the Qumran community in good standing had (and presumably ate) *טהרה* has sometimes been taken as evidence that the community understood its meals to be a substitute for temple worship.⁷⁶ Josephus’s description of the meals of the Essenes in *B.J.* 2.129–32 has given further encouragement to that view. It is also sometimes held that the purity of the community had to do with the idea that the Qumranites thought of themselves as priests.⁷⁷ That the *yahad* regarded itself (at least in its fully developed stage) as a substitute for the temple, and that its members viewed themselves living and acting in some ways like priests, is correct. It has been pointed out, however, that it will not have been possible for all members of the community to observe all the laws for priests all the time, although it seems that the members of the community attempted to fulfill the laws for priests to the greatest extent possible.⁷⁸ Moreover, two other observations must be made. We now know from other

⁷⁵ Saul Lieberman, “The Discipline in the So-Called Dead Sea Manual of Discipline,” *JBL* 71 (1952) 201–03, has pointed out the striking parallels between the discipline of the *yahad* and the discipline of the Pharisaic *hābūrā*. These similarities include regulation of initiates’ access to *טהרה*, which in rabbinic literature includes food, utensils, vessels, and garments.

⁷⁶ E.g., Yigael Yadin, *The Temple Scroll* (3 vols.; Jerusalem: The Israel Exploration Society, 1977–83) 1.311.

⁷⁷ Georg Klinzing, *Die Umdeutung des Kultus in der Qumrangemeinde und im Neuen Testament* (SUNT 7; Göttingen: Vandenhoeck & Ruprecht, 1971) 106–16.

⁷⁸ E. P. Sanders, *Judaism: Practice & Belief, 63BCE–66CE* (London: SCM Press, 1992) 359–60. That the *yahad* had a rite for purification from corpse impurity (see Sanders’s item 6 on p. 359; and p. 531 n. 37) is most probable, given the texts to be discussed below. But that still does not make all the members of the *yahad* priests, since, as Sanders notes, priests were supposed to avoid corpse impurity.

documents in the DSS that (1) טהרה was a category that went far beyond foodstuffs to include other kinds of items, as one might expect, given the use of the term in rabbinic Judaism; and that (2) there were items that were considered to be non-sacral טהרה, that is, there were items whose purity had to be preserved, not because they were to be used for priestly purposes or for the temple, but because the purity of the nation had to be preserved. In order to understand the latter point, we must discuss the topic of טהרה in the “camps.”

In the period of the Second Temple, the requirement to preserve the purity of the temple sanctuary could be read straightforwardly from Pentateuchal texts such as Lev 15:31 and Num 19:13, which warn against defiling the “tabernacle” (משכן) as the place of sacrifice (Lev 17:4). More complicated for interpretation, however, were those passages in the Pentateuch that laid down regulations for the purity of the “camp” (מחנה). Several texts imply, or state directly, that the camp must be kept pure (Lev 4:21; Num 5:1–4; 19:7; 31:24; Deut 23:11–12). In the period of the wilderness wanderings, the period to which the Pentateuchal regulations for the camp in the first instance refer, the area of the “camp” was fairly easily circumscribed: it was the area in which the people of Israel were literally encamped (Exod 19:16 and passim). But how were these texts relating to the “camp” to be interpreted for the Second-Temple period, with the people of Israel settled in cities and villages throughout the land? What was the “camp”? That was the question that had to be answered.

The interpretation of the “camp” was disputed in post-biblical Judaism. The מוהנידם of Num 5:3, taken as a plural, allowed interpreters to distinguish between different camps within the nation. As *Sifre Num* §1 (on Num 5:3; Horovitz edition, p. 4) shows, rabbinic tradition distinguished between the camp of the divine presence, the camp of the Levites, and the camp of the Israelites. Such a distinction could find support in the fact that the biblical text itself refers to a camp of the Levites in Num 2:17 (cf. also 1 Chr 9:18), which could be distinguished from the camp(s) of the Israelites (Num 1:52–53), as well as, perhaps, from the tabernacle (1:53). Once this distinction was made, it was possible to limit the applicability of various laws of purity to only one or two of the camps. Moreover, as the passage from *Sifre Num* shows, the rabbis defined even the camp of Israel (the outermost camp) as extending only to the “gate of Jerusalem.” In other words, the three biblical camps were all confined to Jerusalem (cf. also *t. Kelim B. Qam.* 1:12). In this way the rabbis could restrict the applicability of the

various biblical laws on purity in large measure to the temple and to the city of Jerusalem itself.⁷⁹

By contrast, more rigorous groups in Second-Temple Judaism, such as are represented by the *Damascus Document*, *MMT* and the *Temple Scroll*, read Num 5:3 in such a way that the biblical laws on purity applied to *all* the “camps” of the nation, that is, also to the camps of the Israelites, with their cities, villages, and settlements, and not just to the temple and its city.⁸⁰ On this reading the purity laws applied to the cities, villages, and settlements of Israel much more stringently than in rabbinic tradition.⁸¹ Even in this more rigorous interpretation, of course, the laws applied in different measure to different “camps,” so that Jerusalem required a higher degree of purity than the other cities.⁸² To give an example, this meant that while sexual intercourse was prohibited in the city of the temple (the “camp” of Jerusalem) (CD XII,1–2; cf. 11QT^a [11Q19] XLV,11–12), it was not prohibited in the other

⁷⁹ Cf. Yigael Yadin, *The Temple Scroll: The Hidden Law of the Dead Sea Sect*, 170–71.

⁸⁰ As Jacob Milgrom, “The Scriptural Foundations and Deviations in the Laws of Purity of the *Temple Scroll*,” *Archaeology and History in the Dead Sea Scrolls* (ed. Lawrence H. Schiffman; JSPSP 8; Sheffield: JSOT Press, 1990) 85–89, points out, this rigorous (“maximalist”) view is also a result of reading the purity laws in light of the Holiness Code’s concern to require purity throughout all the land.

⁸¹ A tripartite division can be found in *MMT* B 29–32. When this passage defines “outside the camp” as being “the encampment of their cities” (outside Jerusalem), this should not be taken to mean that the cities were not to be held pure. The text is fragmentary here, but the context apparently has to do with the slaughter of sacrificial and non-sacrificial animals. The definition of the cities of Israel as being “outside of the camp” is probably relevant only to the question of slaughtering and does not imply that the cities were not subject to purity regulations. See DJD 10.145, 167–68.

⁸² The distinction is nicely illustrated by *MMT* B 29–31 and B 59–62. Jerusalem is the “camp,” more specifically, the “camp of holiness.” As such, it is the head of the camps of Israel. A lower degree of purity is required for areas outside of Jerusalem than in Jerusalem. But the cities of Israel are also “camps,” that is, the “encampment of their cities” (מחנה עריהם). There are therefore no grounds for making a distinction between “urban halakah” and “camp rules” in the *Damascus Document*, as was once proposed by Ariel Rubinstein, “Urban Halakah and Camp Rules in the ‘Cairo Fragments of a Damascene Covenant,’” *Sef* 12 (1952) 283–296. The “camp” terminology is biblical and can refer to the cities. The problem with Rubinstein’s hypothesis can be illustrated by the fact that Rubinstein argues (p. 285) that the halakic material in CD X,10–XII,18 relates to the city (or town) situation, and yet there is a reference to the “camp” in X,23. See also the comments in Charlotte Hempel, *The Laws of the Damascus Document: Sources, Tradition and Redaction* (STDJ 29; Leiden: Brill, 1998) 11–12.

cities (the other “camps”) (CD VII,6–7; XIII,16–17).⁸³ Another example: In the ideal vision of the *Temple Scroll*, pure food and liquids that were to be brought into Jerusalem could not be transported in hides of animals that had been slaughtered in the other cities; they could only be transported in hides of animals that had been sacrificed in the temple (11QT^a [11Q19] XLVII,11–18).

Nonetheless 11QT^a (11Q19) XLVII,3 is clear: “their cities will be pure.”⁸⁴ Not only Jerusalem and the temple must be kept pure, but also the cities must be kept pure. That means that there were items, both in the temple and in the cities, whose purity must be preserved. The term טהרה is used in reference to items that were subject to defilement (impurity). On the one hand, there is the “purity of the temple” (טהרה המקדש; XLVII,17). That refers to items to be used for the temple that are subject to defilement, such as wine, oil, food, and other liquids (XLVII,6–7, 12–13). On the other hand, טהרה refers to things, even outside of the temple, and things besides food and liquids, that are susceptible to impurity. So, for example, when a man dies at home, “all the utensils of wood, iron, and bronze, and all the utensils for which there is purity (טהורה)” must be purified (XLIX,13–15). From XLVII,15–17 it is clear that there is a kind of purity independent of the purity required for the temple: “If you sacrifice [an animal] in my temple, it is pure for my temple; and if you slaughter it in your cities, it is pure for your cities.” It is possible for an item, in this case the skin of a clean animal, to be pure for the cities, but not pure for the temple.

It is clear that rigorists among Palestinian Jews read Num 5:1–4 to mean that all of the cities of Israel, and not just the temple and its city, had to be kept pure. Therefore they sought to preserve a very high degree of purity in the cities as well as in the temple. Complete purity was, of course, not possible. For example, sexual intercourse results in impurity (Lev 15:18), but the Damascus covenant did not prohibit it (CD VII,6–8). However, the *Temple Scroll* prescribes that

⁸³ For further discussion of the different levels of purity required in the temple city and in the other cities, see DJD 10.169 n. 170; and Jacob Milgrom, “Studies in the Temple Scroll,” *JBL* 97 (1978) 514–16.

⁸⁴ See further Yadin, *The Temple Scroll*, 1.277–80, 291–92, 305–06; idem, *The Temple Scroll: The Hidden Law of the Dead Sea Sect*, 170–72; and Milgrom, “Scriptural Foundations and Deviations in the Laws of Purity,” 83–99.

in every city you shall make places for those contaminated with leprosy and with sores and with scabs so that they do not enter your cities and defile them; and also for those with a discharge and for women when they are in their menstrual impurity and after child birth, so that they do not defile in their midst with their impurity requiring separation. (11QT^a [11Q19] XLVIII,14–17)

This text banishes lepers from the cities until they are healed, while it probably quarantines other impure persons within the city.⁸⁵ Again, this prescription is somewhat less stringent than the prescription for the city of Jerusalem, from which all impure persons were to be excluded until they were purified (XLVI,16–18). Still, the prescription of XLVIII,14–17 was clearly intended to preserve to a very high degree the purity called for in Num 5:1–4.

To be sure, the *Temple Scroll* is idealistic. The kind of quarantine that 11QT^a XLVIII,16 envisions for women in impurity may never have been practiced even among the most rigorous Palestinian Jews of that time.⁸⁶ However, we cannot simply dismiss the prescriptions of the *Temple Scroll* as only idealistic. In at least two cases the *Damascus Document* confirms that purity regulations known to us from the *Temple Scroll* were practiced, or at least that there was an intention to practice them.⁸⁷ Moreover, there are other texts that show that there were some rigorists who excluded, or at least sought to exclude, those who were impure from the purity (טהרה) until they were fully purified, and that they did this in order to maintain the high level of purity that the *Temple Scroll* sought to uphold. According to 11QT^a (11Q19) XLIX,16–21 those who were defiled by a corpse could not approach the “purity” (טהרה) until they had been purified of their corpse impurity. This involved bathing in water and washing one’s clothes on the first day, and then by bathing in water, washing one’s clothes, and being sprinkled with the waters of purification (מי נדה) on the third and

⁸⁵ See DJD 10.169 n. 170; Milgrom, “Studies,” 516. The healed leper in cities other than Jerusalem was probably quarantined apart from other impure people until he was fully purified (see DJD 10.168; 4Q274 1 i 1–2).

⁸⁶ See Baumgarten, DJD 35.80, who notes, however: “the Falashas have had special huts for these women up to modern times.”

⁸⁷ Cf. CD XII,17–18 on the defilement of nails and pegs by a corpse with 11QT^a XLIX,14–16; and CD XII,1–2 on the prohibition of sexual intercourse in Jerusalem with 11QT^a XLV,11–12 (see further Schiffman, “The Relationship of the Zadokite Fragments to the Temple Scroll,” 139, 141).

seventh days. This process of purification is based on Num 19:14–22. There are, however, two differences from the biblical text. First, the *Temple Scroll* calls for bathing and washing of clothes along with sprinkling on both the third and seventh days, while Num 19:19–20 calls for all of these only on the seventh day (and only sprinkling on the third day). Second, the *Temple Scroll* prescribes bathing and washing of clothes on the first day. There is no rite of purification prescribed for the first day in Numbers. Jacob Milgrom explained the first-day purification as a means of removing a layer of impurity. Although full purification (and access to the temple city) would not be achieved until the seventh day, this initial purification would allow access to non-sacral things.⁸⁸ Milgrom's explanation has been remarkably confirmed by the new "purification" texts from Cave 4, which show that the kinds of purification requirements that the *Temple Scroll* prescribes were in fact followed. We find in these texts that some rigorists extended the process used for purification from corpse impurity—bathing and washing of clothes on the first, third, and seventh days, and sprinkling with the *מִי נִדָּה* on the third and seventh days—to other forms of defilement, such as genital discharges and probably also menstrual impurity (4Q274 2 i 1–3; 4Q284 1 i 6–7[?]; see also 4Q414 2 ii 2–5).⁸⁹ Out of this practice there developed a category of those who were "temporarily impure" (*טמאי הימים*) that is, those whose purification took seven days (4Q514 1 i 5, 8). Such persons were to be denied access to the purity of the camp. Since such people were allowed to remain in the camp for the seven days, however (see below for an explanation of why this allowance was made), it was necessary to find a way to protect the purity of the camp (cf. 4Q274 1 i 6–7). The solution was to have the "temporarily impure" undergo an initial purification (called the "beginning" of purification [4Q514 1 i 4, 7]), which provided "temporary purification" (*טהרה עתים*) (4Q512 1–6,5), presumably the kind of first-day ablation that the *Temple Scroll* mandates for corpse impurity (4Q274 1 i 5, 8–9; 2 i 7; 4Q514 1 i 4–7). A first-day purification is already prescribed by the Torah for leprosy (Lev 14:8). This

⁸⁸ Milgrom, "Studies," 513–14.

⁸⁹ For a discussion of how this extension may have happened, see Baumgarten, DJD 35.83–87 (and pp. 83–84 on 4Q284 1 i 6–7). See also 4Q512 1–6,1–9 (and Baumgarten, p. 83). On 4Q414 see the comments of Esther Eshel in DJD 35.138. But see also Milgrom's discussions of the homogenization of purification practices in the works cited in the next note.

first-day purification was extended to other forms of impurity through “homogenization” of the Torah’s purity regulations, similar to the extension of the regulations for purification from corpse impurity to other forms of impurity.⁹⁰ This initial purification made it possible for the “temporarily impure” to eat from a lower order of food while avoiding the purity of the camp. Although this food was of a lower level of purity than the “pure food,” even its purity was to be safeguarded by an initial ablution.⁹¹ On the seventh day, the defiled person was made (completely) pure through sprinkling, bathing, and washing of garments, and only then would he be allowed access to “all their purity” (11QT^a XLIX,20–21; cf. also 4Q274 2 i 3), including pure food.

In this way the camps could ensure the highest possible maintenance of purity. Since food and particularly drink were susceptible to defilement, the designation of some food (and other items) as טהורה, and

⁹⁰ On the homogenization of the purity regulations, see Jacob Milgrom, “Scriptural Foundations and Deviations in the Laws of Purity,” 92–95; idem, “First Day Ablutions in Qumran,” *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18-21 March 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; 2 vols.; STDJ 11; Leiden: E. J. Brill, 1992) 2.567.

⁹¹ Jacob Milgrom, “4QTohora^a: An Unpublished Qumran Text on Purities,” *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls by Fellows of the Institute for Advanced Studies of the Hebrew University, Jerusalem, 1989-1990* (ed. Devorah Dimant and Lawrence H. Schiffman; STDJ 16; Leiden: E. J. Brill, 1995) 67–68, argues that the prohibition of eating before the first day ablution was not a matter of purity but of sanctions: eating was prohibited as a way of forcing compliance with the purity regulation. However, 4Q274 2 i 7 clearly indicates that even the purity of common food had to be protected, though not to the same degree as the טהורה of the camp (line 3). I would suggest that 4Q514 1 i 4–10 also has to do with protecting the purity of (common) food and not with sanctions. Contrast this with the interpretation of Milgrom, “First Day Ablutions,” 568–70, who in this case also understands the prohibition in the sense of sanctions. I take the עַד with בְּטִמְאוֹתָיו in lines 7 and 8, hence “[while] still in his impurity,” rather than in the sense “any more,” with the verb “to eat,” as Milgrom suggests, which he takes to mean that “the impure person, who clearly has been restricted to ordinary food, is forbidden to eat any food.” That line 6 (cf. also line 10) stipulates that during the seven days of purification the impure will eat their bread “according to the regulation of purity” also indicates that protection of the purity of common food was the concern (cf. Baumgarten in DJD 35.126; contrast Milgrom, p. 569). In any case, Milgrom is correct that this halakah does not contradict 11QT^a LXIX,20–21, which has to do with contact with the higher degree of purity (p. 570; see also Milgrom’s comments in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Volume 1: Rule of the Community and Related Documents* [ed. James H. Charlesworth; Tübingen: J. C. B. Mohr (Paul Siebeck), 1994] 177).

other (common) food as of a lower level of purity, offered a way to keep a careful watch over purity. The first-day ablution provided a way for all the impure (except the leper) to remain in the (ordinary) city (camp), and to eat, without the risk of defiling the purity of the ordinary city. As we have seen, the *Temple Scroll* lays down that lepers were to be banished from the city, and those with discharges, menstruating women, and women after childbirth were to be quarantined. Interestingly, the *Temple Scroll* does not call for the banishment or quarantine of the corpse impure, even though Num 5:2–3 could be read in such a way as to call for their removal from the camp. Milgrom suggests that a close reading of Num 19:14–22 may have led to the conclusion that the corpse impure could remain in the camp with free mobility. A careful exegete may have noticed that the phrase, “and then he may enter the camp,” used in other cases where purification occurs outside the camp (Num 19:7; 31:24; see also Lev 14:8; 16:26, 28) is not used in Num 19:14–22, which suggests that the corpse impure of this passage never left the camp. Moreover, the exegete would have noticed that the purification rite for corpse impurity itself implies that the corpse impure remains in the camp (Num 19:17–18, 20).⁹² Thus a distinction could be made by exegetes: Num 5:2–3, calling for expulsion of the corpse impure (and other impure persons) from the wilderness camp in which God dwells, applies to the camp of Jerusalem, while Num 19, containing a statute for “all time” (19:21), that is, for Israel settled in its cities, allows the corpse impure to remain in the ordinary camp (city).⁹³

We see, then, that the process for purification from corpse impurity in the *Temple Scroll* was developed in order to allow the corpse impure to remain in the ordinary camp, which required a lesser degree of purity than the camp of Jerusalem, rather than being banished or quarantined.⁹⁴ By contrast, the corpse impure would be expelled from the camp of Jerusalem.⁹⁵ Yet even in the ordinary camp the corpse impure had to

⁹² Milgrom, “Studies,” 515.

⁹³ *Ibid.*, 516.

⁹⁴ Milgrom, “Scriptural Foundations and Deviations in the Laws of Purity,” 88, points out that allowing some of the impure to remain in the camps outside of Jerusalem was probably based on the priestly code’s limitation of holiness to the sanctuary, which stands in some (unresolved) tension with H’s doctrine that all of the land is holy.

⁹⁵ The extant parts of the *Temple Scroll* do not explicitly expel the corpse impure from the temple city. But see the comments of Milgrom, “Studies,” 515 n. 44.

stay away from the “purity” (טהרה) until he was fully purified. The process of purification from corpse impurity in the *Temple Scroll* had the purpose of preserving the highest level of purity (טהרה) possible while allowing the impure to remain in the ordinary city. The texts that extended this process of purification to other forms of impurity (4Q274, 4Q284, 4Q414, 4Q512, 4Q514) had the same goal. Note, for example, 4Q274 1 i 5–6, which says that the menstruant “must not mingle during her seven days, in order that she not defile the camps of the sanctities [or holy ones] of Israel,” implying that the menstruant was free to move about in the city; but she was obligated to do what she could do to protect the purity of the camp. Thus the process of purification from corpse impurity became the model and framework for purification from certain other forms of purity (but not leprosy): bathing, washing of clothes, and sprinkling with the waters of purification (מי נדה). In every case, the purpose was the same: to distinguish clearly between purity and impurity,⁹⁶ to protect the “purity” (טהרה) from impurity to the highest degree possible while allowing the impure to remain in the “camp,” and so to allow the impure access to ordinary things while denying them access to higher purities.

That this was the purpose of the purification halakah—to allow the impure to stay in the camp, while still protecting the טהרה—is confirmed by the actual life of the Damascus covenant and the *yahad*. To begin with the strictest discipline: even in the fully developed discipline of the *yahad*, those who had not yet completed the full two-year regimen were allowed to live (as probationers) in the community (1QS VI,16), but were denied access to the “purity” (טהרה) until they had completed one full year (VI,16–17). Likewise, those who had been accepted into the community but then suffered moral failure were allowed to remain in the *yahad* (they were only expelled for deliberate violation; cf. 1QS VIII,21–23), but were denied access to the טהרה until they had been purified from their moral failure (1QS VII,2–3, 17–18, 21–22; VIII,24–26). Yet even those who were denied access to the “purity” were allowed to eat common food (1QS VI,25). Thus we find in the *yahad* the same kind of distinction between the “purity” and common food that we find in the purification texts, the “purity” being

⁹⁶ Cf. CD VI,17, להבדיל בין הטמא לטהור.

accessible only to those in the community who are completely pure.⁹⁷ Similarly in the Damascus covenant, those who suffered moral failure were to be excluded from the *טהרה*, but were not expelled from the camp (CD IX,16–23).⁹⁸ The Damascus covenant does seem to have expelled those who sinned “with a high hand” (בִּיד רְמוֹה) until they were “purified to return” (עַד זָכוּ לָשׁוּב) (X,3), but that is no surprise, since Scripture calls for the extirpation of such a one (Num 15:30–31). The discipline that denies the impure access to the *טהרה* but allows them to stay in the camp never had high-handed sins in view.⁹⁹ Thus the Damascus covenant also follows the same pattern as the *yahad* and the purification texts (permission for the impure to remain in the camp, but without access to its purity).

We see, then, that *טהרה* had a very clear purpose: to maintain the highest standards of purity within the camp, without requiring expulsion or quarantine. Therefore the fact that the men of the *yahad* ate “pure food” (*טהרה*) originally may have had *nothing* to do with the

⁹⁷ Jodi Magness, *The Archaeology of Qumran and the Dead Sea Scrolls* (Grand Rapids: Eerdmans, 2002) 127–29, 154, has argued that the architectural design of Qumran corresponds to the notion of pure and impure space in *MMT* and in the *Temple Scroll*.

⁹⁸ CD XX,1b–8a reflects a different situation: not the camps of the Damascus covenant, but the congregation of the men of perfect holiness, which is probably a forerunner of the *yahad*. It seems that when the congregation of men who walk in perfection was first being established (cf. 1QS VIII,10–11), no breach of the commandments could be tolerated. Expulsion from the congregation was necessary until the man was purified from moral failure. Compare the discipline in this passage with 1QS VIII,16b–19 and VIII,20–IX,2, and see my discussion of the relationship between these passages in Chapter 2 (pp. 67–68).

⁹⁹ 1QS VIII,16–17 says that anyone who rejects the commandments “with a high hand” (בִּיד רְמוֹה) is not to be permanently expelled, but he is to be denied access to the *טהרה* and is not to be included in the council of the community “until his deeds have been purified from all sin” (עַד אֲשֶׁר יִזְכּוּ מַעֲשָׂיו מִכּוֹל עוֹל). This discipline seems to represent a kind of hybrid, combining the discipline of CD X,3 (temporary expulsion) with the discipline that denied access to *טהרה* but allowed the sinner to remain in the community. Such a hybrid discipline was made possible by the distinction between full membership in the *yahad* and the probationary period. The result is that the high-handed sinner can eventually be readmitted. But 1QS VIII,20–IX,2, which represents a more recent discipline than VIII,16b–19 (see Chapter 2, pp. 67–68), carefully (one might even say, more properly) distinguishes between high-handed sins and lesser sins in a way that VIII,16b–19 does not: the high-handed sinner is permanently expelled; those who sin unintentionally are denied access to the *טהרה* but have the opportunity for readmission to full membership.

idea that their meals were a substitute for temple worship or that they were priests eating in priestly purity, as is sometimes argued.¹⁰⁰ While that idea may have eventually developed,¹⁰¹ the original understanding was that the designation of some items, including food, as *טהרה* was necessary in order to maintain the highest standards of purity within an enclosed community, in which there was bound to be impurity from time to time,¹⁰² but where the impure were not to be expelled, except for high-handed violations. So also the extension of rites of purification with *מי גדה* (1QS III,4, 8–9), along with bathing (*רחץ*) in water (*במים*)

¹⁰⁰ Cf. Hannah K. Harrington, *The Impurity Systems of Qumran and the Rabbis* (SBLDS 143; Atlanta: Scholars Press, 1993) 56–57 who, basing herself on Jacob Milgrom, *Leviticus 1–16* (AB 3; New York: Doubleday, 1991) 968–71, argues that the Qumran community lived in the status of the ordinary city of the *Temple Scroll* and not of the temple or the temple city. We cannot assume, however, that the purification texts represent the whole of Qumran regulations for purity, or, indeed, that the purification texts are specifically Qumranic. We must also reckon with the possibility that at Qumran there were varying degrees of sanctity and therefore also varying degrees of purity requirements, and that parts of the community may have in fact been regarded as like the temple. See the next note, as well as the observations of Magness (n. 97). See also the important article of Milgrom, “Scriptural Foundations and Deviations in the Laws of Purity,” 85–89, where he argues that the “maximalist” position on purity that we find in the Dead Sea Scrolls (and in some rabbinic literature) probably has its roots in the Holiness Code (H), which demanded purity of all those who inhabit the land of Israel, so as to maintain the holiness of all the land. In this sense—the whole land itself is holy—there is a kind of extension beyond the temple of the purity required for holiness.

¹⁰¹ I do not agree with Harrington (*ibid.*, 57, 66) when she argues that the Qumran community *never* considered themselves to be a substitute for the temple, but foresaw that status only for the *eschaton*. (But see also *ibid.*, 66, where she allows that the community by means of purification “could equal the purity status of priests as they ate their *terûmôt*.” And Harrington adopts the community-as-temple view in “Purity,” *Encyclopedia of the Dead Sea Scrolls* [ed. Schiffman and VanderKam] 2.727.) In 1QS V,13 and VIII,17 the *טהרה* is called the “purity of the men of holiness.” The men of holiness are elsewhere defined as those who “walk in perfect behavior” (VIII,18). As is clear from IX,8, the “men of holiness” who “walk in perfect behavior” were those who formed the nucleus of the community that understood itself to be a replacement of the temple (IX,3–6; cf. also VIII,4–11). Therefore it may be that eventually the “purity” came to be understood as pure, *sacred* food, but that was not necessarily its original sense.

¹⁰² The (probable) exclusion of women from the *yahad* will have eliminated menstrual, childbirth, and *zābā* impurity, but corpse impurity and impurity related to male discharges could not be eliminated. And of course there was still impurity connected to moral failure.

(III,5), will have had the purpose of maintaining the highest degree of purity possible within an enclosed community and of allowing access to the *טורה*.¹⁰³

5.3.3 *The Origin of the yahad as a Refuge from Impurity*

I suggested in the previous section that a major cause of the rise of the *yahad* was the concern for the preservation of purity. The foregoing discussion of purity will enable us now to substantiate that claim. It is striking that although much has been written on the origin and history of the Qumran community, relatively little has been written specifically on the origin of the concept of the *יחד*. In other words, while much has been written about possible reasons for the rise of the community (separation from the temple, disagreement over adherence to the Teacher, etc.), the actual origin of the concept of the *יחד* has received somewhat less treatment. Here I shall attempt to fill that void.

The most plausible proposal that has been made previously is that the concept is derived from Deut 33:5. That text speaks of the gathering together (*יחד*) of the tribes of Israel, and Otto Betz suggested that the Qumran community interpreted the passage as referring to the eschatological gathering of Israel. While this is an attractive proposal, the emphasis that we find in 1QS on the gathering of a community from *within* Israel, rather than on the eschatological gathering of “all Israel” (including women and children) such as we find in 1QSa, suggests that Deut 33:5 is not the *most immediate* origin of the concept, although it may lie in the background.¹⁰⁴

¹⁰³ As the presence of *miqwāôt* at Qumran shows, the members of the *yahad* practiced rites of physical purification. The requirement of moral purity came in addition to, not in place of, physical purity.

¹⁰⁴ Otto Betz, “The Eschatological Interpretation of the Sinai-Tradition in Qumran and in the New Testament,” *RevQ* 6 (1967) 90–91. He points to 1QSa I,1, where there may be an allusion to Deut 33:5 (בְּהִיאָסַפֵּם [לְיַחַד]); note, however, that this is a reconstruction). 1QSa I,1 is potentially illuminating. It is possible, however, that this line belongs to a later Zadokite recension of the *Rule of the Congregation* (see Charlotte Hempel, “The Earthly Essene Nucleus of 1QSA,” *DSD* 3 [1996] 259). The publication of the 4QSE (4Q Serekh ha-‘Edah) (4Q249a–i) fragments may give some support to the hypothesis that the line belongs to a later recension. The oldest manuscripts from this collection show no evidence of parallels to 1QSa I,1–3. Since the texts are fragmentary, however, it is hazardous to draw any firm conclusions. An allusion to Deut 31:11–12

Another proposal, also attractive, is that the technical term יחד comes out of the conception of a community of men and angels. Peter von der Osten-Sacken shows that the root יחד (as verb, adverb, and substantive) appears frequently in that connection.¹⁰⁵ There are, however, two objections to this proposal. First, in the community foundation documents 1QS V,1–13a and 1QS VIII,1–16a there is no reference to the community of men and angels, although the word יחד appears in them. Second, 1QSa II,3b–9a and CD XV,15b–17, which prohibit the admission of the impure or the handicapped because of the presence of “holy angels,” use the word “congregation” (עדה), but the root יחד does not appear. One might have expected the use of the root יחד in this context if the intimacy between men and angels were the origin of the idea.

Since neither of these explanations of the origin of the concept of the יחד is completely satisfactory, we should look for other possibilities.¹⁰⁶ I would like to explore the possibility that the foundational documents of the *yahad* may give us more direct insight into the origins of the concept. We shall begin therefore by looking at 1QS V,1–13a and VIII,1–16a, which read like community foundation documents.

We have seen above that the entrance procedure in 1QS V,7–10 has roots in older tradition. According to 1QS V,7 (=4Q258 1 i 5–6), those

in 1QSa I,4 following closely upon a (possible) allusion to Deut 33:5 in 1QSa I,1 might speak in favor of the original unity of these lines.

¹⁰⁵ Peter von der Osten-Sacken, *Gott und Belial: Traditionsgeschichtliche Untersuchungen zum Dualismus in den Texten aus Qumran* (SUNT 6; Göttingen: Vandenhoeck & Ruprecht, 1969) 223–24, and p. 224 n. 5.

¹⁰⁶ Johann Maier, “Zum Begriff יחד in den Texten von Qumran,” *ZAW* 72 (1960) 148–66, discusses the way of life of the community in terms of separation from others and unity with each other, but gives little consideration to the origin of the concept. At the end of his article he suggests that these aspects of the יחד—separation and unity—might point to a priestly or cultic origin for the concept, but acknowledges that there is no OT evidence for that, and in the end he concludes that “[e]ine sichere Antwort auf die Frage der Vorgeschichte des יחד-Begriffes dürfte auf Grund der bisher veröffentlichten Texte nicht möglich sein” (p. 165). This article has been reprinted in Karl Erich Grözinger et al., ed., *Qumran* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1981) 225–48. S. Talmon, “The Sectarian יחד – A Biblical Noun,” *VT* 3 (1953) 133–40, argues that already in the OT יחד has the meaning “covenant.” His argument is not compelling; in any case he does not offer an explanation for the Qumran community’s adoption of the concept. See also J. C. de Moor, “Lexical Remarks Concerning *yahad* and *yahdaw*,” *VT* 7 (1957) 350–55.

who enter the *yahad* enter more specifically the “council of the community” (עצת היחד). It is clear that the term היחד is being used here in the technical sense of a discrete community. We find the term being used in an apparently non-technical sense, however, in 1QSa I,26. Here the עצת יחד—note the unarticulated form—seems to be an almost *ad hoc* meeting of a council, a kind of convocation that was foreseen for judicial, military, or other purposes. A parallel to 1QSa I,26 appears in the fragment 4Q249b, which has been dated to the first half of the 2nd century BC.¹⁰⁷ Even if that dating should be doubted, this part of 1QSa most likely comes from the parent movement of the Qumran community, and not from the Qumran community itself (note the “all Israel” and generally non-Qumranic nature of 1QSa I,1–II,10, apart from clearly secondary additions).¹⁰⁸ Thus we may suppose that the technical use of היחד(ה) in the *yahad* grew out of the non-technical use of the word in the parent movement.¹⁰⁹

But even if that explains the origin of the term, it does not yet explain the origin of the *yahad* as a permanent entity. For that we must

¹⁰⁷ See DJD 36.550.

¹⁰⁸ In agreement with Hempel, “The Earthly Essene Nucleus of 1QSA,” 256–69.

¹⁰⁹ Besides 1QSa I,26, the root יחד appears as a substantive in 1QSa I,27b; II,2, 11, 21. In II,18 it appears to be a substantive (the doubled article may be a mistake). In II,17 it is used as an adverb (“together”), or as a substantive functioning as an adverb (“gather to a table of unitedness”=“gather to table together”). The root appears in I,9 also, probably as a verb (cf. 1QS V,20). It is possible that the section 1QSa II,11–22 belongs to a later recension of the document, since parallels are found only in the later of the 4QSE fragments (DJD 36.543). Thus the appearances of the root in that section probably cannot be used to establish the origin of the concept at Qumran. The difference between the non-technical יחד לעצת in 1QSa I,26 and the (probably) technical לעצת היחד in II,2 and II,11 must be noted. That the usage in II,2 is technical is supported by the likelihood that II,2, like I,1–3, comes from a later Zadokite recension in the Qumran community (cf. Hempel, *ibid.*, 256–60). In addition, I,27b may also belong to that redactional stage. That part of the line is fragmentary and may be modeled after II,2. All of this supports the secondary nature of I,27b; II,2; and II,11–22. Thus none of these places can be regarded as probable sources for the origin of the concept of the יחד any more than I,1 can be so regarded.

The usage of יחד in 1QSa I,9 as a verb remains a possible origin of the concept. However, as noted in the main text, the congregation described in 1QSa (based on “families” or “clans” [משפחות]; or houses of the fathers [אבות]; see I,9; I,25–II,2) seems not to be that of the Qumran community. Thus in both I,9 and I,26 יחד is used in a general, non-technical sense. The technical usage of יחד as we find it in the *Rule of the Community* seems to come from a later time; it probably developed from the earlier, non-technical usage in 1QSa.

look more closely at the community foundation documents. In 1QS VIII,7–8 (cf. also 4Q258 2 i 2 and 4Q259 II,14) the community is called the “tested rampart, the precious cornerstone...its foundations will not shake or move quickly from their place.” This is a paraphrase of Isa 28:16–19. The “rampart” or “cornerstone” is then further defined as a sanctuary, a “most holy [holy of holies] dwelling for Aaron” (1QS VIII,8). Isaiah 28:14–15, the immediately preceding passage, reads:

Therefore hear the word of the LORD, you scoffers (אנשי לציון), who rule this people in Jerusalem; for you have said, “we have made a covenant with death, and with Sheol we have an agreement; when the overwhelming scourge passes through, it will not come to us; for we have made lies our refuge, and in falsehood we have taken shelter.”

This is the place from which the name “scoffers” or “men of mockery” (אנשי הלציון) (in Jerusalem) is derived, the term used of the followers of the “Man of the Lie” (איש הכזב) (also known as the “Scoffer,” איש הלציון) in the DSS (CD I,14; XX,11, 15; 4Q162 II,6–7, 10). These people are further characterized as “traitors” (CD I,12) and as having “rejected the law” (4Q162 II,7). Isaiah says that the scoffers have taken refuge in lies and that, in the coming crisis, they will be destroyed (28:18–22). On the other hand, the tested rampart will be preserved (28:16).

It would be possible to read this text from Isaiah to mean that God establishes the precious rampart *in response* to the scoffers, that is, God establishes the rampart as a refuge for the protection of the righteous.¹¹⁰ I suggest that that is exactly how the *yahad* read this text. God established the community as a refuge for the righteous, to be separated from the “scoffers” who take refuge in lies. At this point we may bring Mic 2:11–12 into the discussion. Micah 2:11 reads: “If someone were to go about uttering empty falsehoods (רוח ושקר כזב), saying, ‘I will preach to you of wine and strong drink,’ such a one would be the preacher (משיף) for this people.” This verse is the source for the epithet “the Preacher” (משיף הכזב) or the “Spreader/Preacher of the Lie” used of the “Man of the Lie” in 1QpMic 8–10,4; 1QpHab X,9; CD

¹¹⁰ Cf. 1QH^a XIV,26–27 [Suk. VI,26–27], where the community is described in the words of Isa 28:16–19 as a foundation, made of tested stones that will not be shaken, in contrast to the spreaders of lies who wander off on paths far from God’s heart (XIV,19–21 [Suk. VI,19–21]). Here those who are enticed by lies appear to be former members of the Teacher’s community. See also 1QH^a X,18–19 [Suk. II,18–19], where there is an allusion to Isa 28:11 in a similar context.

IV, 19–20 (cf. also CD I, 14). In the next verse, Mic 2:12, God promises that he will gather Israel and set them “together” (יחד) like sheep in a fold. As I shall show below, the Qumran community’s belief that it served as a substitute for the temple was based on Scripture, and on the belief that the community itself was the fulfillment of Scripture. The community’s self-understanding as a substitute for the temple arose early, but it may not have been part of the community’s initial constitution. I suggest that the community’s *earliest* self-understanding was also based on Scripture, and on the belief that the community was a fulfillment of Scripture, specifically, of Isa 28:14–22 and Mic 2:11–12. As he promised through the prophets, God established a group “together,” as a community (יחד) from Mic 2:12),¹¹¹ initially to be a “sure foundation” (cf. Isa 28:16) for the righteous, specifically, to be a refuge from the “scoffers” (cf. Isa 28:14) and the “Spreader/Preacher of the Lie” (cf. Mic 2:11).

There are other considerations that make it probable that the *yahad* arose as a “refuge” for the righteous, to be separated from the “scoffers.” Fragments 5 and 6 of 4Q177 (which with fragment 8 probably constituted the first column of 4Q177) consist of a catena of biblical texts that deals with the sufferings of the community in the last days.¹¹² Two biblical texts that are strung together in 4Q177 5–6, 7–10 are Ps 11:1–2 and Mic 2:10–11. The text is fragmentary, but there is enough there to confirm that these texts are present, and we can see how they have been interpreted. Psalm 11:1–2 in full reads thus:

^{11:1}To the leader. Of David. In the LORD I trust; how can you say to me, “Flee like a bird to the mountains; ^{11:2}for look, the wicked bend the bow, they have fitted their arrow to the string, to shoot in the dark at the upright in heart.”

The *peshet* included either all of verse 11:1 and 11:2, or only 11:1a and 11:2. A decision depends on how wide the column was, a point on which scholars disagree.¹¹³ In any case, the *peshet* continues by interpreting the psalm verses to mean that “[men] (will?) flee (יורו)

¹¹¹ In Mic 2:12 יחד is of course an adverb, but the term could be borrowed and made into a noun. Already in the OT there is some fluidity between the substantival and adverbial uses of the word.

¹¹² See Annette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschat^{ab})* (Leiden: E. J. Brill, 1994) 211, 214.

¹¹³ *Ibid.*, 83–84.

[אנשי]...like a bird from its spot and [will be exiled from its (their?) land] ([כצ]פור ממקומו וגל[ה מארצו]).” Steudel debates whether אנשי is part of a designation for the (whole) community, or perhaps part of a designation for a group within the community, for example, those who followed the “Man of the Lie.”¹¹⁴ It is most likely, however, that it designates the community insofar as they found refuge *from* the “Man of the Lie” in “exile.” There are three pieces of evidence for this contention: (1) As Steudel herself notes, the ones who are persecuted here, “like a bird,” are the “upright in heart” of the psalm. Surely that applies to the community. (2) Immediately before Ps 11:1–2 is introduced in the *pesher*, there appears the word הלצון, which is almost certainly a reference either to the “Scoffer” (איש הלצון), that is, the “Man of the Lie,” or to his followers, the “men of mockery” (הלצון אנשי). The word appears in connection with a citation of Isa 32:7, which speaks of those who “devise wicked devices” and “ruin the poor with lying words.” No doubt there was here a reference to the pernicious influence of the “Scoffer” or the “men of mockery.” It would be most natural that a reference to the community’s finding refuge from the “Scoffer” or the “men of mockery” should follow, and that is presumably the function of the subsequent citation of Ps 11:1–2. (3) In 1QH^a XII,7–9 [Suk. IV,7–9] the hymnist, who is here the Teacher of Righteousness,¹¹⁵ says of his opponents in words reminiscent of Ps 11:1–2 and of 4Q177 5–6,9: “for [they do] their deeds in folly; for I have been rejected by them, and they do not esteem me when you make yourself great through me; for they drive me from my land (מארצי) like a bird (כצפור) from its nest.” That this part of the psalter is in the hymnist’s mind is confirmed by the allusions to Ps 12:3 in 1QH^a XII,10, 14 [Suk. IV,10, 14]. Lines 7–9 are probably a reference to the Teacher’s “exile” (גלות) in the community (cf. 1QpHab XI,4–6). So also in 4Q177 5–6,9 the reference to “exile” is probably a reference either to the community’s “exile” in the desert or at least to its separation. That there is a close connection between 1QH^a XII [Suk. IV] and 4Q177 is also supported by the fact that there are allusions to Isa 32:6–7 in 1QH^a XII,10–11 [Suk. IV,10–11], just as in 4Q177 5–6,6.

¹¹⁴ Ibid., 85.

¹¹⁵ Gert Jeremias, *Der Lehrer der Gerechtigkeit* (SUNT 2; Göttingen: Vandenhoeck & Ruprecht, 1963) 211, 213.

Thus we may assume that 4Q177 5–6,8–9 also refers to the “exile” of the community.

After the citation and interpretation of Ps 11:1–2, 4Q177 5–6,10 cites and interprets Mic 2:10–11, the very text that speaks of the “Preacher (of the Lie).” Since the text is fragmentary, there is again some question whether all of 2:10–11 was quoted or only part of it, depending on the width of the column. Steudel thinks that only 2:10b–11 was quoted, whereas John Strugnell argued that the whole of 2:10–11 was quoted.¹¹⁶ I think it more probable that the whole of both verses was quoted. As we have seen, Ps 11:1–2 is interpreted as referring to the exile of the community. Micah 2:10 begins: “Arise and go (קומו וליכו); for this is no place to rest.” That is the most natural connection with Ps 11:1: the community must “flee” because, as the prophet Micah said, “this is no place to rest.” Thus I propose that the whole of Mic 2:10–11 was cited, with 2:10a picking up the theme of the community’s “fleeing,” its “arising and going.”

From where must the community flee, and why must it flee? This is the crucial point. Micah 2:10 reads in full: “Arise and go; for this is no place to rest, *because of uncleanness (טמאה) that destroys with a grievous destruction.*”¹¹⁷ The reason that the community must “flee,” why it must “arise and go,” is the threat of impurity. Micah 2:11 then continues with the words about the “Preacher” (בטיף), and 2:12 speaks of God’s gathering of Israel “together” (יחד).

It must be granted that 4Q177 is quite late. Steudel dates the document convincingly to between 71 and 63 BC.¹¹⁸ Although occasionally skepticism has been voiced about the value of the

¹¹⁶ Steudel, *Der Midrasch zur Eschatologie*, 86; John Strugnell, “Notes en marge du volume V des ‘Discoveries in the Judaean Desert of Jordan,’” *RevQ* 7 (1970) 242.

¹¹⁷ A variant reading מועט באומה or באומה מועט is proposed in *BHS* in place of טמאה in Mic 2:10. The text in the minor prophets scroll from Wadi Murabb’at is fragmentary (see DJD 2 [part 1], p. 193). In general MT’s טמאה is to be preferred as the probable reading at Qumran, even if it represents a corruption of the original. For discussions of the textual problems in this difficult section of Micah, see James Luther Mays, *Micah: A Commentary* (Philadelphia: Westminster Press, 1976) 66–72; Delbert R. Hillers, *Micah* (Hermeneia; Philadelphia: Fortress Press, 1984) 34–37; Francis I. Anderson and David Noel Freedman, *Micah: A New Translation with Introduction and Commentary* (AB 24E; New York: Doubleday, 2000) 294–99.

¹¹⁸ Steudel, *Der Midrasch zur Eschatologie*, 207–10.

pesharim for reconstruction of the history of the Qumran community,¹¹⁹ I am convinced that they preserve reliable historical information about the Teacher and about the fortunes of the Qumran community. The case is analogous to Jesus and the gospels. Although the canonical gospels were written approximately between 35 and 70 years after the death of Jesus, they still contain reliable historical material about him. Likewise, if we date the death of the Teacher to about 110 BC, 4Q177 is not any further removed from the death of the Teacher than the gospels are from Jesus. Some of the other Qumran *pesharim* were probably written even closer in date to the life of the Teacher.¹²⁰ Of course the early career of the Teacher and the early years of the community lie farther back. There is no reason to doubt, however, that community traditions were preserved by the Teacher and also by those who survived him. This is especially the case if, as seems quite possible, the Teacher himself was responsible for the development of the *peshar* method at Qumran, and his followers continued it by putting into writing exegesis inspired by him.¹²¹ The preservation of traditions about community origins in such a context is not only possible but probable.

Therefore I propose that 4Q177 5–6,7–10 preserves a community tradition about the rise of the יחד. The men who came to form the *yahad* (though at the time they were not yet called a *yahad*), had to, or at least decided to, “flee” from where they had previously been, in order to escape impurity (Mic 2:10). They were threatened by impurity at the hands of the “Preacher of the Lie” (the “Scoffer”) and his followers. It should be pointed out that we do not have to assume that the “exile” to the desert coincided with the formation of the *yahad*. In fact, as I shall show below, there are good reasons to think that the move to the desert happened only some years after the formation of the *yahad*. But 4Q177 is retrospective, looking back over the whole history of the *yahad* up until its writing. Thus the author could draw on Ps 11:1–2 to thematize the “exile” of the *yahad* even if that happened only some years after its formation. On the other hand, the words of Mic 2:10, “arise and go, for

¹¹⁹ E.g., the (at times) overly skeptical work of Phillip R. Callaway, *The History of the Qumran Community: An Investigation* (JSPSup 3; Sheffield: JSOT Press, 1988) 135–71, 210.

¹²⁰ The *pesharim* probably all date from the period between 100 BC (or 110 BC) and 40 BC (James H. Charlesworth, *The Pesharim and Qumran History: Chaos or Consensus?* [Grand Rapids: Eerdmans, 2002] 118).

¹²¹ Cf. Charlesworth, *ibid.*, 39. See also pp. 77–78.

this is no place to rest, because of uncleanness that destroys with a grievous destruction," could be applied to a group that simply decided to separate itself from impurity, even without moving to the desert.

In fact, Ps 11:1–2 does not figure in 1QS V,1–13a or VIII,1–16a, which is not surprising, if the community drew on the psalm only retrospectively, after its move to the desert (and so after 1QS V,1–13a and VIII,1–16a had been written). But the community tradition that I have proposed behind 4Q177 5–6,7–10 (cf. also 1QH^a XII,7–12 [Suk. IV,7–12]) agrees remarkably well with my proposal regarding 1QS VIII,7–8, namely, that the *yahad* understood itself to be a refuge for the righteous established by God for protection from the אנשי לצון (cf. Isa 28:14).¹²² But we have not yet seen any evidence that the earliest foundational documents of the *yahad* reflect the influence of Mic 2:10–12, as 4Q177 5–6,7–10 does, with the possible exception of the word יחד. Is there any such evidence? I suggest that there is evidence of at least indirect influence.

As we have seen, 1QS V,1–13a describes a simple procedure for entrance into the covenant that stands very close to the procedure for entrance into the Damascus covenant in CD XV,5b–15a. A major difference, however, is that in 1QS entrance is into a community (*yahad*), while in CD XV,5b–15a entrance is into a covenant “for all Israel.” There is another important difference. In CD XV,7 the one who enters the covenant is to turn away from “his corrupt way” (מדרכו) (הנשחתה). In 1QS V,1–2 those who enter the covenant are to “separate themselves from the congregation of the men of injustice” (להבדל מעדת) (אנשי העול) and to constitute a community in law and possessions. What is this “congregation of the men of injustice”? Is it simply the “people” (of Israel) (עם), from whose “path” the members of the Damascus covenant were to turn aside (CD VIII,8/XIX,20)? The fact that we have to do with a “congregation” indicates that it is a very specific group of people. Can we say more about this congregation?

In 1QS V,10–11 we read again that those who enter the covenant of the *yahad* swear “to separate themselves from all the men of injustice” (להבדל מכול אנשי העול),” men who “walk in the way of wickedness.” These men “are not numbered in his [God’s] covenant” (לוא החשבו) (בבריתו). We read also in V,18 of men who “are not numbered in his

¹²² Note also that 1QH^a XII,16 [Suk. IV,16], which I have suggested has close affinities with the community tradition of 4Q177 5–6,7–10, draws on Isa 28:11.

covenant” (לוא נחשבו בבריתו) and who are to be separated (להבריל). The parallels suggest that the men of V, 13b–20a are the “men of injustice.” But can we say more about them? There are two important clues to their identity. First, it is said of these men that “all their deeds are impurity before him [God]” (וכול מעשיהם לנדה לפניו). Precisely the same is said of the “congregation (עדה) of traitors” (CD I,12), those who came under the influence of the “Scoffer” (I,14), those who “sought easy interpretations” (I,18). God’s wrath was kindled against their congregation (עדרה), for “their deeds are impurity before him [God]” (מעשיהם לנדה לפניו). These parallels strongly suggest that the men of 1QS V, 13b–20a are precisely the followers of the “Scoffer,” followers of the “Man of the Lie,” and not novices or members of the community, as has sometimes been proposed.¹²³ A second clue gives further support

¹²³ Most unlikely is that 1QS V, 13b refers to a ritual bath before meals for members of the covenant (so Hempel, “Community Structures,” 85; and Hannah K. Harrington, *The Purity Texts* [London: T & T Clark, 2004] 23, 38). And although parallels with 1QS VI, 16–17 and VIII, 23 might suggest that the subject of V, 13b–20a is either the novice or the one banished from the community due to transgression, there are several observations that make it more likely that the subject is the “men of injustice”: (1) Already in 1QS the “men of injustice” are the most recent subject, but the connection is even closer in 4Q256 5,8 and 4Q258 1 i 7–8, where the statement about separation from the “men of injustice” (parallel to 1QS V, 10) is followed immediately by the section parallel to 1QS V, 13b–20a, implying even more strongly that the subject of that section is the “men of injustice.” Although in 1QS V, 13b the subject is in the singular, in V, 16 the plural returns. In 4Q256 5,8 and 4Q258 1 i 7–8 there is a plural subject immediately following the “men of injustice,” but then a singular subject following in 4Q256 5,9 and 4Q258 1 i 8. The rapid change in number suggests that the text has been disturbed, and 1QS V, 13b–20a and its 4QS parallels are probably an interpolation. Nonetheless, the close proximity to the reference to the “men of injustice” suggests that they are the subject of the passage. Sarianna Metso, *The Textual Development of the Qumran Community Rule* (STDJ 21; Leiden: E. J. Brill, 1997) 114, also thinks that the subject is the “men of injustice” (and see n. 23 on the same page for the view that at least some of the passage is an interpolation). See now also Charlotte Hempel, “The Community and Its Rivals according to the *Community Rule* from Caves 1 and 4,” *RevQ* 21 (2003) 53. (2) The fact that the “waters” for purification are said to be ineffective for the subject of this passage, insofar as purification requires not only water but also “turning away from wickedness,” is reminiscent of 1QS II, 25–III, 6, where the one who “does not enter the community” cannot be purified by water. That suggests that the subject of V, 13b–20a is also one who has not entered the community. While that would not require that the subject be a “man of injustice,” it is not incompatible with that hypothesis, and it does probably exclude from consideration as the subject of the passage the novice or the one who has transgressed in the sense of VIII, 22–23. In

for this hypothesis. In V,15 the members of the *yahad* are warned to remain at a distance (ירחק) from these impure men in “every matter” (בכול דבר), “for it is written [Exod 23:7], ‘you shall remain at a distance from every lie’” (מכול דבר שקר הרחק). In its original context Exod 23:7 warns against perverting justice in the lawcourt. Thus a שקר דבר means there something like a “false charge” or a “fraudulent case.” But the author of 1QS V,13b–20a clearly takes שקר דבר to mean anything that is involved in falsehood, lies, or deceit, as V,14b–15a shows, which says that the member of the *yahad* should not associate with the impure man in his “work” or in his “possessions,” or indeed “in any matter” (בכול דבר). Given that the impure men of V,13b–20a are thus implicated in lies, it becomes very probable that they are followers of the “Preacher of the Lie.”¹²⁴

The “men of injustice” or the “congregation of men of injustice” (1QS V,1–2, 10), then, are to be identified with the “men of mockery,” the followers of the “Scoffer” or the “Preacher of the Lie,” “those who seek smooth things.”¹²⁵ Thus we have at least an indirect connection with Mic 2:11 in the community foundation document 1QS V,1–13a. The followers of the “Preacher of the Lie” are said to constitute a “congregation” in 1QpHab X,10 (a “congregation in deceit,” עדה בשקר); 4Q162 II,10; 4Q163 23 ii 10; 4Q169 3–4 ii 5. It has long been supposed that these “men of mockery” who “seek smooth things” are to be identified with the Pharisees (or at least include Pharisees).¹²⁶ I consider this opinion to be entirely correct, although for the earliest period we might wish to call them proto-Pharisees and reserve the term

any case it has nothing to do with bathing before the meal. (3) The fact that the subject of the passage is associated with “lies” (V,15) indicates that the problem has to do with incorrect interpretation of the law (cf. 1QpHab X,10, 12; 4QpNah 3–4 ii 2, 8; 4QpPs^a [4Q171] 1–2 i 18–19), not merely laxity in practice.

¹²⁴ There is one more possible piece of evidence connecting the men of 1QS V,13b–20a with the followers of the Man of the Lie. According to V,19, “all those who despise his [God’s] word (כול מאצי דבריו) he [God] will destroy from the world.” Although the vocabulary is slightly different, this may be an allusion to Isa 5:24–25 (“they have despised [אצו] the word [אברת] of the Holy One of Israel,” the consequence of which is that God will destroy them). This verse from Isaiah is interpreted of the “men of mockery” (=followers of the Man of the Lie) in 4QIsa^b (4Q162) II,6–10.

¹²⁵ It is generally recognized that the “men of mockery” and “those who seek smooth things” are two different epithets for the same group (see Stegemann, *Entstehung*, 141–42, 183).

¹²⁶ *Ibid.*, 229–30.

“Pharisees” for a later period, when they are first identified as a party according to Josephus’s history in the second half of the 2nd century BC (*A.J.* 13.171–73). The term “seekers of smooth things,” or “those who give seductive interpretations” (דורשי החלקות) is drawn from Isa 30:10, where the prophet condemns the people for asking the prophets to speak to them “smooth things,” the latter in Hebrew being חלקות. The *yahad* used that word as a pun in the *pesharim* to refer to what it viewed as its opponents’ interpretation (דרש) of Scripture that resulted in “smooth” (seductive, lenient) halakot (הלכות).¹²⁷

We have seen that in *MMT* the authors polemicize against a halakah that is proto-Pharisaic. This document gives examples of the kinds of “easy interpretations” that the *yahad* found objectionable. Many of these objections involved disputes over purity. I shall give three examples: (1) the authors of *MMT* hold that liquid streams poured from a pure vessel into an impure vessel were not pure, nor do such streams act as a separative between pure liquids and impure liquids (B 55–58). In the *Mishnah* the Sadducees accuse the Pharisees of holding precisely the opposite view (*m. Yad.* 4:7; *m. Ṭehar* 8:9). As Qimron has noted, this dispute will have had important consequences for the purity of *miqwāôt* and of the water channels of the temple.¹²⁸ (2) The authors of *MMT* are of the view that healed lepers should not be allowed to eat sacred food until after sunset on the eighth day (B 71–72), while rabbinic halakah allowed the healed leper to eat sacred food before sunset on the eighth day (*m. Neg.* 14:3).¹²⁹ The authors of *MMT* are clearly polemicizing against a group that held a view like that of the rabbis in the *Mishnah*, probably (proto-)Pharisees. (3) The authors of *MMT* hold that all the participants of the red cow ritual—the one who slaughters the cow, the one who burns it, the one who gathers its ashes, and the one who sprinkles the waters of purification for corpse impurity—must wait until sunset to be pure (B 13–16; cf. also 4Q277 1 ii 2). According to the *Mishnah*, the sages did not require sunset for

¹²⁷ We shall see below examples of the more lenient proto-Pharisaic halakah on matters of purity. The “seekers of smooth things” were also accused of “looking for loopholes” and “breaking the precept” (CD I,18–19). From a later time we have examples of rabbinic enactments that in effect abolished certain of the laws of Moses. See George Foot Moore, *Judaism in the First Centuries of the Christian Era: The Age of the Tannaim* (3 vols.; Cambridge: Harvard University Press, 1927–30) 1.259–60.

¹²⁸ DJD 10.162.

¹²⁹ See the discussion in *ibid.*, 166–170.

purity. As long as the priest had immersed, he (being a *ṭēbūl yôm*) was considered pure. In fact, the *Mishnah* says that the sages used to defile deliberately the priest who was to burn the cow, then have him immerse, and then sprinkle the waters of purification immediately, without waiting for sunset, in order to spite the Sadducees (*m. Parah* 3:7). The authors of *MMT* would have undoubtedly viewed the more lenient procedure of their (proto-Pharisaic) opponents as invalid; in their view all who followed the opponents' teaching would have remained impure, and would have perpetually defiled the temple (Num 19:13, 20).

Given that the opponents in *MMT* represent a proto-Pharisaic halakah, advocating "easy" (חלקות) halakot, we are justified in assuming that the opponents in *MMT* can be identified with, or perhaps better, are forerunners of, the primary opponents of the *yahad*, namely, those who are later called the "seekers of smooth things," the followers of the "Preacher of the Lie," and the "men of mockery" in the *pesharim* and other documents. They are the "congregation of the men of injustice" (1QS V,1–2), whose deeds are impurity before God (V,19–20; CD II,1), from whom the men of the *yahad* must separate themselves (1QS V,1–2, 10, 14–15).

I propose, then, that the primary reason for the separation of the group that would become the *yahad* was a felt need to separate from those who were too lenient in their halakah, which resulted in impurity.¹³⁰ They had to "arise and go" away from the "impurity" (Mic 2:10) caused by the "men of mockery" (Isa 28:14) and their leader, the "Preacher of the Lie" (Mic 2:11). For this purpose God established a רח (Mic 2:10), a rampart (Isa 28:16), as a refuge for the righteous (1QS V,1–13a; VIII,1–16a). Qimron has similarly argued that "[f]rom *MMT* we learn the reasons for the schism...the fact that only matters of practice are mentioned in *MMT* confirms the view that it was not

¹³⁰ Hempel, "The Community and Its Rivals," 52, has also drawn attention to the significance of separation from the "people of injustice" in the emergence of the *yahad*, although she does not identify those people with the "men of mockery" as I have: "A highly significant phenomenon that emerges from the present passage in both *1QS* and *4QS^d* [i.e., 1QS V,7c–20a and parallels] and several other passages that deal with the people of injustice is their location at a defining moment, perhaps even *the* defining moment, in the community's emergence...The relationship of individual members to the people of injustice goes straight to the heart of the community's identity." See further pp. 57, 58–59, 61, 81 in Hempel's article.

dogma, but law that was apt to produce lasting schisms in Judaism. It can be seen once again how important the laws of purity were to all parties of that period."¹³¹ Of course, the differences in halakah went beyond purity to include other points of disagreement (e.g., the calendar),¹³² but purity certainly seems to have been the main point of dispute.

But why did this group isolate itself as a separatist community? If the Damascus covenant already adhered closely to a strict Zadokite halakah such as we find in *MMT* and the *Temple Scroll*, why was it not sufficient simply to remain separated from mainstream Judaism as the Damascus covenant had done all along? Why form a *yahad*? The answer, I believe, is that the Damascus covenant had suffered the betrayal of some of its members who had come under the influence of teachers espousing the proto-Pharisaic halakah rules on purity. The main teacher was the Man of the Lie. This was precisely the betrayal of which CD XIX,33–34/VIII,20–21 and XX,10c–12 speak. This betrayal led a group within the Damascus covenant to separate itself from the rest of the covenant and to form the *yahad*.¹³³ Let us investigate this more closely.

We have seen that CD VI,11b–VII,4a, like *MMT*, comes from an intermediate period in the life of the group that became the *yahad*, when some members of the Damascus covenant entered a covenant that included a boycott of the temple (see pp. 251, 264–65). We argued above that the boycott of the temple probably began sometime in the years between 175 and 157 BC, when members of the Damascus covenant viewed the temple in Jerusalem as having been incorrigibly defiled due to a series of unfaithful high priests and to the threat of an alternative, proto-Pharisaic halakah in Jerusalem. CD VI,11b–VII,4a probably comes from this period. *MMT* probably comes soon after, in the period 157–152 BC, when the boycott was well under way.

It is probably also in this period that the Teacher of Righteousness came to this group. According to CD I,10–11, the Teacher arrived 20

¹³¹ DJD 10.175–76.

¹³² It is doubtful that the calendar itself was the cause of schism. See n. 143.

¹³³ The observation of Hempel, "The Community and Its Rivals," 53, 57, 59 (see also p. 80), that 1QS V implies a closeness amidst separation between the community and its opponents (or rivals, the "people of injustice"), is perfectly explained by this hypothesis, namely, that the community separated itself from those with whom it had once been associated in the Damascus covenant.

years after the rise of the “shoot of the planting” (I,7). In the *final* redaction of CD I,1–II,1 “the shoot of the planting” refers precisely to the pre-Qumran group that boycotted the temple.¹³⁴ If we place the rise of this group in about the year 175/172 BC, then the Teacher came to them about 152 BC. That makes excellent sense if we suppose that the Teacher came to the group at about the time that Jonathan became high priest. We do not know for sure who the Teacher was, but it is highly likely that he was an Oniad whose high priesthood was usurped by Jonathan.¹³⁵

In Chapter 2 I left it an open question as to whether the betrayal of the new covenant and the betrayal of the Teacher were one and the same event, but I suggested that they probably were. Against the background of the history outlined above, we can now make good sense of what CD says about this betrayal. As we have seen, the group that formed the covenant that included a boycott of the temple identified themselves as heirs of the new covenant (CD VI,11b–VII,4a). Those who are accused of rejecting the new covenant in CD XX,11–12 are said to have “turned around” with the “men of mockery,” that is, with the followers of the Man of the Lie. These are probably the same people as are accused of betraying the new covenant in XIX,33–34. As we saw in the literary analysis in Chapter 2, according to CD XIX,33–34 the betrayal happened in the new covenant; according to XX,11–12 the betrayal happened in the pre-*yahad* period. According to both passages, this betrayal was a determining factor in who could belong to the “assembly of the people” or the “house of the law” and who could not, in other words, who could belong to the assembly that eventually became the *yahad* and who could not. Where does that put us? It puts us precisely in this intermediate period, in a group that considered itself to be part of the new covenant but had not yet formed the *yahad*. In other words, it puts us in the period represented by CD VI,11b–VII,4a and *MMT*.

We may now bring in the evidence regarding the betrayal of the Teacher. It is clear that those who betrayed the Teacher were members of the Teacher’s group that came under the influence of the Man of the Lie (1QpHab II,1–2; V,9–12; 1QH^a XIV,19 [Suk. VI,19]; cf. XII,8–12

¹³⁴ On CD I,1–II,1, see n. 73 on pp. 532–33 (Chapter 9).

¹³⁵ See Puech, “Le grand prêtre,” 146–58, who suggests that the Teacher of Righteousness was Simon (III), a son of Onias III.

[Suk. IV, 8–12]). Moreover, 1QpHab V, 9–12 leaves the impression that at the time of the betrayal the authority of the Teacher may not have been (completely) secure. A division between the supporters of the Teacher and the supporters of the Man of the Lie is said to have happened in the midst of “their council” (עצרתם), which, as Jeremias has shown, is probably the council to which the Teacher and the Man of the Lie both belonged.¹³⁶ In other words, one receives the impression that the Man of the Lie challenged the authority of the Teacher in the Teacher’s own council. The Man of the Lie appears even as a rival to the Teacher. Indeed, in 1QH^a XIII, 22–23 [Suk. V, 22–23] the Teacher laments, “I have become [?] for dispute, strife for my friends, jealousy and anger for those who enter my covenant, murmuring and grumbling for those who have been assembled with me.” The Teacher appears as one about whom the loyalty of his followers has become a point of contention.

It makes excellent sense to suppose that in the early period of the Teacher’s presence among the members of the new covenant who had decided to boycott the temple, a faction of those members came under the influence of another teacher, namely, the Man of the Lie, who espoused proto-Pharisaic halakah. As we have seen, it is precisely in this period, when the leadership in Jerusalem was undergoing change, that there was rivalry between proponents of the Zadokite halakah of the Damascus covenant (new covenant) and proponents of the alternative, proto-Pharisaic halakah, which was gaining strength in Jerusalem. The rivalry between the Teacher, representing the Zadokite halakah of the Damascus covenant (new covenant), and the Man of the Lie, representing proto-Pharisaic halakah, must be seen in this context.¹³⁷ Thus the betrayal of the Teacher, that is, the betrayal of some of the members of his group who transferred allegiance to the Man of the Lie and his followers (the “men of mockery”), was also the betrayal of the new covenant (CD XX, 10c–12).

This event, I propose, was the initial impetus for the creation of the *yahad*. In other words, the rise of the *yahad* lies in the early period of the Teacher’s presence among that group of members of the new

¹³⁶ Jeremias, *Lehrer*, 84–87; the counterarguments of Stegemann, *Entstehung*, 48–51, are not compelling.

¹³⁷ Thus the Teacher may have been the author or among the authors of *MMT*, although it is also possible that it was written shortly before he came to the group that produced it.

covenant who had formed a covenant to boycott the temple. In brief, some members of the Damascus covenant (new covenant) had been won over to the proto-Pharisaic halakah. These became known as the traitors of the Damascus covenant. The loyal members of the Damascus covenant could not tolerate this development. It meant that the purity of the camps of the Damascus covenant could no longer be trusted, anymore than the new administration of the temple could be trusted. They had to separate and form their own community.¹³⁸

As we have seen, 1QS V,1–13a and VIII,1–16a indicate that the *yahad* originated as a refuge for those who sought to escape impurity brought on by the “(congregation of the) men of injustice,” the “men of mockery,” who were followers of the “Preacher of the Lie.” That hypothesis agrees excellently with the proposed explanation of the “betrayal” of the Damascus covenant. The *yahad* became the refuge for those members of the Teacher’s group who remained loyal to the Damascus covenant (new covenant). The hypothesis agrees well with another aspect of 1QS V,1–13a and V,13b–20a. Immediately after 1QS V,1–2 says that the men of the *yahad* are to separate themselves from the congregation of the men of injustice, the text goes on to say that they should “constitute a community in law and possessions” (להיות ליחד). The requirement to “constitute a community in law” makes sense in light of the present hypothesis. Since the “men of injustice,” the traitors of the Damascus covenant, had begun to follow a different halakah, it was necessary for the faithful to constitute a separate

¹³⁸ It is interesting to note that the “memorandum” in CD VI,11b–VII,4a requires those who enter the covenant to “keep apart (להבדל) from the sons of the pit (בני השחת)” (VI,14–15). This requirement is reminiscent of 1QS V,1–2, 10, which requires the members of the *yahad* to separate themselves (להבדל) from the “(congregation of the) men of injustice” (אנשי העול). There appears to be a variant reading to CD VI,14–15 in 4Q266 3 ii 20–21. Baumgarten’s reconstruction is להבדל מבני העול, which is very close to 1QS V,1–2, 10 (DJD 18.41). In any case, the similarity indicates that this section of CD comes from a time shortly before 1QS V,1–13a and reflects similar concerns. (See Hempel, “The Community and Its Rivals,” 64–67, who has also noted the similarity between this part of CD and 1QS V.) The group behind CD VI,11b–VII,4a, those who “entered the covenant,” agreeing not to enter the temple, are those who became the *yahad* of 1QS V,1–13a. The people behind CD VI,11b–VII,4a were originally members of the Damascus covenant and pledged to observe the law as it was promulgated by the Damascus covenant (VI,14, 19), including distinguishing carefully between the pure and the impure (VI,17) and “keeping apart from all impurities according to their regulation” (להבדל מכל הטמאות כמשפטם) (VII,3).

community that agreed on the interpretation of the Torah. Moreover, V,20a says that “there is uncleanness in all their possessions (הֵן),” that is, in the possessions of those who are not included in the covenant, who are the men of injustice (V,10–11). The possessions of such men could not be mixed with the common property of the *yahad*. That point is made explicitly in V,14, 18: no one should be united with one of these men (לֹא יִיחד עִמּוֹ) in his work or in his possessions (הֵן). These men, as well as all that belongs to them, are to be separated from the men of the *yahad*. Lines 16–17 say that no one should eat or drink from their possessions, nor should they accept anything from their hands, except at its price. It is perhaps somewhat unexpected that the *Rule* would allow the members to buy items from outsiders (the “men of injustice”) at all, if those items were suspected of bearing impurity. This allowance is in fact missing from 4QS^b (4Q256) 5,8b–13 and 4QS^d (4Q258) 1 i 7b–11. Since these manuscripts represent an older version of the *Rule* than 1QS,¹³⁹ it is possible that this kind of commerce was not allowed at the beginning. Perhaps it is more likely, however, that members were allowed to purchase items from the men of injustice as long as such items were kept as private property and were not counted among the common (pure) possessions of the community.¹⁴⁰

All of the foregoing suggests that the initial decision among members of the Damascus covenant to separate themselves and to form the *yahad* did not have to do primarily (or even at all) with rejection of the temple, as has sometimes been argued; the boycott of the temple

¹³⁹ Metso, *Textual Development*, 144–47, 152–53.

¹⁴⁰ CD XIII,14–15 has sometimes been cited as a parallel to 1QS V,16–17, allowing commerce between members of the covenant and the “sons of the pit” in the case of cash exchanges but not for credit or contract. However, as Baumgarten has argued, CD XIII,14–15 probably regulates trade within the covenant (among the “sons of dawn”: בני השחר), requiring that they not profit commercially from each other but instead provide mutual help and fraternal service. See Joseph M. Baumgarten, “The ‘Sons of Dawn’ in CDC 13:14–15 and the Ban on Commerce among the Essenes,” *IEJ* 1 (1950) 81–85. This passage could still be relevant, however, to 1QS V,16–17. Within the covenant there must be no buying or selling but only common property and mutual assistance. But buying and selling could happen with outsiders. Note that CD VI,15 requires members of the covenant to be separated from “the impure, wicked possessions (הֵן), (consisting in) vows and dedicated items and the possessions of the temple, and robbing the poor of his people, making widows their spoil and murdering orphans.” But the prohibited possessions here are offerings to the temple that have been acquired unjustly.

had already happened in the Damascus covenant, the parent body of the *yahad*. Rather, the rise of the *yahad* is to be traced back to a split within the Damascus covenant itself. Indeed, it is interesting to note that while 1QS V,6 says that the members of the community should atone for all who volunteer for the community, that part does not appear in the 4QS parallels. In fact the 4QS parallels to 1QS V,1–13a, which are older than 1QS,¹⁴¹ make no reference at all to rejection of the temple or to the idea of the *yahad* as a replacement for the temple. 1QS V,6 was probably interpolated under the influence of later texts such as 1QS VIII,6, 10; IX,4, which speak of the atoning function of the community. The 4QS parallels do speak of those who volunteer for holiness in Aaron, but that may refer to nothing more than the priestly members of the community. Thus the “community-as-temple” idea does not seem to have been particularly strong in the self-understanding of the *yahad* in the earliest period.

The allusions to Mic 6:8 in 1QS V,4 (=4Q256 5,3–4; 4Q258 1 i 3), however, suggest that the idea was not absent. The context of Mic 6:8 is critique of the temple cult (6:6–7), and it is easy to imagine that the earliest *yahad* saw the virtues of Mic 6:8 (“doing justice, the love of kindness, and walking humbly with God”), embodied in the community, as a replacement for sacrifice at the temple. Furthermore, this is to be expected, if, as we have argued here, the *yahad* grew out of a covenant that had already boycotted the temple (CD VI,11b–VII,4a).¹⁴² In any case, just as important as, if not more important than, the idea of the community as a substitute for the temple in 1QS V,1–13a is the idea that the *yahad* is a refuge from impurity. It is necessary, therefore, to distinguish, if not chronologically then at least conceptually, between the foundation of the *yahad* as a refuge from the “scoffers” and their impurity, and the idea that the *yahad* is a substitute for the temple.

We can affirm that the origins of the *yahad* are connected with a dispute over the authority of the Teacher. However, it must be pointed out that there was a larger issue at stake than the authority of the Teacher. The issue at stake was loyalty to the Damascus covenant, and particularly its purity regulations.¹⁴³ Thus it is not wrong, in my

¹⁴¹ See pp. 317, 506.

¹⁴² See pp. 117–18, 244, 264–65, 290–91.

¹⁴³ There were presumably other issues in dispute between the adherents of the Damascus covenant and the followers of the Man of the Lie, such as the calendar, but since other issues do not feature as strongly as purity in the foundational documents

opinion, to state that a dispute over the Teacher led to the formation of the *yahad*; only it must be recognized that that was in some way secondary to a larger problem.

5.3.4 The Debate over Purity in the Historical Context of the Development of Halakah

I have argued that the group that emerged from the Damascus covenant and that boycotted the temple did so in the years 175–157 BC, between the deposition of Onias III and the rise of Jonathan to the high priesthood. *MMT* is probably to be dated to the years 157–152 BC, when its authors were trying to convince the priesthood and Jonathan to accept their halakah rather than the proto-Pharisaic halakah of their opponents. It is generally thought that the Teacher of Righteousness joined the *yahad* in approximately 152 BC, when Jonathan became high priest, and I consider that opinion likely to be correct. All of these data support the hypothesis that the 20 years during which the group that became the *yahad* was “groping” to find its way, before the arrival of the Teacher (CD I,9–11b),¹⁴⁴ lay approximately in the years 175 (or 172)–152 BC.

MMT gives us the impression that the halakic positions of the opposing sides were already well fixed by the time that the document was written. The authors are calling on the priesthood and the leader-

1QS V,1–13a and VIII,1–16a, I do not include them here. The dispute over the calendar will have been a dispute primarily between the Teacher’s group and the authorities in Jerusalem, or between the Damascus covenant and the authorities in Jerusalem, and not within the Teacher’s group, even though those who betrayed the Teacher may in fact have espoused a different calendar. It is clear from CD VI,18–19 that the group that boycotted the temple (see VI,11–13), the forerunner of the *yahad*, inherited its calendar from the Damascus covenant. Thus the rise of the Qumran community is not to be explained, as is sometimes done, as a result of disagreement with *mainstream* Palestinian Jews who were espousing a different calendar, but as the result of a separation from apostates within the Damascus covenant who were espousing a different halakah. As Puech points out (“Le grand prêtre,” 149), the adoption of the Seleucid calendar cannot have been the immediate cause of the exile of the Teacher’s group in 152 BC, since that calendar will have been followed in Jerusalem at least since the days of the Hellenization crisis under Jason and Menelaus. In other words, both in the case of purity and in the case of the calendar, the *yahad* was the result of separation from apostates within the Damascus covenant, not from the rest of Judaism.

¹⁴⁴ On CD I,1–11b, see n. 73 on pp. 532–33 (Chapter 9).

ship of the nation to follow their interpretation of the law rather than that of their opponents. That suggests that the opposing interpretations of the law were both considered viable options and that the positions of the opposing parties probably go back into the pre-Maccabean era. Since it is often thought that the Maccabean era was the period of party formation, it is necessary to say something more about this.

We shall not discuss here the history of the three major parties known to us from the classical sources (Pharisees, Sadducees, Essenes), which would require a separate treatment. In the strict sense, a history of these parties *as parties* does begin in the Hasmonean era, since that is the first time that they are mentioned as existing parties in a written source (*A.J.* 13.171–73). What we can do here, however, is demonstrate that some of the positions that were taken by later groups were already known in the pre-Maccabean period, and thus that different halakic options were indeed available to the priestly leadership of the nation at an early time.

I have argued in Chapters 3 and 4 that the development of the halakah of the Damascus covenant probably began fairly early in the post-exilic period, since an important component of the covenant was careful study of Scripture in order to uncover the hidden things of the law in which Israel had gone astray (Deut 29:28; CD III,12–14), for which straying the consequence was the exile. That binding halakah in general developed early in the post-exilic period is proved by the fact that we find it formulated already in the OT itself, for example, in Neh 10:29–40, where there is a series of halakot as part of Nehemiah's covenant. It is reasonable to think that the development of alternative and competing systems of halakah followed well before the Maccabean period. And indeed we have evidence of that. For example, Roger T. Beckwith points out that the translation of LXX Lev 23:11 espouses the Pharisaic dating for the offering of the sheaf of the first fruits.¹⁴⁵ The Septuagint translation of the Pentateuch is usually dated to the 3rd century BC, which indicates that proto-Pharisaic halakah was already in existence at that time. Of course that does not mean that "the Pharisees" as a party were already in existence then. But it does show that the disputes over the calendar that loom so large in later literature have their roots in the 3rd century if not earlier.

¹⁴⁵ Roger T. Beckwith, "The Pre-History and Relationships of the Pharisees, Sadducees and Essenes: A Tentative Reconstruction," *RevQ* 11 (1982) 4 n. 1.

It was inevitable that the kind of disagreements over purity that we have studied extensively above, rooted in the interpretation of texts such as Num 5:1–4 (what is the “camp”?), will have arisen between different groups.¹⁴⁶ Moreover, we have evidence to confirm that at least one of the legal interpretations that we find in the *Temple Scroll* is probably pre-Maccabean.¹⁴⁷ In *A.J.* 12.145 Josephus cites the well-known decree of Antiochus III that prohibited Gentiles from entry beyond the “balustrade” (*peribolos*) into the Court of the Women and the Court of the Israelites. This prohibition is not strictly biblical. According to Num 15:14–16, a Gentile was to be allowed to sacrifice in the temple according to the same laws as for a Jew. However, Ezek 44:6–7 calls for an end to the abomination of allowing “foreigners” into

¹⁴⁶ Cf. E. P. Sanders, *Jewish Law from Jesus to the Mishnah* (London: SCM Press, 1990) 136: “In some ways the biblical laws regarding food and purity almost cry out for extension and clarification, simply for the sake of symmetry and completeness.” There is little reason to doubt that serious reflection and debate on how these laws were to be enacted began early.

¹⁴⁷ Based on 4Q524 (*4QTemple Scroll*), which Puech dates to 150 BC, it is now necessary to accept the pre-Qumran origin of the *Temple Scroll*. See Sidnie White Crawford, *The Temple Scroll and Related Texts* (Sheffield: Sheffield Academic Press, 2000) 24–26; and Émile Puech, “Fragments du plus ancien exemplaire du Rouleau du Temple (4Q524),” *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge 1995* (STDJ 23; ed. Moshe Bernstein, Florentino García Martínez, and John Kampen; Leiden: Brill, 1997) 63, who argues for a mid-2nd century dating. See n. 95 on that page for a list of other scholars and their proposed dates. Hartmut Stegemann, “The Origins of the Temple Scroll,” *Congress Volume: Jerusalem 1986* (VTSup 40; ed. J. A. Emerton; Leiden: E. J. Brill, 1988) 251–55; and idem, “The Literary Composition of the Temple Scroll and Its Status at Qumran,” *Temple Scroll Studies* (JSPSup 7; ed. George J. Brooke; Sheffield: JSOT Press, 1989) 126–31, 142–43, has argued that the work must be older than Sirach (ca. 200 BC) and may be as old as the middle or late 5th century BC or more likely the 4th century. While it is probably not possible to prove a date as early as the 5th or 4th century, and while his hypothesis that the *Temple Scroll* has its origins in “Torah expansions” left out of the canonical Torah seems unlikely, there is a good chance that at least some of the scroll’s legal interpretation may date to the 3rd century or earlier. Antiochus III’s banning of the importation of impure animals into Jerusalem supports a pre-Maccabean dating of the *Temple Scroll* (cf. Jacob Milgrom, “Further Studies in the Temple Scroll,” *JQR* 71 [1980] 98). Florentino García Martínez, “The Temple Scroll and the New Jerusalem,” *The Dead Sea Scrolls after Fifty Years* (ed. Flint and VanderKam) 2.443–45, prefers a somewhat later date, but still not later than the mid-2nd century BC. See also Michael Wise, *A Critical Study*, 154, who argues that the legal tradition behind *TS* is very old, perhaps even reaching back to the exile. He dates the *Temple Scroll* itself to the mid-2nd century BC (p. 194).

the temple. It is not certain whether Ezekiel's prohibition was against the entry of Gentiles into the temple for the purpose of sacrifice or against Gentiles working as temple servants.¹⁴⁸ In any case, although there are accounts of Gentiles offering sacrifice in the temple during the Second-Temple Period,¹⁴⁹ it appears that by the time of Antiochus III they were prohibited from sacrificing in the temple (except upon conversion to Judaism). Behind Antiochus's decree there is a kind of halakic ruling; this ruling seems not to have been the ruling of any one party, but to have been the commonly accepted rule of all Jews of the time.¹⁵⁰

But Josephus says that Antiochus III's decree also prohibited the importation of the flesh or hides of impure animals into Jerusalem, as well as their breeding in Jerusalem, and allowed only the use of sacrificial animals in Jerusalem. Since until recently such a prohibition was not known from other Jewish sources, some scholars in the past doubted the accuracy of Josephus's information. For example, on the basis of similar prohibitions known from Samaritan sources, Büchler argued (rather implausibly) that the prohibition was originally a piece of Samaritan polemic that was used to show that Antiochus IV Epiphanes respected the purity regulations of the Samaritan temple, and that a Jewish editor borrowed it and made it apply to Jerusalem.¹⁵¹ He considered it unlikely that a king who wanted to give the Jews a sign of his favor would have prohibited them from bringing unclean animals into the city, which they could not eat but which they could have used for labor.¹⁵² Büchler did not consider the possibility that the prohibition came at the behest of Jewish priests themselves (see below). Ralph Marcus wrote: "that the Jews at this time or any time should have objected to the bringing into Jerusalem of horses, asses, mules, etc., alive or dead is incredible." Therefore he proposed that Antiochus, on

¹⁴⁸ See Chapter 4, p. 167, and references there.

¹⁴⁹ *A.J.* 12.4.

¹⁵⁰ For other mentions of this prohibition see *A.J.* 15.417; *B.J.* 5.194; 6.124–26; *C. Ap.* 2.103–04; Philo, *Legat.* 212; *m. Kelim* 1:8; cf. also Acts 21:28; and 4Q174 1–2 i 4 (for the eschatological temple). The literary evidence for this prohibition has been corroborated by the discovery of inscriptions to the same effect. For information see Schürer, *The History of the Jewish People*, 1.115.

¹⁵¹ Adolf Büchler, *Die Tobiaden und die Oniaden im II. Makkabäerbuche und in der verwandten jüdisch-hellenistischen Litteratur* (Vienna: Alfred Hölder, 1899) 148–58.

¹⁵² *Ibid.*, 148–49.

the request of the Jewish leaders, gave orders to one of his officials to write up a decree protecting the sanctity of the temple. The official who authored the decree, however, being unfamiliar with Jewish law, “simply chose a formula that was in use for the protection of the cults of various Hellenistic and Syrian cities, and slightly altered it to make it apply to Jerusalem in spite of the fact that it did not wholly fit the requirements of the Jews.” As evidence Marcus points to an inscription from Ialysus on Rhodes that prohibited the bringing into the temple or the temple precincts horses, donkeys, or mules. Alternatively, Marcus suggests that Antiochus’s decree may have originally prohibited the bringing of any animals into Jerusalem on the sabbath, but the text has been corrupted.¹⁵³

With the discovery of the *Temple Scroll*, however, the authenticity of Antiochus’s decree against the bringing in of the flesh or hides of impure animals gains much in plausibility. It is not only not “incredible” that Jews would have objected to this; we now know that there were Jews in the Second-Temple period who specifically espoused a prohibition of the importation of the flesh and hides of unclean animals into Jerusalem and who wanted to limit importation to sacrificial animals only. The *Temple Scroll* stipulates:

Everything that is in [the city of the temple] will be pure, and everything that goes into it will be pure...All the hides of pure animals which they slaughter in their cities they shall not bring into [the city of the temple]...For their purity will be like their flesh, and they shall not defile the city in which I shall make my name and my sanctuary to dwell. Rather with the hides [of the animals] that they slaughter in the temple, with these they will bring their wine, their oil, and all their food into the city of my temple...And you shall not consider pure the hide from your cities for my city, for according to the purity of its flesh so shall the hides be pure...you shall not defile my temple and my city in which I dwell with your profane skins. (11QT^a [11Q19] XLVII,5–6, 7–8, 10–13, 14–15, 17–18)

Here we find not only that hides of pure animals that were slaughtered outside Jerusalem were to be prohibited from Jerusalem; but also the hides of all impure animals had to be kept outside of the city. Only

¹⁵³ Ralph Marcus, “Appendix D,” in Josephus, *Jewish Antiquities, Books XII–XIII* (LCL 365) 491–94. For another explanation of the decree see Élie Bickerman, “Une proclamation séleucide relative au temple de Jérusalem,” *Syria* 25 (1946–48) 67–85.

hides of animals that were fit for sacrifice would be permitted into Jerusalem. The basis for this regulation is that “the city that I shall sanctify, to make my name and my sanctuary to dwell in it, will be holy and pure from everything, with regard to every case of impurity with which it could be defiled” (XLVII,3–4). This regulation differs from rabbinic halakah, which declared skins of impure animals to be pure and fit for use once they had been treated or trampled on.¹⁵⁴ A regulation like that in the *Temple Scroll* would explain why both the flesh and the hides of impure animals, and the breeding of such animals, might have been prohibited in Jerusalem according to Antiochus’s decree.¹⁵⁵

The *Temple Scroll* is quite likely of pre-Maccabean date (see note 147), and Antiochus’s decree, which is also pre-Maccabean, is evidence that at least this ruling of the *Temple Scroll* was already in existence at that time.¹⁵⁶ It will be granted that the *Temple Scroll* represents ideal legislation and was intended to offer an alternative to the dominant practice of mainstream Judaism. Therefore we cannot take it as representing actual practice, at least not within any kind of “official” Judaism of the Second-Temple period that could be enforced, without further evidence. However, Antiochus’s decree may be a case where proponents of a view of purity such as is represented in the *Temple Scroll*, which was more rigorous than was common in mainstream or official Judaism, may have been able to lobby Antiochus to uphold their more stringent view.¹⁵⁷ According to the decree, those who

¹⁵⁴ *m. Hul.* 9:2; cf. the remarkably similar language in *m. Hul.* 9:2 (עוריהן כבשרן), “their hides will be like their flesh”) and 11QT^a (11Q19) LXVII,10 (כבשרמה חיה), “their [the hides’] purity will be like their flesh”).

