

Rethinking Rewritten Scripture

*Composition and Exegesis
in the 4QReworked
Pentateuch Manuscripts*

MOLLY M. ZAHN

BRILL

Rethinking Rewritten Scripture

Studies on the Texts of the Desert of Judah

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By

Molly M. Zahn



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For Peter

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PREFACE

This monograph represents a revised version of my 2009 University of Notre Dame dissertation, supervised by Professor James C. VanderKam. It gives me great pleasure to be able to express my gratitude to some of the many people whose guidance, encouragement, and support have made this study possible. First, thanks are due to my dissertation committee, from each one of whom I have learned much as a scholar and as a person. Prof. VanderKam supervised my work with characteristic clear thinking, precision, and patience, never failing to provide a critical eye when it was needed and words of encouragement when they were needed. Prof. Eugene Ulrich consistently challenged me to refine my ways of thinking and writing about textual phenomena, and provided many valuable comments on each chapter. Prof. Gary Anderson's ability to make intellectually fruitful connections between a wide range of ancient and modern texts and authors helped me place my work in a wider perspective. Prof. John Meier provides a model of scholarly erudition and insightfulness, and I am grateful for his willingness to be involved with this project.

I am fortunate to have been surrounded at Notre Dame by colleagues whose friendship and commitment to scholarship provided a stimulating atmosphere in which to work. I am especially grateful to Andrew Teeter for his keen observations in the course of many conversations on the multifaceted phenomenon of textual revision in antiquity. Thanks also to Brad Gregory, Todd Hanneken, Dan Machiela, Dan O'Hare, and Sam Thomas. Since August of 2008, I have been a member of the Department of Religious Studies at the University of Kansas, and I am grateful for the warm welcome and enthusiastic support that I have received from my chair, Prof. Daniel Stevenson, and the other members of the department. I am also deeply grateful to Prof. Moshe Bernstein of Yeshiva University for his willingness to engage my work on the 4QRP manuscripts and his invitation to collaborate on a new text edition of 4Q158; and to Prof. Florentino García Martínez for his acceptance of my manuscript into the STDJ series and for his helpful suggestions for revision. This study has benefited a great deal from the involvement of them both; of course the flaws that remain are my responsibility alone.

During my graduate studies, I was generously funded by a University of Notre Dame Presidential Fellowship and by a Memorial Stipend from the Catholic Biblical Association. Grants from the Graduate School and the Institute for Scholarship in the Liberal Arts at the University of Notre Dame made it possible for me to visit the Israel Museum in July 2008 to examine the fragments of 4Q158 in person. Travel funds provided by the Friends of the Department of Religious Studies at the University of Kansas facilitated presentation of portions of my research at the 2008 and 2009 Annual Meetings of the Society of Biblical Literature. I am grateful to all of these institutions for their support.

I also want to thank a number of people who helped shape my personal and scholarly identity long before I ever started thinking about the 4QReworked Pentateuch manuscripts. My parents, Rick and Rosan Zahn, have been a constant source of love and support, and always encouraged me to pursue whatever I was most passionate about. Jim Scott, Fintan Moore, Jeri Cashman, and Tom Conry at the University of Minnesota Newman Center introduced me to critical study of the Bible and continue to inspire me to devote my research and teaching to the service of others. Prof. Bernard Levinson of the University of Minnesota gave me free reign to explore my interests and devoted an incredible amount of time and energy to my development into an independent scholar. His mentorship during my undergraduate years and beyond has made a profound and lasting impact upon my thinking and my writing. Finally, the greatest thanks of all go to my husband, Peter Grund, for his unfailing love and support. He has been my most constant conversation partner and sounding board, and also took the time to proofread the entire manuscript, helping me catch many errors and clarify numerous passages. He has shared the joys and frustrations of every step of this process, and to him I dedicate this book.

Molly Zahn
Lawrence, Kansas
July 2010

ABBREVIATIONS

AB	Anchor Bible
BAR	<i>Biblical Archaeology Review</i>
BETL	Bibliotheca ephemeridum theologiarum lovaniensium
BHS	<i>Biblia Hebraica Stuttgartensia</i>
BN	<i>Biblische Notizen</i>
BZABR	Beihefte zur Zeitschrift für altorientalische und biblische Rechtsgeschichte
CBQ	<i>Catholic Biblical Quarterly</i>
CBQMS	Catholic Biblical Quarterly Monograph Series
ConBOT	Coniectanea biblica: Old Testament Series
CRINT	Compendia rerum iudaicarum ad Novum Testamentum
DJD	Discoveries in the Judaean Desert
DSD	<i>Dead Sea Discoveries</i>
DSSEL	The Dead Sea Scrolls Electronic Library. Edited by Emanuel Tov. Leiden: Brill, 2006.
DSSR	<i>The Dead Sea Scrolls Reader</i> . Edited by Donald W. Parry and Emanuel Tov. 6 volumes. Leiden: Brill, 2004–2005.
<i>ErIsr</i>	<i>Eretz-Israel</i>
FAT	Forschungen zum Alten Testament
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
HAL	Ludwig Koehler and Walter Baumgartner, <i>The Hebrew and Aramaic Lexicon of the Old Testament</i> . 3d edition. Translated and edited under the supervision of M. E. J. Richardson. 2 vols. Leiden: Brill, 2001.
HKAT	Handkommentar zum Alten Testament
HSM	Harvard Semitic Monographs
HSS	Harvard Semitic Studies
HTKAT	Herders theologischer Kommentar zum Alten Testament
HTR	<i>Harvard Theological Review</i>
HUCA	<i>Hebrew Union College Annual</i>
ICC	International Critical Commentary
JBL	<i>Journal of Biblical Literature</i>
JJS	<i>Journal of Jewish Studies</i>
JSJSup	Supplements to the Journal for the Study of Judaism

<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
JSPSup	Journal for the Study of the Pseudepigrapha Supplement Series
<i>JSS</i>	<i>Journal of Semitic Studies</i>
NAB	New American Bible
NJPS	<i>Tanakh: The Holy Scriptures: The New JPS Translation according to the Traditional Hebrew Text</i>
NRSV	New Revised Standard Version
<i>OED</i>	<i>Oxford English Dictionary</i>
OTL	Old Testament Library
<i>OtSt</i>	<i>Oudtestamentische Studiën</i>
<i>PAAJR</i>	<i>Proceedings of the American Academy of Jewish Research</i>
PFES	Publications of the Finnish Exegetical Society
<i>RevQ</i>	<i>Revue de Qumran</i>
RSV	Revised Standard Version
SAOC	Studies in Ancient Oriental Civilizations
SBLDS	Society of Biblical Literature Dissertation Series
SBLSCS	Society of Biblical Literature Septuagint and Cognate Studies
<i>SEÅ</i>	<i>Svensk exegetisk årsbok</i>
STDJ	Studies on the Texts of the Desert of Judah
StPB	Studia post-biblica
TSAJ	Texte und Studien zum antiken Judentum
<i>VT</i>	<i>Vetus Testamentum</i>
VTSup	Supplements to Vetus Testamentum
VWGT	Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie
<i>ZAW</i>	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>

CHAPTER ONE

INTRODUCTION

The five Qumran manuscripts labeled 4QReworked Pentateuch (4Q158; 4Q364–367) have come to function in the last several years as a connecting link between two scholarly discourses that had previously been carried on largely independently of one another. On the one hand, the finds in the caves surrounding Khirbet Qumran had revolutionized the discussion of the textual history of the Hebrew Bible: nonsectarian, Hebrew manuscripts containing text types previously known only from the Samaritan or Greek versions—and others that departed from all known versions—indicated that the text of the Hebrew Bible was far from fixed in the final centuries before the turn of the millennium, but existed in a pluriformity scarcely imagined earlier.¹ On the other hand, prompted by the discovery and publication of texts such as the Genesis Apocryphon and the Temple Scroll, other scholars were discussing the phenomenon of ‘rewritten Scripture,’ in which Second Temple authors expressed exegetical and theological opinions by presenting a new version of scriptural narratives and laws.²

¹ See e.g. Eugene Ulrich, “The Text of the Hebrew Scriptures at the Time of Hillel and Jesus,” in *Congress Volume Basel 2001* (ed. Andre Lemaire; VTSup 92; Leiden: Brill, 2002), 85–108; Michael Segal, “The Text of the Hebrew Bible in Light of the Dead Sea Scrolls,” *Materia Giudaica* 12 (2007): 5–20; Emanuel Tov, “The Many Forms of Hebrew Scripture: Reflections in Light of the LXX and 4QReworked Pentateuch,” in *From Qumran to Aleppo* (ed. Armin Lange et al.; FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009), 11–28.

² The term ‘rewritten Bible’ was coined by Geza Vermes in 1961; see idem, *Scripture and Tradition in Judaism: Haggadic Studies* (2nd ed.; StPB 4; Leiden: Brill, 1973). Since Vermes’s publication, there has been much debate over the meaning and proper application of the term. For recent overviews, see Moshe J. Bernstein, “‘Rewritten Bible’: A Generic Category Which Has Outlived Its Usefulness?,” *Textus* 22 (2005): 169–96; Anders Klostergaard Petersen, “Rewritten Bible as a Borderline Phenomenon—Genre, Textual Strategy, or Canonical Anachronism?,” in *Flores Florentino: Dead Sea Scrolls and Other Early Jewish Studies in Honour of Florentino García Martínez* (ed. Anthony Hilhorst et al.; JSJSup 122; Leiden: Brill, 2007), 285–306. In the last decade or so, the term ‘rewritten Bible’ has tended to be replaced by ‘rewritten Scripture,’ in recognition of the fact that, at the time these texts were composed, there was no ‘Bible’ in the modern sense of a fixed collection of fixed forms of certain books. See e.g. James C. VanderKam, “The Wording of Biblical Citations in Some Rewritten Scriptural Works,” in *The Bible as Book: The Hebrew Bible and the Judaean Desert Discoveries* (ed. Edward

Onto the scene came the 4QReworked Pentateuch (4QRP) manuscripts in 1994, the year that 4Q364–367 were published in DJD 13.³ (4Q158 was published in DJD 5 by John Allegro, but had received virtually no attention.)⁴ These fragmentary manuscripts, all dating from the first century B.C.E., fit only uneasily into existing categories.⁵ On the one hand, they shared many features with texts classified as ‘rewritten Scripture’: they contained expansions, rearrangements, paraphrases, and other types of changes vis-à-vis known versions of the pentateuchal text. On the other hand, in some ways they seemed much closer to the Pentateuch than any of the examples of ‘rewritten Scripture’: many fragments contained simply the text as known from elsewhere, with little or no variation. Unlike the Temple Scroll, Jubilees, or the Genesis Apocryphon, these texts showed no hint of a new narrative setting: no new speaker or claim to constitute divine revelation. Therefore, although the official editors initially labeled the five 4QRP MSS as copies of an extrabiblical interpretive composition (‘rewritten Scripture’), other scholars, and ultimately the editors themselves, have argued that the manuscripts are in fact biblical manuscripts: versions of the Pentateuch expanded beyond what anyone had seen or thought possible before, but versions of the Pentateuch nonetheless.⁶

In their position at this juncture between two discourses—which, rightly, have begun to merge—the 4QRP MSS constitute critical evidence relevant to a number of issues. These include the status of the pentateuchal text in the late Second Temple period, the relationship (both intended and perceived) between ‘rewritten Scripture’ texts and the Scripture they rewrite, the nature of scribal activity in this period, and the history of exegesis. Yet the 4QRP MSS have not been subjected to a thorough, detailed analysis from the point of view of the specific techniques and strategies that they use to rework the pentateuchal text. This study will fill that gap, providing the foundation for a better

D. Herbert and Emanuel Tov; London: British Library, 2002), 41–56, at pp. 42–43; Petersen, “Rewritten Bible,” 286–88.

³ Emanuel Tov and Sidnie White (Crawford), “Reworked Pentateuch,” in *Qumran Cave 4, VIII* (by Harold Attridge et al.; DJD 13; Oxford: Clarendon, 1994), 187–351.

⁴ John Allegro, *Qumrân Cave 4, I* (DJD 5; Oxford: Clarendon, 1968), 1–6.

⁵ There is no clear evidence upon which to date the 4QRP MSS other than paleography, which of course means that the composition(s) contained in these MSS could be older than the first century B.C.E. For the paleographical details, see John Strugnell, “Notes en Marge du Volume V des ‘Discoveries in the Judaean Desert of Jordan,’” *RevQ 7* (1970): 163–276, at p. 168; Tov and White (Crawford), DJD 13:201, 260, 336, 346.

⁶ See below, pp. 4–6.

understanding both of the manuscripts themselves and of their impact on the broader issues just mentioned.

1.1 BACKGROUND

The study and publication of what are now known as the five 4QRP mss began, as mentioned above, with Allegro's publication of 4Q158, under the title 4QBiblical Paraphrase, in DJD 5 (1968). This edition, typical of those in DJD 5, is inexact and contains almost no commentary. Although Allegro's desire to get the Scrolls published and into the hands of scholars as quickly as possible is admirable,⁷ one wonders whether the utter lack of contextualization was one reason the text received almost no attention for the next thirty years. In any case, the edition contains many errors, some but not all of which were noted by John Strugnell in a review article published in 1970.⁸ Because of the difficulties with the existing edition, my own transcription of 4Q158 is provided in Appendix 1.⁹

4Q158 began to receive more attention when it was identified by Emanuel Tov and Sidnie White (Crawford) as another manuscript copy of the composition they had labeled 4QReworked Pentateuch, extant in the four manuscripts 4Q364–367, which they were editing for DJD 13. The editors characterized this composition as an interpretive work which “contained a running text of the Pentateuch interspersed with exegetical additions and omissions.”¹⁰ Although physical overlaps between the five manuscripts are minimal, Tov and Crawford argued that they “share important characteristics” and therefore should be regarded as multiple copies of a single composition.¹¹

Two aspects in particular of Tov and Crawford's characterization of the five 4QRP mss have drawn criticism from other scholars. First is the identification of the five manuscripts as copies of a single composition.

⁷ See the intriguing account of Allegro's conflicts with other members of the first Scrolls publication team and his frustration over the slow pace of publication in the recent biography by his daughter: Judith Anne Brown, *John Marco Allegro: Maverick of the Dead Sea Scrolls* (Grand Rapids: Eerdmans, 2005).

⁸ Strugnell, “Notes en Marge.”

⁹ A completely new edition of 4Q158 is being prepared by Prof. Moshe Bernstein and myself for inclusion in a forthcoming revision of the DJD 5 materials, edited by Prof. Bernstein and Prof. George Brooke.

¹⁰ Tov and White (Crawford), DJD 13:191.

¹¹ Tov and White (Crawford), DJD 13:191.

The few physical overlaps between the manuscripts are so minor as to be virtually useless: in all of them the overlap occurs in a section where the manuscripts are following the scriptural text closely, and there are only two cases where any two of the 4QRP MSS share a unique reading against all other known witnesses. They are very minor: 4Q364 17 3 and 4Q365 8a–b 1 both read האָרֹן where the Masoretic Text (MT) and the Samaritan Pentateuch (SP) have אָרֹן in Exod 26:34; and 4Q158 1–2 7 and 4Q364 5b ii 13 both read וַיֹּאמֶר where the MT, SP, and the Septuagint (G) have וַיִּקְרָא in Gen 32:31.¹² Several scholars have argued that this is insufficient textual evidence for regarding the manuscripts as copies of the same composition, and have rejected the editors' appeal to shared characteristics like exegetical additions and omissions as overly vague. Michael Segal and Moshe Bernstein both argue that the various manuscripts do not all deal with the scriptural text in the same way, and therefore the five manuscripts should not be regarded as copies of the same composition.¹³ George Brooke, taking a different approach, has shown that, in cases where there is an overlap or near-overlap between two fragments, they can almost never be reconstructed as having the same text. He therefore suggests that it would be more appropriate to refer to the five manuscripts as 4QRP A–E, indicating related but not identical compositions, than to regard them as copies of the same work, 4QRP^{a–e}.¹⁴

The other major point on which Tov and Crawford have been criticized is their characterization of 4QRP as an extrabiblical, non-authoritative text. Eugene Ulrich and James VanderKam have both suggested that the types of exegetical changes evident in the 4QRP MSS are precisely those that characterize the still-fluid *biblical* text in the Second Temple period.¹⁵ Michael Segal has espoused a variant form of

¹² Tov and White (Crawford), DJD 13:188, 190. For more on the latter reading, see section 2.1.1.

¹³ Moshe J. Bernstein, "Pentateuchal Interpretation at Qumran," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1998), 1:128–59, at p. 134; idem, "Rewritten Bible," 196; Michael Segal, "4QReworked Pentateuch or 4QPentateuch?," in *The Dead Sea Scrolls: Fifty Years After Their Discovery* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society/Shrine of the Book, Israel Museum, 2000), 391–99, at pp. 396–97.

¹⁴ George J. Brooke, "4Q158: Reworked Pentateuch^a or Reworked Pentateuch A?," *DSD* 8 (2001): 219–41.

¹⁵ Eugene Ulrich, "The Dead Sea Scrolls and the Biblical Text," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (ed. Peter W. Flint and James

this position, arguing that 4Q364–367 most likely represent biblical texts, but that 4Q158 belongs to the category of rewritten Scripture.¹⁶

In the past several years, both Tov and Crawford have changed their initial positions, such that both now accept the argument that the 4QRP mss may well represent expanded biblical texts. Tov argues in recent publications that the treatment of the biblical text in the 4QRP mss is so similar to what we find in expansive biblical texts like the Samaritan Pentateuch and some parts of the Septuagint that 4QRP must be considered “Hebrew Scripture.” He notes that, if texts like the pre-SP manuscripts¹⁷ and the Hebrew *Vorlagen* for G were considered authoritative Scripture, it is highly likely that 4QRP was considered authoritative as well.¹⁸ Crawford is somewhat more cautious. She acknowledges that at least some of the 4QRP mss “were meant by the scribes that prepared them to be read as regular pentateuchal texts,” but notes that we have little clear evidence that they were considered authoritative by any particular group.¹⁹ Even within the Qumran community,

C. VanderKam; 2 vols.; Leiden: Brill, 1998), 1:79–100, at p. 88; idem, “Text of the Hebrew Scriptures,” 102–3; James C. VanderKam, “Questions of Canon Viewed through the Dead Sea Scrolls,” in *The Canon Debate* (ed. Lee Martin McDonald and James A. Sanders; Peabody, Mass.: Hendrikson, 2002), 91–109, at pp. 96–100. See also Armin Lange, “The Status of the Biblical Texts in the Qumran Corpus and the Canonical Process,” in *The Bible as Book: The Hebrew Bible and the Judaean Desert Discoveries* (ed. Edward D. Herbert and Emanuel Tov; London: British Library, 2002), 21–30, at p. 27.

¹⁶ Segal, “4QReworked Pentateuch,” 394–95.

¹⁷ I use the term ‘pre-SP’ throughout this study to refer to those manuscripts that contain many of the same features as SP but lack the explicitly sectarian elements, such as the Samaritan version of the tenth commandment, which prescribes worship upon Mt. Gerizim. A text similar to these pre-SP mss must have served as the *Vorlage* for SP, whose editor is now known to have made relatively minor changes to an existing Hebrew text-type. On this issue, see further the introduction to ch. 4. With the term ‘pre-SP’ (instead of the older term ‘proto-SP’), I mean to indicate the textual affiliation of these mss with SP, without implying that there is anything specifically ‘Samaritan’ about them.

¹⁸ See Emanuel Tov, “3 Kingdoms Compared with Similar Rewritten Compositions,” in *Flores Florentino: Dead Sea Scrolls and Other Early Jewish Studies in Honour of Florentino García Martínez* (ed. Anthony Hilhorst et al.; JSJSup 122; Leiden: Brill, 2007), 345–66, at pp. 365–66; idem, “Many Forms,” 26. Unlike Crawford, who accepts Brooke’s argument concerning the relation of the five manuscripts to one another, Tov nowhere in these newer articles addresses the issue of whether the 4QRP mss represent a single composition, and continues to talk about 4QRP as if it were a single text. For Crawford’s position, see Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008), 39.

¹⁹ Crawford, *Rewriting Scripture*, 56–57. Crawford’s discussion of the status of the 4QRP mss in this book focuses exclusively on 4Q364 and 4Q365. However, her arguments here are not substantially different from those made in an earlier article regarding

Crawford argues, we cannot be sure that any of the 4QRP mss were accepted as a copy of the Pentateuch.²⁰ At the same time as Tov and Crawford have changed their positions, however, their original stance—that the 4QRP mss represent something other than copies of the Pentateuch—continues to find some support among scholars.²¹

4QRP as a whole; Sidnie White Crawford, “The ‘Rewritten’ Bible at Qumran: A Look at Three Texts,” *ErIsr* 26 (1999): 1–8 (Eng.). A position similar to Crawford’s is presented by Daniel K. Falk, *The Parabiblical Texts: Strategies for Extending the Scriptures in the Dead Sea Scrolls* (Companion to the Qumran Scrolls 8; London: T&T Clark, 2007), 111.

²⁰ Crawford, *Rewriting Scripture*, 57. The presence of these manuscripts at Qumran naturally raises questions about their origins and relation to the Qumran community, which in turn may have implications for the question of their authority for that community. The paleographic date of all five mss in the first century B.C.E., along with the fact that the three best-preserved mss (4Q158, 364, and 365) are written in what Tov has termed the “Qumran scribal practice,” suggests that at least some of the mss were produced at Qumran; see Emanuel Tov, *Scribal Practices and Approaches Reflected in the Texts Found in the Judean Desert* (STDJ 54; Leiden: Brill, 2004), 261–73. As noted above, this does not mean that members of the Qumran community were actually responsible for the distinctive features of the manuscripts; that is, the manuscripts could be copies of earlier revisions of the Pentateuch (or copies of earlier extrabiblical compositions, depending upon one’s perspective). If the manuscripts are subsequent copies of already-existing texts, then it would appear that someone within the Qumran community regarded these texts as important enough to be recopied, suggesting that at least someone accepted them as copies of the Pentateuch or as otherwise authoritative. There is very little evidence to go on, but two factors might point to an earlier origin for the 4QRP texts than the paleographical date of the manuscripts. First, none of the unique readings in the 4QRP mss seem to reflect the ideology of the Qumran community. (Roger Nam’s identification of two minor variants as betraying sectarian motivations fails to convince; see idem, “How to Rewrite Torah: The Case for Proto-Sectarian Ideology in the *Reworked Pentateuch* (4QRP),” *RevQ* 23 (2007): 153–65.) It might be expected that, if the Qumran sectarians had produced these texts, they may have inserted more of their own ideology into them in the course of their rewriting. Second, two of the 4QRP mss have points of substantial overlap with other Second Temple compositions: 4Q364 expands the episode of Jacob’s departure for Haran (Gen 28:1–5) in a manner similar to Jubilees, and 4Q365 shows close connections to the Temple Scroll in frag. 23 (the wood offering) and in 4Q365a frag. 2 (instructions for a Temple court). (On these cases see sections 3.1.1 and 3.2.1 below. I regard 4Q365a as part of 4Q365.) The precise relationship between the versions of the Jacob story in Jubilees and in 4Q364 is unclear. In the case of the 4Q365 materials, however, a literary relationship with the Temple Scroll seems very likely. Given that the Temple Scroll seems to present a more developed version of the text in the case of its overlaps with 4Q365a 2, it appears more probable that TS drew upon 4Q365 or a text very like it rather than the other way around (see below, ch. 3, n. 56). If this is true, then the version of the Pentateuch represented by 4Q365 must have been produced prior to the composition of TS, which probably occurred in the mid-second century B.C.E. (for this date, see ch. 5, n. 2).

²¹ See especially Moshe J. Bernstein, “What Has Happened to the Laws? The Treatment of Legal Material in 4QReworked Pentateuch,” *DSD* 15 (2008): 24–49, at pp. 48–49. Especially because of the ways the 4QRP mss deal with legal material, including

All this discussion has certainly advanced our understanding of the 4QRP MSS, but several key issues remain insufficiently explored. For instance, Brooke has demonstrated convincingly on the basis of the physical evidence of the manuscripts that the five 4QRP MSS should not be considered copies of the same work.²² But what of the claim of Bernstein and Segal, that qualitative differences in exegetical technique separate the manuscripts from one another? This claim has not yet been accompanied by detailed analysis of the techniques and purposes of scriptural reworking in each of the five manuscripts. Segal has published an article examining the reworking of Scripture in 4Q158, but there has been no similar investigation of 4Q364–367.²³ In general, although much has been made of the rewriting of Scripture that goes on in the 4QRP MSS, treatment of this issue has been short on detail. Segal and Bernstein offer in-depth analyses of the subsections that they treat in recent articles (Segal’s on 4Q158 and Bernstein’s on the legal material in all five MSS).²⁴ Yet two recent monographs focusing on rewritten Scripture, each of which devotes a chapter to the 4QRP texts, address only a few of the most well-known additions and alterations preserved in them, and shed little light on the full range of ways in which these manuscripts rewrite Scripture.²⁵ Issues also arise in relation to the now quite popular position that the 4QRP MSS represent copies of the Pentateuch.

1.2 A ‘CONTINUUM’ OF SCRIPTURAL REWORKING

The observation made by Ulrich, VanderKam, and others that there is a fundamental similarity between the textual reworking evident in some expanded copies of biblical books and the reworking evident in the 4QRP MSS is insightful and correct. However, that observation

the possibility that major sections of biblical law were omitted, Bernstein hesitates to label any of the 4QRP MSS as pentateuchal. He does, however, recognize the alternative as a possibility, and concedes that 4Q364 “might very well be” pentateuchal, because of its relatively conservative rewriting. (On rewriting in 4Q364, see further below, sections 3.1 and 3.5.) Following Bernstein is Torleif Elgvin, “Sixty Years of Qumran Research: Implications for Biblical Studies,” *SEÅ* 73 (2008): 7–28, at p. 16.

²² See n. 14 above.

²³ Michael Segal, “Biblical Exegesis in 4Q158: Techniques and Genre,” *Textus* 19 (1998): 45–62.

²⁴ See above, nn. 21 and 23.

²⁵ Falk, *Parabiblical Texts*, 107–19; Crawford, *Rewriting Scripture*, 39–59.

in itself does not prove that the 4QRP MSS were simply copies of the Pentateuch. Instead, it leads to a host of related considerations.²⁶

Stress on the similarity between the methods of reworking in copies of biblical books and in 4QRP has been accompanied by the detection of essentially the same methods in other texts, texts which are usually categorized as rewritten Scripture (e.g. Jubilees, the Temple Scroll, and the Genesis Apocryphon). This has led several scholars to postulate the existence of a sort of ‘continuum’ or ‘spectrum’ upon which the various texts that rework Scripture can be plotted, from texts that depart relatively infrequently and in more minor ways from the scriptural text as known from elsewhere to those that make frequent, major changes.²⁷ Thus, for the Pentateuch, the pre-SP texts from Qumran and SP itself, with their relatively restrained changes, would be close to one end of the continuum, the 4QRP MSS would be somewhat farther along, Jubilees and the Temple Scroll farther along still, and texts like the Genesis Apocryphon close to the other end.²⁸

Anyone with even a casual familiarity with the contents of these texts is likely to perceive the intuitive appeal of such a continuum. While its heuristic value is clear, however, this model also presents some problems. To begin with, the intuitive plotting of points along the spectrum has not been accompanied by the kind of study that would provide empirical support. Such study would involve a thorough examination of the ways in which each text reworks Scripture, and then a comparison of the texts in order to determine the similarities and differences between them. For all the work done on these texts, systematic investigations of this type that compare the methods and goals of scriptural reworking in each text to those of other texts

²⁶ For an in-depth discussion of whether the 4QRP MSS can be identified conclusively as copies of the Pentateuch, see Molly M. Zahn, “The Problem of Characterizing the 4QReworked Pentateuch Manuscripts: Bible, Rewritten Bible, or None of the Above?,” *DSD* 15 (2008): 315–39.

²⁷ George J. Brooke, “The Rewritten Law, Prophets and Psalms: Issues for Understanding the Text of the Bible,” in *The Bible as Book: The Hebrew Bible and the Judaean Desert Discoveries* (ed. Edward D. Herbert and Emanuel Tov; London: British Library, 2002), 31–40; VanderKam, “Wording of Biblical Citations,” 46; idem, “Questions of Canon,” 99, 108; Crawford, *Rewriting Scripture*, 13–14. The idea of a continuum of reworking seems to be endorsed more implicitly by Petersen, “Rewritten Bible.” It should be emphasized that Brooke and VanderKam do not explore the idea at length. Crawford, on the other hand, returns to the concept at several points (see n. 31 below).

²⁸ This characterization is similar to that of Crawford, *Rewriting Scripture*, 13–14.

on the spectrum have not yet been carried out.²⁹ We still lack an accurate understanding of the methods by which Scripture was reworked in the late Second Temple period, of the relation between those methods and the particular theological or exegetical issues addressed by a given reworking, and of how to measure or evaluate appropriately the distance of a given work from its scriptural source text. A sustained comparative investigation is necessary to answer these questions.

Second, insufficient attention has been paid to the question of how the idea of the continuum relates to the problem—most salient for the 4QRP MSS—of determining whether a work was intended as ‘biblical’; that is, as a copy or new edition of a biblical book, or as ‘rewritten Scripture’: a new work that draws on one or more biblical books.³⁰ In her new monograph, Crawford repeatedly notes that there is a point

²⁹ Key publications on SP, the pre-SP texts, and the Temple Scroll are cited in chs. 4 and 5 below; see especially ch. 4, nn. 1, 5, 6; and ch. 5, nn. 2–4, 8. Important studies of the Genesis Apocryphon and Jubilees that focus on issues of textual reworking include Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd ed.; Rome: Pontifical Biblical Institute, 2004), 40–43; Moshe J. Bernstein, “Re-Arrangement, Anticipation and Harmonization as Exegetical Features in the Genesis Apocryphon,” *DSD* 3 (1996): 37–57; J.T.A.G.M. van Ruiten, “The Rewriting of Exodus 24:12–18 in Jubilees 1:1–4,” *BN* 79 (1995): 25–29; idem, “The Relationship Between Exod 31,12–17 and Jubilees 2,1.17–33,” in *Studies in the Book of Exodus: Redaction—Reception—Interpretation* (ed. Marc Vervenne; BETL 126; Leuven: Peeters, 1996), 567–75; idem, *Primaeval History Interpreted: The Rewriting of Genesis 1–11 in the Book of Jubilees* (JSJSup 66; Leiden: Brill, 2000). The studies of biblical interpretation in Jubilees by Endres and VanderKam focus primarily on interpretive method, but do make mention of some rewriting techniques as well (for the distinction, see section 1.3.1 below): John C. Endres, *Biblical Interpretation in the Book of Jubilees* (CBQMS 18; Washington, D.C.: Catholic Biblical Association, 1987), 196–225; James C. VanderKam, “Biblical Interpretation in 1 Enoch and Jubilees,” in *The Pseudepigrapha and Early Biblical Interpretation* (ed. James H. Charlesworth and Craig A. Evans; JSPSup 14; Sheffield: Sheffield Academic Press, 1993), 96–125.

³⁰ Generally I agree that the terms ‘Scripture’ and ‘scriptural’ are more appropriate than ‘Bible’ and ‘biblical’ in reference to texts of the Second Temple period, since there was no fixed canon of Scripture at this point and the forms of the particular books that were later included in the Hebrew Bible were still somewhat fluid (see n. 15 above). However, the term ‘scriptural’ becomes problematic in discussions about whether a particular manuscript represents a copy or edition of a book that later became part of the Hebrew Bible, because even a rewritten text that is intended as a new literary work (like Jubilees or the Temple Scroll) may have been ‘scriptural’ in the sense that it may have been regarded as sacred and authoritative. The term ‘scriptural’ does not get at the *literary* issue of whether a rewritten work should be considered a copy of the book or books it rewrites or a new work altogether. Therefore, I occasionally use the term ‘biblical’ to refer to a *copy or edition of a book that later became part of the Hebrew Bible*. The term should not be taken to imply anything about the status of the canon in the last two centuries B.C.E. For a fuller explanation of the issues, see Zahn, “4QReworked Pentateuch Manuscripts,” 317–19.

on the spectrum “in which the scribal manipulation of the base text is so extensive that a recognizably new work is created.”³¹ In this conception, which others also appear to share, there is a quantity of change or difference from the known scriptural text beyond which a work can no longer be considered ‘Bible’ and must be termed ‘rewritten Bible’ (or ‘rewritten Scripture’).³² Again, this position makes intuitive sense, but lacks precision: how much difference is ‘too much’? Does the *type* of difference matter? Michael Segal has argued persuasively that it is not the sheer amount of difference from the base text that qualifies a work as ‘rewritten Scripture,’ but rather specific types of changes: a new narrative setting, a new speaker, a new scope. In his view, ancient editors used specific literary techniques in order to indicate to the reader that, despite sometimes pervasive reuse of a biblical source, their work was not intended as a copy or new edition of the book(s) they rewrote, but as a new literary entity.³³

This distinction between *quantity* of difference and *quality* of difference is critical to a proper understanding of the 4QRP MSS, as well as other similar works. If we classify the 4QRP MSS as copies of the Pentateuch, it should not be primarily because of their closeness to the pentateuchal text relative to other works, but because there is no *literary* or formal indication that they are anything other than pentateuchal. Conversely, if we classify the Temple Scroll or Jubilees as non-biblical (though quite probably scriptural!) compositions, it should not be primarily because of the amount of difference between them and the text of the Pentateuch, but because each has been given a new literary setting and a new literary voice.³⁴

Thus while the idea of a continuum or spectrum of scriptural reworking is a helpful one, it has yet to be fully fleshed out. Besides a

³¹ Crawford, *Rewriting Scripture*, 14. See also p. 62 and especially p. 86: “[T]hey [sc. TS and Jubilees] have both departed from their pentateuchal base texts *far enough* to be termed separate works.” (My emphasis.)

³² Both Moshe Bernstein and, following him, James VanderKam speak of a “border” (albeit poorly marked) “between biblical texts and biblical interpretation”; Bernstein, “Pentateuchal Interpretation at Qumran,” 134. See also VanderKam, “Wording of Biblical Citations,” 46.

³³ Michael Segal, “Between Bible and Rewritten Bible,” in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2005), 10–29.

³⁴ Both works are depicted as divine revelation to Moses on Mt. Sinai; in the Temple Scroll, God speaks to Moses directly; in Jubilees, the divine word is mediated through the Angel of the Presence. See Segal, “Between Bible and Rewritten Bible,” 21–23.

fuller investigation of the texts involved so as to plot more accurately the points on this continuum, more consideration is needed of the relationship between methods of reworking and the intended status of the resulting composition. The previous paragraph indicates that we cannot simply draw a line on a quantitative scale beyond which it is no longer possible for a rewritten text to be considered a copy of a biblical book. However, this does not mean that there is no connection between the methods by which a text reworks Scripture and the status intended for that text. Perhaps particular types of changes occur with particular frequency in particular types of works; perhaps there is no correlation. Part of my task in what follows will be to gather the data to attempt an answer to these questions.

1.3 THE APPROACH OF THIS STUDY

In what follows I will begin to address some of the difficulties noted above. This study consists of a detailed analysis of the ways Scripture is reworked in 4Q158 (chapter 2) and the remaining 4QRP MSS (chapter 3), accompanied by a comparison of the techniques found there with those evidenced by the Samaritan Pentateuch and the pre-Samaritan texts from Qumran on the one hand (chapter 4), and by the Temple Scroll (TS) on the other (chapter 5). I devote a separate chapter to 4Q158 because its relatively small size but relatively extensive reworking of its pentateuchal *Vorlage* allows for a richer analysis than is possible for the very large 4Q364 and 4Q365 or the poorly-preserved 4Q366 and 4Q367.³⁵ The comparative chapters 4 and 5 are meant to provide context for the scriptural reworking attested in the 4QRP MSS, so as to begin working toward a more comprehensive understanding of the role such reworking plays in Second Temple texts. These particular texts suggest themselves as points of comparison both because they lie on either side of the 4QRP MSS in the ‘spectrum’ of rewritten texts described above and because each has frequently been compared to or discussed alongside the 4QRP MSS. In my analysis, I will focus primarily on the details and method of the reworking itself—what I call ‘compositional technique’—but will also consider the motivation

³⁵ See further the introduction to ch. 2.

behind particular changes—the interpretive decision(s) that led the author to make a given change.³⁶

Because the focus of my project is on the methods and goals of textual reworking in the 4QRP MSS, I will pay relatively little attention to the question of whether the 4QRP MSS are copies of the Pentateuch or represent new compositions, though I will return to this issue in the Conclusion. In the current state of research, I do not believe a definitive decision can be made regarding the status of these texts.³⁷ However, I find the literary features mentioned above—the fact that the 4QRP MSS preserve no voice or setting different from that of the Pentateuch—quite compelling evidence that these MSS were originally copies of the Pentateuch. This issue still requires further study, but in light of the work that has been done to date I am inclined to regard the 4QRP MSS as most likely pentateuchal.³⁸

1.3.1 *Compositional Technique and Exegesis*

I use the term ‘compositional technique’ to refer to the procedure by which a given verse or pericope is reworked in the texts I examine. A compositional technique is a specific way of manipulating or altering the base text, such as addition of new text, rearrangement, or paraphrase. Below, I will lay out a basic typology of compositional techniques, which I will employ in my analysis of the 4QRP MSS, the pre-SP texts and SP, and the Temple Scroll. First, however, it is necessary to distinguish ‘compositional technique’ from the terms ‘exegesis’ and ‘exegetical technique,’ which have often been used in its stead.

Scholars of rewritten Scripture frequently refer to alterations of the scriptural source as ‘exegesis’ and the various methods by which this is accomplished as ‘exegetical techniques.’³⁹ This terminology, how-

³⁶ For clarification of the term ‘compositional technique’ and the reasons for separating textual reworking per se from the interpretive processes underlying it, see section 1.3.1.

³⁷ See Zahn, “4QRevised Pentateuch Manuscripts.”

³⁸ For some suggestions regarding the direction future research might take in order to answer this question more definitively, see section 6.2.3 in the Conclusion.

³⁹ E.g. Brooke, “4Q158,” 224; Bernstein, “Re-Arrangement,” 39; Crawford, *Rewriting Scripture*, 52 and elsewhere; Segal, “Biblical Exegesis,” 45; Emanuel Tov, “Rewritten Bible Compositions and Biblical Manuscripts, with Special Attention to the Samaritan Pentateuch,” *DSD* 5 (1998): 334–54, at p. 334. This understanding also lies behind the generally broad use of the term ‘inner-biblical exegesis’ to refer to a variety of types of deliberate reuse of one biblical text by another; see the discussion (and the

ever, conflates two different aspects of textual rewriting: the decision that a text should say something other than what it currently says—an act of interpretation—and the reformulation of the text to reflect that interpretation. The interpretive decision as to what a text means is fundamentally different from the decision to present that interpretation in a particular way.⁴⁰ This can be seen most clearly from cases where the same interpretive decision is presented in multiple ways. For example, both the Damascus Document (CD) and the Temple Scroll condemn the marriage of a niece and her uncle. Doubtless this opinion was reached through reflection on the biblical laws on forbidden marriages, perhaps in light of the situation of the reader's own community—that is, the decision was reached through exegesis.⁴¹ Yet the same interpretation is presented differently in each text. CD uses the form of lemma + comment: after noting that the text's opponents "defile the sanctuary" through, among other things, "each taking the daughter of his brother or the daughter of his sister," the author cites in support of this position Lev 18:13, which forbids intercourse between a man and his aunt (CD 5:6–8). The author then comments upon the verse to show precisely how it supports his claim: "Now the law of forbidden unions is written for [i.e. from the perspective of] males, but like them are the women" (CD 5:9–10). The Temple Scroll, on the other hand, does not present its interpretation in the form of commentary, but simply constructs an analogous law: "A man shall not take the daughter of his brother or the daughter of his sister, for it is

argument for a narrower definition) in Benjamin D. Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40–66* (Stanford: Stanford University Press, 1998), 23–25.

⁴⁰ A rare instance in which this distinction is recognized explicitly is Moshe J. Bernstein and Shlomo A. Koyfman, "The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods," in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids: Eerdmans, 2005), 61–87, at pp. 65–66. Bernstein and Koyfman distinguish between the "form" of interpretation—"the way the interpretation is articulated"—and the "method" of interpretation—"the way the interpretation is arrived at." Fishbane seems also to recognize this issue, while nonetheless using 'exegesis' in a broad sense: noting that "inner-biblical exegesis" encompasses a whole variety of ways in which and purposes for which a later text reworks an earlier one, he goes on to ask "How, in the diversity of cases, is exegetical technique related to literary form?"; Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985), 13–14.

⁴¹ See Lawrence H. Schiffman, "Laws Pertaining to Women in the *Temple Scroll*," in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; STDJ 10; Leiden: Brill, 1992), 210–28, at p. 227; Bernard M. Levinson, "Textual Criticism, Assyriology, and the History of Interpretation: Deuteronomy 13:7a as a Test Case in Method," *JBL* 120 (2001): 211–43, at p. 232.

an abomination” (TS 66:16–17). The opinion and by all likelihood the interpretive reasoning are the same, but the presentation is totally different. Therefore, instead of referring to both interpretation and presentation as ‘exegesis,’ I would restrict this term to the former process only: the interpretation of a text; the process of coming to a decision about the meaning or appropriate application of the text. ‘Exegetical technique’ would then refer to the means by which such decisions are reached. (Rabbinic hermeneutical principles such as *gezera shava* and *qal wa-homer* in my mind constitute exegetical techniques.)⁴² The method by which one chooses to *present* one’s interpretation is what I have chosen to refer to as ‘compositional technique.’

This distinction between compositional technique and exegesis is not simply a terminological quibble. It is necessary for a proper understanding of the texts, because interpretation (exegesis) and rewriting are not the same procedure, and we use different tools to recognize them. Compositional techniques can be identified by comparison of the rewritten text with its scriptural source; that is, by a fairly empirical process.⁴³ On the other hand, determining the exegetical or theological purpose behind a particular change is a much more subjective procedure, involving judgments about the concerns or goals of the author.⁴⁴ Mixing the two categories blends two steps into one: the

⁴² Similarly, e.g., Fishbane, *Biblical Interpretation*, 14. Along the same lines, Bernstein and Koyfman classify such techniques as “methods of interpretation”; “Interpretation of Biblical Law,” 75–86.

⁴³ This is not to imply that identification of the scriptural source being reused at any given point, or the description of the nature of that reuse, is free of controversy; see for example the problems discussed by Sommer, *Prophet*, 32–33, and especially Jeffery M. Leonard, “Identifying Inner-Biblical Allusions: Psalm 78 as a Test Case,” *JBL* 127 (2008): 241–65.

⁴⁴ By shifting the terms slightly to speak of “exegetical or theological purpose,” I am consciously implying an overlap or ambiguity between the exegetical and the theological. On the one hand, I wish to avoid the impression that all changes in a rewritten text stem from what has sometimes been referred to as ‘pure exegesis’—ostensibly a straightforward attempt to respond to a perceived difficulty in the text. Many changes in rewritten texts reflect ideological positions that may or may not have any connection to the particular passage in which the change occurs. On the other hand, even changes that do not seem to spring directly from reflection upon the text at hand often do respond to some feature of the base text—something in the text provides the “exegetical stimulus,” as Kugel puts it, for a change that may do much more than simply interpret or clarify the text at hand. Therefore, ‘ideological’ or ‘theological’ changes in rewritten texts (sometimes referred to as ‘applied exegesis’) cannot really be distinguished from ‘exegetical’ ones. See James L. Kugel, *Traditions of the Bible* (Cambridge, Mass.: Harvard University Press, 1998), 21–22. For a similar point pertaining to the pentateuchal Targumim, see Alexander Samely, *The Interpretation of Speech in the*

identification of the author's concern or problem, and the identification of the means used by the author to address the concern. It risks creating the impression that a particular hermeneutical issue is only addressed compositionally in one particular way. More often, the categorization of a particular change in terms of the exegesis behind it means that the compositional technique by which a change is made is left unaddressed.

A brief example will clarify what I mean. Michael Wise presents a full "compositional analysis" of the Temple Scroll in his 1990 monograph, in which he catalogs the text's relationship to the biblical source according to categories such as "verbatim quotation," "paraphrase," and "free composition."⁴⁵ These categories do represent what I would call compositional techniques. However, Wise also includes the categories "midrashic usage" and "halakhic exegesis."⁴⁶ Thus he labels TS 43:12b a "halakhic exegesis" of Deut 14:24b. According to this pentateuchal verse, those who live at a great distance from the Temple are permitted to convert their tithes into money and buy equivalent meat and produce upon arrival at the Temple, instead of bringing their own. Wise's assessment is undoubtedly correct from an exegetical perspective: TS interprets Deuteronomy's inexact phrase *כי ירחק ממך המקום*, "if the place is too far from you," by defining the distance beyond which one could convert tithes as a three-days' journey from the Temple. This certainly qualifies as halakhic exegesis. But this label indicates nothing about the actual form in which TS presents its interpretation. The author could have reproduced Deut 14:24b verbatim, for instance, and then simply added a modifier, such as *כי ירחק ממך המקום... דרך*... *שלושת ימים*, "if the place... is at a distance from you of a three-days' journey..." Instead, the author presents the law by means of the compositional technique of paraphrase, recasting it from the second person to the third person and removing Deuteronomy's oblique reference to the Temple as *המקום*, "the place": *והיושבים במרחק מן המקדש דרך... שלושת ימים*, "But those who live at a distance from the Temple of a three-days' journey..." Wise's language accurately identifies the exegetical

Pentateuch Targums: A Study of Method and Presentation in Targumic Exegesis (TSAJ 27; Tübingen: Mohr, 1992), 82–85. For the terms 'pure' and 'applied' exegesis, see Geza Vermes, "Bible and Midrash: Early Old Testament Exegesis," in *Post-Biblical Jewish Studies* (Leiden: Brill, 1975), 59–91.