¹⁵⁵ Yadin, *The Temple Scroll*, 1.310–11. Lawrence H. Schiffman, “*Miqsat Ma‘aseh Ha-Torah* and the *Temple Scroll*,” 445, points out two differences between 11QT^a and Antiochus’s decree: “Yet there is no indication that this law [Antiochus’s decree] applied as well to kosher animals which were slaughtered outside of Jerusalem and to their hides. Further, there is no parallel in the scroll nor in *MMT* to the edict’s notion that live unclean animals may not enter the city.” Schiffman’s first point is granted. As for the second point, note that 11QT^a XLVII,6 says that “everything that goes into [Jerusalem] will be pure.” A strict reading of Lev 11:26, 27, 47 might suggest that impure animals are absolutely impure (even when they are alive) and must therefore be kept out of Jerusalem according to the principle of 11QT^a XLVII,6.

¹⁵⁶ So also Milgrom, “Further Studies,” 98.

¹⁵⁷ This speaks against Beckwith’s argument (“Pre-History,” 33) that “the high-priestly family of the period [ca. 200 BC] probably conformed to Pharisaic views because these were the traditional views.” Both proto-Pharisaic and Zadokite views were traditional. Beckwith may be correct that Simon II was a Pharisaic sympathizer

violated these regulations were subject to a fine to be paid to the priests. That suggests that the decree came at the behest of priests in Jerusalem, which is not unlikely, since the decree has to do with the preservation of the purity of the temple and of the city of the temple.

We have seen above that the *Temple Scroll* preserves a form of Zadokite halakah related to that in the *Damascus Document* and in *MMT*. The prohibition against impure animals in Jerusalem is probably Zadokite in origin. Modern Samaritan halakah prohibits the use of articles that come from animals that are either impure or that have been incorrectly slaughtered.¹⁵⁸ If, as I have argued in Chapter 4, the Damascus covenant preserves an old Zadokite system of halakah, halakah that was also continued in Samaritanism by dissident Zadokite priests, then this Samaritan halakah (if we take it to reflect also ancient practice) provides additional evidence that the proscription in Antioch's decree is to be traced back to Zadokite halakah in the pre-Maccabean period.

As far as I know, there is no evidence that the decree prohibiting the importation of impure, non-sacrificial animals into Jerusalem was enforced at later times. It is possible that attempts were made to enforce the prohibition. Such a prohibition would have been difficult to enforce, and so the prohibition may have soon been abolished. But the fact of non-enforcement does not render that part of the decree historically "incredible" (in Marcus's words). Rather, it supports the hypothesis that I have proposed above, namely, that in this period there were alternative and competing systems of halakah. It may be that one high priest lobbied Antiochus III to implement this prohibition, and another one abolished it. If Antiochus III (king 223–187 BC) issued the decree at the beginning of his rule over Palestine (200 BC), the high priest in office at the time was probably Simon II. It is also possible, however, that the decree actually dates from the high priesthood of Onias III, towards the end of Antiochus's reign, and that Josephus has placed the decree together with other documents relating to the

and that Onias III was not (pp. 33, 42). But Beckwith's claim (p. 42) that the accession of Onias marked a sudden change in the fortunes of the Pharisees is doubtful. It is more likely that the proto-Pharisaic halakah and Zadokite halakah were alternative and competing systems at the end of the 3rd century BC.

¹⁵⁸ See A. Geiger, "Neuere Mittheilungen über die Samaritaner," *ZDMG* 16 (1862) 717–18.

governance of Palestine under Antiochus III.¹⁵⁹ In any case, the prohibition is pre-Maccabean.

Thus already in the pre-Maccabean era we have evidence for the existence of halakah on two major points of dispute (the calendar and purity) that will reappear later.¹⁶⁰ The fact that the halakah on impure animals in Jerusalem known to us from 11QT^a XLVII appears in a decree of Antiochus III, but was not later enforced, probably indicates that there were alternative and competing systems of halakah on purity even at that time. The debate over purity that occasioned the formation of the *yahad* several decades later fits perfectly into that historical context.

5.4 *Who Was the Preacher of the Lie?*

We have seen that, in the view of its members, God established the *yahad* as a refuge from impurity. The impurity came from traitors of the Damascus covenant who had abandoned the Zadokite halakah and accepted a proto-Pharisaic halakah. These “traitors” were known as the “men of mockery” and, at least at a later time, as “seekers of smooth things.” These men of mockery are said to have been led by a person called the “Scoffer” (CD I, 13–II, 1), otherwise known as the “Preacher of the Lie” or the “Man of the Lie,” presumably a single person who was responsible for teaching the halakah that these men followed. Is it possible to identify the Preacher of the Lie?¹⁶¹

One possibility must be confronted immediately, and that is that the Preacher of the Lie was not a historical person at all, but an imaginary figure. Perhaps the later community constructed this figure on the basis

¹⁵⁹ Note that the letter from Antiochus to Zeuxis in *A.J.* 12.147–53 apparently comes from the period before Antiochus began to rule over Palestine, which indicates that the three documents relating to Antiochus’s rule in 12.138–53 may come from different times in his rule. See Marcus, “Appendix D,” 496.

¹⁶⁰ Esther Eshel, DJD 35.138–39, argues that in Tob 2:9, when Tobit washes himself on the first day after burying a man, he is following the halakah for corpse impurity as discussed above in connection with 11QT^a (11Q19) XLIX, 16–21. That would be evidence for the existence of this halakah already in the 3rd century BC. While this is possible, it is not certain that Tobit is following that halakah specifically.

¹⁶¹ There is no basis for the speculation that the Preacher of the Lie was Simeon ben Shetach (so, e.g., F. F. Bruce, *The Teacher of Righteousness in the Qumran Texts* [London: The Tyndale Press, 1957] 25–26).

of Mic 2:11. It viewed the existence of a false interpretation of Torah, promulgated by a “Preacher of the Lie,” as part of the unfolding of history as foretold by God’s prophets. Even if there was no single historical person who acted as the Preacher of the Lie, such a person “must” have existed some time in the past, because Scripture says so.

Against this, however, it must be said that no one seriously doubts that other significant figures in the *pesharim*, such as the Teacher of Righteousness and the Wicked Priest, were historical persons, even if we cannot identify them with absolute certainty, and so we should start from the assumption that the Preacher of the Lie was also a historical person. Moreover, we have seen that the foundational documents of the *yahad* generally support a reconstruction of history according to which there was a deeply influential group of persons (a “congregation”) who taught an alternative halakah. That this group had a single identifiable leader does not necessarily follow, but it is not implausible.

We may begin by noting what the DSS tell us directly about the Preacher of the Lie (or the Man of the Lie or the Scoffer). We have already had occasion to mention many of the texts, so we can summarize here. The Preacher of the Lie is said to have misled many, to have led astray the people of Israel, mainstream Jewish society (CD IV,19; VIII,12–13/XIX,25–26; 1QpHab X,9; 4QPs^a [4Q171] 1–2 i 18–19). He has done this by the help of adherents, a congregation that he established (1QpHab X,10; CD I,12). These followers are the “seekers of smooth things” (CD I,18; and cf. 4Q169 3–4 ii 2 with 1QpHab X,10), that is, proponents of a more lenient halakah, and they too have misled many (4Q169 3–4 iii 6–8). One receives the impression that the influence of this teacher extended widely over Israel.

There is one text that suggests that his influence extended over a long period of time also. CD XX,13–15 says that “from the day of the gathering in of the unique Teacher until the end of all the men of war who turned around with the Man of the Lie will be about 40 years.” It is generally recognized that these lines refer to the last 40 years of history that the *yahad* expected between the death of the Teacher of Righteousness and the *eschaton*.¹⁶² The fact that the “men of war,” a term that comes from the holy war tradition and that refers to the community’s enemies, are said to have “turned around” with the Man

¹⁶² E.g., Dupont-Sommer, *The Essene Writings*, 140; Cothenet, *Le document de Damas*, 180–81.

of the Lie does not, of course, mean that the Man of the Lie and the men of war in the community's last 40 years are contemporaries of each other. The Man of the Lie stands at the beginning of the history of the *yahad*; the men of war stand at its end. Rather the implication is that followers of the *teaching* of the Man of the Lie will be among the community's enemies even at the final battle (cf. 1QM I,2). That suggests again the enormous influence that this Preacher of the Lie had over successive generations (cf. CD I,11–12).

Finally, as we saw above, 1QpHab V,9–12 refers to what appears to have been a confrontation between the Teacher of Righteousness and the Man of the Lie, at which point there was a betrayal of the Teacher by some in his group. That suggests that the career of the Man of the Lie overlapped with that of the Teacher.

The DSS do not explicitly attribute the invention of the alternative halakah to the Man of the Lie, although that may be implied in CD I,13–II,1 and in 4QPs^a (4Q171) 1–2 i 17–19. According to the latter, the man who “carries out [or makes] (evil) devices” in Ps 37:7 is interpreted of the Man of the Lie. He is also said to have founded a congregation of deceit in 1QpHab X,10. Thus the origin of this “heresy” is attributed to a single person. In a parallel way, although at a much later date, rabbinic tradition would trace the *Sadducees* back to the influence of a certain Zadok, whom the rabbinic tradition viewed as a heretic for denying the doctrine of the resurrection. This rabbinic tradition claims that disagreement over that doctrine was the primary dispute that led to the division between themselves and the Sadducees. Although this was indeed a major difference between them (cf. *b. Sanh.* 90b), as it was between the Pharisees and the Sadducees (Acts 23:8), it is most unlikely that this was the actual cause of the division between the Pharisees and the Sadducees.¹⁶³ If we are right that differences over

¹⁶³ In *ʿAbot R. Nat. 5* the sect of the Sadducees is traced back to a certain Zadok, who is said to have rejected the teaching of his masters. According to *m. ʿAbot* 1:3 Antigonus of Soko said, “Be not like servants who serve the master for the sake of receiving a reward, but be like servants who serve the master without the expectation of receiving a reward, and let the fear of heaven be upon you.” In the commentary on this *mishnah*, *ʿAbot R. Nat. 5* says (the translation follows that of Eli Cashdan in the Soncino Press edition of the Babylonian Talmud [*Minor Tractates*] [London: Soncino Press, 1984]), with some minor modifications):

Antigonus of Soko had two disciples who repeated this doctrine to their disciples, and their disciples to their disciples. They rose up and examined the matter,

the calendar and purity go back at least to the 3rd century, then it is more likely that these disagreements account for the split between Pharisees and Sadducees than does the doctrine of the resurrection.¹⁶⁴

Thus both the rabbinic tradition and the *yahad* attribute the origin of a competing party to a single teacher from the 2nd century BC. But the

saying, "Why did our predecessors say this? Is it right for a laborer to work all day and not to receive his wages in the evening? Had our predecessors known that there was another world and that there would be the resurrection of the dead, they surely would not have taught thus!" So they arose and turned away from the Torah. Two sects (פריצות) sprang (נפרצו) from them: the Sadducees and the Boethusians, the Sadducees named after Zadok, the Boethusians after Boethus. All their lives they used vessels of silver and gold, but not because they were arrogant in mind. The Sadducees said that it was a tradition of the Pharisees to subject themselves to austerity in this world, and in the world to come they possess nothing at all.

The alleged founder of the Sadducean party is said here to have based his denial of the resurrection of the dead on Antigonus's teaching: Antigonus must not have believed in the resurrection of the dead, otherwise he would have certainly taught that one should expect a reward in the next world. The rabbinic tradition calls Zadok's denial of the resurrection his "turning away from the Torah," that is, heresy. Clearly, however, it was Antigonus's teaching itself that caused the problem for rabbinic tradition. The rabbis sought to claim Antigonus for their viewpoint, and so in the repetition of *m. 'Abot* 1:3 in *'Abot R. Nat.* 5 they added to the last line ("and let the fear of heaven be upon you") the words, "in order that your reward may be double in the world to come." There is no question that these words are a later interpolation, since they directly contradict Antigonus's teaching in the first part of the *mishnah*, and since if the words were original there would be no basis for the discussion of the disciples that follows in the commentary. The fact that Antigonus's original teaching was preserved in the chain of rabbinic tradition, despite the fact that it caused the tradition problems, indicates (1) that it is probably an authentic part of the tradition; (2) that the doctrine of the resurrection was not yet a firmly fixed element of Pharisaic/rabbinic doctrine at the time of Antigonus (c. 180 BC)—it was still a subject of debate—and (3) that it was not the real cause of division between Pharisees and Sadducees. Only the later rabbinic tradition made it such.

¹⁶⁴ Although disagreement over the doctrine of the resurrection may also go back to the 3rd century, it is the Antiochene crisis that seems to have crystalized belief in the resurrection into a doctrine, and from that time on belief in or denial of the resurrection will have become a major point of disagreement between the Pharisees and Sadducees. It must be remembered that belief in the resurrection became of great importance to the martyrs who died in the persecutions of the Maccabean period (cf. 2 Macc 7). See further Louis Finkelstein, *The Pharisees: The Sociological Background of Their Faith* (2 vols.; Philadelphia: JPS, 1946) 1.152–54. He suggests that both Ben Sira and Antigonus of Soko probably deny the resurrection in reaction to those (such as are represented in the Enoch literature) who taught the resurrection of the dead.

attribution of the origin of competing parties to a heresiarch is often more polemical than historical. In the case of the Sadducees, the rabbinic tradition that traces the Sadducees back to a certain Zadok is undoubtedly spurious (see note 163). There is no reason to doubt that the Sadducean party is ultimately rooted in the Zadokite priesthood (perhaps that element of the Zadokite priesthood that was in the 2nd century open to Hellenistic influence), but there is no reason to believe that it is derived from a particular person by the name of Zadok. So also orthodox Christians in the early church attributed heresies to the influence of individual heresiarchs.

What about the Preacher (Man) of the Lie? As we have seen, there is reason to think that the proto-Pharisaic halakah against which the *yahad* protested so vehemently pre-existed the Maccabean era. Therefore I consider it doubtful that the Man of the Lie was himself the sole inventor of that halakah. Yet there is no reason to doubt that he was a historical figure. The report of a confrontation between the Man of the Lie and the Teacher of Righteousness in 1QpHab V,9–12 strikes one as a historical event. The Man of the Lie may have been a very influential teacher of proto-Pharisaic halakah, who flourished in the early and middle years of the 2nd century BC and whose career overlapped that of the Teacher of Righteousness.

The hypothesis that the Man of the Lie was an influential proto-Pharisaic teacher but not the founder of Pharisaism agrees with an argument that I made earlier in this book. I argued in Chapter 1 that the places in the *Damascus Document* that attribute the infidelity of the “builders of the wall” (=mainstream Jewish society or the general Jewish population) to the influence of the Man of the Lie (CD IV,19–20; VIII,12–13/XIX,25–26) are secondary glosses. They come from the perspective of the *yahad*. That argument agrees well with the foregoing discussion. The Qumran community believed that mainstream Judaism was corrupted by a false interpretation of the law. The community, believing from a temporal distance that the Man of the Lie himself had been responsible for initiating this false teaching, attributed the waywardness of the whole of Jewish society outside of itself to the influence of this one man, as though he were its founder. In reality, it was the Pharisees (or the proto-Pharisaic movement) that was responsible. The Man of the Lie was one of their teachers, but was thus only indirectly responsible for the waywardness of Jewish society.

5.5 *The Community's Self-Understanding as a Substitute for the Temple*

We have seen that the most immediate cause of the formation of the *yahad* was a betrayal of the Damascus covenant by some of its members, in response to which the faithful withdrew and formed their own community. An element within the covenant had gone over to the proto-Pharisaic halakah that was espoused by the “men of mockery,” and that meant that the purity of the camps of the Damascus covenant could no longer be guaranteed. In order to guarantee the purity of the camp, it was necessary to form a “community (יחד) in law and possessions” separated from the “congregation of the men of injustice” (1QS V,1–2). Due to the loss of the high priesthood by the Zadokites, those in the Damascus covenant who remained loyal to its halakah also viewed the temple as incorrigibly defiled, and so part of the covenant of these separatists was not to offer sacrifices at the temple (CD VI,11–14).

At some point the *yahad* also came to view itself as a substitute for the temple. As we saw above, it is important to distinguish conceptually, if not chronologically, between the constitution of the *yahad* as a refuge from impurity and its self-understanding as a substitute for the temple. We also noted, however, that the self-understanding of the community as a temple may have arisen immediately upon formation of the *yahad* through reflection on Mic 6:6–8. We must investigate this more closely.

The foundational document 1QS V,1–13a says that the men of the community are “to accomplish (לעשות) together truth and humility, righteousness and justice (משפט) and love of kindness (אהבה חסד)¹⁶⁵ and humble behavior (הצנע לכה) (lines 3–4). These lines contain an allusion to Mic 6:8, which reads: “What does the LORD require of you except to do justice (עשויה משפט), to love kindness (אהבה חסד), and to walk humbly (הצנע לכה) with your God?” The allusion to this verse in 1QS V,3–4 evokes also the previous two verses in Micah, which imply a

¹⁶⁵ The correct translation of אהבה חסד from Mic 6:8 has been disputed (“compassionate love” or “love of kindness”?). As Menahem Kister, “Commentary to 4Q298,” *JQR* 85 (1994) 243, points out, the occurrence of אהבי חסד (or אהבו חסד; see DJD 20.25–26) in 4Q298 3–4 ii 7 suggests that this community virtue should be translated “love of kindness.”

rejection of the sacrificial cult. The implication of this evocation of Mic 6:6–8 may be that “doing justice,” “loving kindness,” and “walking humbly” with God are to serve as a substitute for sacrifices. Such a significance for Mic 6:8 is likely in the allusion to this verse in 1QS VIII,2, which stands in a section (VIII,1–16a) that speaks of the *yahad* as a substitute for the temple.¹⁶⁶ Does the allusion to Mic 6:8 in 1QS V,3–4 signify the same? That is possible, even likely. If so, it would indicate that the community-as-temple concept was already present at the founding of the community as a refuge from impurity.¹⁶⁷

The roots of the idea that the life of the righteous could serve as a substitute for sacrifice are visible in CD XI,18c–21b:

No one should send to the altar a sacrifice or an offering or incense or wood by the hand of a man impure from any of the impurities, to allow him to defile the altar, for it is written [Prov 15:8]: “The sacrifice of the wicked is an abomination, but the prayer of the righteous is like an agreeable offering (כַּמְנַחַת רִצּוֹן).”

The author may have cited Prov 15:8 primarily for the sake of the first half of the verse: if an impure person offers a sacrifice, it is an abomination. These lines presuppose participation in the temple cult, and the point may be that a member of the covenant should not send sacrifices by means of a non-member, who would be impure. The fact that the author alters the second half of the verse, however, from the original “the prayer of the upright is his delight (רִצּוֹנוֹ),” without any connotation of sacrifice, to “the prayer of the righteous is like an agreeable offering” indicates that he considers the prayer of the righteous to be like sacrifice, and we may have here the beginning of the idea that spiritual sacrifices of the righteous can replace physical

¹⁶⁶ Klinzing, *Umdeutung*, 103, points out that in 1QS VIII,3 there is an allusion to Ps 51:19, also suggestive of a critique of the temple.

¹⁶⁷ Cf. Klinzing, *ibid.*, 102. Klinzing (pp. 89, 92, 152) also argues that the idea of the community as temple probably arose early in the community’s history, although perhaps not at the very beginning; the way for this idea was prepared by the community’s reinterpretation of its own life as a kind of sacrifice. Given the biblical mandate and the importance of temple sacrifice for Jewish life at that time, it is likely that a substitute for temple sacrifice will have been sought soon after the decision to boycott the temple was made. The idea that righteous living can be a substitute for sacrifice may go back to the time represented by CD VI,11b–VII,4a (boycott of the temple). Perhaps CD XI,20–21 is evidence for the existence of this idea in the period before the rise of the *yahad*.

sacrifices.¹⁶⁸ Of course, the analogy between spiritual and physical sacrifice is already present in the Psalms; but the problem of impurity may have led to the view that spiritual sacrifices are not only analogous to physical sacrifices but can serve as a substitute for them as long as the problem of impurity remained.

The lines preceding and following CD XI,18c–21b have to do with the sabbath. In that context the rule about impure sacrifices looks like an interpolation. If it is an interpolation, it may come from a time when the separatists were withdrawing from participation in the temple but before they had boycotted it altogether. On this reading, the sending of sacrifices as such is still not absolutely prohibited; prohibited is only the sending of sacrifices by the hand of impure men. The second half of Prov 15:8 is used to prove that the spiritual sacrifices of the righteous can take the place of physical sacrifice. If the rule is an interpolation, it was probably attracted to this place by the regulation in XI,17–18, which prohibits sacrifice on the sabbath except for the sabbath sacrifice.

In any case, this idea was further developed in the *yahad*. 1QS VIII,8–9 says that the *yahad* will be “a most holy dwelling for Aaron, with eternal knowledge for the covenant of justice, and to offer a pleasing aroma (רייח ניחוח).” The community will be a “holy of holies” where atonement will take place.¹⁶⁹ Ezekiel 20:40–41 provided Scriptural warrant for the idea that God would accept the people themselves as a sacrifice. There the prophet writes: “For on my holy mountain, the mountain height of Israel, says the Lord GOD, there all the house of Israel will serve me in the land; there I shall accept them (ארצם), and there I shall seek your contributions and the first of your offerings with all your sacred things. As a pleasant aroma (רייח ניחוח) I shall accept (ארצה) you when I bring you out from the peoples and gather you out of the countries where you have been scattered; and I shall manifest my holiness in the sight of the nations.” In this chapter of Ezekiel God promises to restore Israel by bringing the people out of the nations of their exile into the wilderness, bringing them into the bond of the covenant, and purging from them all the rebels and transgressors. After this purification God will bring the purified Israel

¹⁶⁸ For the use of the phrase מנחה רצון in a similar context, see 1QS IX,5.

¹⁶⁹ 1QS VIII,10b adds: “And they will be accepted (והיו לרצון) to atone for the land.” This line is missing in 4Q259 II,15–16 but appears in 4Q258 2 i 4.

back into the land and settle them on God's holy mountain, where they will once again serve God (20:33–38, 40–44). We saw in Chapters 3 and 4 that the prophetic promises of the gathering of the people of Israel from exile were an essential component of the Damascus covenant. According to Ezek 36:16–19; 39:24, the exile was the result of the people's impurities, and according to Ezek 36:25, 29 the gathering of the people from exile would coincide with their purification. Thus it would be no surprise if the *yahad*, which God established as a refuge from impurity (and from the traitors of the new covenant) and as a place for purification (1QS III,6–9), came to view itself as the fulfillment of Ezek 20:41, the “purged Israel” from which the “rebels” had been removed (cf. 20:38), whom God would accept as an atoning sacrifice.¹⁷⁰ Remarkably, the prophet says not only that Israel will give its offerings to God, but that God will accept Israel itself as an acceptable offering, a soothing odor. The verb used here (רצה) is the verb used often in the OT to designate God's acceptance of sacrifices (Lev 1:4; 22:23, 25; Ps 51:18; Amos 5:22; Mic 6:7; Mal 1:10, 13) or of those who offer sacrifice (2 Sam 24:23; Ezek 43:27), and the cognate noun רצון is used in a similar way (Lev 1:3, 4; 19:5; 22:19, 20, 21, 29; 23:11; Isa 56:7; 60:7; Jer 6:20; Mal 2:13). In effect, the prophet says that purified, restored Israel will itself will be an acceptable offering to God.

The community's full understanding of itself as a substitute for the temple, as expressed in 1QS VIII,1–16a and IX,3–11, came at a second stage in the development of the *yahad*, after the stage represented in V,1–13a and V,13b–20a. That opinion differs from Murphy-O'Connor, who argued that the earliest stage in the history of the *yahad* is represented in 1QS VIII,1–16a (along with IX,3–X,8a). His hypothesis is based largely on this section's “future” orientation and on his assumption that VIII,1–16a represents the earliest period in the history of the *yahad*, when only the priests had authority in the community, while V,1–13a represents a later, “democratizing” stage, when the priests shared authority with the laity.¹⁷¹ We shall see when we examine

¹⁷⁰ On the significance of texts from Ezekiel, see further Chapter 9, pp. 504, 514.

¹⁷¹ Jerome Murphy-O'Connor, “La genèse littéraire de la Règle de la Communauté,” *RB* 76 (1969) 528–49, esp. 529–32, 534, 548–49; followed for the most part by Jean Pouilly, *La Règle de la Communauté de Qumrân: Son évolution littéraire* (Paris: J. Gabalda, 1976). Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987) 129, also says that 1QS VIII,1–16a, and particularly VIII,1–4a,

the leadership of the *yahad* in Chapter 9 that Murphy-O'Connor is wrong when he says that 1QS V,1–13a represents a later, democratizing stage.¹⁷² For the moment, however, we may make some other observations that indicate that 1QS VIII,1–16a and IX,3–11 are more recent than 1QS V,1–13a.

At the conclusion of her study of the textual development of the *Rule of the Community*, Metso writes:

No copy of the Community Rule has been preserved where the material parallel to 1QS V-VII and VIII-IX existed separately, but the differences in style and vocabulary between 1QS VII and the beginning of 1QS VIII indicate that sections 1QS V-VII and VIII-IX did not originally belong together. It is difficult to judge which of the sections, V-VII or VIII-IX, formed the nucleus of the text, but I am inclined to think that it was the material of 1QS V-VII even though complete certainty in the matter cannot be achieved.¹⁷³

I am more confident than Metso that 1QS V–VII formed the nucleus of the *Rule*. For one thing, the text of 4QS^d (4Q258) begins at 1QS V,1. That text was also the beginning of the manuscript.¹⁷⁴ In other words, this manuscript was produced without 1QS I–IV being attached in front. Even prior to the publication of the 4QS manuscripts, columns I–IV of 1QS were generally considered to be a later addition to the document, and the 4QS manuscripts confirm that.¹⁷⁵ Of course, the fact that a manuscript begins with 1QS V,1 does not necessarily mean that V,1–13a forms the oldest part of the *Rule*. And it must be noted that 1QS V,1–13a is missing from some of the 4QS manuscripts. But the fact that one of the manuscripts begins with 1QS V,1 is certainly compatible with the hypothesis that it was the oldest part, a nucleus around which the rest of the *Rule* came to be gathered.

Moreover, we have seen that the procedure for entrance into the covenant in 1QS V,7–10 (=4Q258 1 i 5b–7a) is tradition-historically derived from the Damascus covenant, and that 1QS V,1–13a is best understood as a document reflecting the foundation of the *yahad* in

“appears to be the oldest in the Rule and to go back to the period shortly before the Qumran community came into existence.”

¹⁷² See pp. 509–12.

¹⁷³ Metso, *Textual Development*, 143.

¹⁷⁴ *Ibid.*, 37, 114.

¹⁷⁵ *Ibid.*, 107–08 and n. 1.

response to the traitors of the Damascus covenant. Together with the manuscript evidence, that makes it probable that 1QS V,1–13a represents the oldest part of the *Rule*.

In addition, we saw in our discussion of 4Q265 4 ii 3–8 and 1QS VI,13c–23 that the two-year novitiate in the latter, required of all candidates for entrance into the *yahad*, is a development from the entrance procedure of the Damascus covenant (CD XV,5b–15a; cf. 1QS V,7–10). 1QS VIII,1–16a seems to presuppose the two-year novitiate when it mandates two years of “perfect behavior” for the men of the community in order to form the foundation of the community (VIII,10). That suggests that VIII,1–16a comes from a later time than V,1–13a and VI,13c–23. That VIII,10 presupposes the two-year novitiate of VI,13c–23 rather than that the two-year novitiate of VI,13c–23 presupposes the two years of perfect behavior in VIII,10 is proved (1) by the fact that the entrance procedure of VI,13c–23 is easily explainable on the basis of the entrance procedure of the Damascus covenant (and 4Q265 4 ii 3–8), while the two years of perfect behavior in VIII,10 are unexplainable except on the basis of VI,13c–23; and (2) by the fact that in VIII,10–11 the two years of perfect behavior are the basis for the creation of a new category of persons, the “men of (perfect) holiness” (אנשי הקודש), a category not known in VI,13c–23.¹⁷⁶ 1QS IX,5–6 shows that the creation of this category of men is indeed a new stage in the history of the community: when the men act in perfect behavior, they will be set apart (יבדילי), not only from the men of injustice, as in V,1–2 (cf. also IX,8–9), but in order to be united in a community (להיחד) functioning as a “holy of holies,” that is, as a temple (IX,6).

Even after this new stage in the history of the community had been reached, the initial rationale for the establishment of the community as a refuge from impurity, such as was expressed in 1QS V,1–13a, was not forgotten. Thus VIII,12b–13 reads: “And when these (men) have become a community in Israel, according to these arrangements, they will be separated from the midst of the dwelling of the men of injustice

¹⁷⁶ That makes it somewhat unlikely that 1QS VIII,10b is part of an interpolation (so Pouilly, *La Règle de la Communauté*, 35–38; Knibb, *The Qumran Community*, 133). It is probably original. See also DJD 26.106, 145; Metso, *Textual Development*, 103. But even if VIII,10b is an interpolation (dependent on VI,13c–23), the community-as-temple language, as argued above (pp. 295, 308), is probably at least conceptually if not chronologically secondary to the stages represented by 1QS V,1–13a and VI,13c–23.

(אנשי העול) to walk to the desert to prepare there his way.” And IX,8b–9a says of these men: “Their possessions (הונם) must not be mixed with the possessions of the men of deceit who have not cleansed their way to separate from injustice (עול) and to walk in perfect behavior.” Both texts repeat the injunction of IQS V,1–2 that the community is to be separated from the “men of injustice.”¹⁷⁷

According to VIII,1 the men of perfect behavior who were to form the foundation of the community as a temple were to consist of twelve (lay)men and three priests.¹⁷⁸ These numbers are reminiscent of the organization of Israel in the wilderness. According to Num 1–4 the camp of the Israelites in the wilderness was divided according to the twelve tribes of Israel (including Ephraim and Manasseh, but excluding Levi), and they camped in their individual camps, while the Levites were divided according to their three clans and camped around the tabernacle (1:52–53). This seems to be the most likely origin for the twelve men and the three priests in the foundation of the community. The council of the community forms a microcosm of Israel, and it forms the nucleus of the community-as-temple which is also the new Israel (cf. Ezek 20:40–42).¹⁷⁹ Since the idea of the community as the temple is derived at least in part from Ezek 20, which speaks of God taking Israel back into the wilderness, there purifying the nation, and then bringing Israel back into its land, it is natural that the community would look to Israel’s first years in the wilderness, when they were

¹⁷⁷ The fact that IQS V,13b says that the men of injustice must not enter the waters in order to touch the purity of the “men of holiness” indicates that this passage might come from the time of VIII,1–16a and IX,3–11, when the category of the men of holiness had been created, but the idea of the community as a refuge from the impurity of the men of injustice was still very much present.

¹⁷⁸ That the three priests are in addition to the twelve men and not included in them is confirmed by 4Q265 7 ii 7, which says that there will be fifteen men in the community council.

¹⁷⁹ Num 1–4 is often cited as being the origin of this constitution (e.g., Knibb, *The Qumran Community*, 130; Dupont-Sommer, *The Essene Writings*, 90 n. 4). One problem with this derivation is that Num 3:10 clearly distinguishes between the descendants of Aaron as priests and the Levites. But I do not have a better suggestion for a derivation. It may be that the Qumran exegetes, on the basis of the whole Pentateuch, envisaged an ideal Israel in which the historic division between Levitical priests and Aaronic priests was overcome, and all the descendants of Levi would serve as priests. The community was to reflect that ideal Israel.

being constituted as a nation, for guidance in how they should be organized.

5.6 *The Move to the Desert*

This will have led the community to believe that it must return to the desert.¹⁸⁰ Thus we find that VIII,13–14 prescribes that the community is to go into the desert in accordance with Isa 40:3. The initial formation of the fifteen-man community-as-temple may have taken place in Jerusalem. In 4Q265 7 ii 7–10 we find a section very similar to 1QS VIII,1–16a. There will be fifteen men in the community council, who will be a pleasing aroma (ריח ניחוח) to atone for the land. These lines come in the midst of various other regulations, one of which probably prohibits the eating of non-sacrificial animals in Jerusalem.¹⁸¹ That may indicate that the community was still in Jerusalem while it was forming the group of fifteen, although that is by no means a necessary deduction. In any case, 1QS VIII,1–16a comes from a time when the community was preparing to move to the desert. It is difficult to know when this move to the desert happened, but it probably came some years after the writing of *MMT* (157–152 BC). In *MMT* C 7–8 the authors say that they have separated themselves from the multitude of the people and from mixing with them. This statement may presuppose the move to the desert, but it does not have to do so. We have seen that what is probably the earliest community foundation document (1QS V,1–13a and parallels in the 4QS manuscripts) prescribes the formation of a *yahad*. But there is no reason that we must assume that the move to the desert was simultaneous with the formation of the *yahad*. The move to the desert foreseen in 1QS VIII,13–14; IX,19–20 probably comes from a later time, and we must allow for a period of time during which the *yahad* was constituted but before it moved to the desert.

Unfortunately the archaeological evidence has not settled the question as to when the community first settled at Qumran. Roland de Vaux argued that the first phase of settlement (Period Ia) happened

¹⁸⁰ Klinzing, *Umdeutung*, 103–04, posits an allusion to Isa 40:2 in 1QS VIII,3, and suggests that that allusion evoked Isa 40:3 and the need to move to the desert in order to receive the forgiveness of sins.

¹⁸¹ See DJD 35.69–71, especially the note on lines 5–6.

during the reign of John Hyrcanus (135–104 BC) or perhaps under one of his predecessors.¹⁸² The numismatic evidence would seem to support settlement not much before the accession of Hyrcanus.¹⁸³ That would support a historical reconstruction according to which there was a period of community formation during the decade of the 140s, with the move to Qumran following in the late 140s or in the first half of the 130s.¹⁸⁴

5.7 *The Community Headed by the Zadokite Priesthood*

Before concluding our study of the origins of the *yahad*, there is one more stage in the organization of the community that we must consider, namely, the rise of the Zadokites to prominence in leadership. Since I discuss this development in detail in Chapter 9, I shall simply summarize the main points here.

In 1QS V,2–3 the authority over the *yahad* is vested in the “sons of Zadok, the priests who safeguard the covenant,” and the “multitude of the men of the community.” In the parallel passages in the 4QS manuscripts, however, authority is vested in the “Many” (4QS^b [4Q256] 9 iv 3 and 4QS^d [4Q258] 1 i 2). As can be seen from 1QS VI,13c–23, the “Many” are the “priests and the multitude of the men of their covenant.” That means that the leadership of the community according to 4Q256 and 4Q258—consisting of the “Many,” that is,

¹⁸² Roland de Vaux, *Archaeology and the Dead Sea Scrolls* (Oxford: Oxford University Press, 1973) 5. Recently de Vaux’s distinction between Period Ia and Period Ib (which he dated approximately to 100–31 BC) has been called into question, and it has been proposed that the initial settlement may have occurred considerably later (from 100 BC on) (see, e.g., Magness, *Archaeology*, 63–65, 68). I am inclined to accept an earlier rather than a later dating for the settlement. See the defense of an earlier settlement date in Charlesworth, *The Pesharim and Qumran History*, 40, 42–44.

¹⁸³ Frank Moore Cross, Jr., *The Ancient Library of Qumran and Modern Biblical Studies* (rev. ed.; Garden City, N.Y.: Doubleday & Co., 1961) 58–59.

¹⁸⁴ According to 1QpHab XI,4 the Wicked Priest persecuted the Teacher of Righteousness in his place of exile, which is presumably the *yahad*. If the Wicked Priest is Jonathan, and if the *yahad* (the place of exile) is in the desert, then the move to the desert probably happened at the very end of the high priesthood of Jonathan (152–142 BC). It is also possible, though unlikely, that the place of exile where the Wicked Priest persecuted the Teacher was the *yahad* before it moved to the desert. Or the Wicked Priest here may be someone other (and later) than Jonathan.

priests and the men of their covenant—is formally the same as in 1QS V,2–3, namely, priests and laymen who belong to the community. The only difference is that in 1QS the priests are specifically called Zadokites.

The manuscripts 4Q256 and 4Q258 preserve an older version of the *Rule of the Community* than 1QS. Thus the vesting of authority in the sons of Zadok appears in a text later than the text that has the vesting of authority in the Many. Although one cannot necessarily take a change from an older manuscript to a more recent one to reflect a change in the historical circumstances, in this case that deduction seems to be warranted. There is no evidence that the Zadokites had any special authority in the *yahad* at the very beginning. As we have seen, 1QS VIII,1–16a and IX,3–11 reflect a relatively early period in the history of the *yahad* (though not the earliest period); yet they do not give the sons of Zadok any special authority. On the other hand, in the relatively late text 4Q174 the sons of Zadok are in authority (1–2 i 17). We find here a formulation very close to that in 1QS V,2–3: “the sons of Zadok and the men of their council.” It is not the case, then, that the Zadokites had authority early and then lost it, as is sometimes argued; if anything, the opposite is the case. The authority of the Zadokites increased over time, and the reading in 1QS V,2–3 reflects that increase in authority.

When this increase in authority happened is difficult to know. The community may have looked upon the coming of the Teacher of Righteousness to the community as the fulfillment of 1 Sam 2:35, where God promises to raise up a “faithful priest” (who turns out to be Zadok) and to build him a “faithful [or sure] house.” From the perspective of the *yahad*, God fulfilled that promise by raising up the Zadokite Teacher of Righteousness (CD I,11). Through further reflection on this prophecy, the community came to see itself as the “sure house” of 1 Sam 2:35 (CD III,19), a temple-community in which faithful Zadokite priests were pre-eminent (CD IV,3–4).¹⁸⁵ Therefore the Zadokites were granted increased authority.

¹⁸⁵ On CD III,19–IV,4 see Chapter 9.

5.8 Conclusion

It will be useful in conclusion to summarize our findings in this chapter. The origins of the *yahad* lie squarely within the Damascus covenant, a Jewish restoration movement going back at least to the 3rd century BC if not earlier. One of the concerns of the Damascus covenant, as of Zadokite Judaism in general, of which the Damascus covenant was a part, was the preservation of purity, not only of the temple and of Jerusalem, but also of all the “camps” in Israel, its cities and settlements. In order to protect that purity, the Damascus covenant developed a strict interpretation of the purity laws. When the administration of the temple was taken over by non-Zadokite priests, and when the purity of the temple was threatened by a non-Zadokite halakah, some of the members of the Damascus covenant formed a covenant and boycotted the temple.

On the other hand, there were Jews of the period who developed a more lenient, proto-Pharisaic halakah. At some point, this alternative halakah began to gain adherents over a large part of Israel. It was promulgated by proto-Pharisaic teachers who became known as the “men of mockery” and the “seekers of smooth things,” and above all by a person called the “Man of the Lie,” who may have been a proto-Pharisaic master. Among those who came to adhere to this alternative halakah were some—we do not know how many—from the Damascus covenant, who were therefore regarded as “traitors.” Because of this betrayal of the Damascus covenant, which was also a betrayal of the Teacher of Righteousness, the “camps” of the covenant could no longer be considered pure. Therefore the faithful within the Damascus covenant, who had already boycotted the temple, further separated themselves and formed a community (*yahad*), which provided them a refuge of purity in the midst of impurity.

The *yahad* also came to view itself as a substitute for the temple. God had promised through the prophet Ezekiel that when he purified Israel and delivered it from exile, the people themselves would be a “pleasing aroma” of sacrifice. The *yahad* saw that promise being fulfilled in them. The coming of the Teacher of Righteousness was viewed as the fulfillment of the promise of 1 Sam 2:35: God had raised up a faithful priest. Further reflection on this text led to the preeminence of Zadokite priests in the leadership of the *yahad*.

CHAPTER SIX

THE ORIGINS AND FUNCTION OF QUMRAN DUALISM

6.1 Introduction

In Chapter 5 we traced the rise of the *yahad* from its roots in the Damascus covenant, through the formation of a group within that covenant that boycotted the temple, to the establishment of the *yahad* as a refuge from impurity, its understanding of itself as a replacement for the temple, its move to the desert, and the rise of Zadokite leadership. The task of the present chapter will be to continue that history by examining the radicalization of the community's self-understanding through the development of a dualistic world-view and the consequences of that development for the community's covenantal theology.

6.2 The Three Major Sources of Qumran Dualism

Dualism is often considered to be one of the hallmarks of the theology of the Qumran community. A number of scholars, however, have recently called into question the importance that previous scholarship placed on dualism at Qumran.¹ In this regard it may be noted that in Chapter 5, in our study of the emergence of the *yahad*, dualism was hardly mentioned at all. In the early history of the *yahad* dualism does not play an important role.² That is not surprising, for, as we shall see, the stark dualism that we find in some of the DSS developed only over the course of the Maccabean period, and it was not fully developed until after the *yahad* had definitively separated itself from the rest of Israel. In other words, in the earliest formative years of the *yahad*, the dualism that it would eventually adopt was still in the process of formation. The thesis of this chapter is that dualism developed rather

¹ See p. 375 below.

² See, however, MMT C 29, where there seems to be an incipient dualism (Belial). On this line see also p. 378 below.

independently of the history of the *yahad*, but was then used by the *yahad* to bolster its self-understanding and world-view. Our first task, then, will be to trace the development of the dualism that came to be adopted at Qumran.

Recent scholarship has made clear that the origins of Qumran dualism are multiple and complex, not single or unilinear. Due in large part to the publication of new documents that were not available to previous writers on the subject, it is now recognized that previous views on Qumran dualism, such as that it had its roots in a single source, for example, Zoroastrianism,³ or that its development was unilinear, are inadequate.⁴ But even if the origins of Qumran dualism are complex, it is still possible to uncover its main sources and to outline its general development.

There are three primary sources for Qumran dualism. These are (1) dualism from priestly circles, probably related to the Enoch tradition, that we find in the early Aramaic testamentary literature; (2) dualism from the sapiential tradition; and (3) dualism from the eschatological war tradition, such as we find in the *Rule of War*. Although the influence of Persian dualism cannot be completely ruled out, these three sources of dualism make it possible to explain the origins of Qumran dualism fully on the basis of Palestinian Jewish tradition.

6.2.1 *The Dualism of the Aramaic Sacerdotal Texts*

The evidence for early dualism within priestly circles comes in the apocryphal Aramaic sacerdotal texts,⁵ 1Q21 and 4Q213–14 (*Aramaic*

³ E.g., the work of K. G. Kuhn cited in n. 130 on p. 374.

⁴ E.g., Peter von der Osten-Sacken, *Gott und Belial: Traditionsgeschichtliche Untersuchungen zum Dualismus in den Texten aus Qumran* (SUNT 6; Göttingen: Vandenhoeck & Ruprecht, 1969), who did not have the benefit of recently published documents, and posited a linear development from eschatological to ethical dualism.

⁵ I shall use the term "Aramaic sacerdotal texts" for the texts listed here. Although the term is cumbersome, I use it in preference to terms such as the "Aramaic testaments," since it is not clear whether all of these texts are testaments, particularly in the case of *Aramaic Levi* (see M. E. Stone and J. C. Greenfield in DJD 22.1–2). I use the term "Aramaic sacerdotal texts" due to the fact that they are all written in Aramaic, and in dependence on Michael E. Stone, "Qahat," *Encyclopedia of the Dead Sea Scrolls* (ed. Lawrence H. Schiffman and James C. VanderKam; 2 vols.; Leiden: Brill, 2000) 1.732, who refers to them as "sacerdotal writings."

Levi), 4Q540–41 (*Apocryphon of Levi*), 4Q542 (*Testament of Qahat*), and 4Q543–49 (*Visions of Amram*). *Aramaic Levi* is generally thought to be the oldest of these works, and is dated to the 3rd or early 2nd century BC, although one scholar has even raised the possibility of a late 4th century dating.⁶ The other compositions are dated later and at least some of them are probably dependent on *Aramaic Levi*, but in any case most or all of them probably come from the pre-Qumran period.⁷ Although *Aramaic Levi*, the *Apocryphon of Levi* and the *Testament of Qahat* contain dualistic elements (e.g., 4Q213a 1 i 14–17; 4Q541 9 i 4–5; 24 ii 6; 4Q542 1 ii 8; 2, 11–12), including what may be the earliest use of the word “Satan” for a class of demons,⁸ it is in the *Visions of Amram* that we see the clearest expression of dualism. Amram tells of a quarrel between two angels over who would have control over him. The angels said: “[We] have received control and we rule over all the sons of man.” Then they (apparently) ask Amram, “Which of us do you [choose to rule over you]?” (4Q544 1, 10–14).⁹ One of these angels rules over the darkness, and the other rules over the light (2, 5).¹⁰ In

⁶ Michael E. Stone, “Levi, Aramaic,” *Encyclopedia of the Dead Sea Scrolls* (ed. Schiffman and VanderKam) 1.486.

⁷ Émile Puech in DJD 31.216, 260, 285; Michael E. Stone, “Amram,” *Encyclopedia of the Dead Sea Scrolls* (ed. Schiffman and VanderKam) 1.23–24; idem, “Qahat,” 731–32; Jörg Frey, “Different Patterns of Dualistic Thought in the Qumran Library: Reflections on their Background and History,” *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge 1995* (STDJ 23; ed. Moshe Bernstein, Florentino García Martínez, and John Kampen; Leiden: E. J. Brill, 1997) 318 and n. 164, 320.

⁸ See Frey, “Different Patterns,” 319.

⁹ Following the reconstruction of Puech, DJD 31.322, 379.

¹⁰ Puech, *ibid.*, 329, and Frey, “Different Patterns,” 321, following J. T. Milik, “4QVisions de ‘Amram et une citation d’Origène,” *RB* 79 (1972) 85–86, take 4Q544 3, 2 to mean that the angel who rules over the light has three names, and they take them to be Michael, the Prince of Lights, and Melchizedek. This is possible, but the name “Prince of Light(s)” that we find in 1QS III, 20, 1QM XIII, 10, and CD V, 18 is probably derived from Daniel (see below). If 4Q544 is dated before Daniel, that name may not yet have been in existence. Some name such as “Angel of Light” is likely, however, given that there is a class of persons called the “sons of light” (4Q548 1, 16, over whom one of the angels rules). Milik, *ibid.*, and Frey, *ibid.*, suggest that the opposing angel also has three names, Belial, the Prince of Darkness, and Melchiresha. As we shall see, the name of Belial as a demonic figure probably first arises with the eschatological war tradition, as attested in the *Rule of War*, appearing first in the Maccabean period. If 4Q544 is older than that, it is unlikely that Belial was used as a name there. Of course, all of these names are possible if we date 4Q544 later.

another place “sons of light,” who will receive salvation, and “sons of darkness,” who are destined for destruction (4Q548 1,8–16), are set in opposition to each other. Thus, as Frey writes, in this early work we have “a strongly expressed cosmic dualism with the notion of opposed heavenly powers and the strict division of humanity into two opposed groups dominated by the respective leaders and facing opposite eschatological fates.”¹¹ This dualism is a thoroughly cosmic one; there is here as yet no ethical or anthropological dualism such as we find in later texts, although there is reference to truth and lies, wisdom and foolishness (4Q548 1,8, 12).

Puech has suggested that 4Q543–49 (*Visions of Amram*) has a Samaritan origin. With this opinion he attaches himself to scholars who have argued for a Samaritan origin for *Aramaic Levi*.¹² I consider it more likely, however,¹³ that the Aramaic sacerdotal texts have their

¹¹ Frey, *ibid.*

¹² DJD 31.287; arguing for a Samaritan origin of *Aramaic Levi* are Józef T. Milik, *The Books of Enoch: Aramaic Fragments of Qumrân Cave 4* (Oxford: Clarendon Press, 1976) 24; *idem*, “Écrits préesséniens de Qumrân: d’Hénoch à Amram,” *Qumrân: Sa piété, sa théologie et son milieu* (ed. M. Delcor; BETL 46; Gembloux: Duculot, 1978) 96, 101, 106; *idem*, “Problèmes de la littérature hénochique à la lumière des fragments araméens de Qumrân,” *HTR* 64 (1971) 345; and, following Milik, Robert A. Kugler, “Some Further Evidence for the Samaritan Provenance of *Aramaic Levi* (1QTestLevi; 4QTestLevi),” *RevQ* 17 (1996) 351–58; and *idem*, *From Patriarch to Priest: The Levi-Priestly Tradition from Aramaic Levi to Testament of Levi* (Atlanta: Scholars Press, 1996) 128, 137.

¹³ Milik’s argument was based primarily on what he argued was the presence in the *Testament of Levi* and the *Testament of Judah* of place-names in the former northern kingdom of Israel, that is, Samaria (“Écrits préesséniens,” 96–97, 99–101). But this is not certain. The reference to Abel-Main in 4Q213a 1 ii 13 is probably a reference to the place in Upper Galilee rather than Samaria (that was also Milik’s original opinion in his “Le testament de Lévi en araméen: Fragment de la grotte 4 de Qumrân,” *RB* 62 [1955] 403–05, but he changed his mind in “Écrits préesséniens,” 96–97; on the name Abel-Maoul in *T. Levi* 2:3, see the different explanations given by George W. E. Nickelsburg, *1 Enoch 1* [Hermeneia; Minneapolis: Fortress Press, 2001] 248; and James Kugel, “Levi’s Elevation to the Priesthood in Second Temple Writings,” *HTR* 86 [1993] 60). It is this area of Upper Galilee that features significantly in the early Enoch literature, and a Galilean origin for this literature is quite possible (see Nickelsburg, *1 Enoch 1*, 65, 246).

The other evidence that Kugler gives (see previous note for references) for a Samaritan origin of *Aramaic Levi* is not compelling. Agreements in these documents with the Samaritan Pentateuch do not require a Samaritan origin, since it is now known that the Samaritan text type was known at Qumran, and was probably also known in other circles within Palestinian Judaism. Despite Kugler’s denials to the contrary

origin in priestly circles close to those from which the earliest Enoch literature derives. There are five major pieces of evidence in support of this hypothesis.¹⁴

First, there is a great similarity between the accounts of the visions of Levi and Enoch, that is, of their commissioning, in *T. Levi* 2–7 and in *1 En.* 12–16.¹⁵ Indeed, the author of *T. Levi* probably reused the story of *1 En.* 12–16.¹⁶ While such *literary* dependence certainly does not require that *T. Levi* was written by someone in circles close to the Enoch literature, it does indicate that the author was interested in the Enoch tradition. That is a possible indication that the ultimate origins of the Aramaic sacerdotal texts, upon which also *T. Levi* most likely depends in part, lie in circles close to the Enoch tradition.

Second, 4Q542 1 ii 11–13 mentions writings that were given to Levi, and that Levi in turn gave to Qahat, and that Qahat in turn will give to Amram and his descendants. These writings are probably the “books of wisdom” mentioned elsewhere (cf. 4Q213 1–2 ii 12; 4Q541 7,4), and are either identical with, or at least reminiscent of, the books in which Enoch recorded the wisdom that was given to him and that he handed down to subsequent generations (*1 En.* 68:1; 82:1–3; *Jub.*

(“Some Further Evidence,” 353 n. 10), it is quite possible that MMT B 75–82 prohibits marriage between priests and laity (see DJD 10.171–75), so that such a restriction is not unique to the late Samaritan tradition that he cites (p. 353) and to *Aramaic Levi* (lines 16–17 in column b of the Bodleian *Aramaic Levi* fragment). Finally, Kugler cites the close association between Joseph and Levi as evidence of Samaritan origin, since Joseph and Levi are regarded in the Samaritan myth of origins as the ancestors of the laity and the priesthood respectively. However, Kugler gives no evidence that this myth of Samaritan origins was already in existence by the 3rd century BC. Of course, that lack of early evidence does not necessarily mean that the myth was not in existence. But the “close association of Joseph with Levi” in *Aramaic Levi* probably has nothing to do with the question of origins in any case. The same kind of close association between Joseph and Levi (Levi marking the date of his speech by memorializing Joseph’s death; Joseph as an example of wisdom) is found in *T. Levi* 12:5 and 13:9, and indeed Joseph figures prominently in this way elsewhere in the *Testaments of the Twelve Patriarchs* (e.g., *T. Reu.* 1:2; 4:8; *T. Sim.* 1:1–2; 4:5).

¹⁴ Also suggesting an origin for *Aramaic Levi* in Enoch circles is Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids: Eerdmans 1998) 71, 185. Nickelsburg, *1 Enoch* 1, 76, supports the idea of an “association between Enochic tradition and the Qumran Aramaic Levi document.”

¹⁵ An exhaustive list of parallels is found in George W. E. Nickelsburg, “Enoch, Levi, and Peter: Recipients of Revelation in Upper Galilee,” *JBL* 100 (1981) 588.

¹⁶ So Nickelsburg, *1 Enoch* 1, 256.

4:17–19).¹⁷ According to *Jub.* 45:15, these books of wisdom coming from Enoch ultimately came to Levi.

Third, the demonology in the Aramaic sacerdotal texts is similar to, and probably based on, the demonology that developed in the Enoch tradition. According to the Enoch myth of the origins of evil, evil spirits came forth from the bodies of the giants who were the offspring of the unions between angels and women, and they have afflicted the earth (*1 En.* 15:9–16:1). As the tradition develops, these evil spirits are thought to be subject to the chief of the evil spirits, Mastema or Satan (*Jub.* 10:8, 11) and are said to rule over humans unless God protects humans from them (*Jub.* 12:20; 15:31–32; 19:28). From the beginning of the tradition, however, there is also a belief in good angels (*1 En.* 9:1; 10:4, 9, 11; 20:1–7) who contend with the evil angels. This same demonology appears in the Aramaic sacerdotal texts. Levi prays that no “Satan” may rule over him (4Q213a 1 i 17).¹⁸ As we saw above, in 4Q544 1,10–14 two angelic figures contend for power over Amram (cf. Jude 9, where Michael and the devil contend for the body of Moses). And in general the angel of light rules over the sons of light, while the angel of darkness rules over the sons of darkness (4Q544 2,4–6).

The dualism between light and darkness brings us to the fourth major piece of evidence that locates these apocrypha in circles close to those from which the Enoch literature derives. While one can argue that there is no cosmic dualism in the Enoch literature in the strict sense of the word (as defined in the words of Frey above),¹⁹ there is nonetheless a strong contrast between light and darkness as the fates of the righteous and the wicked (*1 En.* 1:8; 5:7; 22:1–14) that established the

¹⁷ Cf. Puech, DJD 31.240.

¹⁸ See further Michael E. Stone and Jonas C. Greenfield, “The Prayer of Levi,” *JBL* 112 (1993) 262–64.

¹⁹ Frey, “Different Patterns,” 321; see also p. 332: “The earlier Enochic tradition as documented in Qumran does not single out any particular angelic leader figure...the Enochic tradition itself cannot be labelled dualistic.” Nickelsburg, *1 Enoch* 1, 40–42, argues for the presence of temporal, spatial (which he also calls cosmic), and ontological dualism in *1 Enoch*, but he understands this cosmic dualism in a sense different from that defined here. See also idem, “*1 Enoch* and Qumran Origins: The State of the Question and Some Prospects for Answers,” *SBLSP* (1986) 360, where he recognizes the differences between the dualism at Qumran and in *1 Enoch*. However, there he argues that the mythic origins of each kind of dualism are different. By contrast, I would argue that the dualism at Qumran has the Enoch tradition as one of its sources; it was just not worked out systematically in the early Enoch tradition.

basis for such a dualism. Similarly in 4Q548 1,9–16 we read that the fate of the sons of light is to go to everlasting light and happiness, whereas the sons of darkness will go to darkness and destruction.

The fifth piece of evidence is that 4Q213 3–4,1–7 has Levi predict the apostasy of his sons and connects that apostasy, apparently, with an accusation of Enoch. The reference is probably to an accusation such as in *1 En.* 89:73 that criticizes the priesthood for defiling the temple. Milik points to Enoch's accusation against the Watchers in *1 En.* 13–16, noting that “[t]he priests are likened to the angels, both groups being upholders of wisdom and of the true cult of God; the corruption of man is due to the corruption of the two groups.”²⁰ Reference to a prediction of the corruption of priests is also made in *T. Levi* 14:1, which, as was noted above, may have been influenced by the Enoch tradition. It is possible that the appeal to the authority of the Enoch literature in *T. Levi* 14:1 is artificial, but some of the traditions behind the Levi testamentary literature may have genuine historical connections with the Enoch tradition.²¹ That certainly seems to be the case in 4Q213. In this respect it is interesting to note also that 4Q213 3–4,7 uses the imagery of darkness for this corruption,²² suggesting an incipient dualism (cf. also *T. Levi* 14:4; 4Q541 9 i 4; 24 ii 6).²³

For all of these reasons, then, I propose that the Aramaic sacerdotal texts come from circles similar to those from which the Enoch literature comes. It would certainly be going too far to suggest that they come from the same circles, for one must also note differences between the

²⁰ Milik, *The Books of Enoch*, 24. See also James C. VanderKam, *Enoch: A Man for All Generations* (Columbia: University of South Carolina Press, 1995) 103–04.

²¹ Jürgen Becker, *Untersuchungen zur Entstehungsgeschichte der Testamente der Zwölf Patriarchen* (Leiden: E. J. Brill, 1970) 175; R. H. Charles, *The Apocrypha and Pseudepigrapha of the Old Testament in English* (2 vols.; Oxford: Clarendon Press, 1913) 2.179, considers the reference to Enoch literature in *T. Levi* 14:1 possibly to be authentic.

²² Cf. Frey, “Different Patterns,” 319, who notes that the “occurrence of Enoch and Noah in 4Q213 frg. 8...suggests that the Aramaic Testament of Levi does actually presuppose the demonology developed in the Book of the Watchers, which already has been linked with the terms of light and darkness.”

²³ A sixth obvious point of contact between the Enoch literature and the Aramaic sacerdotal texts is that the original language of both *corpora* is Aramaic and that the earliest Enoch literature, like the Aramaic sacerdotal texts, probably comes from the 3rd century (see George W. E. Nickelsburg, “Enoch, First Book of,” *ABD* 2.508). While this point is hardly decisive, it does add support to the hypothesis that the two bodies of literature come from similar circles.

two kinds of literature, for example, the priestly messianism in the Aramaic sacerdotal texts,²⁴ missing in the Enoch literature, and the more pronounced eschatological focus of the Enoch literature. With that caveat, however, it is interesting to speculate about possible connections that there might have been between the circles behind both literatures.²⁵

We do not know with certainty the identity of the circles from which the earliest Enoch literature comes. Some have proposed (not implausibly) that it comes from scribal circles.²⁶ Another possibility is that it comes from dissident priestly circles, a position that does not necessarily have to contradict the scribal hypothesis.²⁷ As Boccaccini has shown, the Enochic world-view is diametrically opposed, and probably intentionally so, to the Zadokite world-view as this can be reconstructed from the priestly portions of the Pentateuch.²⁸ This makes it likely that the priests behind the earliest Enoch literature were non-Zadokite priests who were rejecting the validity of the Zadokite priesthood and its temple. By appealing to Enoch as an ideal, pre-Aaronic and pre-Zadokite priest, who had transmitted wisdom, revealed from God, to his descendants (and, at least as the Enochic tradition develops in *Jubilees*, ultimately to Levi himself), these priests could claim that the legitimate priesthood was far broader than, and ultimately different from, the narrowly conceived priesthood of the house of Zadok. "The attribution to Enoch of priestly characteristics as the intercessor in heaven between God and the fallen angels...assume[s] the

²⁴ See Jonas C. Greenfield and Michael E. Stone, "Remarks on the Aramaic Testament of Levi from the Geniza," *RB* 86 (1979) 223–24.

²⁵ Michael E. Stone, "Ideal Figures and Social Context: Priest and Sage in the Early Second Temple Age," *Ancient Israelite Religion* (ed. Patrick D. Miller, Jr., Paul D. Hanson, and S. Dean McBride; Minneapolis: Fortress Press, 1988) 581–82 (reprinted in Michael E. Stone, *Selected Studies in Pseudepigrapha and Apocrypha. With Special Reference to the Armenian Tradition* [SVTP 9; Leiden: E. J. Brill, 1991] 265–66, also points to possible connections between *Aramaic Levi* and the Enoch tradition but refrains from drawing any conclusions from them as to the origin of these works.

²⁶ Nickelsburg, *1 Enoch 1*, 65–66; John J. Collins, *The Apocalyptic Imagination: An Introduction to Jewish Apocalyptic Literature* (2nd ed.; Grand Rapids: Eerdmans 1998) 74.

²⁷ Nickelsburg, *ibid.*, 67.

²⁸ Boccaccini, *Beyond the Essene Hypothesis*, 71–74; *idem*, *The Roots of Rabbinic Judaism: An Intellectual History, from Ezekiel to Daniel* (Grand Rapids: Eerdmans, 2002) 89–103.

existence of a purer pre-Aaronite priesthood and disrupt[s] the Sinaitic foundations of the Zadokite structure of power as a later degeneration."²⁹

It is possible that these anti-Zadokite circles included Levites. In the post-exilic period the Zadokite priesthood successfully delegitimized the Levites' ancestral claim to the priesthood, and the Levites lost much of their power, being subordinated to the Zadokite and Aaronic priests and becoming in effect temple servants. It is conceivable that some Levites in the post-exilic period sought to maintain or reestablish their claims to the priesthood, and that the Enoch literature, by challenging the assumed prerogatives of the house of Zadok, gives expression to their conception of a broader, more ancient priesthood than the house of Zadok. As mentioned above, in *Jubilees* Levi is the ultimate recipient of the books of wisdom of Enoch. Of course, that does not necessarily imply solely Levitical interests; other groups of priests as descendants of Levi could find an interest in having Levi be the recipient of Enoch's wisdom.³⁰ The charge that Levi was to "renew [those books] for his sons until this day" (*Jub.* 45:15) is surely not intended only for Levites. The charge is presumably first for Levi's immediate offspring, Qahat, Amram, and Moses himself (1:1, 26; 6:19); then also it is presumably for all priests who are responsible for the correct interpretation and teaching of the law, of which the author himself is presumably one.

Given the uncertainty, it is probably best not to try to identify the circles behind the Enoch literature too narrowly. The evidence to suggest a connection with Levites is admittedly thin.³¹ A Levitical

²⁹ Boccaccini, *Roots*, 92. Cf. also idem, *Beyond the Essene Hypothesis*, 74, 185.

³⁰ Cf. similarly Anders Hultgård, *L'eschatologie des Testaments des Douze Patriarches* (2 vols.; Stockholm: Almqvist & Wiksell, 1977) 1.39–41.

³¹ There are two further considerations that give some support to the hypothesis that the Enoch tradition derives at least in part from Levitical circles. As Nickelsburg, *1 Enoch* 1, 394–95, has pointed out, *1 En.* 89:73 may draw on Mal 1:7, 12 in criticizing the sacrifices in the Second Temple as being polluted. Malachi in general is very critical of the Jerusalem priesthood (2:1–9; 3:1–4), and it is possible that Malachi comes from Levitical circles (so Paul L. Redditt, "Malachi, Book of," *Eerdmans Dictionary of the Bible* [ed. David Noel Freedman; Grand Rapids: Eerdmans, 2000] 848). As Kugel, "Levi's Elevation," 30–33, 38–39, has argued, Mal 2:4–7 seems to provide the basis for the idea of an everlasting covenant between God and Levi and his descendants as this is developed in *Jubilees* and in the Levi apocrypha. If the circles behind *1 Enoch* did draw on Malachi, that may be an indication that their concerns were connected with

origin for the Aramaic sacerdotal texts is perhaps somewhat more plausible.³² In general, however, we can say that the Enoch literature comes from dissident circles, including priests and perhaps also

those of the Levites. It is also possible, of course, that the author(s) of *1 Enoch* drew on Malachi simply because he/they shared the latter's critique of the temple and its priesthood, without having any necessary connection with the circles from which Malachi comes. (Note that Boccaccini, *Roots*, 102, writes that the "condition of those priests who were excluded" in the return under Ezra [cf. Ezra 2:61–63] "was far more miserable than that of most Levitical families." That observation might challenge the hypothesis that Levites were behind the Enoch literature. Boccaccini suggests that behind the Enoch literature may have been priests not unlike the priests who were excluded under Ezra. But that hypothesis is also speculative.)

A second piece of evidence that may suggest a connection between the Enoch tradition and the Levites is the location of the commissioning of Enoch near Dan (*1 En.* 13:9). From an early time in the history of Israel a shrine at Dan was served by Levitical priests (Judges 18). Later King Jeroboam I made Dan one of the two major shrines of the northern kingdom, the other being Bethel (1 Kings 12:30). First Kings 12:31 says that Jeroboam appointed non-Levitical priests at these shrines, which may suggest that previously they had been served by Levites. (Judges 18:30b indicates that Levites continued to serve as priests in Dan until the fall of the northern kingdom.) The fact that Enoch is commissioned near Dan may suggest that for the author(s) of *1 Enoch* he serves to (re)legitimize a Levitical priesthood that had been dispossessed. Who is more likely to want to re-legitimize a Levitical priesthood than Levites themselves? In this connection it is noteworthy that the *Testament of Levi* locates one of Levi's two visions at Abel-Maoul (=Abel-Main [cf. 4Q213a 1 ii 13], near Dan; on the names Abel-Maoul and Abel-Main see Kugel, "Levi's Elevation," 60; Kugler, *From Patriarch to Priest*, 200 n. 109) (chapters 2–5) and the other at Bethel (chapter 8; cf. also *Jub.* 31:1–17). This point is also observed by Nickelsburg, "Enoch, Levi, and Peter," 589 and n. 61. *Aramaic Levi* may also have had two visions, one at Abel-Main and one at Bethel, although that point is disputed (see Kugler, *From Patriarch to Priest*, 28–33, 45–51, 199–200, 203–04; it should be noted that 4Q213a 1 ii 13 could be taken to mean that Levi left Abel-Main and had his dream in Bethel [so Kugler p. 48]). In any case, the two locations in the *Testament of Levi* may reflect a traditional interest among Levitical circles in those old northern shrines, once served by Levites, and an interest in legitimizing an old Levitical priesthood. However, it is also possible that our literature—both the Enoch literature and the Levi apocrypha—does not come from Levites interested in (re)legitimizing a Levitical priesthood, but more generally from non-Zadokite priests who wished to trace their pedigree back to Levi and a pre-Zadokite priesthood (see Kugel, "Levi's Elevation," 43–44). Moreover, as Nickelsburg has shown, the area of Dan has a long connection with revelatory events in the Jewish and Christian traditions, so that a connection with Levitical tradition may not exist at all. See Nickelsburg's excursus on "Sacred Geography in 1 Enoch 6–16" in *1 Enoch* 1, 238–47.

³² On *Aramaic Levi* in this connection see Stone and Greenfield, "The Prayer of Levi," 253, 255. But see also n. 25 above.

Levites, who were unhappy with the dominant Zadokite priesthood. The evidence discussed above connecting the Aramaic sacerdotal texts with the Enoch literature suggests that the origins of the Aramaic sacerdotal texts lie in similar circles.

Thus we have discovered one source for Qumran dualism. It is a dualism that arose out of (dissident) priestly (or Levitical) circles in the 3rd or early 2nd century and that had some relationship to those who produced the Enoch literature. This is an important discovery because, as we shall see below, there is evidence that indicates that the worldview of the Enoch tradition was a major influence in shaping the later outlook of the Qumran community. In the Enoch tradition the myth of the fall of the Watchers plays a major role in explaining the uncontrollable spread of impurity in the world. That is an idea that could easily be combined with the *yahad*'s self-understanding as a bulwark against impurity which, as we saw in the last chapter, was a major factor in its formation. The dualism between light and darkness and between the sons of light and the sons of darkness that we find in the Aramaic sacerdotal texts will also be prominent in the *Rule of the Community* (1QS I, 10; III, 20–21, 24). Although we shall see that the eschatological war tradition may also have contributed to the light-darkness dualism, certainly the Aramaic sacerdotal texts must be counted as a possible source. Finally, as we saw in Chapter 5, priests critical of the Jerusalem priesthood were involved in the formation of the *yahad*. The case of the *yahad* is somewhat different from the Aramaic sacerdotal texts, since the *yahad* included Zadokite priests, whereas the Aramaic sacerdotal texts may reflect the views primarily of non-Zadokite priests. Nonetheless, one can imagine that the *yahad* adopted traditions critical of the Jerusalem priesthood, regardless of their provenance.³³

6.2.2 *The Dualism of the Sapiential Tradition*

A second source for Qumran dualism lies in the sapiential tradition. The most important material for our purposes is found in the documents known collectively as *4QInstruction* (formerly 4QSap A)³⁴ and in

³³ Cf. similarly Nickelsburg, "Enoch, Levi, and Peter," 587.

³⁴ Consisting of 4Q415, 4Q416, 4Q417, 4Q418, 4Q418a, 4Q418c (?), and 4Q423, as well as 1Q26 (see DJD 34).

(three or) four documents known collectively as *4QMysteries* and *1QMysteries*, which we shall abbreviate as *Myst*.³⁵ *4QInstruction* is regarded as being a non-sectarian work and coming from the pre-Qumran period, being dated most plausibly to the 3rd or early 2nd century BC, although a 4th century date has even been proposed.³⁶ As such it can be viewed as a “true ‘missing link’, to be set somewhere in the history of the common (i.e. non-sectarian) Jewish wisdom tradition, datable between Proverbs and Sirach....”³⁷ *4QMysteries* is also probably non-sectarian, but is to be dated somewhat later than *4QInstruction* (2nd or 1st century BC).³⁸

Dualism is already a prominent theme in the biblical wisdom tradition. Most pronounced in the book of Proverbs is an ethical dualism. The biblical proverbs often distinguish between the wise and the foolish, the righteous and the wicked, the good and the bad. Moreover, this ethical dualism is connected to the fates of the wise and the foolish: the wise, often identified with the righteous (9:9; 10:31; 23:24) will be secure (1:33; 3:21–24, 35; 8:34–35; 10:9, 30 and passim), while the foolish, identified with the sinner (10:23; 30:32), will perish (1:32; 3:35; 8:36; 10:8, 30 and passim). The book of Proverbs also says that God created the world by means of wisdom (3:19–20; 8:22–31). In this way it became possible to link ethical dualism with a person’s response to divine wisdom: those who listen to divine wisdom will find life, but those who reject it find death (8:32–36).

When the creation of the world and ethical dualism were both linked to divine wisdom, the view became possible that there is a dualistic

³⁵ Consisting of 1Q27, 4Q299, 4Q300, and (perhaps) 4Q301 (see DJD 20.31).

³⁶ See the remarks in Armin Lange, *Weisheit und Prädestination: Weisheitliche Urordnung und Prädestination in den Textfunden aus Qumran* (STDJ 18; Leiden: E. J. Brill, 1995) 46–49; J. Strugnell and D. J. Harrington in DJD 34.21–22, 30–31. Matthew J. Goff, *The Worldly and Heavenly Wisdom of 4QInstruction* (STDJ 50; Leiden: Brill, 2003) 229–32, favors a 2nd century dating and considers a 3rd century dating “unlikely” because of the alleged dependence of *4QInstruction* on the Enoch literature. That dependence is, however, doubtful (see Goff’s comments of pp. 185–89; and Loren Stuckenbruck, “4QInstruction and the Possible Influence of Early Enochic Traditions: An Evaluation,” *The Wisdom Texts from Qumran and the Development of Sapiential Thought* [ed. Charlotte Hempel, Armin Lange, and Hermann Lichtenberger; BETL 159; Leuven: Leuven University Press, 2002] 245–61).

³⁷ DJD 34.31. But see also the comments of Goff, *ibid.*, 232.

³⁸ Lange, *Weisheit und Prädestination*, 94–96.

structure to creation itself, established by God, in which the ethical dualism of humans participates. Thus, for example, we read in Sir 33:14–15:

Good is the opposite of evil
and life the opposite of death;
so the sinner is the opposite of the godly.
Look at all the works of the Most High;
they come in pairs, one the opposite of the other.

There is an analogy between ethical dualism and the dualistic structure of creation. The dualism between good and evil humans is a function of the dualistic structure of creation. Moreover, this dualism even extends to the futures that await the good and the evil:

Why is one day more important than another,
when all the daylight in the year is from the sun?
By the Lord's wisdom they were distinguished,
and he appointed the different seasons and festivals.
Some days he exalted and hallowed,
and some he made ordinary days.
All human beings come from the ground,
and humankind was created out of the dust.
In the fullness of his knowledge the Lord distinguished them
and appointed their different ways.
Some he blessed and exalted,
and some he made holy and brought near to himself;
but some he cursed and brought low,
and turned them out of their place.
Like clay in the hand of the potter –
all its ways are according to his will –
so all are in the hand of their Maker,
to be given whatever he decides. (33:7–13)³⁹

In this way there could develop in the wisdom tradition a dualistic view of the world that was at once creational, historical, ethical, and eschatological in scope. These four aspects of dualism—creation,

³⁹ See Johannes Marböck, *Weisheit im Wandel: Untersuchungen zur Weisheits-theologie bei Ben Sira* (rev. ed.; BZAW 272; Berlin: Walter de Gruyter, 1999) 152–54; Ursel Wicke-Reuter, *Göttliche Providenz und menschliche Verantwortung bei Ben Sira und in der Frühen Stoa* (BZAW 298; Berlin: Walter de Gruyter, 2000) 258–67.

history, ethics, and eschatology—become so intertwined as to be inextricable from each other.

We can see this intertwining clearly if we turn now to *4QInstruction*. A good example is in the discussion of the honoring of parents in 4Q416 2 iii 14–19. The duty of honoring one’s parents is, of course, standard in sapiential literature (cf. Prov 6:20; 28:24; 30:17; Sir 7:27–28). In 4Q416, however, this duty becomes part of a dualistic understanding of the world:

Investigate the mystery of existence (רז נדיה), and consider all the paths of truth (אמת), and observe all the roots of sin (עוולה). And then you will know what is bitter for a man and what is sweet for a person. Honor your father in your poverty, and your mother in your lowliness. For as God is to a man, so is his father; and as masters are to a person, so is his mother. For they are the oven of your origin. And as he has given them dominion over you, and fashioned you according to the spirit, so serve them. And as he has opened your ear to the mystery of existence, honor them for the sake of your glory and...honor their presence for the sake of your life and the length of your days.

Without a doubt this counsel to honor one’s parents is in part a paraphrase of the commandment of Exod 20:12/Deut 5:16 in the Torah. However, here the commandment is grounded explicitly in the order of creation: honor is due to parents because they are the source of one’s life (cf. Sir 7:28). That is “the way things are.” Disobedience or obedience to this commandment brings “bitterness” or “sweetness.” That is “the way things will be.” Thus disobedience and obedience, and the corresponding reward and punishment, are rooted in the order of creation, and that order of creation in turn is structured fundamentally by the dualistic options of “truth” and “sin” (or “injustice”). If one honors the order of creation, which is also to honor the law, then one follows the path of truth, and the result is “sweetness.” If one dishonors one’s parents, which is also to disobey the law, then one follows the way of sin (or injustice) and the result is “bitterness.” Together all of this is called the “mystery of existence.”

The recompense of “bitterness” and “sweetness” in this passage is probably not eschatological. The recompense for obedience and disobedience mentioned here is presumably recompense in this life (cf. Sir 3:11). But there are other passages in *4QInstruction* that do speak of eschatological reward and punishment. 4Q417 1 i 6–8 (=4Q418 43–45 i 4–6) reads:

[Day and] night meditate on the mystery of existence (רז נודיה), and seek continuously. And then you will know truth (אמרה) and sin [or injustice] (עול), wisdom...understand the work of...in all their ways together with their visitations for all eternal periods and eternal visitation. And then you will know the difference between good and evil in their works, for the God of knowledge is the foundation of truth, and through the mystery of existence he expounded its basis.

Although the texts are partially fragmentary, the point of the passage is clear. As in the last text discussed, the addressee of this text, the “understanding one,” the “maven” (מבין), is instructed to meditate on the “mystery of existence” and to seek it. Thereby he will learn what truth and sin (or injustice) are. He will also learn what is the eternal visitation for truth and sin (or injustice), that is, their eschatological rewards and punishments. In this way he will come to know what is good and what is evil. This knowledge regarding ethics and rewards and punishments is based on knowledge of God’s work as creator. God is called the “God of knowledge,” which points to his wisdom as creator (cf. Prov 3:19–20; 1QS III,15), and he is the “foundation of truth.” That is, God is the one who founded the earth in truth and gave it its order.⁴⁰ God’s purpose in establishing the world in the way that he did is to make it possible for humans to know what is good and evil and to direct their lives accordingly.⁴¹ This knowledge in its fullness, however, is not available to everyone. Only to the one who is “fit for understanding” are the secrets of God’s plan made known, namely, to the one who walks perfectly in all his deeds (4Q417 1 i 11–12).⁴²

⁴⁰ See the remarks in Lange, *Weisheit und Prädestination*, 62.

⁴¹ Cf. similarly the remarks of Wicke-Reuter, *Göttliche Providenz und menschliche Verantwortung*, 266, on Sir 33:14–15: “Ben Sira gibt dort eine überraschende Antwort auf die Frage nach dem Sinn der Entzweiung der Welt in Gut und Böse. Wie die Stoiker vertritt er die Auffassung, daß es das Gute nicht ohne das Böse geben kann...Interessant wird dieser Gedanke aber vor allem durch das zweite Kolon (V. 14b): Mit der Unterscheidung guter Mensch - Sünder wird das Prinzip der polaren Beziehung auf den Menschen übertragen, so daß daraus ein anthropologisches Grundgesetz wird. Wie es das Leben nicht ohne den Tod gibt, so bedingt die Existenz des Guten zugleich den Sünder, mehr noch: ohne den Sünder gäbe es auch den guten Menschen nicht. Folglich ist nicht nur das außermoralische, sondern auch das moralische Übel notwendiger Gegenpart für das Gute. Selbst wenn alle Menschen *in actu* gut wären, dann wäre, wegen der menschlichen Freiheit, das Böse *potentialiter* notwendig.”

⁴² Lange, *Weisheit und Prädestination*, 66 and n. 100.

On this view of things the content of wisdom is insight into the structure of reality. Creation, history, ethics, and eschatology all belong to the structure of reality, and that structure is fundamentally dualistic. This insight into the structure of reality, the order of things, is called knowledge of the “mystery of existence” (רו נהיה).⁴³ The term “mystery of existence” appears frequently in *4QInstruction*, as well as in *1QMysteries* and *4QMysteries*, and it will be helpful to pause to consider in greater detail what the term signifies.

In the broadest sense one might say that this term refers to “the way things are and will be.” More concretely, the “mystery of existence” includes the nature and history of humanity (תולדות [א]דם) (4Q418 77,2–4; cf. also 4Q417 1 i 18–19), the nature of the world and its future course, including the eschatological events of salvation and destruction (1Q27 1 i 3–4; 4Q416 2 i 5–6; 4Q418 123 ii 2–4), and probably also the past (1Q27 1 i 3; 4Q418 123 ii 3), as well as their reason for being (4Q418 43–45 i 2–3; 123 ii 3). All of this is a mystery, because humans can understand the רו נהיה only if it is revealed to them by God (4Q418 123 ii 4). As such, insight into the mystery of existence is a gift from God that enables one to investigate (4Q415 6,4) and to know the nature of truth and sin (or injustice) (4Q416 2 iii 14; 4Q417 1 i 6), the destinies of people (4Q416 2 i 5–6; 4Q417 2 i 11), and the future course of the world (and probably also its past) (4Q418 123 ii 3–4).⁴⁴ The term רו נהיה thus refers to the fundamentally dualistic structure of

⁴³ As the similar term (נהיות) in Sir 42:19; 48:25 (MS B) suggests, רו נהיה means primarily “what is to come” (cf. LXX Sir 42:19, where חליפות is translated τὰ παρεληλυθότα [“things past”] and רו נהיות is translated τὰ ἐσόμενα [“things to come”]; see also LXX 48:25). Therefore Lange, *Weisheit und Prädestination*, 57, suggests that the term רו נהיה be translated “das Geheimnis des Werdens.” However, the various contexts in *4QInstruction* in which the term appears suggest that רו נהיה is better taken in the sense of “mystery of existence,” since it sometimes includes reference to things present (the “state of things”) as well as to the future. See also the discussion in Goff, *Worldly and Heavenly Wisdom*, 33–34, 54–61.

⁴⁴ The concept of the mystery of existence is also suggested in Sir 42:18–25. In 42:19 Sirach says, “he [God] discloses what has been and what will be (נהיות), and reveals traces of hidden things.” At the end of this passage he says, “all things come in pairs.” Knowledge of what has been and what will be is given as a gift from God, and this knowledge includes the dualistic structure of reality.

reality that includes within itself creation, ethics, history, and eschatology.⁴⁵

The wisdom tradition's affirmation that the whole order of creation, including both good and bad, was established by God (Sir 33:14–15) leads ultimately to theodicy, the problem of the existence of evil.⁴⁶ If God is good, and if all the works of God are "very good" (Sir 39:16; cf. 16:29), why is there evil? Different answers were possible. It is not necessary for us to enter here into a detailed discussion of theodicy in the wisdom tradition, but it may be useful to compare the different answers given by Sirach and *4QInstruction* within a dualistic worldview. On the one hand, Sir 15:11–20 insists that moral evil is not God's fault. God gave humans freedom of will, and it is in their capacity to choose good rather than evil. That answer, of course, does not solve the problem of innocent suffering or of natural evil. On these matters, Sirach has a simple answer: Good things were created for good people, and bad things for the bad (39:25).⁴⁷ More precisely: "The basic necessities of human life are water and fire and iron and salt and wheat flour and milk and honey, the blood of the grape and oil and clothing. All these are good for the godly, but for sinners they turn into evils" (39:26–27). The author's point seems to be that everything that God makes is good in itself, but for sinners what is essentially good becomes perverted into evil.⁴⁸ In this way the author tries to harmonize his doctrine of the goodness of creation with the obvious presence of evil in the world. Perhaps he realizes that his solution is not fully satisfactory and tries to preclude objections to it when he writes in 39:17, 21: "No one can say, 'What is this?' or 'Why is that?'...for everything has been created for its purpose."

⁴⁵ Lange, *Weisheit und Prädestination*, 60, defines the term thus: "רַז נְהִיָּדָה bezeichnet somit ein Phänomenon, das ethische, historische, nomistische, eschatologische und urzeitliche Komponenten in sich vereinigt. Es handelt sich um eine Welt- bzw. Schöpfungsordnung, die ethische und historische Komponenten enthält und sich dereinst im Eschaton erfüllt." For other definitions of the term, see Goff, *Worldly and Heavenly Wisdom*, 37–40.

⁴⁶ It also holds dualism within a monotheistic framework and prevents it from falling into an absolute dualism. This is very important for the Qumran community, which is convinced of the ultimate victory of God over sin.

⁴⁷ See the next note.

⁴⁸ This probably explains the Hebrew reading in 39:25 (MS B): "so for the evil [both] good and evil [were created]": things created good turn out to be evil for sinners.

4QInstruction does not focus so much on the question of why there is evil or sin in the world as on its eventual destruction. 4Q416 1,13 looks forward to the time when “all sin (עוֹלָה) will end again and the time of truth (אֱמֶת) will be complete.” According to 4Q416 3,3 evil will come to an end. The presence of evil in the world is part of the “mystery of existence” (רִזְ נִהְיָה). The reason for its existence is mysterious.⁴⁹ But those to whom the mystery of existence is revealed can be sure of the eschatological victory of truth, because God is a God of truth (4Q416 1,14; 4Q417 1 i 8). Thus *4QInstruction* moves in the direction of apocalypticism, which, while it continues to be interested in the origins of evil, tends to subsume the problem of evil under the total scope of the divine mysteries, whose ultimate outcome is the elimination of evil and the salvation of the righteous.

We turn now to the *Myst* text (1Q27, 4Q299–301). It is clear that this text has roots in the wisdom tradition, indeed, in a tradition very much like that in *4QInstruction*. First of all, the author of *Myst* speaks of the order of creation as the work of God (4Q299 6 i 1–19; 8,8–10), of parables and riddles (4Q300 1 ii 1; 4Q301 1,2; 2,1), and of the difference between the wise and foolish (4Q301 2,1), all topics that clearly place him in the wisdom tradition. He uses the term “mystery of existence” in 1Q27 1 i 3–6, a term that, as we saw, appears often in *4QInstruction* and is rooted in the sapiential tradition.⁵⁰ Moreover, the same passage contains another very close parallel to *4QInstruction*. The author states that the wicked do not comprehend the mystery of existence. They do not understand ancient matters, nor do they know what is going to come upon them. The author also states that a time is coming when “those born of sin will be locked up, and evil will disappear before righteousness as darkness vanishes before light; and as smoke vanishes and no longer exists, so evil will vanish forever and righteousness will be revealed like the sun.” We recall that *4QInstruction* said that the mystery of existence is only revealed to certain ones who are fit for it, and that evil and sin will come to an end. The author of 1Q27 looks forward to the triumph of righteousness over evil, just as the author of *4QInstruction* looks forward to the triumph of truth over sin.

⁴⁹ But cf. the comments of Wicke-Reuter on Ben Sira above, p. 333, n. 41.

⁵⁰ See p. 334, nn. 43 and 44.

The author of *Myst* also speaks of “sinful mysteries” (1Q27 1 i 2) and of “those skilled in sin” (4Q300 1 ii 2). The latter are persons who do not know the “eternal mysteries” and who are described as “foolish.” Although they wish to see the vision of these mysteries, the vision is closed to them (4Q300 1 ii 2). They are destined to perish (1Q27 1 i 2–7=4Q300 3,1–6). Along with this group of people, we read of another group of people who are called “those who hold onto the mysteries” (1Q27 1 i 7; 4Q299 43,2; 4Q300 8,5; 4Q301 1,2; cf. also 4Q299 3 ii 9; 6 ii 4).⁵¹ They seem to be described in negative terms: according to 1Q27 1 i 7 they will perish; in 4Q299 3 ii 9 they are admonished to “listen” (although the admonition to “listen” is not in itself negative, the foregoing lines may suggest a negative connotation); in 4Q299 6 ii 4 something (probably wisdom; cf. 4Q300 1 ii 3) is said to be hidden from them; in 4Q300 8,4–6 they seem to be associated with those who “walk in foolishness”; in 4Q301 1,2–3 they are associated again with “those who walk in foolishness” and with “those who search for the root of understanding.” In 4Q300 1 ii 2–4 a group is condemned for not having considered the “root of wisdom.” The consequence is that “the vision is sealed up” for them and that they do not know the eternal mysteries. That suggests that “those who search for the roots of understanding” are a group that seeks to know the eternal mysteries through visions, but for whom the vision is closed. “Those who hold onto the mysteries,” their associates, appear to be a similar group. They constitute a group that seeks to know wisdom through mysteries. In the judgment of the author their search for wisdom is misguided, and so they are excluded from the knowledge of the eternal mysteries.

Who are these people who are “skilled in sin,” who “hold onto the mysteries,” who search for the roots of wisdom, but for whom the vision of the mysteries is closed? Although we cannot be certain of their identity, it seems likely that there is some connection with the Enoch tradition, and that may help us identify them. The mention of

⁵¹ As Lange, *Weisheit und Prädestination*, 101, points out, wherever the verb *תָּמַךְ* appears in *Myst*, it appears as a masculine plural participle (and it may be added: always in the construct state: *תְּמַכִּי*) (1Q27 1 i 7; 4Q299 3 ii 9; 6 ii 4; 43,2; 4Q300 8,5; 4Q301 1,2). In 4Q299 3 ii 9; 6 ii 4; and 4Q301 1,2 the *nomen rectum* is lost due to damage of the text, but since in the other places it appears to be consistently *רַיִם* (either in the absolute or construct state; 1Q27 1 i 7; 4Q300 8,5; probably also 4Q299 43,2), we can probably reconstruct the same *nomen rectum* in these three places also.

“sinful mysteries” is reminiscent of the “mysteries” revealed by the angels to women by which men and women committed “evil deeds” in *1 En.* 16:2–3. The mention of the “locking up” of “those born of sin,” along with the disappearance of evil (1Q27 1 i 5) is reminiscent of the “locking up” of the Watchers and of sinful humanity before the final judgment and of their subsequent destruction (*1 En.* 10:13–14; 21:7–10; 22:11).⁵² Dependence on the Enoch tradition could also account for the stark eschatology of *Myst.* We saw above that there is already a vision of eschatological judgment and eschatological destruction of sin in 4Q416 1,13; 3,3; and 4Q417 2 i 7. But the threat of eschatological destruction becomes somewhat more pronounced in *Myst* (e.g., 1Q27 1 i 3–7), and this may be due to the fact that it was also a very important element in the Enoch tradition (e.g., *1 En.* 10:6, 12; 19:1; 21:7–10; 22:1–14; 27:2–3; 90:24–27; 103:7–8; etc.).⁵³ Finally, the inclusion of “soothsaying” among the “sinful mysteries” in 4Q300 1 ii 1 (if that reconstruction is correct) is suggestive of the forbidden magical arts of *1 En.* 8:3–4.⁵⁴ In conclusion, it seems

⁵² On the relationship between these texts, see Nickelsburg, *1 Enoch 1*, 225, 308.

⁵³ Cf. with the eschatological outlook of 1Q27 1 i 3–7 also *1 En.* 18:16: “[God] was angry with them and bound them until the time of the completion of their sin in the year of mystery.”

⁵⁴ In 1Q27 1 i 7 the mysteries are described as “wonderful.” Elsewhere in the DSS the term “wonderful mysteries” usually refers to God’s work or wisdom as the basis for the order of creation (1QH^a IX,21 [Suk. I,21]), as the source of forgiveness (CD III,18) and salvation (1QS XI,5), as the foundation of truth (1QS IX,18; 1QH^a XIX,10 [Suk. XI,10]), and in general it is used in a positive sense to speak of the divine knowledge and glory (1QH^a V,8 [Suk. XIII,2]; X,13 [Suk. II,13]; XII,27–28 [Suk. IV,27–28]; XV,27 [Suk. VII,27]; 4Q417 2 i 2, 13) (cf. also נִלְאוּזִיכָה רִוִי; 1QM XIV,14). This makes the negative evaluation of “those who hold onto the wonderful mysteries” in 1Q27 1 i 7—they are destined to perish—somewhat puzzling. One might expect that those who have possession of the wonderful mysteries would be considered blessed. How is this anomaly to be explained?

The easiest solution is text-critical. It is possible that we should read חִמְכִי רִוִי פֶשַׁע instead of חִמְכִי רִוִי נִלְאוּ (see Otto Betz, “Der Katechon,” *NTS* 9 [1963] 281). That would align the text with line 2: those who hold onto the sinful mysteries will perish. If we follow the usually accepted reading, however, we must seek a different solution. Lange, *Weisheit und Prädestination*, 109–20, has suggested a possible solution: “those who hold the wonderful mysteries” are those who have gained knowledge of the wonderful mysteries of God in the *wrong way*, namely, they are those who have sought to acquire cosmic mysteries that the fallen angels stole from God and transmitted to humans. In support of this theory he appeals to *1 En.* 16:2–3, and Carol Newsom’s explanation of the development of *1 En.* 6–19. As Newsom shows (“The Development of *1 Enoch*

6–19: Cosmology and Judgment,” *CBQ* 42 [1980] 317), *1 En.* 13:1–2 and 16:2–3 are redactional passages. Whereas the rest of chapters 12–16 know only the story of the Watchers’ sin of intercourse with the women, 13:1–2 and 16:2–3 know the tradition of the Watchers’ teaching of forbidden arts, and so it appears that these lines were added redactionally to chapters 12–16. In 13:1–2 we clearly have to do with the tradition of Asael’s teaching (cf. 8:1–2). In 16:2–3 the content of the teaching is less clear. However, Newsom has argued persuasively that, within the final redaction of chapters 6–19, chapters 17–19 reveal the “true mysteries” that confirm the sovereignty of God and that lead to salvation, in contrast to the misappropriation of heavenly mysteries and the evil consequences of that misappropriation as discussed in chapters 12–16 (pp. 322–23, 329). The juxtaposition of chapters 17–19 and 16:2–3 suggests that 16:2–3 stands in some relationship to chapters 17–19 and that the sense of 16:2–3 is to be deduced from that relationship. Thus Newsom, following the Ethiopic text, argues that the sense of 16:2–3 is that the Watchers acquired “worthless” mysteries, that is, the mysteries that Asael and Shemihazah revealed to humanity and that caused evil on earth, in contrast to Enoch who acquired the “true mysteries.” Lange, however, following the Greek text, argues that the relationship is different. The distinction is not between the *kind* of mysteries that the fallen angels and Enoch acquired, but the *way* in which they acquired them. Enoch was shown cosmic mysteries, that is, mysteries about the order and structure of the universe, in a vision (chapters 17–19). According to the Greek text of 16:2–3 these mysteries were not revealed to the fallen angels, yet they “knew” them. That suggests that the fallen angels *stole* the cosmic mysteries that were revealed to Enoch and transmitted them to humans (pp. 113–14). The final redaction of *1 En.* 6–19 combined the motif of the revelation of magic to humans with the motif of the revelation of the mysteries of the order of creation. Thus magic, mantic prophecy, and astrology could be seen as a means to knowledge of heavenly mysteries. Lange concludes, then, that the פלא רזי חומכי רזי of 1Q27 I i 7 can be understood as persons who sought to acquire the “wonderful mysteries” in the wrong way, namely, by means of magical or mantic powers (pp. 119–20) They are condemned for seeking to know the wonderful mysteries in this way, and they are said to have failed in their attempts (4Q300 I ii 1–6).

Lange’s explanation is hardly certain. It depends on the reading of the Greek text of *1 En.* 16:2–3, and it makes the idea of “wonderful mysteries” acquired wrongly by the angels and transmitted to humans dependent on the redactional juxtaposition of *1 En.* 16:2–3 and chapters 17–19. That is hardly likely. Moreover, as mentioned above, in the DSS the term “wonderful mysteries” usually refers to mysteries regarding God’s work as creator and savior, and to his knowledge and glory, rather than to esoteric knowledge. Lange is aware of that, of course, but argues that the esoteric knowledge incorrectly acquired has to do precisely with those things (pp. 108, 120, 188). Such an association between esoteric knowledge acquired by forbidden arts and the divine mysteries seems rather unlikely. If Lange is correct, however, it is another example of the influence of the Enoch tradition on *Myst.*

Betz, “Der Katechon,” 279–82, offers a different and interesting proposal. He suggests that the פלא רזי חומכי רזי are those who *curb* or *repress* the wonderful mysteries. In vivid language Betz writes: “Wie andere Stellen zeigen, können die ‘wunderbaren

that the people condemned in *Myst* are those who seek to know the divine mysteries, but who seek such knowledge in the wrong way, and are therefore condemned to ignorance of the true mysteries of God and ultimately to destruction.

In this way we can see how the ethical dualism of the wisdom tradition could develop towards a cosmic dualism. As Lange puts it:

Da die Frevler in *Myst* in die Tradition der gefallenen Engel gestellt werden, indem sie ihr Wissen und ihre Fähigkeiten letztendlich von jenen beziehen, wird in diesem Text aus der weisheitlichen Antithese von Weisheit und Torheit, Gerechtigkeit und Frevel ein kosmologischer Dualismus, dessen negative Seite zumindest teilweise von den gefallenen Engeln repräsentiert wird.⁵⁵

The two options of wisdom and foolishness, of truth and sin, are now seen from the perspective of a cosmic power of evil. Folly and sin are the result of the introduction of evil into the world through the fall of the angels.⁵⁶ In the strict sense one should not speak of the Enoch tradition as representing a *cosmic* dualism, since it does not have the conception of two opposing powers competing with each other simultaneously. But there is, as it were, a temporal dualism, according to which the present age has fallen under the power of evil, so that evil and injustice prevail, while in the age to come the world will be freed from evil and sin, and truth and righteousness will be victorious.⁵⁷ In any case, *Myst*, by introducing the tradition of the fallen angels into the wisdom tradition, helped set the stage for a true cosmic dualism, according to which wisdom and folly, truth and sin would no longer

Geheimnisse' nur Gottes Geheimnisse, und zwar gerade auch Seine verborgenen Endzeitabsichten sein; sie 'festzuhalten', wäre der verzweifelte Versuch von Frevlern, dem sie zermalmenden Rad der Endgeschichte mit letzter Kraft in die Speichen zu greifen" (p. 281). This interpretation would certainly explain the negative judgment passed on these people. Given the consistent use of תּוֹרָה elsewhere in *Myst*, however, this interpretation seems unlikely.

⁵⁵ Lange, *Weisheit und Prädestination*, 120. See also p. 188.

⁵⁶ A conflation of the wisdom tradition and the fall of the angels is probably also found in 4Q180, a *peshet* on the ages of creation. This text says that God has made "an age to bring to an end [all that is] and all that will be (וְהָיָה)" (1,1). Later this text mentions Asael and the angels, and sin (עוֹלָה) and the inheritance of evil (לְהַחֲזִיל רָשָׁעָה), presumably the results of the fall of the angels (1,7, 9). Thus this text brings together the sapiential motif of the order of creation and the motif of the fall of the angels from the Enoch tradition.

⁵⁷ See p. 324, n. 19.

merely belong to the order of creation, but also would come to belong to two opposing cosmic powers.⁵⁸

6.2.3 *Sapiential Tradition and Cosmic and Anthropological Dualism in 1QS III,13–IV,26*

We may now turn to the major piece of evidence for dualism at Qumran, namely, the discourse on the two spirits in 1QS III,13–IV,26. In order fully to understand the dualism of this text, it will also be necessary to bring the *Rule of War* into the discussion. It will be easier to see the influence of the dualism of the *Rule of War*, however, after we have shown how deeply rooted 1QS III,13–IV,26 is in the kinds of dualism that we have discussed above. Placing 1QS III,13–IV,26 in that context will enable us to see what is new and different in this piece vis-à-vis its forerunners and what the dualism of the *Rule of War* contributes to it.

We may begin by noting the intimate connection between the dualism of 1QS III,13–IV,26 and that in the sapiential tradition as found in *4QInstruction* and *Myst.* As Peter von der Osten-Sacken has shown, 1QS III,13–15a offers an outline of everything that follows in this unit. The Instructor is “to teach all the sons of light about the history (תולדות)⁵⁹ of humans according to their kinds of spirits, and

⁵⁸ Cf. Lange, *Weisheit und Prädestination*, 188.

⁵⁹ In the OT the word תולדות (always in the plural) is most often used to refer to the successive generations of men (Gen 5:1 and passim). In Gen 2:4 the word is used to refer metaphorically to the “generations” of heaven and earth, that is, to their origins and what came forth from them. Already in Gen 2:4; 6:9; and 37:2, however, the word takes on the connotation of “history” insofar as the accounts in these places include not merely genealogies but also stories. In Gen 25:13 and Exod 28:10 the word is used in the sense of “order of birth.” The structural parallelism between Gen 25:13 and 25:16 suggests a connection between the “order of birth” (תולדות) of the sons of Ishmael and their broader “history” (patterns of settlement). In the DSS תולדות is used at least twice in the sense of “order of birth” (1QM III,14; V,1). In other places, however, the broader sense of “history” is indicated, e.g., CD IV,5 (on this line see pp. 524–25; but cf. also 4Q177 1–4,10–12) and 4Q418 77,2–3, where תולדות is connected with the “mystery of existence.” As we have seen, the “mystery of existence” is itself a broad term, including creation, eschatology, and ethics. Thus we may suppose that in 1QS III,13–IV,26 the תולדות of man include(s) his whole “history”: his creation by God (1QS III,17–18), his eschatological destiny (III,18); and his disposition and deeds (IV,15). In III,19 the word probably has more the sense of “origins,” but even here the whole “history” of truth and

about their signs according to their deeds in their generations, and the visitation of their punishments with the times of their recompense.” These instructions correspond exactly to what follows in 1QS III,15b–IV,14.⁶⁰

First, the instructor is to teach about the history (חולדות) of man (III,13; cf. III,19; IV,15). This charge clearly has roots in the wisdom tradition. In *4QInstruction* (4Q418 77,1–4=4Q416 7,1–3) the “maven” is instructed to “grasp the history of man (חולדות [א]דם).” This has to do with knowing the “visitation of his work” (פקודת מעשהו), the “judgment of man” (משפט אנוש), his “weight” (משקל), and the “flow of his lips according to his spirit” (לפי רוחו). In these lines we see many of the terms that are very prominent in the anthropology of the Qumran community. Besides the reference to the history of men in 1QS III,13, 19; IV,15, we read in 1QS of “weighing” (שקל) and of “judgment” (משפט) of the men of the community “according to their spirits” (1QS IX,12, 14, 15, 18; cf. V,20–21, 24). That supports the contention that the sapiential tradition is the source of the anthropology of 1QS III,13–IV,26. Furthermore, 4Q418 55,10 says that “according to their knowledge they will honor one man more than another, and according

sin (or injustice) may be in view. As *4QInstruction* shows, truth and sin (or injustice) are thought of as having a kind of history (4Q416 1,13; 2 iii 14). Thus I shall render חולדות in 1QS III,13–IV,26 with “history.” This translation is preferable to “origin(s)” (contra von der Osten-Sacken, *Gott und Belial*, 19 n. 2).

⁶⁰ Cf. von der Osten-Sacken, *ibid.*, 18–19. The infinitive ללמד (“to teach”) in 1QS III,13 is followed by two objects (חולדות כול בני איש [“the history of all the sons of man”] and אותותם [“their signs”]), each prefixed with a ב, indicating the topics of the discourse, and each of those topics is followed by a phrase, introduced by ל, indicating the aspects under which that topic is to be discussed (“the history of all the sons of man” to be discussed with respect to כול מיני רוחותם [“all the kinds of their spirits”], and “their signs” to be discussed with respect to מעשיהם בדורותם [“their deeds in their generations”] and פקודת נגיעיהם עם קצי שלומם [“the visitation of their punishments with the ages of their reward”]). These topics and their aspects correspond to what follows: the history of humans as creation of God (III,15b–17), with respect to the kinds of spirits, spirits that determine the history (חולדות) of man, anthropologically (III,18–19) and cosmically (III,20–IV,1) (that the anthropological spirits of truth and deceit [III,18–19] and the cosmic spirits of light and darkness [III,25] are two aspects of the same reality is made clear by the fact that truth derives from light and deceit derives from darkness [III,19]); and the “signs” by which one can identify these spirits: the “paths” (deeds) that manifest the sons of truth/light (IV,2, 6) and the “paths” (deeds) of those who walk in “darkness” and “deceit” (IV,1, 9, 11), along with their respective “visitation” or “rewards” (IV,6, 11–12).

to his insight (לפי שכלו) his honor will be great” (cf. the same idea in 1QH^a XVIII,27–29 [Suk. X,27–29]). God gives an allotment (פליג) (of understanding?) to “those who inherit truth” (לנוחלי אמת) (4Q418 55,6; cf. also 4Q413 1–2,2). Similarly, according to 1QS IV,15–16, 24, the history of all men lies in their inheritance (נחלה) in the divisions (מפלגיהון) of the spirits of truth and sin.⁶¹

In 4Q418 77,1–4 (=4Q416 7,1–3) this knowledge of the history of mankind is part of knowing the “mystery of existence.” As we saw above, the “mystery of existence” in the wisdom tradition has to do with the order of creation. Corresponding to that, 1QS III,15b–17a says:

From the God of knowledge stems all that there is and all that there will be (כול הווה ונהייה).⁶² Before they [men] existed he established their entire design. And when they come into being, at their appointed times, they will complete their work according to his glorious design without any change. In his hand are the judgments of everything, and he sustains them in all their desires.

Clearly this statement is an expression of the “mystery of existence” (רו נהייה), the order of creation, including past and future, established by God. The fact that in 1QS III,15 the design and deeds of *humans* specifically are connected to “all that is and all that there will be” shows that the history (חולדות) of man (III,13) is being grounded in the “mystery of existence.” Thus it is clear that the discourse on the history of man is rooted in the wisdom tradition.

There is, however, one important difference between 1QS III,13–IV,26 and the earlier tradition: whereas the earlier tradition knows of an ethical dualism and of an inheritance in insight and truth, and even the idea of the quality of one’s spirit, in 1QS III,13–IV,26 the ethical dualism and the inheritance in insight and truth become combined with a cosmic dualism, such that one’s “inheritance” is no longer simply that of insight or truth, but an inheritance in the spirits of

⁶¹ Note that in 1QS V,21, 24 the examination and ranking of each member of the community is “according to his insight” (לפי שכלו) and the “perfection of his path” (רום) (דרכו). And see 4Q418 172,2–5, where found together are “spirit” (רוח), “weight” (משקל), “the perfection of path” (תבנים דרך), and the “inheritance of a man in truth” (נחלה איש) (באמ[ח]).

⁶² Note that 4Q418 55,5 calls God the “God of knowledge” (אל הדעות), like 1QS III,15.

truth and sin (or injustice), those spirits themselves understood in a dualistic way.

These two spirits are the subject of the next section. God created man to rule the world, and he placed in him two spirits, the spirit of truth (אמת) and the spirit of sin (or injustice) (עול). He created man to walk in these two spirits until the time of his visitation (1QS III,17–18). These lines are reminiscent of the sapiential tradition. In *4QInstruction* truth (אמת) and sin (or injustice) (עול or עולה) are the two fundamentally opposed ways of living. In addition, they belong to the order of creation, the “mystery of existence,” and one of them (sin) is destined to end (4Q416 1,13; 2 iii 14; 4Q417 1 i 6; 4Q418 211,4; 4Q418c 5). But in 1QS III,17–18 truth and sin (or injustice) are not simply part of the order of creation; they are actually two different kinds of spirits that exist within man. The history of man insofar as he participates in truth (תולדות האמת) lies in the “spring of light,” while the history of man insofar as he participates in sin (or injustice) (תולדות העול) lies in the “source of darkness.” Therefore the spirits of truth and sin (or injustice) can also be called the spirits of light and darkness (III,25). Those who walk in light are the “sons of justice,” and they are under the dominion of the Prince of Lights. Those who walk in darkness are the “sons of injustice,” and they are under the dominion of the Angel of Darkness. Here we see the development of a cosmic dualism. We noted above that the ethical dualism of the wisdom tradition developed towards cosmic dualism in *Myst*, probably under the influence of the Enoch tradition. Probably the more influential source of cosmic dualism here, however, is the cosmic dualism that we found in the Aramaic sacerdotal texts. There, as we recall, we read of “sons of light” and “sons of darkness” (4Q548 1,8–16), as well as of an angel who rules over the light and an angel who rules over the darkness, the two angels who quarreled for dominion over Amram (4Q544 1,10–14; 2,2–6).

We can see easily how the ethical dualism of the sapiential tradition and the cosmic dualism such as we find in the Aramaic sacerdotal texts could lead to an anthropological dualism in 1QS III,13–IV,26. From the sapiential tradition it was understood that humans have an allotment in truth or sin (or injustice) (4Q416 4,3; 4Q417 1 i 24; 4Q418 55,6; 172,5) and possess degrees of insight (or folly) (4Q418 55,10). It was also understood that one’s eschatological judgment corresponded to one’s wisdom or folly, and to one’s participation in truth or sin (4Q417 1 i 6–7; 4Q418 69 ii 4–14). This ethical dualism and its corresponding eschatology are rooted in the order of creation. From the dualistic

tradition found in the Aramaic sacerdotal texts it was understood that the “sons of light,” who were of the truth and possessed of knowledge, were ruled by the angel of light and that their destiny was salvation in eternal light (4Q548 1,11–13); the “sons of darkness,” who were of the lie and were foolish, were ruled by the angel of darkness and were destined for destruction (1,8, 12–14).

When the ethical dualism and the cosmic dualism were combined, a combination facilitated by the common themes of wisdom and folly and of eschatological judgment, it was possible to understand the ethical categories of truth and sin not only as belonging to the dualistic structure of creation, but as themselves part of a cosmic dualism of the domains of light and darkness, each domain ruled by an angel. This is precisely what we find in 1QS III,17–21; IV,23–25: God created two spirits in man, the spirit of truth and the spirit of sin (or injustice), which are also the spirits of light and darkness. These spirits are ruled by the Prince of Lights and by the Angel of Darkness (III,17–21). Moreover, these spirits of truth and sin are what cause humans to walk in wisdom and folly, and according to one’s inheritance in the truth ([נחלה איש באמת]; cf. 4Q418 172,5) one abhors sin and according to one’s share in sin one abhors truth (1QS IV,24–25). These spirits feud with each other in the human heart (IV,23). The feuding of these two spirits in the human heart is based on the (cosmic) struggle of the angel of light and the angel of darkness over the human (4Q544 1,10–14). Thus wisdom and folly, truth and sin, which in the earlier tradition are thought of as belonging to the inheritance of humanity as part of the created order, are transformed into elements of a cosmic dualism and a cosmic struggle, such that folly and sin, while not ceasing to be thought of as part of the created order (1QS III,18, 25) and ultimately under God’s control, yet come to be associated with an anti-Godly power. This combination of an ethical dualism and a cosmic dualism also results in an *anthropological dualism* such that the human requires deliverance from the evil power (the spirit of sin, IV,20) that has taken hold of his inner being (IV,20–21) and prevents him from walking in wisdom and truth.

We saw earlier that one of the prominent themes of the wisdom tradition, especially as we know it from *4QInstruction*, is that knowledge of the paths of truth and sin and of the rewards and punishments accruing to them lead one to be able to distinguish between good and evil (4Q417 1 i 6–8=4Q418 43–45 i 4–6; 4Q418 2,5–7; cf. also 4Q300 3,1–6). One could say, then, that observation of the deeds or ways of

humans and consideration of their consequences leads to knowledge of the dualistic order of creation. This idea appears explicitly at the end of the discourse in 1QS IV,25–26: “[God] knows the result of their [scil. the two spirits’] deeds (פעולת מעשיהן) for all times everlasting and has given them as an inheritance to the sons of man so that they may know good [and evil].”

This aspect of the wisdom tradition appears also to stand behind the second section in the discourse, namely, 1QS IV,2–14, the section that corresponds to the instruction in III,14–15 to teach the sons of light about the “signs” (אורות) of the sons of man “with respect to their deeds in their generations and with respect to the visitation of their punishments with the periods of their reward.” The “signs” are personal dispositions and deeds, along with their consequences, by which one is able to distinguish between the spirit of truth and the spirit of sin, that is, to distinguish between good and evil. Although III,25–IV,1 already hints at this topic, it is IV,2–14 that treats the topic explicitly. 1QS IV,2–6a gives a “catalog of virtues” by which one can identify the spirit of truth in people, while IV,6b–8 describes the reward awaiting those who walk in truth. The virtues include some that are prominent in the sapiential tradition, such as insight (שכל), understanding (בינה), and wisdom (חכמה). The rewards are also reminiscent of those mentioned in *4QInstruction*, for example, peace in a long life (cf. 4Q418 88 ii 2) and eternal joy (4Q417 1 i 12).⁶³ Similarly, IV,9–11 gives a “catalog of vices” by which one can identify the spirit of sin, while IV,12–14 describes the punishments awaiting those who walk in sin. Among the vices is “much foolishness,” which reflects the wisdom tradition, and there are other reminiscences of the wisdom tradition.⁶⁴ As for the punishments, “darkness” is reminiscent of the fate of the sons of darkness in 4Q548 1,10–16. The other punishments have close connections to the *Rule of War*. We shall discuss that text in greater detail below. Elsewhere in the *Rule of the Community* we read about the ranking of members according to their spirits (1QS V,20–21;

⁶³ See also the inheritance of the “sons of heaven” (presumably angels) in 4Q418 69 ii 13–14: eternal life and eternal light.

⁶⁴ Cf. Prov 2:13 (“walking in the ways of darkness”); 28:25 (“greed”); 4Q299 3 ii 5 (“evil cunning”). See further the commentary of P. Wernberg-Møller, *The Manual of Discipline* (Leiden: E. J. Brill, 1957) 73–82, who mentions many parallels to biblical wisdom literature as well as to *1 Enoch*.

IX,14–16). Possibly the virtues and vices of IV,2–6a and IV,9–11 could serve as criteria for ranking the spirits of members.

We come finally to the last section of the discourse, IV,15–26. In the strict sense this section does not correspond to anything in the outline in III,13–15a, since all of the instructions there have been exhausted in III,15b–IV,14. This section is, however, by no means unrelated to what has come before. 1QS IV,15–26 can be subdivided into three smaller units: a central section in IV,18b–23a, and two outer units in IV,15–18a and IV,23b–26. 1QS IV,15 introduces the topic for all of IV,15–26, taking up again the theme of the history (חולדה) of man. As we have seen, in the wisdom tradition the history of man is closely connected to the “mystery of existence.” In *Myst* the ultimate outcome of the “mystery of existence,” that is, of God’s ordering of reality, is that God will destroy sin and folly, and righteousness and wisdom will be fully revealed like the sun, and the earth will be full of knowledge (1Q27 1 i 3–7=4Q300 3,3–6; cf. also 4Q215a 1 ii 4). Similarly, in *4QInstruction* the ultimate outcome of God’s judgment is that sin will end and truth will prevail, so that the righteous may know fully the difference between good and evil (4Q416 1,13; 4Q418 2,7; 211,4; 4Q418c 5). That is because God is a “God of truth” (4Q416 1,14). It is not surprising, then, that the ultimate outcome of the history of man, as a part of the “mystery of existence,” is that God will destroy the unjust. That is precisely what we find in *4QInstruction*: the “sons of injustice” will disappear (4Q418 69 ii 8; cf. also 1Q27 1 i 7). We find this idea also in the central section 1QS IV,18b–23a. God has “determined an end to the existence of sin. At the appointed time God will obliterate it forever, and then the truth of the world will prevail (or: will go forth forever; חצא לניצח).” The upright will understand the knowledge of God and be instructed in the wisdom of the sons of heaven (IV,22).

Thus we find the same basic pattern of thought in *4QInstruction* and in 1QS IV,18b–23a. There is also, however, an important difference. In the latter the emphasis is not on God’s destruction of sinners (although that is probably implied), but on the removal of the spirit of sin from within the *righteous*. It is this difference that explains why this section is framed by IV,15–18a and IV,23b–26. These two units are very similar. Both units say that God has set the spirits of truth and sin over against each other, that humans have an inheritance in the spirits of truth and sin, and that their deeds reflect that inheritance; both say that there is a conflict between the spirits of truth and sin; both units say that God has appointed a time when this conflict will be resolved, and

the second unit calls this time the “new creation.” These two units frame IV, 18b–23a and help to bring that section’s central concern into focus.⁶⁵

As we saw above, 1QS III,15–IV,26 accomplishes a remarkable anthropological dualism by combining the older forms of ethical dualism and cosmic dualism. That combination, however, also produces a new problem: if the spirit of sin is able to take hold of every person in the inner being, then it is not enough for God simply to destroy sin as a cosmic power. God must root out sin from the very heart of humans. That will happen at the appointed time, when

God in his truth (באמתו) will refine for himself all the deeds of man and will purify for himself the structure of man,⁶⁶ by destroying all the spirit of sin from the innards of his flesh and by purifying him with a holy spirit from all evil deeds. He will sprinkle over him a spirit of truth like waters of purification from every abomination of deceit and defilement with an impure spirit. (1QS IV,20–22)

This will be God’s new creation, when he newly creates those whom he has chosen for an eternal covenant and restores to them all the glory of Adam. Until then there is struggle between the spirits of truth and sin

⁶⁵ Sometimes the phrase כבד כבד is translated in IV,16, 25 as “in equal parts” on the basis of Exod 30:34. It is clear, however, that the spirits of truth and sin are not thought of as existing in equal parts in any one individual (IV,16). It is possible that the author thought of the spirits of truth and sin as existing *cosmically* in equal parts, insofar as they are deadlocked in struggle until the appointed time, when God will destroy sin, and thought that people participate in one or the other in different degrees (so Hartmut Stegemann, “Zu Textbestand und Grundgedanken von 1QS III, 13-IV, 26,” *RevQ* 13 [1988] 117; an example of how individuals might have been thought to have a preponderance of parts of light or darkness is 4Q186 [4Q*Horoscope*]). The idea of truth and sin existing cosmically in equal parts might be based on the kind of dualism that we find in the *Rule of War*, where the sons of light and the army of Belial each prevail for three lots, until the seventh lot when God gives the victory to the sons of light (1QM I,13–15). It is more likely, however, that the author intended the phrase כבד כבד in the sense of “separately” or “over against each other.” See Wernberg-Møller, *Manual*, 84; and von der Osten-Sacken, *Gott und Belial*, 25 n. 2.

⁶⁶ In 1QS IV,20 מְבִי אִישׁ is to be taken as מְבִי אִישׁ (“the structure of man”) rather than as “some of the sons of man.” This is confirmed by 4Q444 I i 2, where we have an anthropology similar to 1QS IV,20–21: there are “spirits” in the “structure” of man, in the “innards of the flesh” (תְּכֵמֵי בָשָׂר). See von der Osten-Sacken, *ibid.*, 178 n. 3.

in the human heart. That is what the two framing units explain.⁶⁷ Every human heart has a share in truth and sin. God has set them “apart,”⁶⁸ and different people inherit different degrees of truth and sin. The results of their deeds fall out accordingly (IV,15–16, 24). But ultimately the two spirits cannot coexist (IV,18; cf. III,18).⁶⁹

⁶⁷ The parallel in structure between IQS IV,18b–23a and *4QInstruction* suggests that IQS IV,18b–23a is an independent unit that has been framed by IV,15–18a and IV,23b–26. There is no reason, however, to think that any of these three units comes from an author different from the others. von der Osten-Sacken, *Gott und Belial*, 22–27, argues that IV,15–23a was the original unit and that IV,23b–26 was a later supplement. Its purpose was to clarify the relationship between the two spirits, a relationship that is suggested but not explained in IV,15–18a. IV,23b–26 moves the dualism of IV,15–18a from the pneumatological level (with an emphasis on opposition of the two spirits) to an anthropological dualism (with an emphasis on the two spirits *within man*). IV,15–18a and IV,23b–26 form a chiasm. Against von der Osten-Sacken, however, the following must be said: IV,15–18a and IV,23b–26 do not form a chiasm; they are actually quite similar in structure; the fact that עיל is used in IV,23b–26 and עילה in IV,15–23a says nothing about authorship, since both forms are used together in *4QInstruction*; one really cannot completely separate a pneumatological dualism in IV,15–23a from an anthropological dualism in IV,23b–26, since the two kinds of dualism have already been combined in III,15a–24a. von der Osten-Sacken may well be correct that IV,23b–26 is intended to clarify what comes before it. After the discussion of the eschatological purification of the righteous in IV,18b–23a, the author desires to explain more clearly why it is that the righteous need to be purified. It is because both spirits are in the heart of man. But an anthropological struggle is already implied in III,21–24 and IV,19 (thus IV,15–23a does not correct III,13–IV,14; contra von der Osten-Sacken, pp. 174, 183). The parallels to the wisdom tradition in both IV,15–18a and IV,23b–26 (see pp. 345–46, 347 above) suggest that both units come from the same author, who was also the author of IV,18b–23a. It appears, then, that the author wrote IV,15–26 as a single unit. He adapted the wisdom tradition’s idea of the eschatological destruction of sin to the eschatological purification of the righteous in IV,18b–23a. That purification is necessitated by the anthropological dualism described in III,17b–24a, developed out of the earlier traditions of ethical and cosmic dualism. In IV,15–18a the author places the eschatological purification of the righteous in the framework of the wisdom tradition’s concept of the “history” of man. In IV,23b–26 the author further clarifies the problem of anthropological dualism. Contrast this explanation of the text also with Lange, *Weisheit und Prädestination*, 167.

⁶⁸ See n. 65.

⁶⁹ Since according to the anthropological dualism of this section, the spirits of truth and sin are both present in the hearts of men in the present age, it may seem odd that, when God destroys the spirit of sin from within the flesh of the chosen in the time of visitation, he must sprinkle over them the “spirit of truth” (or a “holy spirit”) (IQS IV,20–21). That could be taken to suggest that the anthropological dualism is not present here, that is, that God must sprinkle the spirit of truth over these men because

6.2.4 Eschatological War Dualism

We saw in the last section that the dualism of 1QS III,13–IV,26 is deeply rooted in both of the sources of dualism that we have studied thus far: the ethical dualism of the wisdom tradition, and the cosmic dualism that we find in the Aramaic sacerdotal texts. There is, however, one other source of dualism that we must consider, and that is the eschatological war dualism of the *Rule of War*.⁷⁰

it is not already in them. Against this objection, however, are three considerations. First, the fact that these men are the “chosen” makes it probable that they are those whose inheritance in the spirit of truth is greater than their inheritance in sin. The spirits in the lot of the Angel of Darkness cause even the sons of light to stumble (III,21–22, 24), with the result that even among the sons of justice truth has been defiled by paths of wickedness under the dominion of sin (IV,19). God must fully purify them with the spirit of truth in the *eschaton*. Second, in 4Q444 1 i 1–4 we find a view very similar to that here. In this text, which has been classified as an incantation (DJD 29.367), the speaker says that “they became spirits of dispute in my build,” which suggests that, although God has put in his heart a “spirit of knowledge and understanding, truth and justice,” there are conflicting spirits in his heart. Third, there are here allusions to Ezek 36:25–32, which speaks of the eschatological salvation of Israel, when God will remove the heart of stone from the people of Israel and give them a heart of flesh, when God will sprinkle water of purification on them, and when he will give them a new spirit, so that they will obey him. This language has probably influenced the author of 1QS IV,20–22 in having God sprinkle the spirit of truth over the men.

⁷⁰ Lange, *Weisheit und Prädestination*, 128, has proposed that the direction of influence was the opposite: the dualism of 1QS III,13–IV,26 influenced the dualism of the *Rule of War*. That is hardly likely. von der Osten-Sacken’s demonstration of the tradition-history of the dualism of the *Rule of War* is generally convincing (see below). Its dualism can be explained to a large extent as a development within the eschatological war tradition itself, and (we may now add) perhaps with the contribution of the presumably earlier form of dualism that we find in the Aramaic sacerdotal texts (such as the terminology of sons of light and darkness; see above). There is also some indebtedness to the dualism of the sapiential tradition (e.g., in 1QM X,8b–18; XVII,4–5). But as we have seen above, and will also see below, the dualism of 1QS III,13–IV,26 represents a thoroughgoing integration of the three major forms of dualism studied here. The dualism of the Angel of Darkness and the Prince of Lights in III,20–25 combined with battle imagery (III,24) is easily explainable from the eschatological war tradition of the *Rule of War* (cf. von der Osten-Sacken, *Gott und Belial*, 117–20). By contrast, it is difficult to explain this combination of dualism and battle imagery as an independent invention first made by the author of 1QS III,13–IV,26 and then influencing the *Rule of War* where such imagery is native (cf. von der Osten-Sacken, p. 168). The dating of the manuscripts does not change this conclusion. Many of the manuscripts of the *Rule of War* are dated from about the middle of the first century BC to the first half of the first century AD, but one or more

In his fine though now somewhat outdated study of dualism at Qumran, Peter von der Osten-Sacken argued that the dualism of the *Rule of War* was the major influence on Qumran dualism, including on 1QS III,13–IV,26. Since von der Osten-Sacken did not have the evidence of the sapiential texts and the Aramaic sacerdotal texts that we have studied above, his conclusions were necessarily based on the evidence of the texts that were at his disposal. Clearly his conclusions have to be modified in light of the new evidence.⁷¹ Despite that limitation, his work remains an excellent and very helpful analysis. The most convenient way to grasp the contribution of the dualism of the *Rule of War* to Qumran dualism will be to examine the parts of 1QS III,13–IV,26 where the influence is most clearly visible. The primary text for consideration is III,20–25. These lines reflect a form of dualism that lies at the end of a development that can be traced in the *Rule of War* itself. A second place that will receive brief attention is IV,7–8, 11–14 which probably also bears some relationship to the *Rule of War*.

are to be dated to the first half of the first century BC (see recently Jean Duhaime, *The War Texts: 1QM and Related Manuscripts* [London: Continuum, 2004] 12–44), which is when 1QS, the only manuscript of the *Rule of the Community* containing the whole of the “Teaching on the Two Spirits” (1QS III,13–IV,26) is also dated (among the 4QS manuscripts only manuscript C contains parts of this section; this manuscript is dated to the same period as 1QS; see DJD 26.20, 24). Thus the palaeographic dating of the manuscripts says nothing about the direction of influence. There is, however, considerable evidence to date framework material (including dualism) in the *Rule of War* to the Maccabean or Hasmonean period (see below). While I have argued that parts of the *Rule of the Community* may also go back to the Maccabean period (see Chapter 5), there is nothing in 1QS III,13–IV,26 that would require such a dating for that section. Thus I shall assume that the dualism of that passage is dependent on that of the *Rule of War*. While one could put it other ways, such as that the dualism of 1QS III,13–IV,26 is dependent on the sources of the *Rule of War*, or even simply on the outlook contained in the *Rule of War*, for the sake of convenience it will be easier to speak of its dependence on the *Rule of War*. I do not mean to imply thereby that the *Rule of War* must have existed precisely in the form that we have it in 1QM when 1QS III,13–IV,26 was composed.

⁷¹ That applies above all to pp. 123–48, 166, 170–82, and 239–40, where he attributes various parts of the anthropological dualism in the Teaching on the Two Spirits (1QS III,15–19; IV,15–23a) to influence from the Qumran *hōdāyōt*, the *Rule of War* (Michael and Belial), and Iranian dualism. This anthropological dualism can now be explained as based on the dualism of the Aramaic sacerdotal texts and the sapiential tradition, as we saw above. It applies also to his hypothesis that the ethical dualism in 1QS III,13–IV,26 is a de-eschatologization and ethicization of the dualism of the *Rule of War* (pp. 99 n. 2, 102, 111, 114–15, 166–67, 239).

von der Osten-Sacken has shown that the dualism of the *Rule of War* has its roots primarily in three major OT traditions: (1) the eschatological war of Dan 11–12; (2) the “day of the LORD” tradition; and (3) the holy war tradition.⁷² Therefore the dualism of the *Rule of War* has its origins in the nationalistic framework of a war between Israel and the nations. The first column of 1QM reveals this clearly, but it also shows the way in which these traditions have been combined and transformed.

Column I draws first on Dan 11:40–45.⁷³ According to Daniel, in the end time there will be a final, climatic battle between the king of the North (the Seleucid king) and the king of the South (the Ptolemaic king). The king of the South will attack the king of the North. But the king of the North will rush upon the king of the South. He will enter Judea, where tens of thousands will fall victim, but Edom, Moab, and the Ammonites will escape from him. But Egypt will not escape (לא תהיה לפלישה), and Libya and Ethiopia will come in his train. But then reports from the North and the East will alarm him. He will go out to bring great ruin and destruction to many. He will pitch his tent between the sea and Mount Zion, but there he will come to his end with no one to help him (ואין עוזר לו).

Column I draws on this material in depicting the eschatological battle, but has completely transformed it. Whereas in the (quietist/pacifist) Daniel⁷⁴ Israel is a passive party in the battles between the kings of the North and South, in 1QM Israel, or rather the righteous within Israel (the “sons of light”), become the attackers. At

⁷² von der Osten-Sacken, *Gott und Belial*, 28–87. It is clear that sapiential tradition has also been incorporated in the *Rule of War* (see 1QM XVII, 4b–5a, 8). However, the sapiential tradition does not appear to have been a major influence. It is apparent that the kind of dualism that we find in the Aramaic sacerdotal texts is also present (e.g., angels, sons of truth). Since the origin and nature of that dualism are not completely clear, however, we can hardly speak of it as another source for the dualism of the *Rule of War*. See Frey, “Different Patterns,” 314, 317–18, who argues that the *Rule of War* and the Aramaic sacerdotal texts both come from priestly circles.

⁷³ The use of Dan 11:40–45 (as well as 12:1–4) will have been particularly attractive to the author, since, unlike the rest of Dan 11, these verses do not refer to events that have already happened. They represent Daniel’s author’s hope. Thus the author of the *Rule of War*, writing soon after the composition of Daniel (see below on the date of the *Rule of War*) and knowing that the “prophecies” of Dan 11:1–39 had already been fulfilled, looked upon 11:40–12:4 as representing the next and final stage of history.

⁷⁴ On the apparent quietism or pacifism of the author of Daniel and his circle, see John J. Collins, “Daniel, Book of,” *ABD* 2.34.

the beginning of the final battle, the sons of light will attack Edom, Moab, and the Ammonites, as well as the Seleucid kingdom (the "Kittim of Assyria"). These constitute the enemy, along with the lot of the sons of darkness, the army of Belial, and the violators of the covenant (cf. Dan 11:32). As we learn from 1QM I,11–17, the defeat of Belial and his allies will not be immediate. But in his (God's) time, God will destroy the lot of Belial, the Seleucid kingdom ("Assyria will fall and there will be no help for him [וְאֵין עֹזֵר לֵוָּן]), and the sons of darkness, for whom there will be no escape (וּפְלֹטָה לֹא תִהְיֶה) (1QM I,5–7). The linguistic parallels make clear that this section is dependent on Daniel.

The transformation of Israel from a passive victim in Daniel to an active aggressor in the *Rule of War* is made possible by the incorporation of holy war traditions from the OT, in which Israel fights against its enemies and conquers its land by the help of God. This tradition accounts for the nationalistic coloring of the *Rule of War*, so that Israel becomes the conqueror of its enemies in the eschatological war as well.⁷⁵ The eschatological war is not, however, simply a war of Israel against its enemies. Part of Israel, namely, the violators of the covenant, belong to the enemies of the sons of light. That is not at all surprising, given that Dan 11:32 already sets them over against God's faithful.

The confluence of the Daniel, "day of the LORD," and holy war traditions can be clearly seen in 1QM I,11–15. When this passage says that the eschatological battle will be a "time of suffering" (עַתַּ צָרָה), to which there will be no suffering comparable (לֹא נִהְיֶתָה כְּמוֹתָהּ), that is a direct borrowing from Dan 12:1, which speaks of deliverance for the nation at a "time of suffering" (עַתַּ צָרָה) "such as there has never been since nations existed until that time" (אֲשֶׁר לֹא נִהְיֶתָה מִהַיּוֹת נְוִי עַד הַעַתָּה) (הָיָה). The "day of the LORD" tradition is reflected in the references to the "day" of "battle," "calamity," and "war" (1QM I,9, 11, 12), for in the prophetic literature the "day of the LORD" is one of war and battle (Ezek 13:5; Zech 14:3), and calamity (Ezek 7:26; Isa 47:11). The holy war tradition is apparent in the motifs of the melting of the heart (1QM I,14; cf. Deut 20:8; Josh 2:11), the "panic" into which God throws the enemies of Israel (1QM I,5–6; cf. Deut 7:23, etc.), and God's subduing of Israel's enemies (1QM I,6; cf. Deut 9:3), among others.⁷⁶

⁷⁵ von der Osten-Sacken, *Gott und Belial*, 39–40.

⁷⁶ *Ibid.*, 34–41.

The demonstration that these three OT traditions are the major sources of the dualism of the *Rule of War*, including 1QM I,11–15, is important for three reasons. First, as von der Osten-Sacken points out, 1QM I,11–15 gives an outline of the phases of the eschatological war, which then become the framework for columns XV–XIX. The phases of the eschatological war as outlined in I,11–15 are: (1) attack by the sons of light against the army of Belial; (2) the counterattack of the army of Belial against the sons of light; and (3) the final victory, when God helps the sons of light to vanquish Belial and the men of his lot. These phases correspond to XV,1–3; XVI,11–14; and XVIII,1–3a respectively.⁷⁷ This indicates that the language and concepts borrowed from Daniel and from the “day of the LORD” and “holy war” traditions, and unified in I,11–15, belong essentially to the fundamental conception of the eschatological war. Second, since the eschatology of Daniel is accordingly essential to the structure of the *Rule of War* and to its fundamental conception of the war, the *Rule of War*, at least in its main core, cannot be dated before Daniel. Third, these three OT traditions, and their confluence in the *Rule of War*, show us where we are to look to find the origins of the elements of Qumran dualism that are of greatest interest to us in the present discussion of 1QS III,20–25 and IV,11–14, such as the angel of darkness, the ideas of the “lot” and of God’s assistance to the sons of light, and the depiction of eschatological punishment and destruction.

von der Osten-Sacken has shown that the figure of Belial as the leader of the forces of darkness in the eschatological war has its roots in the OT “day of the LORD” tradition. Specifically, Belial appears in a personal sense in Nah 2:1, which speaks of God’s destruction of Israel’s enemy (which in the historical context of Nahum is Assyria): “Celebrate your festivals, O Judah, fulfill your vows, for never again will a destroyer (בליעל) invade you; he will be utterly cut off.” Here the name Belial is used of the anti-godly ruler of Nineveh, and thus the leader of the enemies of the people of God.⁷⁸ One can understand

⁷⁷ Ibid., 42–49. These three sections give a framework for all seven lots of the war (XVI,3–9, first lot; XVI,11–14, second lot; XVII,10–17, third lot; the fourth through sixth lots missing, but presumably appearing between XVII,17 and XVIII,1; XVIII,1–3a, seventh lot). See Yigael Yadin, *The Scroll of the War of the Sons of Light against the Sons of Darkness* (tr. Batya and Chaim Rabin; Oxford: Oxford University Press, 1962) 10–12.

⁷⁸ von der Osten-Sacken *Gott und Belial*, 73–75.

therefore that the author of the *Rule of War* will have taken Belial as the name of the leader of the hostile forces in the eschatological war, who will be destroyed on the “day of the LORD.” The adoption of this name, used originally in an Assyrian context, for the leader of the anti-godly forces in an eschatological war whose course of events was inspired by the book of Daniel will have been encouraged by the identification of Antiochus IV and the Seleucid kingdom with “Assyria” (1QM I,2, 6). Thus Belial becomes the leader of the Assyrians, among other enemies of God, in the eschatological war (XVIII,1–3).⁷⁹ That Nah 2:1 is indeed the source, or at least one of the sources, for the use of the name Belial as the leader in the eschatological war is now confirmed by 4QPs^f (4Q88) X,5–14, which reads:

Then the heavens and the earth will exult together. Let all the stars of twilight exult. Be very happy, Judah! Be very happy and rejoice greatly! Celebrate your feasts and fulfill your vows, for there is no Belial within you. Raise your hand, and strengthen your right hand. See, the enemies will perish, and all the workers of evil will be scattered. And you, LORD [YHWH], are forever, your glory will be forever!

This psalm speaks of the joy to come when the enemies of God have been destroyed. Drawing on Nah 2:1, the psalm says that when that day comes “there will be no Belial in [Judah].”⁸⁰

It may be asked, however, how Belial, a term that is used originally in reference to a human ruler (Nah 2:1), comes to be used for a supernatural figure. von der Osten-Sacken suggests that Ps 18:5, which speaks of the “torrents of Belial” (נחלי בליעל) and where “Belial” may

⁷⁹ von der Osten-Sacken, *ibid.*, 75, points out that in 1QM Belial takes the place of Antiochus IV as the eschatological enemy of God. On p. 74 he points to other biblical passages in the OT holy war tradition that use the term “sons of Belial” for sinners. The term “sons of Belial” is used in 4Q174 1–2 i 8; 4Q286 7 ii 6, and perhaps also in 4Q525 25,2 and 11Q11 VI,3, for those who belong to the lot of Belial (probably spirits in 4Q174 1–2 i 8; cf. IQS III,24; and men [or both spirits and men] in 4Q286 7 ii 6), but it is not used in the *Rule of War*. In 4Q386 1 ii 3 the term “son of Belial” probably also refers to a person rather than a demonic force (see DJD 30.64).

⁸⁰ Nahum 1:11 is another piece of evidence that this book is the source of the Belial concept. Here the word בליעל is used (although in an impersonal sense) in connection with the verb יעץ (“to give counsel”). The phrase יעץ בליעל is used in parallel to חשב על ידו רעה (“to plot evil against the LORD”) and thus means something like “to give wicked counsel.” In the DSS Belial is sometimes said to be a source of (evil) counsel (1QM XIII,11; 1QH^a XIV,21–22 [Suk. VI,21–22]; 4Q286 7 ii 8; see particularly 4Q398 14–17 ii 5, where בליעל and חשב רעה appear together).

be understood as a god of the underworld, is the basis for the demonization of “Belial,” so that what was once a designation for an earthly ruler became the name for a non-earthly eschatological enemy of God.⁸¹ That is certainly a possible explanation. The appearance of the term בליעל elsewhere in the DSS (1QH^a XI,29, 32 [Suk. III,29, 32], in the context of language reminiscent of the holy war and “day of the LORD” traditions: XI,28 [Suk. III,28] לְאִין פִּלְט; XI, 33, 34 [Suk. III,33, 34] הוּוּה; XI,35 [Suk. III,35] מִלְחָמָה; XI,36 [Suk. III,36] כִּלְהָ indicates that Ps 18:5 may indeed have been a source for the demonization of Belial. A connection with Sheol (cf. Ps 18:6) might also explain why Belial comes to be connected with the realm of darkness (e.g., 1QS II,7; 1QM I,7).

This explanation may be supplemented, however, by another one. Previously we saw that in the Aramaic sacerdotal texts Melchiresha was one of the names for the angel who rules over the darkness, in opposition to the angel who rules over light (4Q544 2,3–6). 4Q280 1,2 contains a curse on Melchiresha that calls upon God to hand him over to destruction in words that are in some places identical to the curse on the men of the lot of Belial in 1QS II,5–9. That indicates that Belial and Melchiresha came to be identified with each other. As we have seen, it appears that the Aramaic sacerdotal texts come from the 3rd century or early 2nd century BC and so are considerably earlier than the *Rule of War*. The dualism between light and darkness, and between the angel of light and the angel of darkness, as well as the expectation of the destruction of the forces of darkness, as we find in the Aramaic sacerdotal texts (4Q544 1,10–14; 2,1–6; 4Q548 1,9–16), were therefore probably already in place when the *Rule of War* was written. This dualism could be combined with the concepts and language of the eschatological war as they appear in the *Rule of War*, including the name of Belial to designate the leader of the enemies of God. That would explain how Belial and Melchiresha could be easily identified with each other. It has been suggested that the Aramaic sacerdotal texts and the *Rule of War* may both derive from similar priestly circles.⁸² If that is correct, it would support the hypothesis that elements from both *corpora* have been combined. Thus Belial could be understood as an angelic figure, and indeed, as the one who rules over the darkness as

⁸¹ von der Osten-Sacken, *Gott und Belial*, 76.

⁸² Frey, “Different Patterns,” 314, 317–18.

the “angel of darkness.” The figure of Belial as the angel of darkness, therefore, has its roots in the confluence of traditions that we find in the *Rule of War*. That indicates that the angel of darkness in 1QS III,21–24 has its origins in dualistic traditions behind the *Rule of War*.

This kind of combination may also explain in part the stark light/darkness dualism of the *Rule of War*. von der Osten-Sacken finds the origin of the light/darkness dualism of the *Rule of War* to lie primarily in the “day of the LORD” tradition, which frequently speaks of salvation for the people of God in terms of light, and of destruction of the wicked in terms of darkness (e.g., Isa 30:26; Amos 5:18–20; Nah 1:8; Zech 14:7).⁸³ Thus, as von der Osten-Sacken writes, “Licht und Finsternis stehen damit als Verheißung und Drohung am Ende der Geschichte Jahwes mit seinem Volk und den Völkern.”⁸⁴ He argues that the light/darkness terminology came into Qumran primarily by way of eschatology rather than by ethics, since the terms “sons of light” and “sons of darkness” are not used in the OT in an ethical sense. Moreover there is no reflection in 1QM on the connection of light with truth and darkness with lies. Thus the terms “sons of darkness” (1QM I,7 [cf. 4Q496 1 iii 7]) and “sons of light” (1QM I,11) refer to eschatological destiny rather than to ethical qualities.⁸⁵ Against this, however, it must be pointed out that already in the Aramaic sacerdotal texts (4Q548 1,9–16) the “sons of light” are people of truth and knowledge, while the “sons of darkness” are people of foolishness and lies. Thus it is probable that the connection between light and truth, and darkness and lies, was already fixed before the *Rule of War* was produced. In the *Rule of War* itself we may have a combination of “day of the LORD” traditions and a dualistic tradition such as appears in the Aramaic sacerdotal texts. Moreover, in 1QM XIII,1–6, 9–12, 15 light is connected with truth, and darkness with lies. von der Osten-Sacken dates these passages late and argues that their ethical dualism, in connection with the concepts of light and darkness, developed only gradually.⁸⁶ It may be correct that these texts come from a somewhat

⁸³ von der Osten-Sacken, *Gott und Belial*, 80–84.

⁸⁴ *Ibid.*, 82.

⁸⁵ *Ibid.*, 82–84.

⁸⁶ *Ibid.*, 105–15. On p. 99 n. 2, and 102, 105, von der Osten-Sacken argues that the ethical terms “sons of truth” (1QM XVII,8) and “those perfect in behavior” (XIV,7=4Q491 8–10 i 5) also point to a later stage for those sections. However, the term “sons of lie” already occurs in the Aramaic sacerdotal texts (4Q548 1,8; see DJD

later stage than the earliest parts of the *Rule of War*, but they are not likely to be much later.⁸⁷ In any case, we are not compelled to accept a late dating for the ethical dualism of these texts. It is possible that the ethical dualism is as early as the eschatological dualism.⁸⁸

As von der Osten-Sacken has shown, the concept of the “lot” (גורל) also comes from the holy war tradition.⁸⁹ The term “lot” is used in three senses in the *Rule of War*: (1) to designate a realm (the “lot of light,” 1QM XIII,9; the “lot of truth,” XIII,12); (2) to designate groups, namely, those who belong to Belial or to God (1QM I,5), or those who are counted among the sons of light (I,13) or the sons of darkness (I,1); (3) to designate the individual stages in the eschatological war (1QM I,13–14; XVII,16). In the OT holy war tradition, the “lot” refers both to the territory distributed to the various tribes of Israel (Jos 14:2 and *passim*) and to the order of battle (Judges 20:9, 18). The third usage in the *Rule of War* is directly dependent on the biblical concept. As for the second usage, von der Osten-Sacken claims that there is only a loose connection between the holy war tradition and the usage in the *Rule of War*, insofar as in the former we have to do with geographical territory, while in the latter we have to do with groups of people or heavenly

31.394–96) (and probably also “sons of truth”), and the term “perfect in behavior” already appears in the sapiential tradition (4Q418 172,4; cf. Prov 11:20). Thus while there may be other grounds for dating these texts late, the ethical categories are not among them.

⁸⁷ Note that the language of the “remnant of the covenant” in XIII,8 is reminiscent of the language of the *Damascus Document* (CD I,4; III,12–13). And, despite the concept of a “remnant of the covenant,” the section 1QM XIII,7–13a as a whole is still nationalistic in outlook. That combination is exactly what we find in the Damascus covenant: the concept of the remnant members of a covenant, a covenant that is nonetheless for “all Israel” (CD XV,5; XVI,1). That suggests that 1QM XIII,7–13a, though probably written after and in dependence on the earliest parts of the *Rule of War* (see von der Osten-Sacken, *Gott und Belial*, 112, where he points out that the holy war terminology used elsewhere in the *Rule of War* for the eschatological war is used here for past acts of God) may not come from the Qumran community itself, as von der Osten-Sacken suggests (p. 115), but from some group (which may or may not have been parent to the Qumran community) in the period immediately before the Qumran community arose. It could therefore be almost as old as the earliest parts of the *Rule of War* (soon after Daniel). Similarly he argues that XIII,1–6 comes from the Qumran community (p. 111), which is more plausible, and possibly also XIII,15 (p. 108).

⁸⁸ It should also be noted that Dan 12:3 says that in the eschatological judgment the wise will shine (יִהְיוּ) like the brightness of the sky. Although the word “light” (אור) is not used here, the conceptual linkage of ethical wisdom and light is present.

⁸⁹ For the following see von der Osten-Sacken, *Gott und Belial*, 78–80.

beings. Also he points out that in the holy war tradition there are multiple lots, while in the *Rule of War* there are only the two lots of God and Belial. If we distinguish between usages 1 and 2, however, which von der Osten-Sacken does not do,⁹⁰ then the connection between the holy war tradition and the concept in the *Rule of War* becomes tighter. In the *Rule of War* the OT's geographical sense of the "lot" has been transformed into a cosmic sense, and the multiple lots of the holy war tradition have been reduced to a radical dualism. Such a reduction to dualism was suggested by the holy war tradition insofar as that tradition already implied a battle between the people of God and the enemies of the people of God (cf. Judges 1:3–5). Thus the multiple, geographical lots of the holy war tradition could be transformed into the dual realms of light and darkness, truth and falsehood.⁹¹ From there it is an easy step to designate those who belong to these realms as groups who constitute the "lots," just as in the OT the lots *qua* territories are closely identified with the people (tribes of Israel) who inhabit them. Thus the term "lot of darkness" can be used to designate a *group*, namely, the sons of darkness (1QM I,11; XIII,5), while the "lot of light" can be used to designate the *realm* to which the sons of light belong (XIII,9). All the usages of "lot" in the *Rule of War* can be derived from the holy war tradition. The usage of the term "lot" in 1QS III,24 is thus best also derived from the *Rule of War*.

The notion that God assists the "sons of light" in their battle against evil is also to be derived from the dualism of the eschatological war. According to 1QS III,24–25, the spirits of the lot of the angel of darkness cause the sons of light to fall. But the God of Israel and the angel of his truth assist all the sons of light. As we have seen, in the *Rule of War* the destruction of Belial and his forces does not happen immediately in the eschatological war. There are seven "lots" in the war, and it is only in the last lot that God gives final victory to the sons of light. In the first three lots, the sons of light will be stronger than the lot of Belial. In the next three lots, the army of Belial will stage a counterattack (1QM I,13–15). Thus we have the sense of an extended

⁹⁰ von der Osten-Sacken, *ibid.*, 80, notes that the OT and the *Rule of War* share the notion of the "lot" as a realm, but then he says that in the latter this is understood as "einen geschlossenen Kreis von Menschen oder himmlischen Wesen" (cf. also p. 79). But that overlooks 1QM XIII,9, 12, where the lot is more clearly a cosmic realm, to which people or heavenly beings can belong.

⁹¹ Cf. already 4Q544 2,5–6 for realms of light and darkness.

and intense battle between the two lots, a battle whose outcome, it seems, during the battle itself, could result in the victory of either side, since both lots appear to be of equal strength; in fact, however, the outcome has been predetermined by God: the sons of light will be victorious (I,10). During the counterattack of the army of Belial, some at least of the sons of light will fall (נפל) “in the mysteries of God” (XVI,11).⁹² As von der Osten-Sacken has noted, the concept of the “mysteries of God” is introduced here to explain how it is that the sons of light are allowed to fall in this attack by Belial: they are being tested. A similar idea appears in XIV,4b–12a. This section is a hymn of praise, in which God is praised for protecting his people from the power of Belial. God has allowed Belial to attack his (God’s) people, in order to test them. Such are the “mysteries of his [Belial’s] enmity.” But these “mysteries of his enmity (שטמחרו)” have not caused the people to depart from the covenant, because God has protected them during the dominion of Belial (בממשלה בליעל). In short, God has tested them, and they have survived the testing.⁹³ God has helped them. He has raised up the fallen (נופלים) and called the stumbling (כושלים) to wonderful deeds of power.

This is precisely what we find in 1QS III,21–24: under the dominion of the enmity of the angel of darkness (בממשלה משטמחרו) and in accordance with the “mysteries of God,” the spirits of the lot of the angel of darkness cause the sons of light to stumble (להכשיל). Only here, of course, their stumbling is not on the battlefield of the war of the nations, but it is their “sins, iniquities, guilty deeds, and transgression” (though cf. 1QM XIII,11). This is a time of much grief (צרות); cf. 1QM I,11–12). The “eschatologischer Kampfdualismus”⁹⁴ of the *Rule of War*, oriented to the eschatological war between Israel and the nations, has been transformed into an ethical dualism whose battlefield is the human person. This battle is also extended and intense, with the final victory of truth over sin to be won only in the eschatological purification of the elect (1QS IV,18b–23a).

Before then, however, the God of Israel and the angel of his truth assist the sons of light in their struggle against the sinful influence of the angel of darkness (1QS III,24–25). This idea can be traced back

⁹² See also the comments on 1QM I,14 of von der Osten-Sacken, *ibid.*, 43–46.

⁹³ *Ibid.*, 103.

⁹⁴ The term is borrowed from von der Osten-Sacken, *Gott und Belial*, 84.

through the *Rule of War* to Daniel. According to Dan 12:1, in the time of grief the angel and “prince” Michael will protect the people of God, and there will be deliverance for the people. The *Rule of War* draws on this passage when it says that God “will send everlasting aid (עזר עולמים) to the lot of his covenant by the power of the majestic angel for the rule of Michael in eternal light, to illumine with joy the covenant of Israel, peace and blessing for the lot of God, to exalt the rule of Michael among the gods and the dominion of Israel over all flesh” (1QM XVII,6–8). Here Michael is identified as the angel who rules over light (cf. 4Q544 2,6). But although Dan 12:1–2 stands behind 1QMI,11–15, Michael is given no role in the latter; God is the one who strengthens the sons of light. The explicit mention of Michael in 1QM XVII indicates that there has been further reflection on Michael’s position in the eschatological events, and it may be due to an interest in balancing the figure of Belial as the eschatological enemy of God with a heavenly eschatological savior.⁹⁵ Thus this passage is probably relatively early, having been written soon after 1QM I.⁹⁶

The idea is further developed in 1QM XIII,7–13b. Here a figure called the “Prince of light” (שר מאור) is said to help (עזר) the people of God, and all the spirits of truth are under his dominion. The term “Prince of light” is derivable from a conflation of the title “prince,” used of Michael in Dan 12:1, with Michael’s position as ruler over the light in 1QM XVII,6.⁹⁷ As in the latter passage, so here he is said to assist the people of God. As we saw above (see pp. 357–58), 1QM XIII,7–13b is probably more recent than 1QM I, but not necessarily much more recent. The combination of attributes for Michael suggests that the text is also somewhat more recent than 1QM XVII,5b–8.

Finally we come again to 1QS III,20–25. Here we read of the “prince of lights” (the Hebrew is שר אורים, which can be taken to be an alternative form of שר מאור), in whose hand is dominion over all the sons of justice (cf. 1QM XIII,10). The Prince of lights is presumably also the “angel of truth” who assists (עזר) all the sons of light (1QS III,24–25; cf. 4Q177 12–13 i 12). Here a stark opposition between

⁹⁵ As von der Osten-Sacken, *ibid.*, 98, points out, 1QM XVII,5b–8 differs from Dan 12 in that the “dualism” of the latter in the form of a two-ages schema is transformed in the former into a simultaneous dualism of Michael and the prince of the dominion of evil.

⁹⁶ Cf. von der Osten-Sacken, *Gott und Belial*, 99–100.

⁹⁷ See also Yadin, *The Scroll of the War*, 235–36.

Michael and Belial (the Prince of Lights and the Angel of Darkness) is explicitly propounded. Such an opposition was already suggested in 1QM XIII,7–13b, but it is stronger here.

The whole of 1QS III,20–25 can now be explained summarily against the background of the *Rule of War*. The eschatological war is transformed into a battle over the human. It is an extended and intense battle, and victory will only be accomplished at God's appointed time (IV,16–17, 18–19, 25). Until then, as in the eschatological war, the lot of Belial, the angel of darkness, causes the sons of light to stumble (in this case, to sin). But, as in the eschatological war, God sends Michael, the prince of lights, to assist the sons of light in their struggle against sin.

Before we conclude this discussion, it is necessary to note briefly the other passage that may be partially dependent on the dualism of the eschatological war, namely, the depiction of eschatological rewards and punishments in 1QS IV,7–8, 11–14. Some of the rewards for the righteous listed in IV,7–8, namely, “abundance of peace” (רוב שלום), “in a long life” (באורך ימים), “all eternal blessings” (כול ברכות עד), and “everlasting joy” (שמחה עולמים), are reminiscent of 1QM I,9, where the sons of light are promised “peace and blessing, glory and joy, and a long life” (שלום וברכה כבוד ושמחה ואורך ימים).⁹⁸ That there will be no remnant or survivor (לאין שריה ופליטה) for the unrighteous (1QS IV,14) is reminiscent of 1QM I,6, which says that in the eschatological war there will be no remnant or survivor (לאין שאריה ופליטה לוא תהיה). The term “angels of destruction” (מלאכי חבל), which in 1QS IV,12 refers to agents of punishment, refers in 1QM XIII,12 to the spirits of the lot of Belial. The “fire of the dark regions” that is the place of eternal punishment probably appears in the *Rule of War* (4Q491 8–10 i 15=1QM XIV,17–18).⁹⁹ Although this evidence is not conclusive, since some of the punishment language in 1QS IV,11–14 appears elsewhere in the DSS (cf., e.g., 4Q280 1,5), it seems probable that, given the close connections to the *Rule of War* in 1QS III,20–25, the punishment language of 1QS IV,11–14 bears a relationship to the *Rule of War*.¹⁰⁰

⁹⁸ It may also be noted that the reward of “eternal light” (אור עולמים) in 1QS IV,7 is found in 1QM XVII,6.

⁹⁹ Cf. also the terminology in 1QS IV,12, that the wicked will suffer eternal damnation “by the fury of God's avenging wrath” (באף עברה אל נקמה), with the language of the *Rule of War* in 1QM III,6; IV,1.

¹⁰⁰ See also von der Osten-Sacken, *Gott und Belial*, 121–23.

6.2.5 *The Date and Historical Setting of the Rule of War*

It is now necessary to say something about the date and historical setting of the *Rule of War*, which will help us to understand the development of Qumran dualism in its historical situation. We have seen that the *Rule of War* presupposes the eschatological war of the book of Daniel, and that in fact Dan 11:40–45 is inextricably integrated into the framework given in 1QM I and further developed in XV, 1–3; XVI, 11–14; and XVIII, 1–3a. Moreover, as von der Osten-Sacken has shown, the order of battle in the *Rule* follows closely the order of battle in 1 Maccabees, particularly 1 Macc 4:8–24, and it is most likely that behind the *Rule of War* lie the experiences and practices of the Maccabean wars.¹⁰¹ It has sometimes been argued that the *Rule of War* presupposes the tactics and weaponry of the Roman military and therefore that the work is to be dated to the second half of the 1st century BC, after the Roman conquest of Palestine.¹⁰² This point is disputed, however, and others have proposed that the work is more reflective of warfare in the Maccabean period, or, if it reflects Roman warfare, then it is that of the second century BC rather than the first century.¹⁰³ That the Maccabean period was the crucial period at least in the development of the framework of the *Rule of War* (columns I and XV–XIX) is indicated by the fact that the Seleucids and Ptolemies are the primary national enemies there.¹⁰⁴ And Davies has proposed a dating in the Maccabean period or in the early post-Maccabean (Hasmonean) period for columns II–IX.¹⁰⁵ von der Osten-Sacken postulates that the *Rule of War* does not derive directly from the Maccabean movement, but that it comes from circles that were perhaps once part of the Maccabean movement but then left it. In this he may well be correct. As he points out, there is no evidence that the Maccabees regarded their war as an eschatological war. There are other

¹⁰¹ Ibid., 62–67.

¹⁰² Yadin, *The Scroll of the War*, 244–46.

¹⁰³ Philip R. Davies, *1QM, The War Scroll from Qumran: Its Structure and History* (BibOr 32; Rome: Biblical Institute Press, 1977) 58–65. See also the comments in Duhaime, *The War Texts*, 83–95.

¹⁰⁴ von der Osten-Sacken, *Gott und Belial*, 67. It should be noted, however, that it is disputed whether the reference to the “Kittim in Egypt” in I,4 is a reference to the Ptolemies or simply to Kittim who are in Egypt. See Duhaime, *The War Texts*, 68.

¹⁰⁵ Davies, *1QM, The War Scroll from Qumran*, 59–60, 65–67.

important differences between the *Rule of War* and the Maccabean wars that exclude a direct derivation of the former from the latter. But the similarities between the two suggest that the circles behind the *Rule* bear some relationship to the Maccabean movement.¹⁰⁶ Overall I consider it likely that the framework of the *Rule* goes back to the Maccabean or early Hasmonean period.¹⁰⁷ Its cosmic dualism is probably as old as the framework itself.¹⁰⁸

¹⁰⁶ von der Osten-Sacken, *Gott und Belial*, 67–69. Other differences mentioned by von der Osten-Sacken are these: in the Maccabean wars the diaspora is out of the picture, while according to IQM I,2 the eschatological war begins only when the exiles have returned; the Maccabees would fight on the sabbath in self-defense (1 Macc 2:41), while according to IQM II the sabbath year is to be free from fighting; and the regulations for the purity of the camp in IQM VII,1–7 have no parallel in the Maccabean wars.

¹⁰⁷ For a recent and thorough discussion of the dating of IQM, see Duhaime, *The War Texts*, 64–101. Duhaime himself concludes that either a Maccabean or a Roman date is possible. It may be noted, however, that he writes (p. 100): “Many indications point to the Hellenistic period, in a setting close to Maccabean circles, and there seems no real objection.”

¹⁰⁸ Davies, *IQM, The War Scroll from Qumran*, 90, 123, has argued that the framework in columns I and XV–XIX, and its dualism, are to be dated only to the second half of the 1st century BC. In other words, they developed much later than the rest of the material in the *Rule*. Thus Davies argues for a position opposite that of von der Osten-Sacken (p. 110). Davies’s position is hardly likely. The literary analysis by means of which he arrives at his conclusion is unsatisfactory. I shall simply list some of the problems. (1) Davies argues that columns II–IX are nationalistic and pan-Israelite and are therefore early (pp. 64–67) while columns XV–XIX replace nationalism with dualism (p. 68). But columns XV–XIX are also nationalistic in outlook (cf. XVII, 4–9; XVIII, 1–3a). Nationalism is not incompatible with dualism. Columns XV–XIX can also be early. (2) Davies argues that column XIV is an earlier recension of columns XV–XIX (pp. 68, 72–73, 83), and that the dualism of columns XV–XIX is different from that in column XIV, 8b–12a (pp. 71–72, 86). Column XIV is early (possibly Maccabean) (p. 88), but columns XV–XIX are much later, as noted above. But the argument that columns XV–XIX are a reworking of column XIV is very doubtful. Davies bases his argument on comparison of XIV, 3b–4a with the “framework” material in XV, 4–7a; XVI, 13b–15a; XVIII, 5b–6a; XIX, 12b–14 (pp. 68–71). Yet Davies leaves out of the comparison some of the most important framework material in columns XV–XIX, namely, XV, 1–3; XVI, 11–13b; and XVIII, 1–3a, none of which is present in XIV, 3b–4a (this is due in part to the ambiguity with which he defines framework material on p. 74). Furthermore, he argues that “col. XIV represents an earlier stage in the evolution of XV–XIX, in which the battle was not won by a miraculous intervention by God but by slaughter on the evening of the day. This earlier tradition is maintained by XVIII, 1ff. But since XIX, 10ff. has been revised [to have a miraculous intervention by God], it bears little resemblance to XIV, 1–4a” (p. 73). However, there is no

Now that we have a date and a probable historical location for the framework of the *Rule of War* and its dualism, it is necessary to set its dualism in relationship to other ideologies and movements within Palestinian Judaism in the mid-2nd century BC, namely, the book of *Jubilees*, the Damascus covenant, and finally the *yahad* itself.

6.3 *The Analogy of Jubilees in the Development of Qumran Dualism*

It is clear that in its early core (the framework of 1QM I and XV,1–3; XVI,11–14; and XVIII,1–3a), the *Rule of War* is nationalistic in outlook: it has to do with a battle between Israel (or rather, a remnant within Israel) and the nations (and the “violators of the covenant” within Israel). There is therefore no reason to locate the origin of the *Rule of War* in the *yahad*. As von der Osten-Sacken and others have pointed out, the term *חזק* is never used in the *Rule* as a technical term

indication that the difference that Davies posits between XIV and XV–XIX is actually present. 1QM XVIII,1–3 says that the hand of God acts, even though it is men who do the slaughtering (cf. I,13; XV,3). There are no grounds for viewing column XIV as an earlier recension of XV–XIX. Moreover, the dualism of XIV,8b–12a is not entirely different from XV–XIX, not even from the framework material (cf. XIV,9b–10a with XVI,11; XVII,5b–7a). Thus there is no reason why XV–XIX and its dualism could not be as early as XIV (Maccabean) (note that Davies assigns the dualism of XIV,8b–12a to an early period; pp. 86–88). (3) Davies argues that the framework pieces are the latest parts of XV–XIX, that is, later than the battle-narratives and the liturgical material, stating: “This is indicated, of course, by their very position, linking other passages together” (p. 74 n. 2). And: “It is the framework, too, which has cast over the whole document a formally dualistic light” (p. 83). But all of this is quite arbitrary. Cannot framework material just as easily have been filled in with other material? And cannot an originally dualistic framework have attracted other dualistic materials, such as liturgy, to itself? A similar criticism applies to Davies’s attempt to differentiate neatly between (late) dualism in the framework of columns XV–XIX and (earlier) non-dualistic material in the rest of those columns (p. 72; see also his “Dualism and Eschatology in the Qumran War Scroll,” *VT* 28 [1978] 31). Davies himself notes that some of the liturgical material in these columns is dualistic. (4) Davies (*1QM, the War Scroll from Qumran*, p. 59), citing M. H. Segal, notes that the Maccabean period is a plausible period for the origin of I,1–2a, and yet he assigns column I to the *latest* stage of all (pp. 113, 123). That is rather arbitrary, as is the identification of the “Kittim” with the Romans in columns I and XV–XIX (pp. 89–90, 99, 118). For a similar critique, see Frey, “Different Patterns,” 315–16.

for the community but always in an adverbial sense (“together”).¹⁰⁹ von der Osten-Sacken assigns 1QM XIII,7–13a to Qumran,¹¹⁰ but that section’s nationalistic perspective urges a pre-Qumran dating. In 1QM XIII,1–6, by contrast, the nationalistic outlook does indeed seem to have been given up, and that section may well come from the *yahad*.¹¹¹ Thus only 1QM XIII,1–6 comes into consideration as Qumran material.¹¹² C.-H. Hunzinger pointed out that the 1QM manuscript indicates a narrowing of perspective vis-à-vis the (probably) older 4Q491. Whereas 4Q491 8–10 i 6 praises God for having bestowed his mercies “on us” (בָּנוּ), the parallel in 1QM XIV,9 says that God wonderfully bestowed his mercies on the “remnant” (שְׂאֵר יִתְּי). That indicates that the redactor of 1QM regards the statement in the text as applying not to the people of Israel as a whole but to a remnant within the people. Hunzinger takes this as an indication that 1QM represents a “Qumranized” form of the *Rule*.¹¹³ That conclusion, however, is hardly warranted. As we have seen in previous chapters, the Damascus covenant also thought of itself as a “remnant” within Israel (CD I,4–5), and it is possible that even the revised form of 1QM represents a group that viewed itself as a remnant within Israel, but was not identical with the *yahad* or even with the Damascus covenant. Moreover, as we have seen, although the Damascus covenant viewed itself as a remnant within Israel, it still viewed itself as a movement for “all Israel.” Remnant ideology does not necessarily entail sectarianism in the strict sense. It is true that the *Rule of War* foresees the destruction of the “violators of the covenant” (1QM I,2). But the Maccabees also

¹⁰⁹ 1QM I,11; II,9; VII,6; X,6; XII,4; XIII,12; XIV,4; 4Q491 3–10,10; 8–10 i 1; 14–15,11; 24,4; 4Q492 1,12.

¹¹⁰ von der Osten-Sacken, *Gott und Belial*, 115.

¹¹¹ *Ibid.*, 111.

¹¹² There is a very close relationship between 1QM XIII,1–6 and the liturgical material in 1QS I,18b–II,10. As von der Osten-Sacken, *ibid.*, 108–11, shows, the blessing of God and the cursing of Belial in 1QM XIII,1–6 are rooted in the instructions for the praise of God at the beginning and end of battle in XV,4 and XVIII,5–6. New is the cursing of Belial, which points to liturgical development, perhaps in the *yahad* itself.

¹¹³ Claus-Hunno Hunzinger, “Fragmente einer älteren Fassung des Buches *Milhamā* aus Höhle 4 von Qumrān,” *ZAW* 69 (1957) 132, 136–37, 147–50. Hunzinger (pp. 136–37, 146–47, 149) postulates similarly that behind a שְׂאֵר יִתְּי עַמְכֶּיךָ (“and we are the remnant of your people”) in 1QM XIV,8 stood an older עַמְכֶּיךָ in 4Q491 8–10 i 6. That is possible but uncertain.

destroyed violators of the covenant (e.g., 1 Macc 1:19–26) and were nonetheless nationalistic in their outlook (1 Macc 1:40 and *passim*). The same might be said for the *Rule of War*. In conclusion, the *Rule of War*, even in its later additions and revisions, with the possible exception of 1QM XIII,1–6, is fundamentally nationalistic in outlook; therefore the core of the work is pre-Qumranic in its perspective and most likely also in its origin.

In order to understand the relationship of the *Rule of War* to the Damascus covenant and to the *yahad*, it will be useful first to compare the dualism of the *Rule of War* with that in *Jubilees*. On the surface, the *Rule of War* and *Jubilees* are very different works. The *Rule of War* has to do with the eschatological war, while *Jubilees* has to do with presenting to Israel the correct practice of the law and calling on Israel to do it. Yet there are three striking points of contact between the *Rule of War* and *Jubilees*: (1) a nationalistic outlook; (2) the notion that Israel is under threat of attack by demons who have the potential to lead Israel astray; and (3) the belief that God protects Israel from these demons. Since in *Jubilees* all three of these points are interconnected, we can discuss them together.

Jubilees has a clearly nationalistic outlook. From the beginning of creation, God determined to set apart for himself the nation of Israel (2:19–20; 15:31). Israel was destined to be a holy nation, a kingdom of priests, distinct from all the nations of the earth (16:17–18; 19:18; 22:16; 33:20), sanctified through observance of the sabbath, a commandment that was given to Israel alone (2:31). Despite Israel's elect status (15:30), however, Israel is continually under threat of attack from evil demons who could lead Israel astray into sin (1:20; 19:28; 48:9; cf. also 50:5). But God protects Israel from these demons (15:32; cf. also 22:23; 48:13, 15–16), so that Israel can remain faithful to God.

There are several points here that require more discussion. First, the demonology of *Jubilees* combines several traditions in a very interesting way. Very prominent is the Enoch tradition. *Jubilees* knows the story of the fall of the Watchers from the Enoch tradition, and indeed probably all three of the strands of the tradition: the strand that traces the origin of sin and impurity back to the Watchers' intercourse with women (4:22; 7:21–23), the strand that traces sin back to Asael's teaching of the art of making instruments of war and violence that leads to bloodshed (7:25, 27), and the strand that traces sin back to the teaching of astrology (8:3). It is from the Watchers' intercourse with women that the evil demons or evil spirits came into being (10:4–5).

These evil spirits have misled humans since the generations of Noah's children or, more precisely, his grandchildren (7:27; 10:1, 3, 13).¹¹⁴ The same spirits threatened to mislead Abraham's immediate ancestors (11:4, 16) and threatened to mislead Abraham himself (12:20).

The leader of the evil spirits is called Mastema (10:7–8; 19:28; 49:2) or Prince (of) Mastema (the Prince of Enmity)¹¹⁵ (11:5, 10–11; 17:16; 18:9, 12; 48:2, 9, 12, 15) or Satan (10:11). There is reason to think that this figure is to be identified with Belial. Enmity (*mastēma*: משטמה) is closely connected with Belial in the *Rule of War*. For example, in 1QM XIII,11 Belial is explicitly called the “angel of enmity” (מלאך משטמה). In XIII,4 Belial is cursed for his “plan of enmity” (מחשבת משטמה). A similar curse appears in 4Q286 7 ii 2. The connection between Belial and enmity appears elsewhere in the DSS as well. According to 4Q174 4,4, when the time of testing comes, Belial will “open...on the House of Judah difficulties, to be hostile to them” (לשוטמה).¹¹⁶ The demonic figure of Belial (in the form Beliar) appears only once in *Jubilees*, in 1:20, where Moses prays that the “spirit of Beliar...not rule over [the people of Israel] to accuse them before you and to ensnare them from every path of righteousness....”¹¹⁷ The role of accuser is, of course, that of the “Satan” (השטן).¹¹⁸ Thus Belial, Satan, and Mastema are implicitly identical with one another in *Jubilees*.

One can see, then, that *Jubilees* has subordinated the evil spirits of the Enoch tradition to Mastema/Belial as their leader, a figure known to us best from the traditions in the *Rule of War*. In effect, the evil spirits of the Enoch tradition have become the “army” of Mastema. I

¹¹⁴ According to 7:27 the demons began to mislead Noah's children and grandchildren, but according to 10:1, 3, 13 his sons are protected from the demons, and they mislead the grandchildren.

¹¹⁵ As 4Q225 (4QPseudo-Jubilees^o) 2 i 9 and 2 ii 13–14 show, the original title is “the Prince of Enmity” (שר המשטמה), not “Prince Mastema,” as though *Mastema* were a proper name.

¹¹⁶ Belial and the “Prince of Enmity” may also be connected in 4Q225 (4QPseudo-Jubilees^o) 2 ii 14. In 1QS III,23 the angel of darkness is said to have dominion in enmity (משטמה). As we saw above, the angel of darkness is identical with Belial.

¹¹⁷ In 16:33 the term “sons of Beliar” is used to refer to Israelites who do not fully circumcise their sons. The epithet “sons of Belial” (בני בליעל) (or “worthless people”; “scoundrels”) is used in the OT to refer to unrighteous or unworthy persons.

¹¹⁸ Cf. 4Q213a 1 i 17: אל השלט בי כל שטן (“let not an adversary [Satan] rule over me”); and 11Q5 XIX, 15: אל השלט בי שטן ורוח טמאה (“let neither an adversary [Satan] nor an impure spirit rule over me”) with *Jub.* 1:20.

suggest that the figure of Mastema/Belial in *Jubilees* is taken directly from the conceptuality that we find in the *Rule of War*. As we have seen, *Jubilees* has a nationalistic outlook: Israel is distinct from the other nations. Part of that distinction is that God protects Israel from the influence of the evil spirits and from the power of Mastema/Belial in a way that he does not do for other nations. Both of these ideas are found in the *Rule of War* (cf. 1QM I,14–15; XIII,9b–13a; XIV,10; XVIII,1–3). A difference is that Mastema/Belial has a much stronger profile as the leader of Israel's national enemies in the eschatological war in the *Rule of War* (cf. 1QM XVIII,1–3) than he does in *Jubilees*. In *Jubilees* Mastema's influence is primarily moral, causing those who come under his power to fall into sin (1:20; 10:8; 11:5; 19:28 ; cf. 50:5). But this distinction is not absolute. In *Jubilees* Mastema is allied with the Egyptian forces (48:3, 9, 12, 13, 16),¹¹⁹ and in the *Rule of War* Belial causes sin (1QM XIII,11). In any case, *Jubilees* clearly shares its basic outlook on the status of Israel with the *Rule of War*. Another difference is that in the *Rule of War* Michael is the protector of Israel (1QM XVII,6–8), whereas in *Jubilees* God is said explicitly to protect Israel himself without the assistance of an angel (15:32). Yet, as we saw above, 1QM XVII,4–9 may represent a slightly later stage of reflection than the core of the *Rule of War*, which in its basic framework also considers God to be Israel's protector (without the aid of an angel) (1QM I,14–15; XVIII,1–3).

That the *Rule of War* traditions are (along with the Enoch tradition) an immediate inspiration for the demonology of *Jubilees* is supported by the probable date of *Jubilees*. Although an exact dating of *Jubilees* is impossible, it certainly reflects events and concerns of the Maccabean period, and was probably written before the *yahad* was founded. As we have seen, the work is nationalistic in outlook and, as James VanderKam writes, “[i]t seems clear that the book, which neither commands nor reflects separation from the remainder of the Jewish population but which manifests striking similarities with important teachings of the Scrolls, was written before the Qumran community was formed.”¹²⁰ Moreover, there are probable allusions to triumphs in the Maccabean wars in *Jub.* 34:4–7 (cf. 1 Macc 7:39–50) and in *Jub.*

¹¹⁹ But see also *Jub.* 49:2 where Mastema now becomes the enemy of the Egyptians!

¹²⁰ James C. VanderKam, “Jubilees, Book of,” *ABD* 3.1030.

38:1–14 (cf. 1 Macc 5:3, 65).¹²¹ Other indications of a Maccabean (or possibly slightly pre-Maccabean) setting are the strict prohibitions against public nakedness (*Jub.* 3:31; cf. 1 Macc 1:14) and against partial circumcision (*Jub.* 15:33; cf. 1 Macc 1:48). When all of this evidence is taken into consideration, a Maccabean date and setting for *Jubilees* seems most plausible.¹²² In other words, *Jubilees* seems to presuppose approximately the same historical situation as the core of the *Rule of War*. Furthermore, since Belial as the leader of Israel's enemies, and as an agent of enmity, is most at home in the eschatological war traditions contained in the *Rule of War*, it is highly likely that Belial as the enemy of Israel (*Jub.* 1:20) and his cognomen "Prince of Enmity" are derived from the *Rule of War* traditions.¹²³

In Chapter 3 I showed that *Jubilees* shares the same basic covenantal framework as the Damascus covenant. Both the Damascus covenant and *Jubilees* are based on Deuteronomistic traditions regarding the promise of a new covenant given to Israel in exile. The Damascus covenant and *Jubilees* follow the same calendar and know of an annual covenant renewal ceremony held at Pentecost. To these commonalities we may now add another one: the Damascus covenant and *Jubilees* share an "all Israel" perspective. I would suggest, therefore, that *Jubilees* comes from an author who shared a theology something like

¹²¹ James C. VanderKam, *Textual and Historical Studies in the Book of Jubilees* (Missoula: Scholars Press, 1977) 218–38.

¹²² See James C. VanderKam, *The Book of Jubilees* (Sheffield: Sheffield Academic Press, 2001) 17–21, who favors a date of composition between 160 and 150 BC (though see also idem, "Jubilees, Book of," 1030: 170–140 BC).