⁴⁵ Michael Owen Wise, *A Critical Study of the Temple Scroll from Qumran Cave 11* (SAOC 49; Chicago: Oriental Institute of the University of Chicago, 1990), 205–42.

⁴⁶ For the full list of categories, see Wise, *Critical Study*, 208.

procedure behind the change, but does not account for the particular textual form in which TS presents its exegesis.⁴⁷ For a full understanding of works that rewrite Scripture, both aspects—the compositional and the exegetical—must be taken into account.

One final comment is necessary. Although I have stressed the need to keep identification of compositional technique separate from identification of exegetical purpose, and noted that compositional technique can be deduced from the text while determining exegetical purpose usually requires a broader understanding of the aims of the author/editor, the two procedures are not entirely independent. Of course determining the motivation for a given deviation from the source text requires analysis of the rewritten text in its specific form. Conversely, and perhaps less obviously, the basic judgment that a given variation between a rewritten text and its scriptural source constitutes a modification by the rewriter, as opposed to a variant reading already present in the *Vorlage*, often depends upon the detection of an exegetical or theological purpose that would explain why someone would want to change the text in the first place. Since we know that the pentateuchal text was still in flux in the late Second Temple period, it is fallacious to assume that every difference between a rewritten text and the Masoretic Text (or any other extant version) is the result of a deliberate change by the author of the rewritten text. More will be said about this below. In this context it is important to note that, especially in the context of smaller additions or alterations, identifying a plausible exegetical motive is often a prerequisite to being able to classify a variant compositionally as an addition, alteration, etc.⁴⁸ Thus, even

⁴⁷ The same difficulty appears in Crawford's analysis of the 4QRP MSS (Crawford, *Rewriting Scripture*, 40–46). She labels a number of changes in 4Q364, 4Q365, and 4Q158 “harmonistic changes”—that is, changes that do not involve brand-new, non-pentateuchal material. One could debate Crawford's definition of “harmonistic,” which seems overly broad (on this issue, see further below, section 4.2). Also problematic, however, is the lack of indication that these “harmonistic changes” in fact represent two or three different compositional techniques.

⁴⁸ This is not as circular as it may sound. Detection of an exegetical motive behind a particular variant allows for a stronger case to be made that the difference between a rewritten text and its source should be attributed to the author of the later, rewritten text. It does not, however, tell us anything about the compositional technique involved: the decision whether the change constitutes addition or paraphrase or whatever is still based on comparison of the formal elements of the two texts. In other words, one must first determine that a given variant is likely to be a deliberate change on the part of the rewritten text, and then determine which compositional technique was used to make that change.

though compositional technique and exegetical purpose should be investigated separately, they cannot be studied in isolation from one another.

1.3.2 *The Categories of Compositional Technique Used in This Study*

One of the difficulties with previous detailed studies of methods of reworking in Second Temple texts is that each has focused on a single text, or a section thereof, and has used its own system of categories and terminology. The profusion of terminological systems naturally complicates any attempt to compare the techniques used in different texts. Out of the examples available, I have therefore tried to develop as flexible a system of categories as possible, one that will allow for precise description of all the texts I will discuss and facilitate easy comparison. I also hope to extend it in the future to texts that I cannot address as a part of this project.

I have chosen to begin from the three most basic categories of changes that can be made to a source text: additions, omissions, and alterations. Models for this type of categorization can be found in Judith Sanderson's analysis of 4QpaleoExod^m and in the work of Jacques van Ruiten on Jubilees.⁴⁹ Much descriptive work can be accomplished simply by categorizing changes according to one of the three above categories and according to their size (e.g. large additions, minor additions, minor alterations, etc.). However, some further precision is necessary, so I have developed the following subcategories:

A. Additions

A.1. Addition of New Material: This category will cover what we most readily think of as 'addition': the insertion of new material not attested elsewhere.

A.2. Addition of Material from Elsewhere: To this category belong additions that derive their content and formulation from another scriptural text (almost exclusively from the Pentateuch in the texts I will examine).⁵⁰ The source of the addition is not transposed, deleted,

⁴⁹ Judith E. Sanderson, *An Exodus Scroll from Qumran: 4QpaleoExodM and the Samaritan Tradition* (HSS 30; Atlanta: Scholars, 1986). For van Ruiten's works, see n. 29 above.

⁵⁰ Theoretically this category could also include additions drawing upon sources that did not end up in the Hebrew Bible. We might even speculate that the discovery of a new text that appears to have been a source for one of the texts I examine here

or otherwise disturbed but remains ‘intact’ in its original location (in contrast to rearrangement; see below). In other words, the material is repeated in a new context, creating a duplication of sorts. The Samaritan Pentateuch contains many examples of this technique, for example, the addition of parallel material from Deuteronomy 5 and 18 into the Priestly version of the Decalogue in Exodus 20 (a change also attested in 4Q158).

B. Omissions.

C. Alterations

C.1. Minor Alterations: In this category I include small-scale changes, usually the use of a different form of a word or the replacement of one or two words with other words. An example is the change evident at Gen 2:2 in SP (and G), which reads ויכל אלהים ביום הששי, “God finished on the *sixth* day,” for MT ויכל אלהים ביום השביעי, “God finished on the *seventh* day.”⁵¹

C.2. Rearrangements: This category refers to instances where a pentateuchal text is actually removed from its context in known versions and put in a new position in the rewritten text; that is, the sequence of the pentateuchal text is changed.

C.3. Paraphrase: In a way, this is rewriting in the most literal sense of the word. Paraphrase reflects the same basic content as the source passage, and may incorporate some of its significant terms, but otherwise is formulated differently. It involves saying the same thing in different words. Technically, paraphrase usually consists of a series of small additions (of new material or material from elsewhere), omissions, alterations, and rearrangements.

C.4. Replacement with Material from Elsewhere: This category involves the insertion of material from elsewhere into a new context, as in the category Addition of Material from Elsewhere. It differs, however, in that some text in the new location is omitted in the course of the insertion. That is, it resembles a minor alteration, where one

might result in the ‘reclassification’ of some examples from ‘additions of new material’ to ‘additions of material from elsewhere.’ As will become clear, however, use of this technique in the texts dealt with here often seems to point to a developing ‘canon-consciousness,’ such that various parts of the Torah were being read in light of one another (see especially sections 2.2 and 4.2). Therefore, while theoretically not restricted to the Pentateuch or the Hebrew Bible, in practice this category does not extend beyond those groups of texts.

⁵¹ This example comes from Emanuel Tov, *Textual Criticism of the Hebrew Bible* (2nd ed.; Minneapolis: Fortress, 2001), 92.

word is replaced with another, except on a larger scale, and with the requirement that the replacement derive from another scriptural text.

These categories will be combined with observation of the size and frequency of particular types of changes; thus for example, addition of new material could occur in a given text frequently, rarely, or not at all, and such additions could be large (a line or more), moderate (three words to one line), or minor (one or two words). Charting along these various 'axes' (compositional technique, size, frequency) allows for a fairly nuanced description of the reworking in each particular text, while also allowing for easy comparison.

1.3.3 *The Problem of Fragmentary Texts: Addition from Elsewhere vs. Rearrangement*

If the 4QRP mss were perfectly preserved, it would be easy to accurately identify the compositional techniques used in a given passage. Unfortunately, though, all five of the mss are very fragmentary. I have done my best to provide an accurate analysis of the text where it is extant, but at times conclusions about the use of a particular compositional technique must remain tentative.

The fragmentary nature of the mss becomes especially significant in possible cases of addition of material from elsewhere and rearrangement. As noted, addition of material from elsewhere is distinguished from rearrangement insofar as the inserted material is not *removed* from its original context elsewhere in the Pentateuch, but rather *repeated* in a new context while its presence in its original context is retained. In a completely preserved text, like SP, one can simply look to see whether the material is repeated (addition from elsewhere) or has been removed from its original context (rearrangement). In 4Q158 and the other 4QRP mss, however, the original context that would confirm the use of one technique or the other is usually missing. Thus on a purely textual basis there is often no way of knowing whether we are dealing with a repetition of a section of text in a new context or with a rearrangement.

Fortunately, some control is provided by the fact that the two compositional techniques tend to occur in different situations and address different concerns. Because of the repetition it creates, addition of material from elsewhere tends to occur in a range of situations in which such repetition is arguably logical, necessary, or useful, addressing problems of interrelationship, correspondence, and precedent. It

generally functions in situations such as command/promise and fulfillment, or recollection of an earlier event or speech: situations where the text implies the existence of a past or future corresponding event. (Promises suggest eventual fulfillment; recollections suggest an earlier happening that serves as the object of remembrance.) This metanarrative duality is absent in cases of rearrangement. Instead, since rearrangements by definition involve a change in the sequence or organization of a text, they tend to appear in places where such a change in sequence could be seen as desirable or at least makes sense.

In most contexts where either rearrangement or addition from elsewhere is at issue, even fragmentary ones, one of these two options will seem better to fit the situation. If two laws from different parts of the Pentateuch are juxtaposed, for instance, it is hard to imagine that an editor will have *increased* the redundancy of the biblical legal corpora by actually repeating one of the laws in a new context. In this case rearrangement is the more likely alternative, first because it avoids additional redundancy and second because the Torah, by virtue of its composite status, scatters laws on similar topics throughout the legal corpora—a situation that is partially addressed in ‘rewritten’ compositions like the Temple Scroll and Josephus’s *Antiquities*, both of which *rearrange* pentateuchal law to create a more topically organized law code.⁵² On the other hand, an insertion that matches the wording of a divine command but is cast in the 3rd-person perfect instead of as an imperative (thus making it a fulfillment of that command) is almost certain to be an addition of material from elsewhere, since the insertion would make little sense if the original command was actually removed from its context. Thus, even though we rarely have enough textual data preserved in the 4QRP mss to prove decisively that a given change represents rearrangement rather than addition of material from elsewhere (or the reverse), the evidence usually points strongly in one direction or the other.⁵³

⁵² The Temple Scroll’s reorganization of biblical law is well-known; see Yigael Yadin, *The Temple Scroll* (3 vols.; Jerusalem: Israel Exploration Society, 1977–83), 1:73. The best treatment to date of Josephus’s legal rewriting remains Robert P. Gallant, “Josephus’ Expositions of Biblical Law: An Internal Analysis” (Ph.D. diss., Yale University, 1988).

⁵³ For this issue in 4Q365, with the added complication of possible omission, see section 3.2.6.

1.3.4 *Identifying Changes against the Background of a Fluid Text*

I referred earlier to the difficulty of identifying deliberate changes to a pentateuchal text that was still in a state of constant flux. One cannot simply compare a given rewritten text to the MT's *textus receptus* (or, for that matter, to other early versions such as G) and take for granted that the MT (or G) reading constitutes the earliest form in every case. We must constantly keep in mind the possibility that the rewritten texts might preserve readings that are in fact earlier than those preserved in more well-known versions.⁵⁴

Given that caveat, however, it is fair to say that in most cases a decision about the relative lateness of a given change is relatively straightforward. Major variants that are not attested in any other textual witness are unlikely to be particularly early: if they were, it would be surprising that they were not preserved in any other version.⁵⁵ If there is evidence that the variants improve the text by filling in gaps or resolving exegetical issues, then their relative lateness is even more probable. Since nearly all of the major variants I will be discussing fulfill one if not both of these criteria, I will generally presume that they represent secondary changes to the shorter base text represented by MT and (usually) G. This procedure is not entirely defensible from a methodological perspective—ideally each variant would be assessed

⁵⁴ Related to this point, a terminological clarification is necessary regarding my use of the label 'Masoretic Text.' Technically, this term refers to the medieval form of the Hebrew text that includes the work of the Masoretes. However, the fact that many of the copies of biblical books found in the Judean desert match the consonantal text of the MT very, very closely indicates that the medieval MT reflects a text type current in the Second Temple period. For this reason, I will generally use the term MT loosely, to refer to this earlier text type, with the understanding that a slight anachronism is involved. On the early date of the consonantal text of MT, see Tov, *Textual Criticism*, 22–39, especially 27–30.

⁵⁵ There is one case that suggests this rule may not be ironclad. One of the manuscripts of Samuel discovered at Qumran, 4QSam^a, preserves a paragraph that is absent in all other versions. While Rofé has argued that the plus is a later addition, Cross and others present evidence (which I am inclined to accept) that the plus was original and dropped out of most manuscript traditions due to haplography. See Frank Moore Cross, "The Ammonite Oppression of the Tribes of Gad and Reuben: Missing Verses from 1 Samuel 11 found in 4QSamuel^a," in *History, Historiography and Interpretation* (ed. H. Tadmor and M. Weinfeld; Jerusalem: Magnes, 1983), 148–58; Alexander Rofé, "4QMidrash Samuel?—Observations Concerning the Character of 4QSam^a," *Textus* 19 (1998): 63–74. In this case, then, a unique reading may in fact be original, against what seems to be the general trend. On the other hand, the paragraph is not totally unique: it is referred to by Josephus, who must have had a form of it in the text of Samuel that he used; Cross, "Ammonite Oppression," 151–52.

on its own terms—but is necessary for practical purposes: it would take many more pages than is conscionable to defend the lateness of every variant individually, especially since the arguments are much the same in each case.

Minor variants are a different story. Additions and changes pertaining to single words are so ubiquitous in the transmission of the pentateuchal text that it is much harder to be certain about the secondary nature of any one particular variant in a rewritten text. In many cases, the change might just as easily have occurred at a later stage in the transmission of the pentateuchal text. Even for minor variants, it is often easy to detect a clarificatory or exegetical purpose that suggests relative lateness. Therefore I do discuss a number of minor variants as illustrative of the compositional techniques present in a given work. However, my assessments concerning these minor changes should be taken as less certain than those pertaining to major variants, since it is much more difficult to be confident that a given variation represents deliberate change.

Another issue pertaining to the fluid nature of the Pentateuch in this period emerges even in cases where the relative lateness of a variant is somewhat clear. That reading still may have originated at an earlier stage in transmission than the rewritten work it now appears in; that is, it may have appeared in the author/editor's *Vorlage*.⁵⁶ This in turn raises another tricky question which will recur throughout the following chapters: who is 'the editor' and what constitutes 'the *Vorlage*'? What evidence is there for regarding the 4QRP MSS, the various texts related to SP, and TS as products of one primary editorial hand, as opposed to texts that evolved gradually over time through the editorial work of many scribes?

I deal with this question and the types of evidence that might help answer it in section 2.8 below. For now, two points are sufficient. First, I am only concerned in what follows with unique variants. I generally do not discuss readings found in the 4QRP MSS or TS that are shared with MT, G, or SP, nor readings in the pre-SP MSS or SP that are shared

⁵⁶ It should be noted that I use the terms 'editor,' 'redactor,' and 'author' more or less interchangeably. In a period in which new texts were often produced via revision of earlier ones and even producing a new manuscript copy of a given work could involve substantial individual creativity on the part of the copyist, it seems best not to make forced distinctions between 'editing' and 'authorship.'

with MT or G.⁵⁷ Because they occur in multiple independent witnesses, I presume that these readings most likely did not originate with the texts I am looking at, and therefore do not contribute to an understanding of how Scripture is reworked in those texts. Second, I do not assume that each text I will be looking at is the product of a single editorial hand. As will be discussed below, in all cases, with the partial exception of the Temple Scroll, there is little evidence for and a fair amount of evidence against such a presumption. Rather, I take each text as a (different) witness to the types of rewriting that took place in the Second Temple period. The question of whether this rewriting occurred gradually or all at once is considered separately.

⁵⁷ In using MT, G, and SP as the standards to which readings are compared, I do not mean to privilege these particular text-types or grant them some kind of normative status in the history of the pentateuchal text. Rather, these texts are the touchstones because they are the only full texts of the Pentateuch that we possess, apart from later translations. While it must be recognized that e.g. MT represents simply one form of the Pentateuch among other forms current in the Second Temple period, in practice we must make use of the texts that we have, and this means using complete versions of the Pentateuch as points of reference for analysis of fragmentary texts like those found at Qumran.

CHAPTER TWO

COMPOSITION AND EXEGESIS IN 4Q158

My examination of the methods and goals of textual reworking in the 4QRP MSS begins with 4Q158.¹ This manuscript constitutes an ideal starting point because it combines a relatively limited amount of text with a relatively wide array of compositional techniques. It consists of only fifteen fragments, ranging in size from ca. 60 cm² to less than 1 cm², yet it contains the same diversity of ways of reconfiguring the pentateuchal text as the larger manuscripts 4Q364 and 4Q365. Space considerations preclude in-depth discussion of every fragment and every unique reading in those manuscripts. 4Q366 and 4Q367, on the other hand, are so poorly preserved that they attest to only a few significant cases of reworking. In contrast, 4Q158 can be examined in detail, and thus can serve as a ‘case study’ to which the other 4QRP MSS can be compared.

Of 4Q158’s fifteen fragments, thirteen contain material from the book of Exodus. One of these, frag. 1, also contains material from Genesis. Of the two remaining fragments, one, tiny frag. 15, cannot be linked to any scriptural text. The other, frag. 3, depicts Jacob as the speaker and therefore also seems to reflect Genesis material, possibly Gen 47:29–30.² Since only these two books are attested, 4Q158 may constitute a rewritten version of Genesis and Exodus, as opposed to the entire Pentateuch.³ It is also possible that 4Q158 reflected Exodus alone: as I will discuss below, in one of the appearances of text from

¹ 4Q158 can be dated paleographically to sometime between around 50 B.C.E. and the turn of the era; the handwriting is very similar to that of 1QM, which Cross characterizes as an “early Herodian formal script.” See Frank Moore Cross, “The Development of the Jewish Scripts,” in *The Bible and the Ancient Near East* (ed. G. Ernest Wright; Garden City, N.Y.: Anchor, 1965), 170–264, at p. 176 (fig. 2 line 4). Strugnell describes the hand as “formell, h erodienne ou l eg erement pr e-h erodienne”; “Notes en Marge,” 168.

² See further below, section 2.4.2.

³ This conclusion is of course predicated on acceptance of the thesis that the five 4QRP MSS cannot represent a single composition, *contra* the original position of the official editors. Brooke especially has demonstrated the independence of the manuscripts convincingly (see above, ch. 1, n. 14), and my analysis here and in the following chapter provides confirmation of this independence from a different angle.

Genesis this material seems to have been integrated into the context of the book of Exodus. In other words, the presence of some material from Genesis need not necessarily imply that substantial portions of Genesis were included in the composition contained in 4Q158.

It should also be mentioned here that 4Q158, as a whole, represents a further rewriting of an already rewritten text of Exodus: it uses as its *Vorlage* a form of the text apparently very similar to that found in the Samaritan Pentateuch and in the pre-Samaritan text 4QpaleoExod^m.⁴ While 4Q158 does not agree with SP in every reading, it does clearly contain the major insertions from Deuteronomy 5 and 18 into Exodus 20 that characterize the Sinai pericope in the SP text tradition. 4Q158 thus provides additional evidence that what we now think of as the ‘Samaritan Pentateuch’ originated as an expanded text of the Pentateuch that circulated widely in various Second Temple circles and had no particular connection to the Samaritan community. It became ‘Samaritan’ only at a later date, through a series of relatively minor further changes that reflect a distinctive Samaritan ideology.⁵

Because readings that agree with one or more of the major ancient versions (G, SP, MT) are much more likely to have existed in the *Vorlage* of the composition reflected in 4Q158 than to have originated with it, my analysis in this chapter will treat only readings that are unique to 4Q158.⁶ This is not to say that I assume that all variants unique to 4Q158 originated at the same time. As discussed above, minor variations in particular may have arisen at virtually any stage in the text’s transmission, and even major variants may not all have been introduced by a single scribe/redactor.⁷ I will return to the issue of the development of 4Q158 at the end of this chapter.

⁴ See Emanuel Tov, “The Textual Status of 4Q364–367 (4QPP),” in *The Madrid Qumran Congress* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; 2 vols; STDJ 11; Leiden: Brill, 1992), 1:43–82, at p. 47; Segal, “Biblical Exegesis,” 55; Falk, *Parabiblical Texts*, 111–14.

⁵ On the textual character of SP and its relationship to the ‘pre-Samaritan’ texts from Qumran, see Tov, *Textual Criticism*, 80–100.

⁶ See section 1.3.4. The same procedure will also be adopted for 4Q364–367 in ch. 3.

⁷ See section 1.3.4.

2.1 ADDITION OF NEW MATERIAL

The extant remains of 4Q158 contain eleven clear cases of addition of new material (that is, material not attested elsewhere in the Pentateuch or other known sources). Of these, eight consist of only a single word. Three are more substantial.

2.1.1 *Large and Moderate Additions*

The largest addition of new material preserved in 4Q158 occurs in frag. 1–2 7–10:⁸

Gen 32:30b–31a⁹ ... ויברך אתו שם ויקרא יעקב שם המקום פניאל. “And he blessed him there. And Jacob called the name of the place Peni’el...”

4Q158 1–2 7–10

- | | |
|----|--|
| 7 |]ויברך אתו שם ויאמר לו יפרכה יה[וה וירב]כה |
| 8 |]ד[עת זבינה וישלכה מכול חמס ו] |
| 9 | עד היום הזה ועד דורות עולם] |
| 10 | וילך לדרכו בברכו אתו שם וי[קרא יעקוב שם המקום פניאל... |
7. [And he bless]ed him there, and he said to him, “May YH[WH] make you fruitful [and multiply]you[...]
 8. [kno]wledge and understanding, and may he deliver you from all violence and ?[...]
 9. until this day and until eternal generations[...]
 10. And he went on his way after having blessed him there. And [Jacob] ca[ll]ed the name of the place Peni’el...

The context for this addition is Jacob’s encounter and wrestling match with the mysterious “man” at the Wadi Jabbok in Gen 32:25–33. The statement ויברך אתו שם, “and he blessed him there,” in Genesis most likely refers simply to the man’s taking leave of Jacob.¹⁰ The scribe

⁸ All transcriptions and translations of 4Q158 are my own, and reflect the version to be included in the forthcoming revised edition of the contents of DJD 5 (see ch. 1, n. 9). For reference, a complete transcription and translation of 4Q158, along with a brief description of editorial principles, can be found in Appendix 1.

⁹ Unless otherwise noted, all citations from the Hebrew Bible follow MT for convenience. Because my goal is to focus on unique readings in the texts examined here, SP and G have been checked in each case; if they are not mentioned it can be assumed that they do not differ from MT in ways significant to the reading at hand.

¹⁰ This interpretation is reflected in several modern translations (e.g. NAB, “With that, he bade him farewell”; NJPS, “And he took leave of him there”). See also Segal, “Biblical Exegesis,” 59. The connection, of course, is that a greeting or parting word

responsible for this change in 4Q158, however, either did not perceive or was not satisfied with this level of meaning—in his view, apparently, one should expect Scripture to contain the transcript of an apparently divine entity’s blessing of a patriarch, if such a blessing is mentioned. At the very least, it is clear that the scribe did not regard the blessing as simply *pro forma*, and regarded a transcript of the blessing as desirable. He therefore inserted the actual words of a blessing, which now occupies lines 7–9; line 10 begins with a *Wiederaufnahme* that brackets the insertion.¹¹ The insertion appears to consist of new material; that is, it does not appear that the editor ‘cut and pasted’ a blessing from elsewhere in the Torah. The opening verbs of the blessing, *יִרְבֵּךְ* and *יִפְרֶךְ* (reconstructed), do occur in Isaac’s blessing of Jacob in Gen 28:3, although the formulation is slightly different. The continuation of the blessing in lines 8 and 9, however, shows no trace of any further connection to Genesis 28, suggesting that Gen 28:3–4 did not serve as a model in any meaningful way.¹² No other clear scriptural sources can be identified.¹³

It is possible that this addition was also present in 4Q364. Frag. 5b col. ii reads¹⁴

[יעקוב ויואמר הגידה נא לי מה שמכֹּה] ויואמר 12
 [למה זה תשאל לשמי ויברך אותו ש] ם ויואמֶר לו 13

MT and other witnesses follow the end of Gen 32:30, *ויברך אתו שם*, with... *ויקרא יעקב*, “And Jacob called...,” and not *ויואמר*; thus 4Q364 and 4Q158 share a unique reading. But 4Q364 5b ii 13 is the last pre-

would often be accompanied by a blessing; see E. A. Speiser, *Genesis* (AB 1; Garden City, N.Y.: Doubleday, 1964), 202. Compare also the etymology for English ‘goodbye’ as a contraction of ‘God be with you’ (*OED*, s.v.).

¹¹ On the technique of *Wiederaufnahme* or repetitive resumption to mark an insertion, see Fishbane, *Biblical Interpretation*, 85–86.

¹² Contra Falk, *Parabiblical Texts*, 116.

¹³ The phrase *דעת ובינה* does not occur in the Hebrew Bible, although *דעת ותבונה* does occur once, at Prov 2:6. At Qumran, *דעת ובינה* appears a handful of times; see 4QShirShabb^f 17 3; 4QIncantation (4Q444) 1–4 i + 5 3; 11QShirShabb 8:2; note also 4Q426 1 i 4, *ובינה דעה ובינה*, *נתן אל בלבבי דעה ובינה*, (l. 8), the most relevant scriptural verses are Ps 18:49 *מאיש תצילני חמס* // 2 Sam 22:49 *מאיש תצילני חמסים*. None of the approximately 30 appearances of *חמס* at Qumran are particularly close to the usage here. I interpret the biblical and Qumran evidence to mean that the composer of the inserted blessing used appropriate terminology attested in the late Second Temple period and possessing some biblical overtones, but did not have a specific source (biblical or otherwise) in mind.

¹⁴ This transcription follows Tov and White (Crawford), DJD 13:213.

served line in the column, so it is impossible to determine for certain whether the addition was present in 4Q364.¹⁵

Another substantial addition, though not so large, is partially preserved in 4Q158 frag. 6. Here, an editor has made further modifications to the expanded version of the Sinai pericope known from SP and 4QpaleoExod^m:

Exod 20:21b SP¹⁶ (= Deut 5:29 + 18:18)

מי יתן והיה לבבם זה להם ליראה אתי ולשמר את מצותי כל הימים למען
... ייטב להם ולבניהם לעולם נביא אקים להם מקרב אחיהם כמוך. "If only
they had such a mind as this, to fear me and to keep my commands
forever, so that it might go well for them and for their descendants fore-
ever! A prophet like yourself I shall raise up for them from among their
kin...

4Q158 6 5-6

5 והיה הלבב הזה להמה ליראה [אותי ולשמור את מצותי כול הימים
למען ייטב להמה ולבניהמה לעולם ??? ...]
6 את קול דברי אמו[ר] להמה נביא [אקים להמה מקרב אחיהמה
... כמוכה]

5. they had this mind, to fear [me and to keep my commands forever, so that it might go well for them and for their descendants forever. ??? ...]
6. *the sound of my words. Sa[y] to them:* A prophet [like yourself I shall raise up for them from among their kin...

The addition at the beginning of line 6 occurs at precisely the point where the expanded, pre-Samaritan version of Exodus 20 moves from Deut 5:29, God's wish that the people be inclined to heed his commands, to YHWH's promise to raise up a prophet and the subsequent prophet law in Deut 18:18-22. Extra space at the end of line 5 when reconstructed according to SP indicates that the addition must have begun there. Since the first three preserved words of the addition constitute a direct object phrase (את קול דברי), they must have been preceded at minimum by a subject and a verb.

A satisfactory guess at a reconstruction of the missing words requires a look at the context of the addition in the pre-Samaritan *Vorlage* of

¹⁵ See also the discussion in Segal, "Biblical Exegesis," 60. It is worth noting Brooke's observation that, despite substantial overlaps between 4Q158 frag. 1-2 and 4Q364 frag. 5b ii, the two fragments cannot have had exactly the same text for Gen 32:29-30 ("4Q158," 229).

¹⁶ Versification is that of *BHS*; the text of SP here and throughout follows Abraham Tal, *The Samaritan Pentateuch: Edited According to MS 6 (C) of the Shekhem Synagogue* (Tel Aviv: Tel-Aviv University Press, 1994).

4Q158. As mentioned above, the pre-Samaritan version of Exodus 20 (partially preserved in 4QpaleoExod^m) contains two paragraphs consisting of texts interpolated from the book of Deuteronomy. The new sequence is as follows (versification according to *BHS*):

Table 2.1: Exodus 20 in the Samaritan and Pre-Samaritan Version

Sequence of Verses in Pre-SP Exodus 20	Contents
Exod 20:18	People witness theophany and are afraid
Exod 20:19ac	וַיֹּאמְרוּ אֶל מֹשֶׁה, “and they said to Moses”
Deut 5:24–27 + Exod 20:19b	People describe their fear and request Moses’ mediation
Exod 20:20–21	Moses tells people not to fear and approaches God
Deut 5:28b–29	God approves of people’s request
Deut 18:18–22	Prophet law: God will raise up prophet like Moses
Deut 5:30–31	God instructs Moses to dismiss the people
Exod 20:22–21:1	God speaks to Moses: introduction to the Covenant Code

The presence of material from Deuteronomy 5 and 18 in the Sinai pericope in Exodus is due to the fact that, in Deuteronomy, it is said explicitly that these particular passages were spoken at Mt. Sinai. An astute reader, however, would search the account of the revelation at Sinai in vain for any record of these words. An editor in the pre-Samaritan tradition thus retroverted these passages into Exodus 20 in order to provide the textual basis for Moses’ later recollections on the plains of Moab.

Within this revised version of Exodus 20, the placement of the Deuteronomy 18 material (God’s promise to “raise up a prophet” like Moses and the subsequent prophet law) in relation to the Deuteronomy 5 material is also significant. As the table indicates, the prophet law is actually sandwiched in between the two halves of the addition from Deuteronomy 5, such that the long addition in SP/pre-SP Exod 20:21b consists of Deut 5:28b–29 + Deut 18:18–22 + Deut 5:30–31. This sequence must have been prompted by the immediate context of

the prophet law. Deut 18:16 states that God's promise to "raise up a prophet" like Moses was prompted by the people's request for a mediator at Horeb, so that they would no longer have to listen to God speak directly to them. Precisely this same issue of a mediator dominates the post-Decalogue conversation in both Deuteronomy 5 (vv. 23–28) and Exodus 20 (vv. 18–21). Since Deuteronomy 18 presents the material on the future prophet as part of God's response to the people's request for a mediator, the pre-SP editor logically makes this material part of that response as depicted in Deut 5:28–31, in which God acknowledges that the Israelites should not have to hear him speak directly and instructs Moses to act as mediator henceforth.¹⁷

Given that the further intervention preserved in 4Q158 occurs precisely at the juncture between Deut 5:29 and 18:18, it seems most likely that the additional phrase that ends with *את קול דברי* would have pertained to the very issue that dominates the surrounding context, namely the issue of mediation and the unwillingness or inability of the people to hear God's words directly. If this is true, then *את קול דברי*, "the sound of my words," would signify what the people *need never again hear*, because (as he is about to indicate), God will raise up a future prophet to speak in his name. I would therefore tentatively suggest a reconstruction for the end of line 5 along the lines of *ועתה לוא ישמעו עוד] את קול דברי*, "But now, they shall no longer hear the sound of my words." If the basic thrust of this reconstruction is correct, then the addition in 4Q158 may have been designed to smooth the somewhat abrupt transition from Deut 5:29 to Deut 18:18. Deut 5:29, God's wish that the people be of the proper mind to revere him and keep his commands, could be seen as something of a digression from the issue of mediation as expressed in the previous verses.

¹⁷ Note that there are specific parallels of language between Deut 5:28b and 18:17. This probably implies that there is a compositional connection between the two pericopes in Deuteronomy—possibly that the legislation/promise of a future prophet is based on and extends the original promise at Horeb that Moses would henceforth serve as mediator between God and the people. On the other hand, the relationship between the two passages could be synchronic, as suggested by Marc Zvi Brettler, "‘Fire, Cloud, and Deep Darkness’ (Deuteronomy 5:22): Deuteronomy's Recasting of Revelation," in *The Significance of Sinai* (ed. George J. Brooke et al.; Leiden: Brill, 2008), 15–27, at p. 22.

Thus the addition in 4Q158 serves to bring the focus back to the topic at hand.¹⁸

The final two words of the addition, **אמור להמה**, also deserve comment. They make explicit the expectation that Moses will convey this divine speech to the people.¹⁹ This expectation might seem obvious, since throughout the Pentateuch when God speaks the assumption is generally that Moses will pass on God's directives to the people (see for instance Exod 21:1 and Deut 5:31). However, the issue seems to have attracted the notice of the scribe who composed this addition in 4Q158. As it stands in Deuteronomy 18, there is no mention of Moses' obligation to repeat the material on the future prophet to the people. Verse 17 simply has "YHWH said to me, 'What they say is fitting,'" and v. 18 launches into the promise of a future prophet and the legislation concerning that prophet as well as false prophets. The problem is not solved by the retrojection of the law into the Exodus Sinai narrative in 4QpaleoExod^m and SP, where it is simply pasted in without any further changes. The lack of any instruction to transmit this law to the people stands in contrast to the rest of the mediated laws in the Sinai pericope, for all of which it is made clear that they are to be passed on to Israel as a whole.²⁰ The short addition of **אמור להמה** in

¹⁸ Strugnell makes two suggestions for reconstructing the missing words; see Strugnell, "Notes en Marge," 172. The first, **את קול דברי**, "[And now, so that they might hear] the sound of my words," seems unlikely because in the context precisely the opposite is expected: God is conceding that the Israelites no longer need hear him speak directly. That **קול** refers to direct, unmediated speech and not somehow to God's words as conveyed through Moses is clear from, e.g., Deut 5:25, "If we continue to listen to the voice (**קול**) of YHWH our God any longer, we shall die." Strugnell's second suggestion is **את קול** [ועתה כאשר שמעתה] **דברי**, "[And now, when you have heard] the sound of my words." This is somewhat more plausible, and would refer to Moses now as the sole audience of God's direct speech, most immediately the prophet law, which he then will pass on to the people. Like the suggestion I offer above, although somewhat more obliquely, this reading would also bring the focus back to the issue of mediation. Ultimately, of course, any attempt at reconstruction is speculative.

¹⁹ Raphael Weiss suggests that the two words **אמור להמה** may have been modeled on the similar command... **לך אמר להם** in Deut 5:30; see Raphael Weiss, "פרסום המלח, חדש ממגילות ים המלח," in *Studies in the Text and Language of the Bible* (Jerusalem: Magnes, 1981), 319–34, at p. 325. If Weiss is correct, then this part of the addition would in fact constitute addition of material from elsewhere, since the formulation would be drawn from an existing pentateuchal text. On the other hand, it seems just as likely that the person responsible for this expansion in 4Q158 could have come up with this formulation independently.

²⁰ The bulk of the legislation appears, of course, in the Covenant Code, the introduction to which specifies **אשר תשים לפניהם** ואלה המשפטים אשר תשים לפניהם, "these are the ordi-

4Q158 elegantly resolves the issue by making clear that this set of precepts, too, is to be transmitted by Moses to the rest of the people.

Thus, in smoothing the transition from Deut 5:29 to Deut 18:18, and in clarifying the ultimate destination of the laws concerning YHWH's prophet, the editor responsible for this moderate addition improves the text from both a stylistic and a logical point of view. This addition is especially interesting because it provides evidence of the successive reworking and updating of scriptural texts, something scholars have long postulated but for which empirical evidence is rarely found. At this point in 4Q158 we find a response directly to the pre-Samaritan version of the Sinai pericope, which of course is itself a response to the shorter version preserved in MT and G.

Just one more addition larger than a single word is preserved in 4Q158, this time in frag. 7-9:²¹

- | | |
|---|---|
| 1 | [את אבי] כֹּה ואת אמִכָּהּ] למען יאריכון ימיכה ... לוא תרצח לוא
תנאף לוא תגנוב לוא תענה] |
| 2 | [ברע] כֹּה עד שקר לוא תחמוד אשת רִ' עכה לוא תחמוד בית
רעכה ... וכול אשר לרעכה] |
| 3 | וּיאמר יהוה אל מושה לך אמור להמה שובו לִ' כמה לאהליכמה
ואתה פוה עמוד עמדי ...] |
| 4 | ואת המשפטים אשר תלמדם ועשו בארץ אשר לוא תתן להמה
לרשתה ...] |

1. your [father] and your mother[so that your days might be long... You shall not murder. You shall not commit adultery. You shall not steal. You shall not give]
2. false testimony [against] your [neighbor]. You shall not covet [your] nei[ghbor's] wife. [You shall not covet your neighbor's house... nor anything that belongs to your neighbor.]
3. *And YHWH said to Moses*, "Go, tell them: Return t[o your tents! But you stay here with me...]
4. and the ordinances that you will teach them so that they might do them in the land which[I am giving to them to inherit." ...]

nances that you shall set before them" (Exod 21:1). The altar law (Exod 20:23-26), which appears prior to this introduction, is covered by God's instructions to Moses in Exod 20:22, כה תאמר אל בני ישראל, "thus shall you say to the children of Israel" (SP: דבר אל בני ישראל).

²¹ Lines 1-3 can be fully reconstructed according to Exod 20:12-17; Deut 5:30-31. I have abbreviated the reconstruction here for ease of presentation. For the full version, please see Appendix 1.

The addition in line 3, ויאמר יהוה אל מושה, “And YHWH said to Moses,” occurs in the context of a major alteration of the sequence of the pentateuchal text. Lines 1 and 2 of frag. 7 preserve the latter section of the Decalogue (Exod 20:12–17). In line 3, after the underlined addition, 4Q158 moves directly to Deut 5:30. In the framework of 4Q158’s pre-SP *Vorlage* (see Table 2.1), this means that most of Exod 20:18–21 is skipped over, including the insertion from Deut 5:24–27 in the SP version of Exod 20:19 and the material from Deut 5:28b–29 + 18:18–22 in the SP version of Exod 20:21. As the discussion of the previous addition shows, some of this intervening material is preserved in 4Q158 frag. 6. I will discuss the nature of and reason for this change of sequence more fully below.²² For now, it is sufficient to note that the addition of new material occurs at the transition point between the Decalogue and Deut 5:30–31 (part of SP Exod 20:21b). Again, an editor of 4Q158 seems eager to smooth rough edges between juxtaposed sections of text.

More specifically, John Strugnell suggests that this short addition serves to indicate a change of speaker. On the basis of this conclusion he argues that the Decalogue as presented in frag. 7 1–2 is spoken by Moses to the people; the addition indicates that now YHWH begins to speak again.²³ This is certainly possible, but the addition can also be interpreted in a different way. It is at least as likely to mark a change in *addressee*; that is, even if YHWH is the speaker of the Decalogue as well as the following command, some kind of transition from one text to the other is still necessary. The Decalogue is full of second-person singular verb forms and object suffixes: it is addressed to an individual ‘you’ that represents each individual Israelite (or, alternatively, the nation as a collective entity). But God’s speech immediately following the Decalogue in 4Q158 frag. 7 is also formulated in the second-person singular, now addressed not to the entire nation but to Moses alone: ... לך אמור להמה, “Go, tell them...” Going straight from one to the other would have created confusion as to who is being addressed by the imperative לך. The addition of the short introductory phrase alleviates this problem.

²² Section 2.5.

²³ For more on the issue of who is speaking the Decalogue in 4Q158 7 1–2, see section 2.5 below.

2.1.2 *Minor Additions of New Material*

The eight one-word additions extant in 4Q158 are as follows:

- 1) Gen 32:25a ויותר יעקב לבדו, “And Jacob remained alone.”
4Q158 1–2 3 ו[ו]י[ו]ת[ר] י[ע]ק[ב] ל[ב]דו שמה, “And Jacob remained alone there.”
- 2) Gen 32:27 MT²⁴ ... ויאמר שלחני... “He said, ‘Release me...’”
4Q158 1–2 4 ... ויאמרו אליו שלחני... “And he seized him. He said to him, ‘Release me...’”
- 3) Gen 32:28b ויאמר יעקב, “And he said, ‘Jacob.’”
4Q158 1–2 5 ויאמר לו [יעקוב], “And he said to him, ‘Jacob.’”
- 4) Gen 32:33 את גיד הנשה אשר על כף הירך, “the tendon of the sciatic nerve which is upon the hip socket”
4Q158 1–2 13 את גיד הנשה אשר על שתי כפות הירך, “the tendon of the sciatic nerve which is upon the two hip sockets”
- 5) Exod 4:27 ... ויאמר יהוה אל אהרן... “YHWH spoke to Aaron...”
4Q158 1–2 14 ... ויאמר יהוה אל אהרון לאמור... “YHWH spoke to Aaron, saying...”
- 6) Exod 24:4 לשנים עשר שבטי ישראל, “for the twelve tribes of Israel”
4Q158 4 ii 3 למספר שנים עשר שבטי ישראל, “for the number of the twelve tribes of Israel”
- 7) Exod 20:21b SP (= Deut 5:31) והמשפטים, “and the ordinances”
4Q158 7 4 ואת המשפטים, “and the ordinances”
- 8) Exod 30:32b קדש הוא קדש יהיה לכם, “It is holy; holy it shall be for you.”
4Q158 13 2 ק[ו]דש הוא קודש קדשים יהיה לכם, “It is holy; most holy it shall be for you.”

Most of these one-word additions are inconsequential to the meaning of the passage in which they occur. Some, such as the addition of לו in frag. 1–2 5 (example 3) or of לאמר in frag. 1–2 14 (example 5), may well be unintentional, caused by the scribe’s innate linguistic expectations. The same could be said of the addition of the direct object marker את in frag. 7 4 (example 7), though the change may also represent an attempt to conform the text to typical Hebrew syntax.²⁵ If these pluses do represent intentional scribal activity, they presumably served the purpose of smoothing out grammatical bumps (such as the absence of את or לאמר where it would normally be expected) or of

²⁴ G = καὶ εἶπεν αὐτῷ; see also Syr. G is cited throughout according to Alfred Ralphs, *Septuaginta* (Stuttgart: Deutsche Bibelgesellschaft, 1935).

²⁵ For addition of את in SP, see p. 140 below.

making the meaning of the text more explicit, even though no real ambiguity would seem evident (such as in the addition of שמה and לו in frag. 1–2, and of למספר in frag. 4; examples 1, 3, 6).

A few of these additions, however, carry substantial meaning despite their small size. The addition of ויאחזהו, “and he seized him,” in frag. 1–2 4 seems designed to clarify a question that arises from the text as attested elsewhere: why does the man ask to be “let go” (שלחני)? The demand suggests that Jacob is somehow preventing his opponent from leaving, yet there is nothing in the text that would indicate this. The editor responsible for the addition reasoned that Jacob must have been holding on to the man, physically preventing his departure. This interpretive conclusion is then inserted into the text itself.

Another point of clarification, this time pertaining to halakhah, is made through the reading כף הירך שתי כפות הירך in frag. 1–2 13. The reference to “the two hip sockets” instead of “the hip socket” makes clear that *neither* sciatic nerve is to be eaten. The editor thus comes down on one side of a halakhic debate evidenced later on in the Tosefta and in Genesis Rabbah concerning whether both or only one of the sciatic nerves was prohibited.²⁶

Finally, the purpose of the addition of קדשים in frag. 13 2 is somewhat unclear, compounded by the small size and uncertain interpretation of the fragment as a whole. Although frag. 13 has traditionally been viewed as containing material from Exod 30:31–34, it may also have included some unknown material.²⁷ If we assume for the time being that the usual identification of frag. 13 1–2 as Exod 30:31–32 is correct, then 4Q158 states that the שמן משחת קדש, the “holy anointing oil,” is to be regarded as קדש קדשים, “most holy,” instead of as simply קדש, “holy,” as in the usual versions of Exodus. Again, an inadvertent expansion to match a standard formula cannot be ruled out. On the other hand, perhaps an editor reasoned that if the tent of meeting and its appurtenances are made “most holy” through anointing with oil (Exod 30:26–29), it is logical that the oil itself have the status of “most holy.”²⁸

²⁶ See *t. Hul* 7:1; *Gen. Rab.* 78:6 ad Gen 32:33; Bernstein, “What Has Happened to the Laws,” 46.

²⁷ The issue most pertinent to the variant in line 2 is that traces of letters consistent with the phrase שמן משחת קדש in Exod 30:31 appear in line 1, but given the shape and size of the fragment one would expect to see traces of the following words as the line continues. Since no such traces are evident, it appears that the text of frag. 13 1–2 did not simply reflect Exod 30:31–32, but may contain a shorter or variant version.

²⁸ For the role of the anointing oil in conveying the status of holiness, as well as a more general discussion of the priestly conception of holiness, see Menachem Haran, *Temples and Temple-Service in Ancient Israel* (Oxford: Clarendon, 1978), 175–88.

In sum, additions of new material in 4Q158 range from just one word to multiple lines, and address a range of interpretive issues, from grammar and style (if the smallest additions are indeed deliberate) to halakhah, clarification, gap-filling, and smoothing transitions.

2.2 ADDITION OF MATERIAL FROM ELSEWHERE IN THE PENTATEUCH

This technique is especially well-attested in 4Q158 and, to my mind, constitutes one of its distinctive features. Although in every case the technique serves in some way to address the issues of precedent and interrelationship mentioned above (1.3.3), it is used in a variety of ways, some highly creative. I will begin from a case where 4Q158 uses addition from elsewhere to address a glaring lapse in necessary correspondence: a divine command with no record of its ever being fulfilled. From there I will move to cases where no such actual 'gap' is evident, but an editor has nonetheless used addition of material from elsewhere to strengthen the connections between two textual units.

2.2.1 *Command Lacking Fulfillment*

The command without a fulfillment that is addressed in 4Q158 occurs in the context of the Sinai pericope as reflected in 4Q158 frag. 7:

Exod 20:21b SP (= Deut 5:30–31)–23	4Q158 7 3–6
לך אמר להם שובו לכם לאהליכם ואתה פה עמד עמדי ואדברה אליך את כל המצוה החקים והמשפטים אשר תלמדם ועשו בארץ אשר אנכי נתן להם לרשתה	לך אמור להמה שובו ל ^ל כמה לאהליכמה ואתה פה עמוד עמדי ואדברה אליכה את כול המצוה את החוקים] 4 ואת המשפטים אשר תלמדם ועשו בארץ אשר] אנכי נתן להמה לרשתה וילך מושה ויאמר אל העם שובו לכמה לאהליכמה] 5 וישבו העם איש לאהליו ויעמוד מושה לפני]יתהו וידבר יהוה אל מושה לאמור דבר אל בני ישראל אתמה] 6 ראיתמה כי מן השמים דברתי עמכמה לוא תעש[ון אתי אלוהי כסף ואלוהי זהב לוא תעשו לכמה...
22 וידבר יהוה אל משה לאמר דבר אל בני ישראל אתם ראיתם כי מן השמים דברתי עמכם 23 לא תעשו אתי אלהי כסף ואלהי זהב לא תעשו לכם...	

(cont.)

Exod 20:21b SP (= Deut 5:30–31)–23

4Q158 7 3–6

Go, tell them: Return to your tents! But you stay here with me, and I will tell you the whole commandment, the statutes and the ordinances that you will teach them so that they might do them in the land which I am giving to them to inherit.”

²²YHWH spoke to Moses, saying “Say to the children of Israel: You yourselves have seen that it was from heaven that I spoke to you. ²³You shall not make in my presence gods of silver, and gods of gold you shall not make for yourselves...”

“Go, tell them: Return t[o your tents! But you stay here with me, and I will tell you the whole commandment, the statutes] 4 and the ordinances that you will teach them so that they might do them in the land which[I am giving to them to inherit.”

So Moses went and told the people, “Return to your tents!”] 5 So the people returned, each to his tents, while Moses remained before

[YHWH. YHWH spoke to Moses, saying “Say to the children of Israel: You yourselves] 6 have seen that it was from heaven that I spoke to you. You shall not make[in my presence gods of silver, and gods of gold you shall not make for yourselves...”

Line 5 of frag. 7 begins with the otherwise unknown statement that “each of the people returned to their tents, and Moses stood before [YHWH].” The actions of Moses and the people here correspond precisely to the latter two-thirds of YHWH’s instructions to Moses in Deut 5:30 (frag. 7 3), according to which he is to go and command the people to return to their tents, and then himself return and stand before YHWH in order to receive the rest of the divine revelation. A record that Moses also acted in accordance with the very first part of YHWH’s command (“Go, tell them...”) is not extant in 4Q158, but was almost certainly present: when the previous line, line 4, is reconstructed according to the text of SP Exod 20:21b (= Deut 5:31), space remains at the end of the line for several additional words. A conversion of the beginning of YHWH’s command in Deut 5:30 into a fulfillment clause, *וילך מושה ויאמר אל העם שובו לכמה לאהליכמה*, “So Moses went and told the people: Return to your tents!,” fits the available space exactly.²⁹ Thus 4Q158 here preserves an addition that makes

²⁹ For the lineation and reconstruction, see Appendix 1.

clear that YHWH's command to Moses was carried out in every detail. Because the addition precisely matches the language of the command (except for the necessary grammatical adjustments), it constitutes a clear example of addition of material from elsewhere.

This addition seems to be another example of what was observed with regard to the addition of new material in frag. 6 5–6: an editor of the composition reflected in 4Q158 has taken steps to improve the logic and clarity of the expanded edition of the Exodus narrative familiar from SP and 4QpaleoExod^m. In SP, the text of Exodus 20 proceeds directly from Deut 5:30–31 (... ואתה פה עמד עמדי...) to Exod 20:22 (וידבר... יהוה אל משה לאמר דבר אל בני ישראל...), and from there directly into the Covenant Code. God never stops talking, according to SP, from Exod 20:21b (= Deut 5:28) until Exod 24:3. Moses is supposed to dismiss the people so that God can relate to him the *חוקים והמשפטים*, the “statutes and the ordinances,” but then God launches right into the *משפטים*, “ordinances,” without giving Moses any opportunity to dismiss the people. In other words, the (pre-)SP text is structured in such a way that there is no opportunity for Moses to fulfill God's command.³⁰

This situation is remedied in 4Q158 through the insertion of notices that the various components of the command were in fact obeyed. The insertion severs the Deuteronomy 5 material from its continuation in Exod 20:22: after Deut 5:31, God stops talking, Moses reports his words to the people, the people depart for their tents, and Moses stands before God. Only then does God begin speaking again (Exod 20:22), now explicitly addressing the altar law and the Covenant Code to Moses alone. Interestingly, this interruption occurs precisely at the ‘seam’ between material added to the Sinai pericope by a pre-Samaritan editor and the original text of Exodus; that is, exactly at the point where the narrative in the pre-SP version transitions from Deuteronomy 5 back to Exodus 20. The insertion even creates a sort

³⁰ Note that the lack of explicit fulfillment is not a problem in the original Deuteronomic setting of the verse, because the setting there is Moses' recollection, on the plains of Moab, of the events at Horeb. This recollection is interwoven with Moses' ‘present-day’ adjurations to the Israelites; thus in Deut 5:32 Moses stops recalling God's words and speaks directly to the Israelites. In other words, God's command in the context of Deuteronomy is part of a ‘flashback’ that does not extend to the fulfillment of that command.

of *Wiederaufnahme* or repetitive resumption that brackets the earlier, pre-Samaritan insertion. This can be seen through the parallels between the addition in 4Q158 7–9 5 and the last verse prior to the insertion in Exodus, 20:21:

Table 2.2: A New *Wiederaufnahme* in 4Q158 Frag. 7–9

Exod 20:21	4Q158 7–9 5
<p>ויעמד העם מרחק ומשה נגש אל הערפל אשר שם האלהים</p>	<p>וישובו העם איש לאהליו ויעמוד מושה לפני [יהוה</p>
<p>So the people stood at a distance, and Moses approached the thick cloud where God was.</p>	<p>So the people returned, each to his tents, and Moses stood before [YHWH.</p>

While the addition in 4Q158 cannot technically be called a repetitive resumption or *Wiederaufnahme* because it does not take its formulation from Exod 20:21 but from Deut 5:30–31, it seems to serve the same function: it returns the text’s audience to the point in the narrative precisely before the interruption—here, the addition of material from Deuteronomy in SP and its forebears—occurred. In Exod 20:21, the people are removed to a distance while Moses approaches God, and precisely this same thing happens according to the addition: the people return to their tents, and Moses stands before God. What is striking is that this bracketing apparently did not take place at the time of the original insertion, but at a later stage in the process of transmission. I do not mean to suggest that the editor of the text in 4Q158 was aware of the editorial history of the passage: it seems unlikely that he would have had access to multiple versions of the text. More probably, the editor simply reacted to the fact that, in his *Vorlage*, God’s command to Moses goes unfulfilled. On the basis of the multiple versions of Exodus available to us, we can recognize that this difficulty in fact resulted from an essentially mechanical juxtaposition of passages on the part of an earlier editor in the pre-SP textual tradition. As we will see further on, there is a certain amount of irony to this textual difficulty and its subsequent ‘correction’ in 4Q158, since the SP textual tradition is itself famous for addressing precisely the problem that its intervention here has caused: a command without the record of its fulfillment.

2.2.2 *Fulfillment Lacking Command?*

A second probable case in 4Q158 of addition of material from elsewhere also concerns command and fulfillment. Here, however, it is not the fulfillment that is added on the basis of the command, but, very likely, a command that is modeled on a ‘fulfillment.’ The text is quite fragmentary at this point, but the main thrust of the changes can still be discerned.

Gen 32:32–33	4Q158 1–2 11–13
32 ויזרח לו השמש כאשר עבר את פנואל והוא צלע על ירכו	11 [ויזרח] לו השמש כאשר עבר את פנואל והוא צולע על ירכו ???
	[
	12 <u>ביום ההואה ויאמר אל תואכל</u>
33 על כן לא יאכלו בני ישראל את גיד הנשה אשר	<u>את גיד הנשה אשר על שתי כפות הירך על כן לוא יאכלו בני ישראל את גיד הנשה אשר</u>
על כף הירך עד היום הזה כי נגע בכף ירך יעקב בגיד הנשה	13 על שתי כפות הירך עד היום הזה כי נגע בכף ירך יעקוב בגיד הנשה [
³² And the sun rose upon him as he passed by Penu'el, and he was limping because of his hip.	11 [And]the sun [rose] upon him as he passed by Penu'e[], and he was limping because of his hip. ???]
³³ Therefore to this day the children of Israel do not eat the tendon of the sciatic nerve that is upon the hip socket, for he struck Jacob's hip socket, at the tendon of the sciatic nerve.	12 <i>on that day, and he said, "Do not ea[t the tendon of the sciatic nerve that is upon the two hip sockets"; therefore] to [this day the children of Israel do not eat the tendon of the sciatic nerve that is] upon the two hip sockets, [for he struck Jacob's hip socket, at the tendon of the sciatic nerve.]</i>

Between Gen 32:32 and 33, 4Q158 must have contained approximately one full line of additional material. Of this addition, only five words are preserved, at the beginning of frag. 1–2 12. Despite the poor preservation, several tentative observations can be made about the nature of this additional material. First, the presence of the words **אל תואכל** (אל תואכלו), “do not eat,” suggests strongly that the avoidance of the

siatic nerve, which is presented in Genesis as an Israelite folk custom in remembrance of Jacob's injury, is now transformed into a command. Presumably the entity issuing this command is God, although the speaker's identity is not preserved.³¹ Theoretically it could be Jacob who issues the command to his wives and children. However, besides the simple fact that it is God who does most of the commanding in the Torah, the intervention at this point is probably more understandable if the concern was to provide divine warrant for a halakhic practice, as opposed to describing it as commanded by the patriarch.³² Furthermore, transformation of a folk custom into a divinely prescribed practice is also attested in Jubilees.³³

Second, the substantial extra space at the end of line 11 must have contained some sort of introduction to the new command, ending with the phrase **ביום ההואה**, "on that day," at the beginning of line 12. We could speculate that this introduction went something like **וּנְרָאָה**] **ביום ההואה** **אֵל יַעֲקֹב וַיִּצַו אוֹתוֹ** [God appeared to Jacob and commanded him] on that day," though even this would not fill the available space.

Third, the new command itself, though not preserved beyond the initial negative imperative, seems to have been formulated on the basis of the notice of the Israelites' customary practice in Gen 32:33. From the small amount of extant text we can see that the command begins by recasting the negative descriptive clause **לֹא יֹאכְלוּ** (3mp imperfect) into a negative imperative, **אַל תֹּאֲכַל** (כלל). It seems very likely that the rest of the command likewise reflected the same verse: that the description of what the Israelites are commanded not to eat (in the addition)

³¹ It is unlikely that the use of **אַל** instead of **לֹא** in this command is of any significance, despite the general rule in Biblical Hebrew that **לֹא** + imperfect represents a stronger prohibition than **אַל** + jussive. As Qimron points out, this distinction in usage between the two negative particles collapses entirely in Qumran Hebrew. See Elisha Qimron, *The Hebrew of the Dead Sea Scrolls* (HSS 29; Atlanta: Scholars, 1986), 80–81.

³² The patriarchs are depicted as issuing commands and instructions to their offspring in, e.g., Jubilees, usually in the context of a testament or farewell speech. However, these commands are always portrayed as *divine* commands that the patriarch is simply transmitting, not instructions instituted of his own accord. See for example Jubilees 21–22, where in 21:10 Abraham interrupts his instructions to Isaac on sacrificial procedure with the words, "...because thus I have found written in the books of my forefathers and in the words of Enoch and in the words of Noah"; that is, books containing divine instruction.

³³ In Jub 28:6, what is presented in Gen 29:26 as a local custom—the obligation to marry off the oldest daughter before any of her younger sisters—becomes a law "ordained and written on the heavenly tablets."

matched the description of what they, in fact, do not eat (in Gen 32:33). For this reason, the addition at this point, while it likely contained some new material in line 11, constitutes an addition of material from elsewhere in the missing part of line 12.

If this change indeed represents an attempt to root Israelite practice in divine command, it may not be too far off the mark to compare this attempt to the later rabbinic claim of Sinaitic authority for oral Torah, known from tractate Avot in the Mishnah. The most notable difference is that here a practice already noted in Scripture is provided with divine provenance (a ‘fulfillment’ is provided with a command!), whereas one could argue that it is precisely the lack of obvious scriptural roots that contributed to the need to trace rabbinic oral Torah back to direct divine revelation. On the other hand, since the practice of not eating the sciatic nerve did become part of rabbinic halakhah, it is likely that already at this earlier stage the editor regarded this practice as part of a body of traditional observances.³⁴ If this is true, the move to provide such a traditional observance with roots in revelation as opposed to mere custom does seem analogous to the rabbinic emphasis in tractate Avot on the Sinaitic roots of traditional practices.

2.2.3 *Noting Explicitly a Command’s Fulfillment*

The dynamics of command and fulfillment are dealt with in yet another way in a third example of addition of material from elsewhere.

4Q158 4 ii 1-5

[צוה לכה] 1
 העם ממצרים תעבדו את האלוהים על ההר הזה ??? ... ויבן מזבח תחת
 ההר ושתים עשרה מצבה [] 2
 למספר שנים עשר שבט ישראל וישלח את נערי בני ישראל (???) [] 3
 ויעל את העול[ה] על המזב[ח] ויזבח זבחים שלמים ליהוה פרים (???) ... [] 4
 ויקח מושה חצי הדם וישם []
 באגנות וחצי הדם זרק על ה[מזבח] 5

³⁴ In fact, it has been argued that Gen 32:33, detailing the Israelite avoidance of the sciatic nerve because of Jacob’s injury, is itself an editorial insertion intended to root a traditional dietary practice in Scripture; see Jacob Weingreen, “Oral Torah and Written Records,” in *Holy Book and Holy Tradition* (ed. F. F. Bruce and E. G. Rupp; Manchester: Manchester University Press, 1968), 54–67, at pp. 64–65. If my theory about the reason for the addition in 4Q158 is correct, it would appear that the editor responsible did not regard custom, even custom as described in the Torah and as operative from patriarchal times, as a satisfactory explanation for the practice, and therefore sought to root it directly in divine revelation.

1. []commanded you [*When you bring out*]
2. *the people from Egypt you shall worship* [God upon this mountain. ???... He built an altar at the foot of the mountain and twelve stone pillars]
3. according to the number of the twelve tribes [of Israel. And he sent the young men of Israel (?) ... ???]
4. and he offered up the burnt offering upon the alta[r, and he offered bulls as sacrifices of well-being to YHWH(?). ??? ... And Moses took half of the blood and put it]
5. in bowls, and half of the blood he sprinkled upon the [altar]

As lines 3–5 make clear, the context for the material in frag. 4 ii is the covenant ceremony celebrated at Mt. Sinai according to Exod 24:3–8. The words *לכה צוה* in line 1, on the other hand, do not correspond to that text. In line 2, the three preserved words are clearly drawn from God’s words to Moses at the burning bush in Exod 3:12b: *בהוציאך את העם ממצרים תעבדון את האלהים על ההר הזה*, “When you lead the people out from Egypt, you shall worship God upon this mountain.” Given the cultic acts that follow, the inclusion of material from Exod 3:12 seems to be intended as a ‘flashback’ or reminder (to Moses, the Israelites, or the reader) that the covenant ratification ceremony they are about to perform takes place in conformity with God’s earlier words.³⁵ The missing part of line 1, prior to what must have been the beginning of Exod 3:12b towards the end of the line, thus may have contained new material that recalled the original setting of God’s speech. In that original context in Exodus 3, God’s prediction appears to function as a promise or reassurance.³⁶ However, the words *לכה צוה* in line 1 of this fragment indicate that the editor responsible for this insertion in 4Q158 interpreted the words as a command, now fulfilled at Sinai.³⁷ Like the first case of addition of material from elsewhere

³⁵ Segal, “Biblical Exegesis,” 53. See also Strugnell, “Notes en Marge,” 170.

³⁶ Many commentators interpret the statement *הזה ההר על האלהים* as the “sign” (*אֵימָת*) that God gives Moses as an assurance that it is he who sends him. Others argue that the future worship cannot be a sign meant to give assurance to Moses since it is to happen so far in the future; even so, the statement functions in the context as a divine promise of success, not as a command. For detailed discussion, see e.g. Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (OTL; Philadelphia: Westminster, 1974), 56–60; Cornelis Houtman, *Exodus: Vol. 1* (Historical Commentary on the Old Testament; Kampen; Kok, 1993), 364–65.

³⁷ The speaker and addressee of the words *לכה צוה* in line 1 are unclear because of the fragmentary context. The best options would seem to be 1) Moses speaking to the people (as a collective), with the sense of “YHWH commanded you to worship him on this mountain, as he said to me: ‘when you lead the people out...’”; or 2)

discussed above, in 4Q158 frag. 7, this addition is concerned to stress that a divine command was in fact fulfilled. The conditions here are a bit different, however, for here there is no question of a ‘missing’ notice of fulfillment as was the case earlier. In all known versions of Exodus, the Israelites *do* worship God at Sinai (Exod 24:3–8), thus fulfilling God’s earlier command/prediction. Yet there is no explicit reference made in other versions of the text back to that earlier command—it is left to the reader or hearer to deduce or recall that the covenant ceremony brings to fruition what YHWH had spoken to Moses at the bush. The addition in 4Q158, explicitly mentioning that earlier speech, does not leave the connection-making to chance but embeds it in the text itself. Thus, while there is no glaring ‘gap’ in the scriptural text at this point, an editor has used the technique of addition of material from elsewhere in the Pentateuch to strengthen the connections between two related texts.

2.2.4 *Providing the ‘Transcript’ of a Recollection*

The next example of this technique similarly elaborates upon a connection that, formally speaking, already exists. While here a clear reference is made to an earlier text, it appears that that text may have been expanded or paraphrased in its new context.

Exod 4:27–28	4Q158 frag. 1–2 14–19
ויאמר יהוה אל אהרן לך לקראת משה המדברה וילך ויפגשו בהר האלהים וישק לו 28 ויגד משה לאהרן את כל דברי יהוה אשר שלחו ואת כל האתת אשר צוהו	[ויאמר יהוה] אל אהרון לאמור לך לקרא[ת] [מ]ושה המדברה וילך ויפגשו בהר האלוהים וישק לו ויגד מושה לאהרון את כול] דברי יהוה אשר שלחו ואת כול[האותות אשר צוהו ??? ויאמר

the people speaking to Moses, in which case the sense would have to be “Is this not what YHWH commanded you...?”

(cont.)

Exod 4:27–28	4Q158 frag. 1–2 14–19
	מושה אל אהרון (לאמור) זה האות אשר צוה] 16 יהוה לי לאמור בהוציאכה את העם ממצרים תעבדון את האלהים על ההר הזה ???] 17 ללכת ב־ים ונהגה המה [שלוש] 18 יהוה אלוהים] ה[] ל[] 19 נשל] ל[]
YHWH spoke to Aaron: “Go to meet Moses in the wilderness.” So he went, and he met him on the mountain of God, and he kissed him. And Moses related to Aaron all the words of YHWH with which he had sent him and all the signs with which he had commanded him.	YHWH spoke] 14. to Aaron, saying “Go to mee[t] M[oses in the wilderness.” So he went, and he met him on the mountain of God, and he kissed him. And Moses related to Aaron all] 15. the words of YHWH with which he had sent him and all[the signs with which he had commanded him. ??? And Moses said to Aaron, “This is the sign that] 16. YHWH [commanded] me, say- ing “When you bring[the people out from Egypt, you shall wor- ship God upon this mountain ???”] 17. to go ??, and see, they are thirt[y(?)] 18. YHWH God[]h[]to[] 19. drew off(?) []to[]? []

These six lines are the last of frag. 1, and they rapidly become more and more fragmentary. Therefore, as is often the case, analysis of how 4Q158 reconfigures the pentateuchal text at this point must remain tentative. What does seem clear is that, whereas known versions of Exodus are content to indicate that “Moses told Aaron all the words with which YHWH had sent him and all the signs with which YHWH commanded him” (Exod 4:28), in 4Q158 the ‘transcript’ of Moses’ speech to Aaron is included. This is readily seen from the first-person

form לִי, “to me,” in line 16: we are now dealing with the direct speech of Moses. Furthermore, Moses begins his report with words that correspond exactly to words that God did in fact speak to Moses earlier on: again the reference is to Exod 3:12, ... בהוציאך את העם ממצרים, “when you lead the people out from Egypt...” Similar to the case of the inserted blessing earlier in frag. 1, an editor of 4Q158 seems to have been unwilling to let stand the indirect reference to a speech event (“Moses told...”), and thus inserted a record of what Moses actually said in relating God’s words to him to Aaron.

It must be observed that, after line 16, it seems that we are no longer simply dealing with a ‘cut-and-paste’ transcription of God’s earlier words. Here especially the extremely poor state of the manuscript makes interpretation uncertain, but it is clear that 4Q158 does not continue with Exod 3:13 and following. On the other hand, the extant contents of these lines do show some connections to the early chapters of Exodus. In line 17, if the second word should be read as עבדים, then there may be reference to Israel’s status as slaves or to their escape from Egypt (מבית עבדים).³⁸ On the other hand, if we read זבחים, the reference to sacrifice brings to mind verses such as Exod 3:18.³⁹ The final extant word,]שלוש, can be tied to the context of the Exodus narrative either by reading שלושת (a reference to the Israelites’ three-day journey into the wilderness?; see Exod 3:18)⁴⁰ or שלושים (a reference to the 430 years of Israel’s captivity in Egypt?; see Exod 12:40).⁴¹ The

³⁸ Strugnell suggests that perhaps the scribe meant to write מבית עבדים ללכת, but omitted מבית by mistake (“Notes en Marge,” 169).

³⁹ The word in question has been read as עבדים (Allegro, DSSR) or עברים (DSSEL), but its interpretation is highly uncertain. What remains of the first letter is a short vertical stroke. It could represent the top left of ע, but we would expect to see the stroke start to slant to the right as is usual for ע in 4Q158. The remains would be most consistent with ז. The ב is reasonably clear, represented by the upper horizontal stroke and upper right corner as well as the bottom horizontal stroke, though the letter could possibly represent an abnormal כ or צ. The third letter appears to consist of an upper horizontal bar and a vertical stroke on the right; i.e. either ר or ד, but it is just possible that a left vertical stroke such as that of ח or ה was present but is obscured by the crack visible at this point. Possible readings, besides עברים/עבדים, include זבחים, זכרים, מצרים; the correct understanding remains unclear.

⁴⁰ This is Segal’s reading and interpretation; “Biblical Exegesis,” 52.

⁴¹ This is Strugnell’s choice; “Notes en Marge,” 169–70. After שלוש, the traces of the top right corner of the next letter are preserved; they are consistent with either ת (Segal) or ך (Strugnell), though ך appears slightly more likely to me on paleographical grounds: the traces appear quite vertical, while ת in this ms usually bulges slightly to the right on the right vertical stroke.

preserved remains of line 18 are not of much help. The letters preserved in line 19 may indicate continued engagement with Exodus 3, since the root נשל appears in Exod 3:5 (של נעליך מעל רגליך) “remove your sandals from your feet”).⁴² From what we can tell, then, the text continued to deal with themes appropriate to the setting, but did not follow any section of text closely. It seems most logical to guess that perhaps Moses here continued his report to Aaron of YHWH’s words to him at Horeb, but that that report involved a substantial degree of paraphrase.

2.2.5 Thematic Connection: Covenant

The previous examples of addition of material from elsewhere in 4Q158 all build upon a formal connection between two episodes, such as command and fulfillment or event and recollection, even if this connection is sometimes only latent or implied prior to the editorial work preserved in 4Q158. The final two examples of the use of this compositional technique go beyond these situations of formal correspondence to join texts that are related not formally but thematically.

As mentioned above, 4Q158 frag. 4 recounts the Sinaitic covenant ceremony as per Exodus 24. However, after line 5, which corresponds to Exod 24:6, the text of 4Q158 moves in a different direction:

4Q158 4 ii 5–8

5	באגונות וחצי הדם זרק על ה[מזבח ויקח ספר הברית ויקרא באזני
	העם ???
6	אשר היראתי אל אברהם ואל [יִצְחָק ואל יעקוב ???] (וגם)
	הקימותי את בריתי
7	אתם להי[ות] להמה ולזרעם לאלוהים]
8	[ע]ד עול[ם] ת[ע]ל[ל]] יהוה]

5. in bowls, and half of the blood he sprinkled upon the [altar. And he took the book of the covenant and read it in the ears of the people ???]
6. which I showed to Abraham and to ???[Isaac and to Jacob ??? And (also) I established my covenant]
7. with them to bec[ome] a God to them and to their se[e]d ?[]
8. [f]oreve[r] t '[]I[]? YHWH ?[]

⁴² For the link between]נשל[in line 19 and Exod 3:5, see Crawford, *Rewriting Scripture*, 54.

The material in lines 6–7 appears to be linked to the preceding text of Exod 24:4–6 through the term ברית, “covenant,” though that word is not extant in this fragment. As Strugnell and Segal have noted, the language of line 7 is reminiscent of the ‘covenant’ texts Gen 17:7 and Exod 6:7.⁴³ Both contain the construction לאלהים + לכם/לך + היה, while Gen 17:7 adds לזערך. More broadly, both discuss YHWH’s promise to Abraham and his descendants to be their God and to give them the Land. The covenant in Genesis 17 is made with Abraham as well as with his descendants, and Exodus 6 similarly makes clear that this covenant applies to all of the patriarchs and their descendants: “I appeared (ארא) to Abraham, to Isaac, and to Jacob as El Shaddai, but my name, YHWH, I did not make known to them. And I also made a covenant with them...” (Exod 6:3–4aa). In this fragment, it seems that YHWH reveals not himself but, presumably, his covenant to the patriarchs (אשר היראתי).⁴⁴

The precise transition between the extant parts of lines 5 and 6 is unclear, but the text shifts from third-person narrative description of Moses’ actions (זרק) to first-person speech of God (היראתי). We can surmise that this switch is related to what follows the extant part of line 5 (Exod 24:6) in the biblical text: Exod 24:7 begins ויקח ספר ויקרא באזני העם, “And he took the book of the covenant and read it aloud to the people.” Lines 6–7 therefore seem to represent the contents of the ספר הברית, in the form of a divine recollection of the covenant made with the patriarchs.⁴⁵ How much space this divine address originally occupied in the text of 4Q158 is unfortunately impossible to determine.

A closer look at the new material in lines 6–7 indicates that we appear to have before us not simply allusion to the earlier covenant texts but their interweaving into a new whole. That is, this example of addition of material from elsewhere in fact involves addition of material from *two* locations, themselves parallel, combined into a single unit. To take the clearest part first, the final four extant words of line 7, להי[ות] להמה ולזרעם לאלוהים, “to be their God and (the God) of their descendants,” match almost exactly Gen 17:7b, להיות לך לאלהים, “to be your God and (the God) of your descendants

⁴³ See Strugnell, “Notes en Marge,” 170; Segal, “Biblical Exegesis,” 49–50.

⁴⁴ On the interpretation of היראתי as an H form, see n. 46 below.

⁴⁵ See Strugnell, “Notes en Marge,” 170.

after you.” The shift to third-person plural suffixes was likely prompted by the formulation of line 6, **ואל [יצחק ואל, אשר היראתי אל אברהם ואל, יעקוב]**, “which I showed to Abraham and to [Isaac and to Jacob].” This formulation, in turn, as well as the **אתם** at the beginning of line 7, seems to have been drawn from Exod 6:3–4:

וארא אל אברהם אל יצחק ואל יעקב באל שדי ושמי יהוה לא נודעתי להם
... וגם הקמתי את בריתי אתם לתת להם את ארץ כנען.
“I appeared to Abraham, to Isaac, and to Jacob as El Shaddai, but by my name, YHWH, I did not make myself known to them. I also established my covenant with them, to give them the land of Canaan...”

Although the extant part of frag. 4 ii 6 parallels Exod 6:3 quite closely, the apparent change in verb form from **וארא** (N) to **היראתי** (H) is significant.⁴⁶ While in Exodus 6 the verb refers to YHWH’s self-revelation to the patriarchs (“I *appeared* to Abraham...”), here the verb seems to refer to YHWH’s revelation or showing of something *else* to the patriarchs (a noun or noun phrase that would be the object of **היראתי** and would have preceded **אשר** at the end of line 5). In the context of the presumed mention of the **ספר הברית** in line 5, the best option for the identity of this something else that was “shown” to the patriarchs is the covenant itself. A tentative reconstruction of lines 5–6 might thus run as follows:⁴⁷

5 באגונות וחצי הדם זרק על ה[מזבח ויקח ספר הברית ויקרא באזני
העם לאמור זה הברית
6 אשר היראתי אל אברהם ואל [יצחק ואל יעקוב]

5. in bowls, and half of the blood he sprinkled upon the [altar. And he took the book of the covenant and read it in the ears of the people, saying, “This is the covenant]
6. which I showed to Abraham and to ??? [Isaac and to Jacob...]

This reading, which would give line 5 approximately 75 letter-spaces, would fit reasonably well lengthwise. While the verb **ראה** H is never used to describe the establishment of a covenant in the Hebrew Bible

⁴⁶ Reading the form as an N infinitive (**היראתי**) is not impossible, but this interpretation seems less likely for syntactical and orthographic reasons. First, the orthography of 4Q158 is generally quite full, so we would expect the spelling **היראזתי** if the word was indeed intended as an N form. Second, the use of a suffixed infinitive form following **אשר** is awkward syntactically; we would expect a finite verb. Given these considerations, it seems best to interpret the form as H perfect 1cs.

⁴⁷ I am grateful to Prof. Moshe Bernstein for suggesting this reading.

or at Qumran, the usage here most likely is due to the creative reuse of Exod 6:3. Perhaps more problematic is that the word **אתם**, “with them,” at the beginning of line 7 likely reflects Exod 6:4, **וגם הקמתי אתם את בריתי אתם**. If this is correct, then my interpretation requires two references to the covenant within a little over two lines: “... the covenant which I showed to Abraham, Isaac, and Jacob” (lines 5–6), and “I established a covenant with them, to be a god to them...” (line 7). The proximity of the two formulations seems slightly odd, but there is no real reason that it could not occur.⁴⁸ There would originally have been at least a few words on line 6 after the mention of the patriarchs and before the material from Exod 6:4. Therefore, the text could have contained some further remarks on the covenant shown to the patriarchs before continuing with the comment that this covenant involved YHWH’s promise to be the God of the patriarchs and their descendants (line 7).

If the supposition is correct that **אתם** reflects the conclusion of the phrase **אתם את בריתי אתם** from Exod 6:4, then that phrase is modified in 4Q158 in that it is followed, not by the promise of land as in Exodus 6, but by the promise to be Israel’s God. This change is likely the result of the combination or reading-together of Exod 6:3–7 and Gen 17:7–8. Both texts contain the promise of land and the promise that YHWH will be a God to the patriarchs, but Gen 17:7 has the latter promise first, followed by the promise of land. In Exodus 6, the mention of the covenant is followed first by the land promise (6:4), then by God’s acknowledgment of Israel’s suffering in Egypt and promise to redeem them from their suffering (6:5–6). Only then does God mention that “I will take you for myself as a people and I will become your God, and you will know that I am YHWH your God who leads you out from under the burdens of Egypt” (6:7). Since the text of frag. 4 deteriorates after line 7 (only a few words are legible in line 8), it is unclear whether 4Q158 originally included at this point any

⁴⁸ On the other hand, this may constitute some evidence for construing **היראתי** as an N infinitive construct instead of an H perfect, despite the syntactical irregularities. (Perhaps one could read... **אל אברהם אשר היראתי אל אברהם** [יהוה], “I am YHWH] whose appearance to Abraham...”.) According to this interpretation, the Sinai covenant would not be identified directly with the covenant with the patriarchs. The mention of Abraham nevertheless indicates that, however we understand the verb, YHWH’s covenant-making at Sinai is being connected to the earlier covenant-making with the patriarchs.

mention of the promise of land or of the redemption from Egypt.⁴⁹ What is clear is that, for whatever reason, the composer appears to shift from following Exod 6:3–4 to following Gen 17:7. The following table illustrates the composite nature of frag. 4 6–7.

Table 2.3: Combination of Genesis 17 and Exodus 6 in 4Q158 Frag. 4⁵⁰

Gen 17:7–8	Exod 6:3–7	4Q158 frag. 4 6–7
	<u>וארא אל אברהם אל</u> <u>יצחק ואל יעקב באל שדי</u> <u>ושמי יהוה לא נודעתי</u> <u>להם</u>	<u>אשר היראתי אל אברהם</u> <u>ואל [...]</u>
<u>והקמתי את בריתי ביני</u> <u>ובינך ובין זרעך אחריד</u> <u>לדרתם לברית עולם</u> <u>להיות לך לאלהים ולזרעך</u> <u>אחריד</u>	<u>וגם הקמתי את בריתי</u> <u>אתם</u>	ו(גם) הקימותי את בריתי [אתם]
<u>ונתתי לך ולזרעך אחריד</u> <u>את ארץ מגריך את כל</u> <u>ארץ כנען...</u>	<u>לתת להם את ארץ כנען</u> <u>את ארץ מגריהם אשר</u> <u>גרו בה... לכן אמר לבני</u> <u>ישראל...</u> <u>ולקחתי אתכם לי לעם</u> <u>והייתי לכם לאלהים</u>	להי[ות] להמה ולזרעם לאלוהים [...]
		???

I appeared to Abraham, which I showed to
to Isaac, and to Jacob Abraham and to [...]
as El Shaddai, but by
my name, YHWH, I
did not make myself
known to them.

⁴⁹ It may also be possible, if completely unprovable, that a (somewhat brief) reference to the land may have appeared in the lacuna in line 6 (reconstructed speculatively on the basis of Exod 6:4): אשר היראתי אל אברהם ואל יעקב ואל יצחק [קִסֵּס] ואל יעקב לתת להם את ארץ כנען את ארץ מגריהם ו(גם) הקימותי את בריתי אתם... If this were to be the case, then the editor responsible for this change would have retained the general sequence of Exodus 6 (land promise + promise to be God), but would have reconfigured Exod 6:4 to match YHWH's promise to be Israel's God found in Gen 17:7.

⁵⁰ Standard underlining indicates parallels between Genesis 17, Exodus 6, and extant portions of 4Q158. Double underlining indicates parallels between Genesis 17 and Exodus 6.

(cont.)

Gen 17:7–8	Exod 6:3–7	4Q158 frag. 4 6–7
<u>I will establish my covenant</u> between me and you and your descendants after you in their generations as an eternal covenant, <u>to be your God and (the God of) your descendants</u> after you. <u>And I will give to you</u> and to your descendants after you <u>the land of your sojourning; the whole land of Canaan...</u>	Also, <u>I established my covenant with them,</u> <u>to give them the land of Canaan, the land of their sojourning</u> in which they sojourned ... therefore say to the children of Israel... I will take you as my people, <u>and I will become your God...</u>	[(Also,) I established my covenant] <u>with them,</u> <u>to be[come] their God and (the God of) their descendants</u> [...] ???

The lacunae in the manuscript do not allow for definitive conclusions regarding precisely how Genesis 17 and Exodus 6 were combined in frag. 4, but what remains is enough to show that the two passages, similar in so many ways, were brought together. In this way, the recollection of the covenant with the patriarchs (Exodus 6) is harmonized with the actual account of the making of that covenant (Genesis 17).

In this case, the ‘addition of material from elsewhere’ already embeds a merger of two parallel passages. The addition itself—the incorporation of this material into the context of Exodus 24—entails an additional level of connection-building or ‘reading-together.’ By means of the addition, the editor responsible for 4Q158 includes in the contents of the ספר הברית of Exod 24:7 a divine recollection of the covenant concluded with Abraham, Isaac, and Jacob. By extension, the Sinaitic covenant, formally ratified through its public reading and the cultic events associated with it, is deemed identical with—or at least an extension of—God’s previous covenant with Israel.⁵¹ This identification

⁵¹ Segal, “Biblical Exegesis,” 50. It is not entirely clear whether the author of 4Q158 meant to say that the covenant with the patriarchs and the Sinai covenant are in fact identical, or whether he meant merely to indicate their continuity. If he was trying to

represents a major re-reading of Exodus; one that in fact conforms it to the theological perspective of the book of Deuteronomy. Deuteronomy regularly depicts the Sinai/Horeb covenant as the direct continuation of God's promises to the patriarchs (see e.g. Deut 6:10–15; 7:12–13; 8:18–19), but that view is nowhere expressed in other known versions of Exodus. There, the promises to the patriarchs are not mentioned in the context of Sinai, and the ברית here ratified is not associated with God's earlier covenant-making. In other words, the editor of 4Q158 has taken two events that are formally independent of one another and brought them into connection in order to make a theological and hermeneutical point.

2.2.6 *Thematic Connection: Jacob and Moses*

The final example in 4Q158 that I classify as addition of material from elsewhere in the Pentateuch similarly seems to involve thematic, rather than formal, correspondences. It constitutes one of the most striking departures preserved in 4Q158 from the text of the Pentateuch as known from elsewhere. The first thirteen lines of 4Q158 frag. 1–2 reflect the episode in Gen 32:25–33 in which Jacob wrestles with an unknown assailant (although the very fragmentary remains of lines 1–2 do not straightforwardly fit into this pericope). Starting in line 14, however, the setting switches to Exodus 4 and the meeting between Aaron and Moses as Moses is on his way back to Egypt (Exod 4:27–28). Needless to say, this particular juxtaposition of texts is not attested elsewhere. Furthermore, the connection between the two sections is not immediately evident. The only plausible suggestion made thus far is that of Strugnell, who tentatively proposed that the reason for the juxtaposition is that both Genesis 32 and Exodus 4 describe an Israelite hero's encounter with a potentially hostile divine being. This of course would mean that the connection is not with Exod 4:27–31, the part of the chapter that is actually extant in frag. 1–2, but with the so-called 'bridegroom of blood' episode that immediately precedes it, in

make the former point, then 4Q158 preserves a remarkable parallel to the outlook of the book of Jubilees, whose author, instead of speaking of a 'Noachic' covenant, an 'Abrahamic' covenant, and a 'Sinaitic' covenant, implies that God made only a single covenant with his chosen people, beginning with Noah, which is periodically renewed. See Endres, *Biblical Interpretation*, 226–28; Betsy Halpern Amaru, *Rewriting the Bible: Land and Covenant in Post-Biblical Jewish Literature* (Valley Forge, Penn.: Trinity Press International, 1994), 25–30.

which “YHWH met Moses and sought to kill him” (Exod 4:24–26).⁵² If indeed this link is the reason the two passages were joined (and no better alternative presents itself), then the ‘bridegroom of blood’ episode (Exod 4:24–26) must have preceded our current fragment, since there is no room for it between the end of the Jacob story and the beginning of Exod 4:27 in line 13.

All this suggests that the original context of this fragment was not the book of Genesis but the beginning of Exodus.⁵³ In other words, in the context of the story of the divine attack upon Moses on his way back from Egypt, the editor would have inserted a ‘flashback’ to the somewhat similar incident that befell Jacob on his way back to the land of Canaan. The notion that this juxtaposition constitutes a sort of ‘flashback’ in the context of Exodus 4 explains why I categorize this change as a case of addition of material from elsewhere. As noted above, the 4QRP manuscripts do not always provide enough textual evidence to prove beyond any doubt the correct explanation for changes in sequence such as this one, but one solution usually presents itself as the most plausible.⁵⁴ In this case, it is difficult to understand how a true rearrangement would have worked conceptually; that is, how this episode of Jacob’s wrestling match could have been removed from its location in Genesis and catapulted through some 400 years of narrative time to the lifetime of Moses (or the reverse). Short of some sort of prophetic prediction of Moses’ future activity, for which there is no evidence, it would be hard to imagine Moses’ sudden appearance in Genesis, and it would be even more difficult to imagine a reversion to Jacob’s lifetime from the perspective of Exodus without some sort

⁵² Strugnell, “Notes en Marge,” 169. See also Emanuel Tov, “Biblical Texts as Reworked in Some Qumran Manuscripts with Special Attention to 4QRP and 4QParaGen-Exod,” in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls* (ed. Eugene Ulrich and James C. VanderKam; Notre Dame, Ind.: University of Notre Dame Press, 1994), 111–34, at p. 131. The two passages were in fact connected by Rashbam in his commentary to Gen 32:29, where he reasons that both Jacob and Moses did not behave as God intended and were thus punished by means of the nighttime encounters. See Moshe Greenberg, *Understanding Exodus* (New York: Behrman House, 1969), 111. Modern commentators have noted several other thematic parallels between these two passages, such as the fact that both Jacob and Moses are on their way to reunite with their brother. See for example, with literature, Bernard P. Robinson, “Zipporah to the Rescue: A Contextual Study of Exodus IV 24–6,” *VT* 36 (1986): 447–61, at pp. 451–52. I am grateful to Leeroy Malacinski for this reference.

⁵³ Segal, “Biblical Exegesis,” 48.

⁵⁴ See section 1.3.3.

of framing of the event as something that had occurred in the past and is now being recollected, either by the narrator or by one of the characters. Of course no textual evidence of such framing exists. Nonetheless, it seems most reasonable to conclude that, in the mind of whoever juxtaposed these two stories, the Jacob story retained its place among the patriarchal narratives; that is, we are dealing with a repetition of the story that therefore constitutes addition of material from elsewhere.⁵⁵ This does not necessarily mean that this story physically appeared twice in 4Q158, once in its original location in Genesis and once here in the context of Exodus 4, since there is no clear evidence that 4Q158 actually covered the book of Genesis. I would suggest, though, that if 4Q158 did originally cover Genesis as well as Exodus, this Jacob pericope would indeed have occurred twice.

2.2.7 *Concluding Remarks on Addition of Material from Elsewhere in 4Q158*

The previous examples have illustrated the wide variety of situations in which the compositional technique of addition of material from elsewhere in the Pentateuch operates in 4Q158. In view of the range of issues addressed through the use of this technique, a rough picture of the hermeneutical concerns of (at least one of) the editor(s) responsible for 4Q158 begins to emerge. In the first place, the editor's activity points to certain expectations regarding the completeness and self-sufficiency of the Torah: in the Torah, commands (at least commands to Moses) must not be left unfulfilled; speech should not simply be referred to indirectly, but quoted in full.⁵⁶ Secondly, the repeated use of this technique actually embeds in the text itself an interest in reading the Torah in light of itself. In the looser, more thematic examples discussed above, the editor creates or strengthens conceptual connections between disparate texts in a manner reminiscent of rabbinic aggadic midrash and the pentateuchal Targumim.⁵⁷ As I will discuss

⁵⁵ If this explanation is correct, note the similarity to the addition of material from elsewhere in 4Q158 4 ii 1–2, which seems to contain a 'flashback' to God's earlier prediction of Israel's worship at Mt. Sinai (above, section 2.2.3).

⁵⁶ A similar attitude is attested in the pentateuchal Targumim; see Samely, *Interpretation of Speech*, 118–19. More generally on the assumption of the biblical text's perfection on the part of early interpreters, see Kugel, *Traditions of the Bible*, 17.

⁵⁷ On the creation of intertextual connections in rabbinic writings, see Samely, *Interpretation of Speech*, 65–67; idem, *Forms of Rabbinic Literature and Thought* (Oxford: Oxford University Press, 2007), 182–84; Marc Hirshman, "Aggadic Midrash,"

further in chapters 3 and 4, this hermeneutical concern goes far beyond what is attested in the other 4QRP mss and, despite some similarities, in the Samaritan text tradition. Furthermore, the concern with increasing the 'self-referentiality' of the Torah also seems to lie behind some instances of the use of other compositional techniques in 4Q158.

2.3 OMISSION

There are no clear, extant cases of omission in 4Q158; not even minor cases involving single words. There are two cases where the manuscript as extant appears to be closely following the biblical text as known from elsewhere, but reconstruction according to known versions yields a line that is too long (frag. 5 3; frag. 10–12 8).⁵⁸ In both of these situations, haplography seems to be the most likely explanation, especially for the case in frag. 5, where the text is highly repetitive and the opportunity for an eyeskip seems great. Thus, even in the two instances where some shortening of the text may have occurred in lacunae, there is no reason to believe that these omissions were deliberate.

This assessment, of course, does not pertain to the issue of the original scope of the composition contained in 4Q158 and whether that scope corresponded to the scope of the Pentateuch or any one of its books. (That is, whether 4Q158 in its original form 'omitted' or failed to include large swaths of pentateuchal material.) The issue of scope has implications for the debate over whether 4Q158 should be considered a copy of the Pentateuch (or, as is more likely, the book of Exodus) or should be thought of as a new composition of the type usually called 'rewritten Scripture'.⁵⁹ Unfortunately, however, the original scope of 4Q158 cannot be determined given the present state of the manuscript. On the other hand, it is somewhat misleading to characterize the issue of scope as involving 'omission.' This would seem to involve the presumption that the composition in 4Q158 would have or should have covered all of the Pentateuch or one of its

in *The Literature of the Sages: Second Part* (ed. Shmuel Safrai et al.; CRINT II.3a; Assen: Royal Van Gorcum, 2006), 107–32.

⁵⁸ For the text and the reconstruction, see Appendix 1.