¹²³ It has been proposed that Belial appears already in 11Q11 [*11QApocryphal Psalms*] V,5, a text that may come from the 3rd or early 2nd century (Frey, "Different Patterns," 322–23), which might suggest that the dualistic figure of Belial does not come from the eschatological war tradition, but pre-existed it. But this is unlikely. The text in 11Q11 V,5 is broken (בלי is all that appears), and although the reconstruction בליעל is possible, a different reconstruction, such as בלילה (so the editors in DJD 22.198; see also the comments on lines 4 [regarding the heading] and 5 on p. 200) is equally possible. It must be pointed out that the demonology present here seems to be that of the Enoch tradition (evil spirits as the offspring of angels and humans, line 7; the imprisonment of the spirits, lines 9–10), and we have found no evidence that Belial was ever conceived in this way in the earliest eschatological war tradition. Thus the text has to do with demons in general, and the reading Belial is unlikely.

that of the Damascus covenant.¹²⁴ The author has adapted this theology to an outlook very much like that of the *Rule of War*, namely, that Israel is threatened by the power of Belial/Mastema and must be protected (by God) from it.¹²⁵ As we have seen, in *Jubilees* that outlook has been modified in the sense that the threat is not primarily from Israel's national enemies, although that is not excluded; the primary threat is defilement and sin at the hands of evil spirits. These are the evil spirits known to us from the Enoch tradition. Thus *Jubilees* contains an ingenious conflation of traditions from a theology like that of the Damascus covenant, from the *Rule of War*, and from the Enoch tradition. The point of this conflation is clear: because defilement has been unleashed on the world, in the form of evil spirits who seek to lead Israel astray, Israel must ever be on guard to protect itself against it. Sin is always close at hand because of these evil spirits. God is there to protect Israel from the evil spirits. That protection comes in the form of the most rigorous and unbending adherence to the law of Moses, correctly interpreted. *Jubilees* itself, of course, as the revelation of God to Moses, gives that correct interpretation (e.g., sabbath: 2:25–28; 50:6–13; nakedness: 3:31; festivals and calendar: 6:17–38; circumcision: 15:33–34; marriage with Gentiles: 30:7–17; incest: 33:10–20; 41:25–27; Passover: 49:1–23). The result is that *Jubilees* also shares with the *Rule of War* a basic dualism opposing the sons of the covenant (*Jub.* 15:26; cf. 1QM XVII,8) against those destined for destruction (*Jub.* 15:26; cf. 1QM I,5, 9, and *passim*). The historical context in

¹²⁴ Certain differences, however, make it unlikely that the author was a member of the Damascus covenant itself. Very important to the halakah of the Damascus covenant were the prohibitions against polygamy and marriage with one's niece (CD IV,20–21; V,7–11). The author of *Jubilees* never polemicizes on these two points, even though he had opportunity to do so (14:21–24; 28:8; 33:18–20; 34:20). Moreover, as we shall see below (pp. 403–05), the Damascus covenant did not share the strict enforcement of the death penalty for sabbath violations that we find in *Jubilees* (cf. CD XII,3–6 with *Jub.* 2:25, 27; 50:8, 13; but see also CD IX,16–20).

¹²⁵ Note that CD XVI,2b–6a cites *Jubilees* and then says: "And on the day that a man imposes upon himself to return to the law of Moses, the Angel of Enmity (Mastema) will turn aside from following him, if he will keep his words." We have here a conflation of the Damascus covenant with the outlook of the *Rule of War*. The heart of the Damascus covenant is to "impose upon oneself to return to the law of Moses with whole heart and with whole soul" (CD XV,9–10, 12); to this is added the idea of God's protection from Mastema. This conflation sums up well the outlook of *Jubilees* and so the citation of *Jubilees* in this connection is quite appropriate.

which *Jubilees* was written makes this perspective very understandable: Jews who adhered to a more rigorous halakah were threatened not only by the incursion of Hellenism, but also by a competing halakah that threatened to cause Israel to transgress the law of Moses and ultimately to destroy Israel every bit as much as Hellenism itself did. Hence the rigor of *Jubilees* was intended to serve as a dike against the flood of alien ways that threatened to expose Israel to the influence of the evil spirits as though to an uncontrollable impurity (*Jub.* 11:4).¹²⁶ The author calls on his fellow Jews to take refuge from evil by remaining scrupulously faithful to the covenant of God, as this is expounded in *Jubilees* itself.

This background is helpful as an analogy for understanding the origins of the *yahad* and the function of its dualism. I suggest that the circles out of which the *yahad* arose shared an outlook similar to that of *Jubilees*, with one important difference: whereas the latter maintained an “all Israel” perspective (like the Damascus covenant), the *yahad* adopted an isolationist perspective; it cut itself off from the rest of the nation. Yet the factors that were at work in the rise of the *yahad* were the very same as those involved in the development of the outlook of *Jubilees*. The common threat was not only—and indeed not primarily—from Hellenism (as the Hasidic origins hypothesis has it), but (as we saw in Chapter 5) from the halakah and the practices of the rest of Palestinian Judaism that were, in the eyes of the *yahad* as in the eyes of the author of *Jubilees*, not rigorous enough. In the case of the *yahad* (as in the Damascus covenant before it) the biblical purity laws themselves were often of central (though not of exclusive) concern. In the case of *Jubilees* it is not the biblical purity laws as such that were central, but error and transgression in general. Error and transgression of any kind, however, could be considered a form of impurity (2:26–27; 21:5; 25:1; 33:10–11, 20; 50:5). The effect in *Jubilees* is the same as in the *yahad*: Israel must protect itself against the evil spirits as against an uncontrollable impurity through rigorous observance of the law.

Thus the rise of the *yahad* and the function of its dualism parallel the developments that led to the production of *Jubilees*. The *yahad* and *Jubilees* represent parallel responses among rigorists to the crisis presented by an “alternative halakah.” Both the *yahad* and the circles

¹²⁶ For an excellent discussion of this point, see Boccaccini, *Beyond the Essene Hypothesis*, 86–98.

behind *Jubilees* seek refuge from the evil spirits—Belial/Mastema and his lot—and the impurity that is a consequence of their attack. The *yahad* accomplishes this by establishing an exclusive community that strictly distinguishes between itself (the pure) and outsiders (the impure).¹²⁷ *Jubilees* does it by calling on the nation at large to adhere to its rigorous halakah. Moreover, both the *yahad* and *Jubilees* fortify their responses to the crisis by appeal to a dualistic world-view according to which it is necessary to defend against the pernicious influence of evil spirits. Although, as we have seen, cosmic dualism in the strict sense is not part of the Enoch tradition, the need to protect oneself against the evil spirits that are the result of the fall of the angels and that have impurity as a consequence could be employed in the service of dualism. A clear example of this appears in 4Q444 [4Q*Incantation*]. In this text the speaker speaks of the “spirit of truth and justice” that God placed in him and of “battling” against the “spirits of iniquity” (1 i 1–4), which suggests dualism. In the same column we read of the “bastards” and “spirits of impurity” (1 i 8).¹²⁸ This language comes from the Enoch tradition.¹²⁹ It appears that the Enoch tradition has been taken into the service of dualism in this work. Thus in both the traditions of the *yahad* and in *Jubilees* a dualism developed from the Enoch tradition was adopted as a response to crisis.

6.4 Summary on the Origins and Function of Qumran Dualism

We may now summarize the preceding discussion of the origins and function of dualism at Qumran and state its significance. The dualism of the *yahad* had three major sources: a cosmic dualism such as we find in the Aramaic sacerdotal texts; the dualism of the sapiential tradition, which was largely ethical but from the beginning had creational and eschatological aspects to it, and was easily developed into a cosmic dualism; and the dualism of the eschatological war tradition of the *Rule*

¹²⁷ Besides the general notion that the Angel of Darkness/Belial causes the sons of light to stumble (IQS III,24), there is in the traditions of the *yahad* the idea that Belial and the spirits of his lot threaten to cause impurity (in 4Q286 7 ii 4; and probably implied in MMT C 29).

¹²⁸ DJD 29.372–74.

¹²⁹ *Ibid.*, 377. For more on 4Q444, see Chapter 7, p. 437.

of War.¹³⁰ The first two of these forms of dualism preceded the existence of the *yahad*. The third form of dualism, as we find it in the *Rule of War*, may also have pre-existed the *yahad*, or perhaps it coalesced at about the same time as the *yahad* was forming.

The book of *Jubilees* provides a model of how an “all Israel” renewal movement, similar to the Damascus covenant in its outlook, could combine its covenantal theology with the radical dualism of the *Rule of War* traditions (God/Belial; Israel/the nations). The *yahad*, when it separated itself from the rest of Israel and from the traitors of the Damascus covenant, also drew on pre-existing dualistic traditions to radicalize its self-understanding and to modify the “all Israel” outlook of the Damascus covenant. Not only the enemies of Israel, but also the rest of Israel outside of the *yahad*, are impure. Only within the *yahad* can one find refuge from impurity and forgiveness of sins (1QS III,6–12). Even the members of the *yahad* are under constant threat from anti-godly powers, but God and his angel of truth assist them, and in the end God will give truth the victory and all sin will be defeated (III,13–IV,26). The discourse on the two spirits in 1QS III,13–IV,26 drew together the major dualistic traditions that pre-existed the *yahad* and put them in the service of its radical self-understanding.¹³¹

¹³⁰ It is henceforth unnecessary to attribute Qumran dualism to direct Iranian influence, as was once common (e.g., Karl Georg Kuhn, “Die Sektenschrift und die iranische Religion,” *ZTK* 49 [1952] 296–316), since all of the elements of dualism at Qumran can be explained on the basis of inner-Jewish developments. It is still possible, of course, that there was indirect influence from Persia on the forerunners of Qumran dualism, e.g., through the Enoch tradition or in the Aramaic sacerdotal texts (see Anders Hultgård, “Prêtres juifs et mages zoroastriens – Influences religieuses à l’époque hellénistique,” *RHPR* 68 [1988] 415–428, esp. 424–27; and John J. Collins, “The Mythology of Holy War in Daniel and the Qumran War Scroll: A Point of Transition in Jewish Apocalyptic,” *VT* 25 [1975] 604–11). Other treatments include David Winston, “The Iranian Component in the Bible, Apocrypha, and Qumran: A Review of the Evidence,” *HR* 5 (1965–66) 183–216; Marc Philonenko, “La doctrine qoumrânienne des deux esprits: Ses origines iraniennes et ses prolongements dans le judaïsme essénien et le christianisme antique,” *Apocalyptique iranienne et dualisme qoumrânien* (ed. Geo Widengren, Anders Hultgård, Marc Philonenko; Paris: Adrien Maisonneuve, 1995) 163–211, esp. 164–78.

¹³¹ Thus the formulation of Torleif Elgvin, “Wisdom, Revelation, and Eschatology in an Early Essene Writing,” *SBLSP* 34 (1995) 463, is unsatisfactory: “the sectarian movement represents a merger between two different streams: a lay community which fostered the apocalyptic and dualistic traditions of 1 Enoch and Sap. Work A, and a priestly group which brought with it Zadokite temple traditions and the wish to

Lange has argued that the discourse on the two spirits is not even a product of the *yahad*, a possibility that Stegemann had raised earlier.¹³² Frey cautions against overemphasizing the importance of the dualism of IQS III,13–IV,26 for the *yahad*.¹³³ Frey's caution is certainly to be heeded. We should be careful not to make the dualism of IQS III,13–IV,26 represent the whole or even the heart of the theology of the *yahad*.¹³⁴ The foregoing discussion demonstrates that the dualism of this section has its own tradition history, quite apart from the history of the *yahad* itself. It is possible therefore that this discourse comes from outside the *yahad*.

At the same time, however, the foregoing discussion suggests that the dualism of this discourse did serve an important function in the self-understanding of the *yahad*.¹³⁵ I consider it likely therefore that the

structure hierarchically the new community" (cf. also idem, DJD 20.173). We do indeed find a merging of traditions, but it is somewhat more complex than the way Elgvin formulates it.

¹³² Lange, *Weisheit und Prädestination*, 126–28, 130, 168, 188; followed by Frey, "Different Patterns," 296. See earlier Stegemann, "Zu Textbestand und Grundgedanken von IQS III, 13–IV, 26," 127–28.

¹³³ Frey, "Different Patterns," 295–96, 333–35.

¹³⁴ Stegemann, "Zu Textbestand und Grundgedanken," 112–13, 122, has argued, on the basis of his reconstruction of III,25–IV,1, that the purpose of the Teaching on the Two Spirits was never to reconcile dualism with monotheism—hence, dualism as such is not the main interest of the author—but to uphold God's function as eschatological judge. These two possibilities, however, do not have to be mutually exclusive. I argued above (pp. 335–36) that a difference between Sirach and *4QInstruction* was that while the former shows interest in theodicy in its dualistic sections, the latter puts dualism in the service of upholding the eschatological vindication of truth over sin (or injustice). One could argue that IQS III,13–IV,26 has a similar purpose. It highlights the dualistic nature of reality in order to uphold God's function as eschatological judge *and* to uphold the eschatological vindication of truth over sin (or injustice). In this way theodicy gives way to (or rather becomes) eschatology. Cf. Stegemann's remark on p. 114: "der Autor hatte nicht das *kausale* Interesse, die Herkunft des Bösen in der Welt 'schöpfungstheologisch' plausibel zu machen, sondern allein das *finale* Interesse, die traditionelle Auffassung von Gott als einem 'Richter' der gesamten, von ihm geschaffenen Welt aufrechtzuerhalten und spekulativ zu legitimieren."

¹³⁵ Therefore I do not agree with Frey's conclusion, *ibid.*, 334 (cf. also p. 307) that the "type of dualism which can be considered characteristic for the thought of the Qumran community was almost certainly a strong cosmic dualism with the notion of opposed heavenly powers...and was assuredly not the subtle web of different levels of dualistic thought as documented in IQS 3:13–4:24" (cf. similarly Stegemann, "Zu Textbestand und Grundgedanken," 125–26). Although, as I have shown above, IQS III,13–IV,26 is indeed a web of (at least) three different strands of dualism, we can

discourse in 1QS III,13–IV,26 is a product of the *yahad*. There is one specific observation that supports this. As I have shown in Chapter 3, the dualism and eschatology of the discourse correspond closely to the self-understanding of the community in 1QS II,25–III,12. Life within the *yahad* serves as a proleptic purification of the righteous. That is, the *yahad* provides members a refuge from impurity and makes them righteous at the present time in anticipation of eschatological purification and justification. This can be seen from the parallels between 1QS II,25–III,12 and IV,18b–23b.¹³⁶ According to IV,20–22 God at the appointed time will

refine the structure of man by destroying all spirit of injustice from the innermost parts of his flesh (בשרי) and by purifying him (לטהרו) with a holy spirit (ברוח קודש) from every evil deed. And he will sprinkle (וי) over him the spirit of truth (רוח אמת) like waters that purify (מי נדה) from all abominations of deceit and defilement of the impure spirit, in order to make the upright understand the knowledge of the Most High, and to instruct those of perfect behavior (חמימי דרך) in the wisdom of the sons of heaven; for God has chosen them for an eternal covenant (ברית) (עולמים), and to them belongs all the glory of Adam.

And in the present time, as 1QS III,6b–12 says,

by the spirit of the true council of God (ברוח עצת אמת אל) the ways of man are atoned, all his iniquities, so that he can look at the light of life.

hardly say that it has nothing to do with Qumran dualism. One only needs to look at the *hōdāyōt* (e.g., 1QH^a XII,12b–22a [Suk. IV,12b–22a]) to see how different kinds of dualism (cosmic, sapiential, eschatological) functioned together in the self-understanding of the community vis-à-vis its opponents even apart from 1QS III,13–IV,26 (despite the apt observations of Stegemann, *ibid.*, p. 127, on the differences between the two texts), even if in the *hōdāyōt* the dualism is not as harsh as in 1QS.

Also to be rejected is the thesis of Jean Duhaime, “L’instruction sur les deux esprits et les interpolations dualistes à Qumrân (1QS III, 13-IV, 26),” *RB* 84 (1977) 566–94, esp. 568–89; and *idem*, “Dualistic Reworking in the Scrolls from Qumran,” *CBQ* 49 (1987) 42–43, that 1QS III,18b–25a is a redactional insertion that added a cosmic dualism to what was originally merely an instruction on ethical dualism. The separation of ethical and cosmic dualism is wholly unwarranted for this piece. As I have shown above (pp. 344–45), the anthropological dualism in III,18b (the spirits of truth and folly) is derived from the very same sapiential tradition as the statements preceding in III,15b–18a. The author has simply radicalized the ethical dualism of the sapiential tradition through a cosmic dualism. As 4Q548 1,9–12 shows, ethical and cosmic dualism were already combined well before 1QS III,13–IV,26 was composed.

¹³⁶ See the similar observations of von der Osten-Sacken, *Gott und Belial*, 178–79.

And by the holy spirit of the community (וּבְרוּחַ קְדוּשָׁה לַיְחִיד), in its truth, he is purified (יִטְהַר) from all his iniquities. And by an upright and humble spirit his sin is atoned. And by the compliance of his soul with all the statutes of God his flesh is purified (יִטְהַר בְּשָׂרׇוֹ), by the sprinkling (לְהוֹחֵת) with purifying waters (מִי נְדִיחַ) and by being sanctified with waters of purity. Let him then establish his steps to walk perfectly (חֲכִימָם) in all the ways of God, as he has given command concerning the appointed times, and not turn aside to the right or left, nor infringe one of all his words. Then he will be accepted by means of atonement pleasing to God, and it will be for him a covenant of an eternal community (בְּרִית יְחִיד עוֹלָמִים).

Since the sons of light are attacked in the present by the angel of darkness and his lot and thus are caused to stumble (III,24), God must justify them and purify them even now, so that they may be righteous even now. Belonging to the community effects in the present what God's eschatological purification will effect in the future. By contrast, those who refuse to join the community and its covenant (II,25–26) can never be purified. They remain defiled (III,5–6). Furthermore, those who belong to the community and are instructed in it (cf. III,6a) walk in perfection of behavior that anticipates the perfection of behavior to come at the end time. Finally, the *yahad* is an eternal covenant community, in that it anticipates the fulfillment of God's eternal covenant with the righteous at the *eschaton*, when all the glory of Adam will be restored to them (cf. III,11–12 with IV,22–23).¹³⁷

It is possible, of course, that 1QS III,13–IV,26 was written outside of the community, and that the community's self-understanding as explained in II,25–III,12 was developed in light of it. The self-understanding of the community in the latter passage, however, has its own integrity, and it agrees very well with the self-understanding of the community as this was developed in the foundational documents 1QS V,1–13a and VIII,1–16a, quite apart from any specific theory of dualism. Therefore it is more likely that the discourse on dualism in 1QS III,13–IV,26 was developed (within the *yahad*) in conjunction with the self-understanding of the *yahad* and in reliance on the old

¹³⁷ Cf. the similar remarks in Lange, *Weisheit und Prädestination*, 167–68, who does not, however, draw from them the conclusion that the discourse on the two spirits comes from the *yahad*.

dualistic traditions that pre-existed the *yahad*.¹³⁸ We may say, then, that cosmic dualism does not lie in the self-understanding of the *yahad* from the beginning, but rather was developed to reinforce a self-understanding that arose on other grounds. The *yahad* is the only place where purity is possible; the dualism reinforces that point. That this kind of dualism vis-à-vis the opponents became and remained important for the community's self-understanding is apparent from texts such as 4QPs^a (4Q171) 1-2 ii 10-11; 4Q177 12-13 i 12-16; and MMT C 28-30.

6.5 *Dualism in the Damascus Covenant?*

I have argued that the specific form of dualism that we find in 1QS III,13-IV,26 developed in conjunction with the rise of the *yahad*. On the thesis being presented in this volume—that the Damascus covenant was a movement that long preceded the rise of the *yahad*—that would suggest that this form of dualism was not found in the Damascus covenant. There are, however, four places in the *Damascus Document*, including some passages that I have previously treated as coming from the Damascus covenant, that include mention of Belial. That might suggest that the kind of dualism that we find in the *yahad* already existed in the pre-Qumran Damascus covenant. I shall show in section 6.7, however, that all the places where Belial appears in the *Damascus Document* are very likely secondary additions that entered under the influence of the theology of the *yahad*. Before we proceed to that demonstration, we must note that the traditional materials of the Damascus covenant do know a kind of dualism, but it is the kind of

¹³⁸ Lange's reasons for denying the discourse's origin in the *yahad* (*Weisheit und Prädestination*, 127-28; followed by Frey, "Different Patterns," 296) are not all equally compelling. The fact that the word "covenant" appears only in an eschatological context (IV,22) does not speak against an origin in the *yahad*. The eschatological "eternal covenant" corresponds to the "covenant of an eternal community" in III,11-12. The fact that the title "God of Israel" is used only points to dependence on the language of the *Rule of War*. The absence of the name Belial is somewhat surprising, but it could be explained by the identification of Belial and the Angel of Darkness in 1QM XIII,11. A possible objection that Lange does not raise, but that might be raised, is that 1QS IV,7 includes among the eschatological rewards of the sons of truth "fruitful offspring" (פרות רוע), which might seem inappropriate for a monastic community. However, we find the same promise in 4QPs^a (4Q171) 1+3-4 iii 2, whose origin in the *yahad* is not doubted.

dualism that we find in the sapiential tradition, encompassing creational, historical, ethical, and eschatological elements.

The first three discourses in CD (I,1–II,1; II,2–13; II,14–IV,12a) all open with the exhortation, “and now listen” (ועתה שמעו) (II,14: ועתה בניים; שמעו). This exhortation appears elsewhere in the *Damascus Document* (4Q270 2 ii 19; possibly 4Q266 1,5). The first and third discourses continue with historical overviews, at the center of each of which is God’s saving of a remnant at the time of the exile. The speaker makes known the “deeds of God” (מעשי אל) (CD I,1–2; II,14–15). The second discourse does not contain a historical overview in the strict sense. It does speak of the unfolding of history, however, as the unfolding of God’s predestined plan for the righteous and the wicked.

As other scholars have noted, the exhortation, “and now listen,” is reminiscent of material in the wisdom tradition. Lange has pointed to parallels in Deuteronomy, Isaiah, and Hosea, and particularly in wisdom literature (Proverbs, Sirach).¹³⁹ I would suggest, however, that the most important model from a formal perspective, at least for the first two discourses in CD, is Ps 78. This psalm, which is called a *maskil*, that is, a didactic psalm, begins with a call to “listen”:¹⁴⁰ “Give ear (האזינה), O my people, to my teaching; incline your ears to the words of my mouth.”¹⁴¹ The psalm is a historical psalm, and so it proceeds to give an overview of Israel’s history, much like the first and third discourses of CD.¹⁴² The purpose of the psalm is to make known to the next generation the “wonders that [the LORD] has done” (נפלאותיו אשר) (עשה) (Ps 78:4),¹⁴³ just as the purpose of the first and third discourses in

¹³⁹ Lange, *Weisheit und Prädestination*, 251–53.

¹⁴⁰ On Ps 78 as a wisdom psalm, and on its place within Israelite religion, see Sigmund Mowinckel, “Psalms and Wisdom,” *Wisdom in Israel and in the Ancient Near East* (VTSup 3; ed. M. Noth and D. Winton Thomas; Leiden: E. J. Brill, 1955) 212–14. See also the form-critical discussion of Harry P. Nasuti, *Tradition History and the Psalms of Asaph* (SBLDS 88; Atlanta: Scholars Press, 1988) 81–83, 155.

¹⁴¹ Hans Kosmala, “Maškil,” *The Gaster Festschrift* (ed. David Marcus; New York: Ancient Near Eastern Society, 1974) 238, also notes the possible significance of Ps 78 for Qumran, but does not investigate the connection beyond common vocabulary.

¹⁴² See further Mowinckel, “Psalms and Wisdom,” 214. Cf. also Dan 9:22, 25, where the angel comes “to make you [Daniel] wise (להשכיך). The “making wise” includes instruction in the course of history.

¹⁴³ Cf. what Mowinckel, *ibid.*, 212–13, has to say about the wisdom psalms: One of their purposes was “teaching young people the art of calling upon and praising the Lord in inspired ‘songs of wisdom.’ But then this is the true religious element: the poet wants

CD is to teach about the “deeds of God” (מעשי אלה).¹⁴⁴ The focus of the psalm is on God’s giving of the law to Israel (Ps 78:5, 7), Israel’s repeated disobedience (78:10, 17, 32, 36–37, 40, 56), and God’s consequent anger and destruction (78:21, 31, 33–34, 59), very similar to CD I,1–4 and III,2–12.¹⁴⁵ But while Ps 78 ends with God’s rejection of the northern kingdom and its sanctuary at Shiloh, and his election of Zion in Judah as his dwelling place, the historical overviews of the first and third discourses in CD end with the exile and God’s saving of a remnant. Thus, whereas Ps 78 sees the history of Israel culminating in the election of Zion, the author(s) of CD I,1–11b and II,14–III,17a see(s) that history as culminating in the election of the remnant.¹⁴⁶

From a form-critical perspective there can be little doubt that the discourses in *D* are traditional homilies of a *maskil*, that is, of a wise teacher.¹⁴⁷ Proof of this comes from 4Q298 (*4QcryptA Words of the*

to share his religious experiences with the young people, bear witness to them, and through this personal example admonish them to walk in the right way.”

¹⁴⁴ And see CD XIII,7–8, where the overseer is to instruct the Many in God’s “mighty deeds” (נְבוֹרֹת פְּלִיאָה) (cf. also 4Q266 1,6).

¹⁴⁵ It is interesting to observe that in the historical overview of the third discourse, there is no mention of the giving of the law. The reason may be that the speaker viewed the law of Sinai as in continuity with the pre-Sinaitic revelations to Noah, Abraham, and Abraham’s descendants, and therefore saw no need to mention the law of Sinai separately.

¹⁴⁶ The separation of the northern and southern kingdoms and the election of Zion and Judah could in no way be considered the culmination of history in the Damascus covenant, since for it the goal of history was the restoration of all of Israel (CD I,7–8; XV,5), not just of Judah. In Chapter 9 I show that the material in CD I,11c–II,1 and III,17b–IV,12a is very likely later material, coming from the Qumran community, added to the first and third discourses, which originally ended at I,11b and III,17a respectively. In other words, in both CD I,1–11b and II,14–III,17a we have traditional homilies of the Damascus covenant, telling of the origins of the covenant. They were composed before the rise of the Qumran community. These homilies were adopted and expanded by the Qumran community so as to fill out the historical overview up to the present (I,11c–II,1 and III,17b–IV,12a).

¹⁴⁷ Cf. similarly Menahem Kister, “Commentary to 4Q298,” *JQR* 85 (1994) 238. Jerome Murphy-O’Connor, “An Essene Missionary Document? CD II, 14–VI, 1,” *RB* 77 (1970) 201–29, argued that CD II,14–VI,1 was composed as an “Essene missionary document,” the purpose of which was to convince Jews to join the covenant; to this missionary document were prefixed at a later time a historical introduction (I,1–II,1) and a theological introduction (II,2–13) when attempts at conversion failed or perhaps to discourage apostasy. While the discourses may have been used in that way, I consider it more likely that they were used for the instruction of new members of the covenant,

Maskil to All Sons of Dawn). This text contains the words of a *maskil*, addressed to “all the sons of dawn,” a term that may refer to new members of the covenant but perhaps more likely is synonymous with “sons of light.”¹⁴⁸ The *maskil*’s address begins with a call to listen, just like the first three discourses in CD: “Listen ([האזיני]) to me, all men of heart, and pursuers of righteousness, understand (הביני) my words. And seekers of truth, hear (שמע) my words.” The *maskil* calls on his audience to turn to the “(path? of) life.” A similar call to turn to the paths of life, or to understand where the paths of life lie, is probably found in the fragmentary 4QD* (4Q270) 2 ii 19: “And now listen to me, all who know righteousness [...] to you the paths of life, and the ways of the pit I shall open to you.” A second, similar exhortation to “listen” appears in 4Q298 3–4 ii 3–4.

Since the text of 4Q298 is fragmentary, we cannot know its contents completely, but it appears to have contained the *maskil*’s instruction on history (both the past and the future) (3–4 ii 9–10) and a discourse on the created order (2 ii 1–3–4 ii 3). Thus this text is rooted firmly in the wisdom tradition, for we have seen that interest in the course of history and in the order of creation is a central component of the wisdom tradition, both in Scripture and in the DSS. The instruction is apparently intended to lead the addressees to know the truth about God and the world, especially the past and future course of history, and so to be able to choose the path of life (1–2 i 3–4).¹⁴⁹

either children who were newly enrolled (cf. CD XV,5–6) or new members in general, giving them the covenant’s view of (sacred) history. The address “sons” (בנים) in II,14 may point in this direction. We do not have to take this literally as meaning “children,” that is, offspring of members of the covenant. The term “sons” could be used in the sense of 4Q298 1–2 i 1, where the *maskil* directs his address to “all the sons of dawn” (כול בני שחר), a term that refers either to full members of the covenant or perhaps to novices (see next note). In either case, however, the “sons” are those in need of instruction, just as in Ps 78:4 the sacred history is not to be hidden from the “children” (בנים), the “next generation.”

¹⁴⁸ See DJD 20.21: catechumens. But see also Joseph M. Baumgarten, “The ‘Sons of Dawn’ in CDC 13:14–15 and the Ban on Commerce among the Essenes,” *IEJ* 33 (1983) 82–83, who suggests that “sons of dawn” is a variant for “sons of light.” As Baumgarten points out, in some of the DSS “dawn” is connected with knowledge. Thus the “sons of dawn” could be recipients of special (esoteric) knowledge, which would fit 4Q298 very well. Also arguing that “sons of dawn” and “sons of light” are basically synonymous is Charlotte Hempel, “The Qumran Sapiential Texts and the Rule Books,” *The Wisdom Texts from Qumran* (ed. Hempel, Lange, and Lichtenberger), 293.

¹⁴⁹ Cf. Kister, “Commentary to 4Q298,” 241, 244.

These attributes are precisely what we find in the first three discourses in CD. The first and third discourses are keenly interested in the course of history, while the second discourse is interested in the unfolding of history as an order predetermined by the creator God. Moreover, the third discourse has the explicit hortatory purpose of leading those who hear to “choose what [God] desires and to reject what he hates” (CD III,15). According to the 4QD^a manuscript, the second discourse also has an explicit hortatory purpose: “and from all the tracks of sinn[ers I shall divert you (?)]” (4Q266 2 ii 3). That line is missing in CD II,3. There is an implicit hortatory purpose in the first discourse (I,2). These parallels to 4Q298 put it beyond doubt that the first three discourses in CD are discourses of one or more *maskîlîm*, and that they are rooted in the wisdom tradition.

Further confirmation of this comes from CD XIII,7b–12. In this text the overseer (מבקר) is charged with instructing (ישכיל) the Many in the deeds of God (מעשי אל), with teaching them (יבינם) God’s mighty marvels (גבורות פלאו), and with recounting (יספר) to them the eternal events (נהיית עולם) with their explanations (פחריהם).¹⁵⁰ As we saw, the speaker of the first and third discourses teaches the audience so that they may understand (הבין or בין) the deeds of God (מעשי אל). Part of the content of the second discourse is God’s knowledge of all “eternal events” (נהיית ער)¹⁵¹ (CD II,10). Thus the form and content of the first three discourses agree exactly with the charge in XIII,7b–12. That proves that the first three discourses of CD were composed by or for one or more *maskîlîm* to teach (cf. ישכיל in XIII,7) the members of the camp.

The charge to teach in XIII,7, however, is not given to a *maskîl* but to the overseer of the camp (*mēbaqqēr*). Does that mean that the *mēbaqqēr* was also a *maskîl*? Or is there some other explanation for this change in terminology? At this point it will be helpful to attempt to clarify the relationship between the *maskîl* and the *mēbaqqēr*.

¹⁵⁰ The reading פחריהם is confirmed by 4Q267 9 iv 5.

¹⁵¹ Reading נהיית for נהיית (cf. Chaim Rabin, *The Zadokite Documents* [Oxford: Clarendon Press, 1954] 6–7; Éd. Cothenet, “Le document de Damas,” *Les textes de Qumran* [2 vols.; Paris: Letouzey et Ané, 1961–63] 2.154–55).

Excursus on Officers (mēbaqqēr and maškīl)

Charlotte Hempel has also observed the anomaly that CD XIII,7–8 “assigns a task to the overseer that is much more akin to the role assigned to the wise leader (משכיל) in 1QS 9,12–26a....”¹⁵² She notes that in CD XII,20b–21a there is an announcement of a list of duties for the משכיל, and yet no such list follows. Her proposal therefore is that “some of the traditions associated with the wise leader have become merged with the rules on the overseer of the camp. Instead of following the announcement of statutes for the wise leader in CD 12:20b–21a some of the duties of the wise leader follow the heading announcing the rule for the overseer of the camp....”¹⁵³ This solution is certainly possible. There is evidence, however, that the *mēbaqqēr* was a *maškīl*, and so we may not have to adopt a redaction-critical solution to the anomaly.

It has sometimes been argued that the *mēbaqqēr* and the *maškīl* cannot have held the same office because the *mēbaqqēr* was responsible for instruction of novices (e.g., 1QS VI,13–23), while the *maškīl* was responsible for teaching the “sons of light,” that is, full-fledged members of the community (1QS III,13).¹⁵⁴ On closer examination, however, this distinction falls apart. So, for example, in 1QS IX,12–19, the *maškīl* appears to be responsible for admission of new members. The *maškīl* is to “include (קרב) each one according to the purity of his hands and to admit (הניש) each one according to his understanding (לפי שכלו), and thus shall be his love with his hatred” (IX,15–16). As a similar passage in 1QH^a VI,18–22 [Suk. XIV,18–22] shows, this language of “inclusion” has to do with admission to the community:

According to his intelligence (לפי [ש]כלו) I admit him (אנישו), and according to the abundance of his inheritance (נחלתו) I love him...to the extent that you distance him I hate him...and I will not bring (אביא) into the council [those who are not reckoned in your covenant?].

¹⁵² Charlotte Hempel, *The Laws of the Damascus Document: Sources, Tradition and Redaction* (STDJ 29; Leiden: Brill, 1998) 119.

¹⁵³ *Ibid.*, 119–20.

¹⁵⁴ E.g., von der Osten-Sacken, *Gott und Belial*, 164.

When 1QS IX,14 says that the *maskil* is to “weigh the sons of righteousness¹⁵⁵ according to their spirits,” this may refer to the ranking of those who are already members (cf. V,23–24). Even here, however, the charge to “separate” and to “weigh” the “sons of righteousness” and to “keep hold of the chosen ones of the time” indicates that the *maskil* was in charge of admission. The *maskil* first separates the righteous from the unrighteous (that is, decides who may be a member, or, perhaps better, a potential member, and who not), and then also weighs them, that is, ranks them according to their inheritance in light. That is the procedure outlined in CD XIII,11–12 for the *mēbaqqēr*: “And everyone who joins his congregation, he should examine concerning his actions and his understanding and his strength and his courage and his wealth; and they shall inscribe him in his place according to his inheritance (נחלתו) in the lot of light.” Moreover, the 4QS manuscripts show that the instructions in 1QS V,1–10 on the discipline of the community, both of neophytes and of those who are already members, were originally directed to the *maskil* (4Q256 5,1; 4Q258 1 i 1). That is further proof that we cannot draw a clear distinction such that the *mēbaqqēr* was responsible for the instruction of novices while the *maskil* was responsible for the instruction of full-fledged members.¹⁵⁶ The *maskil* and the *mēbaqqēr* seem to carry out similar duties with respect to admission.

If we could determine the identity of the *mēbaqqēr*, that might help us to resolve the question of the relationship between the *maskil* and

¹⁵⁵ As 4QS^c (4Q259) III,10 shows, “sons of righteousness” (בני הצדק) is the original and correct reading; “sons of Zadok” (בני הצדוק) is a corruption. The use of an article with the proper name “Zadok” is certainly incorrect.

¹⁵⁶ In 4Q266 5 i 13–14 the *mēbaqqēr* has charge over the inclusion and exclusion of members of the covenant “according to their spirits.” That agrees with CD XIII,11–12, where he is to examine those who join his congregation concerning their deeds and their insight (that the “spirits” of a person relate to his deeds and insight is shown by 1QS V,24; VI,14, 17). That supports the view that the *mēbaqqēr* is the correct subject of CD XIII,7–12. (Reference to “exclusion” [רחק] of members also connects 4Q266 5 i 14 to 1QS VI,16 [cf. also 1QH^a VI,21 (Suk. XIV,21)].) Thus the overseer of 4Q266 5 i 13–14 carries out the same task as the instructor of 1QS IX,12–19. It is true that 4Q266 5 i 17 seems to begin a new section of ordinances for the *maskil*. However, that does not necessarily mean that the *mēbaqqēr* was not also a *maskil*. It may mean that the overseer was drawn from the class of teachers known as *maskilim*, but as one possessing authority in the community he could also be called the “overseer.”

the *mēbaqqēr*. The origin of the office of the *mēbaqqēr* is uncertain, but it may be derived from Num 27:16–17, perhaps in combination with Ezek 34:11–13. The verses in Numbers report the appointment of a successor to Moses, specifically Joshua (27:18). Moses asks God to “appoint” (יפקד) a “man” (איש) to be over the “congregation” (עדה); he will cause them to “go out” and to “come in,” so that the congregation will not be like “sheep without a shepherd (רעה).” There are a number of points of contact between these verses and what is said of the *mēbaqqēr* in the DSS. In CD XIII,9–10 the *mēbaqqēr* is compared to a shepherd (רעה) who cares for his flock, and this man is said to have a “congregation” (עדה). In 1QS VI,14–15 there is mention of a “man” (איש) “appointed” (פקיד) over the “Many,” and he has the same tasks that are ascribed to the *mēbaqqēr* in CD XIII,11 and XV,14, namely, of “examining” (דרש) a candidate with respect to his “understanding” (שכלי) and his “actions” (מעשיו), and of teaching the precepts of the covenant to the neophyte. That suggests that the “man” “appointed” over the Many is a *mēbaqqēr*. All of this supports a derivation of the office of the *mēbaqqēr* from Num 27:16–17.

But from where does the root בקר come? Possibly it comes from Ezek 34:11–13, where the task of the shepherd (רעה) is to “seek out” (בקר) the sheep. It may also be noted that in 34:4 the “shepherds” (kings) of Israel are charged with having failed to “strengthen the weak,” “heal the sick,” “bind up the injured,” “bring back the scattered,” and “seek the lost.” These tasks of the shepherd are reminiscent of the tasks of the shepherd-*mēbaqqēr* in CD XIII,9–10, although the vocabulary is different.

There is evidence to suggest that the *mēbaqqēr* was a Levite, or at least that the *mēbaqqēr* could be a Levite. In 4Q275 3,3–5 there is mention of the *mēbaqqēr* in what appears to be a communal ceremony, probably the annual ceremony of covenant renewal.¹⁵⁷ Here the

¹⁵⁷ Evidence that the context is an annual covenant renewal ceremony includes the following: mention of the “third month” in fragment 2, which according to other texts was the month of covenant renewal (cf. 4Q266 11,17=4Q270 7 ii 11); the formula וענה ואמר in 4Q275 2,4, which introduces priestly and Levitical blessings and curses, and other liturgical acclamations, in 1QS II,5, 18; 1QM XIII,2; XIV,4; XV,7; XVI,15; XVIII,6; 4Q266 11,8–9; 4Q284 3,3; 4Q286 7 ii 2 (and 9,4); 4Q377 2 ii 3; 4Q414 2 ii 4–6; 4Q491 8–10 i 2; 8–10 ii 14; 4Q502 7–10,4; 19,6; 4Q503 1–3,6 and passim; 4Q512 29–32,8 and passim; 11Q14 1 ii 3 (but see also 11Q19 LXIII,5); the mention of “destructive visitation” in 4Q275 3,6, which also appears in 1QS II,6 (יפקיד...כלה);

mēbaqqēr is apparently charged with pronouncing the curses on the unfaithful in the annual covenant renewal ceremony. In 1QS II,4–10, which contains a curse that has parallels to 4Q275 (see note 157), *Levites* are the ones charged with pronouncing this curse. That indicates that the *mēbaqqēr* may have been a Levite.

Another passage that indicates that the *mēbaqqēr* was a Levite is CD XIII,2–7:

And in a place of ten a man, a priest learned in the book of *hagy* shall not be lacking; by ³his authority shall all of them be ruled. [*vacat*] And if there should not be one expert in all of these things, but one of the Levites is expert ⁴in these things, then the lot for the going out and the coming in (לצאת ולבוא) regarding all who enter the camp will be decided on his authority (על פיהו). [*vacat*] But if ⁵there is against someone a judgment regarding the law of leprosy, the priest will come and stand in the camp, ⁶and the *mēbaqqēr* will instruct him in the exact interpretation of the law. [*vacat*] Even if he is a simpleton, he will isolate him, for to them belongs ⁷the judgment.¹⁵⁸

According to these rules, a learned priest was to govern the “ten,” which was the minimum number of men required to form a “camp” (XII,22–XIII,3). But if a priest was lacking, authority over the camp fell to a Levite who was an expert in the law. In a case of leprosy, a priest had to render the legal judgment, but the *mēbaqqēr* could instruct the priest in the law. This stipulation is probably based on Deut 24:8, which says: “Guard against an outbreak of leprosy by being careful; you shall be careful to do according to all that the Levitical priests have taught you, according as I have commanded them.” This passage, as is

and the fragmentary אר in 4Q275 3,4, which may introduce a curse (ארר), as, for example, in 1QS II,5. See further the comments of Philip Alexander and Geza Vermes in the critical edition of 4Q275 (DJD 26.207–16).

¹⁵⁸ Given the several *vacats* in these lines, it is difficult to know whether all of these lines originally stood together. In particular the sentences before and after the first *vacat* seem somewhat contradictory: every group of ten must have a learned priest; but if there is no expert priest, authority falls to the Levite. In favor of the original unity of the lines, however, is that XIII,5–7 implies that there is only one priest in the camp (unless the *mēbaqqēr* is a priest; but if the *mēbaqqēr* were a priest, presumably he would render the judgment), a situation envisaged by XIII,2. (See also my discussion of CD X,4–7 in Chapter 4, pp. 215–17, where I argue that among the ten judges of the congregation are one priest, three Levites, and six lay Israelites.) Even if these two sentences did not stand together originally, however, the point remains: Levites who were expert in the law could have authority in the camp, but they were secondary to the priest.

typical of Deuteronomy, assigns authority to the *Levitical* priests. In the period of the Second Temple Levites lost priestly authority. As I have shown in Chapter 4, however, the Damascus covenant (and later the Qumran community), shared the outlook of the Chronicler, who subordinated the Levites to the priesthood, and yet elevated them to a status higher than the menial service to which the Zadokite priesthood had sought to limit them. In the writings of the Chronicler we see worked out a compromise between Zadokite, Aaronic and Levitical power, such that the claims of Levitical authority that appear in Deuteronomy were honored, even if their *priestly* status could no longer be maintained.¹⁵⁹ This situation is reflected in CD XIII,2–7: the *mēbaqqēr*, a Levite,¹⁶⁰ is given the authority that Deuteronomy accorded him, but he is still subordinate to the priest.¹⁶¹

There is a difficulty in identifying the *mēbaqqēr* straightforwardly as a Levite. In CD XV,8 and 1QS VI,12 we read of an “overseer (מבקר)

¹⁵⁹ See pp. 210–13.

¹⁶⁰ The *mēbaqqēr* of CD XIII,6 is certainly not an Aaronic priest, since if he were, presumably he would also render the priest’s judgment.

¹⁶¹ There is one other passage that may suggest that the *mēbaqqēr* was a Levite. According to CD XIV,8–9, the *mēbaqqēr* who is over all the camps must be between 30 and 50 years of age. These were the age limits for the qualification of Levites for work related to the tent of meeting while Israel was in the wilderness according to Num 4:3, 23, 30, 35, 39, 43, 47. (But see Num 8:24–25, where the lower and upper age limits for the Levites are 25 and 50 years. See further 1 Chr 23:3, 24, 27; 2 Chr 31:17; and Ezra 3:8, where different age limits are given.) Since the upper age limit for the judges of the congregation in general was 60 years (CD X,4–10; cf. Lev 27:3, 7; also CD XIV,6–7), the limit of 50 years may reflect the age limit for Levites.

On the other hand, one might expect that the overseer over all the camps would be a priest, and it is possible that the upper age limit of 50 years here is not related to the age limit for Levites but is due to some other concern, such as the vigor of the overseer. So for example in the *Rule of War* (1QM VI,13–14; VII,1–2) the age limit was set at 30 for tasks requiring agility, 45 for assault tasks requiring physical strength, 50 for less active tasks requiring less strength, and 60 for the governors of the camps, whose work was the least physically demanding (see Yadin, *The Scroll of the War*, 74–79). The responsibility of the overseer of CD XIV,8–9, to whom all matters requiring discussion were to be referred (XIV,11) is like that of the “*mēbaqqēr* over the Many” in 1QS VI,12. The task of the latter was to moderate discussion in the session of the Many, including matters referred to the Many (VI,9, 11–12). If the *mēbaqqēr* of 1QS VI,12 is a priest, perhaps the *mēbaqqēr* of CD XIV,8 is also a priest. That the *mēbaqqēr* of 1QS VI,12 is a priest is suggested by the similarities between the situation described in CD XIV,3–8 and that in 1QS VI,8b–13c (see the main text for further discussion of this point).

of the Many.” Since the “Many” included both priests and laymen (see p. 507), it seems inherently unlikely that a Levite would have been appointed over the “Many.”¹⁶² It is more probable that the man appointed over the Many was a priest, and indeed in three places we read explicitly of the “priest appointed over the Many” (CD XIV,6–7; 4Q266 11,8; 4Q289 1,4). This appointing (CD XIV,6–7: יפקד; 4Q266 11,8: מופקד; 4Q289 1,4: פקיד [?]) of a priest over the Many is probably based on Num 27:12–23, where, as we have seen, Moses asks God to appoint (27:16: יפקד) a man (איש) over the whole congregation of Israel as his successor, on whose authority (על פיו) they will “go out” (יצאו) and “come in” (יבאו), so that they will not be “like sheep without a shepherd.” The priest appointed over the Many can probably be identified, at least originally, with the “learned priest” of CD XIII,2–3. That is, in some camps of the covenant there may have been initially only one priest, the one mentioned in XIII,2–3, and he would have been (or become) the one appointed over the “Many” (cf. similarly CD X,4–7).¹⁶³

In another place we read of “the man appointed (האיש הפקיד) at the head of the Many” (1QS VI,14). This officer is responsible for testing candidates for admission with respect to their insight and their deeds, and for teaching them the precepts of the community, much like the *mēbaqqēr* of CD XIII,11; XV,14. If we take this “man appointed over the Many” to be identical with the “priest appointed over the Many” in the passages mentioned just above,¹⁶⁴ which is probable, since the language is again reminiscent of Num 27:12–23, then we are left with a situation in which a priest performs the tasks elsewhere ascribed to the *mēbaqqēr*. Does that mean that the *mēbaqqēr* was not a Levite but a priest?

A possible solution to this puzzle is that *mēbaqqēr* was a title that could be adopted by a priest or by a Levite. We have seen that CD XIII,2–7 invests highest authority in the priest. However, if no priest in the camp is expert in the laws, the authority over the “going out and coming in” may fall to a Levite, if he is expert in the laws. That implies

¹⁶² This also makes unlikely Barbara Thiering’s suggestion (“*Mebaqquer* and *Episkopos* in the Light of the Temple Scroll,” *JBL* 100 [1981] 65, 69; cf. similarly John F. Priest, “*Mebaqquer*, *Paqid*, and the Messiah,” *JBL* 81 [1962] 60) that the *mēbaqqēr* was a minister to the laity (only).

¹⁶³ See p. 386 and references there.

¹⁶⁴ Cf. similarly DJD 11.69.

that in certain cases the Levite may have had the highest authority in the camp. So, for example, in CD XIII,5–7 we read of a situation where the camp has a priest, and yet a Levite serves as *mēbaqqēr*.

It may be, then, that when we read of the “*mēbaqqēr* of the Many” (CD XV,8) we are to take this in the first instance to be a priest. In extraordinary cases, however, authority fell to a Levite, and he took the title *mēbaqqēr*. It is possible that over time the titles became somewhat more formalized. So, for example, in the entrance procedure of 1QS VI,13c–23 we have both “the man appointed at the head of the Many” (VI,14) and the “overseer of the earnings of the Many” (VI,20). If these two persons are different, and if the “man appointed at the head of the Many” is a priest, then *mēbaqqēr* may have become a title in the *yahad* for a subordinate officer (perhaps a Levite).¹⁶⁵ It may also be that it was possible for there to be more than one *mēbaqqēr* in a camp (or in the *yahad*), each *mēbaqqēr* having different responsibilities, and that one *mēbaqqēr* might be a priest, while another might be a Levite.

Our investigation concerning the identity of the *mēbaqqēr* has been inconclusive. There is evidence to suggest that he could have been either a priest or a Levite.¹⁶⁶ Whether he was a priest or Levite, however, there is nothing that stands against the possibility that he could also have been a *maskil*. Clearly the *mēbaqqēr* was expected to be learned (CD XIII,6). And as we saw above, the duties of the

¹⁶⁵ See also the expulsion ceremony in 4Q266 11,5b–16b, where the “priest appointed over the Many” and the overseer seem to be distinct officers.

¹⁶⁶ It is possible that the *mēbaqqēr* was a Levitical priest. That is suggested by the allusion to Deut 24:8 in CD XIII,2–7. See also Robert Kugler, “Priests,” *Encyclopedia of the Dead Sea Scrolls* (ed. Schiffman and VanderKam), 2.689; and Thiering, “*Mebaqqer* and *Episkopos*,” 68–69. However, despite the clear elevation of the Levites at Qumran, even at points above the status of priests (see Robert Kugler, “The Priesthood at Qumran: The Evidence of References to Levi and the Levites,” *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* [ed. Donald W. Parry and Eugene Ulrich; STDJ 30; Leiden: E. J. Brill, 1999] 465–79), there is no evidence that there was an actual class of Levitical priests at Qumran. The *Temple Scroll* mentions Levitical priests (11QT^a [11Q19] LXIII,3), but that is because the scroll is based on Deuteronomy. The fact that this part of Deuteronomy was preserved in the *Temple Scroll* may suggest that a class of Levitical priests was foreseen (for the future) by the groups who produced the scroll, but the Qumran community, at any rate, appears to have respected the basic Pentateuchal distinction between Levites and (Aaronic) priests (and eventually a distinction between Aaronic and Zadokite priests). Mention of Levitical priests is found also at 4Q281a 1 and at 4Q423 5,1a, but in each case the context is hardly discernable.

mēbaqqēr and the *maskīl* overlap, which suggests that one person could have held both titles. It is uncertain whether the *maskīl* was a layman or a priest.¹⁶⁷ That a Levite could be a *maskīl* is suggested by 2 Chr 30:22, where the Levites are said to be *המשכילים שכל טוב ליהוה*.¹⁶⁸ In conclusion, there is no reason to think that the charge to teach in CD XIII,7–8 could not have been made to the *מבקר*, the overseer of the camp who was also a wise teacher (*maskīl*).

6.6 *The Dualism of the Sapiential Tradition in the Discourses of CD*

The first three discourses of CD thus prove to be homilies of a *maskīl*. They are rooted in the wisdom tradition of Israel. As such, they contain the kind of dualism that we have observed in the wisdom tradition—a dualism that is creational, historical, ethical, and eschatological. What is lacking is the kind of cosmic dualism that we find in the developed theology of the *yahad*. As we have seen, an important part of the wisdom tradition is that revelation is required to know the “mystery of existence,” that is, the way that reality is ordered (4Q418 123 ii 4). Accordingly in CD II,2, 14 the speaker promises to open the ears and eyes of those who hear him, so that they may understand the deeds of God, and so that they may understand the ways of the wicked (cf. also 4Q266 2 i 5; 4Q270 2 ii 20). We also saw that part of the wisdom tradition is that there are two fundamental (and fundamentally opposed) ways of life—truth and sin, wisdom and folly. A reflection of that ethical dualism is found in CD II,15–16 (cf. also 4Q270 2 ii 20).¹⁶⁹ Finally, we saw that according to the wisdom tradition one can learn truth and sin, and the difference between good and evil, by examining the “mystery of existence,” the history of man, and the results of his ways, his visitation (4Q417 1 i 2–13; 4Q418 77,1–4). So also one of the purposes of the exposition of the course of history in CD II,14–III,17a is to help one see the difference between good and evil.

¹⁶⁷ Kugler, “Priests,” 690; K. Koenen, “מְבַקֵּר,” *TDOT* 14.128.

¹⁶⁸ In addition, Ps 78, a *maskīl*, is said to be a psalm of Asaph. The Asaphites may have been Levites (or at least functional levites). See J. S. Rogers, “Asaph,” *ABD* 1.471; and Nasuti, *Tradition History and the Psalms of Asaph*, 161–86 (see also pp. 156–58 on the Levitical character of Ps 78).

¹⁶⁹ Cf. CD II,15, “so that you can reject what he [God] hates,” with 4Q418 81,2, “keep yourself apart from everything that he [God] hates.”

Another important part of the wisdom tradition is that the fundamentally dualistic structure of the world is rooted in God's creation. Although the order of creation is not a feature of the first discourse, and is only on the margins of the third (see CD III,8), this theme is very prominent in the second discourse. That God loves knowledge (II,2) is reminiscent of the wisdom tradition's affirmation that the "God of knowledge" established the design of all that exists (1QS III,15; cf. 4Q418 55,5; 4Q417 1 i 8–9). Congruent with this is that, as part of his work as creator, God has predestined some people to righteousness and some people to sin (CD II,7–8, 11–13). If the dualistic options of truth and sin are rooted in the order of creation itself (4Q416 2 iii 14), then it is no surprise that some people are predestined to one or the other. Also known and predestined by God is the exact unfolding of the ages of history (CD II,9–10), which is also a motif from the wisdom tradition (Sir 42:19; 48:25; 4Q418 123 ii 1–4).

While the first three discourses of CD have the kind of dualism that we find in the wisdom tradition, there is little evidence of the more advanced cosmic dualism that we find in the later literature of the *yahad*. The reference to the "angels of destruction" (מלאכי חבל) and the phrase "without remnant or survivor" (לאין שאיריה ופליטה למו) in the second discourse (CD II,6–7) echo the dualism of the *Rule of the Community* and the *Rule of War* (cf. 1QS IV,12; 1QM XIII,12: מלאכי חבל; and 1QS IV,14: לאין שרייה ופליטה למו) and may be redactional touches under their influence.¹⁷⁰ But the cosmic dualism of the *Rule of War* and the *Rule of the Community* is foreign to CD II,2–13.¹⁷¹ It is not Belial (or the Man of the Lie) who causes sinners to stray, but God himself, and that is part of his predestinating work (II,13). The references to Israel's eating blood and to God's hiding his face from Israel (II,8–9) place the discourse firmly within the view of history of the first and third discourses (cf. I,3; III,6).¹⁷² Nor is cosmic dualism prevalent in the first and third discourses. We noted above that the

¹⁷⁰ Lange, *Weisheit und Prädestination*, 258–60, also argues that these phrases are secondary additions from a scribe in the *yahad* or under the influence of 1QS.

¹⁷¹ Therefore Lange's statement (*ibid.*, 260), "[d]as Weltbild der Damaskusschrift ist dualistisch," requires greater precision.

¹⁷² Therefore there is no reason to assign CD II,2–13 to the *yahad*, as Lange, *ibid.*, 241–43, 254, 260–64, 266–70, 298, does. That according to II,11 God raised up people in all years (or periods) as a remnant for the land applies to the Damascus covenant as well as or even better than to the Qumran community.

story of the fall of the angels in the Enoch tradition does not represent cosmic dualism, but it did prepare the way for a cosmic dualism, in that the dualistic options of truth and injustice in the wisdom tradition could and did come to be attributed to two opposing cosmic powers (God and the evil spirits). CD II,17–18 tells the story of the fall of the Watchers, but unlike the Enoch tradition it does not treat that fall as the *cause* of evil or of evil spirits in the world; nor therefore is it really open to a cosmic dualism. The fall is simply the first example of how “brave heroes” throughout history have stumbled because of a guilty inclination and lascivious eyes. Thus the third discourse also does not contain cosmic dualism.¹⁷³

6.7 Cosmic Dualism as Secondary Addition in CD

As was noted above, there are four places in the *Damascus Document*, including some in passages that are attributable to the (pre-Qumran) Damascus covenant, where the name Belial appears. Since the name “Belial” is closely connected with the cosmic dualism of the *yahad*, the presence of the name “Belial” in these passages might suggest that the cosmic dualism of the *yahad* did in fact precede the rise of the *yahad* and already existed in the Damascus covenant. That would challenge the contention of the previous section that the only dualism known to the Damascus covenant was the dualism of the wisdom tradition. In what follows, however, I shall demonstrate that all the places in CD where the name “Belial” appears, even within texts that can be plausibly attributed to the Damascus covenant, are probably secondary additions, and do not reflect the theology of the Damascus covenant but entered under the influence of the *yahad*.

(1) The first such passage is CD IV,12b–19a. It reads in full:

And during all these years Belial will be set loose against Israel, as God said through the prophet Isaiah, son of Amoz, saying: “Dread, and pit, and snare against you, o dweller of the earth.” Its interpretation: the three nets of Belial about which Levi the son of Jacob spoke, by which he catches Israel and makes them appear like three kinds of righteousness. The first is fornication, the second is wealth, the third is defile-

¹⁷³ The third discourse probably ended originally at CD III,17a (see Chapter 9).

ment of the temple. He who escapes one is caught in another, and he who escapes that is caught in another.

This short unit appears between two larger sections. The preceding section is the long historical discourse in II,14–IV,12a; the following section is the halakic discourse in IV,19b–V,15b. It is generally recognized that our unit fits only somewhat loosely with what comes after it. In his *peshet* exegesis the author of our unit interprets the “dread, pit, and snare” of Isa 24:17 as referring to the three “nets” of Belial by which he catches Israel and misleads them into erroneous practice of the law, making the people of Israel think that they are fulfilling the law when they are not doing so. The three errors have to do with fornication (sexual morality), wealth, and the purity of the temple. In the halakic discussion that follows in IV,19b–V,15b, fornication and defilement of the temple are discussed, but there is no reference to wealth. That indicates that IV,12b–19a and IV,19b–V,15b were most likely originally independent units. The redactor of CD has pieced them together because of their shared content relating to fornication and defilement of the temple.

In Chapter 1 I argued that IV,19b–V,15b probably belongs to the original core of the *Damascus Document*. The unit polemicizes against the practices of mainstream Judaism, the “builders of the wall” (practices that are perhaps under the influence of proto-Pharisaic halakah?), in this case, polygamy, marriage with one’s niece, and sexual intercourse with a woman who is in her menstrual period, as well as, apparently, simple disregard for some of the laws (claiming that the statutes of God’s covenant are “unfounded”). Such polemic does not have to be attributed to the *yahad*, since rigorist groups other than the *yahad* will also have polemicized against these practices. So, for example, we find polemic against polygamy in 11QT^a (11Q19) LVII,17–18, and against marriage with one’s niece in 4Q251 17,3; neither of these texts is to be attributed to the *yahad* (cf. also 4Q270 2 ii 16).¹⁷⁴

At the beginning of the unit, however, there are signs of redaction. A parenthetical insertion in CD IV,19–20 interprets *Zaw* (זא) from Hos 5:11 as the “Preacher” via Mic 2:6. This is most likely the work of a

¹⁷⁴ The interest in marriage in 4Q251 17,3 excludes a Qumran origin. On the non-Qumranic provenance of the *Temple Scroll* see Sidnie White Crawford, *The Temple Scroll and Related Texts* (Sheffield: Sheffield Academic Press, 2000) 24–25.

later redactor who sought to connect the errors of mainstream Judaism with a particular Preacher, who was also held responsible for the apostasy of a group from the Damascus covenant (cf. CD I,12–16; XX,10–11) and who apparently later became an enemy of the Teacher of Righteousness (1QpHab V,11–12 etc.).¹⁷⁵ In addition, the use of the verb חָפַשׂ in CD IV,20 may be an assimilation by the redactor to the use of the same verb in our unit (IV,18).¹⁷⁶ Finally, it is clear that the exegete who wrote our unit was relying on another, apparently apocryphal writing. He says that Levi, the son of Jacob, spoke of the three nets of fornication, wealth, and defilement of the temple. We do not know exactly to what tradition the author is referring. We do know, however, that in the *Testament of Levi* Levi polemicizes against fornication, greed and love of money, and defilement of the temple within the priesthood (14:6; 15:1; 17:11). It is probably to some such Levi apocryphon that the author refers. In any case, the allusion to criticisms of the priesthood known to us from Levi apocrypha suggests that the author/redactor was adapting material originally directed against the priesthood to an exegesis of Isa 24:17 aimed at criticizing the practices of the nation at large. That would help account for the absence of any critique of wealth in IV,19b–V,15b, as well as the other discrepancies noted above and in note 176.¹⁷⁷

¹⁷⁵ See Chapter 1, pp. 21–28.

¹⁷⁶ That this is an assimilation to IV,18 may be suggested by the fact that the author/redactor writes that the “builders of the wall” are “caught twice” in fornication. Following this statement, however, apparently only one example of fornication is given immediately, namely, bigamy. It is possible that bigamy itself is considered double fornication, if sexual intercourse with each wife counts as a case of fornication. More likely, however, the second case of fornication is not given until V,7–8 (marriage with the niece). Thus the second example of fornication is separated from the first by the case of defilement of the temple (V,6–7). That suggests that the charge of being “caught (נִחַפְּשָׁם) twice” in fornication was written by a redactor in reflection on the whole of IV,19b–V,15a and in light of IV,18 (חָפַשׂ). Along the same lines, it is possible that “defilement of the temple” in IV,18 was intended in a broader sense than that given in V,6–7. Sexual intercourse with a menstruating woman could certainly be one source of defilement of the temple, but given the reference to Levi in IV,15, violations of the temple such as are given in *T. Levi* 14:1–15:1 are more likely to be in view.

¹⁷⁷ In CD VI,15–16 there is an exhortation to members of the covenant to abstain from “wicked wealth that defiles, whether a vow or dedication or the wealth of the temple.” Presumably this refers to ill-gotten gain that members of the covenant might be tempted to dedicate to the temple, which they should not do. Thus prohibitions regarding wealth are not alien to the Damascus covenant. However, given the Levitical

The connection of our unit to what comes before it is somewhat stronger. Our unit begins with the words, "and during all these years Belial will be set loose against Israel" (CD IV,12–13), and this assertion is supported by citation of "dread, pit, and snare" in Isa 24:17, interpreted of Belial's nets by which he catches Israel. In context, the "years" during which Belial is active would seem to be the years mentioned in IV,5, 9, 10, namely, the period of time leading up to the *eschaton*.¹⁷⁸ Some have argued that this connection between IV,5, 9, 10, and IV,12–13 is redactional, and it may be. There are, however, several considerations that suggest that the connection may be original, that is, the same author who wrote IV,5, 9, 10 may have also written IV,12b–19a.

In Chapter 9 I shall show that CD III,17b begins a new section in the long discourse running from II,14 to IV,12a. Whereas II,14–III,17a gives an account of the origins of the Damascus covenant, III,17b–IV,12a gives a history of the community that eventually became the *yahad*. In the course of that demonstration, I point out that there are three important points of contact between this section and 4Q174 and 4Q177. (The latter two texts probably belonged originally to a single work.)¹⁷⁹ First, in CD IV,3–4 there is reference to the "sons of Zadok," and they are called the "elect of Israel" (בְּחִירֵי יִשְׂרָאֵל) who will rise "in the last days" (בְּאַחֲרֵית הַיָּמִים). As I show in Chapter 9, this group is probably the same as the "sons of Zadok and the men of their council" in 4Q174 1–2 i 17, for in 1–2 i 19 they are also called the "elect of Israel" (בְּחִירֵי יִשְׂרָאֵל) "in the last days" (בְּאַחֲרֵית הַיָּמִים).¹⁸⁰ Moreover, in both places Ezek 44 is the biblical text that serves as the foundation for the assertion. Second, both CD IV,4–6 and 4Q177 1–4,10–12 make reference to a "precise" list of names of men, with their "years" and the

context, CD IV,17 would seem to refer rather to unjust accumulation of wealth on the part of priests.

¹⁷⁸ How long a period that that includes is not clear. According to CD V,18 (which is also secondary; see below), Belial has been active since the beginning of Israel's history. The years of IV,5, 9, 10, however, would seem to be more limited in scope, namely, the years of the existence of the community.

¹⁷⁹ See Annette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschat^ab): Materielle Rekonstruktion, Textbestand, Gattung und traditions-geschichtliche Einordnung des durch 4Q174 ("Florilegium") und 4Q177 ("Catena A") repräsentierten Werkes aus den Qumranfunden* (STDJ 13; Leiden: E. J. Brill, 1994) 127, 213–14.

¹⁸⁰ See Chapter 9, pp. 518–21.

“period of their standing.” Apparently we have to do in each case with a list of names of members of the community. It is likely, then, that the final redactor of CD III,17b–IV,12a knew a list of names very much like the author of 4Q177. Was it perhaps the same list? Finally, both CD IV,11–12 and 4Q177 11,6–7 use the image of men standing on their watchtowers in the last days. I have argued that both texts refer to the same situation: when the messiahs of Aaron and Israel come, there will no longer be any chance to join the community, but every man not yet in the community will have to face his own fate individually. Thus CD III,17b–IV,12a and 4Q174/4Q177 appear to be very closely related.

What is interesting is that CD IV,12b–19a also bears close similarities to 4Q174/4Q177. First of all, the interpretation of Isa 24:17 in CD IV,14–19 is called *peshet*. Similarly the *peshet* method appears in 4Q174 1–2 i 14, 19 and 4Q177 1–4,6; (11,9?). This is the only place in the *Damascus Document* where the term פֶּשֶׁת appears. Although it can be argued that there are in CD (older?) examples of exegesis that bear similarities to *peshet* exegesis (e.g., VI,3b–11a; VII,14b–21a), the technical term *peshet* is not used in those places. It may be that it was only in the period after the founding of the *yahad* that the technical term *peshet* was adopted, perhaps under the influence of the book of Daniel, where the Aramaic פֶּשֶׁת appears often,¹⁸¹ to describe a specific kind of inspired biblical interpretation, especially that of an eschatological nature.¹⁸² The use of the technical term *peshet* in CD IV,12b–19a may suggest that this unit comes from the *yahad*.

More important are the thematic connections between CD IV,12b–19a and 4Q174/4Q177. CD IV,15–16 says that Belial “catches” (חָפַשׂ) Israel with his nets, namely, through false interpretations of the law that lead to sin. Similarly, 4Q174 1–2 i 8–9 says that the sons of light are caught (חָפַשׂוּ) by Belial because of their “guilty error.” CD IV,12–13 says that “Belial will be set loose” (מְשׁוּלָח) against Israel to

¹⁸¹ But פֶּשֶׁת also appears in Eccl 8:1 in Hebrew. The formulation there (“the interpretation of a thing/word”: פֶּשֶׁת דָּבָר) has perhaps influenced similar formulations in the Qumran *pesharim* (1QpHab II,5: פֶּשֶׁת הַדָּבָר; etc.).

¹⁸² See Karl Elliger, *Studien zum Habakuk-Kommentar vom Toten Meer* (BHT 15; Tübingen: J. C. B. Mohr [Paul Siebeck], 1953) 156–57; F. F. Bruce, *Biblical Exegesis in the Qumran Texts* (Grand Rapids: Eerdmans, 1959) 7–10; Maurya P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* (CBQMS 8; Washington, D. C.: The Catholic Biblical Association of America, 1979) 230–37, 252–59.

¹⁸³ On the reconstruction of the text see Steudel, *Midrasch*, 45.

lead them astray. 4Q174 4,3, a fragmentary text, refers to a “time when Belial will open [or: be set loose] (יפתח),” when there will be “over the House of Judah difficult things to oppose them (לשוטמם).” It is not certain whether יפתח should be taken as an active (*qal*) or as a passive (*niph'al*) verb here. If it is a *niph'al*, it would be very close in meaning to CD IV,12–13: Belial is let loose against Israel. Even if the verb is active, however, the sense of the whole phrase would be the same: Belial acts to oppose Israel (לשוטמם), which means that he causes them to sin (cf. 1QS III,21–24; 1QM XIII,10–11), probably through false interpretations (cf. 4Q177 11,12–13).

Given the great similarities between CD III,17b–IV,12a and 4Q174/4Q177 on the one hand, and CD IV,12b–19a and 4Q174/4Q177 on the other, it is very likely that these two units in CD were written to go together, probably by the same author. In CD III,17b–IV,12a the author gives a history of the community that became Qumran, and in IV,12b–19a he speaks of the activity of Belial against Israel “during these years” until the time of salvation. Similarly in 4Q174/4Q177 a central concern of the author is to address the problem of the attacks of Belial and the men of his lot (4Q174 1–2 i 8–9; 4,3–5; 4Q177 11,4–7; 1–4,8) during the community’s time of testing (4Q174 1–2 ii 1, 4; 4Q177 11,10; 12–13 i 13) until its salvation (4Q177 12–13 i 11–12, 14, 16).¹⁸⁴

The significance of these observations is that we can safely assign this “Belial” passage to a Qumran author. There is no doubt that 4Q174/4Q177 comes from the *yahad*, and I shall argue in Chapter 9 that CD III,17b–IV,12a also comes from the community that would settle at Qumran, if not from Qumran itself. It is highly likely that CD IV,12b–19a also comes from the *yahad*. Thus the figure of Belial and the implied cosmic dualism in this unit can be attributed to the *yahad*.

(2) The next appearance of “Belial” in CD comes soon after the first, in V,18. I shall quote the full text of V,15c–19 so that the context will be clear:

¹⁸⁴ Cf. also 4QpPs^a (4Q171) 1–2 ii 10, which speaks of the “congregation of the poor who will bear the period of humiliation [or error] and will be delivered from all the snares of Belial (פחרי בליעל)”; and 1QH^a XII,12–13 [Suk. IV,12–13], which speaks of Israel being “caught in their nets (להחפש במצודותם)” in close connection with the “plans of Belial.”

(15c) For previously (למילפנים) ¹⁶God visited their deeds, and his wrath (אפ) flared up against their actions, for it is not an intelligent people; ¹⁷they are a people lacking in counsel, because there is no understanding in them. For previously (מלפנים) there arose ¹⁸Moses and Aaron, by the hand of the Prince of Lights, and with his cunning Belial raised up Jannes and his ¹⁹brother when Israel was delivered the first time.¹⁸⁵

Lines 15c–17a serve as a transition from the halakic discourse in IV,19b–V,15b to the third historical overview in V,20–VI,11a. They provide both a fitting conclusion to the halakic discourse and a fitting introduction to the historical overview. The halakic discourse ends by accusing the nation at large of blaspheming God by rejecting the statutes of the covenant. The author invokes Isa 50:11 to name the sinners within the nation as “igniters of fire, kindlers of blazes.” He applies the imagery of Isa 59:5 to condemn the futility of the people’s thoughts and deeds: their webs are spiderwebs, and their eggs are viper’s eggs. In Isa 59:5–6 the imagery of the “hatching” of the viper’s eggs is used for the thoughts of the people, which only lead to sin (59:7), and the “weaving” of the spiderweb is used for the deeds of the people, which end in sin and violence (59:6–7). Isaiah 50:11 says that the people, as kindlers of fire (קדחי אש), will burn in the flames of their own fire. The kindling of fire is used as an image for God’s anger towards the nation in Deut 32:22 (אש קרחה). Perhaps that link, as well as the general polemic against the sins of the people, is what led the author to draw on Deut 32:28 and apply it to the nation of Israel in V,15c–17a: the nation is devoid of counsel; there is no understanding in it.¹⁸⁶ Use of this verse was particularly appropriate in a section that condemns the nation at large (CD IV,19b–V,15b). Thus V,15c–17a makes a fitting conclusion to what has come before.

These lines also make a fitting introduction to the historical overview in V,20–VI,11a. At the end of the halakic discourse the author warns that “the one who comes near to them [that is, the one

¹⁸⁵ Or, with 4Q266 3 ii 6–7: “when he [Belial] acted wickedly (בהרשע) against Israel the first time.”

¹⁸⁶ On the use of this verse see Chapter 1, pp. 21–22, 27. In its original context Deut 32:28 was directed against the enemies of Israel, but the author of CD uses it against Israel. That points to another link between Isaiah and Deuteronomy: Isa 27:11, cited in CD V,16, says of Israel that “they are not a people with understanding.” Note also that the immediately preceding verse in Isaiah uses fire imagery in connection with the desolate state of Jerusalem.

who associates himself with those who reject the statutes of God] will not go unpunished" (V,14–15). The beginning of the historical overview that follows in V,20–VI,11a gives an illustration of that point. The overview begins: "And in the age of devastation there arose the movers of the boundary, and they made Israel stray. And the land became desolate, for they spoke rebellion against the commandments of God [given] by the hand of Moses and also by the holy anointed ones." The author is referring to the exile. That event, the devastation of the land, serves as an illustration of God's "anger flaring up" against the deeds of the nation previously (למילפנים) (V,15–16).

In this context lines 17c–19 look distinctly secondary:¹⁸⁷ "For previously there arose Moses and Aaron, by the hand of the Prince of Lights (שר האורים), and with his cunning Belial raised up Jannes and his brother when Israel was delivered the first time." It is difficult to see how this sentence, which begins with כִּי, establishes either the immediately preceding point, that God's wrath flared up against the people because of their deeds, or the halakic discourse in IV,19b–V,15b.¹⁸⁸ There was a later tradition that Jannes and his brother Jambres converted to Judaism, but that their conversion was insincere and that they led Israel to apostasy in the golden calf incident. There is no indication, however, that such a tradition lies behind our text.¹⁸⁹

The presence of lines 17c–19 can be explained by reference to *Jub.* 48:9 and 1QM XIII,7–13a. Already in *Jub.* 48:9 Prince Mastema (=Belial) is said to have assisted the Egyptian magicians in order to make Moses and Israel fall. Clearly our author knows a similar

¹⁸⁷ That these lines are an interpolation has been argued by Jerome Murphy-O'Connor, "An Essene Missionary Document? CD II, 14–VI, 1," *RB* 77 (1970) 224–25; and Jean Duhaime, "Dualistic Reworking in the Scrolls from Qumran," *CBQ* 49 (1987) 39, 52.

¹⁸⁸ The duplication of the מלפנים in V,17 (cf. V,15: למילפנים) adds to the suspicion of a secondary addition. It is possible that the redactor, noting that V,20–VI,1 referred to the generation of the exile, thought that the למילפנים of V,15 must refer to events previous to the exile, and so repeated מלפנים, but now connected it with the generation of Moses and Aaron. That seems unlikely, however, since V,17b–19 does not speak of the flaring of God's wrath against the nation and so does not appear to be an interpretation of V,15c–17a. It is more likely that the redactor uses מלפנים simply to signal to the reader that in his view the history of Israel, from its very beginning, is to be read in light of V,17b–19.

¹⁸⁹ See also the comments of Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987) 45–46.

tradition. Moreover, 1QM XIII,7–13a gives an account of the history of Israel, according to which that history has been a continuous struggle between truth and wickedness. Those who belong to the truth are ruled by the Prince of Light (שר מאור) and the spirits of truth, while the wicked are ruled by Belial and the spirits of his lot. It has been that way from the very beginning. God chose Israel to be the nation (עם) of his inheritance. He has redeemed a remnant of that nation, and made it to fall in the lot of light, ruled by the Prince of Light, whom God appointed “from of old” (מאז) for that very purpose. God also made (עשייתה) Belial to bring about wickedness and guilt. Thus the whole of Israel’s history is seen from the perspective of a cosmic struggle, foreordained by God, between the Prince of Light and Belial, between truth and wickedness. That is also the point of the addition in CD V,17c–19. The division within the nation (cf. V,16: עם) between those who walk in the truth and those who walk in wickedness (the practices of the wicked being described in IV,19b–V,15b) is seen from the perspective of a cosmic struggle between the Prince of Lights and Belial.

It has been objected that a straightforward identification of “יהונה and his brother” in CD V,18–19 with the magicians in Egypt who opposed Moses and Aaron according to Exod 7:11–12, 22, is “open to serious doubt, since in CD, as opponents of Moses and Aaron, they are portrayed as *Israelite* leaders of apostate Israel in Egypt” rather than as Egyptians.¹⁹⁰ Such an objection, however, is not compelling. As we have seen in 1QM I,2, the faithless within Israel are grouped together with Israel’s national enemies in the eschatological war. In *Jub.* 48:9 the Egyptian magicians are emblematic of the national enemies of Israel, who threaten to cause Israel to fall into the hands of its enemy. So also in CD V,17c–19 Jannes and his brother, as Egyptians, stand at the head of the enemies of Israel, led by Belial. As such, however, they are also emblematic of *all* of Israel’s enemies, including those within Israel who through their wicked ways threaten to bring devastation on the nation as a whole. A further implication is that, just as God saved Israel through the help of the Prince of Lights in the nation’s first deliverance (CD V,19), so God’s acting to save a remnant after the exile (V,20–VI,11a) was also the work of the Prince of Light. Thus the secondary addition of V,17c–19 is intended to provide comment on

¹⁹⁰ Albert Pietersma, “Jannes and Jambres,” *ABD* 3.638.

both the halakic discussion in IV,19b–V,15b and on the historical overview of V,20–VI,11a.

CD V,17c–19 was very likely written under the influence of 1QM XIII,7–13a. Both units offer reflection on Israel's past, seen from the perspective of a cosmic dualism. As von der Osten-Sacken points out, 1QM XIII,7–13a itself represents an advance beyond the core of the *Rule of War* and witnesses to developed reflection on the dualism of the eschatological war tradition. 1QM XIII,7–13a uses language that has its origin in the holy war tradition; yet this section no longer uses that language to speak of the war of the end time, but rather to look back on the history of the nation and to praise God for his preservation of the remnant in the truth.¹⁹¹ CD V,17b–19 reflects precisely the same development in thought and is almost certainly dependent on 1QM XIII,7–13a. Here again, then, we see that the figure of Belial and the associated cosmic dualism are not original to the Damascus covenant.

(3) The next occurrence of "Belial" in the *Damascus Document* comes in CD VIII,2/XIX,14 (cf. also 4Q266 3 iii 25). After the Isaiah-Amos midrash in the A text, and the Ezekiel-Zechariah midrash in the B text, both texts conclude with the statement: "And thus is the judgment for all those entering his covenant who do not remain steadfast in these [precepts]."¹⁹² Both texts then add: "they shall be visited for destruction at the hand of Belial." This line about Belial is probably secondary, for the very next line reads: "This is the day when God will make a visitation." The immediate juxtaposition of punishment by Belial and punishment by God is somewhat jarring. To be sure, they are not necessarily contradictory. The idea could be that God uses Belial as an agent of destruction (cf. *Jub.* 49:2–3, where God uses the powers of Mastema to slay the Egyptians). However, there are weightier reasons for regarding the statement about Belial as secondary.

As I have shown in Chapter 1, the Isaiah midrash of the A text and the Zechariah-Ezekiel midrash in the B text served together in an older version of the *Damascus Document* that stands behind both the A and B texts to bind together CD VII,9b–13b and VIII,3b–12a/XIX,15–24a.¹⁹³ CD VII,9b–13b uses the Isaiah text to speak of God's

¹⁹¹ von der Osten-Sacken, *Gott und Belial*, 111–15.

¹⁹² On the reading of the B text, see Chapter 1, p. 11, n. 18.

¹⁹³ See Chapter 1, pp. 12–39.

eschatological “visitation” on those who despise his precepts. The so-called “Princes of Judah” section (VIII,3b–12a/XIX,15–24a) ends with the threat that the head of the kings of Greece is coming to execute vengeance [B text: the vengeance of the covenant]. The author connects these two texts with a remarkable midrashic circle, at the center of which stands the motif of the “sword that carries out the vengeance of the covenant” (from Lev 26:25). At the eschatological visitation of God those who despise the precepts (CD VII,9/XIX,5; VIII,1–2/XIX,13–14), who are the *עֲרֵי יְהוּדָה*, “those who turn aside from Judah” (=turn aside from the covenant) (VIII,3/XIX,15; cf. VII,12), will face the same punishment as the renegades at the time of Israel’s first visitation (VII,13; VIII,1; XIX,7, 13), namely, “the sword that carries out the vengeance of the covenant” (XIX,13; cf. XIX,10; VIII,11–12/XIX,24). In other words, the “sword of vengeance” is the destruction foreseen for those who despise the precepts. Therefore when the author adds “and thus is the judgment for all those entering his covenant who do not remain steadfast in these” in VIII,1–2/XIX,13–14, he is referring *backward* to the depiction of destruction by the sword in the foregoing midrashim, not forward to destruction at the hand of Belial. Thus VIII,1–2/XIX,13–14 brings the preceding material to its proper conclusion. There is no need for the statement about Belial, and it is therefore secondary.

The words, “this is the day when God will make a visitation (יִפְקֹד),” in VIII,2–3/XIX,15 sum up the preceding midrashic argumentation and connect it back to VII,9/XIX,6, which began the whole midrashic circle with its announcement of God’s eschatological visitation (יִפְקֹד). The words also connect the so-called “Princes of Judah” section to the midrashic circle, as is clear particularly from the B text (CD XIX,15), which has the words “as he said” (missing in the A text) before the citation of Hos 5:10. It is possible therefore that the words, “this is the day when God will make a visitation,” are also secondary, but that possibility does not make the words about Belial original.¹⁹⁴

¹⁹⁴ Too much has been made of the short phrase, “this is the day when God will make a visitation.” Scholars dispute whether it goes with the preceding material or serves as a rubric for the rest of the admonition (see Davies, *The Damascus Covenant*, 155–56, 158–59). Jerome Murphy-O’Connor (“A Literary Analysis of Damascus Document VI, 2 - VIII, 3,” *RB* 78 [1971] 226–27) argues that there is no smooth connection between VIII,2b–3a/XIX,15a and the quotation of Hos 5:10. Davies proposes that originally the sentence read, “this is the day that God will visit the princes

In conclusion, the statement about destruction at the hand of Belial is secondary. It is extraneous, in that VIII, 1b–2a/XIX, 13b–14a provides a satisfactory conclusion to the midrashic circle and states the actual foreseen punishment (the sword of vengeance).¹⁹⁵ Also it disrupts the line of thought connecting the Isaiah and Zechariah–Ezekiel midrashim with the so-called “Princes of Judah” section. The statement about destruction at the hand of Belial was probably added by a Qumran author to bring the *Damascus Document* into line with the eschatology of the *yahad*. In fact Belial is more often the object of destruction (1QM IV,2; XVIII,1; 4Q177 12–13 i 16(?); 4Q286 7 ii 10[?]; 11Q13 III,7) than the agent of destruction (cf. 4Q390 2 i 4) in the DSS. But according to 1QS IV,11–13 the eschatological visitation (פקודה) of those who walk in the spirit of deceit (IV,9) will be afflictions at the hand of all the “angels of destruction.” According to 1QM XIII,12 the angels of destruction are agents of Belial. Thus the *yahad* could say that at least indirectly Belial will execute the eschatological punishment of the faithless.

(4) The final occurrence of “Belial” in the *Damascus Document* comes in XII,2b–6a (cf. 4Q271 5 i 18–21):

Every man over whom the spirits of Belial rule, and who preaches apostasy, will be judged according to the judgment of the necromancer and the wizard. But every one who goes astray to profane the sabbath and the festivals will not be put to death, for it is the task of men to guard him. And if he is healed from it, they shall guard him for seven years, and afterwards he may enter the assembly.

The biblical penalty for the necromancer and the wizard is death by stoning (Lev 20:27). Deuteronomy 13:6 stipulates the death penalty for the prophet who preaches apostasy (דבר סרה), probably by stoning (13:11). The *Damascus Document* upholds this penalty. Biblical law

of Judah (אח שרי יהודה).” Subsequently the אח dropped out and שרי יהודה then became part of the quotation. But all of this is quite unnecessary: CD VIII,2b–3a/XIX,15a reads perfectly well as it is. The line simply recalls VII,9/XIX,5b–6. The quotation of Hos 5:10 begins immediately (or with a short introductory formula as in XIX,15). Against Davies, the words שרי יהודה are, as I showed in Chapter 1, essential to the quotation.

¹⁹⁵ It should be noted that 4Q390 2 i 4 says that “the dominion of Belial will come upon them to deliver them up to the sword (להסגירם לחרב).” The language is very close to CD VII,13; VIII,1; XIX,13. 4Q390 probably comes from the late 2nd or early 1st century BC, however, and cannot be used to prove the existence of cosmic dualism in the pre-Qumran Damascus covenant.

also assigns the death penalty for the profanation of the sabbath (Exod 31:14, 15; 35:2; Num 15:32–36). Rabin proposed that “the sect had abolished the capital punishment for Sabbath-breaking.”¹⁹⁶ Schiffman objects: “Since the death penalty is biblical in origin, the term ‘abolish’ here is inappropriate. One must bear in mind that even if the death penalty remained ‘on the books,’ it need not ever have been carried out.”¹⁹⁷ Thus we could have a case where the biblical penalty was simply allowed to fall into disuse. It is perhaps more likely, however, as Dupont-Sommer suggested, that the profanation of the sabbath in view here is not “violation pure and simple of the Sabbath or the feasts,” for which the penalty could have only been death, but rather the celebration of the sabbaths and feasts “on dates not conforming to the sect’s calendar.” The author of *Jub. 6:37* saw the problem clearly: “Therefore, the years will come to them as they corrupt and make a day of testimony a reproach and a profane day a festival, and they will mix up everything, a holy day as profaned and a profane one for a holy day, because they will set awry the months and the sabbaths and feasts and jubilees.” The author(s) of the *Damascus Document* may have viewed violations of the sabbath due to use of a different calendar as less grave than an outright, deliberate violation of the sabbath.¹⁹⁸ The transgressor was not to be put to death but was to be kept in custody (משמר). If he was cured of his error, they would keep watch over him for seven years, and then he could enter the assembly again. The author(s) apparently appealed to Num 15:34, where the congregation kept a man who was caught gathering wood on the sabbath in custody (משמר) “because it was not clear what should be done to him.”

In any case, this sabbath halakah stands in striking contrast to *Jubilees*, which very explicitly assigns the death penalty for sabbath violation (2:25, 27; 50:8, 13). *Jubilees* 2:29 foresees the possibility of sabbath violation as due to the “error of their [Israel’s] hearts.” As we have seen, that error is the error of following the wrong calendar (6:35, 37; cf. also 1:14). Yet unlike CD XII,2b–6a, in *Jubilees* calendrical error does not count as a mitigating factor. The penalty remains death.

¹⁹⁶ Rabin, *The Zadokite Documents*, 60.

¹⁹⁷ Lawrence H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: E. J. Brill, 1975) 78.

¹⁹⁸ A. Dupont-Sommer, *The Essene Writings from Qumran* (tr. G. Vermes; Gloucester, Mass.: Peter Smith, 1973) 154 n. 6. See also the comments of Joseph M. Baumgarten, “The Unwritten Law in the Pre-Rabbinic Period,” *JSJ* 3 (1972) 12 n. 1.

According to *Jubilees*, transgressions of the law (“errors” or “errors of the heart”) are the result of Belial and his evil spirits leading the people astray (1:20; 7:27; 10:1, 8; 11:5; 15:31; 19:28; 50:5) and ruling over their hearts (12:20). One can be “healed” from these evil spirits and so walk in righteousness (10:10, 12–13). The language of CD XII,2b–6a is very similar. Profanation of the sabbath is called “erring” (חערה), caused by the “spirits of Belial.”¹⁹⁹ From such error one can be “healed” (רפא). Given all of these points of contact, it is very likely that the sabbath halakah in CD XII,2b–6a was written under the influence of and in direct opposition to *Jubilees*.²⁰⁰ That some of the contributors to the *Damascus Document* knew *Jubilees* and its demonology is clear from CD XVI,2b–6a, where the writer cites the book explicitly. Moreover, CD XII,2b–6a stands apart from its context, which is evidence that it is a secondary insertion. In X,14–XI,23 we have a discussion of sabbath regulations. Then, between XI,23 and XII,1 there is text missing. In XII,1–2 there is a prohibition of sexual intercourse in Jerusalem. In XII,6b–11a are regulations regarding relationships with Gentiles. Thus we are warranted in viewing XII,2b–6a as a secondary insertion written under the influence of and in response to *Jubilees*. Its demonology (Belial) can also be safely regarded as secondary.