⁵⁹ For scope as a criterion for distinguishing 'rewritten Scripture' compositions from editions of biblical books, see Segal, "Between Bible and Rewritten Bible," 20.

books. If 4Q158 is a new composition whose author, perhaps, selected and brought together a variety of related materials, then the issue is one of ‘inclusion’ rather than ‘omission.’

2.4 PARAPHRASE

I employ the term ‘paraphrase’ to indicate instances where the substance or basic content of a passage has been retained, but is expressed in different words.⁶⁰ A fairly clear and relatively minor example of this technique in 4Q158 occurs in frag. 4 ii 4: instead of MT, SP ויעלו עלת, “they offered up burnt offerings” (Exod 24:5aβ), 4Q158 reads ויעל את העול[ה] על המזב[ח], “he offered up the burnt offer[ing] upon the alta[r].” Since the line breaks off at this point, we do not know whether the paraphrase continued to cover the material in the rest of Exod 24:5. However, we see that here 4Q158 reflects essentially the same activity in slightly different words (including the explicit mention of the altar and an apparent change of subject from בני ישראל, “the young men of Israel,” to Moses).⁶¹ Aside from this minor example, there are two cases in 4Q158 of what appears to be more extensive paraphrase.

⁶⁰ Tov operates with a similar definition when he characterizes as paraphrastic works that “not only add and omit details but also change the wording of the biblical text”; see Tov, “Biblical Texts as Reworked,” 116.

⁶¹ The new formulation here somewhat resembles that of Exod 40:29, ואת מזבח העלה שם פתח משכן אהל מועד ויעל עליו את העלה ואת המנחה, “And the altar of burnt offering he placed at the entrance of the tabernacle of the tent of meeting, and he offered up upon it the burnt offering and the grain offering...” It may be that the author of 4Q158 for some reason wished to adapt the language of Exod 24:5 to that of Exod 40:29—perhaps because in both instances Moses supervises cultic procedures? However, the extant parallels are not all that extensive and consist of common cultic terms; therefore it is difficult to determine if an allusion to Exod 40:29 really was intended. If it was, then this paraphrase may have been intended to stress the similarity between the two sacrificial acts—and would constitute yet another example of the ‘reading-together’ of related verses in 4Q158.

2.4.1 *Extensive Paraphrase: Fragment 14*

Paraphrase seems to be the best descriptor for the textual reworking that takes place in 4Q158 frag. 14. As has been noted frequently, this fragment is unusual among the remains of 4Q158 in that it does not reproduce verbatim any significant string of pentateuchal material. For this reason, Tov even suggested initially that frag. 14 should not be considered part of 4Q158, a position for which there is no physical evidence and that he has since abandoned.⁶² Despite the lack of sustained reproduction of pentateuchal text, however, the themes and vocabulary of frag. 14 do in fact point to two particular scriptural passages, Exodus 6 and Exodus 15. The evidence, fragmentary as it is, suggests that these two passages have been paraphrased and combined with each other and with some new material.

Several similarities in vocabulary create a clear connection between frag. 14 and the Song of the Sea in Exodus 15.⁶³ The text mentions Egypt three times (lines 4, 5, 6), once in the phrase *ובארץ מצרים תהי צרה*, “and in the land of Egypt there will be distress” (lines 4–5). In addition, we find the verb *גאל* (line 5; Exod 15:13); the phrases *לבב ים* (line 7; cf. *לב ים* Exod 15:8) and *במצולות תהום* (lines 7–8; cf. *מצולת* Exod 15:5 and *תהמת* Exod 15:5, 8), as well as mention of “the nations” (*הגויים*, line 4; cf. *עמים* in Exod 15:14–15). The phrase *וכול הרוחות* may also point to God’s deliverance of Israel from Egypt, in which *רוח* plays an important role (Exod 14:21; 15:8, 10). Even though *רוח* always appears in the singular in those texts, one could imagine that an ancient editor envisioned *כול הרוחות*, “all the winds,” being enlisted to help the Israelites pass safely through the sea.⁶⁴ In any case, the text clearly seems to envision the destruction of Egypt at the sea.

⁶² Tov, “Biblical Texts as Reworked,” 125. Later publications make clear that Tov now does consider frag. 14 to be a part of 4Q158; see e.g. Tov, “Rewritten Bible Compositions,” 339.

⁶³ For the text of frag. 14, see Appendix 1.

⁶⁴ Of course it is not self-evident that *רוח* here means “wind,” although on the basis of usage as well as context this interpretation seems most likely. The phrase *כל הרוחות* occurs only once in the Hebrew Bible, where it clearly means “winds,” in the sense of the four cardinal directions: “I shall bring against Elam four winds from (the) four corners of the earth, and I shall scatter them to all these winds (*לכל הרחות האלה*)...” (Jer 49:36). Furthermore, the plural *רוחות* means “winds” everywhere in the Hebrew Bible except Prov 16:2. At Qumran, the phrase *כול הרוחות* occurs in only one other place, in 8Q5. The context is not preserved, but the phrase in question reads *ע[כול [עומדות] הרוחות לפניכה ע*. Given that the *רוחות* are here doing something (standing, [עומדות] ע

On the other hand, other aspects of frag. 14 connect thematically and lexically with Exod 6:3–8, in which God promises to liberate Israel from Egypt, take them as his people, and lead them into the land promised to their ancestors. The themes of redemption and peoplehood appear in frag. 14 5–6, *וגאלתי מידם ועשיתי לי לעם*, “and I will redeem them from their power, and I will make (them) into my people” (cf. Exod 6:6 *וגאלתי אתכם*; Exod 6:7 *לעם לי לעם*). Frag. 14 also seems to refer to the future settlement in the land. In lines 6–7 Strugnell proposes the reconstruction *ואת [זר]ע בניכה א[ושיב בא]רץ* “and your children’s descendants I will settle in the land in surety.”⁶⁵ Even without the reconstruction, the connection to settlement in the land is made highly probable by the word *לבטח*, which in the Hebrew Bible usually refers to “dwelling” securely.⁶⁶ We also find the phrases *אשר יישבו*, “who will dwell” (line 8) and *לברכה להארץ*, “for a blessing for the earth/land” (line 4).⁶⁷ Compare Exod 6:8, *והבאתי אתכם אל הארץ... ונתתי אתה לכם מורשה*, “And I will bring you to the land... and I will give it to you as an inheritance.”⁶⁸

The language of frag. 14, then, without repeating any scriptural text verbatim, points to a combination of Exod 6:3–8 with Exodus 15. The combination raises the question of where this new textual unit would have been located within the larger narrative of Exodus. In this case, the fragment’s syntax provides a clue. The Song of the Sea in Exodus 15 celebrates God’s victory over the Egyptians by recalling the key events with verbs in the perfect (e.g. *קפאו תהמת בלב ים*, “the deeps congealed in the heart of the sea”; Exod 15:8). But the verbs in 4Q158

or *ע[ו]מדיים*?) *before or in the presence of* God, the phrase might refer to heavenly beings at this point. This is the interpretation of Arthur Everett Sekki, *The Meaning of Ruah at Qumran* (SBLDS 110; Atlanta: Scholars, 1989), 165–66. It does not seem justified, however, to assume on the basis of 8Q5, as Sekki does, that *כול הרוחות* refers to heavenly beings in 4Q158 as well. First, the interpretation of the phrase in 8Q5 is far from certain. Second, given the nature of 4Q158, we might expect its author to be influenced more by biblical phraseology than by post-biblical Hebrew, and *רוחות* never means “heavenly beings” in the Hebrew Bible.

⁶⁵ Strugnell, “Notes en Marge,” 176.

⁶⁶ Of the 32 occurrences of *לבטח* in the Hebrew Bible, 21 appear with the verb *ישב* and another 4 with *שכן*.

⁶⁷ The word *להארץ* is the only case in 4Q158 where the definite marker *-ה* is not merged with a prefixed preposition.

⁶⁸ While other covenant texts (e.g. Genesis 15 and Genesis 17) refer to some of the same themes, the specific terminological connections outlined above, as well as the lexical parallels between Exodus 6 and 15 (see below), strongly suggest that it is indeed Exodus 6 that is at issue here.

frag. 14 are all imperfects and converted perfects, indicating that they describe an event that has not yet happened (יִשְׁבוּ, תְּהִי, וְעִשְׂתִּי, וגאֱלֹתִים). This suggests that a likely setting for 4Q158's reworked text is in fact Exodus 6, which similarly *predicts* God's saving actions with a string of converted perfect verbs (Exod 6:6–8 וְהִצַּלְתִּי, וְגִאֲלֹתִי, וְלִקַּחְתִּי, וְגִאֲלֹתִי, וְהוֹצֵאתִי, etc.).⁶⁹ In other words, instead of reproducing Exod 6:3–8 verbatim, the editor responsible for 4Q158 has paraphrased it by means of rewording and integration of material from Exodus 15.⁷⁰

Although I have been discussing frag. 14 as an example of paraphrase, the exegetical logic behind this fragment is very similar to that which informs the cases of addition of material from elsewhere in the Pentateuch discussed above. Despite some substantial differences, Exod 6:3–8 and Exodus 15 in fact relate to one another to a certain extent as promise and fulfillment: Exodus 6 promises a future deliverance from Egypt and resettlement in the land, and Exodus 15 celebrates poetically the manifestation of the first stage in that deliverance. To be sure, the emphasis of each is different: Exodus 15 refers specifically to the destruction of the Egyptian army at the Sea, while Exodus 6 describes God's liberation of the Israelites in quite general terms. On the other hand, Exodus 6 speaks explicitly of the Israelites' destination as the Land of Canaan, the land promised as an inheritance to Israel's ancestors, while Exodus 15 refers metaphorically to the land as God's

⁶⁹ For the suggestion that 4Q158 frag. 14 belongs in the context of Exod 6:3–8, see Segal, "Biblical Exegesis," 54–55. The verb tenses (which Segal does not mention) are one reason why his suggestion strikes me as more plausible than that of Strugnell, who proposed that frag. 14 was originally located proximate to frag. 4 because the latter seems to end with God recounting at least some episodes in Israel's 'sacred history'; see Strugnell, "Notes en Marge," 175. Strugnell does not address the discrepancy between the perfect verb of frag. 4 6 and the imperfects and converted perfects used in frag. 14, nor the problem of a 'recollection' or repetition of past events using verb forms that appear to refer to future events. Furthermore, if the analysis of frag. 4 presented above is correct, the historical 'recollection' in lines 6–7 is designed specifically to associate the covenant with the patriarchs with the Sinai covenant, not to rehearse Israel's *Heilsgeschichte* more generally.

⁷⁰ Segal has also suggested that frag. 14 represents a paraphrase of Exod 6:3–8 ("Biblical Exegesis," 54–55); I would amend his argument only slightly. First, while Segal bases himself upon two cases of shared vocabulary (וגאֱלֹתִים frag. 14 5 // וגאֱלֹתִי אתכם Exod 6:6; וְעִשְׂתִּי לי לעם frag. 14 6 // לי לעם אתכם Exod 6:7), a more persuasive case can be made in light of parallels in theme as well as vocabulary. Second, Segal's characterization of the passage as a paraphrase of Exod 6:3–8, supplemented with details from Exodus 15, underemphasizes what I believe is an important point. The paraphrase is not somehow separate from the addition of material from Exodus 15. Rather, the blending of the two passages itself constitutes the paraphrase.

“holy habitation” (15:13) and “the mountain of your inheritance” (15:17). In conceptual terms, however, each describes the same complex of events. The connection is strengthened by lexical parallels: both texts refer to God’s power (בזרוע נטויה in 6:6; ימינד in 15:6; בגדל בזרוע in 15:16), both use the word גאל to refer to Israel’s redemption (6:6; 15:13), both refer to Israel as God’s people (6:7; 15:16), both refer to God “bringing” (הביא) Israel to the land (6:8; 15:17). There is, therefore, a sense in which frag. 14 could be said to contain an example of addition of material from elsewhere, although the addition in this case results in a paraphrase of the text into which the material is inserted. Once again, the editor responsible for 4Q158 appears to have taken steps to clarify and strengthen the connection between two related passages. By rephrasing the promise of liberation in Exodus 6 so that it contains more of the specific details of the account in Exodus 15, prediction and execution are brought into closer alignment with one another.

2.4.2 Another Example of Paraphrase?

4Q158 frag. 3 may constitute another example of paraphrase, though its small size makes firm conclusions even more difficult than usual. It consists only of a few words:

] ויקרא יעקוב]	1
בארץ הזות מל ^ל]]	2
] אבותי לבוא אל ^ל]]	3
] o o []]	4

1. And Jacob called [
2. in this land ml[
3. my fathers to come to[
4. []??[

The contents of this fragment do not directly reflect any pentateuchal text.⁷¹ Strugnell tentatively raises the possibility that the fragment relates to the end of Jacob’s life: “Pourrait-il aussi faire partie d’un

⁷¹ Allegro suggested that perhaps the words ויקרא יעקוב represented the beginning of Gen 32:31, ... פניאל שם המקום פניאל, “and Jacob called the name of the place Peni’el...” (DJD 5:2). This solution is unlikely, first because Gen 32:31 was probably contained in the lacuna in frag. 1–2 10, and second because none of the material in the rest of frag. 3 has any connection to Genesis 32. See also Segal, “Biblical Exegesis,” 54.

discours de Jacob avant sa mort?⁷² The opening phrase ויקרא יעקוב indeed occurs in Gen 49:1 to introduce Jacob's deathbed address to his children, but, as Segal points out, the content of Jacob's long poem does not match the remaining text of frag. 3.⁷³ Segal may be correct in suggesting that a better context might be Jacob's instructions to Joseph in Gen 47:29–30:

ויקרא לבנו ליוסף ויאמר לו...אל נא תקברני במצרים ושכבתי עם אבתי ונשאתני ממצרים וקברתני בקברתם, "Jacob summoned his son, Joseph, and said to him... 'Do not bury me in Egypt. When I lie down with my fathers, take me up from Egypt and bury me in their burial place.'"

If this identification is correct, frag. 3 would represent a paraphrase or retelling of the episode, as there is little actual overlap in vocabulary aside from אבותי, "my fathers." Furthermore, if the line-lengths in the column represented by frag. 3 are consistent with those reconstructed for other fragments (ca. 100 letter-spaces), the episode must have been considerably expanded vis-à-vis Jacob's short utterance in Gen 47:29–30, which would only have covered about 1.5 lines. But בארץ הזאת could easily refer to Egypt, and לבוא אל to Jacob's request that his body be returned to Canaan.⁷⁴ Thus we may here have a case of paraphrase combined with addition of new material.

2.5 REARRANGEMENT: THE DECALOGUE

There is only one likely case in 4Q158 of what I think qualifies as true rearrangement; that is, the dislocation of material from its original context to a new context such that it no longer appears in the original location. As usual, it is difficult to be certain precisely what has happened because of the fragmentary nature of the text, but in this case rearrangement constitutes the most plausible option.⁷⁵

The case at hand involves an otherwise unattested sequence that appears in 4Q158 frag. 7. As mentioned above, the first two lines of

⁷² Strugnell, "Notes en Marge," 170.

⁷³ Segal, "Biblical Exegesis," 54.

⁷⁴ Segal actually reconstructs line 2 as בארץ הזאת מצרים; "Biblical Exegesis," 54. However, this syntax strikes me as awkward, and ב/לארץ הזאת or מן הארץ הזאת never occurs in the Hebrew Bible with an appositional place name. Furthermore, the final letter on l. 2, which is only partially extant, is more likely to be a ל than a צ.

⁷⁵ On this issue, see section 1.3.3.

frag. 7 contain the last six verses of the Decalogue (Exod 20:12–17), while line 3, after a short addition, jumps to the end of the long insertion of material from Deuteronomy that characterizes Exod 20:21b in the Samaritan text tradition (= Deut 5:30–31). In the sequence that is familiar from SP and 4QpaleoExod^m, Exod 20:17 would be followed by Exod 20:18–19a, Deut 5:24–27, Exod 20:19b–21, Deut 5:28b–29, Deut 18:18–22, and only *then* by Deut 5:30–31.⁷⁶ Here in frag. 7 all this intervening material is absent; on the other hand, much of it (Deut 5:27 + Exod 20:19b–21 + Deut 5:28b–29 + 18:18–22) is extant in 4Q158 frag. 6.

This textual sequence presents a conundrum: the people's request for a mediator and the subsequent discussion (SP Exod 20:18–21b), which in Exodus and Deuteronomy *follows* the Decalogue, is presented in 4Q158 (frag. 6) as coming *before* the Decalogue. Such an arrangement would appear to be nonsensical, given that Exodus 20 and Deuteronomy 5 imply that it is precisely in response to hearing God speak the Decalogue that the people request that Moses serve as intermediary for further divine speech.

In approaching this problem we must note first of all that it cannot be solved simply by reordering the fragments of 4Q158 such that frag. 6, containing the request for a mediator, would come after the end of the Decalogue in frag. 7. After the end of Exod 20:21b SP (= Deut 5:30–31), frag. 7 continues through the rest of Exodus 20 into the beginning of the Covenant Code (7 9–11 = Exod 21:1–4), and the text of lines 3–5 makes clear that the people's request for Moses' mediation has been granted: they are dismissed to their tents and God addresses the Covenant Code to Moses alone. The request for mediation must therefore have come before the beginning of frag. 7; thus frag. 6 and frag. 7 are in the correct order.⁷⁷

Another issue to consider is that the text of Exodus 19–20 as known from other versions leaves substantial ambiguity as to whether the Decalogue was in fact addressed to the whole people. The request for mediation in Exod 20:18, immediately after the Decalogue, implies that it was, but that verse does not make this explicit, saying only that

⁷⁶ For this sequence, see Table 2.1 on p. 30 above.

⁷⁷ Segal ("Biblical Exegesis," 56) also recognizes that frag. 7–9 cannot come before frag. 6, though for different reasons, which are somewhat unclear. See also Tov, "The Nature and Background of Harmonizations in Biblical Manuscripts," *JOT* 31 (1985): 3–29, at p. 28, n. 44.

the people “saw the thunder and the torches and the sound of the shofar and the mountain smoking.” Furthermore, the transition between Exodus 19 and Exodus 20, extremely awkward syntactically and almost certainly the sign of redactional activity, might give the impression that Moses is recounting God’s words rather than God speaking directly.⁷⁸ Thus it may be possible that the editor of the text in 4Q158 regarded the Decalogue as already mediated by Moses according to the text of Exodus, and therefore moved the entire thing to a more logical position, after the request for mediation in Exod 20:18 and following.

This solution, however, is rendered less plausible by the appearance of a word from Deut 5:27 in frag. 6 line 1. This—plus the text’s adherence to pre-Samaritan traditions elsewhere in the Sinai pericope—strongly suggests that all of Deut 5:24–27 was originally present in 4Q158 preceding frag. 6. Significantly, Deut 5:24 makes very clear that the people did not simply hear the roar of thunder and the sound of the shofar, but actually heard God speaking to them: “Today we have seen that God can speak (וידבר) to humans and they can survive.”⁷⁹ The reference to God’s speech alludes directly to the Decalogue. Thus, if this verse was included in 4Q158, as seems almost certain, it is very difficult to maintain that the editor regarded the Decalogue as mediated entirely by Moses.⁸⁰ But then we are back to our original problem:

⁷⁸ The awkwardness results from the juxtaposition of the end of 19:25 with the beginning of 20:1, ... ויאמר אלהים וידבר אלהים, “and he said to them. And God spoke...” The converted imperfect וידבר could be construed as the content of Moses’ speech (“...and he said to them, ‘And God spoke...’”). However, this would require that the converted imperfect lose its normal function of connecting to what comes before, since וידבר is disconnected from ויאמר as regards both temporal sequence and speaker. Bernard Levinson suggests that the retention of the tensive juxtaposition is intentional, meant to sustain ambiguity as to who actually speaks the Decalogue (personal communication). Arie Toeg makes a similar argument with regard to the lack of reference to any addressee in Exod 20:1—to whom is God speaking? Toeg suggests that the ambiguity is a deliberate attempt on the part of the interpolator of the Decalogue to address the tension between two perspectives already embedded in the text, one of which regarded the Decalogue as the direct speech of YHWH to all the people, and the other of which denied the possibility of any such direct speech. See Arie Toeg, *מתן תורה בסיני* (Jerusalem: Magnes, 1977), 61–64.

⁷⁹ See Segal, “Biblical Exegesis,” 56.

⁸⁰ I therefore cannot agree with Falk’s suggestion that the author of 4Q158 has moved the request for mediation to before the Decalogue, perhaps because of the similarity of the people’s fear of the thunder and lightning in Exod 19:16 and 20:18, and/or because of the author’s desire to stress Moses’ role as mediator; see Falk, *Parabiblical Texts*, 118. Similarly, Strugnell suggests that the presence of the end of the Decalogue at the beginning of frag. 7 results from the fact that Moses here “repeats” the

if the people's request for a mediator (frag. 6) is prompted by God's speaking the Decalogue directly to them, then what is the end of the Decalogue doing in the beginning of frag. 7, after the request for mediation?

Michael Segal has proposed an ingenious solution to this problem that takes account of all of these issues.⁸¹ He suggests that 4Q158 reflects a textualization of an interpretive tradition found in later rabbinic material according to which only the first two commandments were spoken directly by God to the whole people, while the rest were mediated through Moses. This tradition most likely takes its origin from the fact that only the first two commandments refer to God in the first person, while the rest refer to God in the third person.⁸² It also seems, however, that the confusion in the MT about who speaks the Decalogue to the people could have been an additional influence. In any case, Segal hypothesizes that 4Q158 reflects this tradition in that Exod 20:2–6 were located before the people request a mediator (Exod 20:18–19 SP), while the rest of the commandments, Exod 20:7–17, were moved to a new location towards the end of the long addition in SP labeled Exod 20:21b: after the prophet law from Deuteronomy 18 and before the resumption of Deuteronomy 5 with v. 30, "Go, tell them, 'return to your tents.'" This solution allows for both the presence in frag. 6 of Deut 5:24, with its record that God spoke to Israel directly, and the location of the (end of the) Decalogue after the request for mediation.

Although there is no way to prove that the first two commandments appeared in 4Q158 prior to frag. 6, this suggestion certainly makes the most sense of the data. With regard to compositional technique, once again the context favors a given understanding despite the absence of concrete evidence. The new sequence theoretically might constitute

Decalogue to the people, a repetition that would have begun in the lacuna immediately following the last extant words of frag. 6; see Strugnell, "Notes en Marge," 172. Strugnell does not elaborate on what he means by "repeat": does he mean that at some point prior to frag. 6 God revealed the Decalogue to Moses alone, such that he now must convey it to the people? If so, this suggestion runs into the same difficulty as Falk's: it fails to take into account that the people seem to have heard God speak the Decalogue to them directly—otherwise, the request that God cease speaking to them (Deut 5:24–27) is inexplicable. Alternatively, does Strugnell mean that the Decalogue was spoken directly to the people in the first place? If this is his intent, it is difficult to understand why Moses would now have to repeat to the people what they have already heard.

⁸¹ Segal, "Biblical Exegesis," 57–58.

⁸² Segal, "Biblical Exegesis," 57 n. 35.

addition of material from elsewhere; that is, the entire Decalogue might have appeared prior to frag. 6, in its familiar position, and then have been *repeated* at the beginning of frag. 7. Context, however, militates against this understanding: if the entire Decalogue was already revealed to the whole people prior to their request for mediation in frag. 6, why would it then be repeated? True rearrangement, where the latter portion of the Decalogue was removed from its original setting and relocated at the start of frag. 7, makes much more sense.⁸³

2.6 MINOR ALTERATIONS

The final category of compositional technique that appears in 4Q158 is that of minor alterations; that is, the replacement of 1–2 words with other words or the appearance of a different form of the same word. In general, these types of changes tend to be qualitatively insignificant, and in many cases one might question whether they should really be considered deliberate changes at all. Often it is difficult to determine with any confidence that the reading in 4Q158 is later than other readings, and even if some of these minor variations were to represent later readings, they could simply be unintentional. Illustrative of this type of extremely minor variation are the readings אֱלֹהֵינוּ for MT, SP,

⁸³ Although I believe it is most likely that the Decalogue was simply split apart, such that God speaks commandments 1 and 2 to the whole people prior to frag. 6 and speaks commandments 3–10 to Moses alone at the top of frag. 7, Strugnell's suggestion that *Moses* is the speaker for the first two lines of frag. 7 raises an alternative possibility. I do not accept Strugnell's assertion that Moses repeats the entire Decalogue at this point (see n. 80 above). It is plausible, however, that after frag. 6 God conveys commandments 3–10 to Moses, and then Moses relays these commands to the people, making Moses the speaker at the top of frag. 7 as Strugnell suggests. (In formal terms, we would then have *both* a rearrangement *and* an addition of material from elsewhere.) Strugnell's suggestion is based on his conclusion that the short addition יהוה אל משה ויאמר, "YHWH said to Moses," in 7 3 marks a change in speaker from Moses to YHWH (Strugnell, "Notes en Marge," 173). This conclusion, as discussed above (p. 34), is not necessary; thus there is no compelling reason to regard Moses as the speaker in 7 1–2 and thus no good reason to posit a twofold appearance of commandments 3–10 between frags. 6 and 7. Such a repetition is not, to be sure, impossible. Evidence that this material appeared only once, however, might be seen in the fact that none of the other divine commands in this section (e.g. the prophet law of Deuteronomy 18 or the Covenant Code) are understood as relayed to the people at this point; rather, from the perspective of the narrative, their repetition is presumably delayed until the plains of Moab.

G וְאִשׁר in frag. 6 8 (Exod 20:21b SP = Deut 18:20) and אִם for SP, G וְאִם in frag. 10–12 7 (Exod 22:4).⁸⁴

The two remaining cases of minor alteration in 4Q158 merit more attention. The first case involves the protasis of the casuistic law regulating the theft of livestock (Exod 21:37):

Exod 21:37 MT⁸⁵ ... בִּי יִגְנוֹב אִישׁ שׁוֹר אוֹ שֶׁהָהָרֶה, “If a man steals an ox or a sheep...”

4Q158 10–12 4 ... אִם יִגְנוֹב אִישׁ שׁוֹר אוֹ שֶׁהָהָרֶה, “If a man steals an ox or a sheep...”⁸⁶

The change in conditional from כִּי to אִם may not be intentional; nonetheless, it constitutes important evidence for the understanding (or lack thereof) in the late Second Temple period of biblical legal syntax. The presence of אִם at the beginning of Exod 21:37 in 4Q158 instead of כִּי as in MT indicates that, to the person responsible for this change, the Covenant Code’s careful separation of the two conditionals by role was no longer understood. In the Covenant Code, כִּי is always used to introduce the main protasis of a casuistic law, whereas אִם introduces subconditions. The apparent lack of concern here with the hierarchical use of the conditionals can be contrasted with the situation in the Temple Scroll. The Temple Scroll’s author, far from ignoring or misunderstanding the systematic hierarchical use of כִּי and אִם in the Covenant Code, attempted to apply that system consistently across the biblical legal corpora.⁸⁷

The final minor alteration in 4Q158 pertains even more directly to the nexus between the transmission and interpretation of biblical law. It involves the initial verb of a law that must have been expanded substantially early in the transmission of the book of Exodus, since the plus appears in G, SP, 4Q158, and 4Q366.

Exod 22:4 MT כִּי יִבְעַר אִישׁ שְׂדֵה אוֹ כְרֶם וְשָׁלַח אֶת בְּעִירָהּ וּבְעֵרָהּ בְּשָׂדֵהּ, “If a man causes a field or vineyard to be grazed, and he sends out his

⁸⁴ The variant occurs in the context of a multiword plus present in SP, G, 4Q158, and 4Q366 but absent in MT.

⁸⁵ SP reads וְכִי; cf. G.

⁸⁶ Because the א is only partially extant at the edge of the fragment, the reading וְאִם is also possible.

⁸⁷ See, with literature, Bernard M. Levinson and Molly M. Zahn, “Revelation Regained: The Hermeneutics of כִּי and אִם in the Temple Scroll,” *DSD* 9 (2002): 295–346.

cattle and they graze in another field, (of) the best of his field and the best of his vineyard he shall repay.”

Exod 22:4 SP וכי יבער איש שדה או כרם ושלח את בעירו ובער בשדה אחר שלם ישלם משדהו כתבואתה ואם כל השדה יבער⁸⁸ מיטב שדהו ומיטב כרמו ישלם “If a man causes a field or vineyard to be grazed, and he sends out his cattle and they graze in another field, he shall certainly make recompense from his own field, according to its produce. And if he causes the entire field to be grazed over, (of) the best of his field and the best of his vineyard he shall repay.”

4Q158 10–12 6–7 ... וכי יבער [איש ... כת]בואתו אם כול השדה יבעה

The issue here is the use in MT of the ambiguous root בער in the meaning “graze,” rather than the more usual sense of “burn.”⁸⁹ 4Q158 reflects a continuation of the apparent impulse, evident in SP, to avoid this root in favor of the less ambiguous בעה (“destroy,” “lay bare” → “graze bare”).⁹⁰ While SP retains בער in the opening clause of the law and only shifts to בעה in the substantive addition to the verse (... וכי יבעה השדה), 4Q158 reads וכי יבעה at the opening of the law as well.⁹¹

⁸⁸ This orthography is the reading of Tal, following the Shechem ms 6 (C). Other manuscripts read the expected יבעה; see August von Gall, *Der hebräische Pentateuch der Samaritaner* (Giessen: A. Töpelmann, 1918; reprint, 1966), 163.

⁸⁹ For a thorough discussion of the textual and exegetical issues raised by the various witnesses to this verse, see David Andrew Teeter, “Exegesis in the Transmission of Biblical Law in the Second Temple Period: Preliminary Studies” (Ph.D. diss., University of Notre Dame, 2008), 15–47.

⁹⁰ Aejmelaeus’s argument that בעה may be the original reading, later corrupted to בער on the basis of the word בעיר, “cattle,” later in the verse, strikes me as implausible; see Anneli Aejmelaeus, “What Can We Know about the Hebrew *Vorlage* of the Septuagint?,” *ZAW* 99 (1987): 59–89, at pp. 82–83. The main problem with this suggestion is the witness of SP, which uses בעה in the plus but בער in both instances where it occurs in MT. If בעה was found in his *Vorlage*, it is highly unlikely that the editor responsible for the SP form of the text would have used בעה in the added legal condition but *changed* בעה to בער elsewhere in the law. Of course one could assume that the so-called “corruption” in MT occurred after the SP tradition split off, and then SP was subsequently corrected back towards MT, but in that case we would expect SP to read בער in all cases, not just two out of three. That the longer version of G and SP represents the original form of the text is unlikely, as Aejmelaeus admits: there is no plausible reason why the extra condition would be omitted. Thus, in this case, the principle of *lectio difficilior* seems appropriate: it is much easier to explain the move from the confusing בער to the less confusing בעה than the reverse. See also Teeter (“Exegesis,” 29–30), who argues that it makes the most sense to regard בער as the original reading and בעה as an exegetical attempt to clarify the text’s meaning.

⁹¹ It should be noted that G uses the same verb, καταβόσκειν, in all three places, suggesting that its *Vorlage* consistently used either בער or בעה (Teeter, “Exegesis,”

2.7 COMPOSITIONAL TECHNIQUE IN 4Q158

This description and analysis of the ways in which the pentateuchal text is reworked in 4Q158 illustrates the variety of compositional techniques employed and the array of different exegetical concerns these techniques are utilized to address. Further contextualization of the textual reworking of 4Q158 must be postponed until we have something to compare it to; that is, until the following analyses of the other 4QRP mss, SP, and the Temple Scroll. At this point, though, a few points can be stressed.

First, while my primary concern here is to describe the various compositional techniques attested in 4Q158 and how they are put to use, the presentation of the text according to compositional technique may have the effect of obscuring a sense of how various types and sizes of change co-occur within a single fragment. An alternate arrangement of the data would illustrate more clearly that some fragments of 4Q158 (e.g. 5, 10–12) contain few or no substantive changes, while some, like frag. 1–2, embed a great many, of various sizes and purposes. In Appendix 2 I present a chart listing the variants in each fragment that, when used in conjunction with the transcription and translation in Appendix 1, will give a clear impression of how various compositional techniques were used in succession or even in conjunction to produce the text of 4Q158 in the shape we have it now.

Second, it is worth highlighting once again both the wide range of compositional techniques and purposes to which they are put in 4Q158 and the striking frequency with which this manuscript demonstrates a hermeneutical concern with coordination or connection of parallel or related texts. While the exegetical concerns evidenced in 4Q158 range

31 n. 44). If G reflects a *Vorlage* that read **יבעה** throughout, this reading may also have been in the *Vorlage* of 4Q158. (We can never know for sure that 4Q158 had **יבעה** throughout, because the second occurrence of the verb is not extant, but the two extant uses make the third very likely.) On the other hand, the G translator may have had a *Vorlage* that read **יבער** throughout: this reading appears to be attested in 4Q366 (see below, section 3.3.1). The evidence of 4Q366 may mean that the plus in its original form had **בער**, which was subsequently changed to **בעה** in a *Vorlage* of SP. This may be less likely, however, given that semantically speaking **בעה** appears somewhat more suited than **בער** to the context of the plus, the destruction of an entire field. See Teeter, “Exegesis,” 31. More probably, the reading in 4Q366 derives from the fact that, at some point, a copyist of the SP version, which has both **יבער** and **יבעה**, was more troubled by the inconsistency in language than by the ambiguity of **בער** and changed the one occurrence of **יבעה** to **יבער**.

from halakhic issues to the proper sequence of events at Sinai, the majority of the major changes in 4Q158 serve to relate two passages in some way or strengthen the connection between them. Addition of material from elsewhere in the Pentateuch was, not unexpectedly, the technique employed most frequently to build these connections. Yet paraphrase seems to be used for a similar purpose in frag. 14. As mentioned above, the prominence of this hermeneutical concern (as well as the related prominence of the compositional technique of addition of material from elsewhere) gives 4Q158 a distinctive profile among the texts examined here. This distinctiveness will become even more apparent after the discussion of the other 4QRP mss and, especially, the somewhat similar use of addition of material from elsewhere in SP and the pre-Samaritan manuscripts.

2.8 UNDERSTANDING THE DEVELOPMENT OF 4Q158

One final issue remains to be considered in this chapter on 4Q158. Up to this point, I have deliberately used rather ambiguous language with reference to the person or persons responsible for the unique version of the text of Exodus that we find reflected in 4Q158. Now that that distinctive presentation of the text has been discussed, however, it is necessary to consider what we can determine about its origin: should the changes preserved in 4Q158 be viewed as largely the work of a single editor, or is it better to entertain the possibility that the changes, even the major ones, were introduced gradually by a series of copyist-editors? This is an issue that will recur in the following chapters for 4Q364–367, SP and its forebears, and TS.

The tendency in recent discussions of the 4QRP manuscripts, SP and the pre-Samaritan texts from Qumran, and the phenomenon of ‘multiple literary editions’ of biblical books is to attribute all the major changes evident in a particular book to a thoroughgoing redaction by a single individual.⁹² Thus, in his article on 4Q158, Segal repeatedly refers to the ‘author’ of 4Q158, just as Tov refers to the ‘author’ of

⁹² The idea of ‘multiple literary editions’ of biblical books was developed by Eugene Ulrich; see e.g. idem, *The Dead Sea Scrolls and the Origins of the Bible* (Grand Rapids: Eerdmans, 1999), 99–120.

4QRP in two recent publications.⁹³ On the other hand, there has also been a recognition, often by the same scholars, that the process of transmission of scriptural texts in the Second Temple period was characterized by revision and expansion; that is, copyists were not passive conduits of a fixed text, recognizable only when they made a mistake, but active partners in shaping the text long after that text had ostensibly received its 'final' form.⁹⁴ If the license to make changes was part and parcel of the scribal task in the Second Temple period, what basis do we have for ascribing all the major changes in a particular text to a single redactor/author?

In discussions of expanded versions of biblical books and of 'rewritten Scripture,' a single redactor/author is more often presumed than argued for. An exception is the discussion of the longer MT edition of the book of Jeremiah, where there has been some debate as to whether the expansions present in the MT came about gradually (McKane speaks of a "rolling corpus") or as the result of a thoroughgoing redaction.⁹⁵ In the context of this discussion, Beat Huwyler articulates the criterion that, in order to posit an overall redaction, changes must be repeated and serve a discernible purpose; that is, there must be a unifying goal or ideology that ties the changes together.⁹⁶ For Jeremiah, Huwyler and others cite aspects of the MT version such as an increased concern with Babylon, Nebuchadrezzar, and the Temple vessels as evidence that the text did undergo an overarching redaction at some

⁹³ See Segal, "Biblical Exegesis," e.g. 47, 48, 51; Tov, "Biblical Texts as Reworked," 127; Tov, "Rewritten Bible Compositions," 337. (Tov speaks consistently in this latter article of "the editor" of the pre-Samaritan texts.) See also Ulrich, *Dead Sea Scrolls*, 65. Here Ulrich refers to "one or possibly more scribes" responsible for the pre-Samaritan version of Exodus, though later on the same page this becomes "a scribe."

⁹⁴ See especially George J. Brooke, "The Qumran Scrolls and the Demise of the Distinction Between Higher and Lower Criticism," in *New Directions in Qumran Studies* (ed. Jonathan G. Campbell et al.; Library of Second Temple Studies 52; London: T&T Clark, 2005), 26–42, at pp. 37–38; Ulrich, "Text of the Hebrew Scriptures," 103; Segal, "Between Bible and Rewritten Bible," 12, 16.

⁹⁵ For the notion of a gradual accretion of material, see J. Gerald Janzen, *Studies in the Text of Jeremiah* (HSM 6; Cambridge, Mass.: Harvard University Press, 1973); William McKane, *A Critical and Exegetical Commentary on the Book of Jeremiah* (2 vols.; ICC; Edinburgh: T&T Clark, 1986–96). For the idea of a single main redactor, see Emanuel Tov, "The Literary History of the Book of Jeremiah in the Light of Its Textual History," in *Empirical Models for Biblical Criticism* (ed. Jeffrey H. Tigay; Philadelphia: University of Pennsylvania Press, 1985), 211–37; James Watts, "Text and Redaction in Jeremiah's Oracles Against the Nations," *CBQ* 54 (1992): 432–37.

⁹⁶ Beat Huwyler, *Jeremia und die Völker: Untersuchungen zu den Völkersprüchen in Jeremia 46–49* (FAT 20; Tübingen: Mohr Siebeck, 1997), 67–70.

point, alongside continual development in minor details. To take an example from the realm of ‘rewritten Scripture,’ one could cite the persistent concern in the book of Jubilees with the calendar, as well as the frequent mention of the Heavenly Tablets, as evidence for a unified redactional perspective operative in that work. Huwyler’s basic observation thus provides some way in to answering the question of whether the changes in 4Q158 should be attributed to a single redactor.

I have described what I believe is a distinctive hermeneutical perspective within 4Q158: the concern to strengthen or create connections between related texts. Other motivations, however, seem to lie behind some of the changes in 4Q158. The addition of a 3-line blessing in frag. 1–2 seems to be a response to a perceived ‘gap’ in the text. In two instances, additions seem intended to create smoother transitions within the text (“... say to them,” frag. 6 6; “and YHWH said to Moses,” frag. 7–9 3). There are also changes that respond to other sorts of perceived problems with the text: in frag. 1–2 12, a folk custom is transformed (it seems) into a divine command (... תוא]בל(ו). The rearrangement of the Decalogue evident in frag. 7–9 seems to respond to the interpretive difficulties regarding the people’s request for mediation and the switch in voicing from first person to third person within the Decalogue itself.

While nearly all the changes in 4Q158 reflect a broad concern for the coherence, unity, and self-referentiality of Scripture, this attitude towards the pentateuchal text seems to have been widespread in the Second Temple circles responsible for the transmission and interpretation of Scripture. We will certainly see the same basic attitude in the other 4QRP mss, in the pre-Samaritan versions of Exodus and Numbers, in SP, and in the Temple Scroll.⁹⁷ On the other hand, the specific concern with various types of textual interconnections is more distinctive, and is not demonstrated in the same way by the other texts I will discuss. Does this then constitute the unified redactional perspective we have been looking for?

In my mind, it would make good sense if this particular set of significant changes in 4Q158 were to have been introduced by a single redactor/scribe. The same editor may or may not have been responsible for the other major changes in the text—certainty or even a reasonable

⁹⁷ Falk also notes this attitude in the 4QRP mss, which he tends to treat as a single composition (*Parabiblical Texts*, 119).

probability seems impossible to attain on this question. At the same time, caution is necessary even with regard to the changes that reflect 4Q158's distinctive concerns. It is possible that a few of these changes were made by one person, and then a later scribe or scribes built upon the same hermeneutical principle to introduce further changes of the same type. This multi-stage model may be particularly plausible for 4Q158, given that even the additions of material from elsewhere function in a variety of distinct, if related, ways. Furthermore, there is evidence that precisely this sort of thing occurred at various points in the history of the transmission of the text-type that ultimately became SP.

The point of this discussion is not to argue for or against a single redactor as responsible for the unique configuration of texts found in 4Q158. My intention is only to indicate that we must keep in mind the possibility that the text grew in stages. In fact, we already have clear evidence for at least five stages in the composition of the book of Exodus: the Old Greek, represented by G; the stage preserved in the MT, with its apparently more developed version of the Tabernacle pericope in chapters 35–39;⁹⁸ the expanded version preserved in SP and 4QpaleoExod^m; and the further expanded versions preserved in 4Q158, on the one hand, and in the final, sectarian version of SP on the other. We should not exclude from our conceptual frameworks the possibility of further stages just because we do not have manuscript evidence for them. The issue is not that these stages are recoverable (if they did in fact occur)—they are not. But the short history of scholarship on the Qumran Scrolls has indicated that the data often challenges the models that lie closest to hand, and that it is best to resist the temptation to resolve ambiguity. The unique form of 4Q158 may well be the work of a single redactor, but it may also be the work of a series of scribes/redactors, each of whom endeavored in passing on the text to make explicit more of the perfection that was believed to reside in it.

⁹⁸ The situation of the Tabernacle pericope is complicated, but it does seem safe to say that MT represents a more developed version of Exodus 35–39 than does G (which, as Aejmelaeus has demonstrated, is more than likely based upon a Hebrew *Vorlage*). See Anneli Aejmelaeus, "Septuagintal Translation Techniques—A Solution to the Problem of the Tabernacle Account," in *Septuagint, Scrolls and Cognate Writings* (ed. George J. Brooke and Barnabas Lindars; SBLSCS 33; Atlanta: Scholars, 1992), 381–402; Ulrich, *Dead Sea Scrolls*, 102.

CHAPTER THREE

COMPOSITION AND EXEGESIS IN THE REMAINING 4QREWORKED PENTATEUCH MANUSCRIPTS (4Q364–367)

In their DJD edition of 4Q364–367, Tov and Crawford characterize the relationship between the five 4QRP manuscripts as follows:

The five manuscripts of 4QRP share important characteristics. These five groups of fragments should therefore be seen as copies of the same composition, rather than, in more general terms, of the same literary genre. This composition contained a running text of the Pentateuch interspersed with exegetical additions and omissions. The greater part of the preserved fragments follows the biblical text closely, but many small exegetical elements are added, while other elements are omitted, or, in other cases, their sequence altered. The exegetical character of this composition is especially evident from several exegetical additions comprising half a line, one line, two lines, and even seven or eight lines.¹

According to this assessment, then, all five 4QRP MSS are considered copies of a single composition because they all show the same types of “exegetical” changes vis-à-vis the known text of the Pentateuch. Several objections could be (and have been) raised against particular aspects of this assessment. Why, for instance, would similarity in “exegetical character” (by which I understand Tov and Crawford to mean what I call compositional technique—the way the pentateuchal text is reworked) necessarily indicate that all five manuscripts represent a single composition?² One might also ask, of course, whether there is really a “composition” other than the Pentateuch itself present in these manuscripts. In this chapter, however, I am going to leave these metatextual questions aside to focus on the assertion that lies at the heart of Tov and Crawford’s characterization: that the five manuscripts labeled 4QRP each approach the text of the Pentateuch in the same way.

¹ Tov and White (Crawford), DJD 13:191.

² For the difficulties involved in using the term ‘exegetical’ in contexts such as this one, see section 1.3.1 above.

This assertion has not gone unchallenged in the brief history of scholarship on the 4QRP mss. Michael Segal and Moshe Bernstein have each argued that 4Q158 reflects an approach to the Pentateuch that is *qualitatively* different from that found in 4Q364–367.³ Segal further suggests that a distinction should be made between 4Q364 and 4Q365, on the one hand, and 4Q366 and 4Q367 on the other.⁴ However, no detailed evidence for these positions has been provided. The purpose of this chapter is to remedy this situation by presenting the results of a detailed investigation of the compositional techniques evidenced in each of the four manuscripts, 4Q364–367.⁵ This investigation provides firmer footing for conclusions regarding the relationships between the five 4QRP mss.

In what follows, I comment on all of the substantial differences vis-à-vis the MT and other known versions in 4Q364–367, and on most of the more minor differences. Space does not allow full consideration of every example of insignificant changes like minor additions and minor alterations, especially examples that contribute little to our understanding of compositional and exegetical technique in the 4QRP mss. Similarly, I do not discuss cases where the evidence shows that the ms differed in some way from known versions, but little more can be said about the nature of the difference.

3.1 4Q364

4Q364 is one of the larger 4QRP mss, with 32 numbered fragments of varying sizes that cover material from Genesis, Exodus, Numbers, and Deuteronomy.⁶ Despite the broad scope, the actual extant text is very poorly preserved: the fragments average only 2.9 fully or partially extant words per inscribed line.⁷ This means it is often difficult to know

³ Segal, “4QReworked Pentateuch,” 396; Bernstein, “Pentateuchal Interpretation at Qumran,” 134.