6.8 Conclusion

We have found that wherever the name Belial occurs in the *Damascus Document*, it is secondary, appearing under the influence either of the *yahad*, or of the dualism of the *Rule of War*, or of *Jubilees*. Cosmic dualism, therefore, was not a part of the original theology of the Damascus covenant.²⁰¹ As we have seen, the Damascus covenant did

¹⁹⁹ חערה is used in connection with the Angel of Darkness (Belial) in IQS III,21.

²⁰⁰ Hempel, *Laws*, 157–59, also finds influence from *Jubilees* here, and also argues that *D* is reacting against a contrary position. However, she also says that this interpolation supports the message of *Jubilees*, which seems incorrect, since *Jubilees* does mandate the death penalty for sabbath violation.

²⁰¹ There are three other texts in the *Damascus Document* that requires brief discussion. CD XIII,11–12 says that the overseer is to examine everyone who joins his congregation “as to his actions, and his intelligence, and his strength, and his courage, and his wealth; and they shall record him in his place according to his inheritance in the lot of light.” This passage seems to imply a simple entrance procedure like that in IQS VI,14–15, but without the two-year regimen, and even more that of V,20b–24c. The

know an *ethical* dualism. That, however, is not surprising. Ethical dualism was a part of the (biblical) sapiential tradition of which the Damascus covenant was an heir.

We saw in Chapter 5 that the *yahad* inherited the covenantal theology, the polity, and the halakah of its parent movement, the Damascus covenant. Apparently, however, it did not inherit cosmic dualism from the Damascus covenant. That entered from somewhere

passage therefore does not presuppose the fully developed two-year regimen, and is to be attributed to a pre-Qumran period. (Note that the entrance is into a “congregation” rather than into a community. And if the subject of CD XIII,11 is the overseer of the camp in XIII,7, then we are still dealing with material that governed life in the camps of the Damascus covenant rather than with the *yahad*.) The “light” terminology suggests dualism. That persons could be ranked according to their inheritance in light, however, does not require a fully-developed dualism such as we find in the *yahad*. Already the sapiential tradition can speak of varying degrees of inheritance in truth (4Q418 172,5; cf. also 55,6; 4Q416 4,3). (Some editors have read CD XIII,12 as “according to his inheritance in the lot of truth”; e.g., Rabin, *The Zadokite Documents*, 66–67; Dupont-Sommer, *The Essene Writings*, 157; but 4Q267 9 iv 9 probably supports reading “light.”) The terminology of the “lot of light” appears in the *Rule of War* (1QM XIII,9; cf. also I,11; XIII,5–6). That could suggest that the dualism of the *Rule of War* is already presupposed in CD XIII,11–12. However, the light terminology is already used in connection with wisdom in the Aramaic sacerdotal texts (4Q548 1,12–16). It is possible that we are dealing with a text from the period when the *yahad* was forming. Hempel, *The Laws of the Damascus Document*, 122–23, assigns CD XIII,11–12a to the “Serekh redaction” of the laws of the *Damascus Document*, that is, to material that underwent redaction in order to bring it into line with the *Rule of the Community*. That is another possible explanation for the traces of dualism here.

The term “sons of light,” if that is the correct reconstruction, appears also in 4Q266 1,1. That is dualistic language. The context, however, is not clear. It is possible that this text is also to be attributed to the *yahad*. In any case, the term “sons of light” appears in the Aramaic sacerdotal texts in connection with wisdom in 4Q548 1,12–16 and does not require the full-fledged dualism of the *yahad*.

Finally, the term “sons of dawn” (בני השחר) may appear in CD XIII,14–15. If that is the correct reading (see the article of Baumgarten cited on p. 381, n. 148), it is probably a synonym for “sons of light,” although it is also possible that it refers to catechumens or candidates for admission to the covenant of the *yahad*. Whoever they are, they are instructed not to exchange goods for money (but rather to share them). The term “sons of dawn” (בני שחר) appears in 4Q298 1–2 i 1. That text almost certainly comes from the *yahad*. It is written in an esoteric script, which corresponds to the expectation that the *maškil* will keep the teachings of the community a secret from outsiders (1QS IX,17). The allusions to Mic 6:8 in 4Q298 3–4 ii 5–7, containing the prime virtues of the earliest community (cf. 1QS V,3–4; VIII,2), also point to a *Sitz im Leben* in the *yahad*. It is probable that CD XIII,14–15 also comes from the *yahad* and so cannot be used to argue for a light/darkness dualism in the Damascus covenant.

else. As a means of emphasizing the fundamental separation between the *yahad* and the impurity that afflicted the rest of Judaism (including the rest of the Damascus covenant), the *yahad* developed a cosmic dualism by drawing on three major traditions: the dualism that comes into view in the Aramaic sacerdotal texts, probably coming from priestly circles related to the circles from which the Enoch literature comes; the dualism of the wisdom tradition; and the dualism of the eschatological war tradition. This combined and complex dualism was at once cosmic, anthropological, and ethical (as well as eschatological). This dualism, not unlike the dualism that we find in *Jubilees*, was put in the service of drawing a line between the purity of the *yahad* and the impurity outside. The *yahad* is a refuge from Belial and the impurity that he causes, while the rest of Israel belongs to the lot of Belial, suffers under his ungodly influence and from impurity, and is destined for destruction with him.

This view of things is clear from the *Rule of the Community*. As we have seen, according to 1QS III,21–25 even the sons of light are susceptible to stumbling. That is because during the current reign of Belial, which will run until the *eschaton*, Belial (the Angel of Darkness) and the spirits of his lot attack the sons of light and cause them to stumble. And according to IV,15–18a, 23b–26, until the *eschaton* the two spirits of truth and sin (or injustice) continue to exist in opposition to each other in the hearts of all humans (even in the sons of light). These two conceptions of the struggle between light and darkness, between truth and injustice, have different origins, the first (III,21–25) in the eschatological war tradition, the second (IV,15–18a, 23b–26) in the sapiential tradition, combined with a cosmic dualism. But the result of each is the same: until God's eschatological judgment not even the sons of light/truth are immune from darkness, injustice, and impurity. They are still subject to impurity in the world. Therefore at the eschatological judgment God must purify the flesh of humans and bestow on them a holy spirit, so that they may walk in the spirit of truth alone, without any sin (or injustice) (IV,18b–23a). In the meantime, however, the sons of light/truth are not left without protection from the spirit of darkness and injustice. They have recourse to God's holy spirit, which is found in the *yahad*, even now. To give men a unique opportunity to live in the holy spirit, protected from impurity, is the *raison d'être* of the *yahad*.

The consequences of this development for the covenantal theology of the community were profound. In Chapter 4 we saw that the

Damascus covenant began as a covenant for “all Israel.” But what began as a covenant for “all Israel” became, in the *yahad*, an isolated covenant community that regarded the rest of Israel as its enemy. More exactly, *a part* of the Damascus covenant became that community. This remarkable development was due to a split within the Damascus covenant, occasioned by the introduction into it of an alternative halakah that undermined the very basis of the covenant, which was the correct interpretation and practice of the law: knowing and doing the “hidden things” of the law that had to be uncovered through careful study of Scripture. In this way the covenantal theology of the Damascus covenant, the parent movement of the *yahad*, was preserved but also radicalized. It was preserved in that the covenant (of the community) was (still) the means by which God would bring about salvation and uphold his covenant with Israel. It was radicalized in that now the *yahad alone* was understood to be a refuge from Belial and the object of God’s salvation. Only through the *yahad* would God uphold his covenant with Israel.

CHAPTER SEVEN

COVENANT, LAW, AND THE RIGHTEOUSNESS OF GOD: A STUDY IN THE *HÔDĀYÔT* OF QUMRAN

7.1 Introduction

In the foregoing chapters we have paid little attention to the Thanksgiving Hymns (*hōdāyôt*) from Qumran. It is appropriate that a study of these hymns should come towards the end of our work, for in the hymns there is a remarkable convergence of the covenantal theology of the Damascus covenant (and of the Qumran community) with other major theological traditions that we have studied in previous chapters, especially dualism and the wisdom tradition. The purpose of this chapter is to demonstrate that the *hōdāyôt* preserve the basic covenantal framework of the Damascus covenant (and of the Qumran community) that we have studied in preceding chapters, as well as to show how the concept of the “righteousness of God” brings Qumran reflection on “covenant” and the other major theological traditions mentioned above to a pointed culmination.

Since we are interested in this chapter in demonstrating that the *hōdāyôt* preserve the covenantal framework of the Damascus covenant and of the Qumran community, the first hymns that we shall study are two hymns that clearly reflect that covenantal framework, namely, 1QH^a VII,8–26 [Suk. XV,8–26] and 1QH^a VI,8–22 [Suk. XIV,8–22].¹

¹ In the absence of a standard edition of the Thanksgiving Hymns, it is necessary to choose an edition for purposes of citation of 1QH^a. My citations will follow the column and line numbering of the *first* edition of Michael Wise, Martin Abegg, Jr., and Edward Cook, *The Dead Sea Scrolls: A New Translation* (New York: HarperCollins, 1996) 84–114. The order of the columns there is based on the work of Émile Puech, “Quelques aspects de la restauration du Rouleau des Hymnes (1QH),” *JJS* 39 (1988) 38–55. The column and line numbering of the Thanksgiving Hymns in the revised edition of Wise, Abegg, and Cook, *The Dead Sea Scrolls: A New Translation* (2005) (pp. 170–205), differs significantly from that of the first edition, as well as from other publications. Unlike the first edition, the second edition takes into account clues to the structure of the *hōdāyôt* as suggested in the publication of the 4QH manuscripts by

Before we come to those hymns, however, it is necessary to say something about the genre, authorship, and relative chronology of the hymns.

7.2 *The Genre, Authorship, and Relative Chronology of the Hymns*

It is useful and has become customary on formal grounds to distinguish within the *hōdāyôt* between thanksgiving psalms properly so called (*Danklieder*) and psalms of confession (*Bekennnislieder*).² The psalms in the first category are modeled after the songs of thanksgiving in the Psalter. As in the biblical psalms, the “I” of these psalms tells of a situation of need (*Not*) and of God’s rescuing him from danger (*Rettung*), and sometimes these psalms also contain an oath (*Gelübde*).³ The *Bekennnislieder*, by contrast, are psalms of praise of a more general nature. They praise God for his work as creator and as Lord of all, and for the gift of wisdom, which allows insight into God’s ways.

Eileen Schuller. Since the column and line numbering in the 2005 edition is so recent, since it differs so much from other publications, and since not enough time has elapsed to test the new numbering system, I have chosen not to use it. Furthermore, the earlier work of Abegg, particularly in his electronic publication *Qumran Sectarian Manuscripts* (versions 2.0 and following; Altamonte Springs, Fla.: OakTree Software, 2002–), underlies the concordance entries for IQH^a in Martin G. Abegg, Jr. (with James E. Bowley and Edward M. Cook), *The Dead Sea Scrolls Concordance, Volume One: The Non-Biblical Texts from Qumran* (2 parts; Leiden: E. J. Brill, 2003) (see 1.x there). In order to maintain consistency with that work also, it was best to stay with the column and line numbering of the first edition of *The Dead Sea Scrolls: A New Translation*.

The column and line numbers of the *editio princeps* (contained in E. L. Sukenik, *The Dead Sea Scrolls of the Hebrew University* [Jerusalem: The Magnes Press, 1955]) will always follow in brackets (with the abbreviation Suk.).

² On the terminology see Günter Morawe, *Aufbau und Abgrenzung der Loblieder von Qumrân: Studien zur gattungsgeschichtlichen Einordnung der Hodajôth* (Berlin: Evangelische Verlagsanstalt, 1960) 155–59, and esp. 11 n. 1, who correctly points out that from a formal perspective only some of the *hōdāyôt* are songs of thanksgiving in the sense that this term is used for the OT psalms. It would be more appropriate to speak of the *hōdāyôt* as hymns of praise (*Loblieder*), of which some are songs of thanksgiving and others are hymns of confession. Gert Jeremias, *Der Lehrer der Gerechtigkeit* (SUNT 2; Göttingen Vandenhoeck & Ruprecht, 1963) 170, prefers to divide the hymns into three groups.

³ Günter Morawe, “Vergleich des Aufbaus der Danklieder und hymnischen Bekenntnislieder (1 QH) von Qumran mit dem Aufbau der Psalmen im Alten Testament und im Spätjudentum,” *RevQ* 4 (1963) 324, 327–28.

These hymns can also praise God as savior, but the salvation is not usually salvation from a particular situation of need (*Not*);⁴ rather it is more generally forgiveness of sins and the bestowal of God's goodness despite human nothingness.⁵ Moreover, the situation of the "I" in these hymns does not have the specificity of the situation of the "I" in the *Danklieder*.

Gert Jeremias demonstrated convincingly that certain of the *hōdāyōt* can be attributed to the Teacher of Righteousness, while others of them must be ascribed to other authors.⁶ Specifically, he attributed to the Teacher the hymns in 1QH^a X,1–19 [Suk. II,1–19]; X,31–39 [Suk. II,31–39]; XI,1–18 [Suk. III,1–18]; XII,5–XIII,4 [Suk. IV,5–V,4]; XIII,5–19 [Suk. V,5–19]; XIII,20–XV,5 [Suk. V,20–VII,5];⁷ XV,6–25 [Suk. VII,6–25]; and XVI,4–40 [Suk. VIII,4–40].⁸ Given the thorough-

⁴ Morawe, *Aufbau und Abgrenzung*, 155, observes that *Notberichte* rarely appear in the *Bekennnislieder*; when they do appear, they are taken up into *Reflexionen*. For the definition of the *Reflexion*, see n. 50.

⁵ Morawe, *ibid.*, 158 n. 281.

⁶ Jeremias, *Lehrer*, 168–267.

⁷ Morawe, *Aufbau und Abgrenzung*, 119–20, 133–34, divides 1QH^a XIII,20–39 [Suk. V,20–39]; XIV,1–36 [Suk. VI,1–36]; and XV,1–5 [Suk. VII,1–5] into parts of three different hymns.

⁸ Jeremias, *Lehrer*, 171. Heinz-Wolfgang Kuhn, *Enderwartung und Gegenwärtiges Heil: Untersuchungen zu den Gemeindeliedern von Qumran mit einem Anhang über Eschatologie und Gegenwart in der Verkündigung Jesu* (SUNT 4; Göttingen: Vandenhoeck & Ruprecht, 1966) 22–24, does not include X,31–39 [Suk. II,31–39] or XI,1–18 [Suk. III,1–18] among the hymns of the Teacher (he also excludes XV,1–5 [Suk. VII,1–5] from the Teacher hymn in XIII,20–XIV,36 [Suk. V,20–VI,36]). The reason is that these hymns lack any claim on the part of the author to be a mediator of revelation. However, it is possible that the Teacher could have written hymns that did not include this claim (cf. similarly Hermann Lichtenberger, *Studien zum Menschenbild in Texten der Qumrangemeinde* [SUNT 15; Göttingen: Vandenhoeck & Ruprecht, 1980] 65). Since these hymns do not figure substantially in this chapter, we do not need to solve that problem here.

Jürgen Becker, *Das Heil Gottes: Heils- und Sündenbegriffe in den Qumrantexten und im Neuen Testament* (SUNT 3; Göttingen: Vandenhoeck & Ruprecht, 1964) 53–55, also counts XI,37–XII,4 [Suk. III,37–IV,4] (with reserve) and X,20–30 [Suk. II,20–30] among the hymns of the Teacher. He disputes the attribution of XII,29–XIII,4 [Suk. IV,29–V,4] (the second part of the hymn) to the Teacher. He considers it to be a secondary expansion. As evidence Becker adduces (1) that the references to the enemies are too general; (2) that there is no distinction between the "I" and the community, as in the Teacher hymns; (3) that the language of humility in XII,29–30 [Suk. IV,29–30] has no parallels in the Teacher hymns but does have parallels in the hymns of the

ness of Jeremiah's demonstration, it is unnecessary to present the

community; and (4) that XII,28–29a [Suk. IV,28–29a] makes a fitting conclusion to what comes before, so that it is probably the original ending of the hymn. Kuhn, *ibid.*, 23 and n. 3, follows Becker.

In support of the attribution of XII,29–XIII,4 [Suk. IV,29–V,4] to the Teacher, however, one could adduce the following considerations. The beginning of the second part should perhaps be set at XII,22b [Suk. IV,22b] rather than at XII,29 [Suk. IV,29] (so Jeremias, *Lehrer*, 213). The parallels between XII,5–22a [Suk. IV,5–22a] and XII,22b–XIII,4 [Suk. IV,22b–V,4] are clear: “you have made yourself great through me” in XII,8 [Suk. IV,8] and XII,23 [Suk. IV,23]; “you have enlightened my face for your covenant” in XII,5 [Suk. IV,5] and “through me you have enlightened the face of many” in XII,27 [Suk. IV,27]; “they do not esteem me” (XII,8 [Suk. IV,8] and XII,23 [Suk. IV,23]); “you reveal yourself [with your strength] in perfect light” (XII,6 [Suk. IV,6] and XII,23 [Suk. IV,23]); “those who are in harmony with you will stand in your presence always; those who walk on the path of your heart will be established permanently” in XII,21–22 [Suk. IV,21–22] and “those who have walked on the path of your heart have listened to me, they have aligned themselves before you in the council of the holy ones; you will make their right triumph” in XII,24–25 [Suk. IV,24–25]. Morawe, *Aufbau und Abgrenzung*, 118, 135, in his formal analysis, calls XII,8b–9a [Suk. IV,8b–9a] the *Notbericht* and XII,18b–29a [Suk. IV,18b–29a] the *Rettingsbericht* of the first part, and XII,33b–35a [Suk. IV,33b–35a] the *Notbericht* and XII,35b–38 [Suk. IV,35b–38] the *Rettingsbericht* of the second part, an analysis that would support Becker's view. However, one could argue that the first part of the hymn ends at XII,22a [Suk. IV,22a] with an “eschatological *Rettingsbericht*,” as in Morawe's analysis of the hymn in XI,1–18 [Suk. III,1–18] (*ibid.*, 133; cf. also 120), and that the second part begins with a section in XII,22b–23 [Suk. IV,22b–23] that combines *Notbericht* and *Rettingsbericht*, as in Morawe's analysis of the hymns in XV,7b–9 [Suk. VII,7b–9] and XIII,5–19 [Suk. V,5–19] (*ibid.*, 134–35; cf. also 131). When we divide the text in this way, Becker's points 1, 2, and 4 fall away. As for his point 3, it is possible that the language of humility such as we find in XII,29–30 [Suk. IV,29–30] was first used by the Teacher, and that this language was later adopted and expanded on by the community (on this see pp. 415–16, 439). Finally, the expressions of personal suffering in XII,33–36 [Suk. IV,33–36] have a certain resemblance to those in XV,1–5 [Suk. VII,1–5] and especially XVI,32–34 [Suk. VIII,32–34], both of which appear in hymns of the Teacher (Kuhn, *ibid.*, 23, does not count XV,1–5 [Suk. VII,1–5] among the hymns of the Teacher, but he does include XVI,32–34 [Suk. VIII,32–34]).

Although a final decision may not be possible, it seems best to conclude that XII,5–22a [Suk. IV,5–22a] is a hymn of the Teacher and that XII,22b–XIII,4 [Suk. IV,22b–V,4] reprises themes from that hymn; the second section was probably also written by the Teacher, but it could have been written by a member of the community in imitation of the first part. See further Jeremias, *ibid.*, 214–18. Whether we consider XII,22b–XIII,4 [Suk. IV,22b–V,4] to be a hymn of the Teacher or not, however, it does seem to represent a transition from the hymns of the Teacher to the hymns of the community. Such a state of affairs might explain why this part of the hymn contains elements that are found otherwise only in hymns of the community (cf. Kuhn, *ibid.*, 23 n. 3).

arguments in support of these attributions here. It may be useful, however, briefly to mention some of the major characteristics of the hymns that he attributed to the Teacher.

The Teacher hymns employ very strong imagery, which is lacking in the other hymns.⁹ The “I” of these hymns makes for himself very high claims vis-à-vis the community. Not only does he claim to be the leader and teacher of the community, but he claims to be a bringer of salvation; by the criterion of adherence to or rejection of his teaching God distinguishes between the righteous and the wicked. This “I” claims to have the exclusively correct interpretation of God’s law and to be the founder of the community.¹⁰ At points he even claims for himself roles that place him nearly on the level of God, such as being the father to the community, or the embodiment of God’s wisdom.¹¹ As Jeremias points out, behind these claims there can only stand one (towering), uniquely authoritative figure, the Teacher of Righteousness himself.¹² That the “I” of these texts is indeed the Teacher is confirmed by the fact that the claims made by the speaker and the experiences that the “I” reports in these hymns are also predicated of the Teacher in the *pesharim*.¹³

The distinction between hymns of the Teacher and hymns written by other members of the community finds support in the observation that all of the hymns attributed by Jeremias to the Teacher are *Danklieder*; none of them is a *Bekenntnislied*. Conversely most of the hymns written by other members of the community are *Bekenntnislieder*; the genre of the *Danklied* appears in them only rarely.¹⁴ Furthermore, Eileen Schuller has argued (following Stegemann) that among the Cave 4 manuscripts of the *hōdāyōt*, 4Q429 might have had only hymns of the Teacher.¹⁵ Similarly she suggests that 4Q432 may have had mostly hymns of the Teacher, with a community hymn serving as an introduction to the collection, while 4Q427 may have been a collection of

⁹ Jeremias, *Lehrer*, 172.

¹⁰ *Ibid.*, 175, 188–89, 199, 214, 223, 240, 261–62, 263.

¹¹ *Ibid.*, 190–92, 198–99.

¹² *Ibid.*, 175–76.

¹³ *Ibid.*, 176–77, 188–89, 212–13, 215, 241–42.

¹⁴ Becker, *Heil*, 55.

¹⁵ Eileen Schuller, “The Cave 4 *Hōdāyōt* Manuscripts: A Preliminary Description,” *JQR* 85 (1994) 144. See also her comments in *DJD* 29.75.

community hymns only.¹⁶ These are only speculations, but if they are correct, they would suggest that the hymns of the Teacher (*Danklieder*) and the other hymns of the community (primarily *Bekennnislieder*) were composed and collected separately from each other and were combined only at a later time to produce the collection that we know now as 1QH^a.¹⁷ The fact that the hymns of the Teacher form something of a block in the middle of 1QH^a is further support for that hypothesis.¹⁸ Such a history of the hymns would make very good sense. It would suggest that the first hymns were written at an early period in the history of the community by the Teacher, in which he recorded his gratitude to God for delivering him from his enemies (including the Man of the Lie and his followers), for establishing him in the community as its founder (or as its reestablisher), and for revealing to him the correct interpretation of the law. The hymns of the community were composed later in imitation of the Teacher's hymns and under inspiration from them.

There are two or three observations that support the temporal priority of the hymns of the Teacher over the other hymns of the community.¹⁹ First, as Becker observed, we do not find in the hymns of the Teacher the dualism and predestination that we find in the other hymns.²⁰ The difference is best explained if the hymns of the Teacher are based primarily on his own experiences and his interpretation of them in light of Scripture, whereas the other hymns are the product of the fully developed theology of the community, after it had drawn together and synthesized the various traditions of which the community was heir, including the dualistic and wisdom traditions (the latter including predestination) that we studied in Chapter 6. As we saw

¹⁶ Schuller, *ibid.*, 145, 148–49; DJD 29.75.

¹⁷ Similarly Schuller, *ibid.*, 144, 150. She also raises the possibility, however, that the 4QH manuscripts are excerpts from 1QH^a. As she says, however, that is less likely.

¹⁸ Lichtenberger, *Studien zum Menschenbild*, 31. See also Armin Lange, *Weisheit und Prädestination: Weisheitliche Urordnung und Prädestination in den Textfunden von Qumran* (STDJ 18; Leiden E. J. Brill, 1995) 197–98, 201.

¹⁹ Becker, *Heil*, 56, also suggests that the hymns of the Teacher are older than the community hymns, although he does allow the possibility that some of the community hymns may come from the time of the Teacher. Cf. also Morawe, "Vergleich," 329.

²⁰ *Ibid.*, 59–60. If 1QH^a XII,38 [Suk. IV,38] is part of a Teacher hymn (see pp. 411–12, n. 8 above), it would be the only exception to Becker's observation. The references to Belial in XII,12–14 [Suk. IV,12–14]; XIV,21–22 [Suk. VI,21–22]; and XV,3 [Suk. VII,3] are not yet dualistic, although they prepare the way for dualism.

there, Qumran dualism is the result of a complex interweaving of several traditions, and it is unlikely that the dualism was already fully formed at the beginning of the Teacher's career in the community.²¹

Second, very common in the *hōdāyōt* are expressions regarding the lowliness, impurity, and sinfulness of humanity in relationship to God (in the so-called *Niedrigkeitsdoxologien*).²² The human is described as "clay," "dust," "kneaded with water," "spat saliva" or a "mixture," "foundation of shame," "source of impurity," "oven of iniquity," "building of sin," "spirit of error," "depraved spirit," "vile shame," and "lodging of darkness." While these expressions are found often in the other hymns,²³ we find only one place in the Teacher hymns where the speaker reflects on the frailty and sinfulness of humans. In 1QH^a XII,29–31 [Suk. IV,29–31] the Teacher asks: "What is flesh compared to this [God's power]? What is the creature of clay to do wonders? He is in iniquity from the womb, and in guilt of unfaithfulness until old age. And I know that justice does not belong to a man, nor to a son of man perfection of path. To God Most High belong all the acts of righteousness, and the path of man is not secure except by the spirit that God creates for him to perfect the path of the sons of man, so that all his creatures come to know the strength of his power and the abundance of his compassion for all the sons of his favor."²⁴ The expressions of lowliness in this *Niedrigkeitsdoxologie* are much less elaborate than they are in other places.²⁵ It is possible that in 1QH^a XII,29–33 [Suk. IV,29–33] we have the earliest example of the *Niedrigkeitsdoxologie* in the *hōdāyōt* and a kind of nucleus for further development. In other words, continuing reflection in the community on the state of humanity led to the accumulation of other expressions for the impurity

²¹ Cf. Becker, *ibid.*, 74.

²² On the *Niedrigkeitsdoxologie*, see pp. 438–39.

²³ For a list of where they appear, see pp. 435–36. For a list of *Niedrigkeitsdoxologien* and *Elendsbetrachtungen*, see Lichtenberger, *Menschenbild*, 74–75.

²⁴ Becker, *Heil*, 54–55, and Kuhn, *Enderwartung*, 23, dispute the attribution of these lines to the Teacher. For the possibility of attributing them to the Teacher, see n. 8.

²⁵ The statement that man is born in iniquity may be drawn from Ps 51:7 and therefore does not necessarily presuppose the statements about the sinfulness of humanity that we find in other (later) *hōdāyōt*. Becker, *Heil*, 67, makes the point that in the hymns of the Teacher "ist der Mensch hier also noch nicht radikal als Sünder verstanden, der nichts anderes kann, als sündigen, so wie es später in der essenischen Gemeinde am *בשר*-Begriff (s. u.) deutlich ausgesprochen wird" (cf. also p. 71).

and sinfulness of humanity and the more elaborate *Niedrigkeitsdoxologien* that we find in the community hymns.²⁶

For our purposes the chronological relationship between the hymns of the Teacher and the hymns of the community is important only insofar as it helps to bring into sharp profile the concept of the righteousness of God, which appears already in the hymns of the Teacher (XV,19 [Suk. VII,19])²⁷ and then is taken up and thematized in the other hymns. When we come to discuss the topic of the relationship between covenant, law, and the righteousness of God, it will be necessary to turn to a hymn of the Teacher, in order to demonstrate that his understanding of this relationship was based on the covenant theology of the Qumran community, which was itself ultimately based on the theology of the Damascus covenant, and that this understanding of the righteousness of God was then further developed in the other hymns. Thus the early hymns of the Teacher can be seen as providing continuity between the theology of the Damascus covenant and of the early Qumran community, on the one hand, and the theology of the later community hymns on the other hand. We shall begin, however, not with the hymns of the Teacher, but with two community hymns that contain clear references to community *traditions* and *structures*. We begin with them because they will help us to see (1) that the covenantal framework of the Damascus covenant and the Qumran community that we have uncovered in previous chapters continues to be valid in the *hōdāyôt*; and (2) what the “righteousness of God” means within that covenantal framework.

7.3 *Covenantal Traditions in 1QH^a VII,8–26 [Suk. XV,8–26]*

The first hymn that we shall examine is 1QH^a VII,8–26 [Suk. XV,8–26]. The connections between this hymn and the community’s

²⁶ Jeremias, *Lehrer*, 171, makes a third observation that could support the temporal priority of the hymns of the Teacher over the community hymns. His and his colleagues’ study of the vocabulary and style of the *hōdāyôt* led them to the impression that some of the hymns are “Schülerpsalmen” that imitate and repeat language and expressions from the psalms of the Teacher. However, Jeremias himself acknowledges that this impression cannot really be proved.

²⁷ See also 1QH^a XII,31 [Suk. IV,31]. On the problem of the attribution of the latter to the Teacher, see n. 8.

covenant traditions are obvious. In lines 10 and 11 the hymnist says: "I love you lavishly and with whole heart and with whole soul...I have im[posed on myself not] to turn aside from all that you have commanded (צויתה)."²⁸ The phrase, "with whole heart and with whole soul," and the imposition on oneself not to turn aside from God's commandments are found in the regulations for entrance into the Damascus covenant and the *yahad*, and also for community discipline. The one who enrolls in the Damascus covenant does so with the oath of the covenant, to return to the law of Moses "with whole heart and with whole soul," and imposes (יקים) on himself (עליו) to return to the law of Moses with whole heart and with whole soul" (CD XV,9–10, 12). Likewise the one who enters the *yahad* "imposes on himself" (יקים על) (נפשו) with a binding oath "to return to the law of Moses, according to all that he commanded (ככול אשר צוה), with whole heart and with whole soul" (1QS V,8). In 1QS VIII,17 punishment is prescribed for any member of the community who "turns aside insolently from what is commanded in any matter" (יסור מכול המצוה דבר ביד רמה), and the requirement "not to turn aside" from God's commandments is also found in 1QS I,15; III,10.

Another allusion to the framework of the Damascus covenant and of the *yahad* is found in lines 14–20. Here the hymnist sets in opposition to each other the righteous man, whom God predestined to keep the covenant and to obtain eternal salvation, and the wicked, whom God predestined to reject the covenant and to receive their punishment on the day of slaughter. The hymnist declares to God that God has established the righteous man (הכינורו) for the "period of favor" (מועד רצון), "to keep your covenant," and "to walk on all [your path]."²⁹ Of

²⁸ The reconstruction of the beginning of line 11 as ה[ק]ימתי לבלתי סור (so M. Delcor, *Les hymnes de Qumran (Hodayot)* [Paris: Letouzey et Ané, 1962] 268–69) is made probable by the parallels in CD and 1QS discussed immediately below.

²⁹ The words "your path" are not in the text, but they are the standard reconstruction—the scribe appears to have omitted them from his text (see Jean Carmignac, "Les hymnes," *Les textes de Qumran* [ed. J. Carmignac et al.; 2 vols.; Paris: Letouzey et Ané, 1961–63] 1.160; Delcor, *Les hymnes*, 270; A. Dupont-Sommer, "Le Livre des hymnes découvert près de la mer morte (1QH): Traduction intégrale avec introduction et notes," *Semitica* 7 [1957] 92; Menahem Mansoor, *The Thanksgiving Hymns: Translated and Annotated with an Introduction* [STDJ 3; Grand Rapids: Eerdmans, 1961] 183; Svend Holm-Nielsen, *Hodayot: Psalms from Qumran* [Aarhus: Universitetsforlaget, 1960] 227, 230). This reconstruction, or a similar one (e.g., "to walk in all that you love"; cf.

the wicked, on the other hand, the hymnist declares to God that God has predestined them for “the time of your wrath” (ל[קץ] חרוכה).³⁰ These are the ones who reject God’s covenant. Their souls loathe (תעבה) God’s commandments and choose what God hates (ויבחרו באשר) (שנאחה).

In the *Damascus Document (D)* we read: “There is determined a time of wrath (קץ חרון)³¹ for a nation that does not know him, and he has established (מועד[ר] רצון) [periods of] favor (הכין) for those who search his precepts and walk on the perfect path” (4Q266 2 i 3–4; 4Q268 1,5–7). The next line reads: “He uncovered their eyes for hidden things and opened their ears and they heard deep things, and they understood everything that happens before it comes upon them.” This line is reminiscent of other passages in CD that tell of the origins of the Damascus covenant. God raised up a remnant in Israel (the Damascus covenant) and “opened” up for them the hidden things of the law (CD III,16). The covenant’s task was to “dig a well” (CD III,12b–17a; VI,2b–11a) in order to find those hidden things of the law, so as to learn and then to obey the correct interpretation of the law.³² A reference to the “time of anger” (קץ חרון) in which God raised up the Damascus covenant is also found in CD I,5. Of all who reject (וכול) the regulations of the Damascus covenant (4Q266 11,5) or those of the *yahad* (1QS II,25) it is said that “their souls loathe the disciplines of righteousness” (געלה נפשו ביסורי הצדק) (4Q266 11,7) or “the disciplines of the knowledge of righteous regulations” (געלה נפשו ביסורי דעת) (1QS II,26–III,1), and they are to be expelled from the covenant, probably at the annual covenant renewal ceremony (4Q266 11,16–18; 1QS II,19). According to CD II,15, the *maskil* of the Damascus covenant instructs the members of his camp to “choose

1QH^a IV,24 [Suk. XVII,24] is supported by (1) the contrast with the wicked who walk on a path that is not good (line 18); and (2) the frequent use of the verb “walk” in conjunction with references to the ways of God (1QH^a IV,24 [Suk. XVII,24]; XII,21, 24 [Suk. IV,21, 24]; XIV,6–7 [Suk. VI,6–7]).

³⁰ Dupont-Sommer, “Le Livre des hymnes,” 92, reconstructs חר[ונכה] (followed by Delcor, *Les hymnes*, 271).

³¹ The parallel in 4Q268 1,5 reads חקץ קצי [חרון] (“he has determined times of wrath”).

³² This reconstruction, proposed by Baumgarten (DJD 18.119–20), is sound (see Baumgarten’s comment *ad loc.*).

³³ For more on this, see Chapter 4, p. 221.

(לבחור) what [God] approves and to reject what he hates (שנא).”³⁴ In 1QS I,3–4 the leader of the *yahad* (perhaps the *maskil*) is instructed “to love what [God] chooses (בחר) and to hate (ולשנא) everything that he rejects.” All of these parallels are evidence that the contrasting statements about the righteous and the wicked in 1QH^a VII,14–20 [Suk. XV,14–20] are in direct connection with the covenantal structure of the Damascus covenant and of its daughter the *yahad*.³⁵

In setting in opposition to each other the predetermined destinies of the righteous and the wicked, our hymn stands very close to the viewpoint of the second discourse of CD (II,2–13). There also God is said to have predestined to destruction “those who turn aside from the path and who abominate the precept,” that is, those who have rejected the covenant. God has designed it so from the beginning of the world. God knew the deeds of the wicked even before they were established; indeed, he is the one who causes them to stray (II,6–10, 13). On the other hand, God has also raised up “summoned men of renown,” that is, those who remained faithful to God’s covenant, in all generations (II,11).³⁶ For all of these people—both righteous and wicked—God knew “the years of existence, and the number and detail of their ages,” and he knows what will be “until it happens in their ages for all the everlasting years” (II,9–10). In other words, here history is viewed as the unfolding of God’s predestined plan for the righteous and the wicked (cf. 1QS III,15–17). The Damascus covenant is an integral part of that unfolding history. Although in 1QH^a VII,14–20 [Suk. XV,14–20] the predestination of the righteous and the wicked is said to be from the “womb” rather than from the beginning of the world, the basic idea of CD II,2–13 is replicated here: those who remain faithful to the covenant, on the one hand, and those who do not remain faithful to it, on the other hand, belong to God’s predestined, unfolding plan of history, which will result in the salvation of the righteous and the punishment of the wicked.

In Chapter 6 we saw that CD II,2–13 is firmly grounded in the wisdom tradition, which attributed God’s plan for history to his work

³⁴ On this passage as a homily of the *maskil* for the members of the camp, see Chapter 6, pp. 379–80, 390.

³⁵ The mention of the “Many” in line 11 also points to the organization of the Damascus covenant and of the *yahad*.

³⁶ On the term קריאי שם see Chapter 9, p. 518.

as creator.³⁷ In God's created order there is a fundamentally dualistic structure to reality. This dualistic structure encompasses creation, history, ethics, and eschatology. By examining the structure of reality, and the course of history, the wise man is able to discern the difference between wisdom and folly, and between good and evil, as well as their eschatological rewards and punishments. Moreover, there is a correlation between wisdom and truth, and between foolishness and sin. Insight into the structure of reality—that is, into the order of creation—leads to correct discernment of wisdom and folly, which is also correct discernment of truth (אמת) and sin (or injustice) (עולה or עול). This insight into the nature of reality—also called the “mystery of existence” (רו נהיה)—is not given to everyone, but only to those to whom God grants it. Although the existence of sin in a world created by God remains a problem, those who are given knowledge of the “mystery of existence” are assured of the eschatological victory of truth over sin. God, who is the God of truth, will bring sin to an end, and then truth will prevail forever. Those who know the mystery of existence and order their lives by it will be participants in the eschatological victory of truth.

1QH^a VII,8–26 [Suk. XV,8–26] shares the same outlook. The destiny of the wicked is that they will undergo great judgment (VII,19 [Suk. XV,19]), which in this case means that they will be destroyed (allusion to Deut 28:46; cf. also 1QS V,12–13). The “God of truth (אמת)” will bring an end to sin (עולה) (1QH^a VII,25 [Suk. XV,25]). Thus we find that, exactly as in the wisdom tradition, the eschatological goal of history is the destruction of sin and the revelation of the truth of God, and of his glory and power (VII,20 [Suk. XV,20]). We see that 1QH^a VII,8–26 [Suk. XV,8–26] lies directly in the sapiential and covenantal traditions of the Damascus covenant.

According to VII,22–23 [Suk. XV,22–23], the destruction of the wicked will happen “in the sight of all your [God's] creatures (לעיני כול מעשיך).” In 1QH^a VI,16 [Suk. XIV,16] the destruction of sin “in the sight of all your creatures” (לעיני כול מעשיך) is called the revelation of God's righteousness (יגלחה צדקתך). If we read VII,22–23 [Suk. XV,22–23] in light of VI,16 [Suk. XIV,16], we may say that the “mystery” of existence, including the presence of sin in the world, is

³⁷ For background to this paragraph, see Chapter 6, pp. 329–36, 390–91.

resolved by, and finds its culmination in, the eschatological victory of truth over sin, and that that victory is also the revelation of the righteousness of God.

7.4 *Covenantal Traditions in 1QH^a VI,8–22 [Suk. XIV,8–22]*

Mention of 1QH^a VI,16 leads us to the next hymn to be discussed, that in 1QH^a VI,8–22 [Suk. XIV,8–22]. This hymn also shows important connections with the covenantal theology of the Damascus covenant and of the *yahad*. As we saw in Chapter 6, the Damascus covenant was aware from an early time of an (ethical) dualistic interpretation of its history (CD II,14–III,17a; 4Q266 2 i 3–6 [=4Q268 1,5–8]). That dualistic interpretation of history had its roots in the sapiential tradition and thus could be, and was, ultimately linked to God's work as creator (CD II,2–13). The establishment of the Damascus covenant was the means by which God, the creator of the world and the one who has determined the destinies of all generations, gave Israel the opportunity to be faithful to the covenant and so to be saved, in contrast to those who rejected the covenant and so were destined for destruction. As we saw in Chapters 3 and 4, the Damascus covenant's hopes in the earliest period seem to have been focused on national restoration. Indeed, the origins of the Damascus covenant can be traced back to a movement in Palestine aimed at national restoration. At least in its story of origins, if not in fact, the Damascus covenant arose as a movement that pinned its hopes on the promises of national restoration found in the exilic prophets and in the Deuteronomistic tradition. The covenant understood it to be necessary to enter into a (new) covenant whose members would study Scripture intently in order to discover and then to do both the revealed and the hidden things of the law (Deut 29:28). Thus in the Damascus covenant's theological explanation of its history, God himself raised up the covenant (from the remnants of the exile), in order to allow the faithful within Israel to return to the law of Moses with whole heart and with whole soul and thus to be restored, as God had promised through the prophets. One can say that God established the Damascus covenant, and through it the opportunity to observe perfectly the law of Moses, precisely so that he could fulfill his own promises of restoration given to Israel through the prophets. Fundamentally, then, the very existence of the Damascus covenant is the

(gracious) means by which God was to uphold his own faithfulness to Israel.

This theological framework was preserved in the *yahad*, but it was also radicalized. In Chapter 6 we saw that in 1QS III,13–IV,26 the ethical dualism of the sapiential tradition came to be combined with a cosmic dualism (as well as an eschatological war dualism), and the result was an anthropological dualism, according to which “the spirits of truth and sin feud within the heart of man” (IV,23). Sin afflicts even the righteous (cf. III,21–24). Therefore God in the *eschaton* must destroy the spirit of sin from within the righteous. God will obliterate sin forever (ישמידנה לעד), and truth will no longer be defiled by wickedness under the dominion of sin (IV,18–19). God will purify men with his holy spirit, so that they will be only righteous. This event will have the character of a “new creation” (IV,25). In the meantime, however, God has established the *yahad*, where he purifies men of sin with the holy spirit and where they comply with all the laws (III,7–9), in anticipation of the eschatological purification. In other words, just as God established the Damascus covenant as a way to offer Israel the chance to return to God and so to be restored, so God established the *yahad* (at a later time) as a place where the faithful within Israel could be purified and where they could follow the laws of God in perfection. Thereby God could establish a faithful remnant in Israel, bring about his promised victory over sin, and so vindicate his own promises and faithfulness to Israel.

The same idea is at work in 1QH^a VI,15–16 [Suk. XIV,15–16]. God will destroy all sin and wickedness forever (וכול עולה [ור] שע חשמיד לעד), and this will be the vindication of God—the eschatological revelation of the righteousness God (ונגלה צדקתך).³⁸ Here the term “righteousness” is used explicitly to refer to God’s victory over sin. The thought runs along the same lines as we have discussed above in connection with the existence of the Damascus covenant and of the *yahad*. Just as within the (ethical) dualistic interpretation of history the existence of the Damascus covenant signals the vindication of the promises of God, insofar as that covenant was the means by which God would fulfill his promises to Israel and bring truth to victory and wickedness to defeat, so from a later perspective, and from within a more complex dualism, the *yahad*, as the place where sin is destroyed and truth triumphs, both

³⁸ For a discussion of the grammar of these lines, see Kuhn, *Enderwartung*, 35.

now (proleptically) and in the *eschaton*, could be seen as the place where God's promises would be vindicated. There is a fundamental continuity in the covenantal framework between the Damascus covenant and the *yahad*. Now, in 1QH^a VI,16 [Suk. XIV,16], the vindication of God's purposes and promises within that covenantal framework is called explicitly the revelation of God's "righteousness."

Indeed, the hymn in 1QH^a VI,8–22 [Suk. XIV,8–22] has other clear points of contact with the covenant traditions of the *yahad*. In this hymn (as in 1QH^a VII,8–26 [Suk. XV,8–26]), we have words drawn from the covenant entrance procedure: "I have imposed upon myself with an oath (בשבועה הקימותי על נפשי) not to sin against you" (VI,17 [Suk. XIV,17]) (cf. 1QS V,8). "In this way I was brought near (הוגשה) in the community (ביחד) of all the men of my council" (1QH^a VI,18 [Suk. XIV,18]). The verb נגש is used for admission (or ranking) of the members of the community in 1QS IX,16. Indeed, there is a clear parallelism between these two places. In 1QS IX,14–16 the *maskil* is instructed to

separate and to weigh the sons of righteousness according to their spirits;³⁹ to keep hold of the chosen ones of the time according to his will, as he has commanded; and to carry out the judgment of each man according to his spirit; and to include each one according to the purity of his hands, and according to his intellect (ולפי שכלי) to bring him near (להנישו); and thus shall be his love (אהבתו) along with his hatred.

In 1QH^a VI,18–19 [Suk. XIV,18–19] the hymnist says: "According to his intellect I bring him near (לפי [ש] כלו אנישו), and in proportion to his inheritance I love him (אהבנו)." Later the hymnist says: "I will not admit into the council th[ose who are not coun]ted [in your coven]ant," which is reminiscent of the statements about those not included in the covenant in 1QS III,1; V,11, 18 and CD XIX,35; 4Q266 11,6.

These parallels suggest that the hymnist of 1QH^a VI,8–22 [Suk. XIV,8–22] is a *maskil*.⁴⁰ Further support for that contention comes from

³⁹ As 4Q259 III,10 shows, "sons of Zadok" here is to be emended to "sons of righteousness."

⁴⁰ On the cultivation of wisdom psalms, and especially psalms of thanksgiving, among the sages of Israel, see Sigmund Mowinckel, "Psalms and Wisdom," *Wisdom in Israel and in the Ancient Near East* (ed. M. Noth and D. Winton Thomas; VTSup 3; Leiden: E. J. Brill, 1955) 210–14, 217. On the composition of community psalms by sages at Qumran, see Becker, *Heil*, 52 n. 5.

a comparison between VI,11–12 [Suk. XIV,11–12] and 1QS III,13–IV,26. Lines 11–12 of our hymn are fragmentary: “And you instruct (ותשכל) your servant...of man, for according to the spirits (לפי רוחות)...between good and evil...[to make known?] their effects (פעולתם).” Although the text is fragmentary, it seems quite likely that this is a reference to the capacity and responsibility of the *maskil* to discern between the different spirits of people and to know the results of their actions. This capacity and this responsibility are visible in the charge given to the *maskil* in 1QS III,13–15 to

teach all the sons of light about the history of humans according to their kinds of spirits (לכול בני רוחות), and about their signs according to their deeds in their generations, and the visitation of their punishments with the times of their recompense.

According to 1QS IV,15–16, all the results (פעולת) of the deeds of humans lie in the divisions of the spirits of truth and sin, according to each person’s inheritance in each spirit. Knowledge of the spirits and of the results of their deeds belongs to the *maskil* (IV,2–14).⁴¹

Thus this hymn can be located squarely within the covenantal framework of the *yahad*. Moreover, we have here evidence of the continuing influence and importance of the developed dualism of the *yahad*.⁴² The evidence is the connection in lines 11–12 of this hymn with the theology found in the discourse on the two spirits in 1QS III,13–IV,26, as discussed above, and particularly in the explicit reference to the opposition between truth (אמת) and sin (עולה), and the destruction of the latter, in lines 15–16.⁴³ The opposition between truth and sin is explicit in 1QS III,19 and IV,17–20.

It is interesting, however, that in 1QH^a VI,15–16 [Suk. XIV,15–16] it is the “chosen ones” who themselves are called “truth.” Truth is not only one of two mutually opposed powers, although it is that also. Truth is embodied in the lives of those whom God has chosen (בחרין) for his community. God will destroy sin definitively, and that will be

⁴¹ A connection with the doctrine of the two spirits is also found here by Carmignac, “Les hymnes,” 155; Dupont-Sommer, “Le Livre des Hymnes,” 89; and Delcor, *Hymnes*, 36, 263.

⁴² On the recently disputed question as to the importance of dualism at Qumran, see Chapter 6, pp. 319, 375–78.

⁴³ Contra Becker, *Heil*, 146 and especially n. 7: “Man kann sogar sagen, daß der Dualismus ganz zurücktritt” in the community hymns.

the revelation of the righteousness of God. According to 1QS IV,19–23 the destruction of sin coincides with the eschatological purification of man through God's spirit and the restoration of the glory of Adam, and God will do that for those whom he has chosen (בחר) for the covenant. Together these events constitute the victory of truth. Thus one can say that the revelation of the righteousness of God, which is practically synonymous with the victory of truth, is the manifestation of God's righteousness in the salvation of the chosen ones from sin.

The revelation of the righteousness of God is also the vindication of God as creator of the world. According to 1QS III,15, "everything that is and everything that will be comes from the God of knowledge, and before they existed he established their entire design." The existence of the polar opposites of truth and sin are therefore part of that design. The existence of sin in God's world is part of the mystery of existence, that is, part of the order of creation that is established by God (cf. 4Q416 2 iii 14). To put it another way, the ultimate reason for the existence of sin in the world, as well as its power, is part of the "mysteries of God" (cf. 1QM XVI,11), and complete knowledge of those mysteries belongs only to the "God of knowledge." Yet according to the wisdom tradition, through meditation on the order of creation one can come to understand the difference between good and evil, between truth and sin, between wisdom and folly, and come to understand their respective consequences (4Q416 2 iii 14–19; 4Q417 2 i 6–9). Thereby one can come at least to a partial understanding of the "mystery of existence." Such knowledge comes as a gift from God (4Q418 123 ii 4). It is such insight into the order of creation, the "mystery of existence," that allows one the confidence that God has set a time to destroy sin (1QS IV,18–19). Thus the hymnist of 1QH^a VI,8–9, 12–14 [Suk. XIV,8–9, 12–14] thanks God for granting him wisdom and insight into the ways of God.⁴⁴ That insight includes the knowledge that

⁴⁴ There are many striking parallels between the *hōdāyōt* and *4QInstruction* (4Q415, 416, 417, 418, 418a, 423 [with 1Q26]) that show how deeply rooted the *hōdāyōt* are in the wisdom tradition known at Qumran. Apart from general shared notions about God as the creator, note the following particularly close parallels: the term "spirit of flesh" (רוח בשר), which, as far as I know, appears only in *4QInstruction* (4Q416 1,12; 4Q417 1 i 17; 4Q418 81,1–2) and in the *hōdāyōt* (1QH^a IV,25 [Suk. XVII,25]; V,19 [Suk. XIII,13]; anticipation of the end of sin (4Q416 1,13; 1QH^a VI,15–16 [Suk. XIV,15–16]; XIX,26 [Suk. XI,26]; 1QS X,23–24); the belief that no one can stand just in God's judgment (4Q417 2 i 16; 1QH^a XV,28 [Suk. VII,28]); the verbatim agreement

God will destroy sin (VI,15–16 [Suk. XIV,15–16]). God, precisely as the “God of knowledge,” as the creator of all that there is, is the foundation of truth (cf. 4Q417 1 i 8). He is therefore the guarantor of truth, that is, the guarantor of all that is ultimately lasting and enduring (אמור).

In conclusion we can say that the revelation of the righteousness of God in the ultimate victory of truth over sin, that is, in the salvation of the chosen, in the restoration of the glory of Adam, and in the destruction of sin (and of the wicked; cf. 1QS IV,11–14), is within the total economy of God’s work the vindication of God as the creator of the world and as the guarantor of truth.⁴⁵ This eschatological victory of truth (or revelation of the righteousness of God) is also the culmination of the covenant (1QS IV,22). From this perspective, then, the ultimate purpose of the covenant (community) is to confirm the righteousness of God through the salvation of the chosen.

7.5 *Covenant and the Righteousness of God in 1QS IX,26–XI,22*

The next text that we shall study is 1QS IX,26–XI,22. There is much in these columns that is reminiscent of the *hōdāyôt*. Indeed, 1QS XI,15c–22 contains a hymn that is very similar in form and content to some of the *hōdāyôt* (see especially 1QH^a XIX,27b–38 [Suk. XI,27b–38]), and so it is for good reason that many scholars include this part of 1QS in discussions of the *hōdāyôt*.⁴⁶ The hymn in 1QS XI,15c–22 begins with ברוך אתה, a formula of blessing familiar to us from the hymns. The hymn contains a *Niedrigkeitsdoxologie* (with statements about the lowliness of humans in comparison to God) in XI,21–22 similar to those that we find in the *hōdāyôt*. Finally, in X,23 the hymnist (probably a *maskîl*) explicitly refers to his singing of הודות.

on 4Q418 55,10 and 1QH^a XVIII,27–28 [Suk. X,27–28].

⁴⁵ See Peter von der Osten-Sacken, *Gott und Belial: Traditionsgeschichtliche Untersuchungen zum Dualismus in den Texten aus Qumran* (SUNT 6; Göttingen: Vandenhoeck & Ruprecht, 1969) 126–27, who posits a dependence of 1QS XI,3–6 on 1QH^a IX,20–21 [Suk. I,20–21], such that God’s merciful righteousness is established on “what always is,” that is, upon the order of God’s creation. One could say that God’s righteousness is based on the truth of God (1QS XI,4), that is, on his capacity as guarantor of the order of creation.

⁴⁶ E.g., Morawe, “Vergleich,” 330–32.

In order to situate this material within the context of community traditions it will be helpful if we first analyze it into its constituent, formally distinct units. As has already been mentioned, XI,15c–22 consists of an independently standing hymn, whose beginning is marked by the formula *ברוך אתה*. Starting at X,6,⁴⁷ and running through XI,2b, there is a long section marked by repeated first-person singular declarations in the imperfect tense (“I shall bless”; “I shall sing”; “I shall raise the flute of my lips”; “I shall enter the covenant of God”; etc.). This series of declarations is to be distinguished formally from what comes before it (IX,26–X,5) and from what comes after it (XI,2c–15b; and XI,15c–22).⁴⁸ Among the declarations is the statement that “with hymns (*הודות*) I shall open my mouth, and my tongue will recount always the righteous acts of God (*צדקות אל*) and the unfaithfulness of men (*מעל אנשים*), until their transgressions come to an end (*עד תום פשעם*)” (X,23–24).

In XI,2b a new section begins. The first-person declarations in the imperfect tense cease. Now the *maskil* says, “As for me (*אני*), my judgment (*משפטי*) belongs to God.” The emphatic *אני*, which appears again in XI,9, 11, and which appears often in the *hōdāyōt*, marks the beginning of a new section. Morawe divides the following lines into the

⁴⁷ I follow the usual emendation of *אברכנו* to *הברכנו* in X,6, which is now confirmed by 4Q256 8 ii 4 and 4Q258 2 iv 3.

⁴⁸ Cf. Morawe, “Vergleich,” 330, who considers all of X,9–XI,1 as *Gelübde*, and distinguishes it from both what comes before and what comes after. The relationship between IX,26–X,5 and X,6–XI,2b requires some clarification. As 4Q259 IV,6–10 makes clear, the material in 1QS IX,26–XI,22 stands on its own. This material is sometimes called a “hymn” of the *maskil* (e.g., DJD 26.152), but strictly speaking IX,26–XI,2b tells of what the *maskil* should do (or will do), including the singing of hymns, while the hymns properly so called come in XI,2c–15b and XI,15c–22. The material in IX,26–X,5 reads much like the material in 1QH^a XX,4–11a [Suk. XII,4–11a], which likewise gives instructions for the *maskil* (cf. parallel in 4Q427 2+3 ii 5) regarding the singing of hymns (*הודות*) at different times of the day and night, and at the turn of the seasons. Morawe, *Aufbau und Abgrenzung*, 146–47, considers all of 1QH^a XX,3b–11a [Suk. XII,3b–11a] to be *Gelübde*, and he also notes the similarity between that passage and 1QS IX,26–X,8 (“Vergleich,” 330 n. 50). Thus we should view 1QS IX,26–X,5 as a similar *instruction* for the *maskil* on singing hymns at the different times of day and night and at the coming of the seasons. In X,6 the third-person speech changes to first-person speech. Here begin the declarations of the *maskil* running until XI,2b (thus I would start the *Gelübde* here rather than at X,9, as Morawe does). The beginning of a new section in X,6 would explain some of the repetitions in IX,26–X,5 and X,6–8. Following the declarations in X,6–XI,2b are the hymns.

following parts:⁴⁹ XI,2–8, *Reflexion*;⁵⁰ XI,9–11, *Elendsmotiv*; XI,12–13a, “ein Stück, das gewisse Ähnlichkeit zu den Not-Rettungsberichten hat”; XI,13b–15a, *Reflexion*. He sees in these parts, as well as in the rest of IX,24b–XI,22, elements of the *Danklieder* and *Bekennnislieder* that are found consistently in the *hōdāyôt*; only they do not appear in the same order as in the *hōdāyôt*. Morawe’s analysis is helpful in that it lets us see that the focus of this section is reflection on the faithfulness of God in delivering from sin (*Reflexion*) and on the sinfulness and lowliness of humanity (*Elendsmotiv*).

We noted above that in X,23–24 the *maškil* declares that he will sing of the “righteous acts of God (צדקות אל) and the unfaithfulness of men (מעל אנשים), until their transgressions come to an end (עד חום פשעם).” One can view the formal elements in XI,2b–15 as corresponding to the first two parts of this declaration. In XI,2b–9a the *maškil* tells of the righteous acts of God (צדקותו): God forgives the sins of the *maškil* (XI,3). God grants him insight into the divine mysteries, by which (alone) he can walk in perfection (XI,2, 4–5). God established the *yahad*, in which he has placed the chosen to be an everlasting plantation (XI,7–9a). As we shall see below, God’s “righteousness” in the *hōdāyôt* includes his deliverance from sin and his establishing of the community as a place in which (alone) perfection of path is possible.⁵¹ Those same elements are present here.

In XI,9b, on the other hand, the *maškil* begins a new section (with another emphatic אני), speaking of his belonging to “evil humankind” (לאדם רשעה) and to the “assembly of sinful flesh” (לסוד בשר עול). He laments: “my iniquities, my transgressions, my sins...with the depravities of my heart, belong to the assembly of worms and of those who walk in darkness. For to man does not belong his path, nor can a human steady his path.” This section (XI,9b–11d) can be seen as corresponding formally to the declaration of the *maškil* in X,23–24 to sing of the “unfaithfulness of man.”

⁴⁹ Morawe, *ibid.*, 330.

⁵⁰ For a definition of the formal element called *Reflexion* in the *hōdāyôt*, see Morawe, *Aufbau und Abgrenzung*, 79, 91. Included are “Aussagen...die katechismusartig den Heilsweg des Sünders explizieren” (p. 79). But see also the criticism of Becker, *Heil*, 136.

⁵¹ See pp. 443, 444–55.

Finally, in XI,11e–15 the *maskil* returns to singing of God's righteousness (צדקה אל). As Morawe notes, this section has certain similarities to the *Notberichte* and *Rettungsberichte* in the *hōdāyōt*; but mostly this section is further reflection on the "righteous acts of God."

Thus XI,2b–15 can be seen as corresponding formally to the declaration of the *maskil* in X,23–24. There is in X,23–24, however, one element not found in XI,2b–15, namely, "the end of the transgressions" of "unfaithful men." That is no surprise since, as we have seen, XI,2b–15 contains only *some* of the elements of the *Danklieder* and the *Bekennnislieder* in the hymns. Better examples of material corresponding to the structure implied in X,23–24 may be found in the liturgical material in 1QS I–II and in the hymn in 1QH^a XIX,15–27a [Suk. XI,15–27a]. The liturgical rubrics for the annual covenant renewal ceremony in 1QS I,21–26 state that the priests will recite the "righteous acts of God" (צדקה אל), while the Levites recite the iniquities of the people of Israel. Then the members of the covenant confess their sins. That suggests that the hymnic material in 1QS XI,2b–15 may have its roots in the practice of confession of sins connected with the covenant renewal ceremony.⁵² Indeed, the same has been suggested as a possible *Sitz im Leben* for the hymns of the community.⁵³ A similar structure is found in the hymn in 1QH^a XIX,15–27a [Suk. XI,15–27a], and here we also find a reference to the "end of transgression," as called for in 1QS X,23–24.⁵⁴ In this hymn the hymnist thanks God for bestowing on him the knowledge of truth. He also declares that righteousness (הצדק) belongs to God, and, although the text is fragmentary here, it appears that that "righteousness" consists in God's acts of kindness, perhaps specifically in salvation, apart from which there is only perdition (1QH^a XIX,15–18 [Suk. XI,15–18]).⁵⁵ Those lines correspond to the "righ-

⁵² Note that the same words are used for the confession of sins in 1QS I,24–25 and XI,9.

⁵³ Kuhn, *Enderwartung*, 31–33. Cf. also Peter Stuhlmacher, *Gerechtigkeit Gottes bei Paulus* (FRLANT 87; Göttingen: Vandenhoeck & Ruprecht, 1965) 160.

⁵⁴ Morawe, *Aufbau und Abgrenzung*, 145–46, 161, considers 1QH^a XIX,27b–36 [Suk. XI,27b–36] to be part of the same hymn as XIX,15–27a [Suk. XI,15–27a]. That is unlikely. The hymn in XIX,27b–36 [Suk. XI,27b–36] is best seen as independent. It has some formal similarities to the hymn in 1QS XI,15c–22, which should also be seen as independent of what comes before it (cf. Morawe, "Vergleich," 330).

⁵⁵ See the proposed reconstructions in Dupont-Sommer, "Le Livre des Hymnes," 79; and Delcor, *Les hymnes*, 240–41.

teous acts of God” in 1QS X,23. In the next section, which begins with an emphatic אָנִי, the hymnist laments the sinful inclinations of humans (1QH^a XIX,19–22 [Suk. XI,19–22]); this section corresponds to the recounting of the “unfaithfulness of men” in 1QS X,23. But the hymnist also looks forward to the day when “iniquity will be destroyed” (עַד כְּלוּת עוֹלָה); on that day he will sing praises to God (1QH^a XIX,22–24 [Suk. XI,22–24]). A similar anticipation of the end of sin and the victory of truth appears in XIX,26 [Suk. XI,26]: “your truth will be displayed” (וַאֲמַתְכָּה תּוֹפִיעֵי). These lines correspond to 1QS X,23–24, where the *maskil* says that he will tell of the righteous acts of God and of the unfaithfulness of men “until their transgressions come to an end” (עַד תּוֹם פִּשְׁעֵם).

Thus the hymn in 1QH^a XIX,15–27a [Suk. XI,15–27a] corresponds nicely to the whole structure implied in 1QS X,23–24, whereas in 1QS XI,2b–15 we have only some of the parts of the *Danklieder* and *Bekenntnislieder* in the hymns. Be that as it may, this kind of formal analysis is useful, because it can help us to see even in the case of 1QS XI,2b–15 how the concept of the righteousness of God is connected with covenantal thought. We have seen that both in the structure implied in 1QS X,23–24 and in the actual hymn in 1QH^a XIX,15–27a [Suk. XI,15–27a] there is a reference to the ultimate end of sin. As we saw in our study of 1QH^a VI,15–16 [Suk. XIV,15–16], the eschatological destruction of sin and victory of truth will be the revelation of the righteousness of God, and the vindication of God as creator. We also saw that the *yahad* understood its own present existence as the proleptic manifestation of God’s righteousness, because even in the present God purifies humans from sin within the community, and in it they follow the laws perfectly (1QS III,7–9).

That is precisely the point of 1QS XI,11e–15, the last section in 1QS XI,2b–15. God’s righteousness is at work even in the present, even while sin continues its (temporary) reign, when God forgives sins and enables the perfection of path within the community. To walk in perfection is the calling of the community during the reign of Belial (I,16–18). The language of XI,14–15 is strongly reminiscent of the community discipline in 1QS II,25–III,12, which supports the proposal that XI,14–15 does in fact refer to life within the community. In XI,14 the *maskil* says that “in his plentiful goodness” God “will atone for all my iniquities” (יִכַּפֵּר בְּעַד כּוֹל עוֹנוֹתַי), which may be compared with III,6–7: “for it is by the spirit of the true counsel of God that the ways of a man are atoned (כּוֹפֵר), all his iniquities (כּוֹל עוֹנוֹתָיו).” In XI,14–15

the *maskil* says that in God's righteousness God "will cleanse me from the impurity of the human" (יטהרני מנודה אנוש) and from the sin of the sons of man, which may be compared to III,7–8: "it is by the holy spirit of the community, in its truth that [a man] is purified (יטהר) from all his iniquities." The idea is that outside of the *yahad* there is only sin and impurity. Belonging to the *yahad* brings both present justification and the promise of salvation in the final judgment.⁵⁶ Thus in and of himself the hymnist must judge himself to belong to "evil humankind" (XI,9), but within the community he can regard himself as justified.

In conclusion, the hymnic material in 1QS XI,2b–15 shares the covenantal framework that we have found in the two previous hymns analyzed. The justification of the chosen within the covenant community, saved from sinful humanity, confirms the righteousness of God.⁵⁷ The emphasis here is on present justification, whereas in the two previous hymns the emphasis was on God's future action. The underlying conception of the righteousness of God, however, is the same.

Excursus on the Concept of the Righteousness of God in the hôdāyôt

In order to obtain a deeper understanding of the concept of the righteousness of God in the *hôdāyôt*, it will be helpful to inquire into its biblical background. The concept of the righteousness of God in the *hôdāyôt* draws on three major strands of biblical tradition: the psalms, the wisdom tradition, and the *Gerichtsdoxologie*, especially the form of confession of sins in the Deuteronomistic tradition. We shall take each of these in turn.

Since the *hôdāyôt* from a formal point of view are based on the canonical psalms, it is not surprising that the theology of the psalms also exercised influence on them. This is certainly true of the concept of the righteousness of God. It is well known that in the psalms the term "righteousness" (צדקה and צדק), when used of God, refers to several things. The term is used in one sense as an attribute of God. Here it can have a range of meanings. It can refer to God's justice in

⁵⁶ For more on this, see Chapters 3 and 6 (pp. 122, 376–77).

⁵⁷ Kuhn, *Enderwartung*, 31–33, has also emphasized the covenantal framework of the hymns.

judging (e.g., 9:5, 9; 72:2; 96:13; 98:9) or to his faithfulness (143:1). But often it refers more specifically to God's faithfulness in saving those with whom he has a relationship (e.g., 7:17; 31:2; 35:24, 28; 51:16; 71:2, 15, 24; 143:11), and indeed sometimes the term becomes virtually synonymous with God's "salvation" (40:11; 65:6) and even with God's "victory" (e.g., 98:2). In a different sense it can also be used to denote the gift of righteousness that God gives to people (e.g., 24:5; 72:1).

We find all of these senses of the term in the *hōdāyōt* as well. In 1QH^a XVII,33 [Suk. IX,33] we hear of God's "just rebuke" (תוכחה וצדקה), which probably means God's judgment and correction (cf. the similar phrase, "those who rebuke in righteousness" [מוכיחי צדק] in 1QH^a X,4 [Suk. II,4] [=4Q432 3,2] and 1QH^a XIV,4 [Suk. VI,4]). The reference here then would be to God's righteousness as a just judge.

In 1QS XI,12 the *maškil* says: "If I stumble in the sin of the flesh, my judgment will be in the righteousness of God, which endures eternally." Here the sense of the term is close to the sense of God's faithfulness manifested in salvation that we find in the psalms. Indeed, the parallelism in XI,11–12 indicates that the term "righteousness of God" here is nearly synonymous with salvation: "If I totter, the mercies [or faithful acts] of God are my salvation forever, and if I stumble in the sin of the flesh my judgment (משפט) will be in the righteousness of God, which endures forever." Here "judgment" and "salvation" are parallel to each other, as are the "mercies [faithful acts] of God" and the "righteousness of God." Just as God's merciful acts lead to salvation, so does the righteousness of God lead to the משפט ("justification") of the *maškil*, which here means a state of salvation.⁵⁸ Thus the "righteousness of God" is God's acting (in power) to save.⁵⁹

⁵⁸ As 1QS X,11; XI,2–3, 5, 10–15 indicate, the term משפט can denote both (1) God's *judging* of sinners; and (2) God's *justification* of sinners, the latter both in a forensic sense (forgiving sins) and in an effective sense (making possible perfection of way); as well as therefore (3) the resulting righteousness of the justified. Cf. Becker, *Heil*, 122–25 (cf. also 71–73 for the hymns of the Teacher); and Stuhlmacher, *Gerechtigkeit Gottes*, 154 and n. 6. Note also the similarity between the expression, "to God belongs [my] judgment (משפט)," in 1QS XI,2, 10, and the expression, "to you [God] belongs righteousness (צדק/צדקה)," in 1QH^a IV,20 [Suk. XVII,20]; VIII,18 [Suk. XVI,9]; and XIX,18 [Suk. XI,18] (on these latter three places see below).

⁵⁹ Stuhlmacher, *ibid.*, 154–55.

In X,11–12 the *maskil* says: “I shall prove his [God’s] judgment according to my sins, and my transgressions are ever before my eyes. To God I shall say ‘my righteousness,’ and to the Most High ‘founder of my well-being,’ ‘source of knowledge and spring of holiness,’ ‘height of glory and omnipotence for eternal glory.’” Since the reference to God as “my righteousness” is followed by epithets that speak of God as the source of well-being, knowledge, and holiness, we may take the epithet “my righteousness” for God also as pointing to God as the source of righteousness, which then becomes God’s gift to the *maskil*.⁶⁰ Thus we have here a use of “righteousness of God” that is similar to the use of the word in the psalms to refer to God’s gift.

Finally, the understanding of God’s righteousness as God’s victory is also present in the hymns. In 1QH^a VI,15–16 [Suk. XIV,15–16] the hymnist says: “All sin and evil you will destroy forever, and your righteousness will be revealed (ונגלחה צדקתך) before the eyes of all your creatures (לעיני כול מעשיך).” This is almost certainly an allusion to Ps 98:2. The first three verses of Ps 98 read:

¹Sing to the LORD a new song, for he has done marvelous things.

His right hand and his holy arm have gotten him victory [or salvation: הושיעה לו].

²The LORD has made known his victory [or salvation: ישועתו];

he has revealed his righteousness (גלה צדקתו) before the eyes of the nations (לעיני הגוים).

³He has remembered his steadfast love and faithfulness to the house of Israel.

All the ends of the earth have seen the victory [or salvation: ישועת] of our God.

The psalm speaks of God’s righteousness in bringing about salvation (in the form of victory) for the people of Israel. The hymnist in 1QH^a VI,15–16 [Suk. XIV,15–16] draws on this hymn of praise for the righteousness of God in victory for Israel but transposes it into a cosmic key. God’s righteousness in victory (or salvation) will be revealed, not just before the nations, but before all of creation, when

⁶⁰ One is reminded here of Paul’s distinction in Phil 3:9 between “my righteousness that comes from [or is based on] the law” and “the righteousness that comes from God that is given to faith.” In the present case, however, the *maskil* speaks of the righteousness that comes from God as “my righteousness.” It becomes *his* (the *maskil*’s) because God gives it to him.

God finally and definitively destroys the power of sin so that truth alone will stand. As we saw above, within the covenant theology of the community this eschatological victory will constitute the vindication of God as creator of the world.

A second source for the concept of the righteousness of God in the *hōdāyōt* is the wisdom tradition. We have already seen in Chapter 6 that the wisdom tradition was a major factor in the dualism of both the Damascus covenant and the Qumran community. In particular, the Damascus covenant drew on the wisdom tradition to affirm God's sovereignty over history. That sovereignty is manifested, among other things, in God's predestinating of the righteous and the wicked (cf. CD II,2–13; 1QS III,15). It is no surprise, then, that the wisdom tradition's understanding of God's righteousness also entered into the community's thought.

Certainly there is a long and esteemed tradition within biblical wisdom according to which it is within human capacity to choose the path of righteousness and to reject the way of sin (Ps 1; Prov 8:20; 11:5; Sir 15:11–20), and to walk in perfection (Prov 10:9; 11:20; 20:7; 28:18), and that such righteousness and perfection are the way to life (Prov 12:28). That tradition is well represented at Qumran (e.g., 1QS I,8; II,2; III,9–10; IV,22). On the other hand, there is also in the wisdom tradition a profound sense of the unworthiness of humanity before God, and that sense of unworthiness finds expression in statements about the inability of humans to be righteous before God. So we find in Job 25:4–6:

How then will a man be righteous (יִצְדִּיק) before God (עַם אֱלֹהִים),
 and how will one born of a woman (יְלִיד אִשָּׁה) be pure?
 If even the moon is not bright,
 and the stars are not pure in his sight,
 how much less a man (אָנוּשׁ), who is a maggot (רִמָּה),
 and the son of man (בֶּן אָדָם), who is a worm (חֹרְלֵעָה)?⁶¹

The language used in 1QS X–XI and in the *hōdāyōt* shows that this aspect of the wisdom tradition was also very strong at Qumran. Here are some examples:

But I belong to evil humanity, and to the assembly of sinful flesh (בָּשָׂר)
 (עוֹל); my iniquities, my transgressions, my sins...with the depravities of

⁶¹ Cf. also Job 9:2; Sir 18:2.

my heart, belong to the assembly of worms (רמה) and of those who walk in darkness. For to a human does not belong his path, nor can a man (אנוש) establish his step; for judgment belongs to God, and from his hand is the perfection of the path. (1QS XI,9–11)

What indeed is the son of man (בן האדם) among your marvelous works, and as what will the one born of a woman (ילוד אשה) be counted before you? (1QS XI,20–21)

I know that no one is just (לא יצדק איש) besides you. (1QH^a VIII,20 [Suk. XVI,11]).

The same sense of the unworthiness of humans before God is reflected in the borrowing from Job of other expressions describing the lowliness of humanity. Humans are “clay” (חמר) (cf. Job 4:19; 10:9; 22:6; 1QS XI,22; 1QH^a IX,21 [Suk. I,21]; XI,23–24 [Suk. III,23–24]; XII,29 [Suk. IV,29]; XIX,3 [Suk. XI,3]; XX,26, 32 [Suk. XII,26, 32]; XXIII,12 [Suk. XVIII,12]) and “dust” (עפר) (Job 4:19; 10:9; 1QH^a V,21 [Suk. XIII,15]; VII,21 [Suk. XV,21]; XVIII,4, 5, 12 [Suk. X,4, 5, 12]; XIX,3 [Suk. XI,3]; XX,24–27 [Suk. XII,24–27]) that cannot understand God’s wisdom unless it is revealed, or be righteous unless God perfects one’s path.⁶²

Once this aspect of the wisdom tradition entered into the community’s thought, it was easy for it to be combined with other expressions for the frailty, sinfulness, and impurity of humanity as created beings. The idea that humans are dust (עפר) and will return to the dust is found not only in Job 10:9; 34:15, but also, of course, in the story of creation (Gen 2:7; 3:19). And indeed in the hymns we find the human being expressly described as the one who “returns to the [or his] dust” (שב) (לעפרו) (1QH^a XVIII,4, 12 [Suk. X,4, 12]; XX,26, 31 [Suk. XII,26, 31]). The hymns take this aspect of humanity’s frail existence as “dust” and connect it with other expressions to describe the low state of humanity. In close connection with descriptions of humans as “clay,” as “dust,” and as “worms” are further descriptions of humans as “kneaded with water” (מגבל המים) (1QH^a V,21 [Suk. XIII,15]; IX,21 [Suk. I,21]; XI,24

⁶² Another important verse from Scripture that expresses a similar idea is Ps 143:2: “Do not enter into judgment (במשפט) with your servant, for no one living is righteous before you (כי לא יצדק לפניך כל חי).” This verse has influenced 1QH^a XV,28 [Suk. VII,28] and XVII,14–15 [Suk. IX,14–15].

[Suk. III,24]; XX,25 [Suk. XII,25]), “spat saliva” or a “mixture” [of clay] (מצירוק)⁶³ (1QS XI,21; 1QH^a XX,32 [Suk. XII,32]), a “foundation of shame” (סוד הערוה) (1QH^a IX,22 [Suk. I,22]), a “source of impurity” (מקור הנדה) (1QH^a IX,22 [Suk. I,22]; XX,25 [Suk. XII,25]), an “oven of iniquity” (כור העוון) (1QH^a IX,22 [Suk. I,22]), a “building of sin” (מבנה החטאה) (1QH^a IX,22 [Suk. I,22]), a “spirit of error” (רוח החועה) (1QH^a IX,22 [Suk. I,22]) or a “depraved spirit” (רוח נעה) (1QH^a V,21 [Suk. XIII,15]; IX,22 [Suk. I,22]), “vile shame” (ערוה קלון) (1QH^a V,21 [Suk. XIII,15]; XX,25 [Suk. XII,25]), and a “lodging of darkness” (מדור חושך) (1QH^a XX,25–26 [Suk. XII,25–26]).

The term “kneaded with water” may also come from reflection on the creation story, although the term is not biblical, so that we cannot know that with certainty.⁶⁴ Lichtenberger suggests that both סוד הערוה and מקור הנדה are taken from the language of sexual impurity to describe the extreme impurity of humans.⁶⁵ It is possible, however, that there is a different derivation for each. The term סוד הערוה is probably a secondary formulation based on the phrase סודו ערוה קלן (“his [the human’s] foundation is vile shame”) in 1QH^a V,21 [Suk. XIII,15], so that ערוה קלן is the primary formulation (cf. XX,25 [Suk. XII,25]). In Job 10:15 Job speaks of himself as “filled with shame” (שבע קלון). The substantive ערוה is often used in the OT in the sense of “nakedness.” The adjective ערום (“naked”), which begins with the same two consonants as ערוה, is used in the creation story (Gen 2:25), and it is also used by Job (1:21) to speak of his humble origin and his future, humble death. Therefore it may be that ערוה קלן also comes from reflection on created human nature and refers to nothing more than the human’s low state.

As for מקור הנדה, given the fact that the Qumran community believed that purity was possible only within the *yahad* (1QS III,3–9), it seems more likely that the description of the human as a “source of impurity” is an assessment of the state of the human being apart from God’s justification than that it is connected in some way with sexual impurity. It is also possible that there is a reminiscence of the Enoch tradition, according to which the fall of the angels has infected all of the world

⁶³ On the meaning of this word see Lichtenberger, *Menschenbild*, 82–83 n. 33.

⁶⁴ *Ibid.*, 83–84.

⁶⁵ *Ibid.*, 84–85.

and all of humanity with impurity (*1 En.* 15:8–16:3; *Jub* 7:20–33; 11:4). That the Enoch tradition and its view of the effect of evil spirits influenced Qumran thought and especially its anthropology, even if its anthropological dualism can be largely explained without it, is clear from texts such as 4Q444 1 i 8 and 4Q511 48–49+51,2–3, which speak of the “spirits of bastards.” The latter term alludes to the illicit unions between angels and women in the Enochic myth of the origins of sin.⁶⁶ The spirits are impure and the source of impurity (cf. 4Q444 1 i 8); by contrast, God is a “source of purity” (מִן קוֹר הַטְּוִהָרָה; 4Q511 52–59,2).⁶⁷ The Enoch tradition may also account for the terms “spirit of error” and “depraved spirit,” since error is traced back to the influence of the evil demons (cf. *Jub.* 10:1). The descriptions “oven of iniquity” and “building of sin,” like “source of impurity,” can be understood as descriptions of the human person outside of God’s justification in the *yahad*. The description “lodging of darkness” can be connected with the anthropology of the community, according to which all people have a share in darkness (1QS III,17–26), though some more than others (cf. 4Q186).⁶⁸ Here the share in “darkness” is emphasized to highlight the fallen nature of humans. All of the terms discussed above have the same function: to express the frailty, impurity, and sinfulness of humanity apart from God’s justification and the utter inability of humans to stand or to be righteous before God in and of themselves. The nucleus of the concatenation of terms lies in the wisdom and creation traditions’ view(s) of humans as “clay” and “dust.” To that initial insight have accumulated other expressions for the lowliness of humanity.

We may now return to our discussion of the wisdom tradition. It is no wonder that when faced with two apparently contradictory views in the wisdom tradition—that humans can be righteous before God, and that they cannot be righteous before God—Qumran interpreters of Scripture sought a harmonization. The result is that in their understanding of things, unrighteousness and righteousness are two possibilities

⁶⁶ Cf. DJD 29.377.

⁶⁷ If there is a reminiscence of the Enoch tradition here, it would speak against the claim of Lichtenberger, *Menschenbild*, 89–90, that the sinfulness of humanity is explained only by the creatureliness of humanity.

⁶⁸ Contra Lichtenberger, *ibid.*, 89, who denies any connection with Qumran dualism and finds the source in Job 10:21.

for human existence. It does not lie in a human's own power, however, to make himself righteous; it can only come as a gift from God. In and of himself the human is not and cannot be righteous, but God in his mercy enables the human to be righteous. Thus we read: "Only by your goodness is a man righteous" (רק בטיובך יצדק איש) (1QH^a V,22–23 [Suk. XIII,16–17]). A further conclusion that can be drawn from this view of human nature is that, if humans can be made righteous only as a gift from God, then righteousness belongs to God (alone). That idea is found in several places (1QH^a IV,20 [Suk. XVII,20]; VIII,18 [Suk. XVI,9]; IX,26 [Suk. I,26]; XII,31 [Suk. IV,31]; XIX,18 [Suk. XI,18]; cf. also XIX,7 [Suk. XI,7]). Finally, the view of human nature drawn from the wisdom tradition was easily combined with the understanding of God's righteousness in the psalms with the result that God's sovereign, saving righteousness is understood to manifest itself in God's perfecting of the path of his chosen ones.

H.-W. Kuhn has classified these passages that speak of the lowliness and sinfulness of humanity and that praise God for his righteousness under the genre of the *Niedrigkeitsdoxologie*.⁶⁹ Following Becker, he connects the *Niedrigkeitsdoxologie* in the hymns tradition-historically to the *Gerichtsdoxologie* in the OT, which sets a confession of sin on the part of humans over against God's righteousness (e.g., Exod 9:27–28; Lam 1:18–22; Job 4–5; Ezra 9; Neh 9; Dan 3:31–4:34; 9).⁷⁰ He argues that the difference between the OT *Gerichtsdoxologie* and the *Niedrigkeitsdoxologie* of the *hōdāyōt* is that whereas the OT form focuses on confession of guilt, the form in the *hōdāyōt* includes along with a confession of sin reflection on the creaturely frailty of the human ("die kreatürliche Nichtigkeit des Menschen").⁷¹ While this classification is generally sound, it is important to note that the *Niedrigkeitsdoxologien* in the *hōdāyōt* are influenced by more than one

⁶⁹ Kuhn, *Enderwartung*, 27–29. He distinguishes from the *Niedrigkeitsdoxologie* another form that he calls the *Elendsbetrachtung*. The latter does not include a doxology; it has only a reflection on the fallenness and nothingness of humanity. The usefulness of the distinction is diminished by the observation that the doxological element and the element of reflection on human frailty are conceptually distinct, and by the fact that Kuhn includes only two passages under the *Elendsbetrachtung*: 1QH^a XI,23–25 [Suk. III,23–25] and XIX,19–22 [Suk. XI,19–22]. Of these, the latter does have a doxology preceding it in XIX,17–18 [Suk. XI,17–18].

⁷⁰ Ibid. The reference is to Becker, *Heil*, 135.

⁷¹ Kuhn, *Enderwartung*, 27.

tradition.⁷² They are influenced not only by the OT *Gerichtsdoxologie*, but also by the wisdom tradition—which should be distinguished from the *Gerichtsdoxologie*, even if the latter may be found occasionally in the wisdom tradition—and perhaps even by the Enoch tradition. While it may be true that in the OT the genre of the *Gerichtsdoxologie* could be combined with sapiential reflection on the weakness and sinfulness of humanity (e.g., Job 4–5), it is equally clear from the OT that reflection on the weakness of humanity as creatures of God and confessions of human sinfulness existed separately from each other and that the one did not necessarily imply the other. If the *Niedrigkeitsdoxologien* are based on more than one tradition, that would explain why they are found in varying levels of expansiveness in the *hōdāyōt* (for example, the doxology in 1QH^a XII,29–33 [Suk. IV,29–33] is less expansive than the others).⁷³

In any case, reflection on the frailty of humanity, along with reflection on the problem of sin from other traditions (e.g., the Deuteronomistic tradition; the *yahad* as a refuge from impurity, etc.), led to the profound sense of human sinfulness that we find in the *Niedrigkeitsdoxologien*. The result is that existence in the flesh (בשר) comes to be closely connected with sin (1QS XI,9, 12). Indeed, “flesh” comes to be understood as a form of existence from which the self cannot be separated and that compels towards sin, for the flesh as flesh becomes the house of sin (e.g., 1QH^a IV,25 [Suk. XVII,25]; V,19–22 [Suk. XIII,13–16]; XII,29 [Suk. IV,29]).⁷⁴

As noted in the previous section, the idea that righteousness belongs to God (alone) is found in the OT *Gerichtsdoxologie*, and that form is the third major strand of biblical tradition that contributed to the concept of the righteousness of God in the *hōdāyōt*. Although the significance of this OT form for the hymns has been noted before, it requires more thorough investigation, since it is prominent in the Deuteronomistic tradition, which in turn was significant in the origins of the theology of the Damascus covenant. The idea that “righteousness belongs to God,” expressed in the exclamation, “to you [God] belongs righteousness” (לכה הצדק and the like) is frequent in the *hōdāyōt*. Exclamations about the righteousness of God appear as standard

⁷² Cf. Becker, *Heil*, 136.

⁷³ See further pp. 415–16 above.

⁷⁴ See Becker, *Heil*, 109–14.

elements of confessions of sins in the biblical tradition. The closest parallels to the *hōdāyōt* are Dan 9:7, which says, “righteousness is yours, O Lord” (לך אדני הצדקה), and Bar 1:15 (cf. also 2:6), where the confession of sins begins, “to the Lord our God belongs righteousness” (τῷ κυρίῳ θεῷ ἡμῶν ἡ δικαιοσύνη). In the confession of sins in Neh 9:33 the people say, “you have been righteous (צדיק) in everything that has come upon us.” Similarly in his confession of sins in Tob 3:2 Tobit says: “You are righteous (δικαίος), O Lord, and all your deeds are just.” Also in Pr Azar 4 (LXX Dan 3:27) the confession of sins begins with the words, “You are righteous (δικαίος) in all that you have done.”

The common context for all of these exclamations is a confession of sins in which the sinfulness of the people of Israel is set in sharp contrast to the righteousness of God. Many if not all of these texts of confession have their background in Deuteronomistic tradition. In Deut 30:1–5—a text that I have shown to have been very important to the Damascus covenant⁷⁵—God promises the people of Israel that, even though they should be taken into exile because of their sins, yet if (or rather when)⁷⁶ they come to their senses (והשבח אל לבבך) among the nations where God has driven them (בכל הגוים אשר הדיחך) and return to God with all their heart and with all their soul (בכל לבבך ובכל נפשך), God would restore their fortunes and bring them back to their land. This part of Deuteronomy gave structure to the Deuteronomistic prayer of Solomon in 1 Kings 8. There Solomon prays (8:46–53):

If they sin against you—for there is no one who does not sin—and you are angry with them and give them to an enemy, so that their captors take them captive to the land of the enemy, far (רחוקה) or near (קרובה); and if they come to their senses (והשיבו אל לבם) in the land to which they have been taken captive, and repent, and plead with you in the land of their captors, saying “we have sinned (חטאנו), and we have done wrong (והעווינו), we have acted wickedly (רשענו)”;

and if they return to you with all their heart and with all their soul (בכל לבבם ובכל נפשם) in the land of their enemy, who took them captive, and they pray to you toward their land, which you gave to their fathers, the city that you have chosen, and the house that you built for your name—then hear (ושמעו) in heaven

⁷⁵ See Chapters 3 and 4, pp. 81–83, 93–95, 109–12, 153–54.

⁷⁶ As I show in Chapter 3, this text could be and was read as a promise rather than a condition: when Israel went in exile they *would* turn to God. See pp. 110–11.

your dwelling place their prayer and their supplication, and maintain their cause, and forgive (וסלחה) your people who have sinned against you and all their transgressions that they have committed against you, and grant them compassion in the sight of their captors, so that they might have compassion on them; for they are your people and your heritage, whom you brought out of Egypt, from the midst of the iron-smelter. Let your eyes be open (להיות עיניך פתוחות) to the supplication of your servant (אל חנה עבדך) and to the supplication of your people Israel, listening to them whenever they cry to you; for you have separated them from all the peoples of the earth to be your heritage, as you promised through Moses your servant when you brought our ancestors out of Egypt, O Lord GOD.

That the prayer in Dan 9:4b–19 is rooted in the Deuteronomistic tradition is clear from the formal and linguistic parallels between that prayer and Solomon’s prayer. In 9:4b Daniel calls upon the God who “keeps covenant and steadfast love with those who love him and who keep his commandments,” which is a Deuteronomic and Deuteronomistic formula (cf. Deut 7:9; 1 Kings 8:23; Neh 1:5; 9:32). In the next verse he confesses that “we have sinned (חטאנו), and we have done wrong (ועוינו), and we have acted wickedly (והרשענו).” Then he says:

Righteousness belongs to you, O Lord (לך ארני הצדקה), but to us belongs open shame, as on this day (כיום הזה; cf. Deut 29:27), to the people of Judah and to the inhabitants of Jerusalem, and to all Israel, those who are near (הקרובים) and those who are far (והרחוקים) in all the lands to which you have driven them (בכל הארצות אשר הדחתם שם), because of their treachery that they have committed against you” (cf. Lev 26:40).

Daniel goes on to confess that “all Israel has transgressed” God’s law, with the result that God has poured out upon Israel “the curse and the oath that is written in the law of Moses.” That curse is, of course, the devastation of the land and the exile (Deut 30:1; cf. Deut 28:15–68; 29:9–28; Lev 26:14–45). God is therefore righteous (צדיק) in all that he has done (Dan 9:14) because he has upheld the words of the law of Moses by bring destruction upon Israel for its sins (9:12). After this confession of sins Daniel asks God to have mercy “according to all your righteous acts” (ככל צדקותך), and to “listen (שמע) to the prayer of your servant (אל תפלה עבדך),” to “open your eyes” (פקחה עיניך), and to forgive (סלחה) the people. Daniel says that “we do not present our supplications before you on the grounds of our own acts of righteousness (על צדקותינו), but on the ground of your great mercies.”

This prayer of Daniel is a prayer in the great Deuteronomistic tradition. The Deuteronomistic background of his prayer could hardly be more evident. Linguistic and stylistic differences indicate that it was not composed by the author of Daniel.⁷⁷ The use of Deuteronomistic tradition and the great interest in the promise of the restoration of Israel suggest that the prayer originated in post-exilic circles that were interested in the restoration of Israel. Thus it stands close to the theology of the post-exilic Deuteronomists, of Nehemiah, and of the Damascus covenant.⁷⁸ In this context, God's righteousness lies in his faithfulness in keeping his word (Dan 9:12, 14; Neh 9:33; Ezra 9:15). God is justified in having rendered judgment on sinful Israel by bringing punishment on the nation. But because God also promised Israel that, when they should repent of their sins, God would restore the nation, Israel is able to appeal to God's righteousness in asking that God also uphold that promise (cf. Bar 2:27–35). The Deuteronomistic tradition holds that God is righteous (cf. Neh 9:8: צדיק) in having once fulfilled his promise to give Israel the land, which was one of God's "righteous acts" (צדקות) (1 Sam 12:7), and so Israel can appeal to God to act once again according to his צדקות to restore Israel to the land (Dan 9:16). The same pattern of Deuteronomistic thought is found in Neh 1:5–11 and Bar 1:15–3:8 (cf. also Neh 9:32–37; Tob 3:2–6; Pr Azar 3–22 [=LXX Dan 3:26–45]).

The influence of this tradition on the understanding of the righteousness of God in the *hōdāyôt* is not as obvious as that of the other two traditions that we have studied, but it does appear in a few places. The exclamation, "righteousness belongs to you [God]" appears in three places: 1QH^a IV,20 [Suk. XVII,20]; VIII,18 [Suk. XVI,9]; and XIX,18 [Suk. XI,18].⁷⁹ The phrase appears in IV,20 [Suk. XVII,20] in the context of the confession of sins. Two lines later the hymnist speaks of God's restoring his humility through punishments, which might reflect the Deuteronomistic idea that in his righteousness God first punishes sins and then brings restoration. In VIII,18 [Suk. XVI,9] the hymnist praises God for his steadfast love and his favor, and once again the

⁷⁷ John J. Collins, *Daniel* (Hermeneia; Minneapolis: Fortress Press, 1993) 347.

⁷⁸ Cf. Collins, *ibid.*, 359: "The prayer in Daniel 9 is a traditional piece that could have been composed at any time after the Exile." On restoration movements in the post-exilic period, and how the Damascus covenant fits into them, see my Chapter 4.

⁷⁹ Similar phrases appear in 1QH^a IX,26 [Suk. I,26] and XII,31 [Suk. IV,31].

context is probably the forgiveness of sins.⁸⁰ While the influence of this particular biblical tradition on the hymns appears to be relatively modest (in merely verbal terms), in combination with the other biblical traditions on the righteousness of God it makes a very important contribution.⁸¹ Its contribution is to affirm that despite human unfaithfulness, God, who alone is righteous, is faithful in freeing members of the community from sin (e.g. IV,20–24 [Suk. XVII,20–24]). It also links the concept of the righteousness of God to the Deuteronomistic theme of the restoration of the people of God, which, as we have seen, was very important in the theology of the Damascus covenant and its offshoot the *yahad*.

We may now summarize the results of this excursus on the concept of the righteousness of God in the *hōdāyōt* as seen from the perspective of biblical tradition. The three major biblical traditions that we have studied have been combined in a remarkable way, such that God's "righteousness" connotes his exclusive, all-encompassing sovereignty in creation, judgment, and salvation. It also connotes his power in acting to forgive sins and to make righteous. The wisdom tradition and the tradition of the *Gerichtsdoxologie* are used together to emphasize the contrast between the righteous God and unrighteous humanity (and Israel) and the vast distance that separates them. The tradition of the *Gerichtsdoxologie* provided language to express a profound sense of the sinfulness of the people, while the wisdom tradition (along with the creation tradition) provided an anthropological basis (human frailty) for understanding that sinfulness. Equally important, however, is the insight that the Deuteronomistic (covenantal) tradition placed absolute confidence in God's righteousness in upholding his promise to restore repentant Israel. Therefore the covenant becomes the means through which God's righteousness is to be confirmed. In that respect our analysis of the biblical roots of the concept of God's righteousness in the *hōdāyōt* supports our findings with regard to the relationship between covenant and the righteousness of God from our analysis of the hymns in the first part of this chapter.

⁸⁰ Carmignac, "Les hymnes," 165, finds an allusion to Jer 14:22 here, and that is probably correct. The context in Jeremiah, as in Dan 9, is communal confession of sins and the appeal for mercy.

⁸¹ Holm-Nielsen, *Hodayot*, 86, suggests a possible allusion to Dan 9:24 in 1QH^a XII,37 [Suk. IV,37].

7.6 *The yahad and the Revelation of Human Sinfulness*

The result of this confluence of the community's various traditions was a deepened awareness of the problem of sin. We saw above that the wisdom tradition held two seemingly opposite views: on the one hand, it is possible for a person to walk in perfection; on the other hand, no one can be righteous before God. The Qumran community resolved this (only apparent) contradiction by affirming that perfection of path is a possibility for humans; it is possible, however, not by a person's own capacity, but only as an act of God's righteousness. In the earliest traditions in the Damascus covenant there is confidence in the ability of persons to walk in perfection as a matter of free choice.⁸² So, for example, in the second discourse in the *Damascus Document* the *maskil* calls upon his audience to "choose what [God] desires and to reject what he hates, so that you can walk perfectly in all his paths" (CD II,15–16; cf. also 4Q266 2 i 4). In 1QS VIII,1, 10, one of the community foundation documents,⁸³ one of the stipulations for the establishment of the community is that its founding members have two years of "perfection of path," upon which they will become the foundation of "holiness" in the community. They are the ones who will atone for sin (VIII,3, 10). Thus whereas in later material it is God's atonement that allows for perfection of path and the steadying of one's steps (1QS XI,2–3, 10–11, 13–15),⁸⁴ here it is perfection of path that is atoning. Perfection of path is assumed to be possible without the need for a prior act of atonement by God. In 1QS III,9b–10 the member of the community is admonished to "steady his steps so as to walk in perfection in all

⁸² See also Becker, *Heil*, 66–67, who points out that in the early (Teacher) hymns there is not yet a sense of man as a sinner who can do no other than sin, as in the later hymns.

⁸³ On the relationship between this community foundation document and the others in 1QS V and VI, see Chapter 5, pp. 311–15.

⁸⁴ In XI,10 there is influence from Jer 10:23. This verse is a source of inspiration for the common exclamation in the hymns, "I know" (יָדַעְתִּי), in regard to human sinfulness and weakness (cf. 1QH^a VII,12–13 [Suk. XV,12–13]). There may also be influence from Ps 37:23–24, which states that a man's steps are secured by God. In 4QpPs^a (4Q171) 1+3–4 iii 14–17 these verses from Ps 37 are interpreted of the Teacher of Righteousness. The ability to walk in God's path comes as a gift from God.

the paths of God.”⁸⁵ Already here, however, it is clear that it is only within the community and through the atonement offered there by God that such perfection is possible (cf. II,25–III,9a). Thus we have a transition from the idea that a person can steady his steps and so atone for sins, as in 1QS VIII,10 (cf. III,11),⁸⁶ to the idea that God’s atonement, offered to those who belong to the community, is necessary for perfection of path. The way was thus opened for the view that belonging to the *yahad* was the exclusively sufficient means for perfection of path and justification. Accordingly 1QS III,3 states that no one will be justified (לֹא יִצְדָק) who has not entered the community of the covenant.

There had always been a recognition that members of the community could sin (cf. 1QS VIII,16b–19; VIII,20–26; cf. also CD XX,1b–8a). The community’s understanding of the problem of sin was radicalized, however, by three factors.⁸⁷ First, it was radicalized by the belief that the community was the exclusively sufficient means for perfection of path, as discussed above. Justification is possible only within the *yahad* (1QS III,3). This belief was probably connected with the community’s understanding of itself as a refuge from impurity and deceit, as discussed in Chapter 5. Second, it was radicalized under the influence of dualistic theology, according to which sin is inevitable, even for the elect (1QS III,21–25; IV,23–26). As we saw in Chapter 6, this dualistic theology had a long and multi-faceted pre-history. It was put into the service of emphasizing the gulf that separated the community as a refuge from sin from the rest of Judaism; however, because of the anthropological dualism already inherent in the wisdom tradition,

⁸⁵ These lines are usually translated in the sense that the member is exhorted to steady his own path. The probable allusion to Ps 119:133 in this line, however, suggests that God could be the subject of יִצְדָק (cf. also 1QS XI,13). In either case it is clear that it is only within the community of God that steadiness of path is possible.

⁸⁶ The allusion to Ezek 20:41 in 1QS III,11 means that the line should be translated: “Then he will be accepted as a pleasing atonement before God, and it will be for him a covenant of an everlasting community,” rather than, “he will be accepted by means of a pleasing atonement,” or the like. That is, the כּ is a כּ of identity rather than a כּ of instrumentality (cf. Wernberg-Møller, *The Manual of Discipline*, 65). The thought thus parallels 1QS VIII,9–10 closely.

⁸⁷ There is no need to postulate foreign influence as a cause of the deepened awareness of sin at Qumran, as does Herbert Braun, “Römer 7,7–25 und das Selbstverständnis des Qumran-Frommen,” *ZTK* 56 (1959) 17 (“unter gnostischem Einfluß”).

which was a part of the inheritance of the Qumran community, it was impossible to dispense with belief in the inherent sinfulness of all people, including community members. Finally, the community's understanding of sin was radicalized by reflection on the righteousness of God and on the unrighteousness of humans. As we saw above, the awareness of the gulf separating God and humans was due especially to the wisdom tradition and the tradition of the confession of sins, both of which emphasized the unrighteousness of humans before God.

One can say, then, that belief in the sole sufficiency of the *yahad* as a means to justification before God coincided with or (it may be more accurate to say) led to a deepened awareness of the problem of sin. In other words, the discovery of God's saving righteousness in the *yahad* was simultaneously the revelation of the depth of human sinfulness.⁸⁸ The possibility of sinning was no longer understood simply as failure to choose perfection of path (cf. CD II,15–16); rather it was now understood as the unavoidable state of human existence outside of the *yahad*. That is the view that dominates many of the later *hōdāyōt*. Some of the early hymns, especially those written by the Teacher himself, followed the earlier view that perfection of path was possible for those who turned from sin (e.g., 1QH^a XIV,6–7, 20 [Suk. VI,6–7, 20]⁸⁹).⁹⁰ In the later hymns, however, perfection of path is possible only by the mercy of God within the *yahad* (1QS XI,2–3, 13, 17; 1QH^a VII,12–13

⁸⁸ Cf. Becker, *Heil*, 137, on the *Niedrigkeitsdoxologien* in the community hymns: "Daraus ergibt sich zwangsläufig, daß diese Bekenntnisse über die Unheilssituation nicht eine dem Heil vorgegebene Erkenntnis, sondern erst die Folge der Heilswendung sind. Ohne Heilsmittelung weiß der Mensch auch nichts über seine Verlorenheit. Ebenso gilt: Erst angesichts der Größe Gottes, die dem Menschen offenbart wurde, erkennt er sich selbst als der Nichtige und Ohnmächtige."

⁸⁹ But even in the Teacher hymns the mention of Belial as the counselor of sinners' hearts (e.g., 1QH^a XII,12–14 [Suk. IV,12–14]; XIV,21–22 [Suk. VI,21–22]; and XV,3 [Suk. VII,3]) points to a developing dualistic understanding according to which sinners are compelled in their sinning.

⁹⁰ The earlier view that humans are capable of perfection of path is also implicit in 1QH^a IX,36 [Suk. I,36]. Form-critical considerations indicate that IX,34b–38 [Suk. I,34b–38] must be considered an independent unit. Its call to "listen" marks it as a speech of the *maskil*, rooted in the wisdom tradition (cf. CD I,1; II,2, 14; 4Q298 1–2 i 1, 2; 3–4 ii 4; on this form of speech, see Chapter 6, pp. 379–82). The formal elements are exactly the same as in 4Q298: call to listen; participial phrases describing the hearers in terms of wisdom; admonitions in the imperative. Thus the unit does not necessarily stand in any direct connection with the confession of human sinfulness that precedes it in 1QH^a IX,27 [Suk. I,27].

[Suk. XV,12–13]; XII,30–32 [Suk. IV,30–32];⁹¹ XX,34–35 [Suk. XII,34–35]; cf. also IV,21 [Suk. XVII,21]). Thus the revelation of God's righteousness in establishing a *yahad* in which (alone) justification, purification, and atonement were possible coincided with (or led to) a deeper awareness of the profound sinfulness of humanity.⁹²

In conclusion, then, one can say that the rise of the covenant community is not only the (proleptic) manifestation and confirmation of the righteousness of God, but it is also the revelation of the depth of human sinfulness. The earliest community foundation documents (see 1QS V,1–2; VIII,13) testify that from the very beginning of its existence the community that eventually became Qumran was aware of the threat of sin and impurity that participation in Judaism outside of the community presented. It was, however, the existence of the fully established *yahad* and its self-understanding as the exclusive means to righteousness before God that led to the profound sense of the sinfulness of humanity that we find in the *hōdāyōt*, and to the concomitant belief in the utter impossibility of human righteousness apart from justification by the mercy of God. At the same time, the existence of the *yahad* and its anthropology led to the realization of the enduring problem of sin even within the *yahad*, a problem that could be solved only by an eschatological act of purification and justification by God.

7.7 *The yahad as Locus of Justification*

If the establishment of the *yahad* is both the revelation of the righteousness of God and the revelation of the depth of human sinfulness, it is at the same time also the means by which God enables people to become righteous. As we have seen, the complete purification of the righteous will not happen until the *eschaton* (1QS IV,20–22). Already in the present, however, life within the community makes possible a proleptic purification, in that sins are forgiven within the community, and there perfection of path is made possible (III,6–12). Such perfec-

⁹¹ This part of the hymn may come from the Teacher but at a later time in his career. On the question whether this part belongs to a hymn of the Teacher or not, see n. 8.

⁹² In Chapter 9 we shall see that this idea—the establishment of the *yahad* coinciding with the revelation of the sinfulness of humanity—is also present in CD III,17b–19 and explains the rough transition from III,17a to III,17b

tion takes the form of the correct observance of the whole of the law, both the hidden law and the revealed law. Thus one can say: God's righteousness lies in his setting the member of the community free from sin and in making it possible for him to observe the law perfectly, so that he might stand righteous before God in the final judgment on the basis of his works in the law.

In order to substantiate the last sentence, it will be necessary to study the relationship between covenant, law, and the righteousness of God in the *hōdāyōt*. We shall do that in three steps. First we shall study the framework for the relationship between covenant, law, and the righteousness of God that was already established in the pre-Qumran period. Specifically we can see the framework established in *MMT*. In a second step we shall study one of the hymns of the Teacher to see how the relationship is formulated there. Finally we shall move to hymns composed by others than the Teacher to see how the framework continues to function there.

We shall begin with *MMT*. After setting out a series of halakic disagreements between the author(s) and the recipients of the letter, the author(s) of *MMT* say(s) that "we have separated ourselves from the multitude of the people...and from participating in these things [false practices in the law]" (C 7–8).⁹³ The author(s) then say(s) that the addressee (now singular)⁹⁴ should study Scripture, and quote(s) from the end of the book of Deuteronomy, which predicts that in later days (or at the end of days: באחרית הימים) the people of Israel would turn aside from the law (Deut 31:29) but also that, when the blessings and curses of the law have come upon the people, they will take it to heart and return to God with all their heart and with all their soul" (30:1–3) (C 10–16). We saw in Chapters 3 and 4 that Deut 30:1–5 was absolutely central to the self-understanding of the Damascus covenant. That passage is the Deuteronomists' summary of the preaching of the prophets to the exiles in the land of their exile, and more specifically, of the "new covenant" theology of the exilic prophets. The message of those prophets and of the Deuteronomists who were their heirs was that, if (or rather when) the exiles should return to the LORD with all their heart and with all their soul in the land of their exile, God would

⁹³ Line numbers follow the edition in DJD 10.

⁹⁴ The singular addressee of section C is generally thought to be a national leader of the people of Israel (see DJD 10.111, 117–21; and Chapter 5, pp. 257–64).

restore them to the land of Israel from their exile. This idea was foundational for the rise of the covenantal theology of the various post-exilic covenants that appear in Nehemiah, the work of the Chronicler, and the Damascus covenant itself.⁹⁵ Thus when the author(s) of *MMT* cite(s) this passage of Deuteronomy, he is (they are) drawing on a central part of the Damascus covenant's traditional covenantal theology.

It must be noted that in the citations of Deut 30 and 31 the words "in later days (or at the end of days: באחרית הימים)" have been moved from their biblical context in Deut 31:29 (cited in C 12), which has to do with the people's turning away from the law, and inserted in the citation of Deut 30:1–3 in C 14 (which has to do with the coming of blessings and curses and with Israel's return to God), even though the words do not appear in Deut 30:1–3 itself.⁹⁶ In C 21, after having stated in C 18–20 that the blessings and the curses foretold by Moses have already been realized, the author(s) write(s): "This is the end of days [אחרית הימים],⁹⁷ when they will return (שישובו) within⁹⁸ Israel."⁹⁹ In this way the author(s) shift(s) the "eschatological" or future¹⁰⁰ focus away

⁹⁵ See Chapters 3 and 4.

⁹⁶ The word(s) "at the end" (באחרית[ות]) may also appear in C 16, but the fragmentary state of the text prohibits certainty in the reading and context.

⁹⁷ Not "at the end of days" as Qimron has it in DJD 10.21. Cf. Florentino García Martínez, "4QMMT in a Qumran Context," *Reading 4QMMT: New Perspectives on Qumran Law and History* (Atlanta: Scholars Press, 1996) 18.

⁹⁸ The Hebrew reads [באחרית אל] שישובו בישראל. Qimron's translation "when they will return to Isra[el]" is wrong. Cf. García Martínez, *ibid.*, 18–19.

⁹⁹ García Martínez, *ibid.*, 21–22, suggests that the phrase, "and this is the end of days," in C 21 could go with the preceding sentence, "we know that some of the blessings and the curses as written in the book of Moses have come, and this is the end of days." From a grammatical point of view, the prefixed particle ו in the following word almost certainly requires that the phrase, "and this is the end of days," be taken with what follows: "And this is the end of days, when they return in Israel...." Otherwise it would be difficult to make sense of the particle. On the basis of C 14, however, one can argue that the blessings and the curses also belong to the "end of days."

¹⁰⁰ I use the word "eschatological" in a qualified sense here. As García Martínez, *ibid.*, 20–23, points out, the use of אחרית הימים here does not carry quite the same eschatological weight as it does in later writings from Qumran. I use "eschatological" in the sense that the author(s) of the document do(es) seem to have understood himself (themselves) as living in a time of restoration, predicted for the future from the perspective of Moses (see below), even if it is not the time of eschatological judgment.

from the time of apostasy (Deut 31:29) to the time of the blessings and the curses and, most especially, to the time of repentance, when Israel would according to Deut 30:1–3 “return to the LORD...with all [their] heart and with all [their] soul.” In other words, on the basis of the eschatological interpretation of Deut 30:1–3, the fact that some of the blessings and curses foretold in the law of Moses have already come upon Israel (C 18–21) is taken to mean that “it is the end of days, when they will return in Israel...” (C 21; cf. C 14). Hence the author(s) understand(s) himself (themselves) to be living in the time of restoration.

As we saw in our study of the origins of the Damascus covenant in Chapter 4, the covenant understood itself to be the means by which Israel would return to God and to the law of Moses with all its heart and with all its soul, and believed that thereby God would restore Israel. As we saw in Chapter 5, *MMT* comes from the transitional period when a segment of the Damascus covenant was starting to isolate itself from the rest of Judaism as a way of protecting itself from a proto-Pharisaic halakah, adherents of which had infiltrated the Damascus covenant. It is clear from lines C 12–16, however, that the author(s) considered himself (themselves) to be in continuity with the theology of the Damascus covenant. Accordingly he (they) understood the present to be a time to return to God, and more specifically, to return to the law of Moses (correctly interpreted). The beginning of line C 22, which comes after the words, “this is the end of days, when they will return within Israel,” in C 21, is damaged, but it is possible that it read “to the law” (לתורה), so that we would have: “This is the end of days, when they will return within Israel to the law [of Moses]....”¹⁰¹ That would agree well with the present interpretation.

If we read *MMT* as standing in continuity with the theology of the Damascus covenant, we have the following situation: The author(s) call(s) on the recipient (singular in C 10–32) to turn back to the correct interpretation of the law, that is, to the traditional interpretation of the law in the Damascus covenant itself (C 26–28). He (they) appeal(s) to the recipient to ask God to protect him from the power of Belial, who threatens to mislead him. If he does the works of the Torah correctly,

¹⁰¹ Cf. García Martínez, *ibid.*, 18–19.

it will be accounted to him as righteousness, and it will be for his own good and for the good of Israel (C 28–32).¹⁰²

Although this text comes from the pre-Qumran period, the basic framework of thought that we find in the later *hōdāyōt* is already present. God established the Damascus covenant as a means by which Israel could return to the law of Moses, perform it correctly, and so be restored by God. The demonic power of Belial threatens to mislead Israel into the improper observance of the law, but by the help of God one can be delivered from his power and so observe the law correctly. Correct observance of the law will be reckoned to one as righteousness, and that is what will preserve one in the final judgment “at the end of time (באחרית העת)” (C 30).

This framework of thought came later to underlie the theology of the *yahad*. God established the community of the covenant in order that its members might observe the law correctly (1QS V,1–2). Although the Angel of Darkness causes even the sons of light to stumble, God assists them in their struggle against sin (III,20–25). Even though the full and permanent purification of the members of the community has to await the *eschaton* (IV,20–22), already in the present the *yahad* makes possible a proleptic purification and justification (III,6–9). Those who live within the *yahad* are given the possibility of perfection of path (III,9–10), and it is those who persevere in perfection of path who will receive eschatological salvation (IV,22–23). Thus one can say that it is God’s prevenient grace, in establishing the covenant, that first allows for righteousness in the law; in the end, however, it is perfect fulfillment of the works of the law that establishes one as righteous before God in the final judgment.

This framework of thought is what determines the relationship between covenant, law, and the righteousness of God in the *hōdāyōt*. We may now turn, then, to our analysis of the relationship between covenant, law, and the righteousness of God in the hymns. We shall begin with the reflection of the Teacher. As an example we may take 1QH^a XII,5–XIII,4 [Suk. IV,5–V,4], where the relationship comes to clearest expression. It was noted above that in the hymns of the Teacher the dualism and predestination that are so prominent in the other hymns

¹⁰² I accept the order of fragments 11–13 and 14–17 as presented in DJD 10.58–63. An alternative order would not affect my argument. For a brief discussion of the problem, see pp. 205–06 in that volume.

and in other writings from Qumran are not yet evident. Rather, we find in them a strong focus on covenant and law. That focus demonstrates the continuity in thought between the pre-Qumran period (*MMT*), where, as we have seen, those themes are also prominent, and the hymns of the Teacher. But the way in which these themes are treated in the hymns of the Teacher will also have important similarities to the way in which these themes are treated in the community hymns.

As was demonstrated above, the hymn in 1QH^a XII,5–XIII,4 [Suk. IV,5–V,4] actually consists of two parts, one part in XII,5–22a [Suk. IV,5–22a] and a second one in XII,22b–XIII,4 [Suk. IV,22b–V,4] that repeats themes from the first.¹⁰³ We shall begin with the first part. The Teacher starts by thanking God for “enlightening” his face (or presence) for the covenant. By this the Teacher presumably means that God has made him a source of enlightenment for the members of the community. He says just that in XII,27 [Suk. IV,27] in the second part of the hymn. A common theme in the hymns of the Teacher is that the Teacher is a source of special revelation, a theme that appears, besides the present lines, in X,8–9, 13 [Suk. II,8–9, 13]; XIII,8–9, 11 [Suk. V,8–9, 11]; XVI,16 [Suk. VIII,16].¹⁰⁴ In XII,21 [Suk. IV,21] the Teacher calls those that follow his teaching “those who walk in the way of [God’s] heart (הולכי בדרך לבכה)” (cf. XII,17–18, 24 [Suk. IV,17–18, 24]). Similarly, CD I,11 says that God raised up the Teacher of Righteousness to direct the members of the community in the way of God’s heart (להדריךנו בדרך לבו).¹⁰⁵ In 1QH^a XII,10 [Suk. IV,10] the Teacher says that God has engraved the law on his heart. In other words, the Teacher mediates the correct interpretation of the law. His opponents, by contrast, are mediators of deceit (XII,7, 9–10 [Suk. IV,7, 9–10]) who want to change God’s law and who give easy interpretations (חלקות) of the law to the people (XII,10–11 [Suk. IV,10–11]). These opponents are presumably the “seekers of easy interpretations” (דורשי החלקות) known to us from the *pesharim* and other community texts. They are under the influence of Belial. They do not choose the path of God’s heart (XII,12–13, 17–18 [Suk. IV,12–13, 17–18]). They seek God with “the stubbornness of their heart” (שרירות לבם) and with

¹⁰³ See p. 412, n. 8.

¹⁰⁴ On the imagery of water here for correct teaching, and on the use of the image of “early rain” here for the Teacher, see Jeremias, *Lehrer*, 261.

¹⁰⁵ See also 4QpPs^a (4Q171) 1+3–4 iii 15–17.

“idols” (גלילים) and the “obstacle of their iniquity” (מכשול עוונם) (XII,15 [Suk. IV,15]). As is clear from 1QS II,11–18 (cf. also CD XX,9–10), these terms of derogation refer to persons who are unfaithful to the precepts (legal interpretations) of the covenant. In short: “they have turned away from [God’s] covenant” (1QH^a XII,19 [Suk. IV,19]). In the final judgment God will destroy these men of deceit, while those who are in harmony with God and who walk in the path of his heart will stand forever (XII,20–22 [Suk. IV,20–22]).

Thus we have here the same framework that we found previously in our analysis of *MMT* and 1QS: God established the community, and in this case especially the Teacher within it, as the means by which the faithful might know and practice the correct interpretation of the law. Those outside of the fold are under the power of Belial. Although we do not yet have here a full-blown dualism, the presence of Belial in this hymn suggests that this hymn prepares the way for dualism, as would be appropriate for a text that lies (chronologically) near the beginnings of the community’s history (cf. similarly *MMT* C 29). Those who walk on God’s paths—who are righteous by virtue of the correct practice of the law—are assured eternal salvation. The opponents of the community are destined to destruction. By way of summary, then, we might say that according to this hymn God establishes the community as a way to become free from sin and the power of Belial and to be right before God on the basis of the works of the law, so as to be able to stand in God’s judgment.

No explicit reference to the righteousness of God is made here. The Teacher does make reference to God’s righteousness, however, in another of his hymns, specifically in 1QH^a XV,18–20 [Suk. VII,18–20]. There he says: “I rely on the multi[tude of your compassion and] I hope in [the abundance] of your mercy, to make the plantation thrive and to make the shoot grow large, to seek refuge [give refuge?] in strength and...your righteousness (צדקתה). You have established me for your covenant, and I shall cling to your truth.” Although the text is fragmentary, the general sense is clear enough. Here God’s righteousness lies in his establishing the Teacher in the covenant. Thereby God establishes the Teacher in, and causes him to teach, the truth of God, namely, the correct interpretation of the law, against his enemies (XV,10–15 [Suk. VII,10–15]). Those who adhere to this truth will be declared righteous in the judgment, while those who reject that truth will be declared guilty (XV,12 [Suk. VII,12]). Thus already in this

early text there is a clear connection between covenant, law, and the righteousness of God.

We now turn to the second part of our first hymn (XII,22b–XIII,4 [Suk. IV,22b–V,4]). We find a similar pattern of thought here. God revealed himself to the Teacher and through him enlightened the face of many (XII,23, 27 [Suk. IV,23, 27]; cf. XII,6 [Suk. IV,6]). God revealed to him the wonderful mysteries (XII,27–28 [Suk. IV,27–28]). Those who listen to the Teacher are “those who walk on the path of [God’s] heart (ההולכים בדרך לבכה) (XII,24 [Suk. IV,24]; cf. XII,21 [Suk. IV,21]). That is, they are the ones who observe God’s law correctly. They are the ones who have been gathered together for God’s covenant (XII,24 [Suk. IV,24]). God protects them from scoundrels when they scheme against them (XII,25–26 [Suk. IV,25–26]; cf. XII,13 [Suk. IV,13]). God will vindicate them, while he will destroy at the judgment all those who violate God’s word (XII,25–27 [Suk. IV,25–27]; cf. XII,20–22a [Suk. IV,20–22a]). Here again we find reference to “God’s righteous acts” (מעשי צדקה) (XII,31 [Suk. IV,31]). God’s righteous acts lie in his perfecting the path of men in the covenant.

Once we have observed this framework of thought in this hymn of the Teacher, we can see its continuing presence in some of the other *hôdāyôt*. In the hymn in 1QH^a IV,17–25 [Suk. XVII,17–25], the hymnist praises God’s acts of righteousness (צדקות) and acknowledges that to God (alone) does righteousness (צדקה) belong. He confesses his sins and asks God to free him from sin. He acknowledges that God “levels the path” of the one whom he chooses; that is, God in his righteousness prevents his chosen ones from sinning and enables them “to walk in all that [God] loves and to reject all that [God] hates.” As CD II,14–16; III,12b–17a and 1QS I,3–4 show, choosing what God loves and rejecting what God hates means to observe perfectly the law of Moses according to the interpretation of the covenant. Thus God’s righteousness lies in his establishment of the community, in his forgiving of sins, and in his enabling the member of the community to observe perfectly the law of God.

Similarly in the preceding hymn (1QH^a IV,9–15 [Suk. XVII,9–15]) the hymnist praises God for his forgiveness. He also says that the posterity of the faithful will stand before God, and that they will receive all the glory of Adam as their inheritance. That is reminiscent of CD III,19–20, which says that all those who remain steadfast in the “sure house” (the *yahad*) will acquire eternal life, and all the glory of

Adam will be theirs.¹⁰⁶ In other words, those who hold steadfastly to the precepts of the community will receive eschatological salvation. The parallel use of terminology suggests that the same idea may underlie 1QH^a IV,9–15 [Suk. XVII,9–15]. God provides the means whereby those who “serve him loyally” can obtain salvation.

In 1QH^a VII,10–12 [Suk. XV,10–12] the hymnist declares that he loves God “with all heart and with all soul” and that he has “im[posed upon himself not] to turn aside from all that [God] has commanded.” He has joined the Many so as not to desert any of God’s precepts. The language here is reminiscent of descriptions of entrance into the covenant (cf. CD XV,9–10, 12; 1QS V,8–9). What is significant here is that the hymnist acknowledges that it is only God who enables him to walk in God’s paths. God has determined the righteous man for the covenant. The result for him will be “eternal salvation and endless peace” (1QH^a VII,12–17 [Suk. XV,12–17]). The wicked, by contrast, choose what God hates; in other words, they reject the precepts of the covenant (cf. CD II,14–16; III,12b–17a). They are destined for destruction (1QH^a VII,17–20 [Suk. XV,17–20]). As we saw above, their punishment “before the eyes of all [God’s] creatures” will be the revelation of the righteousness of God (cf. 1QH^a VI,16 [Suk. XIV,16]). We see here also, then, that God’s righteousness consists in his raising up a covenant in which he makes it possible for the members to observe the law perfectly and so to obtain salvation, while those who do not belong to that covenant are destined for destruction.

7.8 Conclusion

We shall now draw some conclusions from our foregoing study. In *MMT*, the *Rule of the Community*, and the hymns studied above we have uncovered a consistent theological framework for understanding the relationship between covenant, law, and the righteousness of God in the *hōdāyôt*. The authors of all of these works understand the covenant community (in the case of *MMT*, the pre-Qumran covenant community) to be the means by which God (1) offers forgiveness of past sins; (2) brings the members of the covenant community to return to God with all their heart and with all their soul; (3) enables the

¹⁰⁶ For a fuller discussion of these lines, see Chapter 9, pp. 505–14.

members to observe the law perfectly; and (4) delivers them from the power of Belial (or the Angel of Darkness). (5) Those who remain steadfast in the community and in the observance of its precepts will be preserved and will stand righteous before God in the final judgment.

With respect to the *hōdāyōt* more specifically, this complex of ideas becomes associated with the concept of the righteousness of God. As we saw in our excursus on the righteousness of God, the authors of the *hōdāyōt* were the inheritors of the Deuteronomistic tradition, according to which God's righteousness lies in his forgiveness of sins for repentant Israel and in his upholding of his promise to restore a repentant Israel that would turn to God with all its heart and with all its soul. From the wisdom tradition they understood God's righteousness to lie in his enabling of a frail humanity to walk in perfection of path. With inspiration from the psalms they understood God's righteousness to lie in God's eschatological victory, when sin would be destroyed and truth would come forth in victory to last forever. When seen against the background of these OT traditions, one can say that in the *hōdāyōt* the "righteousness of God" is a term that well encompasses all of the elements in the preceding paragraph. In his righteousness God (1) forgives sins (1QH^a IV,17–19 [Suk. XVII,17–19]); (2) brings repentant Israel to return to the law of Moses with all its heart and all its soul (1QH^a VII,10–17 [Suk. XVII,10–17]); (3) enables repentant Israel to observe the law in perfection of path (1QS XI,2–3); (4) delivers them from the power of Belial (cf. 1QH^a XII,12–14 [Suk. IV,12–14] with XII,25–26 [Suk. IV,25–26]); and (5) will destroy sin forever and bring truth to victory (in the eschatological salvation of the elect; 1QH^a VI,15–16 [Suk. XIV,15–16]).

As we saw above in our excursus, the righteousness of God is understood to be God's exclusive, all-encompassing sovereignty in creation, judgment, and salvation, as well as his power to forgive and to make righteous. Therefore it can be said that justification of the sinner at Qumran is truly an act of the righteousness of God *sola gratia* (1QH^a V,22–23 [Suk. XIII,16–17]).¹⁰⁷ As Jürgen Becker correctly notes, however, justification at Qumran is more specifically *sola gratia sub lege*.¹⁰⁸ The justification of the sinner through the righteousness of

¹⁰⁷ Becker, *Heil*, 125.

¹⁰⁸ *Ibid.*, 117–18, 125–26, 161–62 (cf. also 70–71). See also Siegfried Schulz, "Zur Rechtfertigung aus Gnaden in Qumran und bei Paulus," *ZTK* 56 (1959) 183.

God is the forgiveness of sins and the deliverance from sin, *in order that* the justified might be restored to perfection of path in the law of Moses (1QH^a IV,17–25 [Suk. XVII,17–25]; VII,8–17 [Suk. XV,8–17]).

This justification happens within the *yahad*, and only there (1QS III,3–12). We have had several opportunities in this volume to note that life within the *yahad* is understood to be a proleptic purification of the elect, in anticipation of their eschatological and final purification.¹⁰⁹ If in the final purification the spirit of sin will be removed from the elect, and the holy spirit of God sprinkled over them so as to purify them from all evil deeds (1QS IV,20–22), then life in the *yahad* in the present is a proleptic purification, since the holy spirit of the community and compliance with its laws are the means to purification and justification in the present (III,3–12). This explains why justification at Qumran must be *sub lege*. Since the eschatological purification has not yet happened, justification in the present is possible only for those who, within the community and by God's grace, walk in perfection of path in the law of Moses. We saw earlier that 1QS III,3–12 represents something of a transition from the (earlier) belief, reflected in 1QS III,9–12, that a person can walk in perfection of path as a matter of free choice (CD II,15–16; 4Q266 2 i 4), which perfection is considered to be atoning and purifying in itself (1QS III,11; VIII,3, 10), to the (later) belief, reflected in 1QS III,6–9, that God's (prevenient) atonement and purification are themselves necessary for perfection of path (1QS XI,2–3, 10–11, 13–15).¹¹⁰ In either perspective, however, it is clear that it is perfect compliance with the law of Moses, as interpreted by the community, that is the hallmark of purification and justification. Moreover, it is those who achieve perfection of path within the community that are promised future purification and justification (1QS IV,22–23).

In this way the nomistic element of justification at Qumran comes into sharp focus. It is natural to compare Qumran's doctrine of justification *sola gratia sub lege* with the Pauline doctrine of justification by faith $\chi\omega\rho\iota\varsigma \epsilon\rho\gamma\omega\nu \nu\omicron\mu\omicron\nu$. The fundamental difference is this: For Paul the eschatological purification and justification of sinners has already occurred through the death and resurrection of Christ. In his crucifixion Christ died to sin, and sin was condemned in his flesh (Rom

¹⁰⁹ See the references in n. 56.

¹¹⁰ See pp. 444–45.

6:10; cf. 8:3; 2 Cor 5:21); those who are baptized into Christ share in his crucifixion death (Rom 6:3–4, 6, 11). God raised Christ from the dead by the Spirit (8:11); God sends the Holy Spirit into the lives of those who believe (Rom 5:5; 1 Cor 3:16; 6:19; Gal 3:2–5, 14), and the Spirit justifies (and purifies) them (1 Cor 6:11; cf. Rom 8:4; 1 Thess 4:7–8), giving them new life (Rom 8:10–11, 13). Of course, one might say that even for Paul the justification of sinners through the death and resurrection of Christ is proleptic, in that believers still await righteousness and the redemption of their bodies in fullness (Rom 8:23; Gal 5:5), and the present gift of the Spirit is but a pledge of more to come (Rom 8:23; 2 Cor 1:22; 5:5). Nonetheless—and this is of crucial significance—for Paul the eschatological outpouring of the Spirit promised in Ezek 36:25–27 (cf. also 11:19–20) has happened (2 Cor 3:3), and so sin is put to death in believers (Rom 8:2, 13; Gal 5:24).

At Qumran, by contrast, the eschatological outpouring of the Spirit was still awaited (1QS IV,20–21).¹¹¹ To be sure, the *yahad* itself is said to have a “holy spirit” by which one can be purified from sin (1QS III,7–8). God can send his holy spirit to individuals by which they are able to receive insight (1QH^a VI,13 [Suk. XIV,13]; XX,12 [Suk. XII,12]), be strengthened (VIII,16 [Suk. XVI,7]) and purified (VIII,21 [Suk. XVI,12]), and be preserved from sinning (XV,6–7 [Suk. VII,6–7]). Still, until the *eschaton* human life is characterized by the inner struggle between good and evil, light and dark, truth and sin (1QS III,17–25; IV,17–18, 23–25; 1QH^a VI,11–12 [Suk. XIV,11–12]). The standard of righteousness before God, and the righteousness that avails before God in the *eschaton*, is perfection of path (1QS IV,22), which means perfect fulfillment of the law (III,9–11). In the time before the *eschaton* such perfection is not possible by one’s own efforts alone, because of the presence of sin in the person. Therefore justification is possible only by the goodness of God (*sola gratia*): It is God alone who

¹¹¹ Kuhn, *Enderwartung*, 48–52, 88 (cf. also 13), has argued that according to 1QH^a XI,19–23 [Suk. III,19–23] and XIX,10–14 [Suk. XI,10–14] those in the community have already experienced a new creation in the present, and so new creation was not just a future expectation at Qumran. His interpretation of those passages is questionable. In any case, while there is no question that the community members believed that the spirit of God was in the community and so purified them and made them new, 1QS IV,18–23 shows that there was an expectation of an eschatological outpouring of the spirit and of a new creation. To use that language for salvation in the present at Qumran is to go too far.

makes obedience possible. At the same time, however, perfection of path—perfect observance of the law—remains the standard of righteousness before God, in the present as well as in the final judgment, and therefore it remains the hallmark of justification in the present.¹¹² Within Qumran's strictly covenantal framework a nomistic basis is the only possible ground for justification, no matter how deep a sense of God's grace is involved.¹¹³ Therefore justification must also be *sub lege*. Short of the justification of the sinner by means of purification by the holy spirit of God, which is possible only in the *eschaton*, justification in the present is possible only by means of purification by the (holy) spirit of the community, and concretely that means perfection in the law. The organic link between past and future justification (or between past justification and future judgment) means that final judgment is also based on perfection in the law. There thus arises at Qumran a thoroughgoing nomistic view of justification. In Pauline theology, by contrast, the vicariously atoning death of Jesus Christ, his resurrection, and the gift of the Spirit make possible, through baptism, the removal of sin and the justification of the sinner on grounds other than the law. Therefore while at Qumran the gift of the spirit is essentially connected to the necessity of perfection in the law of Moses (1QS III,6–8), in Pauline theology life in the Spirit means freedom from the law of Moses (Gal 5:18). To be sure, even in Pauline theology the Spirit establishes a rule for Christians (Rom 8:2), which rule takes concrete form in the law of Christ (1 Cor 9:21; cf. Gal 6:2). Nonetheless, the basis of justification is no longer nomistic as it is at Qumran. The final judgment will be according to works (but not works of the law) (Rom 14:10; 2 Cor 5:10). Even if sin remains a possibility (a possibility to be avoided) and a constant threat for the justified before the *eschaton* (Rom 6:12; Gal 5:17), the Spirit puts sin to death in the person (Rom 8:13), and that apart from the law of Moses (Rom 8:3–4; Gal 5:18).

The *hōdāyôt* of Qumran can be seen as a culmination of the covenantal theology of the Damascus covenant, as well as a bringing together of all of the major strands of Qumran theology—not only the long tradition of covenantal theology, but also dualism, the wisdom

¹¹² Cf. Braun, "Römer 7,7–25 und das Selbstverständnis des Qumran-Frommen," 13.

¹¹³ Cf. Schulz, "Rechtfertigung," 163.

tradition, and reflection on the righteousness of God in Scripture. The basic framework of the Damascus covenant, which stands at the very beginning of the historical development of Qumran theology, is still preserved, at the end of that development, in the *hōdāyôt*. This framework is as follows: In accordance with his faithfulness, God raises up a (remnant) covenant people from within Israel. In his goodness God brings this covenant people to turn with all their heart and with all their soul to God, to the study of the law of Moses, and to the doing of the law with perfection. He does this in order that through this covenant people God might keep his promise to restore Israel. Those who, by God's grace, attain perfection in the law within the covenant will stand justified before God in the final judgment. God in his goodness provides the means by which the people might attain this perfection, namely, the covenant itself. In the *eschaton* God will destroy the wicked and bring the elect to victory.

This framework is preserved in the *hōdāyôt*. Moreover, the *hōdāyôt* bring this theology into sharp focus by means of the concept of the righteousness of God, for which concept the authors of the hymns draw on three major biblical traditions: the psalms, wisdom, and the tradition of confession of sins (and *Gerichtsdoxologie*). According to the *hōdāyôt*, the eschatological destruction of sin and the victory of the elect will be the revelation of the righteousness of God, that is, the vindication of God as creator, judge, and savior.

I do not intend to suggest that the theology of the *hōdāyôt* represents *the* theology of the Qumran community. It is undeniable, however, that it represents a major aspect of the theological reflection of the community. The fact that the theological framework of the *hōdāyôt* stands in continuity with the earliest covenantal theology of the Damascus covenant indicates that the *hōdāyôt* stand in the mainstream of the development of Qumran theology and in some way represent a culmination of it. It goes without saying that the theology of the *hōdāyôt* also prepares the way to a significant degree for Paul's theology of the righteousness of God revealed in Jesus Christ. Thus the *hōdāyôt* of Qumran, besides being of great interest in their own right, can be seen as a bridge between the covenantal theology of the Second-Temple period and Paul's teaching on the righteousness of God and justification by faith.

CHAPTER EIGHT

COVENANT RENEWAL IN THE DEAD SEA SCROLLS AND *JUBILEES* AND ITS BIBLICAL ORIGINS

8.1 Introduction

In Chapter 3 we uncovered the biblical, historical, and theological roots of the formula “entering the new covenant in the land of Damascus” in the *Damascus Document* (*D*). There I concluded that, although the term is indeed dependent on the famous “new covenant” text in Jer 31:31–34, among others, the idea of “newness” as such was not the most important factor in the adoption of the term. From the perspective of the movement behind *D* (and indeed of the post-exilic redactors of the Pentateuch), the “new covenant” could be and was subsumed under the prior and larger category of “covenant,” so that theologically the term “covenant” was to be preferred to “new covenant.” The term “new covenant” was adopted because that is the term that appeared in the prophetic texts that the movement behind *D* read as being fulfilled in its own history. Thus the “new covenant” does not have to do primarily with new content or new revelation (although those may have been included) or even with the eschatological nature of the “new covenant.” Rather it has to do primarily with the identification of the *covenant movement* that the remnants of the exile established (or rather that God established for them) with the “new covenant” foretold by Jeremiah. I also argued in Chapter 3 that the Qumran community did not have an expectation of an eschatological *new* covenant as much as it had an expectation of an eschatological renewal of the *one* (and only) covenant of God.¹

That leads to the topic of the present chapter, covenant renewal. I indicated in Chapter 3 that “new covenant” and “covenant renewal” needed to be conceptually distinguished and that a separate study on the topic of “covenant renewal” was necessary. It is frequently assumed that “new covenant” and “covenant renewal” are interchangeable terms

¹ See esp. pp. 121–23.

in the Dead Sea Scrolls (DSS), and so we find them used interchangeably also in the secondary literature.² When one studies the terms closely, however, one realizes that they have quite different roots and quite different theological significations. We have seen in Chapters 3 and 4 that the “new covenant in the land of Damascus” refers quite specifically to a covenant movement that arose at the time of the exile, or that at least traced its origins back to the exile, and that had a clearly discernable polity and theological framework not unlike other covenants of the post-exilic period. “Covenant renewal” is a theological concept that has different roots and a different signification from the “new covenant in the land of Damascus.” This is no mere quibble over words. In order to demonstrate this, it is necessary to undertake a separate examination of the topic of “covenant renewal.”

We shall be interested primarily in the three places in the DSS (1QSb III,26; V,21; 1Q34 – 1Q34^{bis} 3 ii 6=4Q509 97–98 i 8) where the verb *חדש* (*pi'el*) is used with the object *ברית*. Before we come to those texts, however, it will be helpful to look at *Jubilees*, a book that has much in common with the DSS. In this book the notion of “covenant renewal” is found much more frequently than in the DSS, and its meaning is easily discernable. Therefore we shall study that book first, and see what we might be able to learn from it about covenant renewal that may help us better to understand the topic in the DSS. We shall also look at the OT, where we can already see the roots of the idea.

² E.g., James C. VanderKam, “Covenant,” *Encyclopedia of the Dead Sea Scrolls* (ed. Lawrence H. Schiffman and James C. VanderKam; 2 vols.; Oxford: Oxford University Press, 2000–01) 1.153; Craig A. Evans, “Covenant in the Qumran Literature,” *The Concept of the Covenant in the Second Temple Period* (ed. Stanley E. Porter and Jacqueline C. R. de Roo; Leiden: Brill, 2003) 59, 79; and Shemaryahu Talmon, “The Community of the Renewed Covenant: Between Judaism and Christianity,” *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. Eugene Ulrich and James VanderKam; Notre Dame: University of Notre Dame Press, 1994) 12, who translates *ברית חדשה* as the “renewed covenant.” See also his “The Essential ‘Community of the Renewed Covenant’: How Should Qumran Studies Proceed?” *Geschichte – Tradition – Reflexion* (3 vols.; ed. Hubert Cancik et al.; Tübingen: J. C. B. Mohr [Paul Siebeck], 1996) 1.345–46.

8.2 *The Concept of Covenant Renewal in Jubilees*

Covenant renewal is an extremely important topic in *Jubilees*.³ Indeed, the motif of covenant renewal serves as the basic framework for the book. As becomes clear in the early chapters, the book opens just after Moses has “renewed” the covenant for Israel at the feast of weeks by giving them the law on Sinai (cf. 6:19). The content of the book of *Jubilees* is said to be revelation that Moses received from God during the forty days and forty nights that he was on Sinai (1:4). In 1:5 God tells Moses to

set your mind on everything that I shall tell you on this mountain, and write it in a book so that [Israel’s] descendants might see that I have not abandoned them on account of all of the evil that they have done to instigate transgression of the covenant that I am establishing between me and you today on Mount Sinai for their descendants.

The clear implication is that the revelation that Moses receives includes the correct interpretation of the law. When future generations err in their interpretation and practice of the law, *Jubilees* will serve as a testimony against them (1:6, 8–9). Moreover, the content of the book itself will become the basis for future renewals of the covenant.

The motif of covenant renewal in *Jubilees* is closely connected with its calendar. Moses is said to have gone up on Sinai on the sixteenth day of the third month (1:1). On the seventh day thereafter and for forty days and forty nights subsequently he received the revelation from God. The “seventh day” and the “forty days and forty nights” come directly from Exod 24:15–18. The implication is that the renewal of the covenant at the Festival of Weeks (mentioned in 6:19) happened the day before the opening scene, that is, on the fifteenth day of the third month, when God made the covenant with the people of Israel on Sinai (Exod 24:3–8). The text itself does not give the precise day of the

³ None of the places in *Jubilees* where the concept “to renew the covenant” appears has been preserved in Hebrew. There is no reason to doubt, however, that the underlying Hebrew in these places had ברית and חרש (*pi’el*). The Ethiopic in 6:19; 22:15, 30 has forms of the cognate verb *hds* (“to renew”) and the noun *kādān* (“covenant”). The letters בר appear in the fragmentary 4Q221 2 ii 1, perhaps a fragment of *Jub.* 22. VanderKam and Milik (see DJD 13.70) mention the possibility that the letters are the beginning of the word ברית in *Jub.* 22:30 (where “renew your covenant” appears), but they acknowledge that the letters could be the beginning of a different word as well.

covenant renewal at Sinai, but since the fifteenth day of the third month (or the “middle” of the third month) is the day of covenant renewal throughout the work, we assume that that is also the day in question here, and that date fits the implicit reading of the Exodus story that we find here.

The significance of the fifteenth day of the third month is, first of all, that it is in *Jubilees* the set day for the Festival of Weeks. This fixed festival day is based on Lev 23:15–16, which reads:

And from the day after the sabbath, from the day on which you bring the sheaf of the elevation offering, you will count off seven weeks; they will be complete. You will count until the day after the seventh sabbath, fifty days; then you will present an offering of new grain to the LORD.

The interpretation of the term “sabbath” in 23:15 was disputed in Second-Temple Judaism. In *Jubilees* and at Qumran it was interpreted as the seventh day of the week (Saturday), and more specifically as the Saturday falling after the Festival of Unleavened Bread and not as the Saturday that fell during the Festival, as in the Sadducean interpretation.⁴ In the (Pharisaic-)rabbinic calendar the “sabbath” was interpreted as the (first) festival day (cf. *m. Hag.* 2:4; *m. Menah.* 10:3; *b. Menah.* 65b–66a). In the calendar followed by *Jubilees* the Festival of Unleavened Bread always began on the fourth day of the week (Wednesday), the fifteenth of the first month (1/15). Accordingly the waving of the omer at the Festival of First-Fruits always occurred on the first day of the week (Sunday), the twenty-sixth of the first month (1/26), since that was the day after the first sabbath after the Festival of Unleavened Bread (Lev 23:11). Therefore the Festival of Weeks always fell seven weeks hence (cf. Lev 23:15–16) on the first day of the week (Sunday), that is, on the fifteenth day of the third month (3/15).⁵ Jewish tradition

⁴ Cf. *m. Hag.* 2:4; *m. Menah.* 10:3; *b. Menah.* 65b–66a.

⁵ This reckoning assumes that the first day of the year (1/1) was the fourth day of the week (Wednesday), which is never made explicit in *Jubilees* itself. It has been proposed alternatively that 1/1 in the calendar of *Jubilees* fell on the third day of the week (Tuesday) (see Julian Morgenstern, “The Calendar of the Book of Jubilees, Its Origin and Its Character,” *VT* 5 [1955] 60; once one recognizes that the year began on a Wednesday and that an intercalated day came at the end of the third month rather than at the end of the first month, the problems that Morgenstern raises on pp. 58–59 fall away) or on the first day of the week (Sunday) (Michel Testuz, *Les idées religieuses du Livre des Jubilés* [Paris: Libraire Minard, 1960] 159–63). Testuz points to 49:12 to argue that the prohibition of slaughtering the Passover lamb while it was still light was

came to regard Pentecost (the Festival of Weeks) as the day on which God gave the Torah (cf. *b. Pesah.* 68b), and this tradition is already reflected in *Jubilees*. Although the OT never specifies the day on which God gave the law, the fifteenth day of the third month was not an unreasonable deduction from Exod 19:1, which can be interpreted to mean that Israel entered the wilderness of Sinai at the beginning of the third month, with the giving of the law following soon thereafter.⁶

The fifteenth day of the third month is not only the day of the Sinai covenant in *Jubilees*; it is the day on which all the “covenant makings” between God and humans—and even between humans—occur. According to *Jub.* 6:10 Noah made a covenant with God and swore an oath in the third month not to eat blood. The text does not state on which day of the month the covenant was concluded. According to 6:1 he left the ark and built an altar on the first day of the third month. The implication of 6:17–19, however, is that the fifteenth day of the month is the day intended. In an unvocalized Hebrew text the word for “weeks” (שבועות) can be interpreted as meaning “oaths” (שבועות). This verbal similarity enabled a word-play on the Festival of Weeks: it could

needed to prevent slaughtering on the sabbath (cf. 50:12). Thus the preparation for the Passover (1/14) must have fallen on a sabbath, and 1/1 must have been the first day of the week (Sunday). However, 49:1 says that the lamb is to be slaughtered “before” evening. Taken together, 49:1 and 49:12 indicate that the lamb was to be slaughtered just before dark (right at “twilight”), but still on 1/14. This directive is not due to the fact that 1/14 was a sabbath, but is interpretation of Exod 12:6. Texts from Qumran confirm that that community’s year began on a Wednesday. See the calendrical documents in DJD 21 (e.g., 4Q326; 4Q394 3–7 i 1–3) and the commentary of Shemaryahu Talmon, DJD 21.4–5, 17–28. We can assume the same calendar for *Jubilees*. See further James C. VanderKam, *The Book of Jubilees* (Sheffield: Sheffield Academic Press, 2001) 99; Annie Jaubert, *La notion d’alliance dans le judaïsme aux abords de l’ère chrétienne* (Paris: Éditions du Seuil, 1963) 101; and her “La calendrier des Jubilés et de la secte de Qumrân. Ses origines bibliques,” *VT* 3 (1953) 250–64 (esp. 252–54).

⁶ Cf. 4Q266 11,17 (=4Q270 7 ii 11). Alternatively, though less likely, Exod 19:1 could have been understood to mean that Israel entered the wilderness of Sinai at the third new moon, which could have been understood as falling in the first half of the (third) solar month, with the giving of the law falling in the middle of that month. Ernst Kutsch, “Der Kalender des Jubiläenbuches und das Alte und das Neue Testament,” *VT* 11 (1961) 44, argues on the basis of Exod 19:1, 16 against the thesis that P used the calendar of *Jubilees* on the grounds that, if P used that calendar, it should have dated the arrival of the Israelites at Sinai to 3/13. However, if one reads 19:1 as meaning “in the third month,” nothing actually excludes the interpretation that they did arrive on that day.

be understood as the “Festival of Oaths.” Therefore the day on which Noah swore his *oath* could quite naturally be linked with the Festival of Weeks. Accordingly when Israel is commanded to observe the “Feast of Weeks/Oaths” every year on the fifteenth day of the third month, the purpose is to “renew the covenant”—the same covenant that Noah made (cf. 6:10, 11, 17). Thus there is one covenant that is continuously renewed. Indeed this festival was celebrated from the day of creation until the days of Noah. After Noah died his sons and all their descendants corrupted the festival until Abraham, Isaac, and Jacob and the sons of Jacob again observed it. But the children of Israel forgot it in the days of Moses until he renewed it for them at Sinai (6:18–19). Israel is to renew this covenant every year (6:17, 20–21). We know from 1QS II,19 that the Qumran community observed an annual covenant renewal ceremony. 4QD^a (4Q266) 11,17 (=4QD^e [4Q270] 7 ii 11) shows that the Qumran community’s parent movement also observed an annual covenant renewal ceremony and confirms that it took place in the third month (almost certainly on the fifteenth day of the month). As CD XV,6, 8 and 1QS V,8 show, entrance into the covenant included an oath.

The covenant between the pieces with Abram was made “in the middle of the third month” (=3/15) (*Jub.* 14:10, 20), as was the covenant with the changing of his name (15:1). In both cases Abra(ha)m is said to have observed the “festival,” which in 15:1 is explicitly said to be the Festival of Weeks, even though the Sinai legislation had not yet been given. That points to a central idea of *Jubilees*: even the patriarchs observed the law (or at least significant parts of it) that would later be revealed to Israel. Thus the giving of the law at Sinai was only a “renewal” of a covenant that had already been in existence since long before the whole law was revealed. Israel thus stands within the same (one) covenant of God as the patriarchs. So also in 44:4 Jacob observes the Festival of Weeks, presumably on 3/15 (cf. 44:5). So important is this date for the author that even the “covenant” between Jacob and Laban is concluded on this day (29:5–8). The implication of all of this is that there is one covenant that was continually renewed by the patriarchs until the days of Moses. Moses renewed the covenant for Israel by mediating to them the law. This law is no additional or truly “new” covenant, but the one covenant of God renewed so that Israel might be sanctified (cf. 2:19; 22:29). Finally, as mentioned above, for the author of *Jubilees* and his contemporary circle the contents of the book (and particularly its 364-day calendar and its

sabbath halakah) represent the correct interpretation of the law, so that the annual covenant renewal in their time will have focused on renewal of commitment to that halakah. This halakah, however, is not viewed as new; rather it was revealed long ago. Already Noah and his descendants knew the 364-day calendar (6:32), and the correct sabbath halakah was revealed to Moses at Sinai (2:20, 25–33; 50:6–13).

The covenant, however, is renewed not only on the human side. We also find references in *Jubilees* to God's renewal of the covenant. In 22:15 and 22:30 Abraham prays that God will renew his covenant with Jacob. It is not clear exactly what that renewal means, but there are some hints. The blessing includes both elements of the so-called OT covenant formula: "that you might be a people for him...and he will be God for you" (22:15). The "covenant formula"—in the form "they will be my people and I will be their God"—appears earlier in direct connection with God's election and sanctification of Jacob and his offspring for sabbath observance (2:19–20). That indicates that God's renewal of the covenant with Jacob includes the separation and sanctification of the people of Israel through the giving of the law of Sinai (and especially the sabbath law). That supports the contention above that the Sinai covenant is not really an additional or "new" covenant vis-à-vis the covenant with Noah; rather, it is an extension of it so that God can fulfill his plan of sanctifying a people for himself.

Moreover, Abraham prays that God will bless Jacob not only with the blessings with which God blessed Abraham, but also with the blessings of Adam and Noah (22:13). Here the Abraham of *Jubilees* picks up a hint in Gen 35:11. There God says to Jacob:

I am God Almighty. Be fruitful and multiply. A nation and a company of nations will come from you, and kings will come forth from your loins. The land that I gave to Abraham and to Isaac I shall give to you, and I shall give the land to your offspring after you.

God not only renews for Jacob the promises that he made to Abraham (cf. Gen 17:4–8), but he also blesses Jacob with the blessings of Adam and Noah, "be fruitful and multiply" (cf. Gen 1:28; 9:1, 7).⁷ To be fruitful and to multiply means, of course, to "fill the earth" (Gen 1:28; 9:1). The Abraham of *Jubilees* picks up the allusion to Gen 1 and 9 and

⁷ Of course, in the strict sense the blessing of Gen 1:28 is not made to *Adam* but to the man and woman of 1:26–27. However, if one reads the creation stories of Gen 1–3 together, it is legitimate to take the man of 1:28 as Adam.

says that Jacob's descendants "will fill all of the earth" (*Jub.* 19:21). The promise that Jacob would inherit the land (*Gen* 28:4) becomes the promise that he will inherit all of the earth (*Jub.* 22:14). In the author's rewriting of *Gen* 35:9–15 God promises to Jacob that from him will come forth kings who "will rule everywhere that the tracks of mankind have trod," and God promises to give to Jacob's offspring "all of the land under heaven, and they will rule in all nations as they have desired. And after this all of the earth will be gathered together and they will inherit it forever" (*Jub.* 32:18–19). Not only the name of Abraham, but also the names of Adam and Noah will be blessed through Jacob and his descendants, and through them will come the renewal of creation (19:24–25; cf. 1:29 with 19:25). This indicates that for the author of *Jubilees* the covenant of the patriarchs is connected not only forward to the covenant at Sinai but also backward to God's purposes in creation.⁸ This in turn means that God's covenant with Israel has a creational scope and goal: the ultimate end of God's covenant with Israel is that the covenantal blessings of Israel should one day encompass the whole of God's people in creation and indeed eventuate in a new creation.⁹ The way for the covenantal theology of *Jubilees* was prepared by the priestly redactors of the Pentateuch who themselves had already bound together the covenant of the patriarchs and the covenant of Sinai with the creation stories in Genesis within a comprehensive covenantal theology (more on this below). In summary, then, we see that also on God's side there is one covenant that he

⁸ See further 16:26: "And he [Abraham] blessed his Creator who created him in his generation, because by his will he created him, for he knew and perceived that from him there would be a righteous planting for eternal generations and a holy seed from him, so that he might be like the one who made everything."

⁹ In *Jubilees* this creational (and universal) scope remains strictly within the framework of Jewish covenantal thought, in contrast to Paul, for example, where the covenantal framework is transcended or, to put it more accurately, radically consummated in Jesus Christ. It is possible that already in *1 En.* 10 there is a universal/creational scope that pushes beyond the framework of Jewish covenantal theology. More likely, however, even here the future salvation of the world remains within a covenantal framework: the righteous descendants of Noah who will be saved in the end time are in effect the righteous within eschatological Israel and those of the nations who convert to Israel (cf. *4 Ezra* 3:11). See George W. E. Nickelsburg, *1 Enoch 1* (Hermeneia; Minneapolis: Fortress Press, 2001) 226; and Heinrich Hoffmann, *Das Gesetz in der frühjüdischen Apokalypik* (Göttingen: Vandenhoeck & Ruprecht, 1999) 138–39. Nonetheless, the focus on Noah in *1 Enoch* is noteworthy.

renews. The one covenant of God has its ultimate end in an intention for creation. That agrees with what we find in 1:29, where the end of history is a new creation. (The creational scope of God's covenant can also be seen in 6:18, where it is said that the Festival of Weeks was celebrated "from the day of creation.")

Before we conclude our discussion of *Jubilees*, we must make an observation on the meaning of the term "renewal" within a covenantal context. It is sometimes assumed that the primary (or even the only) sense in which the covenant is "renewed" in both the OT (cf. Jer 31:31–34) and in post-biblical Judaism is that after Israel has broken the covenant, God or Israel or individuals within Israel restore it. That is certainly one sense in which the covenant can be renewed (cf. *Jub.* 6:19). However, as we see in *Jubilees*, covenant renewal includes much more than that. When Abraham prays that God will renew the covenant for Jacob, he is not praying that God will restore something that has been broken or lost. Rather, he is praying that God will bring the covenant to full effect (ultimately in a creational sense). When Moses renews the covenant at Sinai, he not only restores what had once been established but then forgotten (6:19), but he also in a sense "updates" the covenant for a new situation. God had intended from the beginning of creation to set apart for himself a people and to sanctify it with the sabbath (2:19–20), and the angels in heaven observed the sabbath from the beginning of creation (2:17–18). Prior to the giving of the law at Sinai, the sabbath law had not been revealed, although, from the author's point of view, the patriarchs probably observed it.¹⁰ But at Sinai God gives the sabbath law explicitly and reveals its proper observance, so that Israel may be sanctified among the nations of the world. Jacob was already sanctified in his observance of the law (2:24); through the law of Sinai and its proper interpretation God now sanctifies Israel. The "renewal" of the covenant in this case includes both a preservation of the old and an "expansion" of it, so that God's purpose might be more fully realized. These observations will help us to understand better the concept of "covenant renewal" in the DSS.

¹⁰ See Jaubert, "Le calendrier des Jubilés," 252–53; James C. VanderKam, "The Origin, Character, and Early History of the 364-Day Calendar: A Reassessment of Jaubert's Hypotheses," *CBQ* 41 (1979) 393.

8.3 *The Roots of the Concept of Covenant Renewal in the OT*

Before we come to the DSS, however, it will be helpful to take a look at the roots of the concept of “covenant renewal” in the OT. The phrase “to renew the covenant” does not appear in the OT, and the closest thing to it (at least verbally) is the “new covenant” of Jer 31:31–34. In Chapter 3, however, I argued that the idea of “newness” in the “new covenant” was not very important for the Qumran community or its parent movement, because the “new covenant” was a term that had a reference primarily to the *past* (the origins or at least presumed origins of the movement in the exile) and because the idea of a “new covenant” had already been subsumed under a more comprehensive covenantal theology that laid the emphasis on the Sinai covenant. I also argued that the way in which the new covenant was subsumed under the Sinai covenant in *D* and in *Jubilees* has a parallel (and perhaps roots) in the post-exilic redaction of the Pentateuch, where a “new covenant theology” was embedded within the Sinai pericope.

A similar situation exists with the concept of “covenant renewal.” Although the phrase “to renew the covenant” does not appear in the OT, the concept that I have discussed above, that covenant renewal in *Jubilees* goes far beyond the *restoration* of a broken covenant to include the bringing of the covenant to full effect, the “expansion” of the covenant, so to speak—that concept also has its roots in the OT. I have already alluded to the biblical roots of the concept above, when I suggested that the priestly redactors of the Pentateuch laid the foundation for this concept in their connecting the covenant of the patriarchs and the covenant of Sinai with the creation stories in Genesis. We shall look at that more closely below. Before we do that, however, it will be helpful to consider how the so-called covenant formula binds together not only the Pentateuch but also other parts of the OT in a comprehensive covenantal theology.

Recent work on covenantal theology in the OT from redaction-critical or final-form perspectives has emphasized the unitary nature of the covenant. That is to say, OT scholars have shown that the final redactors of the Pentateuch did not view the Abrahamic and Sinaitic covenants as two different and successive covenants but rather as one.¹¹

¹¹ See already Walther Zimmerli, “Sinaibund und Abrahambund: Ein Beitrag zum Verständnis der Priesterschrift,” *Gottes Offenbarung: Gesammelte Aufsätze zum Alten Testament* (Munich: Chr. Kaiser Verlag, 1963) 205–16. Zimmerli begins with the

Rolf Rendtorff has demonstrated this in a particularly clear way in his study of the covenant formula in the OT.¹² The covenant formula exists in three forms: the LORD will be the God of Israel (“I will be their God,” and similar formulations); Israel will be his people (“they will be my people,” and similar formulations); and in the combined form (“I will be their God, and they will be my people,” and similar formulations). Rendtorff studies all of the occurrences of these formulae in the OT. Our interest is primarily in their usage in the Pentateuch and in Jer 31:33. He shows that the priestly redactors of the Pentateuch have used this formula in a conscious and theologically reflective way to establish the unitary nature of God’s covenant spanning from Abraham through the exodus to the giving of the law at Sinai. We can see this by looking at some specific texts.

First, there is a conscious linkage between God’s covenant with Abraham in Gen 17:1–14 and the exodus in Exod 6:2–8. In Exod 6:2–4 God says to Moses that he appeared to Abraham, Isaac, and Jacob as *ʾēl šaddāy* (“God Almighty”), that he established his covenant with them, and that he promised to give them the land of Canaan. All of these elements are direct references to the covenant with Abraham (cf. Gen 17:1, 7, 8). Whereas in Gen 17:8 the covenant formula appears in the first form (“I will be their God”; cf. also 17:7), in Exod 6:7 it is expanded to the combined form (“I will take you as my people, and I will be your God”). This is appropriate, since Israel has become a people in Egypt (Exod 1:7, 9) and will become *God’s* people in the exodus, when God remembers his covenant with the fathers and leads

question of why P mentions the covenant with Noah and the covenant with Abraham, but passes by the covenant at Sinai in silence (the account in Exod 24 and 32–34 coming from J and E). He finds the answer in Lev 26:40–45: When Israel finds itself in exile, it will remember not only the covenant at Sinai but will look back even farther to the covenant with the fathers. The *Grundtext* of the Holiness Code knew of the covenant at Sinai (Lev 26:45), but before this has been added a declaration by a later hand that God will remember (as pure promise) the covenant with the fathers (26:42). As Zimmerli notes, there are hints that P connected the Sinai covenant with the Noah covenant and the Abraham covenant, not only in Lev 26:40–45, but also in Exod 6:2–8 (revelation of God’s name; cf. Gen 17:1) and in Exod 31:16–17 (the sabbath as a “sign” and a “covenant”; cf. Gen 9; 17). Thus the events at Sinai are by P “ganz rein als Einlösung jener frühen Gnadenzusage, auf welcher der Bund nun allein ruht, verstanden” (p. 215).

¹² Rolf Rendtorff, *Die “Bundesformel”*: Eine exegetisch-theologische Untersuchung (SBS 160; Stuttgart: Katholisches Bibelwerk, 1995).

Israel out of Egypt to the land that he promised to the fathers (2:24; 6:5–6).¹³

The combined formula appears again in Lev 26:12, which comes in the context of the blessings and curses at the end (according to Lev 26:46) of the giving of the Sinai law. What is noteworthy here is that in Lev 26:9 there is again a reminiscence of the covenant with Abraham: “I will look with favor upon you and make you fruitful and multiply you; and I will maintain my covenant with you” (cf. Gen 17:6–7).¹⁴ In addition, Lev 26:11–12 picks up a theme that appears in Exod 29:43–46, namely, that God will dwell within the midst of Israel. In both Exod 29:46 and Lev 26:13 this dwelling of God among the people is connected with the exodus, in such a way that God’s dwelling within the midst of Israel comes to be understood as the goal of the exodus. Moreover, in Lev 26:42–45 God promises that even if Israel should fall into disobedience and be scattered among the nations, God will remember his covenant “to be their God.” The usage of this formula here connects the verse back across the Sinai legislation to the first use of the formula in Gen 17:7, 8. The message is clear: God’s covenant with Abraham is unbreakable (regardless of Israel’s obedience or disobedience according to the Sinai law) and is the foundation of Israel’s existence. The priestly redactors have added the formulae in Gen 17:7, 8; Exod 6:7; Lev 26:12, 45 in a very deliberate way to bind together the promise to Abraham, the exodus, and the law of Sinai in a unitary covenantal conception.¹⁵

The unitary nature of the covenant with Abraham and the covenant at Sinai becomes even more clear when we consider Exod 19:3–6. In 19:5 the covenant formula appears (in a Deuteronomic form): “you will be my treasured possession out of all the peoples.” In 19:4 there is a direct reference to the exodus, which connects this text with 6:6–7. Most significantly, however, 19:5 connects the Sinai law back to the covenant with Abraham. Just as in Gen 17:9, 10 God commands Abraham and his offspring to “keep (שמר) my covenant (בריתי),” so also in Exod 19:5 God says: “If you obey my voice and keep (שמרתם) my covenant (בריתי), you will be my treasured possession out of all the

¹³ Ibid., 20–22.

¹⁴ There is also, of course, an allusion to the blessings of Gen 1:28 and 9:1, 7; we shall return to that point below.

¹⁵ Rendtorff, *Die “Bundesformel”*, 23–27.

peoples." God laid the obligation of circumcision on Abraham and his offspring, by which they should "keep" the covenant. Now God expands the demand of "keeping the covenant," and its concrete form is the law of Sinai. It is clear that the redactors do not think of the Sinai law as a covenant different from God's covenant with Abraham. The obligation of circumcision is an anticipation of the obligation of the observance of the full Torah to be given at Sinai (cf. Lev 12:3).¹⁶ It is true that in the covenant with Abraham in Gen 17 and in the texts dealing with the exodus the emphasis is on God's promises, whereas in Exod 19 the emphasis is on Israel's obligations. However, an absolute distinction between a covenant of promise and a covenant of obligation is impossible for the redactors of the Pentateuch. The Abrahamic covenant itself contains both promise and demand. The law of Sinai is not an additional covenant with Israel but only an extension of the covenant with Abraham (contrast Gal 3:15–18).

This connection between the covenant with Abraham and the law of Sinai is important for understanding the nature of God's covenant with Israel. The conditional clause of Exod 19:5 might suggest that God's upholding of his covenant with Israel is dependent on Israel's obedience. Such is not the case, however. For one thing, God's covenant with Abraham and his offspring is called an "eternal covenant" in Gen 17:7, 13 in both of its aspects (promise and demand). In addition the covenant is, again in both of its aspects, *God's* covenant. Its validity is therefore independent of human "keeping" or "not keeping." This means that the enduring validity of God's covenant with Abraham and his offspring is presupposed in Exod 19:5. Moreover, since the enduring validity of God's covenant is presupposed, Israel's obedience or disobedience is not the condition of the validity of God's covenant; rather God's covenant is itself the condition of the possibility of Israel's being God's treasured possession. Israel can and should *keep* this covenant, so that it may *remain* God's treasured people. A similar line of thought appears in Lev 26.¹⁷ If Israel breaks God's covenant (Lev 26:15), the nation will be punished: specifically, Israel will be

¹⁶ Ibid., 32, 60–61, 85.

¹⁷ Rendtorff, *Die "Bundesformel"*, 86. See also Christoph Dohmen, "Der Sinaibund als neuer Bund nach Ex 19–34," *Der Neue Bund im Alten: Zur Bundestheologie der beiden Testamente* (QD 146; ed. Erich Zenger; Freiburg: Herder, 1993) 71–72; and Lothar Perliitt, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen: Neukirchener Verlag, 1969) 179.

scattered among the nations (26:33). That, however, will not invalidate God's covenant. God will remember the covenant and renew his promise to be Israel's God (26:42–45).¹⁸

Finally, Rendtorff makes an interesting observation on the relationship between the use of the covenant formula in the Pentateuch and in Jer 31:33. In certain key places—the covenant with Abraham (Gen 17:7); at the exodus (Exod 6:6–7); at the end of the Sinai legislation (Lev 26:12, 45); at the end of the Pentateuch (Deut 29:12); and in the new covenant passage (Jer 31:33)—the content of the covenant is defined in terms of the covenant formula itself: God's covenant is for him “to be their God” and for them “to be his people.” That indicates that from the perspective of the redactors of the Pentateuch the main content of God's covenant is his intention (promise) to be Israel's God and to have Israel as his people.¹⁹ The use of the covenant formula creates a bow that spans from Abraham, through the exodus, across the Sinai legislation, to the new covenant of Jeremiah. This indicates the continuity of God's one covenant.²⁰ By placing the covenant formula at the beginning of the history of Israel in Abraham, the redactors have indicated the essence of God's one covenant with Israel for all of its subsequent history: to be their God, and to have Israel as his people. All other aspects of the relationship between God and Israel (exodus, law, exile and restoration) follow from that premise.²¹

Thus we may say that in the view of the redactors of the Pentateuch there is only one covenant of God. God recalls this covenant at different times in history and even “expands” upon it by giving it a new configuration in order to fulfill God's purposes. In this sense the law of Sinai can be considered a renewal of the one covenant of God. The

¹⁸ The RSV and the NRSV translate Lev 26:40, 41 with “if” (so also the NEB in 26:41), so that Israel's repentance becomes the condition of God's remembering his covenant. That is a possible reading. However, the LXX and the Luther translation render the verses without the conditional “if”: the people will remember their iniquity and humble their hearts, so that God will remember his covenant. On this reading repentance still precedes God's remembering his covenant, but there is also the implication that God will ensure that this happens. That the text could be read this way is confirmed by 4Q504 1–2 v 6–16, which alludes to Lev 26:44–45; Deut 4:30; Deut 30:1–2, and attributes to God the initiative for bringing about Israel's repentance. For more on these texts, see Chapter 3, pp. 108–12.

¹⁹ Rendtorff, *Die “Bundesformel”*, 31, 46, 47, 84, 89.

²⁰ *Ibid.*, 53, 89.

²¹ *Ibid.*, 20, 43, 62.

covenant of God that Israel is to keep (Exod 19:5) is none other than the covenant of God that Abraham and his offspring are to keep (Gen 17:9, 10). God promised “to be God” to Abraham and his offspring, and they would remain his people if they kept his covenant (Gen 17:7–8, 14). God made Israel his people in the exodus (Exod 6:7), and Israel, by keeping the covenant (the law of Sinai), will be set apart from all the nations of the earth. Thereby it will be and remain what God has already made it in the exodus: his treasured possession among all the peoples of the earth (Exod 19:5). Thus the law of Sinai is God’s way of renewing his one covenant with Abraham and his offspring (=Israel) for a new situation and his way of bringing his purposes of the covenant closer to fruition.²²

To Rendtorff’s observations we may add two more. First, we have noted above that in Gen 35:11 and in Lev 26:9 the covenantal language in relationship to Jacob and to Israel is combined with the blessings given to Adam and Noah in Gen 1:28 and 9:1, 7. Even the covenant with Abraham recalls those blessings (Gen 17:6: “I shall make you exceedingly fruitful”). That indicates that the priestly redactors of the Pentateuch not only had a unitary understanding of the covenant of God, but also connected it with God’s intentions for the whole of creation. We have seen that in *Jubilees* this hint offered by the redactors of the Pentateuch has been taken up and been made explicit.

It has sometimes been argued that the covenant with Noah (Gen 6:18; 9:8–17) is secondary in importance to the covenant with Abraham and the covenant at Sinai. This is a valid observation insofar as the covenant with Noah is not taken up again in the rest of the Pentateuch. We read in one discussion of the Noachic covenant:

The historical development of the covenant from a constitutive act instrumental in creating a new society and a correspondingly new value system in the time of Moses has, in this late narrative [the covenant with Noah], become little more than a theological motif or literary device by which to confer religious value upon that which already existed, namely, the orderly process of the natural world. Even the oath that upheld a promise is gone, but in its place there is simply the *sign* that serves to remind God of his promise.²³

²² Ibid., 82–83.

²³ George E. Mendenhall and Gary A. Herion, “Covenant,” *ABD* 1.1190.

Our foregoing observations suggest, however, that we should not dismiss the importance of the covenant with Noah so quickly. Through the covenant with Abraham (and Jacob) and with Israel, God will ultimately fulfill his intentions for creation as embodied in the blessings given to Adam and Noah (and see note 11 above).

There is one other covenant—the covenant with David—that requires mention. Although the term is not used in 2 Sam 7:1–17, two other OT texts speak of a “covenant” that God made with David (Ps 89:4; Jer 33:21). The content of that covenant is that the throne of David will never lack one of his descendants to sit upon it (Ps 89:5, 30, 37–38; Jer 33:21; cf. 2 Sam 7:16). For the present discussion it is interesting that in Jer 33:22, 26 the covenant with David is described in terms similar to the covenant with the patriarchs, and is explicitly linked with the fortunes of the offspring of Jacob. In Jer 33:22 God promises that the offspring of David will be like the “host of heaven” and the “sand of the sea” for number (cf. Gen 15:5; 22:17; 32:12). In Jer 33:26 God promises to restore both the offspring of David and the offspring of Jacob. Furthermore, the promise to David in 2 Sam 7:14 regarding his offspring occurs as a variation of the covenant formula that we have encountered elsewhere: “I shall be a father to him, and he will be a son to me.” In David’s prayer in response to God’s promise, David links God’s promise with the covenant formula and even with the exodus (7:23–24).²⁴ These links indicate that the covenant with David could also be drawn into connection with the (one) covenant of God with Israel. Indeed, already in the OT (Isa 55:3), and then also in later literature (*Jub.* 1:24–25; 4Q174 1–2 i 7–8; 2 Cor 6:18; Rev 21:7), we find a merging of the promises to Israel and to David, such that the promise given to David could be transferred to Israel as a whole. This merging of covenantal traditions is further evidence that in the post-biblical period “covenant” was understood in a unitary sense; this understanding was most likely inherited from the authors and redactors of the OT itself.²⁵

²⁴ Cf. Rendtorff, *Die “Bundesformel”*, 34.

²⁵ The plural $\delta\iota\alpha\theta\eta\kappa\alpha\iota$ is found in the LXX five times (2 Macc 8:15; Wis 18:22; Sir 44:12, 18; 45:17). The Hebrew manuscript B of Ben Sira has in 44:17 the singular בְּרִית ; 44:18 in the same manuscript reads בְּרִית עִלְמָא $\text{נִכְרַח$ עִמּוֹ לְבִלְחֵי הַשְּׁחִיחַ כָּל בָּשָׂר , literally, “with an eternal sign there was cut with him not to destroy all flesh.” Clearly this text is corrupt. Most likely בְּרִית is a corruption of בְּרִית , and an original נִכְרַח was changed to נִכְרַח to agree with אֵת (taken as masculine); so the original read, “an eternal

8.4 Covenant Renewal in the Dead Sea Scrolls

We are now in a position to return to the DSS and to discuss the three texts where the phrase “to renew the covenant” is found. We may begin with 1Q34 – 1Q34^{bis} 3 ii 6 (=4Q509 97–98 i 8), since the meaning of “covenant renewal” there is very similar to what we have found in *Jubilees* and in the OT. The document known as 1Q34 – 1Q34^{bis} (*Prayers for Festivals*) is part of an anthology of prayers for the Jewish festivals, as the title suggests. The prayers overlap partially with 4Q507–09.²⁶ From comparison of these fragmentary documents it is clear that the prayers in the collection all follow the same formal structure (a structure also found in the prayers of 4Q504, although there the prayers are for the days of the week): the name of the festival day

covenant was made with him, not to destroy all flesh” (cf. Gen 9:11). The ברית was changed to באות (“with a sign”) under the influence of Gen 9:12, 13, 17. Thus the plural “covenants” in the LXX text of Sirach could be the result of two occurrences of a singular ברית, one each in 44:17 and 44:18. Manuscript M has in 44:12 a singular, בבריתם. The plural suffix is probably responsible for the plural “covenants” in the LXX. In manuscript B the word “covenant” does not appear at all at 45:17. The end of the first half of the verse reads, וימשילו בחוק ומשפט, “and he gave him authority in statute(s) and judgment(s).” The Greek translator may have read וימשילו בחוקי משפט, “and he gave him authority in statutes of judgment,” hence, ἔδωκεν αὐτῷ...ἐξουσίαν ἐν διαθήκαις κριμάτων. The translator considered διαθήκαι to be an appropriate translation for חוקים. In 2 Macc 8:15 and Wis 18:22 the word “covenants” is probably equivalent to “promises.” In both cases the plural may have been influenced by the surrounding plurals (τοὺς πατέρας αὐτῶν; ὄρκους πατέρων). None of these five texts, therefore, is evidence for a non-unitary understanding of “covenant.” The plural בריתות is found in rabbinic literature to distinguish between the “covenants” at Mount Sinai, in the plains of Moab, and at Mount Gerizim and to designate the blessings and curses connected with each commandment (*t. Soṭah* 8:10–11; *b. Ber.* 48b; *b. Soṭah* 37b), but in earlier Jewish literature these are all considered part of one (Sinai) covenant.

Paul also uses the plural (Rom 9:4 [if the plural is accepted as the correct reading]; Gal 4:24), but his use of the plural must be evaluated in light of his faith in Christ. As Gal 3:15–18 shows, he was able as a Christian radically to separate the covenant with Abraham from the Sinai covenant, but it would be hazardous to assume that he also held this view before he came to faith in Christ. Possibly διαθήκαι in Rom 9:4 means “statutes,” while in Eph 2:12 τῆς ἐπαγγελίας stands in apposition to διαθηκῶν, “declarations [‘covenants’] that came in the form of promises.” See further Ernst Kutsch, *Neues Testament, Neuer Bund? Eine Fehlübersetzung wird korrigiert* (Neukirchen-Vluyn: Neukirchener Verlag, 1978) 94–95, 153–55.

²⁶ The overlapping parts are these: 4Q508 1=1Q34 – 1Q34^{bis} 3 i 4–7; 4Q509 3,2–9=1Q34 – 1Q34^{bis} 2 + 1 i 1–4; 4Q509 97–98 i 1–9=1Q34 – 1Q34^{bis} 3 ii 3–7.

is given, followed by: a request that God “remember” (זכור אדוני); historical remembrances and petitions; a blessing; and a concluding “Amen, Amen.”

Our interest falls on 1Q34 – 1Q34^{bis} 3 ii 3–7. In lines 3b–5a the author states that God has rejected the great majority of humanity because of its ignorance of God, its wickedness, and its deceit. In line 5b, by contrast, he states that God chose a people in the time of his pleasure, for he remembered his covenant and separated them for holiness among the nations. It is disputed whether this “chosen people” is a reference to Israel as a whole or to the Qumran community. Charlesworth cites numerous words in 1Q34 – 1Q34^{bis} that “are likely Qumranic.”²⁷ Newsom, however, has argued that God’s separating the covenant people from the nations of the world makes better sense as relating to Israel as a whole than to Qumran, and also points to probable differences between the calendar at Qumran and the calendar presupposed by the festival prayers, to argue cogently that this text is of non-Qumran origin.²⁸ That suggests that the “people” of line 5 are Israel as a whole.

I agree with Newsom. When the author addresses God and says that “you renewed your covenant with them in a vision of glory (במראה כבוד),” this can only refer to the giving of the law at the Sinai theophany, which is called in Exod 24:17 a “vision of glory” (מראה כבוד).²⁹

²⁷ James H. Charlesworth, *The Dead Sea Scrolls. Hebrew, Aramaic, and Greek Texts with English Translations. Volume 4A: Pseudepigraphic and Non-Masoretic Psalms and Prayers* (Princeton Theological Seminary Dead Sea Scrolls Project; ed. James H. Charlesworth and Henry W. L. Rietz; Louisville/Tübingen: Westminster John Knox Press/Mohr Siebeck, 1997) (henceforth PTSDSSP 4A) 48, 53 n. 25.