⁴ Segal, “4QReworked Pentateuch,” 397–98.

⁵ All transcriptions from 4Q364–367 that appear below, unless otherwise noted, follow Tov and White (Crawford) in DJD 13.

⁶ 4Q364 can be dated paleographically to around the middle of the first century B.C.E.; the editors describe the hand as “a late Hasmonean or transitional formal script” (Tov and White (Crawford), DJD 13:201).

⁷ This calculation is meant only as a rough indication of the manuscript’s state of preservation. In my calculations, I included only lines where at least one identifiable letter is preserved.

precisely how the pentateuchal text was reworked at a given point. Nonetheless, enough remains to allow an analysis according to the categories used to describe the compositional techniques of 4Q158.

3.1.1 *Addition of New Material*

4Q364 contains additions of various sizes, just as we saw to be the case in 4Q158. Of the three cases that I have classified as large additions of a line or more, two leave us little to go on with regard to their content and purpose. In frag. 10 7–8, approximately one line of additional material has been added to the end of Judah’s plea for mercy before Joseph (Gen 44:18–34), but of this addition only two words remain, ... אֹתִי בְרַעַת [“? in the wickedness of...” Similarly, two lines of new material intervene between Exod 24:18 and 25:1 in frag. 15 3–4. The addition seems to pertain to what God revealed to Moses during his stay atop Mt. Sinai: the two legible words on line 3 are ... הוּדִיעָהּ לְכֹל. “He made known to him concerning all/everything...”⁸ The sense of the contents of line 4, however, is unclear:]לֹא עָשָׂה לַעַת לֹא מִקְרָא[.⁹

We are on slightly firmer ground when it comes to the largest addition of new material attested in 4Q364, although even here the proper understanding of the addition remains unclear. In frag. 3 ii, six lines of otherwise unknown text appear before the beginning of Gen 28:6 in line 7. The pericope in question deals with the aftermath of Jacob’s theft of his father’s blessing from his brother Esau, and Rebecca’s decision that Isaac should send Jacob away to Laban until Esau’s rage has subsided. The extant text of the fragment reads as follows:

] אותו תראה]	1
] תראה בשלום]	2
מותכה ועל עיני[ד] (?)	3
] שניכם ויקרא]	4
לה את כול הדב[רים	5
] אחרי יעקוב בנה]	6
וירא עישאו כי [ברך ישחק את יעקוב ושלה אותו	7
פ[דן]] ארמ לקחת לו מ[שם אשה...	8

⁸ Tov and Crawford note that Jub 1:4 similarly provides a description of what Moses was told in his forty days on the mountain (DJD 13:223), and Segal observes a related addition to Exod 24:18 in Targum Pseudo-Jonathan; Segal, “4QReworked Pentateuch,” 393–94.

⁹ Tov and Crawford note that the final word could also be read מִקְדֹּשׁ; DJD 13:222.

- 1 him you shall see [
- 2 you shall see in peace [
- 3 your death, and before [your(?)] eyes[
- 4 both of you. And he called [
- 5 to her all the wo[rds
- 6 after Jacob her son[
- 7 Esau saw that [Isaac had blessed Jacob and sent him]
- 8 to Pa[dan]-Aram to acquire [a wife] from [there...]

The main difficulty in interpreting this addition lies in deciding who is speaking to whom in lines 1–4, and what might have filled the lacuna at the end of line 4. Given the context, the most likely candidates for roles in this added scene or scenes are Jacob, Rebecca, and Isaac. We must also take into consideration the close parallel between some of the language of the addition here and an expansion at the same point in the pentateuchal narrative in the book of Jubilees. In Jub 27:13–18, Isaac comforts a grieving Rebecca after Jacob’s departure for Mesopotamia. He assures Rebecca that God will keep Jacob safe “...until he returns to us in peace and we see him in peace” (Jub 27:16, cf. תראה בשלום, line 2), and that “he will not be lost/perish” (Jub 27:17, cf. מותכה, line 3).¹⁰ A similar scene appears in the book of Tobit, which, in language very similar to that of Jubilees, describes how Tobit comforts his wife Anna after their son’s departure for Media (Tob 5:18–22).¹¹ Against this background, several interpretations of the new material are possible, although none proposed so far (including the reading I adopt here) is entirely satisfactory. Since a thoroughgoing study is not possible here, I will simply present the reading that seems most plausible to me, in recognition of the proposed alternatives.

The preserved portions of lines 5–6 provide the clearest place to start. The third-person feminine singular suffixes in these lines (לה, בנה) almost certainly refer to Rebecca, the only woman present in the narrative context. The phrase “after Jacob her son” (line 6) implies that Jacob has already departed, as does the fact that the next line contains

¹⁰ I am grateful to Professor James VanderKam for providing a literal translation of these verses that highlights the parallels with 4Q364. Unfortunately, this section of Jubilees has not been preserved in the Hebrew fragments from Qumran.

¹¹ For an in-depth discussion of this fragment in light of the parallels in Jubilees and Tobit, see the forthcoming essay by Hanna Tervanotko, “‘You Shall See’: Rebekah’s Farewell Address in 4Q364 3 II, 1–6,” in *The Hebrew Bible and the Dead Sea Scrolls* (ed. Kristin De Troyer, Armin Lange, and Shani Tzoref; Göttingen: Vandenhoeck & Ruprecht, forthcoming). (I am grateful to Ms. Tervanotko for sharing with me a pre-publication version of her paper.)

Esau's reaction to Jacob's having been sent away (= Gen 28:6). If this is the case, then the person who, it seems, tells "all the[se] words" to Rebecca in line 5 is likely to be Isaac. It also seems probable that Isaac is the subject of the verb ויקרא, "and he called," in line 4.¹²

More difficult is determining whom Isaac calls in line 4 and who is speaking to whom in lines 1–4. The parallels with Jubilees and Tobit would suggest that Isaac is also speaking to Rebecca at the beginning of the fragment, but the second-person masculine verb forms and suffixes (תראה, מותכה) indicate that here either Isaac or Jacob is the addressee. Technically, Rebecca, Isaac, or Jacob could be the speaker. Given the context, it seems unlikely that Jacob is the one doing the talking here.¹³ Deciding whether it is Isaac or Rebecca that speaks, however, is vexingly difficult, as is deciding whether Isaac or Jacob is the addressee if Rebecca is understood as the speaker. The parallels in Jubilees and Tobit might lead us to expect that this language, which appears to be that of reassurance or consolation, should be directed to one of the grieving parents—thus perhaps Isaac is the addressee, which means Rebecca must be the speaker.¹⁴ Yet 4Q364 already diverges from Jubilees and Tobit in that the mother cannot be the one being reassured, so it seems that we cannot put too much weight on the parallels. Some evidence that perhaps Jacob is the addressee may come from Gen 27:42–45, in which Rebecca urges Jacob to flee from Esau. Here, the word שניכם appears (Gen 27:45, למה אשכל גם שניכם ביום אחד, "Why should I lose both of you in a single day?"), and Jacob's death is being contemplated, though with use of the root הרג rather than מות (Gen 27:42, הנה עשו אחיד מתנחם לך להרגך, "See, your brother Esau is consoling himself by planning to kill you" [NRSV]). Perhaps the first four lines of the addition represent an additional address of Rebecca to Jacob, or even a paraphrased version of her speech in Gen

¹² Note the reconstruction of lines 4–5 by Tov and Crawford in the DJD edition: ויקרא [ישחק אל רבקה אשתו ויגד ?] לה את כול הדב[רים האלה ?] (DJD 13:206). Although the number of letter-spaces in line 4 according to this reconstruction (34) is slightly less than the 41 letter-spaces that result when line 7 is reconstructed according to the biblical text, I think this or a similar reading makes the best sense in the context. (See also below, n. 16.)

¹³ If Jacob is the speaker, that means Isaac must be the addressee, but then it is difficult to understand who the "him" could be that Isaac "will see" according to line 1. One might imagine "him" refers to Esau (the only other male besides Isaac and Jacob who plays a major role in this narrative and that Isaac may be concerned about seeing), but it is unlikely that *Esau's* departure would be at issue here, since it is not until after the biblical narrative resumes (Gen 28:9) that Esau leaves home.

¹⁴ This is the suggestion of Tervanotko, "You Shall See'."

27:42–45.¹⁵ The main problem with viewing Rebecca as the speaker in lines 1–4, whether she is speaking to Isaac or to Jacob, is understanding what “all the[se] things” are that Isaac then apparently tells Rebecca in line 5. If Rebecca has been speaking, what does Isaac now have to tell her?¹⁶

Given this difficulty, it seems somewhat more justified to view Isaac as the speaker and Jacob as the addressee. According to this understanding, Isaac would speak to Jacob, and then call Rebecca and relay the conversation to her. This in fact would fit well into the context, since according to the biblical text it is Isaac’s blessing and sending of Jacob that immediately precedes the note about Esau in Gen 28:6 (= 4Q364 3 ii 7). The new material would constitute an extension of Isaac’s instructions to and blessing of Jacob in Gen 28:1–5. Perhaps we should in fact understand the 2ms imperfect forms in lines 1–2 as jussives rather than indicatives, in line with the blessing form: “*may* you see him”; “*may* you see in peace” (compare Tobit 5:17, where Tobit says to Tobias, “May God in heaven bring you safely there and return you in good health to me...” [NRSV]). This does not preclude view-

¹⁵ If we posit that lines 1–4 paraphrase Gen 27:42–45 in the sense of replacing them, however, we need to consider how this paraphrase and the further addition in lines 4–6 fit into the biblical text, specifically what happened to Isaac’s blessing of Jacob in Gen 28:1–5. It is probably better to surmise that, even if lines 1–4 do draw upon Gen 27:42–45, they constitute additional material that would have extended or come after Isaac’s speech in Gen 28:1–5.

¹⁶ Tervanotko (“You Shall See”) avoids this problem by suggesting that the lacuna in line 4 depicted Isaac blessing Jacob and sending him away; “all the[se] things” that Isaac told Rebecca would thus refer to the words of the blessing Isaac gave Jacob, which words, however, would not actually have been recorded in 4Q364. Her reconstruction of line 4 reads: [ישחק אל יעקוב ויברך אותו וישלחו ויגד] שניכם ויקרא . . . לה את כול הדב[רים האלה] . . . This reading is certainly possible and would elegantly resolve the difficulty of what Isaac has to tell Rebecca if Rebecca is the speaker in lines 1–4. Two aspects of the suggestion make me uncomfortable, however. First, according to this reconstruction, the text switches abruptly from Isaac dealing with Jacob to Isaac speaking to Rebecca, but Rebecca is not mentioned by name (“...he blessed him and sent him away. And he told *her*...”) One would expect a new introduction of Rebecca, such as . . . לה [ויקרא לרבקה ויגד] , “[And he called Rebecca and told] her...” but Tervanotko’s reconstruction creates a rather long line as it is, and additional material is unlikely. Second, it seems unusual that the phrase “all these things” would be used to refer back to such a laconic (seven-word) description of Isaac’s interaction with Jacob: the usage of the phrase in the Torah usually has a more well-defined antecedent (see Gen 20:8; 29:13; Exod 19:7; Num 16:31; Deut 4:30; 12:28; 32:45). Given these difficulties, I prefer a reconstruction more along the lines of Tov and Crawford’s suggestion, in which the entire line is dedicated to the transition to a new scene in which Isaac speaks to Rebecca (see above, n. 12).

ing the material in lines 1–4 as related to Rebecca’s speech to Jacob in Gen 27:42–45: the editor might have drawn upon the language of that speech to construct an expansion to Isaac’s speech to Jacob, which currently focuses on the issue of Jacob’s marriage rather than the threat from Esau. The most serious difficulty with this suggestion that lines 1–6 represent an extension of Gen 28:1–5 is that there appears to be no room in the text for the notice that Jacob actually departed for Padan-Aram (Gen 28:5).¹⁷ Since this notice is repeated in Gen 28:7 (וישמע יעקב אל אביו ואל אמו וילך פדנה ארם), “So Jacob listened to his father and his mother and went to Padan-Aram”), perhaps the editor of 4Q364 considered the earlier mention of Jacob’s departure in 28:5 unnecessary.¹⁸

Despite the tantalizing parallels to Jubilees and Tobit, in the end it is difficult to say much about this sizable addition with confidence. What we can determine with some certainty is that the addition focuses on concern about Jacob’s safe return and provides additional information about interactions between Jacob, Isaac, and Rebecca around the time of Jacob’s departure for Padan-Aram. Its relationship with the addition at the same point in the book of Jubilees remains unclear. It is possible that Jubilees knew and further reworked the expanded version of the story attested in 4Q364, or that both editors drew on a common source or tradition.¹⁹

4Q364 also preserves several less extensive additions of new material. The two cases of moderate addition (less than one line) each seem to respond to an exegetical issue arising from earlier versions of the text. The first occurs in frag. 1 3:

¹⁷ Note that this same problem, along with others, applies to the suggestion that Rebecca speaks to Jacob in lines 1–4; see the previous note.

¹⁸ Taking note of this difficulty and the abrupt switch in speaker that would result if Rebecca were viewed as the speaker in lines 1–4, Daniel Falk has made an alternate suggestion, proposing that the speaker in lines 1–4 may be an angel (Falk, *Parabiblical Texts*, 116). Although Falk does not elaborate on this tentative proposal and does not indicate who he thinks the angel would be addressing, it would make good sense to theorize that the angel would speak to Isaac, and then Isaac would relate the angel’s words to Rebecca in lines 4–6. The introduction of an angelic messenger at this point is of course pure speculation, but the suggestion does have the advantage of allowing the entire insertion to come between Gen 28:5 and 28:6, since now there is nothing requiring that Jacob be present.

¹⁹ The same conclusion is reached by Tervanotko, “You Shall See,” and by Crawford, *Rewriting Scripture*, 65.

Gen 25:19b קָצַח אֶת הַיֶּלֶד אֶת יִצְחָק, “Abraham begot Isaac.”

4Q364 1 2–3 אֲבֹרָהֶם] הַיֶּלֶד אֶת יִשְׁחָק ?] אֲשֶׁר יָלְדָהּ] לֹו שָׂרָה אִשְׁתּוֹ] וְ
 “Abraham[begot Isaac ?] whom Sarah [his] wife bore] to him.”²⁰

Cf. Gen 25:12 וְזֵאלָה תִלְדֹת יִשְׁמַעֵאל בֶּן אֲבֹרָהֶם אֲשֶׁר יָלְדָהּ הַגֵּר הַמִּצְרַיִם
 רִית שְׂפַחַת שָׂרָה לְאֲבֹרָהֶם, “These are the descendants of Ishmael son of Abraham, whom Hagar the Egyptian, Sarah’s maidservant, bore to Abraham.”²¹

The relationship between the addition and the formulation in Gen 25:12 makes clear the logic involved: if the mother was noted in the case of Ishmael, Abraham’s son by a servant, how much more so should the mother be mentioned in the case of Isaac, Abraham’s true heir, born to his wife?

The second moderate addition also seems to fill an exegetical gap:

Gen 30:14 וַיֵּלֶךְ רְאוּבֵן בְּיָמֵי קָצִיר חֲטִים וַיִּמְצָא דֹדָאִים בַּשָּׂדֶה
 “Reuben went at the time of the wheat harvest, and he found mandrakes in the field.”

4Q364 4b, e i 8 ... אַחַר יַעֲקֹוב] ב... , “[Reu-
 ben went at the time of the whea]t [harvest] after
 Jaco[b]...

Whoever was responsible for this addition must have thought that Reuben’s presence in the field required explanation: inserted into the text after the phrase קָצִיר חֲטִים, “wheat harvest,” are the words אַחַר יַעֲקֹוב, “after Jacob,” and the addition probably continued for several more words; Tov and Crawford reconstruct אַחַר יַעֲקֹוב אֲבִיו [אל השדה], “after Jacob his father to the field.”²² Whether or not this reconstruction is correct, it is clear that the addition means to indicate that Reuben was out in the field because that is where his father was, harvesting the wheat.

The smallest additions in 4Q364, consisting of just a single word, are the most difficult to evaluate. Of the four minor pluses extant, two are trivial and have no discernible purpose—they may not even be additions at all.²³ Two cases, however, show somewhat clearer signs of

²⁰ It should be noted that the addition may have been one or two words longer, as there is extra space at the end of line 2 when it is reconstructed according to MT/SP.

²¹ The parallel is pointed out by Tov and White (Crawford), DJD 13:205.

²² DJD 13:208–9.

²³ Frag. 24 12 (בְּתוֹךְ) and frag. 30 4 (לְעֵינַיִם כִּבְמִ).

purpose, meaning they can more confidently be classified as secondary. One of the additions seems designed to improve the text syntactically, while the other may have a more ‘exegetical’ function. The former describes Isaac’s marriage to Rebecca:

Gen 25:20 ויהי יצחק בן ארבעים שנה בקחתו את רבקה בת בתואל הארמי מפדן ארם אחות לבן הארמי לו לאשה, “Now Isaac was forty years old when he took Rebecca—daughter of Betu’el the Aramean, from Padan Aram, the sister of Laban the Aramean—as his wife.”

4Q364 1 3–5 ויהי יצחק בן ארבעים שנה בקחתו את רבקה בת בתואל הארמי מפדן ארם אחות לבן ותהי לה לאשה, “[Now Isaac was forty years] old when he took Rebecca—daughter of Betu’el the Aramean, from Padan Aram, the sister] of Laban—and she beca[me] hi[s wife.]”

There is nothing wrong with the syntax of the MT, but the final indirect object phrase is separated from the verb and direct object by the long clause detailing Rebecca’s genealogical background. The scribe responsible for the change must have found the syntax confusing, and solved the problem by making the final words into an independent clause.

The other notable example of a minor addition, on the other hand, may be the result of reading (and copying) a verse in light of its larger context.

Deut 3:1 ... ונפן ונעל דרך הבשן ויצא עוג מלך הבשן לקראתנו. “And we turned and went up the road to Bashan, and Og, King of Bashan, came out against us...”

4Q364 24 15–16 ונעלה דרך הבשן למלחמה ויצא עוג מלך הבשן לקראתנו וה, “And we went up the road to Bashan for battle, and [Og, King of Bashan, came out against] us...”

The verse according to 4Q364 indicates proleptically that the Israelites will not make it through Bashan without a fight. The addition could be viewed simply as an anticipation of the events to follow. However, it might also reflect a harmonization of the encounter with Og to the meeting with Sihon described earlier, in Deut 2:24. YHWH explicitly instructs Moses that the Israelites should go up and fight Sihon (התגר בו מלחמה, “engage him in battle”). Thus, even though Moses sends messengers to Sihon proposing a peaceful transit, both he and the reader know that warfare will follow. Since the defeats of Sihon and

Og are so closely connected in the stories of the wilderness wandering,²⁴ it is feasible that an ancient scribe might have reasoned that war with Og, as with Sihon, was intended from the start.

3.1.2 *Addition of Material from Elsewhere*

This compositional technique, as we saw above, occurs fairly frequently in 4Q158. It is much less common in 4Q364, with only three unique instances, one very small and the others only slightly more extensive.²⁵

The first of the two moderately-sized additions from elsewhere seems intended to specify the pentateuchal verse in light of information from a nearby context.

Gen 30:26 תנה את נשי...כי אתה ידעת את עבדתי אשר עבדתיך, “Give me my wives...for you well know what service I have provided you!”

4Q364 4b, e ii 2–3 ?²⁶ כי אתה ידעתה את עבודתי אשר עבדתיכה [ארבע]ה עשרה שנה, “[for well yo]u know [what service I have provided you (?), *fou*]rteen y[ears!]”

Cf. Gen 31:41 ...עבדתיך ארבע עשרה שנה בשתי בנותיך. “I have served you *fourteen years* for your two daughters...”

The key phrase here is ארבע]ה עשרה שנה, “*fou*]rteen y[ears,” which occurs in known versions of the Jacob story only in Gen 31:41 (ארבע עשרה שנה).²⁷ Both Gen 30:26 and 31:41 refer to Jacob’s period of

²⁴ See Num 32:33; Deut 1:4; 4:46–47; 29:6.

²⁵ 4Q364 shares two larger instances of addition of material from elsewhere with the Samaritan text tradition: 4Q364 4b, e ii 21–26 (= Gen 30:37 SP) and 4Q364 23 i 1–4 (= Deut 2:8 SP). In the first instance, Jacob’s account to his wives of his dream about the goats (Gen 31:11–13) is retroverted into an account of that dream by the anonymous narrator of Genesis and inserted after Gen 30:36, in order to indicate that Jacob did in fact experience the dream that he later relates to his wives. The second instance represents an attempt to lessen the inconsistencies between the wilderness travel narratives of Numbers and Deuteronomy by inserting details from the Numbers version (Num 20:14a, 17–18) into Deuteronomy. On insertions of this type in the SP text tradition, see section 4.2.

²⁶ There is space for another word or two here at the end of line 2, although additional material does not seem strictly necessary.

²⁷ The form ארבעה עשרה is technically incorrect, raising questions about the accuracy of the reconstruction. Obviously, no reconstruction is ever more than an educated guess, and the DJD editors do not defend their choice in this case, but there is some evidence that, despite the unusual form, this suggestion may be correct. The first consideration is contextual: in the context of Jacob requesting that his servitude

in judging (both include the phrase **לֹא תִכִּיר (ו) פְּנִים**). Differences in context—legal corpus vs. narrative frame—that might discourage modern readers from connecting these passages too closely appear to have been unimportant to this editor. Surely if bribe-taking was forbidden by Moses in one passage, its proscription by Moses was also intended in the other. The addition ‘makes official’ or enshrines that interpretation in the text.

The final case of addition of material from elsewhere, which is very small in scope, seems to be a case of harmonization of language:

Gen 30:33 ... **כָּל אֲשֶׁר אֵינְנוּ נֹקֵד וְטֹלֵא בְעֵזִים**... “every one which is not speckled or spotted among the goats...”

4Q364 4b, e ii 14 [**כָּל אֲשֶׁר אֵינְנוּ נֹקֵד וְטֹלֵא בְעֵזִים**]... “every *sheep* wh[ich is not speckled or spotted among the goats...”]

The addition—which, admittedly, may not even be intentional—brings the verse into conformity with the formulation in the prior verse (30:32), where Jacob says **אָעֲבֵר בְּכָל צֹאנְךָ הַיּוֹם הַסֵּר מִשָּׁם כָּל שֶׁה** נֹקֵד וְטֹלֵא, “let me pass through all your flock today, removing from it every speckled and spotted *sheep*.”

It should be noted that these instances of addition of material from elsewhere in 4Q364 function somewhat differently from the additions of material from elsewhere in 4Q158. There is a basic similarity in that, in all examples of this technique, two passages are brought into (closer) connection with one another through the addition. However, in the cases in 4Q364, the connections are general and function largely at the level of vocabulary, while in 4Q158 there is a more specific focus on coordinating command and fulfillment or an event’s prediction and its occurrence.²⁹

3.1.3 Omissions

Unlike 4Q158, which had no extant cases of minuses, 4Q364 has several, mostly consisting of only a single word. However, the nature of most of these minuses is such that they may well represent an earlier form of the text as opposed to a later omission. Two examples will suffice. First:

²⁹ On the issue of different uses of addition of material from elsewhere, see also section 3.5.

Deut 2:32–33 זיצא סיחן לקראתנו הוא וכל עמו למלחמה יהצה וית
 ... נהו יהוה אלהינו לפנינו. “And Sihon came out against
 us—he and all his army, to do battle—to Jahaz. And
 YHWH our God gave him over to us...”

4Q364 24 6 [הוא] ה וכול עמו למלחמה וי[תנהו :יהוה ?]
 ... בידנו. “[he] and all his army, to do battle. And [YHWH
 ?] our God g[ave him] into our hand...”

It is true that the place-name Jahaz could have been omitted in 4Q364, but there is also a very good reason why it might have been inserted into Deut 2:32 if it had originally been absent: Jahaz is mentioned as the site of the battle against Sihon in the parallel passage in Numbers (Num 21:23). Rather than the 4Q364 reading representing an omission, it seems more likely that the reading preserved in other versions represents an addition meant to harmonize the recollection in Deuteronomy to the account in Numbers.

A second example is similar:

Num 33:38–39 ויעל אהרן הכהן אל הר ההר על פי יהוה וימת שם
 בשנת הארבעים לצאת בני ישראל מארץ מצרים בחדש
 החמישי באחד לחדש ואהרן בן שלוש ועשרים ומאת
 ... שנה. “Aaron the priest went up to Mt. Hor at
 YHWH’s command, and he died there, in the fortieth
 year of the departure of the children of Israel from
 Egypt, *in the fifth month, on the first of the month.*
 Aaron was 123 years old...”

4Q364 19 5–8 [ויעל אהרן הכהן אל הור ההר על פי :יהוה וי]מ[ות]
 שם בשנת הארבעים לצאת בני ישראל מארץ מצרים
 ... שנה. “[Aaron the priest went up to Mt. Hor at YHWH’s command, and
 he d]ie[d there, in the fortieth year of the departure of
 the children of I]srael from Egypt. Aa[ron was 123]
 years old...”

I see no compelling reason—either exegetical or technical—why this clause would have been omitted, while it could easily have been added by a later editor wishing to make the date more precise.³⁰ Perhaps 4Q364 here again represents the earlier reading.

³⁰ Tov and Crawford state: “Probably 4Q364 represents an exegetical shortening of the text,” but provide no arguments for why this should be the case; see DJD 13:226. Nam argues that this is a deliberate omission reflecting calendrical controversies in the Second Temple period, but does not explain convincingly why this date in particular should be subject to dispute; see Nam, “How to Rewrite Torah,” 156.

There is one small minus in 4Q364 that may well have originated in the course of the textual reworking visible in the manuscript. Even here, however, it is unclear whether we are actually dealing with a true omission:

Deut 10:1 ... יהוה אמר בעת ההוא “*At that time*, YHWH said...”

4Q364 26b, e ii 3 יהוה ויואמר: “YHWH said...”³¹

The two lines preceding the minus in this fragment do not simply contain the end of Deuteronomy 9, but a rearrangement or addition from elsewhere that may be intended to clarify the sequence of events in Deut 9:15–10:4.³² Given those changes, the words בעת ההוא may have been omitted in order to create a smoother connection with the preceding text. On the other hand, the smoothing may have been accomplished by rearrangement, such that the phrase בעת ההוא was moved to the end of the preceding line:

2 ואתפלל לפני יהוה ארבעים [יום וארבעים לילה בעת ההוא]
3 ויואמר יהוה אלי פסלכה שנין לוחות...

2 And I prayed before YHWH for forty [days and forty nights *at that time*,

3 and YHWH said to me, “Carve for yourself two [tablets...”

Thus despite several cases of minuses, we have no unequivocal evidence for deliberate omission in 4Q364.³³

3.1.4 Paraphrase and Rearrangement

Clear cases of paraphrase and rearrangement are difficult to find in 4Q364. There is one instance, probably moderate in scope, of what can be identified with some confidence as paraphrase. I could not identify an obvious case of rearrangement, but there are two passages where

³¹ It is characteristic of 4Q364 to mark off the tetragrammaton with two preceding dots, like a modern colon.

³² See further section 3.1.4 below.

³³ The two unique minuses in 4Q364 that have not been discussed above are both minor and difficult to assess. Frag. 26b, e ii 4 lacks the indirect object לך in the phrase ועשיתה לך ארון (Deut 10:1). Frag. 24 15 reads ונעלה for MT ונפן ונעלה SP ונפנה ונעלה (Deut 3:1); perhaps the longer version represents a conflated or ‘double’ reading. One further minus is not, strictly speaking, unique, as it is shared by the Vulgate (V): frag. 1 5 has simply לבן for MT, G, SP לבן הארמי “Laban the Aramean,” in Gen 25:20.

rearrangement is one of several possible explanations for the text. The one case of paraphrase reads as follows:

Deut 2:34 וְנִלְכַד אֶת כָּל עָרָיו בְּעַת הַהוּא וְנִחְרַם אֶת כָּל עִיר מִתָּם וְהָנָּה שִׁים וְהִטֵּף לֹא הַשְׂאֲרָנוּ שְׂרִיד
 “And we captured all his cities at that time, and we exterminated every city—*men and the women* and the children—we did not leave a survivor.”

4Q364 24 8–10	[עַת הַהִיא וְנִחְרַם אֶת]	8
	וְנִלְכַד אֶת כָּל עָרָיו בְּ	9
	כָּל] בַּהֵם כָּל אִישׁ וְאִשָּׁה]	10
	הַחַ] רִמְנוּ לֹא הַשְׂאֲרָנוּ שְׂרִיד	
8	And we] cap[tu]red all his cities at[that time, and we exterminated]	
9	all]in them, <i>every man and woman</i> [
10	] we [extermi]nated; we did not leave a survivor.	

The reading of 4Q364 in line 9, “every man and woman,” constitutes a paraphrase of one part of Deut 2:34, which reads *מתם והנשים*. The paraphrase involves linguistic updating: the editor replaces the rare and difficult word *מתם* “men” with the standard term *איש*.³⁴ Given the apparent repetition of the root *חרם* in line 10, it may also have involved addition of material from elsewhere. Because of the lacunae, we cannot know what the rest of the intervening material looked like and how it related to Deut 2:34 (the spacing is such that 4Q364 must have had a longer version of the verse). However, enough evidence remains to demonstrate that paraphrase is attested as one of the rewriting techniques used in 4Q364.

The two possible cases of rearrangement each occur in fragmentary contexts where the precise nature of the reworking is unclear. In the first, 4Q364 14, rearrangement was suggested by the official editors, but does not in fact appear to be the most likely explanation.

Exod 24:11–12:

וְאֵל אֶצִּילִי בְּנֵי יִשְׂרָאֵל לֹא שָׁלַח יְדוֹ וַיַּחֲזוּ אֶת הָאֱלֹהִים וַיֹּאכְלוּ וַיִּשְׁתּוּ וַיֹּאמְרוּ
 יְהוָה אֵל מֹשֶׁה עֲלֵה אֵלַי הַהֵרָה וְהָיָה שָׁם וְאֶתְנָה לְךָ אֶת לַחַת הָאֲבָן וְהַתּוֹרָה
 ... וְהַמְצוּהָ. “But against the leaders of the children of Israel he did not stretch out his hand, and they looked upon God and they ate and drank. God said to Moses, ‘Come up to me on the mountain, and remain there, that I might give you the stone tablets, the teaching and the commandment...’”

³⁴ Similar cases of replacement of rare or unusual words with more common ones are noted for SP by Raphael Weiss, “הנוסחה השומרונית של התורה חילופי לשונות נרדפים בין נוסחת המסורה ובין”, in *Studies in the Text and Language of the Bible* (Jerusalem: Magnes, 1981), 63–189, at pp. 173–85.

4Q364 14 1-4:³⁵

- | | | |
|---|--|---|
| [| ש]לח ידו ויחזו את האלהים ויאכלו וישתו(?) ??? | 1 |
| [| בתחתיִת־ההר | 2 |
| | ויואמר :יהוה אל מושה על[ה אלי] הֶהָר וה[יה שם ואתנה לכה את | 3 |
| | לוחות האבנ(ים)] | |
| | ... התורה והמצוא | 4 |
- 1 s[trech out his hand, and they looked upon God and they ate and drank(?) ???]
- 2 *at the base of the mountain.* []
- 3 God said to Moses, “Come [up to me] on the mountain, and re[main there, that I might give you the stone tablets,]
- 4 the teaching and the commandment...”

The phrase בתחתיִת־ההר, “at the base of the mountain,” occurs in the Hebrew Bible only at Exod 19:17. The ש of line 1, as Tov and Crawford note, is not consistent with the text of Exod 19:16–17.³⁶ It is also inconsistent with the preceding passage in Exod 24:9–11. The only word beginning with ש in those three verses is שלח in v. 11. As the presentation above shows, taking the ש to represent שלח at the end of v. 11a yields a line-length that is much too short. Thus this reconstruction may not be correct, and even if it is we should reckon with additional material at the end of frag. 14 line 1. Tov and Crawford do not consider the possibility that the ש might represent Exod 24:11. Instead, they suggest that this fragment may represent a version in which material from Exodus 19 was combined with material from Exodus 24, noting that in many ways the two chapters are parallel. Such a combination of materials from two places into a single whole would constitute a type of rearrangement. On the other hand, if Exodus 19 in its original state also appeared in this manuscript, then the repetition of elements from it here would rather suggest an addition of material from elsewhere.³⁷ Yet it is not at all clear to me that Tov

³⁵ The transcription of line 1 differs from Tov and Crawford (DJD 13:221) in the reconstruction, which will be explained below. The empty space in this line that Tov and Crawford label *vacat* appears to be narrow enough to constitute simply a normal space between words.

³⁶ DJD 13:221.

³⁷ Tov and Crawford do not address this issue directly, though their wording seems to suggest that they mean that 4Q364 has created a single version of the episode that combines elements of both chapters; see DJD 13:221–22. This would imply to me rearrangement as opposed to addition from elsewhere (since the original ‘source’ of the language would no longer be included). Tov and Crawford do not pursue the issue further, though their idea would seem to have major implications for the way the Sinai

and Crawford's suggestion is correct. It should be noted that the only evidence of the presence of material from Exodus 19 is the phrase *בתחתית ההר* itself. The *ש* in line 1 constitutes evidence that there was *not* a large block of material from Exodus 19 present at this point, since it is not consistent with the passage immediately preceding the phrase *בתחתית ההר*.³⁸ Of course the *ש* could represent material from elsewhere in chapter 19, but it is just as likely that the lacuna preceding line 2 contained completely new material. An even more likely scenario, however, is that the *ש* simply represents *שֶׁלַח* of Exod 24:11. In this case, there would still be a change to the text of Exodus at this point, but it is likely to be no more than a moderate addition or addition from elsewhere. The point of such an addition may have been to explain precisely where the banquet described in v. 11, where the elders see the God of Israel and eat and drink in God's presence, took place. Use of the words *בתחתית ההר* to indicate this location would certainly strengthen the parallel between Exodus 19 and 24: in both, a larger group (the people/the elders) remains at the base of the mountain while Moses ascends further in order to receive the divine laws. But the integration need not go farther than that.

While one of these more moderate interpretations strikes me as more plausible, Tov and Crawford's suggestion of some sort of larger integration of Exodus 19 material into Exodus 24 cannot be ruled out. Thus, in this instance, the state of the text precludes a firm decision between rearrangement, a (large) addition from elsewhere, a large addition of new material with only two words, *בתחתית ההר*, added from elsewhere, or a moderate (half-line) addition of new material or material from elsewhere.

In a second case in which the precise nature of the reworking is unclear, rearrangement may be a more likely option. In frag. 26b, e ii, line 3 begins with Deut 10:1, and the fragment appears to follow the biblical text closely from that point (lines 3–9 = Deut 10:1–4). Lines 1–2, however, diverge from known versions:³⁹

pericope would have been structured in 4Q364: if Exodus 19 and 24 are combined into a single unit, where are the revelation of the Decalogue and the Covenant Code located within the narrative?

³⁸ In her recent monograph, Crawford recognizes this issue, suggesting that instead of a juxtaposition of Exodus 19 and 24 we are dealing with "an otherwise unknown harmonization." See Crawford, *Rewriting Scripture*, 43–44.

³⁹ This transcription omits Tov and Crawford's reconstructions.

] ךַּ ואשליך את] 1
 ואתפלל לפני יהוה ארבעים] 2
 ויואמר יהוה אלי פסלכה שני] 3

1 []r and I cast the [
 2 and I prayed before YHWH forty [
 3 YHWH said to me, “Carve for yourself two [
]

The few words in lines 1–2 manifestly do not come from the few verses preceding Deut 10:1—in fact, parts of these verses, Deut 9:27–29, are preserved in frag. 26c–d. Tov and Crawford tentatively identify the words in line 1 as Deut 9:21, which describes Moses’ disposal of the golden calf: [לעפ]ׁ ךַּ ואשליך את [עפרו אל הנחל היורד מן ההר]ׁ, “...into du]st and I cast [its dust into the stream which ran down from the mountain].”⁴⁰ This identification is certainly possible. However, the word אשליך also occurs in Deut 9:17, where it describes Moses’ actions as he hurls down and smashes the tablets that God gave him on the mountain (... ואתפש בשני הלחת ואשלכם מעל שתי ידי...). Although the precise match between the extant letters of line 1 and Deut 9:21 makes an identification of line 1 with this verse the most obvious choice, a somewhat rewritten version of 9:17 would also be possible and, as I will indicate, may even fit better in the context.

As for line 2, the extant material approximates the contents of several verses in Deuteronomy 9, but is not identical to any of them:

4Q364 26b, e ii	] ארבעים]	ואתפלל לפני יהוה
Deut 9:18	וארבעים יום	ואתנפל לפני יהוה כראשנה ארבעים יום לילה
Deut 9:25	את ארבעים היום ואת ארבעים	ואתנפל לפני יהוה הלילה
Deut 9:26		ואתפלל אל יהוה ואמר ...

The extant fragments of 4Q364 give tantalizing hints that this unfamiliar arrangement might have been part of a larger series of changes affecting Deuteronomy 9–10. Besides the evidence of this fragment that Deut 10:1–4 was not preceded by Deut 9:29 as in MT, there are several other clues. Frag. 26a ii contains Deut 9:22–24, but the few letters preserved on the final line of the fragment (which follows Deut

⁴⁰ DJD 13:239.

9:24) do not correspond to Deut 9:25.⁴¹ Similarly, Frag. 27 appears to contain Deut 10:6–7 (in a version resembling that of SP), but the two lines preceding the beginning of Deut 10:6 do not correspond to Deut 10:5.

A full discussion of this situation and the proper arrangement of this series of related fragments would take us too far from our survey of compositional techniques in 4Q364 to be included here, since apart from this fragment very little deviation from the text of Deuteronomy 9–10 as known from elsewhere is actually preserved. With regard to this fragment, however, the textual evidence permits several possible explanations without allowing us to decide firmly in favor of one or the other.

The first possibility would be to explain lines 1–2 of this fragment as additions of material from elsewhere. In this scenario, the previous text could have simply followed known versions of Deuteronomy up through 9:29. Then, an editor would have inserted a repeated reference to Moses throwing something (drawn from v. 17 or v. 21) and his subsequent intercessory prayer (drawn from v. 18 or vv. 25–26a). The purpose of this addition can probably be deduced from the newly-created juxtaposition of Moses' mention of his forty days and nights of prayer with God's command to Moses to fashion a new set of tablets (Deut 10:1). The editor may have sought to stress that it was in the course of this second 40-day period on the mountain that God issued this command to Moses (thus clarifying the meaning of *בעת ההוא* in Deut 10:1, which may have appeared at the end of line 2). In this context, it would make much better sense if the reference in line 1 was not to the throwing of the remains of the golden calf into the stream (v. 21) but to the throwing down and shattering of the original tablets of the covenant (v. 17). Then, the additional material would prepare the reader for God's command to Moses to make new tablets by returning to the issue of the destroyed tablets. To paraphrase, the new version would say, "Now, with regard to the tablets that I smashed, when I was subsequently praying before God for 40 days and 40 nights, he gave me the following instructions:..."

According to a second scenario, the new sequence in this fragment could have been produced by rearrangement. The reference to Moses praying before God for forty days and nights would now have to

⁴¹ See Tov and White (Crawford), DJD 13:238.

represent a version of Deut 9:25/26, since frag. 26b i partially preserves Deut 9:18 in its familiar setting after Deut 9:17. For the same reason (the appearance of Deut 9:17 in its familiar location in a nearby fragment), line 1 would have to represent Deut 9:21, the destruction of the calf. Rearrangement such that a version of Deut 9:25 directly precedes 10:1 would function just like a possible addition of material from elsewhere as outlined above would: it would establish a clear connection between Moses' second stay on the mountain and God's instructions to him to make new tablets. At the same time, this sequence may have resulted from the relocation of the intervening verses, Deut 9:26–29, to a more appropriate location. These verses contain the 'transcript' of Moses' intercessory prayer before God, but they are located some distance from the actual account of Moses' prayer in Deut 9:18–19 (that the same incident is intended is implied by the backward-looking introduction in v. 25: "I lay prostrate before YHWH for the forty days and forty nights that I lay prostrate...").⁴² It is not at all impossible

⁴² Although in the voluminous literature on Deuteronomy 9–10 the initial mention of Moses' intercession (9:18–19) and the contents of his prayer (9:25, 26–29) are often attributed to different literary strata, it must be noted that a diachronic hypothesis does not automatically explain the separation between the two passages. Even if one of the passages stems from a later hand than the other, the question remains why the later editor chose not to insert the new material in closer proximity to the old. Aurelius, following Driver, attributes the position of 9:18–19 between the breaking of the tablets and the destruction of the calf to the importance of Moses' intercession. See Erik Aurelius, *Der Fürbitter Israels: Eine Studie zum Mosebild im Alten Testament* (ConBOT 27; Stockholm: Almqvist & Wiksell, 1988), 46–47; Samuel Rolles Driver, *A Critical and Exegetical Commentary on Deuteronomy* (ICC; New York: Scribner's, 1895), 115. For another approach, which explains Deut 9:25–29 as an elaboration (in the synchronic sense) of the brief notice in 9:18–19, see Norbert Lohfink, "Deuteronomium 9,1–10,11 und Exodus 32–34. Zu Endtextstruktur, Intertextualität, Schichtung und Abhängigkeiten," in *Gottes Volk am Sinai: Untersuchungen zu Ex 32–34 und Dtn 9–10* (ed. Matthias Köckert and Erhard Blum; VWGT 18; Gütersloh: Kaiser, 2001), 41–87. Talstra, on the other hand, explains the text similarly in synchronic terms, but suggests that the impression of 9:25–29 as an elaboration of 9:18–19 is due to a later reframing of the material that included the insertion of 9:18–20. That is, 9:18–19 belong to a later textual stratum; Eep Talstra, "Deuteronomy 9 and 10: Synchronic and Diachronic Observations," in *Synchronic or Diachronic? A Debate on Method in Old Testament Exegesis* (ed. Johannes C. de Moor; *OtSt* 34; Leiden: Brill, 1995), 187–210. See also the elegant demonstration by Christine Hayes that every aspect of Deut 9:9–19 is part of a calculated, "forensic" demonstration of Israel's sinfulness and the undeservedness of God's forgiveness. Noting that "the narrative impulse is not paramount" in this section of Deuteronomy, Hayes sees the return to the contents of the intercessory prayer in Deut 9:25–29 as marking a shift to a new theme in Moses' discourse, the theme of reconciliation. See Christine E. Hayes, "Golden Calf Stories: The Relationship of Exodus 32 and Deuteronomy 9–10," in *The Idea of Biblical Inter-*

that an ancient editor would have removed these verses from their situation immediately prior to 10:1 and inserted them instead into the earlier account of Moses' prayer, perhaps after v. 19a.⁴³ Such a rearrangement would seem to fit well into the available space between the two columns of frag. 26a.⁴⁴

While the rearrangement of material in Deut 9:25–29 seems quite possible and even likely, the problem with regarding rearrangement as the compositional technique underlying this entire fragment is that it is difficult to understand why someone would want to remove the account of Moses' disposal of the golden calf (9:21) from its usual location and put it directly before Deut 9:25. A reference to the calf here seems much less fitting than a reference to the breaking of the two tablets, given that the text then moves, as previously discussed, to the account of the giving of new tablets.⁴⁵ If line 1 of our fragment refers to the breaking of the tablets, though (Deut 9:17), then addition from elsewhere rather than rearrangement would be the technique at issue, since 9:17 appears in its familiar location in frag 26b i. Thus, the most attractive explanation for the sequence in our fragment is that an editor has first removed Deut 9:26–29 from their usual location, leaving a slightly rewritten version of Deut 9:25 preceding Deut 10:1, and before this rewritten Deut 9:25 has inserted a slightly modified form of Deut 9:17. This would constitute a combination of rearrangement

pretation: Essays in Honor of James L. Kugel (ed. Hindy Najman and Judith H. Newman; JSJSup 83; Leiden: Brill, 2004), 45–93, at pp. 75–77 (quotation from p. 75).

⁴³ The resulting sequence Deut 9:25 + Deut 10:1 would thus reflect in essence the scenario that Moshe Bernstein has suggested as a possible explanation for some unexpected sequences of material elsewhere in the 4QRP mss: that new sequences may sometimes have less to do with any topical connection between the juxtaposed verses than with the desire to relocate the intervening material (see Bernstein, "What Has Happened to the Laws," 41). In this case, however, I would stress that there does seem to be a connection intended between line 2 (~ Deut 9:25, Moses' prayer to God on the mountain) and line 3 (Deut 10:1, God's instructions to Moses to make new tablets).

⁴⁴ For the issues surrounding the reconstruction of these columns, see Tov and White (Crawford), DJD 13:235–36.

⁴⁵ It is tempting to hypothesize that v. 21 may have ended up next to v. 25 because the intervening material in vv. 22–24 has been relocated: those verses, describing other cases of Israel's disobedience to God, clearly constitute a digression from the story of the calf and its aftermath that is the main focus of the latter part of Deuteronomy 9. (For a diachronic explanation, see Lohfink, "Deuteronomium 9,1–10,11.") Unfortunately, however, Deut 9:22–24 appears in the second column of frag. 26a, the first column of which contains Deut 9:6–7. This configuration suggests strongly that vv. 22–24 appeared in 4Q364 more or less where they do in other versions of Deuteronomy, and have not been moved to a more topically fitting location.

(line 2) and addition of material from elsewhere (line 1). Other possibilities, however, especially a scenario involving addition of material from elsewhere also for the text of line 2, cannot be ruled out.

3.1.5 *Minor Alterations*

The only compositional technique left to be considered in 4Q364 is the introduction of minor alterations: use of a different word or a different form of a word. Of the sixteen cases I have counted in 4Q364, fifteen reflect changes insignificant to the meaning of the text, some likely unintentional and some perhaps even constituting a more original reading than that of other versions.⁴⁶ They include addition or omission of the definite article or copula, variations in spelling, and minor morphological changes. One minor alteration, however, does warrant comment:

Exod 24:13 ויקם משה ויהושע משרתו ויעל משה אל הר האלהים
 “Moses and Joshua his servant arose, and Moses went up
 to the mountain of God.”

4Q364 14 4–5 [ויקום (?) מושה ויהושוע] משרתו [ו] [לעלות אל] הר
 הַאֱלֹהִים, “[Moses and Joshua his] servant [arose] to
 go up to [the mountain] of God.”

The minor change from the 3ms converted imperfect + subject ויעל משה to the infinitive לעלות seems designed to account for Joshua’s ascent along with Moses: the text as preserved in MT and SP is unclear, since according to v. 12 Moses alone is summoned, but it is clear from v. 14 (“wait here for us”) that Moses expects Joshua to ascend with him. The mention of Joshua in v. 13 clashes with the singular verb at the beginning of the verse, ויקם, and with the later phrase ויעל משה.⁴⁷ The scribe responsible for the change in 4Q364 smoothed out the awkward syntax of the verse by omitting the reference to Moses alone ascending. Interestingly, G attests a different solution to the same problem:

⁴⁶ The reading ויואמר for ויקרא in 4Q364 5b ii 13 (= Gen 32:31) as it stands is unremarkable; it is the last extant word on the fragment. It should be pointed out, however, that ויאמר also occurs at the same point in 4Q158 (frag. 1–2 7), where it introduces a major addition. Whether the same addition was present in 4Q364 is unclear; see p. 28 above.

⁴⁷ The text of 4Q364 is missing for the beginning of the verse; therefore it is unclear whether there was any attempt to correct the discrepancy between the plural subject and singular verb.

it replaces *ויעל משה*, not with an infinitive, but with a plural verb, *ἀνέβησαν*.

3.1.6 Summary

The discussion in the previous pages has indicated that 4Q364 has much in common with 4Q158 as regards its reworking of the pentateuchal text, but also differs in some respects. The similarities in compositional technique should be clear: 4Q364 contains additions of various sizes, both of new material and of material from elsewhere; preserves numerous minor alterations; presents one case of paraphrase; and otherwise manipulates the pentateuchal text in major ways (see especially the difficult-to-interpret changes pertaining to Exodus 24 in frag. 14 1–2 and Deuteronomy 9–10 in frag. 26b, e ii 1–2). Another similarity worth pointing out is that both texts preserve major changes also known from the Samaritan Pentateuch, indicating that they both used as their base text a version of the Pentateuch that was already pre-Samaritan in type.⁴⁸

Despite the general similarity of approach, there are some noticeable differences between 4Q364 and 4Q158. First, it is striking that 4Q364 appears to contain several cases of shorter readings that may well be original, while 4Q158 contains none. This may be evidence that 4Q364 used as a *Vorlage* a somewhat earlier form of the pentateuchal text. 4Q158 also does not contain any minuses that are likely to have originated in the course of reworking; there are only two instances where I posited haplography to account for an apparently shorter reading in 4Q158. On the other hand, 4Q364 preserves one case where genuine omission is possible, even if it is very short and firm evidence is lacking (*בעת ההוא* in frag. 26b, e ii 3).

Second, despite the occurrence of the same compositional techniques in 4Q158 and 4Q364, large extant changes are not as frequent in 4Q364. Despite preserving only 95 inscribed lines compared to 273 in 4Q364, 4Q158 preserves nearly as many major and moderate additions (3 vs. 5), more and larger additions from elsewhere (6 major and moderate vs. 3 moderate and minor), and more cases of paraphrase (3 vs. 1). Of course the picture might be somewhat different if 4Q364 were better-preserved: we cannot know what was contained in

⁴⁸ See also Tov, “Textual Status of 4QPP,” 47, 57–59.

4Q364's extensive lacunae. Based on the available evidence, though, it appears that 4Q364 represents a somewhat less extensive reworking of the Pentateuch than that found in 4Q158.

3.2 4Q365 (+ 4Q365A)

4Q365, in its extant form, is similar in size to 4Q364.⁴⁹ It is the only one of the 4QRP manuscripts to contain material from each of the five books of the Pentateuch. The 38 numbered fragments primarily reflect Exodus, Leviticus, and Numbers, with one fragment reflecting Genesis and one Deuteronomy. It is somewhat better preserved than 4Q364, averaging 4.9 extant or partially extant words per inscribed line.⁵⁰

The heading for this section indicates that I operate under the presumption that the five fragments given the siglum 4Q365a belong to the same composition as that reflected in 4Q365. The 4Q365a fragments were originally grouped together with 4Q365 by John Strugnell, and all physical signs—handwriting, leather, margins—indicate that they belong to the same manuscript. The official editors of the material, Tov and Crawford, later separated them out because they do not contain any biblical text. Because of significant overlaps with the Temple Scroll in one of the five fragments, 4Q365a was given the title “4QTemple?”⁵¹ Others have pointed out, however, that the separation of these five fragments from the rest of 4Q365 prioritizes the editors' conception of what a text ‘should’ contain over the physical evidence of the fragments themselves. There is in fact no reason to assume that a text such as 4Q365, which is generally characterized by close interaction with the pentateuchal text, could not also contain a substantial amount of new material.⁵² I will therefore include the 4Q365a fragments in the following analysis.

⁴⁹ Like 4Q364, 4Q365 can be dated paleographically to the mid-first century B.C.E.; the editors describe the script as “transitional between the late Hasmonean and early Herodian periods” (Tov and White (Crawford), DJD 13:260).

⁵⁰ This figure includes 4Q365a; see below.

⁵¹ For an explanation of the reasoning involved, see Sidnie White (Crawford), “4Q365a,” in *Qumran Cave 4, VIII* (by Harold Attridge et al.; DJD 13; Oxford: Clarendon, 1994), 319–34, at pp. 319–20.

⁵² See especially Florentino García Martínez, “Multiple Literary Editions of the Temple Scroll?,” in *The Dead Sea Scrolls: Fifty Years After Their Discovery* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society/Shrine of the Book,

3.2.1 *Addition of New Material*

As is the case for 4Q158 and 4Q364, 4Q365 contains a number of additions of various sizes. Most notable are the several major additions that distinguish this manuscript. One (or more) of these, of course, is the material currently classified as 4Q365a. Frags. 2 and 5 of 4Q365a each contain parts of two columns. It is very unlikely that they represent the same two columns.⁵³ Therefore, the additional material in 4Q365a seems to have covered at least four columns. That all this material appeared in one long addition is of course not certain, but is suggested by the fact that all of the fragments, outside of frag. 1, deal with the construction of a Temple, its courts, and its appurtenances. Frag. 1, on the other hand, mentions “the festival of Mazzot” and lambs for burnt offerings, but does not contain construction information. Although this fragment may have belonged to the construction section as well,⁵⁴ it may be more likely that it was originally located in the context of sacrificial or festival legislation. Evidence for this may be found in line 3 of frag. 1, which partially preserves an introductory phrase that appears in the festival calendars of both Leviticus and Numbers: ... [א]ל וְאָמַרְתֶּהָ [א] לְיִשְׂרָאֵל, “[Speak to the children of Isra]el and say[t]o them...” (see Lev 23:2, 10; Num 28:2).

Elsewhere I have discussed in some detail the reasons why an ancient editor might wish to add instructions for building a Temple to a revised or rewritten version of the Pentateuch.⁵⁵ The answer depends somewhat upon whether 4Q365 was envisioned as an expanded copy of the Pentateuch or as a new, independent literary work, a question

Israel Museum, 2000), 364–71, at pp. 369–70. See also Bernstein, “What Has Happened to the Laws,” 39–40.

⁵³ The main reason for this is that both columns of frag. 2 have parallels in the Temple Scroll: 2 i corresponds to TS col. 38, which contains the beginning of the instructions for the Temple’s middle court, while 2 ii corresponds to TS col. 41, which discusses the outer court. While the missing upper part of 2 ii (the fragment preserves the bottom margin of both columns) could not have contained all of the intervening material from TS 39–40, it is highly likely that it continued to parallel TS in some way on the subject of the Temple’s courts. Frag. 5, on the other hand, contains material with no extant parallels in TS, and does not seem to deal with the Temple courts (col. i mentions “wheels” and “boards,” while col. ii, very fragmentary, mentions “the calculations,” הַהֲשׁוּבוֹנִים). On the relationship between 4Q365a frag. 2 i–ii and TS, see White (Crawford), DJD 13:323–29.

⁵⁴ The Temple Scroll sometimes mentions festivals and sacrifices in the course of its instructions for the Temple courts; see e.g. TS 38:1–4; 43:1–12.

⁵⁵ Zahn, “4QReworked Pentateuch Manuscripts,” 335–37.

I do not want to engage here. If 4Q365 represents a new literary work, then ‘the sky’s the limit’ in terms of imagining a context for the combination of Temple instructions with pentateuchal material: perhaps, just as TS represents the plan for a utopian Temple accompanied by laws to be followed by the community surrounding the Temple, 4Q365 reflects a composition in which instructions for an ideal Temple were accompanied by a version of the Torah as a whole.⁵⁶ On the other hand, if 4Q365 represents a new edition of the Pentateuch rather than a new literary work, an editor may have perceived a gap in the legislation of the Pentateuch: while the Torah contains instructions for the wilderness Tabernacle as well as numerous laws that are to be obeyed only after Israel’s entrance into the land (see Deuteronomy), it presents no blueprint for the permanent Temple that is to be built in the land. The editor may then have sought to fill this gap by inserting such instructions right into the Torah itself.

While the 4Q365a materials constitute by far the largest additions of new material in 4Q365, the extant fragments reveal two other major additions. The first of these (frag. 6a, c ii 1–7) has been inserted prior to Exod 15:22, which begins in frag. 6a, c, ii 8. Because of its location and because it echoes some of the themes and vocabulary of the Song of the Sea in Exod 15:1–19, the new material seems to represent an expansion of the song Miriam sings according to Exod 15:20–21.⁵⁷

⁵⁶ The literary relationship to TS is obviously relevant here, but its precise significance remains unclear. Apart from this passage and the insertion pertaining to the wood offering and the festival of new oil in frag. 23 (see below), there is no evidence for textual or ideological connections to TS in 4Q365. The fact that 4Q365 generally stays closer to the text of the Pentateuch than does TS, as well as the fact that TS’s version of the instructions for the Temple courts that parallels 4Q365a 2 seems to be longer than what we find here, suggests to me that it is more likely that TS drew upon 4Q365 or a similar text rather than the reverse (similarly, Crawford, “‘Rewritten’ Bible at Qumran,” 4, though 4Q365a does not figure into her assessment). Nevertheless, the overlaps suggest that whoever was responsible for 4Q365 had some similar interest in the Temple and access to the same tradition of extrabiblical festivals as that attested in TS and elsewhere at Qumran. This in turn may suggest that 4Q365 originated in an intellectual milieu similar to that which produced TS and eventually developed into the ideology of the Qumran community. In this sense, there may be some truth to Roger Nam’s suggestion that 4Q365 is a ‘proto-sectarian’ text (“How to Rewrite Torah,” 157–59). I would prefer to be more cautious, however, since there is little sustained evidence in 4Q365 even for the priest- and Temple-oriented perspective of TS, much less anything resembling the developed ideology of the Qumranites.

⁵⁷ For discussions of this fragment, see George J. Brooke, “Power to the Powerless: A Long-Lost Song of Miriam” *BAR* 20.3 (1994): 62–65; David Carr, “Method in Determination of Direction of Dependence: An Empirical Test of Criteria Applied to Exodus 34,11–26 and Its Parallels,” in *Gottes Volk am Sinai: Untersuchungen zu Ex*

In contrast to the version known from elsewhere, in which Miriam's song consists of only one line mimicking the first line of Moses' song, 4Q365 seems to give Miriam a proper song of her own:

	בזית ע]	1
	כי גאות] ללע]	2
	גדול אתה מושיא א]	3
	אבדה תקות שונה ונש]	4
	אבדו במים אדירים שונה]	5
	ורוממנה למרומם] פ[דות נתת]	6
	עו]שה גאות]	7

- 1 with an olive branch/you despised⁵⁸ '[
- 2 for the majesty of[]l'['
- 3 You are great, a deliverer '[
- 4 The hope of the enemy has perished and *nsh*['
- 5 They have perished in mighty waters, the enemy['
- 6 Extol the one who raises up,[a r]ansom you gave [
- 7 the one who does gloriously.⁵⁹

The words to this new song seem partly based on the Song of the Sea, but partly drawn from other praise language. Parallels to Exodus 15 include the use of the root גאה (lines 2, 7; Exod 15:1, 7) and the word גדול (describing YHWH in line 3 and YHWH's arm in Exod 15:16). The phrase מים אדירים occurs in line 5 and in Exod 15:10,

32–34 und Dtn 9–10 (ed. Matthias Köckert and Erhard Blum; VWGT 18; Gütersloh: Kaiser, 2001), 107–40, at pp. 117–18; Falk, *Parabiblical Texts*, 116; Sidnie White Crawford, “Traditions about Miriam in the Qumran Scrolls,” in *Women and Judaism* (ed. Leonard J. Greenspoon et al.; Studies in Jewish Civilization 14; Omaha: Creighton University Press, 2003), 33–44; eadem, *Rewriting Scripture*, 48–49; and, most recently, Hanna Tervanotko, “The Hope of the Enemy has Perished: The Figure of Miriam in the Qumran Library,” in *From Qumran to Aleppo* (ed. Armin Lange et al.; FRLANT 230; Göttingen: Vandenhoeck & Ruprecht, 2009), 156–75.

⁵⁸ Although the translation “you despised” seems to make better sense in context, it should be noted that the generally full orthography of 4Q365 would lead us to expect the form בזיתה for a 2ms perfect verb, not בזית (see והתיצבתה in frag. 2 6 and ולקחתה in frag. 9b ii 4, and Tov and Crawford's remarks in DJD 13:261). Of course inconsistency is possible, but the reading בזית should also be considered, as well as perhaps a defective spelling of בזאת (reading the third letter as ו instead of י; compare the spelling הזות for הזאת in 4Q158 3 2). Tov and Crawford interpret the word as more likely the verbal form בזית, indicating uncertainty with a question mark but without otherwise commenting on the form (DJD 13:270). The translation in DSSR/DSSSEL, however, preserves multiple possibilities, reading: “with an olive branch (*or*: you despised).”

⁵⁹ With minor modifications, the translation follows Tov and White (Crawford), DJD 13:270.

and *למרומם ורוממנה* in line 6 echoes *וארממנהו* in Exod 15:2.⁶⁰ On the other hand, terms like *בזית* (“you despised?”), *מושיע* (= *מושיא*), *אבדה* תקות שונה, and *פדות* are not familiar from Exodus 15, though all obviously fit the context of the victory at the sea.⁶¹ Miriam’s song thus echoes Moses’ song, but does not simply repeat it, invoking its own imagery as well.⁶²

The final major addition in 4Q365 follows the end of the Holiness Code’s festival calendar in Leviticus 23 (frag. 23 1–3 = Lev 23:42–44). In frag. 23 4, 4Q365 first has Lev 24:1, as we would expect (*וידבר ויהוה אל משה לאמור*... “YHWH spoke to Moses, saying...”). It also begins Lev 24:2 in accordance with other versions: *... צו את בני ישראל*... “command the children of Israel...” But from there on, whereas Leviticus commands that the people procure pure olive oil for the sanctuary lamp, 4Q365 moves in a new direction.

וידבר יהוה אל משה לאמור צו את בני ישראל לאמור	4
בבואכמה אל הארץ אשר	
[א]נכי נתן לכם לנחלה וישבתם עליה לבטח תקריבו	5
עשׂים לעולה ולכול מלאכת	
[הב]ית אשר תבנו לי בארץ לערוך אותם על מזבח העולה	6
[ו]את העגל[ים]	
[] ם לפסחים ולשלמים ולתודות ולנדבות ולעולות דבר יום	7
[] ל[] ל[] ם ולד[ל]תות ולכול מלאכת הבית יקריבו	8
[] מועד היצהר יקריבו את העצים שנים	9
[] ם המקריבים ביום הריש[ו]ן לוי	10
[] ראובן ושמעון וביום הרב יעי	11
[] ל	12

- 4 YHWH spoke to Moses, saying: command the children of Israel, saying: When you come into the land that
- 5 I am giving to you as an inheritance, and you dwell upon it in surety, you shall bring wood for the burnt offering and for all the wor[k]
- 6 [of the ho]use which you shall build for me in the land, to arrange them upon the altar of burnt offering; [and] the calv[e]s[

⁶⁰ Tov and White (Crawford), DJD 13:270–71.

⁶¹ For the occurrence of some of these phrases within the Hebrew Bible, see Tov and White (Crawford), DJD 13:271; Crawford, *Rewriting Scripture*, 49.

⁶² Expanded versions of the Song of Miriam also appear in several of the pentateuchal Targumim. Like the song here, they combine vocabulary drawn from Exod 15:1–19 with other terminology. For a discussion, see Tervanotko, “Figure of Miriam,” 168–73.

- 7 []?m for Passover sacrifices and for sacrifices of well-being and for
thank-offerings and for free-will offerings and for burnt offerings,
daily [
- 8 []!?! []?!?mym and for the do[o]rs and for all the work of the
house let [them] brin[g]
- 9 [the fe]ast of the new oil let them bring the wood, two [
- 10 []??y those who shall bring on the fir[s]t day: Levi ?[
- 11 [Reu]ben and Simeon[and on]the four[th
- 12 []|

4Q365 begins by commanding that, after the Israelites are settled “in surety” in the land, they bring wood for the various needs of the Temple “which you shall build for me in the land.” After detailing a variety of uses to which this wood will be put (various offerings, doors), the text mentions “the festival of new oil” and then seems to indicate that different tribes will bring wood for the Temple on different days (e.g. Levi brings wood on the first day; line 10).

There is much to be discussed in this striking addition. First, while the majority of the preserved text does not show a close connection to any particular biblical passage, the exception is the initial temporal clause of the addition: “When you come into the land that I am giving to you as an inheritance, and you dwell upon it in surety...” (lines 4–5). Although variations of this formula frequently introduce laws in the latter books of the Pentateuch, the closest match (and the only one containing the word נחלה, “inheritance”) is Deut 26:1: והיה כי תבוא אל הארץ אשר יהוה אלהיך נתן לך נחלה... “Now, when you *come into the land that YHWH your God is giving to you as an inheritance*...”⁶³ This verse makes good sense as a source for the introduction to a command to bring wood to the sanctuary, as Deut 26:1–11 likewise commands the Israelites to bring the produce of the land (here firstfruits instead of wood) to the “place that YHWH your God will choose.”

Deut 26:1, however, does not contain the phrase וישבתם עליה לבטח, “and you dwell upon it in surety.” To be sure, this phrase may simply have been included as a generic expression appropriate to the context, without any particular scriptural source in mind. On the other hand, it may allude to specific verses that the composer of this

⁶³ I owe to David Carr the connection of the first part of the initial temporal clause of the addition with Deut 26:1; see Carr, “Method,” 131.

addition viewed as appropriate to the context. The most likely of these is Deut 12:9–11:

For you have not yet entered (באתם) into the rest and the inheritance (נחלה) that YHWH your God is giving to you, but when you cross over the Jordan and you dwell in the land which YHWH your God is giving you as an inheritance, and he gives you rest from all your surrounding enemies and you dwell in surety (וישבתם בטח), then to the place which YHWH your God will choose to make his name dwell, there shall you bring all that I have commanded you: your burnt offerings and your sacrifices; your tithes and the offering of your hands...

These verses constitute an expanded version of the *Landnahme* formula, whose more typical shorter form we saw in Deut 26:1. This is the only instance of the formula that contains the pair **יֵשֵׁב + בִּטְחָ**.⁶⁴ That an editor might have had these particular verses in mind while composing a section on the wood offering is unsurprising: like Deut 26:1, they introduce a command to bring offerings to the sanctuary. Perhaps it is also significant that this passage in Deuteronomy 12 is the first mention in the Pentateuch of the Temple (of course referred to obliquely as “the place that YHWH will choose,” in accordance with Deuteronomy’s literary setting). 4Q365 23 6 explicitly associates the wood offering with “the Temple that you will build for me in the land”: the provision of wood for the sanctuary is not associated with the wilderness Tabernacle but directly with the future Temple in the land. Thus it does not seem out of place to recognize in the words **זֵיֵשׁ לְבִטְחָ עֲלֵיהֶם** an allusion to the first and most extensive reference to that Temple in the Pentateuch. An astute reader or hearer would undoubtedly also have made a connection with the notice in 1 Kgs 5:5 that **וַיֵּשֶׁב יִשְׂרָאֵל לְבִטְחָ**... כל ימי שלמה, “Judah and Israel dwelt in surety... all the days of Solomon,” a notice that sets the stage for the beginning of Solomon’s Temple-building project in 1 Kgs 5:15. Thus the opening clause of this major addition is constructed out of scriptural language that recalls for the reader passages dealing with the Temple and the offerings required for its maintenance.

⁶⁴ Carr identifies Lev 25:18b, 19b as the source of the phrase **וַיֵּשֶׁב יִשְׂרָאֵל לְבִטְחָ** (“Method,” 132). Although these verses do contain very similar language (**וַיֵּשֶׁב יִשְׂרָאֵל עַל** in 18b; **וַיֵּשֶׁב יִשְׂרָאֵל לְבִטְחָ** in 19b), their context—the sabbatical and jubilee years—is not particularly relevant to the content of 4Q365 23. Deut 12:10, despite the absence there of the minor word **עֲלֵיהֶם**, seems the more likely source for this formulation because of its closer parallel in content.

With regard to the main contents of the additional material, the wood offering and the feast of new oil, we are fortunate to have access to some further information. According to the Temple Scroll, the feast of new oil (variously referred to as *יצהר* or *שמן חדש*) is the last in a series of firstfruits festivals, taking place fifty days after the festival of the Firstfruits of Wine.⁶⁵ The date given for *מועד השמן* in the calendrical document 4Q327—the 22nd of the sixth month—is likely the date envisioned by the Temple Scroll as well.⁶⁶ Immediately following the feast of new oil in TS col. 23 is a six-day festival in which two tribes bring their offerings each day. No reference to this festival as the wood offering is preserved in this section of the main copy of the Temple Scroll (11QT^a).⁶⁷ However, 11QT^a does preserve the word *עצים* at the end of a list of feast days upon which the tithe may be eaten (43:3–4).⁶⁸ Furthermore, 11QT^b provides some more information in one small fragment that seems to fit into the lacuna at the top of col. 23 in 11QT^a (11Q20 col. 6 = frag. 10e). It reads:⁶⁹

]ם[	]	1
]ויהודה וב[	]	2
]ביום הרביעי ישש[	]	3
]ונפתלי	]	4
] העצים עולה ל[	]	5
]עזים שנים ל[	]	6
]עול[	]	7

1 [	]m[
2 [	]and Judah and on[
3 [ ]	]on the fourth day Issa[char
4 [ ]	]and Naphtali [
5 [ ]	]the wood as a burnt offering for[
6 [ ]	]two goats for[
7 [ ]	]'wl[

⁶⁵ For discussion of the firstfruits festivals in the Temple Scroll, see Yadin, *Temple Scroll*, 1:99–122.

⁶⁶ The document originally numbered 4Q327 was later identified with 4Q394 (4QMMT^a) and published as part of 4Q394 in DJD 21. However, subsequent research has made clear that the 4Q327 fragments do not belong to 4Q394 but come from another manuscript. See, with literature, James C. VanderKam, *Calendars in the Dead Sea Scrolls: Measuring Time* (London: Routledge, 1998), 75.

⁶⁷ On the various mss of TS, see below, ch. 5, n. 1.

⁶⁸ The text, with Yadin's reconstruction, reads as follows: *ובימי הבכורים לדיגן* ... *לת[ירוש וליצהר ובמועד קורבן ה[עצים...]* "and on the days of firstfruits for n[ew wine and for new oil, and on the feast of the offering of] wood..." See Yadin, *Temple Scroll*, 2:182.

⁶⁹ This transcription is my own, based on the plate in DSSEL (PAM 43.977).

This fragment seems to have presented a brief list of which tribes were to present on which day, and the mention of **העצים** in line 5 suggests strongly that a feast dedicated to the wood offering is indeed the subject of TS cols. 23–25. The complete section seems to have first introduced the wood offering and discussed the day-by-day bringing of wood to the altar, and then moved into the order of animal sacrifices for each day. This can be seen from the mention of **עזים שנים**, “two goats,” in the next-to-last line of the 11QT^b fragment. These two words actually overlap with 11QT^a 23:4, from which point 11QT^a continues with lengthy descriptions of the animal sacrifices that each of the twelve tribes are to offer over the course of the six days. Presumably the tribes brought their animal sacrifices on the same day on which they brought their contribution of wood.⁷⁰

It is clear that the Temple Scroll presents a substantial parallel to 4Q365 frag. 23 at this point: wood is presented tribe by tribe over the course of a number of days, the order of tribes (as far as it is extant) is the same in both texts, and the wood offering is associated with the feast of new oil. Since frag. 23 breaks off before the end of the list of tribes, we have no idea how it continued: perhaps it contained the more elaborate sacrificial instructions present in TS; perhaps not. However, there are two clear differences between the two texts. First, although 4Q365 mentions the feast of new oil in 23 9, it cannot have contained anything like the extensive legislation for that feast found in TS, at least not at this point in the text. Frag. 23 goes directly from the end of the Sukkot legislation in Leviticus 23 to the wood offering. The feast of new oil seems to be referred to, but not explained or discussed—an interesting fact given that it, like the wood offering, is not mentioned in the familiar versions of the Pentateuch. Second, the introduction to the wood offering in 4Q365 23 4–8 cannot have been paralleled in the Temple Scroll: there is not room at the top of TS col. 23 for these additional lines. The overlaps are such that there must have been some sort of literary relationship between this fragment and TS, but the discrepancies suggest that this is not a case of simple borrowing: each text presents the material in a distinctive way.⁷¹

⁷⁰ For a complete discussion of the wood offering in the Temple Scroll, see Yadin, *Temple Scroll*, 1:122–31, 2:102–11.

⁷¹ On the relationship between TS and 4Q365, see above, n. 56.

Two additional points are necessary. First, the impetus for giving the provision of wood for the Temple a place among the festival laws of the Pentateuch may have been derived originally from Neh 10:35.⁷² Here, as part of the covenantal document to which the priests, Levites, and people witness, we read:

We have also cast lots regarding the offering of wood (קרבן העצים)—the priests, the Levites, and the people—to bring (it) to the house of our God by ancestral houses at fixed times (עתים מזמנים) year by year, to burn upon the altar of YHWH our God *as is written in the Torah* (ככתוב בתורה).

Nehemiah claims that the wood offering is prescribed by the Torah. However, no such legislation occurs in the laws of the Pentateuch as they have come down to us. It would not have been beyond the reach of a later editor to conclude on the basis of Nehemiah that such a command did indeed belong to the corpus of laws revealed at Sinai, and thus to insert the legislation into the written record of that revelation.⁷³ The figure ultimately responsible for the change may have been the person responsible for 4Q365, or the author of the Temple Scroll, or an earlier interpreter whose work then served as a source for both 4Q365 and TS.⁷⁴

⁷² See Yadin, *Temple Scroll*, 1:124. For the argument that shared vocabulary demonstrates that the author of the addition in 4Q365 drew deliberately upon Neh 10:33–36, see Sidnie White Crawford and Christopher A. Hoffmann, “A Note on 4Q365, Frg. 23 and *Nehemiah* 10:33–36,” *RevQ* 23 (2008): 429–30.

⁷³ On the ‘pseudonymous’ attribution of non-pentateuchal laws to the Torah in Ezra and Nehemiah, with mention of the influence such a practice had on ‘rewritten Scripture’ compositions, see Hindy Najman, “Torah of Moses: Pseudonymous Attributions in Second Temple Writings,” in *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition* (ed. Craig A. Evans; JSPSup 33; Sheffield: Sheffield Academic Press, 2000), 202–16. The frequency with which Ezra-Nehemiah attributes non-pentateuchal laws (e.g., prescriptions for the divisions of the priests and Levites and policies for dealing with foreign wives) to the Torah suggests that a reverse direction of dependence, such that the expansion is earlier and the author of Nehemiah thus already knew a version of the Torah that included laws for a wood offering, is less likely. Another piece of evidence pointing in the same direction is the fact that, in Nehemiah, it appears that the bringing of wood occurred throughout the year, with different families making their contributions at different times, and had not yet been formalized into the six-day festival envisioned by 4Q365 and TS. (Making a similar point are Crawford and Hoffmann, “4Q365, Frg. 23,” 429.)

⁷⁴ I am inclined to regard 4Q365 as earlier than and a possible source for the Temple Scroll, mainly because the material in 4Q365a frag. 2 (which I regard as belonging with the rest of 4Q365) appears to have been shorter than its parallel in TS, suggesting that TS may have reused it in an expanded form (see n. 56 above). The issue of the

Second and finally, there is an intriguing aspect to the placement of this addition. It is not inserted into the festival calendar itself, even though the reference to *מועד היצהר* suggests that the wood offering was viewed by the person responsible for 4Q365 as occurring at a fixed point in the calendar. Rather, it is located *after* the conclusion to the festival calendar. The intriguing part is that the law displaced by the addition—the original continuation of Lev 24:2—commands the Israelites to bring “pure beaten olive oil” (*שמן זית זך כתית*) for the maintenance of the menorah that stood in the Temple. The correspondence to the wood offering is manifest: both involve procuring supplies for the daily operations of the Temple. The placement of the wood offering proximate to the command to bring oil for the Temple therefore makes sense—except that, apart from the brief reference to *מועד היצהר*, no mention is made of this command in frag. 23. The addition seems to have displaced the very text that prompted its placement at this point, only a vestige of which now remains. No good explanation for this is obvious—we could assume that the commands about the oil simply came after those for the wood offering, though the mention of *מועד היצהר* makes it sound like this feast has already been discussed. Perhaps full discussion of the provision of oil was located elsewhere in 4Q365—if so, no evidence of it has been preserved.⁷⁵

Besides these very substantial additions, 4Q365 also contains a number of additions of new material that are more restricted in scope. Four additions are of moderate size (a few words to a line). The first is clearly dittography:

Exod 39:8 ... *ויעש את החשן*, “and he made the breastplate...”

4Q365 12 iii 7 ... *ויעשו את החשן ויעשו את החשן*, “and they made the breastplate *and they made the breastplate...*”

Of the three remaining moderate additions, two are difficult to characterize due to their poor preservation. The first occurs in the context of the Israelites’ flight from Egypt:

relationship between TS and 4Q365, however, still requires a more in-depth investigation than is possible here.

⁷⁵ As mentioned above (p. 99), the wording of 4Q365a 1 3 may suggest a context for that fragment within the regulations for festival sacrifices in Leviticus 23 or Numbers 28–29. Given this evidence and the fact that the addition regarding the wood offering seems to presume earlier mention of a feast of new oil, one might speculate that 4Q365 contained an expanded version of Leviticus 23’s festival calendar.

Exod 14:19b ... ויסע עמוד הענן מפניהם. “And the pillar of cloud moved from in front of them...”

4Q365 6a i 9–10 ויסע ע[מ]וֹד ה[ענן] מ[מ]חנה מצרים לה[ו]ת במחנה [ישראל...], “and the p]illar of [cloud moved from] the camp of Egypt to b[e] in the camp [of Israel...”

The addition would have continued for another several words into line 10. Clearly an editor wished to elaborate on the movements of the pillar of cloud, but the exact nature of the addition is unclear, as is the meaning of the implication that the pillar of cloud had been in the camp of the Egyptians—a statement that seems to be at odds with the pentateuchal narrative as otherwise known.

The second case is even more obscure:

Lev 27:34–Num 1:1 אלה המצות אשר צוה יהוה את משה אל בני ישראל בהר סיני וידבר יהוה אל משה במדבר ... סיני, “These are the commands that YHWH gave to Moses for the children of Israel on Mt. Sinai. YHWH spoke to Moses in the wilderness of Sinai...”

4Q365 26 1–4 [כֹּל בְּנֵי יִשְׂרָאֵל] 1
[לְשֶׁבֶת] אִם כְּאֲשֶׁר בְּ] 2
[] [] 3
... וידבר יהוה אל משה ב[מדבר סיני] 4

1 [] all the children of Is[rael]]
2 []]
3 [] []
4 [YHWH spoke to Moses in] the wilderness of Sinai...

Since line 1 contains the end of the book of Leviticus, and Num 1:1 begins in line 4, there must have been some additional material in lines 2–3. Line 3 appears to have contained an interval, or perhaps was entirely blank. What is preserved of line 2 reads]לְשֶׁבֶת[אִם כְּאֲשֶׁר בְּ], the meaning of which is entirely unclear. One could suggest לשבתם ... כאשר, “for their dwelling just as...”, but even this does not get us very far.

There is one case in which we are on firmer ground:

Exod 14:10 ... והנה מצרים נסע אחריהם ויראו מאד. “And see, Egypt was pursuing them, and they were very afraid...”

4Q365 5 1–2 [ו]יִרְאוּ והנה מצרים נסעים אחריה[מ]ה ויראו 1
מאד [???] 2
[אֲלֵפִים סוֹס וּשְׁשׁ מֵאוֹת] רכב[ב]]

- 1 [and] they looked, and see, Egypt was pursuing the[m, and they were very afraid ???]
 2 *thousand horses and six hundred [chari]ots*⁷⁶]

It seems clear that an editor has added a note meant either to clarify the identity of the “Egypt” that was pursuing Israel (namely, Egypt’s army), or to emphasize for the reader the strength of the pursuing army. That Pharaoh assembled 600 chariots is stated in Exod 14:10, making this partially an addition from elsewhere, but there is no direct source for the thousand(s of) horses. Also, since line 2 is the last on the fragment, we have no way of knowing the actual size of this addition—I have classified it as “moderate” based on the extant amount of additional material.

Finally, I have identified nine instances of minor additions (of just a word or two) in 4Q365. As we have seen elsewhere, these tend to be of little significance. While the purpose and even the intentionality of some are unclear, others follow a pattern evidenced by the other manuscripts: they may have been aimed to make the meaning of a clause more explicit or increase its readability, even though in none of these cases is there much actual ambiguity in earlier versions of the text. The examples include:

- Num 3:28 ... במספר כל זכר ב, “by the number of each male...”
 4Q365 27 4 ... במספר שמות כול זכר, “by the number of the names of each male...”
 Num 13:18b ואת העם הישב עליה החזק הוא הרפה, “And whether the people who dwell upon it (are) strong or weak”
 4Q365 32 5–6 ואת העם היושב עליה החזק הוא [ה] [יה] או רפה, “And whether the people who dwell upon it are strong or weak”
 Num 13:20 היש בה עץ אם אין, “Are there trees in it or none?”
 4Q365 32 8 היש בה עץ אם אין בה, “Are there trees in it or none in it?”
 Num 13:20 ... והתחזקתם ולקחתם מפרי הארץ, “Be bold, and take some of the fruit of the land...”

⁷⁶ This is the transcription presented in DJD 13. Based on the published plate, however, the two ם’s in line 2 appear to be clear. They do not resemble ץ in this manuscript (compare frag. 7 i 3), and final ם is much longer.

4Q365 32 9⁷⁷ ... והתחזקתמה ולקחתם [בין] דְּכַסָּה מפרי הארץ... “Be bold, and take *in your hand* some of the fruit of the land...”

3.2.2 Addition of Material from Elsewhere

Addition from elsewhere in 4Q365, as was the case for 4Q364, is not nearly as common as in 4Q158. The two clear instances in 4Q365 also share with the cases in 4Q364 a concern to harmonize the language or vocabulary of two passages, as opposed to 4Q158’s concern to coordinate a command and its fulfillment, an event and its recollection, or other related passages. The first, more substantial instance harmonizes two descriptions of the Israelites’ passage through the Sea of Reeds:

Exod 15:19b–20 ... ובני ישראל הלכו ביבשה בתוך הים ותקה מרים, “and the children of Israel walked on dry land in the midst of the sea. And Miriam took...”

4Q365 6b 4–5 [ובני ישראל הלכו ביבשה בתוך הים והמים להם] מַה... מרים... חומה מ[ימינם ומשמאלם] ותקה מרים... “[and the children of Israel walked on dry land in the midst of the sea, and the water was [(like) a wall] to th[em on] their right and on their left. And [Miriam] took...”

Cf. Exod 14:29 ובני ישראל הלכו ביבשה בתוך הים והמים להם חמה מימינם ומשמאלם, “and the children of Israel walked on dry land in the midst of the sea, and the water was (like) a wall to them on their right and on their left.”

In 4Q365, Exod 15:19b has been expanded so that it matches Exod 14:29 exactly. Such a harmonization may even have been done unconsciously: a scribe copying the shorter formulation may have simply continued as if it were the longer one without giving it a thought. On the other hand, an editor may have felt that the two statements should match and added the extra section deliberately.

The only other instance in 4Q365 of addition of material from elsewhere is very minor, but seems to harmonize in a similar way:

Lev 25:9 והעברת שופר תרועה... ביום הכפרים תעבירו שופר בכל ארצכם, “You shall sound the blasting trumpet... on the Day of Atonement you shall sound the trumpet in all of your land.”

⁷⁷ I am not sure what to make of the fact that three of these four cases occur in the same fragment.

4Q365 24 3–4 וה[עב]רתמה שופ[ר תרועה...ביום הכפורים תע]בִּירוּ
...שופר תרועה. “You shall [sou]nd the [blasting]
trump[et...on the Day of Atonement you shall so]und
the *blasting* trumpet...”

By referring to the שופר תרועה at the end of the verse as well as at the beginning, 4Q365 achieves consistency of formulation throughout the verse.

3.2.3 Omissions

Like 4Q364, 4Q365 presents several cases of minuses. For none of these is there any compelling evidence that they represent deliberate omissions. Furthermore, it is usually impossible to discern whether the minuses represent true omissions by an editor—intentional or otherwise—or simply witness to an earlier stage of the text. For example:

Exod 15:22–23 ויסע משה את ישראל מים סוף ויצאו אל מדבר שור
...וילכו. “Moses had Israel set out from the Sea of
Reeds, and they went out into the wilderness of *Shur*,
and they went...”

4Q365 6a ii 8 ...ויסע מושה א[ת ישראל] ל מים וילכו. “Moses had Israel
set out from the sea, and they went...”

There is no clear technical or exegetical reason why the reference to the Sea of *Reeds* and the wilderness of *Shur* should have been omitted, such that the longer version preserved in MT and the other versions would be more original. On the other hand, the only real argument for an addition here, besides a vague appeal to a desire to make the narrative more precise, is that it is hard to understand why such a phrase would be omitted. It is thus difficult to formulate a convincing case for the priority of either version.

The same issue arises with regard to a slightly smaller minus:

Lev 26:28b ויסרתני אתכם אף אני שבע על חטאתיכם, “I *myself* shall
chastise you sevenfold for your sins”

4Q365 25 13]ויסרתני [אתכם שבע על חטאותיכם]
you sevenfold for your sins[”

There is no compelling reason to regard the intensifier אף אני, present in MT and other witnesses but absent in 4Q365, as an addition, but equally there is no good reason why it should be omitted. Again, the two options seem equally likely.

The cases where minuses in 4Q365 can more confidently be judged to be later than known versions all seem to be the result of scribal errors. In the following case, for instance, the longer reading found in MT and elsewhere makes much more sense:

Exod 39:1 עֲשׂוּ בְגָדֵי שֵׂרָד לְשֵׂרֵת בְּקוֹדֶשׁ, “they made finely-wrought garments *for serving* in the holy place”

4Q365 12 iii 1 עֲשׂוּ בְגָדֵי [שֵׂרָד בְּקוֹדֶשׁ], “they made [finely-wrought [garments] in the holy place”

Error also seems to be involved in the omission of two whole verses, Exod 39:6–7, in line 7 of frag. 12 iii. Tov and Crawford remark that “4Q365 probably shortened the text, although homoioteleuton is not impossible.”⁷⁸ However, vv. 5 and 7 each end with the same phrase, כַּאֲשֶׁר צִוָּה יְהוָה אֶת מֹשֶׁה, “just as YHWH commanded Moses,” and vv. 6 (וַיַּעֲשׂוּ) and 8 (וַיַּעֲשׂוּ) begin in nearly identical fashion, making conditions perfect for a scribal eyeskip.⁷⁹ Furthermore, no obvious reason presents itself for why an editor would wish to remove the omitted material, which pertains to the onyx stones that were set into the shoulder-pieces of the Ephod. The burden of proof is therefore upon those who would see this omission as anything *other than* homoioteleuton.⁸⁰

3.2.4 *Paraphrase and Rearrangement*

4Q365 presents only one case which I have tentatively classified as a paraphrase. This is frag. 37, the four legible lines of which read as follows:⁸¹

⁷⁸ Tov and White (Crawford), DJD 13:282.

⁷⁹ SP reads וַיַּעֲשׂוּ at the beginning of Exod 39:8.

⁸⁰ This statement and others like it in the DJD 13 edition of 4QRP seem to be the result of the rigidness with which the editors kept the 4QRP texts, which they viewed as ‘exegetical’ and therefore non-biblical, in a category separate from that of copies of biblical books. Rather than viewing the 4QRP manuscripts as subject to essentially the same scribal processes that affected biblical books, there is a tendency to assume that nearly every change can be attributed to ‘exegesis.’ It should be noted, though, that if the edition were republished today, things might be presented differently: in recent years Tov has changed his mind about the status of the 4QRP texts and now fully endorses the theory that they are expanded copies of the Pentateuch, while Crawford is of the opinion that their authors intended them as copies of the Pentateuch, though they may not have been accepted as such. See above, ch. 1, nn. 18, 19.

⁸¹ This transcription follows DJD 13 apart from line 4. In that line, Tov and Crawford read the last word as בְּאֵרֶן נֹן. After the ב, the top of which is clear, only small

]וכול העם המלחמה[2
]מִנְחַל אַרְנוֹן וַיַּחֲנוּ[3
]וַיַּחֲנוּ בִּיְסוֹד[4
]מִיָּם עַד בֵּית[5

2]and all the warriors[
 3]from the Wadi Arnon, and they camped [
 4]*yw* and they camped at ?[
 5]*mym* as far as Beth[

Tov and Crawford tentatively identify this fragment as “Deut 2:24 or 36?,” further noting that “[t]he subject matter of this fragment is probably related to Deut 2:24 or 2:36, but it cannot be placed in any particular location.”⁸² It is true that both those verses refer to נַחַל אַרְנוֹן, and 2:24 has the word מַלְחָמָה, but other aspects of the fragment cast doubt on this identification. First, the verb חָנָה does not occur in the vicinity of these verses; its only occurrence in Deuteronomy is in 1:33. Second, the person of the verb in its two occurrences is third person plural—not what we would expect from Deuteronomy, since Moses uses the first person throughout his recollection of the wilderness wanderings. The presence of the verb חָנָה and the third-person voicing points, not to Deuteronomy, but to the parallel narrative in Numbers. Num 21:23 describes Sihon, king of the Amorites, leading כָּל עַמּוֹ, “his entire army,” out against Israel and doing battle with them (וַיִּלָּחֶם בְּיִשְׂרָאֵל). Num 21:13 notes that the Israelites camped “on the other side of the Arnon” (וַיַּחֲנוּ מֵעֵבֶר אַרְנוֹן), and other verses in this section mention stops on the Israelites’ itinerary, though without using the verb וַיַּחֲנוּ (Num 21:16, 19, 20). The only phrase that specifically recalls Deuteronomy 2 as opposed to Numbers 21 is נַחַל אַרְנוֹן.

Given what appear to be parallels in content but lack of extensive verbal correspondence, I wonder whether frag. 37 represents a paraphrase of material from Numbers 21. Insofar as, in Numbers, the notice about camping at the Arnon precedes rather than follows the notice about the battle with Sihon, this paraphrase would have involved a change in sequence. Insofar as there is at least one phrase unique to Deuteronomy (נַחַל אַרְנוֹן), we might also posit that the paraphrase involved a harmonization of the Numbers passage to its paral-

and indistinct traces from the tops of one or two letters remain. There seems to be much too little space for both א and ר; if there are two letters involved they would likely have to be narrow ones.

⁸² Tov and White, DJD 13:311.

lel in Deuteronomy. Unfortunately, the few words preserved on each line preclude a better understanding of exactly what sorts of changes the editor made. If this assessment is correct, however, this fragment is analogous to 4Q158 frag. 14, which likewise contains a paraphrase that incorporates language from a parallel passage.

Turning to rearrangements, I have identified only one clear case, of limited scope. Frag. 32 1–2 contains the end of the list, by tribe, of the men selected to go up and spy out the land of Canaan (Num 13:4–15). In 4Q365, however, v. 13, which names the representative for the tribe of Asher, has been moved to the end of the list, so that it now occurs between vv. 15 and 16. This different order may simply reflect a different tradition regarding the order of the tribes. It may also reflect a harmonization to one of the three places in the Pentateuch where Asher is named last in a list of Jacob's sons (Gen 35:23–26; Exod 1:4; Deut 33:20–24), although there are also multiple instances where Asher is not named last.