²⁸ Carol A. Newsom, “‘Sectually Explicit’ Literature from Qumran,” *The Hebrew Bible and Its Interpreters* (ed. William Henry Propp et al.; Winona Lake: Eisenbrauns, 1990) 177–78.

²⁹ Our text uses *ḥayyāh* for “vision” whereas Exod 24:17 uses *ḥayyāh*. In biblical Hebrew *ḥayyāh* has the meaning of a “vision” that is subjectively apprehended as a means of revelation, whereas *ḥayyāh* tends to have rather the meaning of “appearance.” So in Ezek 1:28 *ḥayyāh* is used for the “appearance of the likeness of the glory of the LORD,” which the prophet describes as “like the appearance of a rainbow.” However, *ḥayyāh* can also mean “vision” in the same sense as *ḥayyāh* (e.g., Ezek 11:24; Dan 8:16, 26, 27; 9:23; cf. the interchange between Dan 10:1 *ḥayyāh* and 10:7 *ḥayyāh*). The opposite does not hold true: *ḥayyāh* is not used in the sense of “appearance” (unless it is so used at Ezek 43:3; however the reading there is suspect). In the case of 1Q34 – 1Q34^{bis} 3 ii 6 the difference is not significant.

In this case therefore the renewal of the covenant does *not* refer to the Qumran community, as is often argued.³⁰ This is confirmed by line 7, which says that “your right hand has written to let them know the glorious regulations and the eternal deeds [or ascents].”³¹ The regulations written by God’s right hand are certainly the Decalogue, said to have been written by the finger of God in Exod 31:19; Deut 9:10, not the regulations of the Qumran community in 1QS, as proposed by Charlesworth.³² Although God’s election of a people “in the time of [his] pleasure” could refer to the Qumran community or its parent movement (cf. 4Q266 2 i 4), it is more likely that it refers to God’s election of Israel. God’s remembering his covenant could also refer to the establishment of the Qumran community or its parent movement (cf. CD I,4), but it more likely refers to God’s remembering his covenant with the patriarchs by establishing Israel as his people in the exodus (Exod 6:5–8). God’s separating the people for himself to make them holy (להבדיל לך לקודש) is reminiscent of the description of the community in 1QS VIII,11; IX,5–6, but the fact that the people are separated from the *nations*, and not from the rest of Israel (as in CD VIII,8), indicates that the “people” here are Israel as a whole (cf. 1 Kings 8:53; Ezra 9:1–2; *Jub.* 2:19).³³

Here we find, then, an understanding of “covenant” and of “covenant renewal” that agrees exactly with what we have found in *Jubilees* and in the OT. God *remembered* his covenant with the patriarchs by separating Israel and establishing the nation as a holy people (1Q34–1Q34^{bis} 3 ii 5; cf. *Jub.* 2:19; 22:15–16). As we saw above, the editors of the Pentateuch seem to have held the same view. God remembered his covenant (Exod 2:24), delivered the people from Egypt to make them his own people (Exod 6:5–7), and sanctified the nation of Israel

³⁰ Charlesworth, PTSDSSP 4A.53 n. 22; VanderKam, “Covenant,” 152; Raymond F. Collins, “The Berith-Notion of the Cairo Damascus Covenant and Its Comparison with the New Testament,” *ETL* 39 (1963) 577–78 (reprinted with the same page numbers in H. van Waeyenbergh, ed., *Mélanges Gonzague Ryckmans: Miscellanea Orientalia et Biblica* [BETL 20; Leuven: University of Leuven Press, 1963]); Evans, “Covenant,” 67–68.

³¹ J. T. Milik, DJD 1.154 (along with Charlesworth, PTSDSSP 4A.52–53), reads מעלי עולם, instead of מעשי עולם as in Florentino García Martínez and Eibert J. C. Tigchelaar, eds., *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: Brill, 1997–98) 1.146–147.

³² Charlesworth, PTSDSSP 4A.53 n. 26.

³³ In agreement with Jaubert, *La notion d’alliance*, 216–17.

by giving them the law at Sinai (Exod 19:4–6). Furthermore, God *renewed* the covenant by giving Israel the law (1Q34 – 1Q34^{bis} 3 ii 6). This idea agrees with *Jub.* 6:19, although in the latter text it is *Moses* who is said to renew the covenant rather than God. As we saw above, however, Abraham’s prayer in 22:15 that God might “renew the covenant” with Jacob probably includes the law (as well as the blessings). Thus in 1Q34 – 1Q34^{bis} 3 ii 6 as in *Jubilees*, God “renews” the covenant with the fathers by “expanding” it to include the law of Sinai, so that just as the patriarchs were sanctified by their observance of the eternal laws, so also Israel, now set apart as God’s people, may also be sanctified. In this way God’s purposes for creation may be more fully realized. We have the same kind of unitary understanding of the covenant as we have in *Jubilees* and in the OT. Given the similarities between 1Q34 – 1Q34^{bis} and *Jubilees* and the differences between this text and Qumran literature mentioned above, I consider 1Q34 – 1Q34^{bis} to be a non-sectarian text that shares a similar covenantal theology with *Jubilees*. Therefore we cannot use it as evidence for the Qumran community’s understanding of covenant renewal.

There is another document, however, that does come from the Qumran community and that also contains the idea of “covenant renewal.” The terminology “to renew the covenant” appears twice in 1QSb (=1Q28b, *Rule of Benedictions*). In 1QSb III,26 the blessing for the priests, the sons of Zadok, includes the benediction that God “renew the covenant of an eternal priesthood for you.” In this case, the term “renewal” has the sense of the restoration of something that has been lost or broken. The term “covenant of an eternal priesthood” comes from Num 25:13, where the priesthood is granted eternally to Phinehas, an Aaronide, and his descendants, on account of his zeal for God in destroying an Israelite and his Midianite wife, thereby “making atonement for the Israelites” (cf. Ps 106:30–31). The history of the priesthood in ancient Israel and in post-exilic Judah/Judea is very complex, but it seems that in the post-exilic period the Zadokites claimed (rightly or wrongly) to be the legitimate heirs of the Aaronic priesthood (see 1 Chr 5:27–34), and in the post-exilic literature the line of Eleazar, the (supposed) ancestor of Zadok, is given special prominence, as seen in Num 25:10–13.³⁴ Therefore on the basis of the

³⁴ See George W. Ramsey, “Zadok,” *ABD* 6.1034–36; Merlin D. Rehm, “Levites and Priests,” *ABD* 4.297–310 (esp. 308–09).

Numbers text, as well as Ezek 40:46; 43:19; 44:15–16; 48:11, the Zadokite priests will have viewed the “covenant of an eternal priesthood” as theirs particularly.³⁵ They held the high priesthood until the deposition of Jason (Jesus) in 172 BC (the brother of Onias III, himself deposed in favor of Jason in 175 BC). If it was at this time that a significant portion of the Zadokite priesthood joined the (separatist) group that would become the Qumran community, then this group of priests will have been especially concerned about the restoration of the “eternal priesthood” into their hands. In this light the significance of the benediction in 1QSb III,26 is clear.³⁶

The final appearance of the phrase “to renew the covenant” is particularly interesting. It appears in the blessing for the Prince of the Congregation in 1QSb V,20–29. Line 21, according to the critical edition, says: “And he will renew the covenant of the community for him, to establish the kingdom of his people for ever....” The first question to be asked is whether the subject of the verb “to renew” is God or the Prince. Milik takes the subject to be God: God uses the Prince as his instrument to establish the kingdom.³⁷ Stegemann proposes a different reconstruction of the text that also requires the subject to be God: “and the covenant of Da[v]id He (=God) may renew for him (=the Messiah).”³⁸ It is also possible, however, and perhaps more likely, that the subject is the Prince. The evidence for this is the structure of the blessings in 1QSb. The common structure for all the blessings seems to be: (1) the superscription “Words of Blessing” (I,1; III,22); (2) the liturgical direction לַמְשִׁיבִי “for [or of] the instructor” (I,1; III,22; V,20); (3) the liturgical instruction לְבַרֵךְ “to bless,” followed by a designation of the recipient(s) of the blessing (I,1, those

³⁵ See IQS V,9 and IQSa I,2, where the covenant is described as “their [=the Zadokites] covenant” (בְּרִיתָם), and 4Q174 1–2 i 17, where we read of “their [the Zadokites] council” (עֲצָמָה). In IQS VI,19 there is a reference to “their [the priests] covenant,” although there is no mention of the Zadokites. See also the Hebrew of Sir 50:24 (MS B), which includes the blessing, “God establish for him [Simon, son of Onias, a Zadokite] the covenant of Phinehas.”

³⁶ On the possibility that the Hasmoneans were Zadokites, see Alison Schofield and James C. VanderKam, “Were the Hasmoneans Zadokites?” *JBL* 124 (2005) 73–87. Even if the Hasmoneans were Zadokites, the Zadokite members of the Qumran community probably viewed them as unfaithful Zadokites (see Chapter 5).

³⁷ Milik, DJD 1.129.

³⁸ Hartmut Stegemann, “Some Remarks to *IQSa*, to *IQSb*, and to Qumran Messianism,” *RevQ* 17 (1996) 499. He reconstructs the Hebrew as בְּרִית דָּוִד יְהוֹשֵׁב לוֹ.

who fear God; III,22, the sons of Zadok, the priests; V,20, the Prince of the Congregation); (4) a description of the function of each group or person within the covenant (I,1, 2, “those who do his will...who remain steadfast in his holy covenant”; III,22, “the priests whom God has chosen to strengthen his covenant, to [prove] all his judgments in the midst of his people, to teach them according as he commanded, etc.”; V,21, 23, “and he will renew the covenant of the community for him...to establish his covenant as holy”); (5) and a series of benedictions proper, with verbs in the imperfect and God as subject (I,3 and following; III,25 and following; V,23 and following). According to this structure, the phrase “and he will renew the covenant of the community” in V,21 does not fall in the section of benedictions proper, that is, in the section that invokes God’s blessing upon the recipient, but in the description of the Prince’s function within the covenant. Thus the function of the Prince within the covenant might be to renew the covenant of the community for God (V,21) and to establish the covenant as holy for those who seek God in the period of distress (V,23).³⁹

Given the defective state of the text, a firm decision on the subject of the verb is not possible at this time. In any case, if we follow Milik’s reconstruction we do not have simply the phrase “to renew the covenant,” but “to renew the covenant of the community.” As 1QS II,25–26; III,11–12; V,7–8; and VIII,16–17 show, however, for the Qumran community the “community” was essentially identical with the covenant. Therefore if the Prince renews the covenant of the community, this is also to say that he renews the covenant of God.⁴⁰ Whether it is God or the Prince that renews the covenant, the renewal of the covenant consists in establishing the “kingdom of his people” (מלכות עמו), to rule in justice, to walk in perfection of path, and to establish the covenant as holy. It is noteworthy that in 4Q252 V,2, 4 the “covenant of royalty” (ברית המלכות) that is said to belong to David and his descendants forever is called the “covenant of the kingship of his

³⁹ In addition, if God were the subject of יחַרַשׁ in V,21, we might expect the object of renewal to be “the covenant of royalty” or the like (cf. 4Q252 V,2, 4; and 1QSb III,26) rather than the “covenant of the community,” although the latter is certainly possible.

⁴⁰ See also Jaubert, *La notion d’alliance*, 224–25, who points out that in *Jub.* 28:15 Judah, representing the royal house, is born on the fifteenth day of the third month, the day of covenant renewal.

people” (ברית מלכות עמו). The term “kingship of his people” in 4Q252 is probably an objective genitive (the king’s sovereignty over his people), since this *peshet*-like exegesis has to do with the promise of Gen 49:10 that rule over the people of Israel (here: over the “thousands of Israel”; cf. 1QSa II,15) will not depart from Judah. In 1Qsb V,21, however, “kingship of his people” may be a subjective genitive (“the kingdom of [belonging to] his people”), or more likely includes both subjective and objective aspects. The Prince will rule over the people with justice and with power (objective), and in that way the kingdom of the people of Israel will be established securely (subjective). As 1Qsb V,23 shows, the people of Israel that the author has in mind are none other than the covenant community itself, “those who seek God in distress.” Thus whether we read the “covenant of the community” or the “covenant of David” here (see note 38), the covenant of the community and the covenant of royalty merge. This state of affairs agrees with our observation above that the covenantal traditions regarding Israel and the Davidic dynasty could be and were merged in the biblical tradition and in later Jewish and Christian texts. The two covenantal traditions are held together by a unitary understanding of covenant, such that the Prince will “renew” the covenant of God (or God will renew the covenant of David for the Prince in the community), that is, bring the covenant to full effect, in establishing the kingdom of the people of Israel.

A similar idea is found in 4Q252 V,2–6, the text mentioned just above, which is a *peshet*-like exegesis of Gen 49:10. Genesis 49:10a reads: “The scepter shall not depart from Judah, nor the ruler’s staff from between his feet.” The “staff” of Gen 49:10aβ is explained as the “covenant of royalty,” while the word “feet” (רגלים) is read as “standards” (דגלים) and explained as the “thousands of Israel.” In the Bible this term refers to the people of Israel in the wilderness on the way to the promised land (Num 1:16 and passim). In 1QSa II,15 the “thousands of Israel” are eschatological Israel who will sit before the messiah of Israel in the council of the eschatological community. Clearly, then, the meaning of the exegesis in 4Q252 V,2–3 is that the covenant of royalty of the Davidic line will eventuate in the royal messiah’s leadership over the saved, eschatological community. In addition, the community itself will share in that royal rule (V,1b).

Furthermore, the exegesis of Gen 49:10bβ in 4Q252 V,6, fragmentary though it is, probably also alludes to the Prince’s leadership over the redeemed community. Lines 3b and 4 are the exegesis of Gen

49:10b α . We have here apparently one of the oldest messianic interpretations of the words עד כי יבא שילה of Gen 49:10b α in the sense, “until he comes to whom it belongs.” This is clear from lines 3b–4, which read: “Until (עד) the messiah of righteousness comes (בוא), the branch of David. For to him (לו) and to his descendants (לזרעו) has been given the covenant of the kingship of his people for everlasting generations.”⁴¹ It is difficult to know what stood next in this fragmentary text. The following words, אשר שמר, “because [or which or whom] he kept,” could refer either to David—God gave him and his descendants the covenant of kingship “because he kept” the ways of God (cf. 2 Sam 22:22; Ps 89:29; 132:12)—or to God—God kept his covenant with David.⁴² Next there comes a lacuna, after which come the word התורה and a reference to the men of the community. It has been proposed that the lacuna should be completed as דורש התורה, a reference to the “Interpreter of the Law” who according to 4Q174 1–2 i 11–13 (cf. also 4Q177 11,5) will rise with the Branch of David;⁴³ that may be correct.

In any case, following upon this comes what is likely the exegesis of Gen 49:10b β , which contains the obscure words ולו יקה עמים, usually rendered in modern translations as, “and the obedience of the peoples belongs to him,” or the like. The rare word יקה appears one other place in the OT (Prov 30:17), where it also seems to mean “obedience.”⁴⁴ Ancient translators, however, translated it in different ways. The LXX translates the word יקה (in the construct state יקהה) as προσδοκία (“hope, expectation”), probably through metathesis to תקוה (construct state תקוה).⁴⁵ Aquila translated it as σύστημα, meaning

⁴¹ Cf. similarly LXX: ἕως ἂν ἔλθῃ τὰ ἀποκείμενα αὐτῷ (“until the things that are reserved for him come”); and even more closely *Gen. Rab.* 99.10: מי שדמלכות לו (Theodor-Albeck, 3.1280).

⁴² A. S. van der Woude, *Die messianischen Vorstellungen der Gemeinde von Qumrân* (Assen: Van Gorcum, 1957) 172, however, suggests that אשר relates to עמו: the people kept the commandments.

⁴³ E.g., J. M. Allegro, “Further Messianic References in Qumran Literature,” *JBL* 75 (1956) 175.

⁴⁴ However, the LXX translates a יקה here (Greek γῆρας), which may be correct, since this word appears in a similar context in Prov 23:22.

⁴⁵ Thus LXX Gen 49:10b β reads, “and he is the hope of the nations” (καὶ αὐτὸς προσδοκία ἐθνῶν).

“assembly.”⁴⁶ This is also apparently how the exegete behind 4Q252 V,6 interprets the word. He writes “...it is (היא) the assembly (כנסת) of the men of...” The word היא, which is typically used for the introduction of the exegesis of a feminine noun in the Qumran writings, makes it almost certain that the phrase that follows is an explication of יקהה עמים in Gen 49:10bβ.

How did the exegete derive כנסת from יקהה (or יקהה)? One proposal is that the exegete read this word as יתקהה (from the root קהל, elided), “it is gathered together,” hence as “those who are gathered,” for this is how the word is read in *Gen. Rab.* 99.10.⁴⁷ Schwartz has objected to this proposal that it is difficult to move from the (*hitpa’el*) verbal, “it is gathered together,” to the nominal, “those who are gathered.”⁴⁸ A possible response to this objection is that the exegete read יקהה not as the *hitpa’el* יתקהה but as the (construct state) noun קהלה through metathesis (and exchange of י for ל), just as the LXX translator apparently read it as תקוה through metathesis (and exchange of י for ו). That the word could be interpreted via the root קהל is shown by *Gen. Rab.* 99.10 (see note 47). The exegete will have found כנסת to be a good equivalent for the nearly synonymous קהלה. Support for this hypothesis comes from *T. Levi* 11:5–6 and fragments related to it. Here Levi says that he named his son “Kohath” because he saw him “standing in the midst of the congregation (συναγωγή).” But in the Aramaic and Greek fragments found in the Cambridge Genizah collection and in the Mt. Athos manuscript of the *Testaments of the Twelve Patriarchs* respectively and published by Charles—fragments that Charles considered to come from an original source of the *Testaments*—Levi says that when his son Kohath was born, he saw that “the assembly of all the people would belong to him” (Aramaic: ליה תהוה כנשת כל עמא; Greek: ἐπ’ αὐτῷ

⁴⁶ “And the assembly of the peoples is his” (καὶ αὐτῷ σύστημα λαῶν). For σύστημα in the sense of “assembly” or “congregation” see Josephus, *C. Ap.* 1.32.

⁴⁷ van der Woude, *Die messianischen Vorstellungen*, 170–71, 172. *Gen. Rab.* 99.10 offers two interpretations of the phrase, one of which reads בן שאומות העולם מתקההין עליו, “the one to whom the nations of the world are gathered” (Theodor-Albeck, 3.1280). See also Jonas C. Greenfield and Michael E. Stone, “Remarks on the Aramaic Testament of Levi from the Geniza,” *RB* 86 (1979) 223–24.

⁴⁸ Daniel R. Schwartz, “The Messianic Departure from Judah (4Q Patriarchal Blessings),” *TZ* 37 (1981) 265 n. 36.

ἔσται ἡ συναγωγή παντὸς τοῦ λαοῦ).⁴⁹ This is clearly an allusion to Gen 49:10bβ, and we even have Aramaic כנשה, equivalent to the Hebrew כנסה found in 4Q252 V,6. The word יקה in the biblical Hebrew serves as the basis for a word-play with the name קהה, and that word-play in turn serves as the basis for a word-play with קהלה.⁵⁰

The “assembly” in 4Q252 V,6 is probably either the “assembly of the men of mockery” or the like (note the use of כנסה in 4QpNah [4Q169] 3–4 iii 7; and cf. 4QpIsa^b [4Q162] II,10)—that is, the enemies of the community—or it may refer to the “assembly of the men of the community” itself. In either case, the text likely said that this “assembly” belongs to the messiah, in accordance with Gen 49:10bβ, either in the sense that the messiah will rule over the redeemed, eschatological community, or that he will subdue the enemies of the community. As in 1QSb V,21, then, so here we apparently have a close intertwining of the future of the covenant of the community and the future of the Davidic covenant. The covenant of royalty will eventuate in the bringing to full effect the covenant of the community—the one covenant of God—which is to say, it will eventuate in the eschatological victory of the people of God over its enemies.

8.5 *The Merging of Temple, Kingdom, and the People of God*

We see, then, that the concept of “covenant renewal” in the DSS agrees with what we found in *Jubilees*, namely, that covenant renewal refers not only to the restoration of a broken covenant but also to its “expansion,” whereby God brings the covenant to full effect. There is one other way in which we can see this concept of covenant renewal at work, and that is in the merging of temple, kingdom, and the people of God.

The blessing in 1QSb III,5 appears to promise the “kingship” (מלכות) to the (high?) priesthood.⁵¹ At first sight this seems to contradict the

⁴⁹ R. H. Charles, *The Greek Versions of the Testaments of the Twelve Patriarchs* (Oxford: Oxford University Press, 1908) xi, liii–lvii, 253.

⁵⁰ *Ibid.*, lvii.

⁵¹ Milik, DJD 1.123, thought that 1QSb III,5 fell within the blessing of the high priest. That seems unlikely, since IV,21–28 (at least) almost certainly belongs to the blessing of the high priest (cf. IV,27–28), and these lines are separated from III,5 by the section III,22–IV,20(?), a blessing on the Zadokite priests. But III,1 makes clear that

declaration of 4Q252 V,2, 4 that the covenant of kingship (ברית המלכות) was granted to David and to his descendants. However, from the perspective of the dual messianism of the Qumran community this is no contradiction at all.⁵² Already in late parts of the OT the high priest receives royal honors (Zech 6:11–13).⁵³ We find royal attributes (from Isa 11) attributed to Levi (a type of the future high priest) in *T. Levi* 18:7 and 4QLevi^b ar (4Q213a) l i 14.⁵⁴ Moreover, the fragmentary text 1QTL^a Levi ar (1Q21) 1,2 reads, “the sovereignty of the priesthood (מלכות כהונה) is [or will be] greater than the sovereignty of...,” and the fragment should perhaps be completed with a reference to the royal kingship.⁵⁵ This makes very clear that the idea of the “kingship” being

III,5 belongs to the blessing of some group of priests. See Lawrence H. Schiffman, *The Eschatological Community of the Dead Sea Scrolls: A Study of the Rule of the Congregation* (SBLMS 38; Atlanta: Scholars Press, 1989) 72–74.

⁵² The presence of dual messianism at Qumran has been and continues to be disputed—in my view, without good reason. We cannot discuss the issue here, but see, for example, John J. Collins, *The Scepter and the Star: The Messiahs of the Dead Sea Scrolls and Other Ancient Literature* (New York: Doubleday, 1995) 74–83. See also my Chapter 3, n. 45.

⁵³ This text from Zechariah shows signs of redaction. In 6:11 God commands the prophet to crown the high priest Joshua. In 6:12 the prophet is to say to him, “here is a man whose name is Branch” (צמח). The title “Branch” usually designates the Davidic king (Jer 23:5; 33:15), apparently even elsewhere in Zechariah (3:8). In 6:13 it is said that a priest will be next to the throne of the Branch, and that there will be peace between the Branch and the priest. It seems clear that originally this text envisioned the crowning of a royal Branch, and that he would rule together with a (high) priest, though probably the royal figure would have the greater authority (cf. Hag 1:1–15). The text seems to have been changed at a later time, after the high priest had gained the (sole) authority in Judah, so that the high priest now has royal honors.

⁵⁴ See further Anders Hultgård, *L'eschatologie des Testaments des Douze Patriarches* (2 vols.; Stockholm: Almqvist & Wiksell, 1977) 1.19–20, 281, on this attribution of royal attributes to Levi (although I do not necessarily subscribe to Hultgård's theory of a priest-savior). The Greek of 4Q213a has been preserved in the Mt. Athos manuscript published by Charles, *The Greek Versions of the Testaments of the Twelve Patriarchs*, 29.

⁵⁵ See Collins, *The Scepter and the Star*, 83–95. Collins, however, seems to downplay too much the significance of the attribution of royal attributes to priestly figures. Moreover, he argues (p. 92) on the basis of the Aramaic document 4Q541 that the fusion of royal and priestly imagery in *T. Levi* 18 is the work of a Christian redactor, because it is not in the Aramaic document. But then on p. 93 he denies that the Aramaic document 4Q541 must have been part of the original Levi apocryphon from which *T. Levi* 18 was produced. Against Collins, that makes it more likely that the fusion of royal and priestly imagery is original.

in the hands of the priest(s) was not at all extraordinary.⁵⁶ Thus the covenant of priesthood and the covenant of Davidic kingship could also be brought together in such a way that together they were understood to eventuate in the culmination of the one covenant of God, which would consist of the kingdom of God's people at the end of days, with a temple at its center (cf. 1QSb IV,25–26), ruled by the messianic priest and the Prince of the congregation.

There is other evidence for the intertwining of temple and kingdom. In 4Q174 1–2 i 1–13 we find the expectation of the eschatological temple joined together with the restoration of the Davidic monarchy. The materially most substantial fragment that we have of this work is fragment 1. According to Steudel's reconstruction, this fragment was probably part of the original column III in the document as a whole.⁵⁷ Fragment 1 as we have it opens *in medias res* with a quotation of Ps 89:23 (or probably, more accurately, with a conflated quotation of Ps 89:23 and 2 Sam 7:10a). But Steudel, following Puech, suspects that the preceding column (column II of the work as a whole, consisting of fragments 9–11 + 4) ended with a citation of 2 Sam 7:10a.⁵⁸ That verse reads, "and I shall appoint a place for my people Israel, and I shall plant them, and they will dwell (שכן) in their own place and be disturbed no more." According to Steudel's reconstruction, this quotation comes in the context of an interpretation of Moses' blessings on the tribes of Israel in Deut 33. Although one might expect the quotation of 2 Sam 7 to be linked to the blessing of Judah, that appears not to be the case. The author seems to follow the order of the blessings in Deuteronomy, and since in Deuteronomy the blessing on Judah precedes the blessing on Levi, it is likely that in 4Q174 also the treatment of the blessing of Judah appeared before the treatment of the blessing of Levi. The blessing on Levi with accompanying commentary already appeared in the original column I of the work (consisting of fragments 9 i + 6–8).⁵⁹ That would mean that the blessing on Judah with accompanying commentary will have also appeared in column I.⁶⁰

⁵⁶ The Aramaic and Greek fragments mentioned above (pp. 485–86) that apply the messianic text Gen 49:10bβ to Kohath may also be mentioned here.

⁵⁷ Annette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschar^{a,b})* (STDJ 13; Leiden: E. J. Brill, 1994) 21, 25.

⁵⁸ *Ibid.*, 24, 41.

⁵⁹ *Ibid.*, 33–35, 37–38.

⁶⁰ *Ibid.*, 33, 37.

Given the context of Deut 33, I suspect that what brought 2 Sam 7:10 into the text was Deut 33:28a, which says that “Israel lives (ישכון) in safety.” The connection with 2 Sam 7:10a, which contains the words, “[Israel] will live (ושכון) in its own place,” will have been obvious. Thus a citation of Deut 33:28 perhaps should be included near the bottom of Steudel’s reconstructed column II. After the citation of 2 Sam 7:10a and Ps 89:23 in 4Q174 1–2 i 1, the author continues with a citation of 2 Sam 7:10b–11a: “as in the past, from the day that I appointed judges over my people Israel.” Then, in a very interesting move, the author interprets “the place” (2 Sam 7:10a) where God intends to “plant” Israel and where Israel will “live” (Deut 33:28; 2 Sam 7:10a) as the “house,” that is, the temple that God will establish for himself at the end of days. With the word “house” the author not only alludes to 2 Sam 7:13, where God says that David’s offspring will establish a house (temple) for God, but more directly he quotes Exod 15:17–18: “the temple of the Lord your hands will establish. And the LORD will rule forever and ever.” The Exod 15 text is linked verbally with the 2 Sam 7 text through the word “plant” (נָטַע; Exod 15:17; 2 Sam 7:10) and more distantly through the roots “to establish” (בָּוֶן; Exod 15:17 *bis*; 2 Sam 7:13, 16), “to rule” (מָלַךְ; Exod 15:18; 2 Sam 7:13, 16), and the word “forever” (לְעוֹלָם; Exod 15:18; עַד עוֹלָם, 2 Sam 7:13, 16 *bis*).

Through these linkages there is a remarkable melding of kingdom, temple, and the people of God.⁶¹ God will bring the people of Israel into the land and *plant* them on the holy mountain, which is also where God will establish his temple at the end of days. This is also the place where the people of Israel will dwell securely under the protection of the Davidic king, when God *plants* them there. The connection between king and temple is particularly interesting. According to the biblical texts quoted, God will establish his temple at the end of days (Exod 15:17), but the son of David will also establish a temple for God (2

⁶¹ There is a similar melding of kingdom, temple, and people in *Jub.* 22:24. At the end of Abraham’s blessing of Jacob, Abraham speaks of a “house” that he has built for himself to make his name to dwell there in the land. The language is reminiscent of Deut 12:11; 14:23; 16:2, 6, 11; 26:2, verses that speak of the place (the temple) where God will cause his name to dwell. Abraham says further that Jacob “will build my house,” which is reminiscent of 2 Sam 7:13, where God says that the son of David will build God’s house. That alludes to the future royal function of the descendants of Jacob (cf. also *Jub.* 22:12). Finally, this “house” is said to be for the people of Israel: “it has been given to you and to your seed forever.”

Sam 7:13). It seems that, as the Qumran author interprets these two passages, he has in mind two temples, the “temple of man” as the penultimate temple, and a temple built by God as the ultimate temple (cf. 11QT^a [11Q19] XXIX,8–9). We shall not discuss here the vexing question of what the “temple of man” is.⁶² My own view is that it means in the first instance a temple established by men (or an ideal temple to be established by men) (according to 2 Sam 7:13), in contrast to a temple established by God. In the context of the Qumran community and its eschatological expectations, however, the “temple of man” could also refer to a temple consisting of men (cf. 1QS VIII,4–10) in exile from the temple at Jerusalem, until a new, purified temple could be established there (11QT^a [11Q19] XXIX,8–9). The connection with the oracle to David, however, suggests that it could refer more specifically to a temple to be built by the future Davidic king expected by the community (cf. 2 Sam 7:13).

Moreover, both God (Exod 15:18) and the son of David (2 Sam 7:13, 16) are said to rule forever. In effect this means that in the end time there will be a temple and a kingdom, and these will in fact be virtually the same thing. God will rule in this temple/kingdom forever, with and through the son of David and (presumably) the priestly messiah (cf. 1QSb IV,25–26; V,21). Moreover, the people of Israel (or rather the elect within Israel) themselves will constitute this priestly kingdom. We saw above that certain biblical texts as well as texts from Second-Temple Judaism and the NT transfer the promise given to David to the people of Israel. That happens in this text also. When God promises to David in 2 Sam 7:11 that “I shall obtain rest for you from all your enemies,” the author interprets this (lines 7–8) as meaning that God will give rest to “them,” that is, to the members of the Qumran

⁶² For a convenient overview and discussion of the problem of the “temple of man,” see Michael O. Wise, “4QFlorilegium and the Temple of Adam,” *RevQ* 15 (1991) 103–132. Wise (pp. 113, 117, 121–22, 131) identifies the “temple of man” with both the temple that God “commanded to be built” according to the *Temple Scroll* and the “house that God will establish for himself in the last days” (4Q174 1–2 i 2). In each case the reference is to the temple of the first period of the *eschaton*, before the “day of creation,” when God will create his ultimate temple. Wise’s proposal (p. 115) that the temple of 1–2 i 2 is a temple that will function only in the first period of the *eschaton*, to be replaced by another temple of God’s creation (as in 11QT^a [11Q19] XXIX,9), seems unlikely in view of the fact that according to 4Q174 1–2 i 5 God will appear over this temple “continually,” and in view of the fact that this temple stands in connection with God’s rule “forever.”

community, from the sons of Belial.⁶³ Thus the members of the community themselves are the inheritors of the Davidic kingdom. It is possible that Isa 55:3, and perhaps also Exod 19:6, which calls Israel a “kingdom of priests,” have influenced this view.⁶⁴

8.6 Conclusion

We can see, then, that the idea of “covenant renewal” at Qumran is sweeping in its implications and is rooted in a unified understanding of covenant. The renewal of the covenant of God at the end of time will draw together God’s covenant with the people of Israel, his covenant with the priesthood, and his covenant with David, because they are all ultimately understood as one covenant. The picture of the eschatological future that the Qumran literature draws is a remarkable one, in which the community will inherit all of the promises of God.

We saw above that in *Jubilees* the idea of covenant renewal included a creational aspect. The covenant with Jacob, for example, includes the blessings of Adam and Noah and the promise of a new creation (*Jub.* 19:24–25; 22:13; 32:18–19). A creational element is not lacking in the DSS. 1QS IV,25 speaks of a new creation, and IV,22 says that “God has chosen [the members of the community] for an everlasting covenant, and to them will belong all the glory of Adam” (cf. CD III,20). The culmination of God’s covenant will include the restoration of the glory that Adam had at creation but that he lost in the fall.⁶⁵ When the author of the *Temple Scroll* writes that God will create a (new) temple on the “day of creation,” he says that this will happen according to the covenant that God made with Jacob at Bethel (11QT^a [11Q19] XXIX,9–10). That covenant includes in the first instance God’s promise to be with Jacob and his descendants forever by dwelling among them and the promise of the land (Gen 28:13–15; 35:12; Lev 26:42; cf. also Exod 29:43–45; 11QT^a [11Q19] XXIX,7–8;

⁶³ However, in lines 10–13 the author maintains the father-son relationship between God and the son of David as referring to the Davidic messiah, and not to the people of Israel (contrast *Jub.* 1:24–25; 2 Cor 6:18; Rev 21:7).

⁶⁴ Exod 19:6 is quoted in 4Q504 4,10.

⁶⁵ See further 4QpPs^a (4Q171) 1+3–4 iii 1–2, where the inheritance of Adam includes long life (cf. 1QH^a IV,15 [Suk. XVII,15]: “abundance of days”). On the loss of Adam’s glory in rabbinic texts, see, e.g., *Gen. Rab.* 12.6.

Jub. 1:26–29),⁶⁶ but the creational context of the passage suggests that the covenant might also include a creational aspect. When God builds his (new) temple on the day of (new) creation, he will bring to fulfillment his purposes for creation as he promised them to Jacob.⁶⁷

We see that the idea of covenant renewal does not include only the idea of the restoration of the covenant after it has been broken, although it can include that. The idea of covenant renewal is far more sweeping. God “renews” the covenant also by “expanding” it, so to speak, so as to accomplish through it all of his purposes. This conception of covenant renewal comes to the fore most clearly in *Jubilees*. Its roots, however, can already be seen in the OT. It also plays a significant role at Qumran. Conceptually, “covenant renewal” is to be distinguished from the “new covenant (in the land of Damascus),” which refers to a specific covenant movement within Second-Temple Judaism, namely, the parent movement of the Qumran community.

⁶⁶ See on this Michael O. Wise, “The Covenant of Temple Scroll XXIX, 3-10,” *RevQ* 14 (1989) 56–57, 59–60.

⁶⁷ Cf. *Jub.* 3:8–14; 8:19, where the Garden of Eden is a prototype of the temple. According to 8:12–21, the Garden of Eden is part of the inheritance of Shem, who is the father of the Israelites. Everything in it was “very good” (cf. Gen 1:31). Thus the inheritance of Israel is eschatological Eden itself—the new temple and the new creation.

See also Wise, “*4QFlorilegium* and the Temple of Adam,” 126–32, who suggests that the *מקדש אדם* of 4Q174 1–2 i 6 should be translated as “temple of Adam.” The author of CD III,20 connected the glory of Adam with the temple of the end of days, and so did the author of 4Q174. “[T]he ‘glory of Adam’ in part at least consists of the practice of the true cultus—never before administered—in that temple [at the end of days]. It would not be unexpected for the community of CD to refer to that eschatological period in Edenic terms and to that temple as the Temple of Adam” (pp. 126–27).

CHAPTER NINE

CD III,17b–IV,12a AND THE ORIGINS OF THE QUMRAN COMMUNITY

9.1 Introduction

In the previous eight chapters we have engaged many topics: the literary structure of CD XIX–XX (with parallels in CD VII–VIII); the biblical, theological, and historical background of the “new covenant in the land of Damascus”; the emergence of the *yahad* from out of the Damascus covenant; the origins and function of Qumran dualism; the relationship between covenant, law, and the righteousness of God in the *hōdāyôt*; and the concept of covenant renewal in the OT, *Jubilees*, and the DSS. In this last chapter we shall engage in a final literary analysis, this time of the third discourse in the admonition of CD. The reason that I have left this chapter for last is because through it we shall be able to confirm many of the major arguments in this volume. As we shall see, the literary, historical, and theological work that we have undertaken in the preceding chapters will pay off handsomely in this chapter, as it will enable us to make sense of a difficult literary-critical problem in CD III,17. In turn, we shall see that a careful literary-critical analysis of CD III,17b–IV,12a confirms the results of our preceding literary, historical, and theological studies of the DSS.

9.2 The Literary-Critical Problem in CD III,17

Many scholars who have undertaken literary-critical analyses of the *Damascus Document* (*D*) have noted an abrupt transition from CD III,17a to III,17b. In CD III,12b–17a, in the last part of the review of history that begins in II,14 (or II,17b), the author speaks of the remnant who remained steadfast in God’s precepts at the time of the exile. With them, he says, God (re)established his covenant, and to them he revealed the “hidden matters” (of the law) in which Israel had gone astray. This revelation to the remnant of the hidden matters of the law is described metaphorically as their “digging a well,” which refers to

the discovery of the correct interpretation of the law through careful study of it.¹ As VI,2b–11a shows, the diggers of the well were the members of the Damascus covenant. This digging of the well to discover the correct interpretation of the law brings forth “plentiful water” that gives life to those who practice the correct interpretation of the law, that is, those who follow the precepts of the covenant. On the other hand, those who “reject” (the precepts) will not live (cf. XIX,5b–13b).² As I have shown in Chapters 3 and 4, this description of things in III,12b–17a agrees with the origins of the Damascus covenant insofar as those origins can be reconstructed. The Damascus covenant traced its roots back to circles in the exile (the “remnant”) who believed that, if they were to be restored to the land of Israel, they must enter a covenant to return to God with whole heart and with whole soul, and to discover (and so to do) the “hidden things” of the law in which Israel had erred. Thus III,12b–17a can be read as a straightforward account of the origins of the Damascus covenant. The account is thoroughly positive in that it connects the Damascus covenant with the “steadfast” at the time of the exile.

It is therefore quite jarring when, in III,17b–18a, the author unexpectedly writes, “but [and?] they defiled themselves with human sin and unclean paths, and they said, ‘for this is ours.’” This abrupt transition raises a number of questions: Who are “they”? Are “they” the remnant of III,13? If so, how does this negative evaluation of them fit with their thoroughly positive evaluation as the “steadfast” remnant in III,12b–17a? Or are “they” a different group?

A number of different solutions have been given to solve this puzzle. Stegemann proposes that III,17a, III,17b, and III,18a all refer to opponents of the Qumran community, namely, the rest of Judaism,

¹ We have here the idea of exegesis as revelation. God opens the exegetes’ eyes and ears to see and hear the deep things of the law (cf. CD VI,3; 4Q463 1,4; 4QD^a [4Q266] 2 i 5–6), and through their exegetical work they come to understand it correctly. Thus the revelation happens at divine initiative, but it also requires human effort. Cf. 1Q22 II,8–9, where Moses commands Israel to appoint sages to explain (באר) the law. The digging of the well (באר) is the exegetical work undertaken to do this (CD III,16; VI,3–4). See also Otto Betz, *Offenbarung und Schriftforschung in der Qumransekte* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1960) 114.

² Cf. CD VII,4b–6a; VII,9–VIII,18b/XIX,1–2a, 5b–32a, where we find the same contrast between those who obey the precepts and who will therefore live and those who despise them and who will therefore be punished.

which had a different interpretation of the law.³ But that is hardly possible. There is nothing to indicate that the people of III,17a are the same as the people of III,17b and III,18a. Moreover, the group that is accused of having defiled themselves in III,17b is the same group that is said to have been pardoned in III,18b-c and who are evaluated positively in III,19-20. Noting this problem, Murphy-O'Connor proposes that III,17b-18a is an interpolation "introduced at a stage when it had become clear that the appeal of III, 17a had been refused; those who rejected the remnant's claim are typologically identified with the blind, obstinate Judeans who escaped deportation [and so claimed that 'this land is ours']."⁴ This explanation is, however, equally implausible. It leaves God pardoning the members of the covenant for sins that they did not commit (III,18b-c). Moreover, as we shall see below, it is possible to understand this text without resort to a hypothesis of interpolation, and an explanation that avoids a hypothesis of interpolation is generally to be regarded as superior to one that requires it. Davies rejects interpolation and suggests that III,17b should be translated as a pluperfect, hence: "they had been defiling themselves..." In this case, it [the charge of defilement] applies to the remnant who now, as a result of the revelation of God's will, became aware of their past sins, aware that they were disobedient. Acknowledgement [*sic*] of this brought divine pardon."⁵ Thus those who defiled themselves are the same as the remnant. The remnant can be said to have been sinful because, although they "held fast to the covenant" (CD III,12), "this statement by itself does not imply that the remnant obeyed the divine will completely, since such obedience

³ Hartmut Stegemann, *Die Entstehung der Qumrangemeinde* (Bonn: published by the author, 1971) 148-50. He connects the people described in III,17b with those described in III,17a: "wer sie diesbezüglich 'verachte', habe keine Anteil am 'Leben'...nämlich diejenigen, die sich durch unutilgbaren Frevel und unreinen Wandel beschmutzt haben."

⁴ Jerome Murphy-O'Connor, "An Essene Missionary Document? CD II, 14-VI, 1," *RB* 77 (1970) 209.

⁵ Philip Davies, *The Damascus Covenant: An Interpretation of the "Damascus Document"* (JSOTSup 25; Sheffield: Sheffield Academic Press, 1982) 88. Michael A. Knibb, *The Qumran Community* (Cambridge: Cambridge University Press, 1987) 32, and Eduard Lohse, *Die Texte aus Qumran* (Munich: Kösel, 1964) 73, also translate with a pluperfect.

became possible only after the divine ‘revelation’ and the new halachah.”⁶

In general terms I think that Davies’s interpretation comes closest to the mark. However, there are three objections that can be raised against his reading. First, in CD III,2–4 the patriarchs are also said to have kept the divine precepts and to have been counted as members of the covenant, but there is no indication that they were guilty in anyway, even though there were many precepts that had not yet been revealed and that they therefore did not keep. Secondly, and more importantly, CD III,18 says that those who “defiled themselves” also said, “it is ours.” These words are most likely a citation of Ezek 11:15. There the inhabitants of Jerusalem say that, since the exiles have gone far away, “it [the land] has been given to us to possess” (cf. also Ezek 33:24). God says (11:16–17), however, that he is going to gather the exiles and bring them back to the land of Israel, and it will be their land. Thus the quotation of Ezek 11:15 suggests a false claim to possession of the land. Davies writes that the “departure [of the exiled remnant in CD III,13] from the land was precisely what taught them the folly of this claim,” namely, that the land was theirs.⁷ Davies’s reading assumes that the *exiled remnant* made this claim, whereas in Ezekiel the claim is clearly made not by the exiled remnant but by those left behind in Jerusalem. Therefore it seems more likely that the author of these lines is drawing into question the claim of some group (perhaps even a group in Jerusalem) that may have considered themselves to be in a position to claim that the land of Israel was (or would be) theirs, but whose claim to possession of the land the author regarded as false, rather than that the claim came from the exiled remnant themselves. What group the author might have had in mind we shall discuss below. While I agree with Davies that those who defiled themselves are in some way connected with the remnant, the author’s implicit rejection of their claim to the land introduces an element of discontinuity between the remnant and those who were subsequently pardoned. Finally, Davies himself notes that the words used to describe the “defilement” in CD III,17 (“human sin,” “impure paths”) are more at home elsewhere in the Quman literature in descriptions of non-members than of members.⁸

⁶ Davies, *ibid.*, 89.

⁷ *Ibid.*

⁸ *Ibid.*

That observation encourages us to take the charge of defilement as being predicated of an outside group from the perspective of the author.

What we seem to have, then, is a situation in which those who defiled themselves (III,17b) and who were subsequently pardoned (III,18b-c) stand in a relationship of both continuity and discontinuity with the remnant described in III,12b-17a. The remnant, as noted above, is to be identified with the Damascus covenant. The members of this remnant group, however, are said here to have defiled themselves. Moreover, they are described in terms used elsewhere for those outside of the Qumran community. How is this situation to be explained?

In Chapters 2 and 3 I demonstrated that the term "new covenant in the land of Damascus" is used in CD to refer to the parent movement from which the Qumran community arose and not to the Qumran community itself. The Qumran community stood in a relationship of both continuity with and discontinuity from the "new covenant." In Chapter 4 I showed that the "new covenant in the land of Damascus" (or simply the Damascus covenant) was a covenant movement that traced its origins back to the exile. This covenant was not originally an anti-temple movement. As I showed in Chapter 5, however, at a later point in its history, probably sometime between the years 175/172 BC and 157 BC, there arose within the Damascus covenant a group of separatists who decided that they could no longer participate in the temple. This happened after the temple cult had come to be administered by a priesthood that adhered to an alternative (probably proto-Pharisaic) halakah. The separatists also separated themselves from the rest of the Damascus covenant, because some of the members of the Damascus covenant had also come to adhere to the alternative halakah, and so the separatists viewed the covenant as having been corrupted. Those who adhered to the alternative halakah were regarded by the separatists as traitors of the new covenant and of the Teacher. For their part, the separatists eventually became the Qumran community. They accepted the traditional halakah of the "new covenant" and considered themselves to be the true heirs of the "new covenant." Thus this group of separatists stood in continuity with the new covenant. On the other hand, the decision of these separatists to cease participation in the temple and to separate themselves from the rest of the Damascus covenant resulted in a certain discontinuity between them and the new covenant (Damascus covenant), even while they continued to regard themselves as heirs of the new covenant.

I suggest that the abrupt transition from III,17a to III,17b points to the same situation of continuity amidst discontinuity in the historical overview that begins in II,14 (or II,17b). Specifically, I suggest that III,17a marks the original end of the historical overview (giving an account of the history of the Damascus covenant) and that what follows in III,17b–IV,12a is a later addition written from the perspective of the Qumran community. There are three pieces of evidence that support this view:

(1) The overview of history in CD V,17b–VI,11a ends with the digging of the well and with a statement on the necessity of following the statutes of the interpreter of the law. It would make sense that the overview of history beginning in II,14 (II,17b) would end at the same place—the digging of the well and the need to follow the precepts of the covenant (III,16–17a).

(2) According to II,15–16, the whole purpose of the overview of history starting in II,14 is to place before the audience a decision between doing God’s will or doing what God hates, and to give examples of the consequences of making the right or wrong decision. Following the examples of those who did or did not choose to do God’s will in II,17b–III,12a, and the discussion of the “deeds of God” (cf. II,14–15) in destroying the wicked (II,20–21; III,1, 4b–12a) and in saving the righteous (III,2–4a, 12b–15a), III,15b–17a places before the audience the same choice and thus makes a very fitting end to the discourse.⁹

(3) From III,17b on, parallels to distinctively Qumran material become numerous (see below). This may indicate that an older review of history running up to and including the formation of the original Damascus covenant ends at III,17a and that the material starting in III,17b continues the history with the rise of the Qumran community. I now wish to defend this hypothesis in detail.

⁹ It is therefore unnecessary to consider as glosses either III,16a (Murphy-O’Connor, “An Essene Missionary Document?,” 208) or III,17a (Davies, *The Damascus Covenant*, 89). Both phrases fit excellently with the theme of the passage.

9.3 CD III,17b–18a as Retrospective from the Qumran Community

The first thing to observe is the striking number of verbal parallels between the second section (III,17b–IV,12a) and other documents from Qumran, especially 1QS and 1QH^a. CD III,17b says, “but they defiled themselves (והם החגוללו) with human sin (בפשע אנוש) and unclean paths (ובדרכי נדה).” A similar phrase, “they defiled themselves in paths of fornication” (ויהגוללו בדרכי זנות), appears in CD VIII,5/XIX,17, but we also find the verb “to be defiled” (החגולל) connected with “impurity” (נדה) in 1QS IV,21–22 and 1QH^a IV,19 [Suk. XVII,19], with “paths of wickedness” (דרכי רשע) in 1QS IV,19, and with “the sin of the sons of man” (חטאת בני אדם) in 4Q181 1 ii 1. The expression “unclean paths” (דרכי נדה) appears in 1QS IV,10 (cf. also 1QpHab VIII,12–13). The expression “uncleanness of man” (נדה אנוש) appears in 1QS XI,14–15. In 1QH^a XIX,10 [Suk. XI,10] the hymnist praises God for purifying man (אנוש) from offense (פשע), and this appears right after a reference to God’s “wonderful mysteries” (רזי פלאכה) (cf. CD III,18). In other words, CD III,17b resonates very well with the profound sense of human sinfulness that we find in 1QS and in 1QH^a. As we saw in Chapter 7, that profound sense of sinfulness developed within the history of the *yahad*. Thus we may suspect that the language in CD III,17b presupposes the developed theology of the *yahad*.

The term “wonderful mysteries” appears often in the DSS.¹⁰ It usually refers to the “mysteries” of God either as the source or as the content of knowledge (1Q27 1 i 7; 1QS IX,18; XI,5; 1QH^a IX,21 [Suk. I,21]; X,13 [Suk. II,13]; XII,27–28 [Suk. IV,27–28]; 4Q417 1 i 2; 1 i 13), including knowledge of God’s kindness (1QH^a XV,27 [Suk. VII,27]; XIX,10 [Suk. XI,10]), or as the divine plan (1QM XIV,14; 1QH^a V,8 [Suk. XIII,2] [?]; 4Q418 219,2; 4Q437 6,1; 4Q491 8–10 i 12). In the present case (CD III,18) the meaning comes closest to knowledge of God’s kindness in forgiving sins (cf. 1QH^a XV,27 [Suk. VII,27]; XIX,10 [Suk. XI,10]). Once again we see that this part of CD is particularly close to specifically Qumran material, especially 1QH^a.

¹⁰ 1Q27 1 i 7; 1QS IX,18; XI,5; 1QM XIV,14; 1QH^a V,8 [Suk. XIII,2]; IX,21 [Suk. I,21]; X,13 [Suk. II,13]; XII,27–28 [Suk. IV,27–28]; XV,27 [Suk. VII,27]; XIX,10 [Suk. XI,10]; (4Q181 1 ii 5?); 4Q286 1 ii 8; 4Q301 1,2; 4Q403 1 ii 27; 4Q417 1 i 2; 1 i 13; 4Q418 219,2; 4Q437 6,1; 4Q491 8–10 i 12; 4Q511 44–47,6.

The allusion to the Zadokites in the mention of the “sure house” in CD III,19 as well as the explicit mention of the Zadokites in III,21–IV,4 calls to mind the frequent mention of the Zadokites in 1QS, 1QSa, and 1QSB. As we shall see below, this “house” is the *yahad* itself. The promise that the steadfast will receive all the glory of Adam in CD III,20 is very similar to 1QS IV,23 (cf. also 1QH^a IV,15 [Suk. XVII,15]). The promise that God will atone for the faithful in CD IV,10 is similar to CD XX,34, which also says that God will atone for the faithful and which clearly belongs to a section of CD with a Qumran *Sitz im Leben*, since it mentions the Teacher of Righteousness (XX,32). The statement that “when the period corresponding to the number of the years is complete there will no longer be any joining to the house of Judah but rather each one standing on his stronghold” in CD IV,10–12 sounds very similar to the (admittedly fragmentary) 4Q177 11,5–6 (a Qumran work), “there is no...each one upon his stronghold.” I have argued elsewhere that the passage in 4Q177 should be reconstructed in a way similar to CD IV,10–12.¹¹ In brief, then, there are a number of parallels between CD III,17b–IV,12a and Qumran material that strongly indicate that the *Sitz im Leben* for this section of *D* is either Qumran or the community that eventually settled at Qumran. In what follows we shall attempt to discern the historical setting for this material.

Given the points of contact with literature coming specifically from the *yahad*, I propose that the judgment, “but they defiled themselves with human sin and unclean paths, and they said, ‘for this is ours,’” in CD III,17b–18a is written from the perspective of the Qumran community and describes retrospectively the condition of the parent movement of the Qumran community in light of the latter’s separation from that movement.¹² That would explain why there seems to be both continuity and discontinuity between III,17a and III,17b. The Qumran community viewed itself in continuity with the remnant of the exile that became the Damascus covenant, but it also viewed itself in discontinuity with respect to that parent movement insofar as it ultimately

¹¹ Chapter 3, p. 102, n. 45.

¹² Cf. also 4Q390 1,6–7, which in its review of Israelite history says of the time after the exile: “And I shall speak to them and I shall send them commandments, and they will understand everything which they and their fathers had abandoned.” It must be noted, however, that here those who recognize their guilt are the people of Israel in general and not the members of the covenant, as is indicated by lines 7–10.

separated itself from that movement. CD III,17b–18a marks the point at which the Qumran community found it necessary to separate itself from that movement. The members of that movement were “defiled” and falsely claimed that they were the ones to inherit the land.

There are two considerations that help to explain this view of things. First, as I showed in Chapter 7, the establishment of the *yahad* led to a deepened sense of human sinfulness among its members. There were three reasons for the radicalization of the problem of sin. First, there developed a view within the *yahad* that membership in the community was the sole (exclusively sufficient) means to righteousness before God prior to the *eschaton*. Second, the emergence of dualism led to the belief that sin dwelt even in the righteous. Third, various traditions that were inherited by the *yahad* set over against each other the radical unrighteousness of humans and the exclusive righteousness of God. Sinfulness comes to be regarded as the inescapable state of human existence. Purification and atonement for sin come to be regarded as possible only through an act of divine mercy. Thus acknowledgment of God’s mercy in justification and atonement within the covenant (of the *yahad*) can become at the same time a retrospective confession of one’s own deep sinfulness. In other words, *salvation* from sin also brings *revelation* and the *knowledge* of sin. An excellent example of this viewpoint appears in 1QH^a XII,34b–39 [Suk. IV,34b–39]:

I remembered my guilty deeds with the unfaithfulness of my ancestors, when the wicked rose up against your covenant and the scoundrels against your word. And I said, “Because of my transgressions I have been abandoned from your covenant.”¹³ But when I remembered the strength of your hand with the abundance of your compassion, I remained resolute and stood up, and my spirit kept firmly in place in the face of affliction. For I leaned on your acts of mercy and on the abundance of your compassion. For you atone for iniquity (תכפר עוון) and [to] purify (לטהר) man (אנוש) from guilt (אשמה) in your righteousness. It is not for man...you made...for you created the righteous and the wicked...I shall hold firm to your covenant until...

Here the hymnist acknowledges his past guilty deeds in contrast to God’s righteousness and compassion in atoning for sin. Note, however, that the hymnist conflates his own transgressions with the sins of his

¹³ Or: “And I said in my transgressions, ‘I have been abandoned from your covenant.’”

ancestors, and he does not identify any particular sins of his own. He simply counts himself as part of a mass of sinful persons. If he had had to rely on himself, he would have been excluded from God's covenant because of his sins. But since God atones for sin and purifies man from guilt, the hymnist is able to belong to God's covenant (community). Or to put it in a converse but equally correct way, it is belonging to the covenant community that makes atonement and purification possible.

The thought here is remarkably close to that in CD III,17b–18: “But they defiled themselves with human sin (פֶשַׁע אָנוּשׁ) and unclean paths (דַרְכֵי נִדָה), and they said, ‘for this is ours.’ But God in his wonderful mysteries atoned (כִּפֶּר) for their sins (עֲוֹנוֹם) and forgave their transgressions (פֶשַׁעֵם).” It is not necessary to identify precisely what these “sins” and “transgressions” and “unclean paths” are. As in 1QH^a XII,34b–39 [Suk. IV,34b–39] the sins and transgressions and impurity are simply a retrospective description of the state of affairs before God established the *yahad*. Because the *yahad* itself is the sole means to purity and righteousness before God, the members of the Damascus covenant were *in retrospect*, that is, before the establishment of the *yahad*, *ipso facto* sinners. It was God's establishment of the *yahad* (CD III,19) that made justification and purification possible. This self-understanding of the community explains the apparently abrupt transition from CD III,12b–17a to III,17b–18a, that is, it explains why we find both continuity and discontinuity between the two sections. It also explains why in *retrospect* the community could claim both to be the remnant (III,12–13) and to have been in a state of *defilement* (III,17) at a point in its past.

Thus the Qumran community attributed its own beginnings to an act of pure grace on the part of God. We have observed above that the term “wonderful mysteries” is sometimes used in the DSS in connection with knowledge of God's compassion. More specifically, it is sometimes connected with God's forgiveness of sins. So, for example, in 1QH^a XV,26–31 [Suk. VII,26–31] the hymnist declares:

I thank [you, Lord], because you have taught me your truth, and you have made me to know your wonderful mysteries, your kindness towards man, in the abundance of your compassion to the depraved of heart...and all the sons of your truth you bring to forgiveness in your presence, by purifying them from their sins in the greatness of your goodness and in the abundance of your compassion, to make them stand before you forever and ever.

In understanding God's forgiveness of sins as part of the wonderful mysteries of God, CD III,18b agrees excellently with this text from Qumran. CD III,19 connects this act of divine forgiveness with the foundation of the *yahad*. God's way of atoning for iniquity was the creation of the Qumran community itself. The community is the "sure house" that God built, within the walls of which the members are assured of God's favor.

Although this interpretation of CD III,17–18 does not *require* that we identify specifically the sins and transgressions and impure paths mentioned in those lines, there may be an allusion to a particular historical circumstance. This leads to the second consideration that explains CD III,17b–18a from the perspective of the Qumran community. As we saw in Chapter 5, the major factor that led to the rise of the *yahad* was the betrayal of the Damascus covenant by some members of the Teacher of Righteousness's group who transferred allegiance to the Man of the Lie and the alternative halakah that he espoused. As we saw there, this alternative halakah threatened to undermine the Damascus covenant's purity regulations. In response, a group from within the Damascus covenant separated itself from the rest of the covenant in order to preserve its traditional purity halakah (as well as the other kinds of halakah). This group is what eventually became the Qumran community. In this respect one can understand why the *yahad*, from a later perspective, may have said of the Damascus covenant (from which the *yahad* arose but from which it also separated itself) that "they" (=the Damascus covenant before the rise of the *yahad*) had "defiled" themselves (CD III,17). This explanation sheds further light on the sense of simultaneous continuity and discontinuity in these lines.

From this perspective we can also understand why the *yahad* attributes the (false) claim, "it [the land] is ours," to the Damascus covenant (CD III,18a). As was mentioned above, the claim, "it [the land] is ours," comes from Ezek 11:15. The inhabitants of Jerusalem claim that, since the exiles have gone off to a distant country, the land (of Israel) belongs to them. However, God promises that he will gather the exiles and bring them back to the land of Israel; the land will be theirs. The exiles will be restored to the land. As we saw in Chapters 3 and 4, it was precisely the prophetic promises to the exiles of restoration to the land that stood at the heart of the Damascus covenant. Thus the Damascus covenant will have claimed for itself promises of restoration to the *exiles* like those in Ezek 11:17. Once the Damascus covenant had been undermined by the infiltration of an alternative halakah under the influence of the followers of the Man of the Lie,

however, and once the *yahad* separated itself from the Damascus covenant, the *yahad* came to apply to itself the prophetic promises that once applied to the whole Damascus covenant. That the *yahad* came to apply to itself texts from Ezekiel is beyond doubt. As we saw in Chapter 5, the community saw fulfilled in itself the words of Ezek 20:41, where God says that, after he has brought the exiles back to the land of Israel, he will accept the people “as a pleasing odor” (בריח ניחח) (ארצה אחכם). In 1QS III,11–12, the one who remains faithful in the covenant community will be accepted by God as a “pleasing atonement” (ירצה בכפורי ניחוח) (cf. also VIII,9–10). Moreover, the previous verse in Ezekiel (20:40) says that the house of Israel will serve God on God’s “holy mountain, on the mountain height of Israel.” According to 4QpPs^a (4Q171) 1+3–4 iii 11 the “high mountain of Israel” will be the inheritance of the community. Thus the *yahad* viewed itself as the inheritor of the land of Israel as promised by Ezekiel. The *Damascus covenant*’s claim to the land thus becomes a false claim (CD III,17).

Moreover, it may be significant in this respect that in Ezek 11:15 it is the inhabitants of *Jerusalem* who make the (false) claim to the land. The Qumran community apparently consisted of those who *left* Jerusalem, the “holy city,” in a kind of voluntary exile (cf. CD XX,22),¹⁴ ultimately going to the desert. Therefore those of the Damascus covenant who remained in Jerusalem became from the community’s perspective the inhabitants of Jerusalem in the sense of Ezek 11:15. Thus whereas the “remnant” (the original Damascus covenant) arose in expectation that *it* was to possess the land (CD III,17), the later Qumran community simply adopted that expectation for itself and denied it to those who did not join them. In conclusion, CD III,17b–18a makes excellent sense as retrospective from the Qumran community on its past emergence from the Damascus covenant.

¹⁴ For my understanding of CD XX,22–25, see Chapter 2, pp. 71–72. See also the remarks of Annie Jaubert, “Le pays de Damas,” *RB* 65 (1958) 224.

9.4 The “Sure House” of CD III,19–20 as the Zadokite-Led Qumran Community

The “sure” or “faithful” house that God built (III,19) is an allusion to 1 Sam 2:35, where God promised that he would raise up a faithful priest and a faithful house in place of Eli. In the course of the biblical narrative, those promises are fulfilled in the Zadokite priesthood (cf. 1 Kings 2:26–27, 35).¹⁵ The author of CD III,19–20 says that such a “sure” or “faithful” house “has not existed from ancient times and even until now.” This statement could be taken in three different ways. First, it could be understood to mean that up until the present the priesthood has not been completely faithful, perhaps not even the Zadokite priesthood. Second, it could be taken to mean that, despite the promise of 1 Sam 2:35, the Zadokite priesthood never did fully obtain its promise of an established house until the present time (of the author). Although the Zadokites obtained the dominant position in the post-exilic priesthood, it seems that they shared power with other priestly families.¹⁶ Finally, it is possible that the author, by saying that the sure house has not existed “even until now,” is alluding to recent history, when the Zadokite priesthood lost power in Jerusalem with the deposition of the last Zadokite high priests in 175 BC (Onias III) and 172 BC (Jason).¹⁷ It seems likely that at some point after the Zadokites lost the high priesthood, some of their number joined the community that would eventually settle at Qumran. Furthermore, it is likely that eventually these Zadokite priests gained a dominant position in the Qumran community. Consequently, regardless of how we take the phrase, “such as has not existed from ancient times and not even until now,” it is probable that the Zadokite-led community came to see itself as the fulfillment of 1 Sam 2:35. The Qumran community became, in

¹⁵ In 2 Sam 7:16 it is said of the Davidic dynasty also that it will be a “sure house” (בית ידן). The cultic references in CD III,21–IV,4, however, make clear that the reference is to the house of Zadok rather than the house of David. Contra Georg Klinzing, *Die Umdeutung des Kultes in der Qumrangemeinde und im Neuen Testament* (SUNT 7; Göttingen: Vandenhoeck & Ruprecht, 1971) 77–78, 150.

¹⁶ On this see Chapter 4, pp. 206–11; and George W. Ramsey, “Zadok,” *ABD* 6.1036.

¹⁷ According to Josephus, *A.J.* 12.238–39, Menelaus (also called Onias) was a brother of Jason (Jesus) and therefore son of Simon the high priest (see also 12.387) and a Zadokite. But according to 2 Macc 4:23 Menelaus was the brother of a different Simon from the tribe of Benjamin (cf. 3:4–6).

its own eyes, the “sure” or “faithful” priestly house promised by God, while the community regarded the temple in Jerusalem as faithless. This hypothesis presupposes that the Qumran community came to be dominated by Zadokite priests. Since that view has been questioned by other scholars, however, it requires a defense.

The publication of the 4QS fragments puts us in a stronger position than scholars in the past to study the redactional history of the *Rule of the Community* and (with all necessary and due caution) to try to glean from that redactional history some insight into the history of the community. One conclusion that I would suggest that we draw is that in the earliest period of the community that would become Qumran the Zadokite priests were not yet dominant, but that they became dominant at a later point in its history. The basis for this hypothesis lies in a comparison of 1QS V,2 with its parallels in 4QS^b (4Q256) and 4QS^d (4Q258). In 1QS V,2 authority in the community is vested in the “sons of Zadok” and in the “multitude of the men of the community.” By contrast, in the parallel passages in 4Q256 9 iv 3 and 4Q258 1 i 2 authority is vested in the “Many.” The case is similar with 1QS V,9 and its parallels in 4QS^b (4Q256) 9 iv 7–8 and 4QS^d (4Q258) 1 i 7: while in 1QS V,9 authority is placed in the “sons of Zadok” and the “multitude of the men of their covenant,” in 4Q256 9 iv 7–8 and 4Q258 1 i 7 the authority is apparently placed in the “council of the men of the community.”

From her study of the 4QS fragments, Sarianna Metso has concluded that 4QS256 and 4Q258 represent an older version of the document than 1QS,¹⁸ and so the “authority of the Zadokites” is the later reading. That is also the conclusion of other scholars.¹⁹ Following Geza Vermes’s earlier view (Vermes later modified his view; see below), however, Metso argues that the change from authority being vested in the “Many” to authority being vested in the “Zadokites” and the “multitude of the men of the community” should not be taken to

¹⁸ Sarianna Metso, *The Textual Development of the Qumran Community Rule* (STDJ 21; Leiden: E. J. Brill, 1997) 143–49.

¹⁹ See Geza Vermes, “Preliminary Remarks on Unpublished Fragments of the Community Rule from Qumran Cave 4,” *JJS* 42 (1991) 255; idem, “The Leadership of the Qumran Community: Sons of Zadok – Priests – Congregation,” *Geschichte – Tradition – Reflexion* (3 vols.; ed. Hubert Cancik, Hermann Lichtenberger, and Peter Schäfer; Tübingen: J. C. B. Mohr [Paul Siebeck], 1996) 1.380–81; and Charlotte Hempel, “The Earthly Essene Nucleus of 1QSA,” *DSD* 3 (1996) 258–59.

indicate a change in the structure of the community, since 1QS VI,8 shows that the “Many” consist of both priests and laymen. She says that the reason for replacing the “Many” (הרבים) with the “Zadokites, the priests who safeguard the covenant” and the “multitude of the men of the community” was “undoubtedly theological: The redactor(s) wished to stress the purpose of הרבים as the true keeper of the covenant and, as Vermes has pointed out, to emphasize the Zadokite link of the priestly leaders of the community.”²⁰

Generally it seems correct that the changes in terminology do not represent a change in the *formal structure* of the community. There are other texts in addition to 1QS VI,8 that support this view. According to 1QS V,20–23, when someone enters the covenant, he is to be examined on the authority of the “sons of Aaron” and of the “multitude (רוב) of Israel,” which is probably the same as the “multitude (רוב) of the men of their covenant” (V,9) or the “multitude (רוב) of the men of the community” (V,2–3).²¹ Then he is to be registered according to his rank. Examination and enrollment are the function of the “Many” according to 1QS VI,21–22, which indicates that the two groups—the “Many,” and the group consisting of the “sons of Aaron” and the “multitude”—are probably the same. Indeed, VI,19 also explicitly mentions the “priests and the multitude (רוב) of the men of their covenant,” and we gather that they are the same as the “Many,” since in one and the same section on community discipline the lot is cast by the “Many” according to VI,16 and according to the “priests” and the “multitude of the men of their covenant” in VI,18–19. It is true that 1QS V,20–22 does not mention the office of the inspector of the Many or the man appointed at the head of the Many, as in VI,14, 19–20, but the procedure of V,20–23 is not incompatible with the presence of such an officer.²² It is probable, therefore, that, from the perspective of *formal structure*, the group described as the “sons of Zadok” and the “multitude of the men of the community/covenant” in V,2–3 and V,9

²⁰ Metso, *The Textual Development*, 78. The reference is to Vermes, “Preliminary Remarks,” 254–55.

²¹ Note that both the “multitude of Israel” (V,22) and the “multitude of the men of their covenant” (V,9) are “those who volunteer” (המתנדבים) “together” or for the “community” (יחד) in each case (V,10, 22).

²² Note that in CD XIII,11–12 the inspector is to examine each new member, while “they” (perhaps the “Many” [cf. XIII,7], if the plural is not simply a periphrastic passive?) inscribe him in rank.

stands in the same place as the group described as the “sons of Aaron” and the “multitude of Israel” in V,21–22, and as the “Many” in VI,8–23, since the competence of the Zadokites and the multitude of the men of the community in judging matters of law, property, and judgment in V,3 matches what is said of the Many of the community in VI,22 (cf. also the function of the sons of Aaron in IX,7).²³

However, while the change in terminology from 4Q256/4Q258 to 1QS may not represent a change in the *formal structure* of the community, it is probable that the change in terminology is not intended simply to emphasize the “Zadokite link” of the priestly leaders of the community, as Metso argues. I suggest that it points to an actual *change* in the leadership of the community. That is, (the later) 1QS reflects a different period from 4Q256/4Q258, namely, a later period when the Zadokite priesthood gained a dominant position in the community. There are several observations and pieces of evidence that support this view.

Some writers have argued that the Zadokites were the leaders of the community from its very beginning.²⁴ There is no reason to doubt that from the very beginning of its existence Zadokite priests belonged to the community that would become Qumran.²⁵ Especially if the disenfranchisement of the Zadokites from the high priesthood and the perceived defilement of the temple by a non-Zadokite priesthood were major factors in the rise of the community that would become Qumran, it is very likely that Zadokites belonged to the community from the beginning. It is a different question, however, whether they were the sole leaders of the community from its beginning. 1QS VIII,1–16a and IX,3–11, which belong close to the foundation of the community, make no mention of Zadokites specifically. If the Zadokites already had a leading role (already set apart from other priests), one might expect

²³ It should be noted here that 1QS IX,7 places authority only in the hands of the sons of Aaron. On this line see pp. 511–12.

²⁴ E.g., Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (Philadelphia: The Jewish Publication Society, 1994) 113.

²⁵ There is reference to the “sons of Zadok” in 4Q266 5 i 16. In Chapter 2 I argued that 4Q266 5 i 10–15 comes from a time near the beginning of the community that would become Qumran (see p. 72). It is possible that 4Q266 5 i 16 comes from the same time. If that is correct, it may be evidence for Zadokite authority in the early history of the community.

them to be named explicitly apart from other priests.²⁶ Moreover, I have argued in Chapter 5 that the community that eventually became Qumran was constituted by a group of separatists from the (older) Damascus covenant who became opposed to the temple. While Zadokites may have had a prominent place in the Damascus covenant—insofar as the Zadokites seem to have had a leading role in the Second-Temple priesthood in general—the Damascus covenant was in its beginnings a covenant “for all Israel,” and its polity was based on the settled polity of late Persian Judah, in which the Zadokites, though dominant, shared power with other (non-Zadokite) priestly families. That means that other, non-Zadokite priests may also have had a prominent position in the Damascus covenant. Therefore there are no firm grounds for thinking that the Zadokites had *sole* leadership of the community from the beginning.

The evidence from 1QS in comparison with 4QS256/4Q258, however, does indicate a time when the Zadokites were dominant. Is it possible to determine that time? Some scholars have argued that over the course of the history of the Qumran community the Zadokites became *less* dominant. For example, Schiffman has argued that over time, as the community attracted more lay Israelites, the Zadokites passed from actual to ceremonial authority.²⁷ In a similar but more general way, Jerome Murphy-O’Connor argued (before the evidence of the 4QS fragments was fully accessible) that the Qumran community became more “democratic” over time, the original authority vested in the priesthood alone (1QS IX,7) giving way to a shared authority between priests and laymen (1QS V,2–3).²⁸ However, careful study of the texts gives no credence either to the view that the Qumran community became more democratic over time or to the view that the authority

²⁶ It has been suggested that P’s “sons of Aaron” and Ezekiel’s “sons of Zadok” are historically identical, and therefore the names could be used interchangeably (see Merlin D. Rehm, “Levites and Priests,” *ABD* 4.308–09). Klinzing, *Umdeutung*, 135–36, suggests that the same is the case in the DSS. However, the importance of Ezekiel’s prophecies for the community and the evidence of the *Rule of the Community* manuscripts indicate that the “sons of Zadok” are a particular group of significance to the community and not merely synonymous with the “sons of Aaron.”

²⁷ Schiffman, *Reclaiming the Dead Sea Scrolls*, 113.

²⁸ Jerome Murphy-O’Connor, “La genèse littéraire de la *Règle de la Communauté*,” *RB* 76 (1969) 534, 548–49.

of the Zadokites became weaker over time. If anything, the evidence suggests that the authority of the Zadokites increased over time.

First, 4Q174 1–2 i 17 speaks against the view that the authority of the Zadokites became weaker over time. There we read of the “Zadokites and the men of their council.” That formulation indicates that when this text was written (perhaps as late as 71–63 BC)²⁹ the Zadokites were (still) considered to be the leaders of the community. That evidence contradicts Schiffman’s hypothesis that the Zadokites’ power gradually became merely ceremonial. Furthermore, 1QSa I,2, 24; II,3 sees a prominent place for the Zadokites in the leadership of the community at the end of days. Charlotte Hempel has argued that the passages in 1QSa that acknowledge the special authority of the Zadokites are *later* additions to the document, perhaps even coming from the same redactor as was responsible for the replacement of the “sons of Zadok” in 1QS for the “Many” in 4Q256/4Q258, and reflect the same historical situation as in 1QS, namely, the *increased* authority of the Zadokites.³⁰ Finally, 1Qsb III,22–IV,3 (or III,22–IV,20?) contains a blessing for the Zadokites that may be separate from the blessing for the priesthood in general (cf. III,2), although the fragmentary state of the text makes it impossible to be sure. If the blessing for the Zadokites is separate from the blessing for other priests, however, then that would also point to a time when a distinction was made between the priests in general and the Zadokites in particular (contrast 1QS VIII,1–16a; IX,3–11). A later dating would agree with the evidence of 4Q174 and 1QSa.³¹

²⁹ For this (very plausible) dating, see Annette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidrEschat^{a,b})* (STDJ 13; Leiden: E. J. Brill, 1994) 202–12, 215.

³⁰ Hempel, “The Earthly Essene Nucleus,” 257–60. Since her article appeared, the 4QSE (4Qpap cryptA *Serekh ha-‘Edah*) fragments have been published (4Q249a–i in DJD 36). Some of these fragments have been dated quite early (early to mid-2nd century BC). Among those earliest fragments, at least one (4Q249c 1 ii 2 [=1QSa I,24]; see DJD 36.558) appears to have contained a part of *Serek hā-‘Edā* that had a reference to the “sons of Zadok.” That might suggest that “sons of Zadok” does belong to the earliest editions of this document. However, the dating is uncertain, and even a mid-2nd century BC manuscript could represent later redaction of an earlier document.

³¹ The petition in 1Qsb III,26 that God might “renew the covenant of an eternal priesthood” for the Zadokites and that he might give them their place in the “holy residence,” that is, that God might restore (faithful) Zadokites to the high priesthood (cf. Num 25:13) in the Jerusalem temple, demands a date after 175/172 BC, but no more

Second, it is unlikely that the difference between 1QS IX,7 and 1QS V,2-3 bears the significance that Murphy-O'Connor attributes to it, namely, that it is evidence for the democratization of the community. As can be seen from 1QS V,9 and 1QSa I,2, the "multitude of the men of the community" can also be described as the "[multitude of the] men of *their* [i.e., the Zadokite priests'] covenant." That indicates that the "men of the community/covenant," that is (presumably), the laity, were subordinate to the priests. A similar subordination is implied in 4Q174 1-2 i 17, which speaks of the sons of Zadok and the "men of *their* council...who came after them." If, as I have argued above, the passages that attribute authority to the sons of Zadok are later than those that attribute authority to the priests in general, then they indicate that in the later history of the community the laity of the community were not "equals" to the (Zadokite) priests, but continued to be subordinate to them. Moreover, this situation does not seem to represent any significant change in the relationship between priests and laity from the earlier history of the community. Even 1QS VI,19 speaks of the "priests and the multitude of the men of *their* covenant." As we have seen above, this group appears to be approximately equivalent to the "Many" in other parts of the *Rule*, including the apparently early 4Q258 1 i 2. That indicates that from the very beginning of the community that would become Qumran, the priests ("sons of Aaron") had ultimate authority and the laity (the "men of *their* covenant") were subordinate to them. The later history of the community brought no fundamental change in this relationship. The only significant change was that at some point the *Zadokite* priests specifically inherited the priestly leadership of the community from the older, more general "sons of Aaron." Although it is true that 1QS IX,7 does not mention the "multitude of the men of the [or their!] covenant" as having authority, and perhaps even excludes them, that does not have to be read as implying a less "democratic" polity. If throughout the history of the community the laity were *always* in a subordinate position vis-à-vis the priests, then IX,7, in placing ultimate authority in the hands of the priests alone, is not (completely) incompatible with the other passages that place authority in the hands of the priests and the men of *their*

specific date can be given.

covenant, if we understand the latter passages to mean that the priests retained final authority.³²

Finally, even if 1QS IX,7 is interpreted in a way that suggests a less democratic polity than 1QS V,2–3, it is not clear that 1QS IX,7 is actually older than 1QS V,2–3. 1QS V,7–9, which appears in the same section as 1QS V,2–3, stands close tradition-historically to CD XV,7–10. The latter, as I have shown in Chapters 3 and 4, is the procedure for entrance into the (old) Damascus covenant. As I have shown in Chapter 5, 1QS V,7–9, with its simple rules for entrance into the covenant, is based on the procedure in CD XV. By contrast, 1QS IX,3–11 seems to presuppose the later, more developed two-year discipline of the community that produced “men of holiness who walk in perfection” (1QS IX,5–6, 8; cf. VIII,10–11; VIII,25–IX,2). That suggests that 1QS IX,7 may actually be *later* than 1QS V,2–3.

In conclusion, then, there is no firm evidence that the Qumran community became more democratic over time, or that the authority of the Zadokites became gradually weaker. If anything, the evidence seems to point in the opposite direction, namely, that the community became more hierarchical. It seems most accurate to say, however, that the structure of the community remained fairly fixed throughout its history. From the beginning it was a community in which priests had ultimate authority, no matter how much power they might have shared with the laity. The only change that happened—it was, however, an important change—was that at some point priestly power became concentrated in the hands of the Zadokites specifically.

One can only speculate when this concentration of power occurred. It may well have occurred when there was a sudden influx of Zadokite priests into the community after the disenfranchisement of Zadokite priests in Jerusalem. Alternatively it may have occurred when the Teacher of Righteousness, who himself may very well have been a Zadokite, joined the community. In 1 Sam 2:35, the place where God

³² Cf. Vermes, “Leadership,” 381: “The earlier, no doubt original, version of the Rule had no mention of the sons of Zadok. Final authority in all matters lay with the Congregation, but this was reconcilable with the acceptance of the doctrinal and legal expertise of the priest, i.e. the sons of Aaron.” It is therefore probably unnecessary to argue, as Davies does, that 1QS IX,7 represents an early draft of the blueprint for the Qumran community that was later changed to include laity in a position of authority (Philip Davies, *Behind the Essenes: History and Ideology in the Dead Sea Scrolls* [Atlanta: Scholars Press, 1987] 60–61).

promises to build a “sure” or “faithful” (priestly) house, God also promises to raise up a “faithful priest.” We might suspect that, from Qumran’s perspective, these two promises were fulfilled simultaneously. When the Teacher of Righteousness came to the community, God raised up both a faithful priest (the Teacher) and a faithful house (a Zadokite temple-community). In any case, the belief that the promise of 1 Sam 2:35 had been fulfilled will have led to an elevation of the status of the Zadokites in the community. We may note here that Vermes, who in an earlier article thought that the use of the term “sons of Zadok” in 1QS was meant only “to emphasize the Zadokite link of the priestly leaders of the community,”³³ later came to the position that I have defended here, that the introduction of “sons of Zadok” reflects an actual change in authority in the community. Vermes attributes this change specifically to an influx of Zadokites who took over the community.³⁴ We do not have to doubt that from its very beginning there were Zadokites in the community that became Qumran, but it is not necessary to assume that they had sole leadership from the beginning, any more than they had sole leadership in the Damascus covenant from which they (or at least some of them) came.

Thus the “sure” or “faithful” house of CD III,19 is the Qumran community itself. The author says in III,20 that “those who remain steadfast in it will acquire eternal life, and all the glory of Adam is for them.” With this statement may be compared 1QS IV,23, which also promises all the glory of Adam to those within the covenant commu-

³³ See p. 507 above.

³⁴ Vermes, “Leadership,” 381: “This democratically organized primitive community...was subsequently joined by a group of Zadokite priests, i.e. those associated with the party of the reigning high priests, who achieved a successful ‘takeover’ [on p. 383 Vermes adds: ‘and became paramount leaders’] thanks to their doctrinal expertise and social status.” Cf. similarly Stegemann, *Entstehung*, 221–22. Stegemann suggests that the Zadokites fled Jerusalem at the same time as the Teacher of Righteousness. That is possible, although it is also possible that some Zadokites joined the community at their loss of the high priesthood (172 BC?) and that the Teacher joined the community some time (20 years) later (152 BC). Klinzing, *Umdeutung*, 135, doubts that the Zadokites’ loss of the high priesthood was a factor in the separation of the community. He states (pointing to 1 Macc 7:13–14) that the *hāsīdīm* were satisfied with an Aaronic high priest, and since, in his view, the Qumran community arose out of the *hāsīdīm*, we should assume the same for the community. Against Klinzing, however, (1) it is unlikely that the origins of the community lie in the *hāsīdīm*; and (2) the Qumran community’s interpretation of Scripture (Ezekiel) will have led to the preference for a Zadokite high priesthood.

nity, as well as 1QH^a IV,15 [Suk. XVII,15], and also 4QpPs^a (4Q171) 1+3-4 iii 1-2, which says that the inheritance of Adam will be for those who return from the wilderness, presumably those who return from the community in the wilderness to Jerusalem at the end of days in the last battle (cf. 1QM I,2-3).³⁵ In 4QPs^a (4Q171) 1+3-4 iii 11 the inheritance of the community is said to be the “high mountain of Israel,” which comes from Ezek 20:40, and “his [God’s] holy mountain.” In Ezek 36:33-36 the restored Israel is described in Edenic terms. The term “mountain” is not used there, but in 28:11-19 the garden of Eden is located on the “holy mountain of God,” which in Israelite tradition was identified with Zion (Ps 48:3). It may be, then, that a mountain scene is presupposed even in Ezek 36:33-36, at least in so far as that passage relates to Zion. Thus “all the glory of Adam” (CD III,20) that is the promised inheritance for the community is a broad term. It includes not only long days (4QPs^a [4Q171] 1+3-4 iii 1; 1QH^a IV,15 [Suk. XVII,15]), but also an Edenic existence in Zion. In brief, one could say that the promised inheritance of the Qumran community is to live forever on Zion, in an Edenic existence, serving God in righteousness.

9.5 CD III,21-IV,4b and the Development of the Qumran Community

We have seen that the community’s formation and self-understanding were heavily based on texts from Ezekiel that looked for a people of Israel that was itself a kind of temple-community (Ezek 20:41). It became clear from our study of CD III,20 that the future of the community—its inheritance of the glory of Adam—is also based on texts from Ezekiel. This heavy dependence on Ezekiel explains why the promise of III,20, that “all the glory of Adam is for them [the community],” is next justified by appeal in CD III,21-IV,2 to a further text from Ezekiel (44:15): “as (כִּאֲשֶׁר) God swore to them through Ezekiel the prophet....” Ezekiel 44:15, in its original context, promises that in the new temple the Zadokite priests alone will serve God as priests. The

³⁵ A number of scholars have taken שְׁבִי הַמִּדְבָּר in 4QPs^a (4Q171) 1+3-4 iii 1 as meaning, “those who return to the wilderness,” or as meaning, “those who repent in the wilderness,” that is, the Qumran community in its present existence in the wilderness (see Maurya P. Horgan, *Pesharim: Qumran Interpretations of Biblical Books* [Washington, DC: The Catholic Biblical Association of America, 1979] 213). The point remains the same on either translation.

influx of Zadokite priests into the Qumran community, and their elevation to authority, as discussed above, will have been seen as the fulfillment of the promise of Ezek 44:15, as much as it was the fulfillment of 1 Sam 2:35. The new temple where the Zadokites would serve, however, would of course be located on the “very high mountain,” Zion (Ezek 40:2). Thus the appeal to Ezek 44:15 serves both to reinforce the point that God has fulfilled the promises of 1 Sam 2:35 and to link the fulfillment of those promises to the future fulfillment of the promise of the inheritance of Adam. That is, God’s promise to raise up a “sure” or “faithful” house (1 Sam 2:35) has been fulfilled through the formation of the Zadokite-led Qumran community. That initial fulfillment points forward to the complete fulfillment of God’s promises regarding the Zadokite priesthood. When the Zadokite-led Qumran community is able finally to return to Zion, at the end of days (cf. CD IV,4), there to serve God (Ezek 44:15) on his holy mountain, which is also Eden (28:11–19; 36:33–36), then the community will truly inherit all the glory of Adam (4QPs^a [4Q171] 1+3–4 iii 1–2, 11).

Against this background the author’s interpretation of Ezek 44:15 in CD IV,2–4 makes good sense. Whereas MT Ezek 44:15 speaks of one group of priests (“the levitical priests, the sons of Zadok”), the author treats the three terms “priests, Levites, sons of Zadok” in the Hebrew text as three different groups: “the priests and the Levites and the sons of Zadok.” To account for this difference it has sometimes been proposed that the author knew a textual variant that included the extra conjunctions.³⁶ Such evidence as we have, however, does not support that explanation, and it is better simply to assume that the author of CD has made the change himself intentionally to make a point. In this way he was able to allude (again) to the historical development of the community.

Specifically he refers to three stages in the history of the community. The first stage of the community’s history is the “priests,” who are identified as the “captivity of Israel” (שבֵי יִשְׂרָאֵל) who “went out from the land of Judah.” It is difficult to know to whom this first group refers. In Chapter 4 I argued that the term שבֵי יִשְׂרָאֵל is best translated

³⁶ E.g., R. H. Charles, “Fragments of a Zadokite Work,” *APOT* 2.808, who points out that the Syriac and Latin versions have the conjunction before “the Levites.” But these versions do not have the conjunction before “the sons of Zadok.” The additional “and” in these versions is more likely to be an error (the LXX has no additional conjunctions).

“the captivity of Israel,” but that it can encompass all three possible meanings that have been proposed for it (“the captivity of Israel”; “the returnees of Israel”; or “the penitents within Israel”).³⁷ The שבי ישראל were the original members of the Damascus covenant and were analogous to the בני הגולה in Ezra, for the latter were the covenant community in post-exilic Judah who identified themselves as those who had gone into “captivity,” had “returned” from captivity, and who had separated themselves from the rest of the people. It is possible that the term is used in the same way here, that is, that the author is referring to the original members of the Damascus covenant. The fact that the שבי ישראל are said to have “left Judah” would support this interpretation, since it would fit the original members of the Damascus covenant, who traced their origins back to the exile (cf. CD VI,5), better than it would fit the members of the Qumran community, of whom it is more difficult to say that they “left Judah.” This seems to me the most likely interpretation. The שבי ישראל are the original group of the Damascus covenant, which traced its origin back to the exile and to which the Qumran community ultimately traced its own origins. CD VI,5 also supports that interpretation.