3.2.5 *Minor Alterations*

The extant portions of 4Q365 are especially well-endowed with those minor alterations of a word or word form which we have also encountered in 4Q158 and 4Q364. I have counted 52 cases of minor alteration, largely (as usual) of little significance to the meaning of the passage at hand, and many possibly unintentional or even perhaps representing an earlier form of the text than other known versions. However, some changes do point to interesting issues. Several minor variations in wording smooth out differences between a particular phrase and its surrounding context:

Exod 39:14 והאבנים על שמת בני ישראל... איש על שמו לשנים עשר שבט, “And the stones, according to the names of the *children of Israel*... each according to its name, for the twelve tribes.”

4Q365 12 iii 12–13 והאבנים על שמת בני ישׂרָאֵל... איש על שמו לשנים העשר בני ישׂרָאֵל, “And the stones, according to the names of the *children of Israel*... each according to its name, for the twelve *children of Israel*.”

Lev 26:30 והשמדתי את במותיכם, “I will *destroy* your high places”

4Q365 25 14 והשׁ[מו]תי את במותיכם, “I will *make desolate* your high places”

Cf. Lev 26:31 והשמותי את מקדשיכם, “I will *make desolate* your sanctuaries”

And cf. Lev 26:32 והשמתי אני את הארץ, “I myself *will make desolate* the land”

Num 7:79 קרבנו...מזרק אחד כסף, “His offering was...*one basin of silver*”

4Q365 29 2 קרבנו...מזרק כסף אחד, “His offering was...*one silver basin*”

Cf. Num 7:13 *et passim* וקרבנו קערת כסף אחת, “His offering was *one silver plate*”

One change may have been intended as a clarification:

Exod 29:21 וקדש הוא ובגדיו, “and *he* and his vestments shall be holy”

4Q365 9b ii 3 וקדש אהרן ובגדיו, “and *Aaron* and his vestments shall be holy”

In one case, 4Q365 appears to preserve a conflation or ‘double reading’:⁸³

Exod 18:14 MT SP ...וירא חתן משה, “And *Moses’ father-in-law* saw...”

Exod 18:14 G καὶ ἰδὼν Ἰαθρο..., “And *Jethro*, seeing...”

4Q365 7 ii 1-2 ...וירא יתר חותן משה, “And *Jethro, Moses’ father-in-law*, saw...”

In another case, 4Q365 may preserve a variant that was subsequently incorporated into a double reading in G:

Exod 36:37 MT SP ויעש מסך לפתח האהל, “he made a screen *for the entrance of the tent*”

4Q365 12 i 6 ויעש מסך ל[אן]הל מועד, “he made a screen for the tent of meeting”

Exod 36:37 G (= 37:5) καὶ ἐποίησαν τὸ καταπέτασμα τῆς θύρας τῆς σκηνῆς τοῦ μαρτυρίου, “and they made the curtain *of the entrance of the tent of witness*”

Finally, one series of alterations may reflect an exegetical ‘correction,’ although it is difficult to be certain: throughout frag. 12 ii (= Exod 37:29–38:7), which represents a portion of the report of the construc-

⁸³ On the phenomenon of double readings, see Tov, *Textual Criticism*, 241–43.

tion of the Tabernacle, 4Q365 reads ויעשו instead of MT/SP ויעש.⁸⁴ Formally the nearest referent of the verb, at least according to known versions, is Bezalel, mentioned by name in Exod 37:1 (= G 38:1). The larger section on the construction of the Tabernacle does begin with a plural subject and verb: ...כֹּל חַכְמֵי לֵב, “And all those wise of heart made...” (Exod 36:8), although already later in the same verse the form shifts to the singular. Given the numerous instances of the plural form at this point in 4Q365, it seems possible or even likely that the editor responsible for the change converted the verbs in this entire section from singular to plural, though presumably this would have required deleting or amending the singular reference to Bezalel in 37:1. It is hard to extrapolate too far without further context, but it may be that an editor made the exegetical decision that the notice in Exod 36:2, that “Bezalel and Oholiab and all those wise of heart” were the ones who constructed the Tabernacle, should be reflected consistently throughout the building report.

3.2.6 *Special Cases: The Challenge of Understanding Major Juxtapositions*

Two of the most conspicuous changes extant in 4Q365 remain to be discussed, for the simple reason that it is not clear how they should be classified. Both present a juxtaposition of materials that are not adjacent in the Pentateuch as known from elsewhere. In frag. 28, the text of Num 4:47–49 is followed, after an empty line, by Num 7:1. Similarly, frag. 36 presents Num 27:11 followed directly by Num 36:1–2, without so much as an extra space to mark a new paragraph. The compositional logic of both of these arrangements is clear. The end of Numbers 4 is the end of the census account that has occupied the first chapters of the book, and Numbers 7 represents the narrative continuation of that episode, the presentation of gifts to the newly-completed Tabernacle by the tribal leaders who had been responsible for the census. From the perspective of the narrative, the assorted legal materials in chapters 5 and 6 are an irrelevant intrusion. The join of Numbers 27 and 36 has a similar logic: the two passages both deal with the issue of Zelophehad’s daughters and the right of women to inherit property. Chapter 27 represents the original legal pronouncement and

⁸⁴ G also preserves the singular in this passage where it parallels MT (MT Exod 38:1–7 ~ G Exod 38:22–24).

chapter 36 its subsequent amendment. From both a legal and a narrative perspective, it is no surprise that an editor would have wanted to put the two passages next to each other.

While the reasoning behind these two moves is easily discerned, their implications are not. The piecemeal preservation of 4Q365 makes it impossible to answer definitively two important questions: first, can we be certain that the pericopes were truly *rearranged*, as opposed to one of them being retained in its usual location and simply *repeated* at this new place (thus creating what I have called an addition of material from elsewhere)? Second, what happened to the intervening material? If, for example, Numbers 5–6 were simply omitted from the composition reflected in 4Q365 altogether, then what we are dealing with is not rearrangement at all, but omission, with the result that the originally separated chapters 4 and 7 now occur in succession.

The first question does not have an answer that can be proven, but one option does appear to be more plausible than the other. As discussed previously, large additions of material from elsewhere make the most sense where there is some sort of parallel in another context to the content of the passage that is repeated: the fulfillment of a command; the recollection of an event or speech or dream.⁸⁵ From the examples discussed thus far, we saw that the site where the addition is made is usually lacking an explicit reference that an editor feels to be desirable. Thus in 4Q158 frag. 1–2, the text does not simply say that Moses told Aaron everything that YHWH had told him (as in other versions); it actually repeats YHWH's words in the new context. Similarly, 4Q364 and SP reflect someone's discomfort with the fact that Jacob *says* in Gen 31:10 that he has had a dream, but there is no actual record of the dream—so the dream itself is inserted.

This sort of situation, on the face of it, does not seem to apply to the juxtapositions found in 4Q365. There is no recollection or command or other metanarrative aspect: it is simply that two parts of the story that belong together are separated by other, unrelated material. This would suggest that we are not dealing with additions of material from elsewhere. It must be said that this is by no means a conclusive assessment; once again, the state of the texts precludes certainty. One could imagine, for instance, that the Numbers 27 material in frag. 36 is in fact some sort of narrative flashback, introduced by something

⁸⁵ See section 1.3.3.

along the lines of “Now the daughters of Zelophehad had come before Moses...”⁸⁶ Addition from elsewhere cannot be ruled out, but the nature of the texts makes it the less likely alternative.

The second question noted above, what happened to the intervening material, is much more vexing. We simply cannot know for certain whether the material was omitted completely or moved to another place in the composition. Previous work on the 4QRP texts has not usually acknowledged this fundamental gap in our information. Tov, for instance, writes in a 1994 article, “4QRP rearranged some of the material, and when doing so it *only seemingly* omitted material intervening between the two or more pericopes which are now juxtaposed. Hence these are no real omissions.”⁸⁷ Tov’s reasoning is linked to his assumption that all five 4QRP manuscripts represent the same composition: in some cases of juxtaposition, some of the intervening material appears in another 4QRP manuscript—for example, parts of Numbers 33 occur in 4Q364 frag. 19. If all the manuscripts reflected the same composition, then the presence of the intervening material in any one of the manuscripts means that it was not actually omitted.⁸⁸ It is unlikely, however, that all five 4QRP manuscripts represent the same composition.⁸⁹ Thus the fact that material missing in one manuscript appears in another manuscript tells us nothing about whether that absent material was truly omitted or perhaps merely relocated.

⁸⁶ Something like this may have happened in another combination of Numbers 27 and 36, in 4QNum^b. There, it seems that the editor may have cast material from Numbers 27 as a recollection by the clan leaders who come to speak to Moses in Numbers 36; that is, instead of simply mentioning the legal outcome of the earlier situation (“my lord was commanded by YHWH to give the inheritance of Zelophehad our brother to his daughters,” Num 36:2b MT), the elders according to 4QNum^b may have recounted the entire earlier episode of the daughters’ appeal to Moses. For this suggestion, see Nathan Jastram, “4QNum^b,” in *Qumran Cave 4, VII: Genesis to Numbers* (by Eugene Ulrich et al.; DJD 12; Oxford: Clarendon, 1994), 205–67, at pp. 260–64; for a fuller description of this pericope in 4QNum^b see below, ch. 4, n. 43. The situation cannot be exactly the same in 4Q365, since here the material from Numbers 27 comes before Num 36:1, which describes the elders approaching Moses to speak. If there was any kind of ‘flashback’ here, it would have to be in the voice of the anonymous narrator of Numbers. On the combination of Numbers 27 and 36 in 4Q365 and 4QNum^b, see also Tov, “Rewritten Bible Compositions,” 353.

⁸⁷ Tov, “Biblical Texts as Reworked,” 128 (my emphasis).

⁸⁸ This reasoning seems to lie behind the editors’ statement with regard to the juxtaposition of materials from Leviticus 15 and 19 in 4Q367 frag. 2 (see below, section 3.4) that “[t]he material occurring between 15:14–15 and 19:1–4 probably has not been omitted, but perhaps was adduced elsewhere, since Lev 18:25–29 in fact occurs in frg. 22 of 4Q365.” Tov and White (Crawford), DJD 13:349.

⁸⁹ See section 1.1 above.

Ironically, one of the scholars who is critical of seeing only one composition in the 4QRP MSS nonetheless makes a similar assumption: that 4Q365 contains no substantial omissions is implied in Michael Segal's work on the distinction between editions of biblical books and 'rewritten Bible' texts. Segal suggests that only 'rewritten Bible' texts felt free to omit significant amounts of material, while biblical books tended to expand but not to contract. Because he classifies 4Q365 as a copy of the Pentateuch, and not a 'rewritten Bible' composition, Segal seems to assume that it contained no such omissions.⁹⁰ Contrary to Tov and Segal, Moshe Bernstein has argued that we should not assume that displaced materials such as Numbers 5–6 were moved elsewhere in the scroll, but reckon with the possibility that they were omitted altogether. For Bernstein, the omission of large chunks of legal material would probably constitute evidence that the 4QRP MSS are not copies of the Pentateuch.⁹¹

This dilemma is frustratingly irresolvable in the absence of more information. Bernstein is right, of course, to caution that we cannot assume that 4Q365 would have found a new home for Numbers 5–6 and 27:12–35:34. Equally, though, we cannot assume the opposite: that the material was omitted. To make matters even more complicated, the impact of a decision either way on the issue of whether 4Q365 could be a copy of the Pentateuch is also unclear. We do not have examples of large sections of material being omitted in the course of transmission of biblical books, it is true. Perhaps this does suggest that, if major amounts of material were omitted, the composition reflected in 4Q365 was intended as something other than a new edition of the Pentateuch. On the other hand, our conception of the transmission of Scripture in the Second Temple period has been revolutionized by the discovery of the Qumran texts, and in many ways is still in flux. We should not completely close off an option because it seems illogical or inconsistent to us. On this issue, therefore, it seems that we are forced to live with multiple uncertainties.

⁹⁰ Segal, "Between Bible and Rewritten Bible," 15, 23–24. Similarly, in an earlier work, Segal states, "the scribes responsible for 4Q364–5 have adduced the entire text of the Pentateuch..." without providing any support for this claim. See Segal, "4QRe-worked Pentateuch," 394.

⁹¹ Bernstein, "What Has Happened to the Laws," 48.

3.2.7 *Summary*

In 4Q365 we see the same range of compositional techniques as in 4Q158 and 4Q364. If there is no qualitative difference in the techniques used, however, there are quantitative differences in frequency and scope that give 4Q365 a distinctive profile. 4Q365 resembles 4Q364 in that addition of material from elsewhere, a particularly common technique in 4Q158, is attested only sporadically and is limited in scope. Likely cases of paraphrase are also less common than in 4Q158. On the other hand, there is no clear parallel in 4Q364 and only one in 4Q158 (the sequence Decalogue + Deut 5:30) for major juxtapositions (due to rearrangement?) such as those found in 4Q365 frags. 28 (Numbers 4 + 7) and 36 (Numbers 27 + 36). It should also be noted that 4Q365 does *not* seem to be based on a pre-SP version of the Pentateuch: in contrast to 4Q158 and 4Q364, it does not share any major changes characteristic of SP or the pre-SP texts. In the two instances where the text of 4Q365 is preserved and SP diverges substantially from MT, 4Q365 follows MT.⁹² This independence is further underscored by a striking similarity: 4QNum^b, surely responding to the same concerns about narrative coherence as 4Q365, also combines Numbers 27 and 36; however, it does so in a different way.⁹³ The two texts reflect similar concerns on the part of their editors, but do not attest to an exemplar-copy relationship.

Without a doubt, the most distinctive element of 4Q365 is the amount of additional new material it contains and, in two cases, the parallels between this material and the Temple Scroll. The several columns of 4Q365a are far larger than any other addition attested in the other 4QRP manuscripts, and they along with the addition in frag. 23 give 4Q365 a distinctive focus on the Temple and Temple cult. The overlap with the Temple Scroll also contextualizes both TS and 4Q365. Despite unclarities about which text is earlier and who drew upon whom—or whether a common source is at issue—we see that neither text existed in a vacuum, but shaped or was shaped by other texts circulating at the time.

⁹² 4Q365 frag. 8 contains Exod 26:34–36 MT (SP and 4QpaleoExod^m insert Exod 30:1–10 after v. 35); frag. 9 ii contains Exod 29:20–22 MT (SP relocates v. 21 after v. 28).

⁹³ See n. 86 above and ch. 4, n. 43.

3.3 4Q366

All that remains of 4Q366 is five moderately-sized fragments, but these fragments contain material from Exodus, Leviticus, Numbers, and Deuteronomy.⁹⁴ As might be expected from its small size, 4Q366 does not preserve the breadth of compositional techniques identified in the other manuscripts. Aside from a few minor alterations and additions, there are only two major changes, both of which consist of the juxtaposition (likely rearrangement) of originally separate materials. I will discuss the minor changes briefly before moving on to the juxtapositions.

3.3.1 *Minor Alterations and Additions*

Since there are so few of these, I will discuss them together. Two of the minor alterations are minor in the extreme, one involving the absence of a copula present in other versions, and the other involving a masculine instead of a feminine possessive suffix.⁹⁵ The third and final example is somewhat more interesting.

Exod 22:4 MT כי יבער איש שדה או כרם ושלח את בעירה ובער בשדה אחר מיטב שדהו ומיטב כרמו ישלם
 “If a man causes a field or vineyard to be grazed, and he sends out his cattle and they graze in another field, (of) the best of his field and the best of his vineyard he shall repay.”

Exod 22:4 SP וכי יבעיר איש שדה או כרם ושלח את בעירו ובער בשדה אחר שלם ישלם משדהו כתבואתה ואם כל השדה יבעי מיטב שדהו ומיטב כרמו ישלם
 “If a man causes a field or vineyard to be grazed, and he sends out his cattle and they graze in another field, he shall certainly make recompense from his own field, according to its produce. And if he causes the entire field to be grazed over, (of) the best of his field and the best of his vineyard he shall repay.”

4Q158 10–12 וכי יבעה [איש...כת] בואתו אם כול השדה יבעה...

⁹⁴ 4Q366 can be dated paleographically to the mid-first century B.C.E., perhaps slightly earlier than 4Q364 and 4Q365; the editors describe it as written in “a late Hasmonean formal hand”; Tov and White (Crawford), DJD 13:336.

⁹⁵ 4Q366 3 5 reads מנחתה for MT, SP ומנחתה in Num 29:19; and frag. 5 3 has למינו for MT, SP למינה in Deut 14:18 (this despite the apparent femininity of the preceding noun, האנפה).

4Q366 1 9–10 וּכְיִי וּשְׁלַח אֶת] בְּעִירוֹ וּבְעַר בְּשׂוּדָה אַחֲרַי... וְאִם כֹּל
הַשְּׂדֵה יִבְעַר...

It seems that 4Q366 represents a version of this law that contained the plus attested in SP (and G and 4Q158), but shows no sign of discomfort with the ambiguity of the verb **בער**, in contrast to the moves in both SP and 4Q158 toward the less ambiguous root **בעה**.⁹⁶ It is possible that 4Q366 represents the original form of the plus, which would then have followed the shorter MT in using **בער** for the action described in the law, with SP and 4Q158 representing later attempts at greater clarity. This theory would require us to postulate, however, that the editor responsible for the SP form of the text changed *one* instance of **בער** to **בעה**—presumably to avoid ambiguity—but left the other two appearances of **בער** untouched. Of course this is not impossible, but it seems more likely that **בעה** was first introduced into the text as part of the plus.⁹⁷ 4Q366 and 4Q158 would then represent two different moves towards a smoother formulation: 4Q158 getting rid of **בער** altogether in favor of **בעה**, and 4Q366 replacing the one case of **בעה** (in the plus) with **בער**. Evidently, the editor responsible for 4Q366 was more concerned about lexical consistency than semantic ambiguity (perhaps because he perceived none).

There is only one addition of any size in 4Q366:

Lev 25:41 ... וּשְׁבַ אֶל מִשְׁפַּחְתּוֹ, “and he shall return to his family...”

4Q366 2 6 ... וּשְׁבַ אֶל אַחֲזָתוֹ וְאֵל מִשְׁפַּחְתּוֹ] *to his possession and to his family...*

This addition was likely influenced by Lev 25:10, 13, 27, 28, all of which have the formulation **שב אל אחזתו** or **שב לאחזתו**.⁹⁸

3.3.2 Rearrangements (?)

As mentioned above, the two major changes extant in 4Q366 both involve juxtaposition of materials that do not occur together in other versions. In frag. 2, Lev 24:20–22 in lines 1–3 is followed by Lev 25:39–43

⁹⁶ See above, p. 69.

⁹⁷ Note Teeter’s observation that, of the three cases where **בער/בעה** occurs in the expanded form of the law, the instance in the plus is marginally more suitable for **בעה** than the others, given that its base meaning seems to be “destroy.” See Teeter, “Exegesis,” 31.

⁹⁸ Tov and White (Crawford), DJD 13:339.

in lines 4–8. In frag. 4, lines 1–9 contain the conclusion to the Priestly festival calendar in Num 29:32–30:1, while line 10 contains the beginning of Deuteronomy’s law for the festival of Sukkot (Deut 16:13–14).

The logic behind the second juxtaposition is reasonably clear: the end of Numbers 29 and Deut 16:13–14 both contain legislation for Sukkot; thus an editor seems to have grouped these laws together on the basis of their common content—a procedure well known from the Temple Scroll. The first juxtaposition, of Lev 24:20–22 (the laws of talion) with Lev 25:39–43 (slavery and indentured servitude) is less easily explained. Tov and Crawford suggested that the passages were linked because the ‘sojourner’ appeared in each.⁹⁹ As has been pointed out, this explanation is not compelling. First, the ‘sojourner’ is not the focus or main figure of either law. Second, different Hebrew words are at issue—גֵר in Lev 24:22, but תוֹשֵׁב in Lev 25:40—making a keyword association improbable.¹⁰⁰ However, Tov and Crawford mention without elaboration another possible explanation, which in fact seems more likely: “Likewise, note that these two laws are juxtaposed in Exod 21:24–25 and 26–27.”¹⁰¹ On the face of it, this statement does not appear to be true. Exod 21:24–25 does deal with talion, the law at issue in Lev 24:20–22, though the Exodus text only considers talion in the specific case of accidental injury to a pregnant woman (see vv. 22–23). Vv. 26–27, however, deal not with slavery or indentured servitude per se (as Tov and Crawford’s comparison with Lev 25:39–43 would lead us to expect) but with the case where a master beats his slave. Thus it is somewhat misleading to suggest that Exod 21:24–27 (talion in a specific case + a master’s beating of his slave) contains the same two laws as Lev 24:20–22 + 25:39–43 (talion as a general principle + slavery/servitude). Yet it is striking that the slave law in Leviticus, in emphasizing that an Israelite sold into debt-slavery must be treated well, commands בַּפֶּרֶךְ בּוֹ תִרְדֶּה לֹא, “you shall not rule over him with harshness” (25:43), a stipulation that certainly bears a conceptual relationship to the Covenant Code law on beating slaves. Thus the sequence talion—treatment of slaves original to the Covenant Code is at least approximately matched by the new sequence in 4Q366. The evidence remains rather weak, but perhaps one could speculate

⁹⁹ Tov and White (Crawford), DJD 13:339.

¹⁰⁰ See Segal, “4QReworked Pentateuch,” 397; Bernstein, “What Has Happened to the Laws,” 41.

¹⁰¹ Tov and White (Crawford), DJD 13:339.

that this fragment may reflect an editor's attempt to rearrange some or all of the Holiness Code's legislation so that its sequence conforms to that of the Covenant Code.

These two fragments present the same difficulties as the juxtapositions in 4Q365 discussed above: we have no way of knowing for certain what compositional techniques are operative here. However, several factors support my tentative classification of these cases as rearrangements. First, as was the case for the examples in 4Q365, these texts are not the kinds of texts that are most amenable to addition from elsewhere—they do not contain speech reports, predictions, accounts of the fulfillment of commands, or any similar 'metanarrative' feature. In fact, the repetition of these texts in a new location would actually detract from the coherence of the text, as it would exacerbate the redundancy that already characterizes the pentateuchal legal corpus. From the point of view of textual coherence, these texts do not need to be repeated, as would a prediction or instruction in need of fulfillment within the narrative. The difficulty with them, from a hermeneutical perspective, is that they do not occur in logical sequence; that is, all the laws on a given topic do not occur in the same place. Thus, it seems likely that the textual strategy would match the problem, and rearrangement is at issue.

4Q366 actually sheds some light on the second problem associated with these types of juxtapositions, namely the question of what happened to the intervening material—moved elsewhere or simply omitted? The case in frag. 2 is not particularly helpful, especially as the reason for the juxtaposition is not obvious. Moshe Bernstein in fact suggests regarding this passage that our time might be better spent considering reasons why the material between Lev 24:22 and 25:39 might have been omitted than trying to determine a link between the passages themselves.¹⁰² Be this as it may—there does seem to be some sort of connection between the two passages—, the case in frag. 4 is different. Here the question would have to be what happened to the entire block of material between Num 30:2 and Deut 16:12. And here we have concrete evidence that not all of this material could have been omitted, since frag. 5 contains material from Deuteronomy 14. We know, therefore, that at least in one instance at least some of the intervening material was retained. Of course we do not know how much

¹⁰² See Bernstein, "What Has Happened to the Laws," 41.

of Numbers 30:2–Deut 16:12 was originally present in the manuscript, nor whether the evidence from 4Q366 should be applied to other mss. But this case does suggest that, when passages were brought together because of similar content, thought was given to the intervening material—it was not simply omitted, at least not in every case.¹⁰³

3.3.3 Summary

The poor preservation of 4Q366 makes comparison with other manuscripts difficult. Unsurprisingly, 4Q366 shows the same sorts of minor alterations and additions as were observed in 4Q158, 4Q364, and 4Q365. The technique of juxtaposing materials originally separated from one another is familiar from 4Q365 and, in a different way, from 4Q158. None of the other techniques attested in the other manuscripts are present—there are no cases of addition from elsewhere, omissions, or paraphrases of any size, and no cases of substantial additions of new material. We have no way of knowing whether these techniques were attested in the full manuscript.

3.4 4Q367

The situation for 4Q367 is similar to that of 4Q366, but even less clear. Only three fragments with identifiable text remain, all from Leviticus.¹⁰⁴ Of these, two present us with unfamiliar juxtapositions of material like those found in 4Q366. Other than the juxtapositions, only two unique variants are preserved, both (very) minor alterations: in frag. 1 8, 4Q367 reads *על דמי טהרה* for MT SP *על דם טהרה* (Lev 12:5), and in frag. 1 4, for MT SP *תטמא* (Lev 12:2), 4Q367 has *מאה* [(either *מאה*[ט or *הט*מאה or *מאה*[ט תהי).¹⁰⁵

An explanation for the juxtapositions is an even more vexed issue than in 4Q366. In frag. 2, lines 1–2 contain material from Leviticus 15, either vv. 14–15 or vv. 29–30. Lines 4–14 contain Lev 19:1–15, but without vv. 5–8.¹⁰⁶ That these four verses might be removed—either

¹⁰³ Note that some of the intervening material is also extant in the one case of rearrangement in 4Q158: frag. 6 contains material that would originally have been located between Exod 20:17 (frag. 7 2) and the end of Exod 20:21b (frag. 7 3).

¹⁰⁴ 4Q367 can be dated paleographically to the first half of the first century B.C.E.; see Tov and White (Crawford), DJD 13:346.

¹⁰⁵ Tov and White (Crawford), DJD 13:348.

¹⁰⁶ Tov and Crawford consider 15:14–15 the more likely choice for the material from Leviticus 15 in lines 1–2, since v. 15 represents the end of a section, being fol-

omitted or relocated elsewhere—makes a certain amount of sense, as the instructions they contain for the sacrifice of well-being intrude upon a series of ethical prescriptions that in large part parallel the Decalogue. Perhaps here we see the reverse end of the process of rearrangement hypothesized for, e.g., 4Q366 frag. 4 above: the ‘hole’ that results when a block of text is removed from one location and put into a new location where it better fits the context. The connection between Leviticus 15 and Leviticus 19, however, is anything but clear. One might make an appeal to a notion of holiness in each text—in Lev 19:2 the Israelites are charged to “be holy, for I am holy,” while in Lev 15:31 the Israelites are warned to purify themselves properly after genital discharges, lest they defile God’s dwelling place among them. Perhaps there is even a sort of theological harmonization at work: does the juxtaposition implicitly create a connection or equivalence between ritual purity and moral/ethical holiness?¹⁰⁷ This suggestion clearly crosses the line into speculation, but no other compelling explanation has been offered. Even Bernstein’s proposal to look at what was omitted rather than what was juxtaposed¹⁰⁸ seems of little help in this case: by what logic would chapter 16 (Yom Kippur), chapter 17 (proper disposal of blood), and chapter 18 (primarily sexual laws) all be omitted? Of course, they could all have been removed to various more appropriate locations, chapter 16 to a section on festivals, chapter 17 to a section on sacrifice, etc. This, too, is no more than speculation.

The situation in frag. 3 is similarly knotty. Lines 3–5 appear to contain Lev 20:13, which prescribes the death penalty for homosexual

lowed by a D . As Bernstein points out, however, 15:29–30 might make more sense. 15:30 is not formally marked as the end of a section, but it is the end of the laws on genital discharges. If lines 1–2 represent Lev 15:14–15, then we would have to explain not only why someone has juxtaposed the laws of discharges with the ethical prescriptions of Leviticus 19, but why someone has juxtaposed *certain specific* laws of discharges with Leviticus 19. See Bernstein, “What Has Happened to the Laws,” 43.

¹⁰⁷ This idea is perhaps not so farfetched as it might seem at first. Jonathan Klawans has discussed the distinction between moral and ritual impurity in the Bible, where H tends to be associated with the idea of moral impurity while P tends to focus on ritual impurity. Klawans also shows how the Qumran community seems to have collapsed the distinction between the two categories. See Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (New York: Oxford University Press, 2000). 4Q367 does not show evidence of the typical Qumran scribal practice, making it difficult to know whether it or a text like it was ever read or used by the Qumran community, but my (very tentative) suggestion regarding this juxtaposition would fit well in the context of Qumran thought.

¹⁰⁸ Bernstein, “What Has Happened to the Laws,” 44.

intercourse, although the MT/SP does not quite fill the available space. Following an interval, lines 6–14 contain Lev 27:30–34 (the last five verses of the book of Leviticus), which mainly deal with the holiness of tithes. Of lines 1–2 only a few letters remain. These letters may well represent material from Leviticus, but it is clear that they do not fit with anything in Leviticus 20 or 27. Thus we have the sequence Unknown + homosexual sex + tithes. I confess that I have no suggestions as to why these two topics might be combined, nor do I find it especially logical to hypothesize that all the diverse intervening material—including the rest of chapter 20, which deals with sexual behavior just as 20:13 does, and chapter 27, which is closely connected topically to vv. 30–34—might have been omitted or moved elsewhere.¹⁰⁹ Michael Segal suggests that 4Q367 might represent an ‘excerpted’ text of Leviticus, but this label does not really increase our understanding very much: why would a series of excerpts contain these particular texts?¹¹⁰

To sum up, 4Q367 resembles 4Q366 in that it contains no major changes other than these juxtapositions. Indeed, aside from the two minor alterations in frag. 1, it contains no other unique readings of any kind. Once again poor preservation prevents us from knowing what other techniques might have been observed had we had the entire text. Poor preservation also precludes judgment regarding the scope of the text. Even 4Q366, which contains just 5 fragments, has text from four of the five books of the Pentateuch, while 4Q367 attests nothing but Leviticus. There is nothing at all to suggest that it ever contained anything besides Leviticus—though of course, as usual, the alternative cannot be ruled out!

¹⁰⁹ See, similarly, Bernstein, “What Has Happened to the Laws,” 44. Tov and Crawford suggest that the connection between the two sections is the phrase *מוֹת יוֹמָת (ו)*, which occurs in Lev 20:13 and in Lev 27:29; see Tov and White (Crawford), DJD 13:351. However, this phrase occurs twelve times in Leviticus, including nine times in Leviticus 20 and two in Leviticus 24, making this explanation unconvincing.

¹¹⁰ Additionally, Bernstein points out that the term ‘excerpted’ as commonly used in Qumran studies is generally reserved for a different type of text, such as *tefillin* and various types of apparently liturgical compilations; see Bernstein, “What Has Happened to the Laws,” 44; Emanuel Tov, “Excerpted and Abbreviated Biblical Texts from Qumran,” *RevQ* 64 (1995): 581–600.

3.5 SUMMARY: THE 4QRP MANUSCRIPTS IN COMPARISON TO ONE ANOTHER

The preceding discussion allows us to see both similarities and differences among the 4QRP MSS with regard to their use of various compositional techniques. An overview is provided by the following table:

Table 3.1: Compositional Techniques in the 4QRP Manuscripts

	4Q158	4Q364	4Q365	4Q366	4Q367
Addition (Minor)	X (8)	X (4)	X (9)	X (1)	
Addition (Moderate)	X (2)	X (2)	X (4)		
Addition (Large)	X (1)	X (3)	X (3) ¹¹¹		
Addition from Elsewhere (Small)		X (1)	X (1)		
Addition from Elsewhere (Moderate)	X (2) ¹¹²	X (2)	X (1)		
Addition from Elsewhere (Large)	X (4)				
(Deliberate) Omissions		?	?		
Paraphrase	X (3)	X (1)	X (1)		
Rearrangement/Juxtaposition of Originally Separate Material	X (1)	?	X (3)	X (2)	X (2)
Minor Alterations	X (4)	X (16)	X (52)	X (3)	X (2)

This chart makes obvious at a glance the distinction between 4Q366 and 4Q367, on the one hand, and the rest of the manuscripts on the other. Both of these manuscripts are characterized only by the presentation of material in an otherwise unfamiliar sequence—besides this they contain no significant changes. It is true that the poor preservation of these manuscripts makes the relevance of this observation unclear: perhaps they originally contained other types of major changes as well.

¹¹¹ Here I am counting the 4Q365a material as only a single addition, but note that it must have covered at least four columns, making it much more extensive than any other addition attested in the 4QRP MSS (see section 3.2.1).

¹¹² 4Q158 1–2 12, 4 ii 1–2.

And yet, it is striking that despite the small number of fragments—five for 4Q366, three for 4Q367—each preserves two cases of major new juxtaposition, and no other type of significant change.

The chart also shows that basically all the major types of compositional technique are attested in all three of the larger manuscripts, 4Q158, 4Q364, and 4Q365. 4Q364 does not contain a clear example of rearrangement or even one of the ambiguous cases of juxtaposition, but there are two possible cases of rearrangement, suggesting that we should not make too much of the category's absence. Interestingly, despite all the changes made to the biblical text in these three manuscripts, there is not a single clear case of deliberate omission.

Despite the general agreement between these three manuscripts in their means of reworking the Pentateuch, each one possesses distinctive traits that separate it from the other two. The chart indicates that only 4Q158 makes use of large additions of material from elsewhere. Although 4Q364 and 4Q365 both attest smaller additions of this type, the absence of such additions on a larger scale points to a clear difference in the way this technique is used in 4Q158. 4Q364 and 4Q365 use small-to-moderate additions from elsewhere to harmonize the *language* of two similar passages: thus, 4Q364 adds a phrase from the law for judges in Deut 16:19 into the nearly-parallel commands that Moses issues to his newly-appointed judges in Deut 1:17 (4Q364 21). Similarly, 4Q365 makes the language of the summary sentence at the end of the Song of the Sea (Exod 15:19) match the language of the parallel account in Exod 14:29 by simply repeating part of that verse in the later setting (4Q365 6b 5). In contrast, 4Q158 uses the technique of addition from elsewhere in a manner that has clear connections to use of this technique in the pre-Samaritan texts and in SP, as the next chapter will demonstrate. Such addition generally serves to coordinate not language, but events: it functions on the level of narrative. If there is a notice that Moses related to Aaron all the words that God told him, then there should be an account of what Moses said to Aaron that matches the earlier account of what God said to Moses (4Q158 frag. 1–2). If God commands Moses to tell the Israelites to return to their tents, then there must be an account of the people obeying Moses and returning to their tents (4Q158 frag. 7–9). If God predicts that the Israelites will worship him when they arrive at Mt. Sinai, there should be an explicit recollection of God's command—and notice of its fulfillment—at the appropriate point in the narrative. And so on. 4Q158 also uses the technique in situations that involve looser parallels, to bring into association events that clearly were related in the redactor's

mind. The primary examples are the association of Genesis 32 with Exodus 4 (frag. 1–2) and the reference to the covenant with the patriarchs (Genesis 17, Exodus 6) in the context of the covenant ceremony on Mt. Sinai (Exodus 24; frag. 4 ii). Thus, in this case the same compositional technique occurs in three different manuscripts, but 4Q158 uses the technique differently than 4Q364 and 4Q365. This difference also accounts for the difference in size: 4Q158 tends to be repeating entire speech-acts or events in order to create connections or coordinate command and fulfillment, while 4Q364 and 4Q365, focused on language, can effect their harmonizations with only a few words.

If 4Q158 is distinctive in the use it makes of addition of material from elsewhere, 4Q365 takes a different technique beyond the other manuscripts: the addition of new material. Substantial amounts of new material are also found in 4Q158 and 4Q364, but they are far exceeded by the multiple additional columns contained in the 4Q365a fragments, to say nothing of the sizable additions in 4Q365 frag. 6a, c ii (the ‘Song of Miriam’) and frag. 23 (the wood offering). The close parallels with the Temple Scroll present in some of these additions also mark 4Q365 off from the others in that they indicate a connection with a specific tradition of thought regarding the Temple and the cult.

In contrast to 4Q158 and 4Q365, 4Q364 emerges as a marginally more conservative reworking of the Pentateuch.¹¹³ It certainly does contain a wide variety of major changes, but attests neither the pronounced interest of 4Q158 in coordinating related passages nor the extensive additions of 4Q365. A picture thus emerges of the three large 4QRP MSS as texts that share a set of strategies by which they rework the Pentateuch, but that employ those strategies in different proportions and to different degrees. Tov and Crawford’s initial statement that the manuscripts “share important characteristics” is true, but obscures the differences between them.

If we reflect purely from the perspective of compositional technique on the issue of whether the 4QRP manuscripts should be considered a single composition, the evidence is generally negative. The extensive use of added material from elsewhere in 4Q158 and the massive additions of new material in 4Q365 suggest that they each stem from an

¹¹³ Moshe Bernstein comments that “[t]his manuscript of 4QRP, out of the five given that name, contains probably the least radical manipulation of the non-legal material in the Pentateuch.” See Bernstein, “What Has Happened to the Laws,” 34.

editorial hand (or hands) different from that (or those) responsible for the somewhat more conservative 4Q364. All three of these can be distinguished from 4Q366 and 4Q367, which attest no significant additions or paraphrases of any sort. Of course the lack of physical overlap among the manuscripts makes this conclusion difficult to prove: one might argue that perhaps 4Q158 represents a portion of the text that is particularly concerned with making connections between related texts, or that 4Q364 did in fact also contain the huge Temple-related addition of 4Q365 but it simply was not preserved. Yet surely it strains credibility to assert that such additions from elsewhere as are characteristic of 4Q158, occurring six times in fifteen fragments, simply did not occur (or were not preserved) elsewhere in the composition, or that no trace of multiple nonbiblical columns was preserved in 4Q364. Even with the extremely fragmentary 4Q366 and 4Q367, such an appeal to absent material is less than convincing: it seems likely to be significant that a compositional technique—rearrangement or juxtaposition of previously separate material—that occurs only four or five times in the 89 fragments of 4Q158, 4Q364, and 4Q365 + 365a is found four times in the 8 fragments of 4Q366 and 4Q367.¹¹⁴ It is of the nature of the Qumran materials that lacunae preclude firm decisions; on the other hand, it seems imperative to make judgments based on what we can deduce from the extant materials. Until more evidence comes along, we should respect the real differences between the five manuscripts and regard them as related compositions, not copies of the same work.¹¹⁵

This conclusion on the basis of compositional technique is corroborated by other types of evidence. First, it might be mentioned that, while 4Q158 and 4Q364 both appear to have been based upon a

¹¹⁴ Because of this overlap in compositional technique, 4Q366 and 4Q367 come across as more closely related than any of the other manuscripts. Of course their extremely poor preservation is an issue here, but it would be more plausible in my mind to regard 4Q366 and 4Q367 as possibly having an exemplar-copy relationship than any other constellation of the 4QRP mss. There is, however, no physical evidence for this, and the fact that something is plausible does not mean that it is true.

¹¹⁵ Contra Crawford, this assessment does not become less meaningful if any or all of the 4QRP manuscripts constitute copies of the Pentateuch. If this were the case, the differences in compositional technique would of course not mean that each manuscript contained a different ‘composition,’ as they would all represent versions or editions of the same composition—the Pentateuch. However, evidence for five substantially different editions of the Pentateuch seems in no way less significant than evidence for five different ‘rewritten Scripture’ compositions. See Crawford, “‘Rewritten’ Bible at Qumran,” 6.

pre-Samaritan version of the Pentateuch in that they contain multiple major features of that version, 4Q365 seems to have been based upon a different version. It seems highly unlikely, if not impossible, that such a discrepancy in *Vorlage* would occur between the different manuscripts if they represented a single reworking of the Pentateuch. Second, 4Q365 shows a close connection to the Temple Scroll for which there is no hint in the other manuscripts. Third, George Brooke has demonstrated that, in the few places where the same pericope is partially preserved in 4Q158 and in one of the other manuscripts, the two versions cannot be reconstructed as containing the same text.¹¹⁶ To extend Brooke's argument regarding 4Q158 on the basis of the compositional evidence considered here, it thus seems most accurate to refer to the five Reworked Pentateuch MSS as five related compositions, 4QRP A–E, rather than five copies of the same composition, 4QRP^{a–e}.

Finally, a few words must be said about the processes by which 4Q364–367 came into being. At the end of chapter 2, I observed that there is little reason to think that all the changes in 4Q158 vis-à-vis known versions would have been made by a single editor. This chapter has illustrated that, fundamentally, the same holds true for the other 4QRP manuscripts. Like 4Q158, all demonstrate a general concern for the coherence of the scriptural text (except perhaps for 4Q367, since the logic behind its changes is not obvious). This general concern is manifested in changes of various types and sizes. However, like 4Q158, it is not possible to identify any more specific redactional concerns in 4Q364–367 that would indicate strongly the presence of a single editor as opposed to a succession of revisionary scribes.

This observation is by no means irreconcilable with the point made just above, that each of the 4QRP MSS, at least the larger ones, has distinctive characteristics that separate it from the others. Although we do have to postulate, it seems, that each of the manuscripts encountered different types of scribes/editors—4Q158 scribes concerned with coordination of various events; 4Q365 scribes interested in making expansive additions; 4Q364 perhaps slightly more conservative scribes—we still lack compelling evidence that all the major changes or even all the major changes of a particular type would have originated with a single individual. Using 4Q365 as an example for a moment, we could

¹¹⁶ Three of Brooke's examples come from 4Q364 and one from 4Q366; see Brooke, "4Q158," 227–34.

assume that the two major cases of resequencing—the juxtaposition of Numbers 4 and 7, and Numbers 27 and 36—both stemmed from the same editor. Or, we could surmise that one editor made one change, and a subsequent editor copied the move in a different setting to produce the other change. Either or neither of these editors may have been the one responsible for the large amounts of new material found in 4Q365.

Once again, I should stress that I am not interested in taking a position on the question of how many editors or scribes were involved in the development of the 4QRP manuscripts. My concern is rather to point out that we have no evidence for ascribing all the changes—or even just the larger ones—in a particular manuscript to a single individual. It must be kept in mind that the five 4QRP MSS may result from long processes of transmission rather than from five creative moments on the part of five individual scribes.

CHAPTER FOUR

POINTS OF COMPARISON I: THE SAMARITAN PENTATEUCH AND ITS FOREBEARS

One of the most significant results of the discovery of the Qumran scrolls for the study of the development and transmission of the biblical text is the recognition that the instances in SP where the text differs from other known versions are not generally to be attributed to a 'sectarian' recension of the Pentateuch by the Samaritans themselves. The presence at Qumran of biblical mss that contain nearly all the variants previously regarded as unique to SP demonstrates that this 'Samaritan' version of the Torah must in fact have circulated more widely in the Second Temple period. On the other hand, the Qumran manuscripts do not attest any of those variants in SP that actually reflect the ideology of the Samaritan community: the added commandment prescribing the construction of an altar upon Mt. Gerizim in both the Exodus and Deuteronomy versions of the Decalogue, and some smaller changes meant to reinforce the idea that God had already singled out that location as the seat of proper worship. It has thus become clear that the Samaritans adopted and made only minor changes to an already-existing recension of the Pentateuch.¹ This version of the Torah, known generally as 'pre-Samaritan,' is represented at Qumran by 4QpaleoExod^m, 4QNum^b, and 4QExod-Lev^f.²

Unique readings preserved in SP and its Qumran forebears can in most cases be confidently labelled as later than the readings preserved in other versions, as the differences often reflect exegetical changes of various kinds. Because of the degree to which it revises earlier versions of the Pentateuch, the SP text tradition provides an excellent point

¹ Ulrich, *Dead Sea Scrolls*, 64–65; Sanderson, *Exodus Scroll*, 308, 311; Tov, *Textual Criticism*, 84–85. For overviews of the development and textual traditions of the Samaritan Pentateuch, see Tov, *Textual Criticism*, 80–100; Reinhard Pummer, "The Samaritans and their Pentateuch," in *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance* (ed. Gary N. Knoppers and Bernard M. Levinson; Winona Lake, Ind.: Eisenbrauns, 2007), 237–69.

² Tov, "Rewritten Bible Compositions," 341. For the terminology of 'pre-Samaritan'/'pre-SP,' see above, ch. 1, n. 17.

of comparison by means of which the types of reworking evidenced in the 4QRP MSS can be contextualized. Furthermore, since they are universally recognized as versions of the Pentateuch (as opposed to 'rewritten Scripture'-type compositions), SP and its forebears provide additional evidence pertaining to the question of whether a relationship exists between the status of a rewritten work and the ways in which it reworks prior Scripture.

The following discussion of compositional techniques in the SP manuscript family will focus for the most part on SP itself.³ This is because, in the majority of cases, the Qumran pre-Samaritan MSS reflect the major details of the text as attested in SP, but in a more fragmentary format. Even with regard to smaller-scale changes, it is easier to understand the precise nature of a change when its complete context is preserved (a point illustrated all too clearly by the guesswork often involved in the above analysis of the 4QRP fragments!). However, despite their close affinities, the pre-SP texts are not identical with SP. Even aside from the specifically Samaritan variants mentioned above, there is evidence that the pre-Samaritan text tradition itself was not static. On occasion, the pre-SP Qumran MSS correspond to MT and lack a significant SP variant. On other occasions, a pre-SP MS preserves a unique reading not shared by SP. These points of divergence will of course be noted in the following discussion.

The occasional discrepancies between SP and the pre-Samaritan MSS from Qumran raise an issue that will be discussed more fully at the end of this chapter but should be mentioned briefly here at the outset. In examining the SP text tradition as a potential source of analogues to the types of reworking that we have seen in the 4QRP MSS, we must take seriously the extensive evidence for its gradual development over time; that is, the likelihood that all its unique features did not come about at the same time. As I will indicate below, most of the largest changes in SP and the pre-SP MSS appear to accomplish a very specific goal, and may therefore be the product of a single redactor. On the other hand, some modifications of different types are absent from

³ Space of course prevents me from discussing every significant variant preserved in SP, especially for minor examples of the various compositional techniques. The cases discussed here should thus be regarded as illustrative, not exhaustive. As in the previous chapters, unless otherwise noted only variants unique to this manuscript tradition are discussed. Thus, although I usually present only MT in comparison to SP, it should be assumed unless otherwise noted that G follows MT for the variant in question.

the pre-SP MSS; others occur in a pre-SP MS but not in SP; and others yet are also found in G (probably indicating that they originated prior to the insertion of the major, characteristic changes in the SP text tradition).⁴ Thus I do not treat SP and its forebears as witnesses to the compositional techniques of a single scribe, but rather as witnesses to the types of techniques that were used by a variety of Second Temple scribes in the course of the Pentateuch's transmission over a period of many years. The relevance of this picture to our understanding of the 4QRP MSS will be considered at the end of this chapter.