There is, however, another possibility, and that is that the term has been reinterpreted and reapplied to the new situation of the Qumran community. There is precedent for such reapplication of terms. For example, the Damascus covenant used the terms “Judah” for itself and “Ephraim” for the faithless who rejected the covenant or turned away from it, while the Qumran community later used those terms to refer to itself and to its opponents respectively.³⁸ In this case, the author would be drawing on the community’s ultimate origins (via the Damascus covenant) as the “captivity of Israel” (שבי ישראל) to allude to its (voluntary) “exile” to the desert in CD IV,2, just as he drew on the Damascus covenant’s “departure from Judah” to allude to the community’s departure from Jerusalem in IV,3.³⁹ Thus the terms שבי ישראל and יהודה מארץ יהודה could be understood as archaisms that the author drew from the parent movement (the Damascus covenant) to refer to the more recent history of the Qumran community. As we have seen in

³⁷ See Chapter 4, p. 146.

³⁸ See Chapter 1, pp. 16–17.

³⁹ Note that, unlike CD VI,5, CD IV,3 makes no reference to the “dwelling in Damascus.”

this chapter and in Chapter 3, the founding members of the community that became Qumran viewed themselves as the true heirs of the Damascus covenant. It would be no surprise if they also continued to identify themselves with the שבוי ישראל. That they did so is very likely (cf. 4QPs^a [4Q171] 3–10 iv 24; 4Q266 5 i 15).⁴⁰ There may in fact be double entendre here. Perhaps we are to hear both senses: the Qumran community traced its origins back *both* to the original members of the Damascus covenant, who left Judah and went into exile (among whom will have been priests), *and* to the priests who left Jerusalem more recently to form the Qumran community. In any case, the “priests” represent the first stage of the community’s membership.

Next, in CD IV,3 the Levites (הלוים) of Ezek 44:15 are interpreted of those who “joined” (הגלוים) the “priests,” that is, those who joined the שבוי ישראל who “went out from the land of Judah,” and they represent a second stage of the community’s history. Again it is difficult to determine the reference. There are strong grounds, however, for identifying the “Levites” with members who joined the Qumran community after it had been founded, for in 1QS V,6 the term הגלוים is used of people who “join” the community. Indeed, these people (in 1QS V,6) appear to be the first people to join the community after the original, founding members. There are in fact a number of parallels between 1QS V,1–6 and CD III,18–IV,7, which suggest a common origin for them.⁴¹ Interpreting this group along the lines of 1QS V,1–6 fits CD IV,3 very well.⁴²

⁴⁰ Note that 4Q266 5 i 16 also brings together the שבוי ישראל and the “sons of Zadok, the priests,” and even has the formula הנה הנה that could introduce a typological interpretation like that in CD IV,2–4. More likely, however, the formula is used simply to state the tasks of the priests. The fragmentary state of the text makes it impossible to determine.

⁴¹ Besides the use of the root ליה for those who join the community, parallels are atonement, remaining steadfast, sons of Zadok, and declaring guilt. See Preben Wernberg-Møller, “צדק, צדיק, and צדוק in the Zadokite Fragments (CDC), the Manual of Discipline (DSD) and the Habakkuk-Commentary (DSH),” *VT* 3 (1953) 313; and Klinzing, *Umdeutung*, 78–79, 131.

⁴² Cf. Klinzing, *ibid.*, 137. This may also lend some support to the view that the “priests” of CD IV,2–3 are the original members of the Qumran community, rather than the Damascus covenant. But it does not exclude an identification of the “priests” with the Damascus covenant. As mentioned in the main text, the founding members of the community that became Qumran viewed themselves as the true heirs of the Damascus covenant. Thus they could also view themselves as the true שבוי ישראל.

Finally, the “sons of Zadok” constitute the third stage of the community. Identification of this group has proved to be difficult as well. Some scholars have proposed that the “sons of Zadok” stand for the community as a whole⁴³ or for the laity.⁴⁴ Such interpretations are understandable, since the “sons of Zadok” are further described as the “chosen of Israel, the summoned men of renown” (בחירי ישראל קריאי) (השם) in CD IV,3–4. The epithet קריאי השם (“the summoned men of renown”) is probably a contraction of the two epithets “men of renown” (קריאי מועד) and “those summoned to [or from] the assembly” (אנשי שם) that are used in Num 16:2 for the 250 Israelite men who were leaders of the “whole congregation” of Israel (cf. Num 16:3 and passim in Num 16).⁴⁵ Numbers 16 recounts the rebellion of a group within Is-

⁴³ So Hempel, “The Earthly Essene Nucleus,” 257 n. 12; Klinzing, *Umdeutung*, 131–32, 139, 142 (בני צדק=בני צדוק) (but see also p. 136); Davies, *The Damascus Covenant*, 95. It is possible that the “sons of Zadok” are metaphorical in 4Q266 5 i 16. It is more likely, however, that the “sons of Zadok” there are priestly members of the community in its earliest period who were responsible for the (last) interpretation of the law (line 17; cf. 1QS V,9) (see p. 508, n. 25). On the “last interpretation of the law” cf. 4Q266 11,20–21 (=4Q270 7 ii 15).

Davies, *Behind the Essenes*, 58, argues that “the Qumran community saw in CD [IV,3–4] an allusion to *itself* as the ‘sons of Zadok, the chosen ones of Israel, those called by name who arise at the end of days’... ‘sons of Zadok,’ though still representing the community in its last phase, signified a their [*sic*] own particular group, that part of the community who, *arising at the end of days*, followed the ‘Teacher of *zdq*’” (cf. p. 58). Davies’s view, however, assumes that CD IV,3–4 itself was a product of the parent movement of the Qumran community. However, as this chapter demonstrates, it is more likely that this part of CD was first composed in the Qumran community, so that it is unwarranted and implausible to argue, as Davies does, that the reference to the “sons of Zadok” has no real historical significance but simply appeared in an old midrash of the parent community, which the Qumran community later applied to itself. Moreover, the derivation of “sons of Zadok,” as referring to the whole community, from the title “Teacher of *zdq*” is most unlikely (Davies recognizes the problem himself on p. 59), and in any case it is probable that the presence of the “sons of Zadok” in the community antedated the arrival of the Teacher. My hypothesis provides a more satisfying historical explanation for the use of the term.

⁴⁴ Betz, *Offenbarung und Schriftforschung*, 180–81.

⁴⁵ Cf. also 4Q385a 3a–c,3 and the comment in DJD 30.137; and 4Q275 2,2. That השם קריאי in CD IV,4 (cf. also קריאי שם in CD II,11) means “those called by God” (השם standing in place of the divine name) and is not an allusion to Num 16 is unlikely. 1QSa II,2, 8, 11 and 1QM II,6, in contexts that are clearly shaped by Num 16 (the “congregation” tradition), have the article, אנשי השם/אנשי השם, even though Num 16:2 lacks the article, אנשי שם. That makes it likely that קריאי השם is also based on Num 16:2.

rael—consisting of Korah, Dathan, and Abiram, as well as these 250 Israelite men—against priestly authority and the consequences of that rebellion. In its final form, the chapter is a combination of two versions of the story. In one version the Levites seek priestly authority for themselves (cf. Num 16:1a, 7b–11, 16–17). In the other, the claim is made that the “whole congregation” of Israel are holy, and so the whole community of Israel challenges priestly authority (16:1b–3). While 16:17 probably assumes that the 250 men were Levites, reflecting the first version of the story, in 16:2–3 and 27:1–3 the 250 men are clearly assumed to be lay Israelites. In 1QSa II,2, 8 and 1QM II,6–7 the “men of renown, those summoned to the assembly” are apparently the laity of Israel, although 1QSa II,2 also includes Levites in this group (cf. II,1). In any case, priests are apparently not included.⁴⁶ Therefore if the epithet קריאי השם in CD IV,4 is indeed a contraction of the epithets קריאי מועד and קריאי (ה)שם from Num 16:2 (as used in 1QSa and 1QM), then it seems likely that the epithet in CD IV,4 does in fact refer to laity, or more precisely, that it corresponds to what 1QSa knows as the congregation of Israel (lay Israelites and Levites) apart from the priests (cf. 1QSa II,2–3, where the priests are mentioned separately from the “men of renown”). If that is the case, however, it is most odd that the author of the midrash on Ezek 44:15 in CD III,21–IV,4 would interpret the “sons of Zadok,” a term elsewhere so closely connected precisely to the priestly leadership of the community, with non-priestly members. How can one explain this anomaly?

A satisfying solution to this enigma comes in two observations. First, it must be observed that in 1QSa II,13 the epithet “men of renown” *does* include priests. Although Zadokite priests are not mentioned there explicitly, we do at least have one piece of evidence that indicates that the term “men of renown” could include priests. Thus it appears that, although the term “men of renown” may have originally referred primarily to lay Israelites (as well as Levites) in the Qumran community, as in the biblical tradition, at some point in time the term came also to include priests.

⁴⁶ J. van der Ploeg, “La règle de la guerre: traduction et notes,” *VT* 5 (1955) 377, takes 1QM II,6–7 in the sense that the priests will be the men of renown during the 33 years of war. Thus he identifies the “men of renown, those called to the assembly” here as priests. But as Jean Carmignac, *La règle de la guerre des fils de lumière contre les fils de ténèbres* (Paris: Letouzey et Ané, 1958) 32, points out, this interpretation is unlikely.

Second, 1QSa I,1 describes its document as “the rule for the whole congregation of Israel” in the “last days” when they “gather [together to walk?] in accordance with the regulation of the sons of Zadok the priests and the men of their covenant who have turned away [from walking on?] the path of the nation” (אשר סרן מלכת בדרך העם) (1QSa I,1–3). As Yadin indicated, there are points of contact between 1QSa I,2–3 and 4Q174 1–2 i 14–17.⁴⁷ The latter consists of a midrashic treatment of three biblical texts: Ps 1:1; Isa 8:11; and Ezek 37:23. The midrash begins: “Midrash on ‘Blessed is the man who does not walk [לא הלך] in the counsel of the wicked’ [Ps 1:1].” That verse is then interpreted by way of Isa 8:11: “The interpretation of this word: [they are] the ones who turn away from the path [סרי מדרך] [of the wicked?], as it is written in the book of Isaiah the prophet for the last days [לאחרית] הַיָּמִים, ‘And it happened that with a strong [hand he turned me aside (ויסרני)] from walking on the path of] this nation [מלכת בדרך העם הזה].” Isaiah 8:11 is then interpreted by way of Ezek 37:23: “And they are the ones about whom it is written in the book of Ezekiel the prophet that ‘they will no longer defile themselves with [all] their idols.’” Finally, those who according to Ezekiel would no longer defile themselves with idols are identified as the “sons of Zadok and the men of their council, pursuers of righteousness who have come after them to the council of the community.”⁴⁸

⁴⁷ Yigael Yadin, “A Midrash on 2 Sam. vii and Ps. i-ii (4Q Florilegium),” *IEJ* 9 (1959) 97 n. 24 and 98 n. 26.

⁴⁸ Geza Vermes, *The Complete Dead Sea Scrolls in English* (London: The Penguin Press, 1997) 494, thinks that the reference to Ezekiel in lines 16–17 is not to Ezek 37:23 but to 44:10: “the Levites [strayed far from me, following] their idols.” He then reconstructs the following text thus: “They are the sons of Zadok who [seek their own] counsel and follow [their own inclination] apart from the Council of the Community.” The reference to the “sons of Zadok” in 4Q174 1–2 i 17 makes an allusion to Ezek 44:10 an attractive possibility (it was already proposed as a secondary possibility by John M. Allegro, *DJD* 5.55), since the topic of the Zadokites is prominent in Ezek 44. If it were correct, it would lend support to my argument that 4Q174 is a key to understanding the interpretation of Ezek 44:15 in CD IV,4 (see below). However, Vermes is probably wrong, and an allusion to Ezek 37:23 is far more plausible, for at least two reasons. First, a citation of Ezek 37:23 fits the physical space of the lacuna far better than a citation of Ezek 44:10 (which would have to be a truncated citation; but even then it is doubtful that there would be enough space). See Steudel, *Midrasch*, 25, 47. Second, it is difficult to understand why the author of the midrash would interpret Ezekiel’s Levites as referring to the Zadokites. Furthermore, given the course of the midrash from the citation of Ps 1:1, there is every reason to believe that the sons of

Given the similarity between 1QSa I,1–3 and 4Q174 1–2 i 17, it is likely that the midrashic connections in 4Q174 1–2 i 17 that link the sons of Zadok and the men of their council with those who “have turned away from walking on the path of the people [Isa 8:11]” also stand behind the similar statement in 1QSa I,2–3. If we ask why it is the sons of Zadok (and the men of their council) specifically who are identified as the righteous in 4Q174 1–2 i 14–17, the use of Ezekiel may give us a clue. Ezekiel 37:23 says that characteristic of the future, restored Israel is that it will no longer defile itself with its idols (בגלוליהם). Ezekiel 44:10 says that it was the Levites who went astray after their idols (גלוליהם) when Israel went astray (בחטאת ישראל). Moreover, 44:12 implies that it was the Levites who led Israel astray in the idolatry to which 37:23 alludes. Finally, 44:15 contrasts the sons of Zadok both with the rest of Israel explicitly and with the Levites implicitly (cf. 44:10) by saying that the sons of Zadok kept the service of the temple when the “sons of Israel went astray” (בחטאת בני ישראל). Thus Ezek 37:23; 44:10, 12; and 44:15 could be linked exegetically through these catchwords, in such a way as to lead to the conclusion that the sons of Zadok could become the nucleus of the new, restored Israel. Others in the community thus belonged to *their* [i.e., the Zadokites’] council/covenant (4Q174 1–2 i 17; 1QSa I,2). Together the sons of Zadok and the men of their covenant become the “elect of Israel (בחירי ישראל) in the last days (באחרית הימים)” (4Q174 1–2 i 19; cf. CD IV,3–4). Similarly, in 1QSa I,1–3 the sons of Zadok and the men of their covenant who have turned away from walking on the path of the nation (cf. 4Q174 1–2 i 14–17) form the nucleus of Israel in the last days (באחרית הימים).

In this perspective the basis for the interpretation of Ezek 44:15 in CD III,21–IV,4 becomes clear. On the basis of the exegesis outlined above, the sons of Zadok, probably after they had come into dominance in the community, came to be viewed as the nucleus of the future, restored Israel. Accordingly, others who belonged to the community were called the “men of *their* [i.e., the Zadokites’] covenant.” Thus the Zadokites (in the “present” time of the community) represent the nucleus of the future, restored Israel, while the “sons of Zadok and the

Zadok are considered to be among the righteous, and no reason to think that they are among the unrighteous, as Vermes’s reconstruction and translation imply. For the way that the Zadokites came to be linked to Ezek 37:23, see the main text.

men of their covenant” together would form (in the future) the nucleus of Israel in the last days. Thus the “sons of Zadok” in CD IV,3–4 really are Zadokite priests; that is, the third stage of the community’s history occurred when Zadokite priests came into dominance. But since in the last days (CD IV,4; באחרית הימים) the nucleus of the restored Israel would also include laity, that is, “the men of their covenant,” the term “sons of Zadok” in CD IV,4 does double duty, standing not only for genuine Zadokite priests (in the “present” time of the community) but also symbolically for the other members of the community (including laity), who together with the Zadokite priests would constitute the elect of Israel (CD IV,3; בחירי ישראל) in the last days. Jacob Liver has put it in similar terms:

So, according to the midrashic exposition of the *Dam. Doc.* the sons of Zadok in *Ez.* 44, 15, stand for the members of the sect who are to serve as the latter-day Israel = Sect nucleus....The place occupied by the Zadokite priests may be at the root of the sectarian commentary on *Ezekiel* 44, 15, binding together the sons of Zadok the priests with the elect of Israel in the eschatological era. Phrased somewhat differently, the present status of the Zadokite priests within the sect may be interpreted as resembling that of the sect in its entirety as the elect of Israel within the overall framework of the latter-day Israel.⁴⁹

It is possible that the author of CD III,21–IV,4 envisages the whole community (including laity) as serving as priests in the last days, if we take the verb עמד in IV,4 to mean “stand” in the sense of “stand to serve [at the altar],” corresponding to the prophecy of Ezek 44:15. Since the dispute in Num 16, where the epithets “men of renown” and “those summoned to [or from] the assembly” are found, has to do with the priestly status of the people of Israel as a whole (or of the Levites), it is not implausible that those biblical epithets were chosen by the community to refer to its present and future membership precisely because they pointed to a future situation in which all members of the community served as priests. Such a situation would agree with the community’s self-understanding, according to which the community itself, including the laity, constituted a temple that by its own existence offered acceptable sacrifices to God. The idea that the people of Israel as a whole are a priestly people—a “kingdom of priests”—is also found

⁴⁹ Jacob Liver, “The ‘Sons of Zadok the Priests’ in the Dead Sea Sect,” *RevQ* 6 (1967) 10.

elsewhere in Scripture (Exod 19:6). Since texts such as 1QSa and 1QM II,1–8 seem to continue to distinguish between priests and laity in the last days, however, it is more probable that even in the last days the actual work of offering sacrifices continues to belong to priests. Therefore it is perhaps more likely that the verb עמד is used in CD IV,4 simply to define the “sons of Zadok” as those who will “arise” (come to prominence) in the last days, thus reinforcing the eschatological color of the line.

However that may be, it is true that the Qumran community provided an exalted status for the Levites that seems to have been denied them in the rest of contemporary Jewish society. As we saw in Chapter 4, the polity of the Damascus covenant appears to be rooted in the polity of the Chronicler, in which there was a balance of power between Zadokite priests and Levites. The Zadokites remained dominant, but the Levites, who had been disenfranchised in the post-exilic temple (cf. Ezek 44:10–14), were restored to a position of respect, as befitted their ancient dignity.⁵⁰ If that was also the case in the Qumran community, we may surmise that the term “sons of Zadok” of Ezek 44:15, as interpreted in CD IV,4 of the “chosen of Israel, the men of renown,” is a broad term that includes not only (Zadokite) priests and lay Israelites in the Israel of the last days, but also Levites (cf. 1QSa II,1–2) (and possibly other non-Zadokite priests; cf. 1QSa II,11–14). Thus, although the “Levites” of Ezek 44:15 are not interpreted of genuine Levites in CD IV,3 but of those who “joined” the Qumran community after its initial founding, we cannot take that to imply any exclusion of Levites from the community. On the contrary, as Liver has pointed out, the peculiar interpretation of Ezek 44:15 in CD III,21–IV,4, as well as its reading that diverges from the MT, is probably “to be connected with the sect’s opposing view on the manner of priestly and Levitic temple service as laid down in *Ezekiel* 40–48.”⁵¹ That is, the Qumran community rejected “*Ezekiel*’s demands regarding the exclusive rights of the Zadokite priests” (also recognizing non-Zadokite priests),⁵² and so found it necessary to reinterpret Ezek 44:15 in a way that accorded with

⁵⁰ Chapter 4, pp. 206–17.

⁵¹ Liver, “The ‘Sons of Zadok the Priests’ in the Dead Sea Sect,” 9.

⁵² *Ibid.*, 24.

other parts of Scripture.⁵³ Thus in the Qumran community the Levites are restored to dignity, while the prominence of the Zadokite priests remains.

9.6 *A Missing List of Members of the yahad in CD IV,4c–6a*

Next comes the introduction to a list of names (CD IV,4c–6a), apparently the names of the “chosen of Israel, men of renown” of IV,3–4b, but the list of names itself is missing. References to the enrollment of community members by recording (כתב) are found elsewhere in the DSS (1QS V,23; VI,22; VII,23; VIII,19; IX,2; CD XIV,3–4; XIX,35), which makes it likely that we have to do here with an introduction to what was once a real list of names. The editor of CD may have left out the names because he thought it was too long or irrelevant, or for some other reason unknown to us. A similar case is found in Ezra 8:20, where the editor apparently left out the list of names of *nētîm* who returned with Ezra to Jerusalem (cf. also 1 Chr 9:33). Murphy-O’Connor argues that the list will have been a genealogical record not unlike those found in Ezra and Nehemiah by which the returnees to Judah from exile established their legitimacy as Jews (and particularly as priests) (e.g., Ezra 2:59–63).⁵⁴ Davies, however, has observed that the language of CD IV,4c–6a is similar to the predestinarian language of CD II,2–13 and 1QS III,13, 19; IV,15 and so argues that the list will not have been interested in the (physical) genealogy of the members of the community but rather about their status as the elect (hence להולדוהם should be translated as “according to their generations” [a generation by generation listing] rather than “according to their genealogies” [a listing of vertical, physical descent]).⁵⁵ Since membership in the covenant did not come by way of birth but by way of a decision to enter the covenant (cf. CD XV,5–6), which decision could, however, be understood in theological terms also as election by God, Davies is probably correct. The missing list will

⁵³ Jacob Milgrom, “Studies in the Temple Scroll,” *JBL* 97 (1978) 503, points out that the *Temple Scroll* assigns to Levites the priestly function of pronouncing blessing. It is possible, but unlikely, that the *Temple Scroll* allows the Levites to officiate at the altar (p. 503 n. 11). See further my Chapter 6, p. 389, n. 166.

⁵⁴ Murphy-O’Connor, “An Essene Missionary Document?,” 213–14.

⁵⁵ Davies, *The Damascus Covenant*, 95–96.

have been a record of the names of the “men of renown” (CD II,11; IV,4), the “elect” (IV,3–4; cf. II,7). The detailed listing of their “deeds” (CD IV,6) will probably have been intended to show that their righteous deeds established them as among the elect and were foreordained by God (contrast II,7–8 on the deeds of the wicked).⁵⁶ The listing of the “period of their standing” (קץ מעמדם) will have corresponded to the belief that the time of their existence was also foreordained by God (cf. CD II,9–10). Given the predestinarian flavor of the passage, it is possible that the תולדות (“generations”) of these individuals refers neither to vertical, physical descent (Murphy-O’Connor), nor to a generation by generation listing (Davies), but rather to the “history” of each individual (cf. 1QS III,13–14; IV,15).⁵⁷ It is possible that the list contained the names of members of the parent movement, but if the parent movement is as old as I have argued in Chapter 4 (having its origins in the 3rd century BC at the latest, and possibly as early as the exile), then a list of *all* members of the parent movement would probably have been unmanageable. It is more likely that the list contained names only of members of the Qumran community itself. Moreover, that would agree with the argument above that the “priests,” “Levites,” and “sons of Zadok” in CD IV,2–4b refer to members of the Qumran community and not members of the parent movement.

Light is shed on CD IV,4c–6a from the midrash 4Q177 (4Q*Catena*^d) 1–4,10–12, where we have a similar reference to a list of names, each man individually listed (שמותם] מפורשים בשמות לאיש ואיש), with their “years” and the “period of their standing” (קץ מעמדם). All of this appears within a predestinarian context, which supports a predestinarian reading of CD IV,4–6. These lines of the midrash (4Q177 1–4,10–12) are fragmentary, but there appears to be a discussion of the respective fates of those who belong to the lot of light and

⁵⁶ In the fragmentary text 4Q275 3,2 there is reference to a “genealogical register” (יחוס). The context seems to be community discipline, and the recording of judgment by curse and expulsion at the hand of the inspector (cf. 4Q266 11,14–16). Might this יחוס be of a kind similar to the list of names referred to in CD IV,4–6 (that is, a “genealogy” not of physical descent but of community membership)? Cf. also 4Q266 5 ii 14, where there is reference to such registers for priests. However, in the latter case the register may have been for the purposes of establishing legitimate priestly descent (cf. Baumgarten, DJD 18.52, who compares it to Ezra 2:62=Neh 7:64); the fragmentary state of the text makes it difficult to know for sure.

⁵⁷ On this meaning of תולדות, see Chapter 6, pp. 341–42, n. 59.

those who belong to the lot of darkness (cf. 1QS III,20–26). In line 12 “everything” is said to be written on tablets, and God made known the “number of all the generations” to someone, perhaps to Abraham⁵⁸ or one of the other patriarchs (cf. line 13). Those motifs also suggest predestination. The reference to those who have (or had) “wallowed in the spirits of Belial” (line 10) may refer to those who have joined the community and so have been cleansed from sin (1QS III,7–8); such people are promised forgiveness forever. The next line is difficult to decipher, but it may refer to the blessing that God will bestow on the elect according to the covenant of the fathers (cf. CD VIII,14–18/XIX,26–31).⁵⁹ There is no indication here that genealogical descent is considered important, unless one takes אבותם to be a reference to descent from the houses of the fathers, or the like, but that appears not to be the case. There is reference to “their language” in line 11 and (probably) to the “offspring of Judah” in line 12, which may indicate an interest in Jewish descent, but the main focus of the passage appears to be on identifying the elect. In any case, the striking similarities between 4Q177 and CD IV,4c–6a support the argument that the latter comes from the Qumran community.

Finally, the reference in CD IV,5–6 to the “years of their residence” (שני התגוררם) may also point to a Qumran setting. Davies argues that the “years of their residence” “may be taken to refer to the length of time spent in exile outside ‘the land of Judah,’ amongst aliens and in the ‘land of Damascus’” (pointing to the use of the verb גור in CD VI,5). That is, the phrase refers to the years of exile in Babylon.⁶⁰ Given the Qumran context established for this whole section, however, it is more likely that the reference is to years of residence in the Qumran

⁵⁸ Steudel, *Midrasch*, 107.

⁵⁹ Steudel, *ibid.*, 73, 106, reconstructs 4Q177 1–4,10d–11a [X,10d–11a on her reconstruction] as וברכם כפלאי קציהם וכבריה אבותם, “and he will bless them according to the marvels of their times and according to the covenant of their fathers.”

⁶⁰ Davies, *The Damascus Covenant*, 97 (cf. with p. 217 n. 68 and pp. 122–23).

community itself.⁶¹ A similar word for “place of residence” (בגור) is used for the kind of community that Qumran became in 1QS VI,2.⁶²

9.7 *Atonement Only for Members of the Community*

After a lacuna the text picks up again in CD IV,6b mid-sentence, but the first two words are corrupt (הקודש שונים). In my view the most likely emendation is אנשי [הקודש הראשונים], “the first men of holiness...,”⁶³ although הם הראשונים [הקודש], “the men of holiness—they are the first ones...,” is also possible.⁶⁴ These emendations are supported by frequent references to a class of men known as the “men of [perfect] holiness” (cf. CD XX,2, 5, 7; 1QS V,13, 18; VIII,17, 20, 23; IX,8). In either case this group is described as the “first ones” for whom God atoned, and as persons who acquitted the just and condemned the guilty. From the perspective of the present hypothesis—that this part of CD comes from the Qumran community—this group may very well represent the initial nucleus of the community, the men who were set apart for “holiness” (1QS VIII,11). They are the ones for whom God first atoned (CD III,18; 1QS III,6; V,6; VIII,3) and who condemned the guilty (1QS V,7), in contrast to the opponents of the community, who

⁶¹ Moreover, as Davies, *ibid.*, 96–97, points out, the interest in the “sufferings” (צרות) of the members of the community (CD IV,5) may be connected with the idea that the sufferings of the community atone for the land (1QS VIII,3–4). That also supports a Qumran origin for the passage.

⁶² But see also 4Q266 6 iv 3, where the word is used for dwelling places outside of the land of Israel.

⁶³ Already proposed by Wilhelm Bacher, “Zu Schechters neuestem Geniza-Funde,” *ZHB* 15 (1911) 24; similarly Chaim Rabin, *The Zadokite Documents* (2nd ed.; Oxford: Clarendon Press, 1958) 14; Johann Maier, *Die Texte vom Toten Meer* (2 vols.; Munich: Ernst Reinhardt Verlag 1960) 1.51, 2.47; Cothenet, “Le Document de Damas,” 160.

⁶⁴ Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: E. J. Brill, 1997–98) 1.554–55, give the latter emendation but translate הראשונים as “forefathers.” R. H. Charles, “Fragments,” 808, and Isaac Rabinowitz, “A Reconsideration of ‘Damascus’ and ‘390 Years’ in the ‘Damascus’ (‘Zadokite’) Fragments,” *JBL* 73 (1954) 18 (cf. also Knibb, *The Qumran Community*, 33), emend to הקדושים הראשונים, but that requires not only a skip from ש to ה (as also in our emendation) but also metathesis from הקדוש to הקדוש (a point apparently missed by Murphy-O’Connor, “An Essene Missionary Document?,” 215, who posits הקדושים הראשונים as original).

acquitted the guilty and condemned the just (CD I,19).⁶⁵ Thus in my view the ראשונים of CD IV,6 are not the same as the ראשונים of CD III,10 or of CD I,4; VI,2.⁶⁶ In III,10 the term clearly refers to the pre-exilic generations who were *unfaithful*, while in I,4 and VI,2 it refers to the patriarchs.

CD IV,7–8 continues with, “and all those who entered after them to act according to the exact interpretation of the law in which the ‘first ones’ were instructed until the completion of the period of these years.” Depending on how we emend הקודש שנים in IV,6, “all those who entered after them” are either a separate group from the “men of holiness” but related to them (i.e., on emendation #1 we translate: “...the first men of holiness...and all those who entered after them”), or they are part of the “men of holiness,” along with the “first ones” (i.e., on emendation #2 we translate: “the men of holiness—they are [both] the first ones...and all those who entered after them”). In other words, in the first case the “first men of holiness” and “all those who came after them” are both predicate nominatives of something in the lacuna but are not identical with each other, while in the second case both the “first ones” and “all those who entered after them” are predicate nominatives of the “men of holiness.” In the first case the “first ones” would be the initial members of the Qumran community, while “all those who came after them” would be those who joined them later (cf. 1QS V,6). In the second case both groups would be included under the rubric “men of holiness.” For our purposes the difference is not very important. As 1QS IX,8–11 shows (cf. also CD XX,31–33), the “men of holiness,” whether that refers only to the initial members of the community or also includes those who entered the community after them, were to be governed by the “first directives (המשפטים הראשונים) in which the men of the community began to be instructed” (אשר החלו אנשי) (היחד להיסר בם). As I have argued in Chapter 2, the “first directives” in CD XX,31 are the precepts of the Damascus covenant, the parent movement of the Qumran community.⁶⁷ Similarly, the “exact interpretation of the law” (פירוש החורה) also refers to the precepts of the Damascus

⁶⁵ In agreement with Klinzing, *Umdeutung*, 79–80.

⁶⁶ The term ראשונים in CD has a variety of meanings: the patriarchs (I,4, VI,2; probably also in VIII,17/XIX,29); the pre-exilic generations (I,16[?]; III,10); and the initial members of the Qumran community (IV,6, 8, 9).

⁶⁷ Chapter 2, p. 73. It is possible, but unlikely, that CD XX,8 also refers to the precepts of the Damascus covenant. See pp. 44–45.

covenant, which were adopted and honored by the earliest members of the community that would become Qumran (cf. CD VI,14, 18; see also CD XIII,6; XIV,18; 4Q266 11,18=4Q270 7 ii 12).⁶⁸ Thus it is clear that the “exact interpretation of the law in which the ‘first ones’ were instructed (אשר החסרו בו)” (CD IV,8) refers to the halakah of the Damascus covenant that was adopted by the community that would become Qumran.⁶⁹ The initial members of the Qumran community, as well as those who joined them, were to be ruled by this same halakah until the coming of the prophet and the messiahs of Aaron and Israel (1QS IX,10–11), or, as CD IV,8–9 puts it, “until the period of these years is complete” (cf. also CD XII,23–XIII,1). Since 1QS IX,8–10 apparently distinguishes between those who “began to be taught,” presumably at the beginning of the community, and the “men of holiness” in general, I am inclined to take the “first ones” of CD IV,6 as referring only to the initial members of the Qumran community—they were the “first men of holiness,” as distinguished from those who came after them (who also were men of holiness but were not there at the beginning). It is probable that the “first men of holiness” and “those who came after them” together constitute those whose names were found in the missing list.⁷⁰

The “first ones” in CD IV,9 are then also the initial members of the community that would become Qumran.⁷¹ The phrase “according to the covenant that God established with the first ones” (כברית אשר הקים אל) (לראשנים) is similar to III,12–13: “With those who remained steadfast in the precepts of God, who were left from among them [the generation of the exile], God established his covenant (הקים אל את בריתו) with Israel forever.” That might lead one to think that the covenant of CD IV,9 is actually the Damascus covenant, and that the “first ones” are

⁶⁸ On this see Chapter 3, pp. 116–19.

⁶⁹ For more on the continuity in halakah between the Damascus covenant and the Qumran community, see Chapter 5, pp. 244–50.

⁷⁰ Cf. similarly Davies, *The Damascus Covenant*, 99–100.

⁷¹ In agreement with Cothenet, “Le Document de Damas,” 161 n. 12, who writes: “Les ‘Premiers’ ne représentent pas comme en I, 4 (note 6) la génération de l’Exode, mais les premiers hommes de parfaite sainteté (IV, 6), qui se sont réunis pour obtenir le pardon divin (*Règle de la Communauté* V, 6). Il est frappant de constater combien tout ce passage est proche de la *Règle* (V, 1-7).” And cf. Rabin, *The Zadokite Documents*, 15 (n. 3 to line 8): “These [the ‘first ones’] need not lie far back,” and p. 4 (n. 1 to line 12), where he quotes *b. Ber.* 35b: “The last generation (ourselves) are not like the first generations (our own fathers).”

actually the initial members of the Damascus covenant rather than of the Qumran community. We have seen above, however, that the idea of God atoning for the “first ones” is more closely linked with the beginnings of the Qumran community than with the Damascus covenant. The Qumran community itself is the covenant through which God works atonement (1QS III,6–8, 11–12). CD IV,9–10 declares that just as God atoned for the “first ones” (the initial members of the community, by establishing the community itself), so also God will atone for those who come after the “first ones” into the community (IV,7–8, 10). Likewise CD XX,34 says that God will atone for those who remain steadfast in the community. Since these people are defined both as those who are instructed (החיסרו) in the “first ordinances” (המשפטים הראשונים) and as those who listen to the voice of the Teacher of Righteousness, the reference may be again, as in CD IV,7–8, to those who entered the community after the initial members. In any case, it is referring to a time later than the initial founding of the community. So the point of CD IV,10 and XX,34 is the same: As God atoned for the initial members of the community by establishing the community itself, so God will atone for those who belong to the community at later times also. This is further evidence that CD III,17b–IV,12a comes from the Qumran community.

Finally, CD IV,10b–12a warns that, although God will atone for those who belong to the community at later times than the initial founding, there is a limited period of time to join the community and so to be saved. When the “period of these years” is complete (probably the period of years until the coming of the messiahs; cf. CD XIX,10), “there will no longer be any joining with the house of Judah, but rather each one standing on his stronghold. The wall is built, the boundary far away.” When the messiahs come, the only security will be within the walls of the community. Those who do not belong to it will face their own fates individually. I argued in Chapter 3 that 4Q177 11,5–6, although fragmentary, contains the same idea: When the messiahs come there will no longer be any joining the community, but each will be on his stronghold.⁷² If that interpretation is correct, it is another indication that CD III,17b–IV,12a comes from the Qumran community, since there is no reason to doubt that 4Q177 comes from the community.

⁷² See p. 102, n. 45. Contra Steudel, *Midrasch*, 93 n. 8, who suggests that the suffix ם- in בעומדם in 4Q177 11,6 refers to the opponents of the community.

In CD IV,12b there begins a new section, namely, a critique of contemporary mainstream Judaism (IV,12b-V,17a). The words “and during all these years” is probably a redactional link between III,17b-IV,12a and IV,13-V,17a. In the present state of the text, the word “years” of IV,12b refers back to the “period of years” in IV,9, 10. Those are the limited years in which it is possible to join the community before the coming of the messiahs. As we saw in Chapter 6, IV,12b-19a is an independent midrash that a later redactor has joined—not completely successfully—to IV,19b-V,15b. It is possible that the author of this midrash was the same as the author III,17b-IV,12a. In any case with IV,2b we reach a new section, and so our analysis of the section beginning in III,17b has come to an end.

9.8 Conclusion

The significance of the foregoing literary analysis lies in two primary contributions. First, it explains the abrupt transition from III,17a to III,17b, which has heretofore not found a satisfactory solution. The awkward transition is explained by the fact that the Qumran community saw itself both in continuity with its parent movement and in distinction from it. The Qumran community traced its ultimate origins, via the Damascus covenant, back to the remnant of the exile, but it attributed its particular formation to an act of divine favor at a later time, through which it also came to a deeper awareness of the problem of sin outside of the *yahad*. Therefore it could speak of itself (1) as having arisen from the remnant of the exile; (2) as having been “defiled” by human sins; and (3) as having been forgiven by God. The last of these happened when God formed the community itself, in which alone atonement is available.

The second major contribution of this literary analysis is that it confirms the historical hypotheses regarding the Damascus covenant and the Qumran community, and their relationship to each other, that have been developed over the last eight chapters, but especially in Chapters 1 through 7. As we saw at the beginning of this chapter, there are good reasons to think that the third discourse in CD that begins at II,14 originally ended at III,17a. Moreover, it is very likely that this section comes from the Damascus covenant, before the rise of the Qumran community. The historical overview running from II,14 (or II,17b) to III,17a explains the origins of the Damascus covenant. There

is nothing in this section that demands a Qumran *Sitz im Leben*. By contrast, everything in III,17b–IV,12a fits a Qumran *Sitz im Leben* (or a *Sitz im Leben* in the community that would become Qumran). It appears that a Qumran author has expanded the historical overview that runs from II,14 (or II,17b) to III,17a by adding III,17b–IV,12a, in order to explain the origins of the Qumran community, its *raison d'être*, and its expected future. (The probability of this hypothesis is strengthened by the observation that this is apparently not the only place in CD where this kind of expansion has happened. It is probable that CD I,11c–II,1 is a [Qumran] expansion added to an older [pre-Qumran] discourse in CD I,1–11b.⁷³) The expansion in CD III,17b–IV,12a was

⁷³ The historical overview in CD I,1–11b deserves brief mention here, since it bears certain similarities to the historical overview in II,14–III,17a. It has long been recognized that I,1–11b is composed in poetic form (see, for example, the metrical analysis in Gert Jeremias, *Der Lehrer der Gerechtigkeit* [SUNT 2; Göttingen: Vandenhoeck & Ruprecht, 1963] 151–52). The poetic form ends at I,11b, and the material in I,11c–II,1 is to be judged a secondary addition from Qumran. The original (pre-Qumran) historical overview in I,1–11b traces history from the exile, which was the result of Israel's unfaithfulness, through God's preservation of a remnant, through the raising up of a "shoot of the planting" to inherit the land, and ends with God's raising up of the Teacher of Righteousness. In other words, the historical overview (before the addition of I,11c–II,1) traced history only up until the very beginning of the Qumran community (or pre-Qumran community), when the Teacher joined it.

As I have argued in Chapter 4, the "shoot of the planting" that God made to sprout "in order to possess the land" (I,7–8) probably referred in the original discourse to the Damascus covenant. That hypothesis coheres with our hypothesis on the probable origins of the Damascus covenant, namely, that the covenant saw itself as that part of Israel that God raised up in order to be restored to the land. The historical overview in I,1–11b draws extensively on Isa 59, among other texts. As a *rib* (divine law-suit), this historical overview draws on that chapter of Isaiah to indict Israel for its sins (cf. Isa 59:10, 12 with CD I,8–9), because of which God hid his face from Israel (cf. Isa 59:2 with CD I,3). Through the indictment of the law of Moses and the prophets, the covenant became aware of the sins that Israel had committed (CD I,8–9), because of which Israel had gone into exile. (Thus the realization of guilt in I,8b–9a, is different from the indictment of III,17b. The former is the guilt of national Israel on the basis of the law and prophetic condemnation. The latter is an evaluation of the condition of all of humanity from the perspective of the *yahad*.) God raised up the covenant to seek God with a whole heart (CD I,10), by which they would be restored to the land. As a consequence of their "seeking" him (דרשוהו), God raised up for them the Teacher of Righteousness to direct them in the path of his heart (cf. 1QH^a XII,17–18 [Suk. IV,17–18]), in fulfillment of the words of the prophet Hosea, who had said: "It is time to seek (לדרוש) the LORD, that he may come (יבוא) and rain righteousness upon you (ויורה צדק לכם)" (NRSV); or, as the covenant apparently read this text: "It is time to seek

possible since, as I have argued here and in previous chapters, the Qumran community saw itself in continuity with the Damascus

(לדרוש) the LORD, until the Teacher of Righteousness should come to you” (עַד יָבוֹא) (יִזְרַח צֶדֶק לָכֶם) (Hos 10:12c).

I agree with those scholars (e.g., Davies, *The Damascus Covenant*, 63, 199) who regard the chronological data “390 years” and “20 years” in CD I,5–6, 10, as secondary. They were added retrospectively from the perspective of the Qumran community. Thereby the “shoot of the planting” is altered from the Damascus covenant to the pre-Qumran community that arose from within the Damascus covenant (probably the group that boycotted the temple; see Chapter 5). In the original discourse the “groping for a path” (I,9) referred to the situation of the covenant in the exilic and post-exilic periods (cf. Isa 59). Support for this comes from the remarkably similar language in 4Q306. There we read of persons who (1) “sought the law...with their whole soul” and who (2) “groped” until (3) their eyes were opened and they saw. These lines agree with the history of the Damascus covenant as outlined in CD I,9–11: (1) groping; (2) seeking God; (3) the raising up of the Teacher to give direct direction. 4Q306 has affinities with *MMT* and is probably from the pre-Qumran period (“pre-sectarian”; see DJD 36.251). Thus we are justified in seeing the original discourse of CD I,1–11b as referring to the history of the Damascus covenant up until the arrival of the Teacher. With the (retrospective) addition of “20 years” in I,10 the groping now becomes the situation of the covenant in the approximately twenty years between the rise of the pre-Qumran community (ca. 175/172 BC) and the arrival of the Teacher of Righteousness in the community (ca. 152 BC).

The subsequent lines (I,11c–II,1) come from a later time and reflect the perspective of the Qumran community. Lines 11c–12 say that “he [God or the Teacher of Righteousness] made known to the last generations what he did to the last generation, the congregation of traitors.” This statement seems to refer to the kinds of revelations (through the Teacher) about the course of history, and specifically about the fate of the community’s opponents, that we find in the *pesharim* (e.g., 1QpHab II,1–10; VII,1–2). The *peshar* tradition may help us understand the perfect עָשָׂה in CD I,12, which has caused commentators difficulties. The perfect tense can be explained if we take the verb in connection with I,21–II,1. There we read that God’s wrath was kindled against “their congregation,” that is, against the “congregation of traitors” (I,12), who are the followers of the Scoffer (I,14) or the Man of the Lie. In 4QpIsa^b (4Q162) II,8–10 the words of Isa 5:25, “the wrath of the LORD has been kindled against his people,” are applied to the “congregation of the men of mockery who are in Jerusalem.” The text is fragmentary, but the implication is that the “men of mockery” have suffered or are suffering something that the community interpreted as a manifestation of God’s wrath, as in CD I,21–II,1. CD I,11c–12 is probably referring to the same thing. Whatever event this was, it was interpreted by the community on the basis of the Teacher’s interpretation of Scripture. (It may also be noted that the final destruction of the followers of the Man of the Lie is tied to chronological calculations in CD XX,13–14; perhaps that calculation in the community coincided with the addition of the chronological data in I,5–6, 10, also by the Qumran community.)

covenant. The abrupt transition from III,17a to III,17b, however, points to the fact that there was also an element of discontinuity between the two.⁷⁴

Thus this literary analysis confirms the historical hypotheses advanced in previous chapters of this book. Specifically it confirms the following hypotheses: (1) The Damascus covenant was a movement that traced its origins back to the exile. At the heart of the covenant was the requirement to search for the “hidden things” of the law so as to be able to learn and to do the whole of God’s law correctly. (2) The Qumran community grew out of the Damascus covenant, but the Damascus covenant and the Qumran community must be distinguished from each other. (3) The problem of purity was a major cause of the rise of the Qumran community. (4) The Qumran community saw itself as standing in both continuity with and discontinuity from the Damascus covenant. (5) The Qumran community came to understand itself as the exclusive place of atonement, purification from sin, and future salvation, while it also came to a deeper awareness of the problem of sin. (6) The *yahad* became a Zadokite-led community, although it probably was not so at its very beginnings.

⁷⁴ Cf. the similar remarks of Charlotte Hempel, “Community Origins in the *Damascus Document* in the Light of Recent Scholarship,” *The Provo International Conference on the Dead Sea Scrolls* (ed. D. W. Parry and E. Ulrich; STDJ 30; Leiden: Brill, 1999) 325–26, 328.

CHAPTER TEN

SUMMARY AND CONCLUDING OBSERVATIONS

10.1 Introduction

In this concluding chapter we shall do three things: (1) summarize briefly the main results of this study (10.2; 10.3; 10.5); (2) give a chronological stratification of some of the most important documents that we have studied (10.4); and (3) correlate the results of this study with the information on the Essenes from the classical sources (10.6).

10.2 Historical Summary

The “new covenant in the land of Damascus” was the parent movement of the Qumran community. The “new covenant” traced its roots back to the exile. From a biblical perspective, that is, on the basis of the preaching of the prophets to the exiles and on the basis of the Deuteronomistic theology of the exilic and post-exilic periods, the “new covenant in the land of Damascus” was the “new covenant” (Jer 31:31) that the exiles had to enter in the “land of Damascus,” that is, in the “land of the north” or the land of their exile (CD VII, 13c–21a), in order that they might seek God with their whole heart and with their whole soul, to learn and to do the whole of God’s law, both hidden and revealed, so that God might restore them to their land. The “new covenant in the land of Damascus” stands very close theologically to the groups known as the “children of the exile” or the “remnant of the people” in Ezra and Nehemiah. The latter two groups consisted of those who returned to Judah from the exile and their descendants, who, on the basis of the prophetic and Deuteronomistic preaching, considered themselves to be the true remnant of the people of Israel and the nucleus of the future, restored Israel. The “new covenant in the land of Damascus” was constituted by a similar group known as the שְׂבִי יִשְׂרָאֵל, the “captivity of Israel”/“returnees of Israel”/“penitent within Israel” (CD VI, 4–7) and their descendants, who identified themselves as the

returnees from exile and considered themselves to be the nucleus of the future, restored Israel.

The “new covenant in the land of Damascus,” or simply the Damascus covenant, was not only similar to the “children of the exile” or the “remnant of the people” in Ezra and Nehemiah. From a theological perspective it is almost identical to the covenant of Asa in 2 Chr 15:9–15. The latter was a covenant that Israel was to enter to seek the LORD with the whole heart and with the whole soul (15:12), so that God might deliver them (15:2, 4, 15). The covenant of Asa is based on the same prophetic and Deuteronomistic traditions of preaching to the exiles as the Damascus covenant. That suggests that the origins of the Damascus covenant are to be located in circles close to those from which the Chronicler comes. There is another important similarity between the Damascus covenant and the Chronicler. The Chronicler has a broad vision for a restored Israel, encompassing both the South and the North (both Judah and Samaria), centered around the worship of the one God of Israel in Jerusalem, this at a time when more conservative elements in Jerusalem were apparently pushing for a strict separation between Jews in the South and proto-Samaritans in the North. Just so, the Damascus covenant was a covenant for “all Israel” (CD XV,5) and shows a kind of openness similar to that of the Chronicler. Thus the Damascus covenant, although similar to the “children of the exile” and the “remnant of the people” in Ezra and Nehemiah and, like them, tracing its origins back to the exile, had a somewhat broader vision for Israel.

It is difficult to date the rise of the Damascus covenant with precision. Its tracing of its own origins back to the exile, and its similarities with the “children of the exile” and the “remnant of the people” in Ezra and Nehemiah argue for an early date. The similarities with the covenant of Asa argue for a date closer to the time of the Chronicler. In any case, its shared vision with the Chronicler of a covenant for “all Israel” probably places the origins of the Damascus covenant before the 2nd century BC, when the long-standing tensions between Jerusalem and Samaria led to Jerusalem’s final rejection of the Samaritans as part of the people of Israel and to schism. The origins of the Damascus covenant may be placed in the 3rd century BC, if not before. Since it was constituted by people who had a consciousness of belonging to the returnees from exile, and since some its traditions and teachings probably do go back to the exile, the covenant could claim exilic roots. The discourses in CD I,1–11b; II,14–III,17a; VI,2–11a are

traditional discourses of the Damascus covenant that tell of the origins of the covenant. Other pieces coming from the Damascus covenant are the discourse in CD II,2–13, the midrashim in VII,10–13b, VII,21b–VIII,1a and XIX,7–13b, VIII,3b–12a (12b?)/XIX,15c–24b (25a?). Most of the legal rulings in CD also come from the Damascus covenant.

Given the fact that CD legislates for the “camps” of Israel, we may suppose that members of the Damascus covenant lived in various towns and villages in Judah/Judea and probably also in Samaria. After the events in the years 175 BC and following, when the Jerusalem temple fell out of the hands of the Zadokite priesthood and was defiled by a series of unfaithful high priests, a group from within the Damascus covenant formed a covenant that boycotted the temple (CD VI,11b–VII,4a) but otherwise remained faithful to the teaching of the new covenant. The reasons for this boycott can be seen in *MMT*. The primary objection was that the new leadership of the temple followed a different halakah from that espoused by the covenant. This halakah was apparently proto-Pharisaic. Therefore the covenant could no longer participate in the temple cult.

If we assume that the appointment of Jonathan the Hasmonean, who is probably the Wicked Priest of 1QpHab VIII,8–13 (and perhaps also XI,4–8), as high priest in 152 BC was experienced as the usurpation of the high priesthood from the legitimate Oniad high priest, then it is likely that this Oniad high priest is to be identified with the Teacher of Righteousness. This high priest found refuge in the covenant group that had already boycotted the temple. This group regarded his arrival as the fulfillment of its expectation of the coming of the Teacher of Righteousness (CD VI,10–11; cf. I,11), and so he became their leader.

Sometime after his establishment in this group, there was a faction within the group that betrayed the Teacher and the teaching of the new covenant by transferring allegiance to the Man of the Lie. The Man of the Lie was a teacher of the law who challenged the authority of the Teacher of Righteousness. The Man of the Lie promoted the same (or similar) proto-Pharisaic halakah that was being endorsed in Jerusalem. This event was what is called the betrayal of the new covenant in CD. The betrayal was severe enough that it led the Teacher and his group to form a community (*yahad*) that separated itself from traitors of the new covenant. Separation from these traitors, the “congregation of the men of injustice” (1QS V,1–2) whose deeds are “impurity” (V,19), became a primary obligation of members of the *yahad* (1QS V,1–2).

Thus the *yahad* became a kind of refuge from impurity for those who remained faithful to the new covenant. The formation of the *yahad* was also seen as a fulfillment of prophecy (Mic 2:10–12).

This community came to understand itself as a substitute for the temple (1QS VIII,1–16a; IX,3–11). That was a logical development for a community that had already boycotted the temple. This development was encouraged, however, by some other factors. First, the virtues of Mic 6:8, extolled in the community, were seen as a substitute for sacrifice in the temple. Second, the existence of the community as a refuge from impurity, purged of “rebels,” was understood to be the fulfillment of Ezek 20:41, according to which God would accept purged Israel as a sacrifice. Thus the life of the community itself was like the sacrifice in the temple. Third, the coming of the Teacher of Righteousness was believed to be the fulfillment of 1 Sam 2:35. That in turn led to the belief that the community was the “faithful house” of 1 Sam 2:35 (CD III,19), as a consequence of which the Zadokites gained prominence in the leadership of the community. That in turn led to the belief that Ezek 44:15, God’s promise that the Zadokites would serve God at the altar of the new temple, would be fulfilled in the community when it returned to Zion to serve God there (Ezek 20:40) and to inherit all the glory of Adam. Thus the community was the proleptic manifestation of the eschatological temple of God (CD III,20–IV,4).

Since Ezek 20:35–38 says that God would purge Israel in the wilderness, just as he had once entered into judgment with Israel in the wilderness of Egypt, after which Israel would inherit Zion (20:40–41), it is no surprise that the community believed that it should move to the desert to await the final salvation. It is at this time (probably in the end of the decade of the 140s, or early in the decade of the 130s), some years after the formation of the *yahad*, that it moved to the desert. The decision to move to the desert will have also led the community to organize itself according to the pattern of Israel’s wilderness years (implied in 1QS VIII,1).

10.3 *Covenantal Theology*

The rise of the “new covenant in the land of Damascus” was viewed as coming at the initiative of God. The new covenant was God’s gracious means by which he would retain a remnant of faithful Israel, allow

them to enter a “new covenant” to seek God with their whole heart and with their whole soul, and so to be restored to the land and receive all of God’s promises for redeemed Israel. The content of the “new covenant” did not differ from the content of the “covenant”: it was the law of Moses correctly understood and practiced. From the exilic and post-exilic perspective, the fault of pre-exilic Israel was its failure to observe the law of Moses correctly. God’s gift to the remnant of the exile that had been faithful to the law and whom God preserved was “to reveal to them the hidden matters in which all of Israel had gone astray” (CD III,13–14; cf. VI,2–11a), that is, to disclose to them the correct understanding of the law where Israel had failed. Thereby they would be able “to return to the law of Moses with the whole heart and with the whole soul, to what is found [therein] to do” (XV,9–10).

The group within the Damascus covenant that boycotted the temple and that ultimately became the *yahad* inherited the covenantal theology and the legal tradition of the Damascus covenant. In the covenant of the community (*yahad*) it remained the purpose of members “to return to the law of Moses, according to all that he commanded, with the whole heart and with the whole soul, according to all that has been revealed of it” to the leaders of the community (1QS V,8–9), so as to “walk in perfection on all the paths of God” (III,9–10). The community was the means that God established by which one could be faithful to the covenant in doing the law. As the community came to regard itself as the sole refuge from impurity, it came to see itself as the exclusive means of purity and righteousness before God (II,25–III,12). This view was radicalized by the adoption of a dualistic world-view that regarded the rest of the world outside of the *yahad* as defiled. It was further radicalized by the adoption of biblical traditions that contrasted the righteousness of God with the unrighteousness of humans. The result was that what began in the Damascus covenant as a covenant “for all Israel” and as a movement for the restoration of all Israel became in the Qumran community an exclusive covenant for the members of the community, in which eschatological salvation was available only for those who were proleptically purified and justified in the community through compliance with the laws of God as promulgated in the community (II,25–III,12).

10.4 Literary Stratigraphy

In order to help the reader understand how I correlate the literary evidence with my histories of the Damascus covenant and of the Qumran community, I present in the table below a “literary stratigraphy” of CD, 1QS, 1QH^a, and *MMT*, showing approximate dates for these documents or for their constituent parts.¹ For more precise literary analysis, the reader is directed to the relevant chapters of this book. For 1QS I have checked my results against Metso’s history of the development of the *Rule of the Community* based on the evidence of the 4QS manuscripts. While the 4QS manuscripts cannot establish the precise literary history of the *Rule of the Community*, they can make some hypotheses more plausible than others. The analysis below fits Metso’s interpretation of the evidence from the 4QS manuscripts quite well, and that gives credence to the historical reconstruction presented in the preceding chapters. Since the 4QD evidence does not help much in our knowledge of the redaction history of the admonition in CD, we must rely on internal evidence.

3rd or early 2nd century BC

- I. CD XV,5–15b (procedures for entrance into Damascus covenant)
- II. Oldest strata of laws of *Damascus Document* (may be even older than 3rd century)²
- III. CD XII,22b–XIII,7a; XIV,3–12a (rules for organization and leadership of camps)
- IV. CD X,4–10a (later than XII,22b–XIII,7a; rules for judges of congregation)

¹ With the possible exception of 1QM XIII,1–6, I regard the *Rule of War* (1QM, with 4QM fragments) as of non-Qumran origin. It seems to have come, at least in most of its parts, from priestly circles, perhaps in the Maccabean period. Thus I also do not assign it to the Damascus covenant.

² I assume that there is more than one stratum of laws in *D*, but since the laws were not a focus of investigation in this volume, I do not attempt a stratification of them here. For an attempt at such stratification see Charlotte Hempel, *The Laws of the Damascus Document: Sources, Tradition and Redaction* (STDJ 29; Leiden: Brill, 1998). My historical reconstruction does not agree with her results in every detail. However, there is general agreement that (1) many of the laws of *D* are old, predating the *yahad* as well as the parent movement of the *yahad*, and have a national frame of reference; and (2) that we must distinguish between earlier parts of *D* that legislate for the parent movement of the *yahad* and later redaction under the influence of the life of the *yahad*.

- V. (Sapiential) Discourses of the *maskilim* of the Damascus Covenant
 - A. CD II,2–13 (but II,5c–6a [“with flames of fire by the hand of all angels of destruction”] and II,6c–7a [“without remnant or survivor”] are later additions)
 - B. CD II,14–III,17a
- VI. Midrashim
 - A. CD VI,2–11a (the “Well Midrash”)
 - B. CD VII,10–13b, VII,21b–VIII,1a; XIX,7–13b (Isaiah and Zechariah-Ezekiel midrashim)
 - C. CD VII,13c–21a (Amos midrash)
 - D. CD VIII,3b–12a (12b?)/XIX,15c–24b (25a?) (so-called “Princes of Judah” section)
- VII. CD IV,19b–V,17b (critique of “builders of the wall,” the general Jewish population; minus “who go after Zaw...they will preach,” a Qumran addition) (early- to mid-2nd century)

Between 175/172 and 152 BC

- I. CD VI,11b–VII,4a (formation of the covenant that boycotted the temple)
- II. *MMT* (close to 152 BC)
- III. CD I,1–11b (history of the covenant from the exile until the coming of the Teacher of Righteousness; based on older sapiential tradition; “390 years” and “20 years” added later from the perspective of the Qumran community)
- IV. Preliminary Redaction of *Damascus Document* (?)

After 152 BC

- I. Hymns of the Teacher of Righteousness in 1QH^a
- II. CD XIX,32b–35b/VIII,21b (VIII,20–21a?) (//XX,8b–13a, somewhat later) (in *yahad*)
- III. CD XX,21b–25a
- IV. Oldest parts of *Rule of the Community* in or for the *yahad* (in approximate order of composition)
 - A. 4Q256 5,1–8b=4Q258 1 i 1–7b (=1QS V,1–13a minus redactional material [“sons of Zadok...men of the community,” V,2–3; “make atonement,” V,6; “to proclaim as guilty...enrolled in the community,” V,7; “sons of Zadok,” V,9; parts of V,11–13?])
 - B. 1QS VI,1c–8a (and V,24d–VI,1b)
 - C. 1QS V,20b–24c
[4Q265 4 ii 1–9 (?) (development towards 2-year discipline)]
 - D. 1QS VI,8b–23 (somewhat after 1QS V,1–13a; 2-year discipline)
 - E. 1QS VI,24–VII,27 (community discipline)

- V. Somewhat later parts of *Rule of the Community* (140s BC?) in the *yahad* (in approximate order of composition)
- A. 1QS IX,12–25 (preparation for move to desert)
 - B. 1QS VIII,1–16a (somewhat after 1QS VI,8b–23a; preparation for move to desert; creation of class of “men of holiness” [after 2 years of perfect behavior])
 - C. 1QS IX,3–11 (a duplicate of 1QS VIII,1–15a)³
 - D. 1QS V,13b–20a
 - E. 1QS VIII,16b–19 (community discipline) (cf. CD XX,1b–6a)
 - F. 1QS VIII,20–IX,2 (community discipline; somewhat later than VIII,16b–19) (cf. CD XX,6a–8a)

Last Quarter of 2nd century BC and later

- I. CD XIX,35c–XX,1a; XX,13c–34 (minus XX,21b–25a) (after the death of the Teacher)
- II. 1QS I,1–III,12⁴
- III. 1QS III,13–IV,26 (discourse on the two spirits)
- IV. Non-Teacher hymns in 1QH^a
- V. 1QS IX,26–XI,22 (including *hōdāyōt*-like material)
- VI. Redaction of our 1QS
- VII. Qumran redaction of CD, especially:
 - A. CD I,11c–II,1
 - B. CD III,17b–IV,12a
 - C. cosmic-dualistic elements: CD II,5c–6a, 6c–7a; IV,12b–19a; V,17c–19; VIII,2b//XIX,14b; XII,2b–6a

10.5 Relationship to Other Hypotheses

I have already stated at the end of Chapter 4 how my hypothesis on the origins of the Damascus covenant relates to the hypotheses of other scholars on Qumran origins. Now that the study is complete, we may summarize what was said there and then add some further remarks. I said in Chapter 4, and repeat here, that it is necessary to distinguish between the rise of the Damascus covenant, which was the parent movement of the Qumran community, and the Qumran community

³ So Sarianna Metso, *The Textual Development of the Qumran Community Rule* (STDJ 21; Leiden: Brill, 1997) 71–73, 118, 143.

⁴ 4Q255, which contains material parallel to 1QS I,1–5; III,7–12, and material that may have belonged to an alternative version of the discourse on the two spirits, has been dated to the years 125–100 BC (see DJD 26.27–38).

itself. The advantage of my hypothesis is that it takes seriously the clear indications of exilic origins of the Damascus covenant, but also takes seriously the equally clear indications that the Damascus covenant was a Palestinian organization. These two kinds of evidence can be reconciled if we seek the origins of the Damascus covenant in a movement among Palestinian Jews who identified themselves as among the returnees from exile. Furthermore, my hypothesis agrees with the growing consensus that the prehistory of the Qumran community must be sought elsewhere than in the Maccabean crisis. There are no grounds for finding the origins of the Damascus covenant in the *ḥāsīdīm* of the Maccabean period.

We must also be careful, however, not to subsume too quickly the Damascus covenant, the parent movement of the Qumran community, under the category of the "Essenes." The Damascus covenant has its own history, and that history should be understood on its own terms before we try to correlate it with the information on the Essenes from the classical sources. Furthermore, we should not prematurely assume that the community of 1QS and the "camps" of CD simply represent two different "orders" of "Essenes," as use of the classical sources might suggest. We have seen that the relationship between the movement in CD and the community of 1QS is probably more complex than that. CD witnesses to the parent movement from which the *yahad* arose. Of course, at a later time the *yahad* and the camps of CD may have coexisted as related though distinguishable entities. But in the first instance we should not simply impose the category of "Essenes" (albeit a differentiable one) on the Damascus covenant and the *yahad*. Finally, therefore, while we may agree with Boccaccini and the proponents of the Groningen hypothesis that the prehistory of the Qumran community must be sought in the 3rd century BC, we cannot endorse the equating of that prehistory with the early history of the Essenes, or (in the case of Boccaccini) with the history of Enochic Judaism.

As for the origins of the *yahad*, my hypothesis agrees with the widespread view that the origins of the *yahad* are connected with the tumultuous events of the Maccabean period and in the immediately following years. My hypothesis, however, brings greater precision to the usual view. The historical analysis of Chapter 5 indicated that the immediate cause of the rise of the *yahad* was not the rejection of the temple. Already before the formation of the *yahad* there was a group within the Damascus covenant, the parent movement of the *yahad*, that

had boycotted the temple. The rise of the *yahad* was also not caused by disagreements over the law or over the calendar between members of the *yahad* and mainstream Palestinian Judaism or the leadership in Jerusalem. The parent group of the *yahad* had already rejected the alternative system of halakah and the alternative calendar being promoted in Jerusalem and within Palestinian Judaism.

More accurate is the view that the origins of the *yahad* can be traced back to a dispute over the authority of the Teacher of Righteousness. There was a betrayal of the Damascus covenant when, after the Teacher had found refuge with and gained authority in that group of the Damascus covenant that had boycotted the temple, some members of the covenant betrayed him and the covenant as a whole by transferring loyalty to the Man of the Lie and his alternative teaching. The Man of the Lie espoused a proto-Pharisaic halakah much like that being promoted by some of the leadership in Jerusalem. Those who remained loyal to the Damascus covenant formed the *yahad* as a refuge of purity from the “men of mockery,” the followers of the Man of the Lie, whose alternative halakah threatened the purity of the camps of the Damascus covenant. The *yahad* thus separated itself, while preserving the rules on purity, the calendar, and other points of legal interpretation that its parent movement had espoused in opposition to the alternatives being promoted.

My hypothesis has the advantage of being able to explain the apparently “Sadducean” nature of the legal tradition behind the *yahad*. The parent group of the *yahad* followed a Zadokite legal tradition that extended back a considerable amount of time in the post-exilic era. This legal tradition was challenged both by the adherents of proto-Pharisaic halakah and by the non-Zadokite administrators of the temple after 175/172 BC. This led to a split within the Zadokite priesthood. Conservative Zadokites separated themselves from the temple and formed the group that appears in *MMT* and ultimately in the leadership of the *yahad*. Other Zadokites who were willing to accept the new order in Jerusalem became the Sadducees.

10.6 *The Essenes of the Classical Sources*

Our final task is to try to correlate the hypotheses presented in this volume with the evidence on the Essenes from the classical sources. It is of course not possible to engage here in a full study of the classical

sources. Since a significant part of this volume has been dedicated to uncovering the origins of the Damascus covenant as that appears in CD and of the *yahad* as that appears in 1QS, and to the relationship between them, and since the evidence of CD and of 1QS has figured prominently in scholarship on the Essenes and has been viewed as supporting Josephus's distinction between two "orders" of Essenes (cf. *B.J.* 2.160), it is in these areas that we shall focus our attention.

As I have argued in the introduction, at the end of Chapter 4, and again in this conclusion, it is important that we do not try prematurely to fit the evidence of the Hebrew sources into the framework of the classical sources. That is not to deny that those whom the classical sources call the "Essenes" (Ἐσσηνοί or Ἐσσαῖοι) stand in some connection with the people to whom our Hebrew sources bear witness. Pliny the Elder's notice of a community of Essenes near the Dead Sea (*Natural History* 5.15.73), and the similarity between Josephus's description of procedures for entrance into the Essene community and of community discipline in *B.J.* 2.119–61 and the rules laid down for the *yahad* in 1QS VI–VII make this connection overwhelmingly probable. The difficult task, however, is trying to determine exactly how the description of the Essenes in the classical sources relates to what we find in our Hebrew sources.

For our purposes, the problem is above all the provenance and date of the sources. There can be little doubt that Josephus's information on the Essenes is drawn from prior sources.⁵ The similarities between *A.J.* 18.18–22 and Philo's description of the Essenes in *Prob.* 75–91 suggest either that Josephus was dependent on Philo for the *Antiquities* account or, more likely, that Josephus and Philo used a common source. There are also some specific linguistic similarities between Josephus's account in *B.J.* 2.119–61 and *Prob.* 75–91 (cf., for example, *B.J.* 2.119

⁵ Morton Smith, "The Description of the Essenes in Josephus and the Philosophumena," *HUCA* 29 (1958) 276–79. The argument of Tessa Rajak, "Ciò che Flavio Giuseppe vide: Josephus and the Essenes," *Josephus and the History of the Greco-Roman Period: Essays in Memory of Morton Smith* (StPB 41; ed. Fausto Parente and Joseph Sievers; Leiden: E. J. Brill, 1994) 145, 155, that Josephus's description of the Essenes comes from his own experiences, is not persuasive. Rajak dismisses and does not answer Smith's points (p. 148). Rajak herself acknowledges that her argument is not "susceptible to proof" (p. 159). We do not need to doubt that Josephus knew of the Qumran community and of other similar groups in Palestine, but there is no more reason to think that his descriptions of the Essenes come from his own (insider Jewish) knowledge of them than does his descriptions of the Pharisees and Sadducees.

with *Prob.* 75; *B.J.* 2.124 with *Prob.* 85) that point to use of a source. Moreover, Josephus's description of the Essenes in *B.J.* 2.119–61 has marks of being an interpolation within the framework of 2.119–66, which is further evidence that he has used a source on the Essenes.⁶

The question then is: From where did the source behind *B.J.* 2.119–61 come? Smith proposed that the source had a Syrian or Transjordanian provenance, was a “typical piece of Greek ethnography of the sort made popular by Herodotus and frequent in the later historical and geographical writers,” and was written for Gentiles (and perhaps by a Gentile), perhaps on the basis of an underlying Semitic original.⁷ While the details of this proposal are subject to debate, we may agree with Smith that the source lies in the tradition of Greek and Hellenistic ethnography. A similar provenance has been proposed for Josephus's description of the Essenes in *A.J.* 13.172.⁸ The habit of explaining the Jewish sects in terms of Greek philosophical schools or various peoples in the Hellenistic world (in the case of the Essenes, likening them to Pythagoreans [*A.J.* 15.371] and Dacians [18.22]) and of pointing out unusual characteristics of their beliefs and practices (e.g., *B.J.* 2.128) smacks of the Hellenistic ethnographers' and geographers' reveling in the descriptions of various peoples and of their peculiarities, and in the descriptions of religious or philosophical groups. The idealized description of the Essenes (e.g., *B.J.* 2.122) is

⁶ Note especially that in 2.162–65 Josephus compares the Pharisaic and Sadducean views on fate and on the afterlife. In 2.119–61 Josephus discusses the Essenes' views on the afterlife (2.154–58), but he does not discuss their view on fate, as he does in *A.J.* 13.172. It seems to be the purpose of this section to compare the Jewish “schools” on these two points of dispute. The section on the Essenes does not fit this framework and so appears to be from a separate source. This observation is strengthened by the fact that in *B.J.* 2.166 Josephus compares only the Pharisees and Sadducees in terms of social qualities. A treatment of Essene social life appears separately in the section on the Essenes, which again suggests an independent source on the Essenes. See also Smith, “Description,” 292–93; and Roland Bergmeier, *Die Essener-Berichte des Flavius Josephus: Quellenstudien zu den Essenertexten im Werk des jüdischen Historiographen* (Kampen: Kok Pharos, 1993) 60–62, 66–67.

⁷ Smith, *ibid.*

⁸ Stephen Goranson, “Posidonius, Strabo and Marcus Vipsanius Agrippa as Sources on Essenes,” *JJS* 45 (1994) 295–98, who proposes that Josephus's source here was Strabo. He also proposes that Strabo was a source for Philo. That could explain a common source behind Josephus and Philo.

also reminiscent of Hellenistic portrayals of ideal states.⁹ It is most likely that the source for *B.J.* 2.119–61 lies in the tradition of Hellenistic ethnography.

If the source of Josephus's (and Philo's) descriptions of the Essenes was Hellenistic ethnography, we must raise the question as to how reliable the source is. There is much in *B.J.* 2.119–61 that agrees well with what we find in the DSS, particularly in 1QS. The parallels have been demonstrated elsewhere, and so there is no need to repeat them here.¹⁰ Since the parallels are overwhelmingly with 1QS rather than with others of the DSS, we may suppose that the source behind *B.J.* 2.119–61 was a description of the Qumran community. There are also discrepancies between Josephus's account and 1QS, but they can be explained on the assumption that in Josephus's source the author (whether Jew or Gentile) was describing a Jewish community to which he was an outsider. When we consider the fact that the Qumran community maintained an air of secrecy about itself (cf. 1QS IX, 16–17; manuscripts in cryptic script), it becomes all the more understandable

⁹ John Ferguson, *Utopias of the Classical World* (Ithaca: Cornell University Press, 1975) 22, finds in Philo's description of the piety of the Essenes "an element of the Hellenic idealization of simple people." Rajak, "Josephus and the Essenes," 149–51, suggests that the framework of *B.J.* 2.120–61 is structured according to "the themes...favoured in descriptions of ideal states in Greek political thought," and that "the organization corresponds to a progression appropriate in studying a polity." The themes are: family, household economy, the city, trade, cult, social hierarchy, education, character. Rajak does not give any specific comparisons with Greek or Hellenistic literature. But Gregory E. Sterling, "'Athletes of Virtue': An Analysis of the Summaries in Acts (2:41–47; 4:32–35; 5:12–16)," *JBL* 113 (1994) 679–96 (esp. 689–93), shows that the *topoi* in Philo's and Josephus's descriptions of the Essenes correspond to those found in descriptions of religious and philosophical groups in the Hellenistic world. Doron Mendels, "Hellenistic Utopia and the Essenes," *HTR* 72 (1979) 207–22, suggests that historically the Essenes of Qumran actually formed their mode of life on the model of the Hellenistic utopia, and that Josephus and Philo depict the Essenes in an ideal manner, although they did not write in the genre of the classical or Hellenistic utopia. While it is unlikely that Qumran was modeled on a utopia, it does seem likely that Josephus and Philo depict the Essenes in an idealized manner. See further Niclas Förster, "Some Observations on Josephus' Description of the Essenian Morning Prayer," *Josephus and Jewish History in Flavian Rome and Beyond* (ed. Joseph Sievers and Gaius Lembi; Leiden: Brill, 2005) 245–53.

¹⁰ See the lists in Todd Beall, *Josephus' Description of the Essenes Illustrated by the Dead Sea Scrolls* (SNTSMS 58; Cambridge: Cambridge University Press, 1988) 123–27.

that descriptions in this Hellenistic source are not in complete agreement with what we know from 1QS.

As mentioned above, the main question that concerns us is how the information in Josephus might be correlated with our hypotheses about the Damascus covenant and the Qumran community. Is it the case, as is often supposed, that the long description of the non-marrying Essenes in *B.J.* 2.119–59 refers to the Essenes of the Qumran community, while the description of “another order of Essenes” who do marry in 2.160–61 refers to the non-Qumran Essenes described in CD as living in the “camps”? That is certainly an attractive way of correlating the evidence. The problem with this approach, however, is that Josephus describes the non-marrying Essenes as not having “one city” but as “settling in large numbers in every city” (2.124). If the celibate and communal life described in 2.119–59 was characteristic of the Essenes living in these other cities, we would have to suppose that Qumran-like communities existed not only at Qumran but in many other places in Palestine. That is not impossible. Indeed, this very possibility was raised in Chapter 5 in connection with 1QS VI,1c–8, which lays down rules for “every place where there are ten men of the community council,” which implies that there may have been at one time more than one *yahad*. On this interpretation the Essenes consisted of many monastic communities of men who did not marry, as well as groups of marrying Essenes who lived in the “camps.” The evidence of the DSS and Josephus would stand in agreement.

This solution, however, is not satisfactory. In his description of the Essenes in *A.J.* 18.21, Josephus simply says, “they do not marry.” There is no mention of a second order of Essenes who marry. Rather the suspicion arises that in *A.J.* 18.11–22, a description of a monastic community (i.e., Qumran) has been taken and applied to *all* 4,000 Essenes. The same thing has happened in *B.J.* 2.119–61. As we recall, this section shows numerous parallels with 1QS specifically, which suggests that it is based on a source that described the Qumran community. And yet it also applies this description to the numerous cities in which the Essenes live (2.124). In both the *War* and the *Antiquities*, then, a source that originally described the Qumran community has been extended to describe the Essenes in general.

Support for this hypothesis comes from the source analysis of R.A. Argall. He has argued that behind the accounts on the Essenes of Pliny, of Josephus in *Antiquities* 18, and of Philo in *Quod Omnis Probus* lies an older source on the *Qumran community* specifically from the late 1st

century BC. “This older material identified the Essenes with the Qumran community. It praised them for their uniqueness, absence of money, and celibacy.”¹¹ This core of older material was taken up by Pliny in his work. It was also taken up by Strabo and then by an (unknown) Hellenistic Jewish author who edited it. Josephus and Philo then both used the edited version. The major redactional changes of the unknown Hellenistic Jewish editor were, first, to stress the “voluntary nature of the sect”; and second, to eliminate “the geographical references to the vicinity of the Dead Sea.” Argall explains the reasons for the redaction:

The Hellenistic Jewish author was aware that the Essene movement was much larger and broader than the solitary community which lived by the Dead Sea. In fact, it was this author who supplied the number 4,000 for the size of the sect and placed them in communities (plural).¹²

While more literary analysis of Josephus’s sources needs to be done,¹³ a source history such as this would certainly explain why Josephus’s account of the Essenes in *A.J.* 18.18–22 (1) sounds like the Qumran community; yet (2) also seems to apply to a broader Essene movement; and (3) bears the characteristics of Hellenistic historiography. A Hellenistic Jewish author has taken an account that originally described

¹¹ Randal A. Argall, “A Hellenistic Jewish Source on the Essenes in Philo, *Every Good Man is Free* 75–91 and Josephus, *Antiquities* 18.18–22,” *For a Later Generation: The Transformation of Tradition in Israel, Early Judaism, and Early Christianity* (ed. Randal A. Argall et al.; Harrisburg: Trinity Press International, 2000) 16 (and see also 24).

¹² *Ibid.*, 16–17.

¹³ Questions can be raised about Argall’s hypothesis. For example, Philo does not include celibacy in his description of the Essenes in *Prob.* 75–91 (as Argall, *ibid.*, 18, himself notes), although he does so in *Hypoth.* 11.14. It should be noted, however, that Philo does include “self-mastery” (τὸ ἐγκρατέες) in the Essenes’ love of virtue in *Prob.* 84. Might this be a reference to celibacy? (Cf. Josephus’s use of ἐγκράτεια in connection with celibacy in *B.J.* 2.120.) Argall (p. 21) counts §§83–84 as part of Philo’s “creative block” in §§80–84, but he also notes that there are “individual words or phrases in this creative block that have parallels in *Ant.* 18.18–22 and therefore may derive from the source” (pp. 21–22). Might a reference to celibacy have indeed occurred in the source here?

the Qumran community and generalized it to refer to Essenes living in the various villages of Palestine.¹⁴

That hypothesis agrees very well with what I have argued with respect to *B.J.* 2.119–61. Has the same thing happened in this case? Has an account of the Qumran community been expanded by a Hellenistic (or Hellenistic Jewish) author and been made to apply to all the Essenes? Further literary analysis is necessary, but this seems to be a strong possibility. A source on the Qumran community was expanded to apply to all the Essenes (cf. 2.124). In the process some elements were added that apply more accurately to the town-dwelling Essenes than to the Qumran community. In addition, whereas the Hellenistic Jewish redactor of *A.J.* 18.18–22 limited himself to eliminating the reference to the vicinity of the Dead Sea and to introducing the figure of 4,000 as the number of members of the sect in order to make the description apply to all the Essenes, the author/redactor of the account in *B.J.* 2.119–66 added the appendix on the “other order of Essenes” in 2.160–61 in order to acknowledge the existence of the other Essenes.

As to the date of the source, the reference to the suffering of the Essenes during the war with Rome in *B.J.* 2.152–53, if it were original to the source, would require that the source in its final form be dated after the war. It is more likely, however, that these paragraphs are secondary, having been added either by Josephus himself or by someone at an intermediate stage between the original author and Josephus. They are dependent for their description of martyrdom on the accounts of martyrdom in 2 Maccabees 6–7. Moreover, the statement that the Essene martyrs died cheerfully, with the expectation that they would “receive” (κοιτούμενοι) their souls “again,” conflicts with the reported Essene belief in the immortality of the soul in *B.J.* 2.154–58, according to which after death the souls of the virtuous dwell in joy in an abode beyond the ocean. The notion that the martyrs will “receive” their souls “again” is clearly drawn from what is said about the resurrection of the body in 2 Macc 7:11, where one of the seven martyred brothers, about to lose his tongue and hands, speaks of his “hope of receiving them again” (ταῦτα πάλιν ἐλπίζω κομίσασθαι). The belief in the resurrection of the body has been conflated with the

¹⁴ On the number 4,000 as a standard round number in Hellenistic historiography, see Berndt Schaller, “4000 Essener - 6000 Pharisäer: Zum Hintergrund und Wert antiker Zahlenangaben,” *Antikes Judentum und Frühes Christentum* (BZnW 97; ed. Bernd Kollmann et al.; Berlin: Walter de Gruyter, 1999) 172–82.

belief in the immortality of the soul, such that the soul will be “received again.” Since this section is secondary, the main body of the source can be dated to an earlier period.¹⁵ We might guess that the source behind *B.J.* 2.119–66 comes from the same general time period as the source behind *A.J.* 18.18–22 (late 1st century BC or early 1st century AD).¹⁶

We may now correlate the description of the Essenes in the classical sources with our historical reconstruction based on the Hebrew sources. One may surmise that, even after the rise of the *yahad* in the second half of the 2nd century BC, there continued to be in the 1st century BC and probably even later groups in the cities and villages of Palestine (“camps”) that maintained allegiance to the Damascus covenant. Since, as we have seen, the *yahad* emerged out of the Damascus covenant and stood in continuity with it in theology and polity, the beliefs and practices of the *yahad* and of the “camps” will have been very similar, indeed almost identical, with the exception that the *yahad* (1) viewed itself as a substitute for the temple; (2) was therefore a monastic (celibate) community;¹⁷ and (3) developed a unique theology in certain areas (e.g., cosmic dualism). It will have been perfectly natural, especially for an outside observer, to consider the *yahad* and the “camps” to be part of the same “school,” at one in their “mode of life, customs, and regulations,” differing only in their attitude towards marriage (*B.J.* 2.160). That would explain why the classical sources subsume the non-marrying and marrying groups under a single “school” with a single name (“Essenes”). In this regard it should be noted that what Josephus (or his source) says about the

¹⁵ Bergmeier, *Die Essener-Berichte*, 70–71, also considers these paragraphs secondary. He attributes the reference to the war “against the Romans” to Josephus, but the actual description of martyrdom to the author of the source. Against Bergmeier, the difference in the view of the afterlife between these paragraphs and paragraphs 154–58 indicates that the interpolator was someone other than the author of the main body of the source. A reminiscence of the martyrdom theme in Philo, *Prob.* 89–90, suggests that the martyrdom theme was added to the source before it was used by Josephus and Philo.

¹⁶ See the previous note. A *terminus ad quem* for the original source is given by the time at which the allusions to the Maccabean martyrs were added to the common source used by Josephus and Philo.

¹⁷ It is true that the Hebrew sources do not say explicitly that the members of the *yahad* were celibate. However, if the *yahad* considered itself to be a temple community, and the evidence of the Hebrew sources suggests that it did, then it must be considered nearly certain that at least some of the members of the *yahad* were celibate, at least when living there.

marrying Essenes in *B.J.* 2.160–61, namely, that they do not have sexual intercourse with their wives when they are pregnant, agrees with the prohibition of sexual intercourse with a pregnant woman in 4QD^e (4Q270) 2 ii 15–16 (on Baumgarten’s plausible reconstruction).¹⁸ Since we can safely take the latter text as referring to the “camps” of the Damascus covenant, where marriage was allowed (cf. CD VII,6b–9a//XIX,2b–5a), that text confirms that the description of the “other order of Essenes” in *B.J.* 2.160–61 does indeed refer to the camps of the Damascus covenant.

If the accounts of the “Essenes” in the classical sources come from outsiders, that might also explain the origin of the name “Essenes.” The origin of the name is still disputed. I consider most likely the hypothesis that derives it from the Aramaic חסה (*hāsê*; “pious”).¹⁹ Since neither the members of the Damascus covenant nor those of the *yahad* used this term for themselves, it is most likely that the term was coined by outside observers who considered the people so denominated to be particularly pious.²⁰ Both Philo and Josephus describe the Essenes as having a reputation for being particularly holy or reverent, and they may rely on a common source for this description.²¹ If a Hellenistic or Hellenistic Jewish source (or sources) lie(s) behind the accounts of Josephus and Philo (as well as Pliny), we may surmise that in underlying Semitic source material the people living in Qumran and in the camps of the Damascus covenant were described by outside (Jewish) observers as “(the) pious” (חסיה or חסיהן), and in the Hellenized versions of the source material these epithets became Ἐσσηνοί and Ἐσσηαῖοι.²² The name was applied in the Hellenistic sources to both the people of Qumran and the similar people in the “camps” of the Damascus covenant indiscriminately.

¹⁸ See DJD 18.144–46.

¹⁹ See Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ* (3 vols.; rev. ed.; Edinburgh: T & T Clark, 1995) 2.559.

²⁰ Use of the Aramaic חסה appears in 4Q213a 3–4,6, but this is a non-Qumran work.

²¹ Philo, *Prob.* 75: ὁσιότης; Josephus, *B.J.* 2.120: σεμνότης

²² So Schürer, *History*, 2.559. The argument of John Kampen, “A Reconsideration of the Name ‘Essene’ in Greco-Jewish Literature in Light of Recent Perceptions of the Qumran Sect,” *HUCA* 57 (1986) 61–81, that the term “Essene” is Greek in origin is unconvincing (especially on the relationship between Ἐσσηνοί and Ἐσσηαῖοι on pp. 79–81).

In conclusion, we must respect the relative lateness of the classical witnesses to the Essenes. We cannot necessarily assume that the “Essenes” as a Jewish sect constitute the prehistory of the Qumran community. To be sure, Josephus’s statement that the Pharisees, Sadducees, and Essenes were in existence at the time of the priesthood of Jonathan the Hasmonean (*Ant.* 13.171) must be taken into account. Two points, however, must be made. First, it is probable that this information comes from a later source, and it has been proposed that the placement of this notice about the existence of three Jewish schools in the period of Jonathan has been dictated more by its position in Josephus’s source than by its connection to Jonathan specifically.²³ Be that as it may, it is still true that the existence of the Essenes is affirmed for that period. Second, however, that does not necessitate the conclusion that the “Essenes” were the parent movement of the Qumran community. It is possible that from the perspective of the source and of a later time (late 1st century BC?), the existence of a sect called by the name “Essenes,” which presumably (according to the source) includes the Qumran community and/or the members of the camps of the Damascus covenant, is traced back to that period (second half of the 2nd century BC).²⁴ While there is no reason to doubt that the Qumran community and its parent movement go back to that time (and the Damascus covenant to an even earlier time), we cannot assume that either group identified itself as “Essene” specifically. Use of the name “Essene” in the Palestinian population may go back to the 2nd century BC (or even earlier). At least as the name appears in our sources, however, it seems to be a name given to a group (or groups) at a later time and by outside observers.²⁵ As we have seen, the Hebrew sources encourage us to trace the emergence of the *yahad* from out of the older *Damascus covenant*, and priority must be given to those sources.²⁶ Thus we do well to avoid the term “Essenes” for the parent movement of the

²³ Goranson, “Posidonius, Strabo and Marcus Vipsanus Agrippa,” 295.

²⁴ Similarly, when the Essenes, along with the Pharisees and Sadducees, are said to have existed “from the most ancient times” (ἐκ τοῦ πάνυ ἀρχαίου) (*Ant.* 18.11), this may be taken as hyperbole in Josephus’s source (from the late 1st century BC?). From the perspective of the source, these schools were “very old.”

²⁵ Cf. Jörg Frey, “Zur historischen Auswertung der antiker Essenerberichte: Ein Beitrag zum Gespräch mit Roland Bergmeier,” *Qumran kontrovers* (ed. Jörg Frey and Hartmut Stegemann; Paderborn: Bonifatius, 2003) 49–50.

²⁶ In agreement with Frey, *ibid.*, 46–47.

yahad, even if we do not deny that there is a connection between both the *yahad* and its parent movement, on the one hand, and the Essenes of the classical sources on the other hand. When we take this approach, there is no longer any obstacle to acknowledging the Zadokite (rather than “Essene”) origin of the *yahad*, even if we also avoid (as we should avoid) using the term “Sadducean” for its origin.²⁷

²⁷ These observations also cast some doubt on Boccaccini’s hypothesis that the “Essenes” were really Enochic Jews, with roots in an anti-Zadokite priesthood. While I believe Boccaccini’s work is helpful, it is hazardous, as was noted above and at the end of Chapter 4, simply to subsume the Damascus covenant and the *yahad* under the category of Essenes. The classical descriptions of the Essenes should be viewed in the first instance as descriptions from outsiders, and from a later time, of those people who come into our view in a primary way through the Hebrew sources. Alleged similarities between the Essenes of the classical sources and Enochic Judaism may be coincidental. They could also be due to outsiders’ opinions of the beliefs and way of life of those people who come into view in the Hebrew sources. Finally, as we saw in Chapter 6, it is likely that the *yahad* adopted certain elements of Enochic Judaism. That, however, does not justify a simple equation Qumran=(one manifestation of) Essenes=Enochic Judaism.

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