Discussions of scriptural reworking in SP and its forebears have generally focused on the most noticeable type of change they attest, namely the frequent repetition in a new context of material that occurs elsewhere in the Pentateuch.⁵ However, closer analysis reveals a variety of compositional techniques that provide interesting parallels to what we have observed in the 4QRP manuscripts.⁶

4.1 ADDITION OF NEW MATERIAL

It is commonly known that SP does not include major additions of new material of any kind. Even additions of moderate size (several words up to a sentence) are hard to come by, and most of the largest

⁴ For an analysis of this issue in the book of Exodus, in light of the pre-Samaritan scroll 4QpaleoExod^m, see Sanderson, *Exodus Scroll*, 191–259.

⁵ See e.g. Esther Eshel, “4QDeutⁿ—A Text That Has Undergone Harmonistic Editing,” *HUCA* 62 (1991): 117–54; Tov, “Rewritten Bible Compositions,” 339–51; Crawford, *Rewriting Scripture*, 19–38; Segal, “Text of the Hebrew Bible,” 10–17.

⁶ Important studies on SP or the pre-SP texts that deal with a broader variety of types of changes than the major additions of material from elsewhere include Sanderson, *Exodus Scroll*, which examines the text of 4QpaleoExod^m in relation to that of MT, SP, and G; Raphael Weiss, “חילופי לשונות נרדפים,” which, as the title suggests, analyzes cases of “synonymous variants,” where one word is replaced with another; and Tov, *Textual Criticism*, 84–100. Tov's discussion is organized mainly according to purpose: “Harmonizing Alterations,” “Linguistic Corrections,” “Content Differences,” and “Linguistic Differences” (though the label “Content Differences,” in light of the other category labels, seems somewhat imprecise). Besides the major additions from elsewhere, he focuses almost exclusively on very minor examples (one word or less); to my mind he leaves out several interesting, midsized alterations that are significant to an accurate overall characterization of the SP text tradition. Note should also be made of the list of minor “harmonizations” in SP Genesis 1–11 compiled by Ronald S. Hendel, *The Text of Genesis 1–11: Textual Studies and Critical Edition* (New York: Oxford University Press, 1998), 86–87.

are shared by G.⁷ However, a few unique additions of some size do occur. One is an explanatory or motive clause appended to the final law of the Covenant Code:

Exod 23:19 MT לא תבשל גדי בחלב אמו, “You shall not boil a kid in its mother’s milk.”

Exod 23:19 SP לא תבשל גדי בחלב אמו כי עשה זאת כזבח שכח ועברה היא לאלהי יעקב, “You shall not boil a kid in its mother’s milk, *for the one who does this is like a zbh škh, and it is ‘brh to the God of Jacob.*”

The precise meaning—indeed, even the proper translation—of this plus has occasioned much debate, but the salient point in this context is that SP contains a relatively extended addition to a pentateuchal legal text.⁸

Two additional pluses address a single issue: the lack of any mention of the Urim and Thummim before they suddenly appear in Exod 28:30 as items to be fixed upon the breastplate worn by the high priest. Immediately prior to this instruction, SP therefore contains an additional command:

Exod 28:30 MT ... ונתת אל חשן המשפט את האורים ואת התמים, “You shall set into the breastplate of justice the Urim and the Thummim...”

Exod 28:30 SP ועשית את האורים ואת התמים ונתתה על חשן המשפט ... את האורים ואת התמים, “*You shall make the Urim and the Thummim, and you shall set upon the breastplate of justice the Urim and the Thummim.*”⁹

⁷ E.g. the expansions at Gen 43:28; Exod 22:4; Lev 15:3; 17:4. On the last three of these, see Teeter, “Exegesis.”

⁸ For a new discussion, see David Andrew Teeter, “‘You Shall Not Seethe a Kid in Its Mother’s Milk’: The Text and the Law in Light of Early Witnesses,” *Textus* 24 (2009): 37–63. Building on a suggestion by Abraham Geiger, Teeter argues that the difficult phrase שכח זבח refers to the sacrifice of a fetus, which sacrifice is here regarded as a sin. This expansion thus reflects a legal position shared by 4QMMT, TS, and the Damascus Document against what became the normative rabbinic position, which permitted the slaughter of pregnant animals (the fetus being considered still a part of the mother’s body; see *m. Hul.* 4:5).

⁹ This plus is not extant in 4QpaleoExod^m col. 32, although some of the surrounding context is. It appears that the plus would fit well into the available space, and thus probably did occur in the text. The notes in the DJD edition make no mention of the possible variant; see Patrick W. Skehan, Eugene Ulrich, and Judith E. Sanderson, *Qumran Cave 4.IV: Palaeo-Hebrew and Greek Biblical Manuscripts* (DJD 9; Oxford: Clarendon, 1992).

Such a command should not be left without a record of its fulfillment,¹⁰ so a corresponding notice appears in SP after Exod 39:21, **ויעשו את משה האורים ואת התמים כאשר צוה יהוה את משה**, “They made the Urim and the Thummim just as YHWH commanded Moses.”¹¹

Finally, SP contains a series of pluses in Genesis 11. They all follow the same pattern: “All the days of X were Y years, and he died.” Thus for the first, to Gen 11:11, we have:

Gen 11:11 MT **ויחי שם אחרי הולידו את ארפכשד חמש מאות שנה** ויולד בנים ובנות, “And Shem lived five hundred years after he fathered Arpachshad, and he had other sons and daughters.”

Gen 11:11 SP **ויחי שם אחרי הולידו את ארפכשד חמש מאות שנה ויוליד בנים ובנות ויהיו כל ימי שם שש מאות שנה וימת**, “And Shem lived five hundred years after he fathered Arpachshad, and he had other sons and daughters, *and all the days of Shem were six hundred years, and he died.*”

Similar pluses occur after vv. 13, 15, 17, 19, 21, 23, and 25. That these pluses constitute later expansions can be seen from the fact that they, although technically containing new material, are modeled on the genealogy in Genesis 5, which consistently uses this formula. An editor apparently noticed the formal discrepancy between the two lists, which otherwise employ identical formulae, and brought them into alignment.

The previous chapters have shown that additions of similar size occur several times in 4Q158, 4Q364, and 4Q365. Unfortunately, none of these examples provides a precise parallel to either of the first two cases mentioned just above: there is no instance preserved in the

¹⁰ See section 4.2.

¹¹ The second plus (after 39:21) is partially extant in 4QExod-Lev^f 1 ii 5–6. Cross, the editor of that text, suggests that the longer version attested by SP represents the original Hebrew text, “lost by parablepsis (homoioteleuton or homoiarchton) in other traditions”; see Frank Moore Cross, “4QExod-Lev^f,” in *Qumran Cave 4, VII: Genesis to Numbers* (by Eugene Ulrich et al.; DJD 12; Oxford: Clarendon, 1994), 133–44, at p. 139. It strikes me as somewhat implausible that *both* the command in 28:30 *and* the execution in 39:21 would have disappeared through scribal errors such that they are not preserved in any other tradition, and more likely that the absence of a note regarding the creation of the Urim and Thummim would have drawn the attention of a later scribe. Rendtorff notes further that the SP plus creates a doubling of the words **את האורים ואת התמים** in Exod 28:30, a redundancy that would be unlikely if the longer version was original; see Rolf Rendtorff, *Leviticus* (HKAT; Neukirchen: Neukirchener Verlag, 2004), 273.

4QRP MSS of the addition of a motive clause to a law or command, nor of the insertion of an entire command, with or without the record of its fulfillment.¹² A better parallel exists for the additions to Genesis 11 that conform its formulation to that of Genesis 5: the moderate addition in 4Q364 1 to Gen 25:19, where the plus אשר ילדה לו שרה אשתו brings the beginning of the תולדות יצחק into conformity with the beginning of the תולדות ישמעאל in v. 12. In both SP and 4Q364, the actual content of the plus is new, but the formulation derives from an earlier verse or verses. Strikingly, genealogy is at issue in both cases.

SP contains many more additions, but these are never more extensive than a few words. Just as was the case for minor additions in the 4QRP MSS, these minor additions serve a variety of functions. A few examples will serve to illustrate the point.

Several of the minor additions in the 4QRP MSS address issues of language, such as the addition of את in 4Q158 7–9 4 and the insertion of ותהיה in 4Q364 1 5. Addition of את in SP is very common (see e.g. Exod 1:18; 2:9, 10, etc.), although on occasion an את present in MT is absent in SP (e.g. Lev 14:47).¹³ Adjustment of syntax similar to the example in 4Q364 1 5 is evident in SP Exod 5:13, although here its reading is not unique but agrees with G:

Exod 5:13 MT באשר בהיות התבן, “just as when there was straw”

Exod 5:13 SP באשר בהיות התבן נתן לכם straw given to you”

¹² Insofar as the addition in SP Exod 39:21 is dependent upon the presence of the plus in 28:30, the former case can be understood as an addition of material from elsewhere, conceptually similar to the added execution clause in 4Q158 7–9 5, וישבו והעם איש לאהליו. As Rendtorff puts it, “Damit [sc. with the addition to Exod 39:21] zitiert der Samaritanus seinen eigenen Text in Ex 28,30”; Rendtorff, *Leviticus*, 275. Much more will be said about the use of this compositional technique in SP in the following section.

¹³ Of course it is very difficult in these cases to determine which version is more original: some Second Temple period scribes appear to have used את more regularly (see below), but such ‘updating’ might have occurred in the process of copying some pre-MT texts as well as in the copying of texts in the SP text tradition. That is, an את present in MT but absent in SP might represent expansion in the MT tradition rather than omission in SP. On the more consistent use of את to mark the accusative in SP Exodus than in MT (and 4QpaleoExod^m), see Sanderson, *Exodus Scroll*, 230–31. Kutscher observed the same tendency in 1QIsa^a over against MT Isaiah, noting that this is one of several “parallel tendencies” in 1QIsa^a and SP. See Eduard Yechezkel Kutscher, *The Language and Linguistic Background of the Isaiah Scroll (1QIsa^a)* (STDJ 6; Leiden: Brill, 1974), 412–13.

Exod 5:13 G καθάπερ καὶ ὅτε τὸ ἄχυρον ἐδίδοτο ὑμῖν, “just as when the straw was given to you”

Here, the MT’s slightly strange absolute use of the verb הִיָּה is addressed through the addition of the passive verb. Interestingly, other cases of clarification by addition in SP also parallel the Greek: I have not found any clear cases of purely clarificatory addition in SP that do not occur in G. As mentioned above, such parallels could mean that these changes were made earlier in the textual history of the Pentateuch, or they could have come about independently. Sometimes these clarificatory additions address real ambiguities. For example, at Gen 21:33, the referent of the phrase **וַיִּטַע אֵשֶׁל בְּבֵאֵר שֶׁבַע**, “And he planted a tamarisk at Beer Sheva,” is not clear in MT, since the subjects of the previous verb, **וַיָּשָׁבוּ**, are Abimelech and his commander. SP and G preserve a reading where any ambiguity has been removed: **וַיִּטַע אַבְרָהָם אֵשֶׁל בְּבֵאֵר שֶׁבַע**, “And Abraham planted a tamarisk at Beer Sheva.”¹⁴ In other cases, however, there is no formal ambiguity, and the addition simply serves to heighten the clarity or readability of the text.¹⁵ For example, in Exod 2:2–3, Moses’ mother is the subject of a series of verbs: **וַתְּהַררָה אִשָּׁה... וַתֵּלֶד... וַתִּרְא... וַתִּצְפְּנֵהוּ**, “The woman conceived... and gave birth... and saw... and hid him... and she was no longer able... so she took for him a papyrus chest.” Even though there is no other possible subject for that last phrase, SP and G contain the additional clarification **וַתִּקַּח לּוֹ אִמּוֹ תַבַּת גְּמָא**, “so his mother took for him a papyrus chest.”¹⁶

Much more interesting than these language-oriented changes are those that serve some interpretive function. Even additions of just one word can have a significant impact upon the way a verse is read.

¹⁴ This is one instance of a shared reading where it is probably unwarranted to claim a common source for SP and G. It seems very likely that two different copyists would have made the change independently, since the plus is almost necessary for the sense of the passage. Note that the word “Abraham” is also supplied by all the major English translations at this point.

¹⁵ This phenomenon was also encountered in the 4QRP MSS; see above, pp. 35–36, 110.

¹⁶ Clarification, it is true, is not the only possible motive behind this addition. Perhaps an editor inserted “his mother” to call attention to the emotional strain inherent in the act being described: a mother’s separation of herself from her infant child.

Take for instance the insertion of the lowly word *הזזה*, “this,” in SP Gen 3:3:

Gen 3:3 MT ... ומפרי העץ אשר בתוך הגן... “but from the fruit of the tree which is in the middle of the garden...”

Gen 3:3 SP ומפרי העץ הזזה אשר בתוך הגן “but from the fruit of *this* tree, which is in the middle of the garden...”

The plus, small though it may be, transforms our image of the scene. As it stands in MT, no location is given for the conversation between Eve and the serpent. The progression of the narrative in vv. 6–7 certainly implies that Eve is near the tree: immediately after the serpent stops talking (v. 5), Eve looks at the tree, contemplating it, and then takes its fruit and eats. If the mental image of those who know the story is of Eve and the serpent talking under the tree itself, the plus in SP foregrounds this image, proleptically indicating the scene through Eve’s use of the deictic pronoun.

In 4Q158 1–2 4, one finds a similar case of an added detail that anticipates an element of the narrative revealed only later. Here, the added verb *ויאחזהו*, “and he held him fast,” seems to have been inserted by way of explanation of the following demand, *שלחני*, “Let me go!”¹⁷

Occasionally, minor additions in SP have halakhic import. The main example here is the addition of the phrase *וכל בהמה*, “or any (domestic) animal,” to the goring ox laws and other laws involving farm animals in the Covenant Code and in Deuteronomy:

Exod 21:28 MT ... וכי יגח שור את איש או את אשה... “If an ox gores a man or a woman...”

Exod 21:28 SP ... וכי יגח שור וכל בהמה את איש או את אשה... “If an ox or any other animal strikes a man or a woman...”

This same change occurs in SP Exod 21:33, 35; 22:3; 23:4; Deut 22:1, 4.¹⁸ The additions indicate that the laws are to be interpreted as applying not simply to the specific animals explicitly mentioned, but to any comparable animal; thus the laws’ applicability is extended.¹⁹ To

¹⁷ See section 2.1.2 above.

¹⁸ Note that this set of variants appears not to have been present in 4QpaleoExod^m. The context there is fragmentary, but the scroll does preserve the letters *ל* *יסק* *ל* *הש* for Exod 21:29. This corresponds to the MT reading; SP has *הבהמה תסקל*. See Skehan, Ulrich, and Sanderson, DJD 9:104.

¹⁹ The same extension occurs in the Mekhilta, which also interprets the goring ox laws as applying to any domestic animal (*Mek. Neziqin* 10:4–8). On this series of changes in SP, see also Weiss, “חילופי לשונות נרדפים,” 160–63.

this example can be compared 4Q158 1–2 13, where the reading שתי כפות הירך instead of the otherwise attested כף הירך similarly serves a halakhic purpose by stressing that neither sciatic nerve can be consumed. It, too, extends the law's applicability, from one sciatic nerve to both.

Finally, there are also instances in SP of small additions that may serve theological purposes. For example, in four cases during the Balaam narrative of Numbers 22–23, an editor in the SP tradition inserts the word מלאך before יהוה or אלהים, in each case transforming the subject of the sentence from “YHWH” or “God” to “the messenger of YHWH/God” (Num 22:20; 23:4, 5, 16).²⁰ In every case, God is in the process of appearing to Balaam (בא in 22:20; קרה in 23:4–5, 16). It is possible that the editor was simply harmonizing these cases to Num 22:22–35, in which it is the מלאך יהוה that appears to Balaam. On the other hand, it may be that an editor was trying to avoid an overly anthropomorphic depiction of God and concluded that it was God's messenger who should encounter humans in this fashion. Although similar theological changes, including some that address representations of God that were considered too anthropomorphic, occur at times in G and the Targumim, there is no parallel in the 4QRP mss.²¹ This fact is probably of little significance, however, given the poor preservation of the manuscripts and the relative infrequency of changes such as this in SP itself.

4.2 ADDITION OF MATERIAL FROM ELSEWHERE

If the editor or editors responsible for SP could be said to have a favorite compositional technique, this would have to be it. Almost all of the most distinctive and recognizable changes in SP over against earlier versions fall into this category. Yet the preceding chapters on the 4QRP mss have indicated that this technique can be used for a variety of purposes. The most extensive examples of addition of material from

²⁰ The addition in Num 23:4 is partially extant in 4QNum^b col. 16, and the other pluses all fit well into the available space; see Jastram, DJD 12:231, 234.

²¹ See e.g. Tov, *Textual Criticism*, 127; Philip Alexander, “Jewish Aramaic Translations of Hebrew Scriptures,” in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. Martin Jan Mulder; CRINT II.1; Philadelphia: Fortress, 1988), 217–53, at p. 226. For other instances of avoidance of anthropomorphic language about God in SP, see Weiss, “חילופי לשונות,” 163–65.

elsewhere in SP point to a very specific underlying goal, but examples of small to moderate size seem to reflect a different set of concerns. The wide range of examples in this category in SP helps put in perspective the various uses of this technique in the 4QRP MSS (primarily 4Q158).

SP is famous for the insertion into various pericopes, particularly in Exodus and Numbers, of material deriving from related passages. For example, the plague narrative in Exodus is expanded through a regular pattern of changes. The basic principle is to ensure the consistency of the depiction of Moses and Aaron as the mouthpiece by which God speaks to Pharaoh.²² To this end, the editor responsible for these changes works to make certain that, if God is depicted as commanding Moses and Aaron to say something to Pharaoh, there is a record of Moses and Aaron actually saying this thing to Pharaoh. The first instance of this change, in Exod 7:14–18, can serve to illustrate the whole group. The episode begins with God commanding Moses to go to meet Pharaoh at the Nile as he is completing his morning bath (7:14–15). God then tells Moses what he should say to Pharaoh (vv. 16–18):

Say to him: “YHWH the God of the Hebrews has sent me to you saying, let my people go, that they might serve me in the wilderness. But see, you have not obeyed so far. Thus says YHWH: By this you shall know that I am YHWH: see, I am striking the waters that are in the Nile with the staff that is in my hand, and they shall be changed into blood. The fish that are in the Nile shall die, and the Nile shall stink, and Egypt will be unable to drink water from the Nile.”

Immediately after this, in v. 19, God speaks to Moses again, this time instructing him to command Aaron to carry out the plague itself (“Say to Aaron: Take your staff and stretch out your hand over the waters of Egypt...”). Verse 20 then records Moses and Aaron’s fulfillment of this command: “And thus Moses and Aaron did, just as YHWH commanded, and he [Aaron] lifted up his staff and struck the water that

²² Somewhat more broadly, Tov states that “[t]he harmonizations in SP reflect a tendency not to leave in the Pentateuchal text any internal contradiction or irregularity which could be taken as harmful to the sanctity of the text” (Tov, *Textual Criticism*, 85–86). While these types of changes in SP are certainly rooted in a particular conception of the pentateuchal text, they seem to target a very specific type of textual situation; thus, the suggestion that the editors of SP had the goal of removing all contradictions and irregularities from the text goes beyond the evidence. I return to this issue at the end of the current section; see also section 4.7 below.

was in the Nile...” This sequence means there is no record of Moses ever going to Pharaoh and warning him of the impending plague as he was instructed to do in vv. 16–18. This situation is rectified in SP by the following insertion immediately after MT v. 18:

So Moses and Aaron went to Pharaoh and said to him, “YHWH the God of the Hebrews has sent us to you saying, let my people go, that they might serve me in the wilderness. But see, you have not obeyed so far. Thus says YHWH: By this you shall know that I am YHWH: see, I am striking the waters that are in the Nile with the staff that is in my hand, and they shall be changed into blood. The fish that are in the Nile shall die, and the Nile shall stink, and Egypt will be unable to drink water from the Nile.”

The words of God’s command are now delivered verbatim. The introductory narrative, וילך משה ואהרן אל פרעה ויאמרו אליו, corresponds to the main points of the beginning of God’s command in vv. 15–16: לך אל פרעה... ואמרת אליו.

Precisely the same procedure is followed throughout the plague narrative, with major blocks of repeated material inserted after Exod 7:29; 8:19; 9:5; 9:19; 11:3.²³ Interestingly, the reverse procedure is evident after Exod 10:2. Here, vv. 3–6 depict Moses and Aaron delivering the warning about the plague of locusts, but, unlike the other instances, there is no record of God commanding them to say this. So this time the insertion in SP takes the form of a divine command: ואמרת אל... פרעה, “Say to Pharaoh...”²⁴

Besides the plague narratives, the other ‘locus classicus’ for editorial activity in SP is the frequent insertion of material from Deuteronomy 1–3 into the parallel pericopes in Numbers. For example, before the episode of the sending of the spies in Numbers 13, an editor has inserted the beginning of the passage from Deuteronomy that recalls this same episode (Deut 1:20–23a). Interestingly, the insertion highlights a tension between the two passages: according to Deut 1:22, it is the people who come to Moses and request that the spies be sent: they want to know what they are getting into before entering the land, and Moses agrees to the plan (v. 23a). Yet in Num 13:1 (i.e., immediately

²³ Note that in this last instance the original command is all the way back in Exod 4:22–23.

²⁴ Most of these insertions are partially extant in 4QpaleoExod^m, and those that are not extant can be demonstrated through reconstruction to have been present; see Skehan, Ulrich, and Sanderson, DJD 9:65–70.

after Moses' agreement in the SP version of Numbers), God speaks to Moses and instructs him to select men to go and explore the land. I will return to this issue of tensions between parallel accounts below. For now, it suffices to indicate the extent of these insertions: Deut 1:6–8, 20–23a, 27–33, 42, 44; 2:2–6, 9, 17–19, 24–25, 27–29; 3:21–22, 24–25, 26b–28 all find a place in SP Numbers.²⁵

These two major loci comprise most, but not all, of the cases in SP of moderate and major addition of material from elsewhere. Mention has already been made of the insertion of material from Deuteronomy 5 and 18 into Exodus 20 (also attested in 4Q158), and of the insertion after Gen 30:36 of a narrative episode based on Jacob's report of his dream in Gen 31:11–13 (also attested in 4Q364).²⁶ One could add the insertion of Gen 44:22 after 42:16; the insertion of Deut 1:9–18 after Exod 18:24; the insertion of Deut 9:19 after Exod 32:10; and several others.²⁷ Special mention should be made of the plus based on Exod 39:1 that is inserted after Exod 27:19. The plus has to do with the making of Aaron's garments and is therefore related to the section that begins in Exod 28:1. Thus the placement of the insertion, separated from Exod 28:1 by two unrelated verses concerning oil for the lamps, appears to be wrong.²⁸ The 'wrong placement' provides an analogue

²⁵ Again, most of these additions are either extant (5 cases) or can be reconstructed (4 cases) in 4QNum^b. In the remaining 5 cases no evidence has been preserved either way. As the editor, Nathan Jastram, notes, "there is no reason to suppose their absence" (Jastram, DJD 12:215).

²⁶ See ch. 2, pp. 30–31, and ch. 3, n. 25.

²⁷ All of the insertions into Exodus mentioned in this paragraph are attested in 4QpaleoExod^m.

²⁸ Sanderson describes this insertion as "out of place" and "superfluous," suggesting that perhaps it was a marginal rubric that was subsequently incorporated into the text at the wrong place; see Sanderson, *Exodus Scroll*, 209–10. Yet this hypothesis does not account for the close correspondence between the plus and Exod 39:1a. Although the instructions for making the priestly garments in 28:2–4 may seem perfectly complete to us, an editor would have searched in vain for a command that corresponds closely to 39:1a, *באשר... בקדש לשרת בשרת בשני עשו בגדי שרד לשרת בקדש... באשר*, "From the blue and the purple and the crimson they made finely-worked garments for serving in the sanctuary... just as YHWH commanded Moses." (28:2 instructs *קדש לאהרן אחיך*, "You shall make holy garments for Aaron your brother," but does not mention the materials.) Therefore it seems likely that here as elsewhere there was a deliberate insertion meant to ensure that the actions presented later as the fulfillment of divine command in fact have a command to back them up. The explanation for the placement of the insertion is unclear, as is the case for the plus or rearrangement in 4Q366 4; perhaps both are simply errors, or perhaps they were initially written in the margin (though as a correction to the text, not a rubric or explanatory gloss) and only incorporated into the text itself the next time a

for the joining of the two Sukkot laws in 4Q366 4, where Deut 16:13 is not placed directly after the end of the Sukkot law in Num 29:38, where it would seem most natural, but comes only after the conclusion to the whole priestly festival calendar in Num 30:1.

Although these major changes have typically been described as ‘harmonizations’ (and SP therefore as the ‘harmonistic text’ par excellence),²⁹ this is true only if ‘harmonization’ is understood in a very loose sense. As Michael Segal points out, the insertion of material from Deuteronomy into Numbers does not ‘harmonize’ the parallel texts in the sense of removing contradictions or tensions between them. Even if the material in Deuteronomy now has a precedent in Numbers, the material original to Numbers is still absent from Deuteronomy, despite its alleged recapitulation of the events recorded in Numbers.³⁰ In fact, sometimes the juxtaposition of the two versions actually calls attention to the discrepancies between them, as in the episode of the spies mentioned above.³¹ The other major set of pluses, in the plague narrative, cannot really be called ‘harmonizations’ either, since they do not serve to make a given text more consistent with another text.³² Rather, the two sets of changes reflect equal and opposite aspects of a

new copy was made. For a study of glosses and other types of interlinear and marginal insertions in biblical texts—including the observation that the vast majority of interlinear and marginal materials in the Qumran mss represents corrections as opposed to glosses or other types of intervention—see Emanuel Tov, “Glosses, Interpolations, and Other Types of Scribal Additions in the Text of the Hebrew Bible,” in idem, *The Greek and Hebrew Bible—Collected Essays on the Septuagint* (VTSup 72; Leiden: Brill, 1999), 53–74.

²⁹ See Tov, “Harmonizations,” 13. Tov notes that a similar observation was made already by Gesenius in his 1815 work on SP. On the SP group as ‘harmonistic’ (with the suggestion that the name for this group be changed to ‘harmonistic texts’), see Eshel, “4QDeutⁿ,” 120–21. See also Sanderson, *Exodus Scroll*, 257; Sidnie White Crawford, “The Use of the Pentateuch in the *Temple Scroll* and the *Damascus Document* in the Second Century B.C.E.,” in *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Acceptance* (ed. Gary N. Knoppers and Bernard M. Levinson; Winona Lake, Ind.: Eisenbrauns, 2007), 301–17, at pp. 304–5.

³⁰ Segal, “Text of the Hebrew Bible,” 13.

³¹ Segal, “Text of the Hebrew Bible,” 12–13.

³² Although in an earlier article Tov made broad use of the term ‘harmonization’ to describe the editorial activities of SP (Tov, “Harmonizations”), in a 1998 essay he cautions against the notion of the SP group as ‘harmonistic texts’ (Eshel’s term). Instead, he suggests that the changes characteristic of SP should be “conceived of as exponents of content editing on the basis of parallel stories”; see Tov, “Rewritten Bible Compositions,” 340. Tov does not define the term “content editing”—in the context of his article it appears to refer specifically to the adjustment of event to recollection or command to fulfillment.

single concern: not a concern that every set of parallels in the Pentateuch match precisely, but a concern with the internal consistency of the Pentateuch specifically as relates to speech events like commands and recollections.³³ For the editor responsible for SP, if something is commanded, there should be a record that that command is carried out. Conversely, if someone refers to an earlier event or statement, the reader should be able to find that event or statement described at the proper point in the narrative.³⁴

Even though ‘harmonization’ is not the best term for most of the largest changes in SP, it would be incorrect to assert that the editors responsible for the distinctive shape of SP were never interested in harmonization of one passage to another. Some of these harmonizations involve alterations of substantial size: rearrangement or the compositional technique that I call ‘replacement with material from elsewhere’; I will discuss these examples below.³⁵ Additions can also serve the purpose of harmonization, as in the example above where additional summary clauses were added to the genealogical information in Genesis 11 to conform its formulation to that of Genesis 5. One major harmonization involves two instances of addition of material from elsewhere: treating the passage in which the Israelites seek to pass through Edom undisturbed, an editor, in line with the custom evident in 4QNum^b and SP, inserts Deut 2:2–6 before Num 20:14. In most cases, this is as far as SP goes. But in this instance the same editor or a later one also makes the corresponding move of inserting Num

³³ See Tov, “Rewritten Bible Compositions,” 341; Segal, “Text of the Hebrew Bible,” 16–17. The particular concern with speech evident in the pluses unique to the SP tradition was previously noted by Tigay, although he understood this concern in terms of harmonization: “The main task of the redactor in these pericopes was to reconcile dissimilar accounts of the same events.” See Jeffrey H. Tigay, “Conflation as a Redactional Technique,” in *Empirical Models for Biblical Criticism* (ed. Jeffrey H. Tigay; Philadelphia: University of Pennsylvania Press, 1985), 53–96, at p. 76.

³⁴ Segal, drawing on Tov’s language, refers to this concern as “a formal conception of the pentateuchal text”/ the “formalistic understanding of the work of the scribe”; see Segal, “Text of the Hebrew Bible,” 16–17; Tov, “Rewritten Bible Compositions,” 341. A more precise definition of “formalistic” would be desirable in this context. Whatever is meant by the term, it should be stressed that the “formalism” exhibited in these changes arises from a profound conviction that Torah is perfect and all-encompassing, and thus is not simply a mechanical scribal procedure. As Samely notes in his treatment of the pentateuchal Targumim, the gaps and inconsistencies that might reasonably be expected in other literature were denied in the case of the Pentateuch for theological reasons. See Samely, *Interpretation of Speech*, 118–19.

³⁵ See sections 4.4 and 4.6.

20:14a, 17–18 after Deut 2:7. While the discrepancies are not completely resolved, now the basic elements of both versions of the story appear in both locations.³⁶

The most frequent type of true harmonization in SP occurs on a much smaller scale. It generally involves harmonization, not of entire accounts of events, but of language and formulation in related verses. Even these small changes serve to increase the Torah's inner consistency, as would befit its divine status in the eyes of the scribe responsible for the changes.³⁷ Furthermore, to return to the compositional technique being discussed in this section, it is very often accomplished by small additions of material from elsewhere. The use of this technique for this purpose is by now familiar from 4Q364 and 4Q365 as well.

Such additions often involve the adaptation of a given verse or phrase to another in the same context, as in 4Q365 24 4, where the shorter reading *שופר* attested in MT Lev 25:9b becomes *שופר תרועה* under the influence of the first half of the verse. In SP, one could cite Exod 8:5, where the plus is taken from just two verses later:

- Exod 8:5 MT להכרית הצפרדעים ממך ומבתיך רק ביאר תשארנה...
 "...to remove the frogs from you and from your house;
 only in the Nile will they remain."
- Exod 8:5 SP³⁸ להכרית הצפרדעים ממך ומבתיך ומעבדיך ומעמך רק
 ביאר תשארנה, "...to remove the frogs from you and

³⁶ In the earlier version preserved in MT, Deuteronomy implies that the Israelites were able to pass through Edom, whereas Numbers indicates that the king of Edom refused the Israelites' request for passage, forcing them to go around Edom by another route. The combination of the two passages, in which the Deuteronomy version comes first, resolves the conflict by implying that God first instructs the people (through Moses) to pass through Edom without disturbance, and then Moses seeks permission from the king to pass through and is rebuffed. Vestiges of Deuteronomy's original version remain, however, in Deut 2:29, which indicates that Edom did in fact let Israel pass through. See Segal, "Text of the Hebrew Bible," 13.

³⁷ I have argued elsewhere for a similar phenomenon in the Temple Scroll: there is evidence that TS made minor changes in language to its pentateuchal source in order to give the text an impression of greater consistency and thus to bolster the author's claim that TS constitutes divine revelation; see Molly M. Zahn, "New Voices, Ancient Words: The Temple Scroll's Reuse of the Bible," in *Temple and Worship in Biblical Israel* (ed. John Day; Library of Hebrew Bible/Old Testament Studies 422; London: T&T Clark, 2005), 435–58, at pp. 442–46.

³⁸ Interestingly, the version of the text preserved in G shows a similar impulse to harmonize the various descriptions of the places/persons from which the frogs will be removed (Exod 8:5, 7, 9), but does so in a different way. G reads "from you and from your people and from your houses" in 8:5 (cf. 8:7), and "from you and from your

from your house *and from your servants and from your people*; only in the Nile will they remain.”

Cf. Exod 8:7 MT וסרו הצפרדעים ממך ומבתוך ומעבדך ומעמך רק ביאר תשארנה, “And the frogs will depart from you and from your house *and from your servants and from your people*; only in the Nile will they remain.”

Another example is found in Deut 2:12, which describes Edom’s conquest of the Horim. Here, the addition of two words, along with a very minor alteration, makes the middle of the verse exactly parallel to the description of the conquest of the Rephaim by the Ammonites in Deut 2:21b:

Deut 2:12 MT ... וישמידם מפניהם וישבו תחתם, “and they wiped them out of their way and settled in their place...”

Deut 2:12 SP וישמדם יהוה מפניהם ויירשום וישבו תחתיהם, “and YHWH wiped them out of their way *and they disinherited them* and settled in their place...”

Cf. Deut 2:21b MT וישמידם יהוה מפניהם ויירשם וישבו תחתם, “and YHWH wiped them out of their way *and they disinherited them* and settled in their place...”

Mention should also be made of some additions of this type found in the pre-SP texts but not in SP, for instance the following case in 4QNum^b:

Num 20:20 MT, SP לא תעבר, “You shall not pass through!”

Num 20:20 4QNum^b [לוא תעבור בי פן בח[ר]ב אצא [לקר]אתך[ה]], “*[You shall not pass through me, lest I come out [aga]inst you with the sw[or]d.]*”³⁹

Cf. Num 20:18 MT, SP לא תעבר בי פן בחרב אצא לקראתך, “You shall not pass through *me, lest I come out against you with the sword!*”

Another setting for small additions from elsewhere is verses that have a topical parallel in a more distant verse, as when 4Q364 inserts a

houses *and from the residences* (ἐπαύλεων) and from your servants and from your people” in 8:7 (cf. 8:9).

³⁹ Transcription follows Jastram, DJD 12:226. For similar moves in 4QNum^b, compare its treatment of Num 22:19 (addition of material from 22:8) and Num 24:1 (addition of material from 23:23). Minor examples of this same technique also occur in 4QEx–Lev^f.

phrase from Deuteronomy's law of judges (ולא תקח שחד; Deut 16:19) into Moses' instructions to the newly-appointed judges in Deut 1:17 (4Q364 21 2); or when 4Q365 adds a clause to Exod 15:19b so that it matches Exod 14:29 (4Q365 6b 5). Several comparable examples can be found in SP, one of which occurs in the context of the laws on Passover and Unleavened Bread:

Exod 12:25 MT ושמרתם את העבדה הזאת, "and you shall observe this service"

Exod 12:25 SP ושמרתם את העבדה הזאת בחדש הזה, "and you shall observe this service *in this month*"

Cf. Exod 13:5b MT ועבדת את העבדה הזאת בחדש הזה, "and you shall perform this service *in this month*"

Another example increases the linguistic connections between two deuteronomic laws dealing with a husband's dissatisfaction with his wife:

Deut 24:1 MT כי יקח איש אשה ובעלה והיה אם לא תמצא חן בעי... ג'ו, "If a man takes a woman and espouses her, and if it be the case that she not please him..."

Deut 24:1 SP כי יקח איש אשה ובא אליה ובעלה והיה אם לא תמצא... חן בעיניו, "If a man takes a woman *and goes in to her* and espouses her, and if it be the case that she not please him..."

Cf. Deut 22:13 MT כי יקח איש אשה ובא אליה ושנאה... "If a man takes a woman *and goes in to her* and hates her..."

One final example in SP of a small addition of material from elsewhere deserves comment because it appears to go beyond simply coordinating language in a particular context or in parallel verses. Instead, it seems to strengthen a conceptual link between two similar events that are nonetheless not directly related.

Gen 12:16 MT ולאברם היטיב בעבורה והי לו צאן ובקר... "It went well for Abram because of her [= Sarah], and he had sheep and cattle..."

Gen 12:16 SP ולאברם היטיב בעבורה והי לו צאן ובקר ומקנה... בבד מאד, "It went well for Abram because of her [= Sarah], and he had sheep and cattle, *a great deal of livestock*..."

The added phrase, **מקנה כבד מאד**, occurs only one other time in the Hebrew Bible, in Exod 12:38, describing the “sheep and cattle, a great deal of livestock” that the Israelites took with them out of Egypt. Given that Abram himself is in Egypt, about to be expelled by Pharaoh and to leave with all his possessions, it seems that this parallel cannot be coincidental. An editor, observing the parallel between the patriarch’s sojourn in and expulsion from Egypt and the sojourn and expulsion of the Israelites four hundred years later, made this parallel more explicit by importing language from the later event into the description of the earlier event.⁴⁰

This move seems less comparable to the small additions from elsewhere found in SP and 4Q364–365, or to the larger additions from elsewhere in SP, than to some of the large additions from elsewhere that occur in 4Q158. There, too, we saw changes that served to bring two (or more) similar but distinct events into closer coordination: the insertion of material from Genesis 17 and Exodus 6 into the description of the covenant ceremony in Exodus 24, for instance (frag. 4 ii), emphasizes that the various instances of God’s covenant-making with the Israelites and their forebears are not disconnected events but stand in relationship to one another as attestations of the same fundamental relationship. I also suggested that a similar principle is at work in the apparent association of Jacob’s wrestling match (Gen 32:25–33) with the ‘bridegroom of blood’ episode (Exod 4:24–26) in frag. 1–2. The two events are regarded as analogous rather than identical. Such attempts to stress the connections between independent events are reminiscent—and likely to be precursors—of similar moves familiar from rabbinic literature, especially Targum and Midrash.⁴¹

⁴⁰ For features of Gen 12:10–20 as deliberate allusions to the exodus narrative, see Michael A. Fishbane, *Text and Texture: Close Readings of Selected Biblical Texts* (New York: Schocken, 1979), 76.

⁴¹ As Hirshman puts it, “[a] great deal of midrash is devoted to a persistent interlacing of various parts of Scripture, relating them intertextually to one another”; Hirshman, “Aggadic Midrash,” 127–28. See also Samely, *Interpretation of Speech*, 65–67; idem, *Forms of Rabbinic Literature*, 182–84. Also noteworthy in this connection is the phenomenon whereby Second Temple compositions reused motifs or details of pentateuchal narrative even though they tell a totally different story, e.g. the use of elements of the Joseph cycle in Daniel, or the use of elements from the life of Abraham in Tobit. For Daniel, see John J. Collins, *Daniel* (Hermeneia; Minneapolis: Fortress, 1993), 39–40. For Tobit, see Tzvi Novick, “Biblicized Narrative: On Tobit and Genesis 22,” *JBL* 126 (2007): 755–64.

In their similarity to this one small addition in SP Gen 12:16, these two examples from 4Q158 indicate how different they are from the larger additions of material from elsewhere that are characteristic of SP. The question becomes whether the 4QRP texts offer any sort of closer parallel to the specific way in which major additions from elsewhere are used in SP. As chapter 3 indicates, the discussion in this regard must in fact be limited to 4Q158, since the other 4QRP MSS do not preserve any unique examples of moderate or large additions of material from elsewhere. In 4Q158, on the other hand, this technique was employed fairly frequently. While we have seen that on two occasions the editor of 4Q158 used the technique for purposes quite different from what we find in SP, the other instances of this technique in 4Q158 are closer to SP, some more than others.

The case in 4Q158 1–2 16 shows a concern with speech and speech reports similar to that of SP: the phrase *ויגד משה לאהרן את כל דברי יהוה* ... יהוה (“Moses told Aaron all YHWH’s words...”; Exod 4:28) is complemented by the direct-speech record of what Moses said to Aaron, ... יהוה לי לאמור בהוציאכה... (“...YHWH to me, saying, when you lead out...”). Two differences should be noted, however. First, SP is generally concerned to rectify situations where either a) there is no record of speech at all where it would have been expected, or b) the details of a person’s recollection do not match the details of the event or speech that person purports to be recounting. Insofar as Moses’ speech is reported and the report, albeit an indirect summary, is a fair representation of God’s earlier words to Moses, this case presumably did not disturb the editors of SP.⁴² There is no case in SP that I am aware of where an indirect reference to a speech event (“Moses told”) is supplemented by a ‘transcript’ of that speech event in direct speech. Second, if lines 17–19 in frag. 1–2 continue Moses’ speech to Aaron, then this speech contained more than simply a recapitulation of earlier material, since those lines do not directly follow any pentateuchal source. Thus, while the same concern with reporting speech seems to be evident in 4Q158 as in SP, the editor of 4Q158 is willing to

⁴² In one sense, it is obvious that this pericope did not disturb editors of texts in the SP tradition, since they did not make any major changes to it. However, I do not wish to imply that these editors were completely consistent or that we fully understand their ‘systems.’

intervene in a situation where there are not glaring difficulties in the text, and to intervene in a freer way.⁴³

A similar mix of shared interest but different approach can be seen in 4Q158 4 ii 2, where Exod 3:12 (“when you lead the people out from Egypt, you shall worship God upon this mountain”) is cited in the context of the covenant ceremony of Exod 24:1–8. I suggested earlier that the point of this addition is to stress that the command/prediction given Moses by God in Exodus 3 has now come to fruition as the Israelites perform a sacrificial service at the base of Mt. Sinai. The concern with coordinating command and fulfillment here is shared with SP, but there is a striking difference: in SP, intervention occurs only in places where there is no mention at all that a command was fulfilled. In this case, Exod 24:3–8 leaves no doubt that Moses and the Israelites *did* worship God on the mountain, just as God said they would. The insertion in 4Q158 does not supply a missing fulfillment, but reminds the reader/hearer that this action fulfills God’s earlier statement. It makes obvious and explicit a connection that previously would have to have been inferred by the text’s audience. As in the previous example, 4Q158 shares with SP the use of additions from elsewhere to address a particular type of concern (here: coordination

⁴³ It should be noted that a close parallel to this example from 4Q158 has been hypothesized by N. Jastram in the previously-noted case of the combination of Numbers 27 and 36 in 4QNum^b (see above, ch. 3, n. 86). There, Num 36:2 and 36:4 appear on either side of a lacuna of 13 lines. Since these verses are both expanded in 4QNum^b to make mention of Eliezer the priest, who otherwise appears only in ch. 27, Jastram postulates that the lacuna, much too large for the missing text of Num 36:2–4, contained material from ch. 27. He reconstructs the insertion as the recollection of the earlier event by the clan leaders: “At that time the daughters of Zelophehad stood before you [= Moses] and Eliezer the priest...” (see Jastram, DJD 12:260–64). In the terminology developed here, this insertion would be an addition of material from elsewhere, since the reference to the past event implies that it has already been narrated earlier. Supporting evidence for this suggestion is the preservation of the beginning of 36:2: presuming the end of the verse was also present, then the leaders make mention of the earlier decision: “...and my lord was commanded by YHWH to give the inheritance of Zelophehad our brother to his daughters.” Since the leaders are already speaking and have mentioned the earlier decision, the only logical way to account for the presence of the material from ch. 27 is as a ‘flashback’ or recollection spoken by the leaders. This is in contrast to the combination of these two chapters in 4Q365 frag. 36, where they are simply juxtaposed, one after another, making a rearrangement somewhat more likely than an addition of material from elsewhere. In any case, if Jastram is correct, then we would have in 4QNum^b a case where, even though the earlier interaction is referred to indirectly in the original (“my lord was commanded...”), an editor has added a complete ‘transcript,’ similar to what we find in 4Q158 1–2 16.

of command with fulfillment), but the precise nature of the textual and hermeneutical issues involved differs.

A case containing a more direct parallel to SP's use of this technique occurs in 4Q158 frag. 7, where the command to Moses לך אמור להמה שובו ל[כמה לאהליכמה (line 3), is matched by an insertion in lines 4–5 indicating that this is exactly what happened: Moses went and commanded the people to return to their tents, and they did so.⁴⁴ The evident concern here that every command be matched by a notice that that command was fulfilled is precisely equivalent to what we find in the SP text tradition.

Another possible analogy to the coordination of command and fulfillment in SP is the insertion in 4Q158 1–2 12 of a (presumably) divine command not to eat the two sciatic nerves, based on the wording of Gen 32:33. In MT, the reason why Israelites do not eat the sciatic nerve (... על כן לא יאכלו) is because Jacob's sciatic nerve was injured during his wrestling match (... כי נגע בכף ירך יעקב). No other reason is given, suggesting that the practice was understood as some sort of folk custom as opposed to mandatory law. Assuming that we are to understand the added command in 4Q158 as spoken by God, then we can conclude that the author of 4Q158, in contrast, understood this practice to have the status of divine law.⁴⁵ But this text-external, halakhic opinion may have led to a *textual* judgment that is not far at all from what we find in SP. If whoever was responsible for this change in 4Q158 believed or had decided (for whatever reason) that the practice of avoiding the sciatic nerve was divinely prescribed, then the notice על כן לא יאכלו בני ישראל את גיד הנשה אשר על כף הירך עד היום הזה (Gen 32:33), is essentially a notice of fulfillment without its corresponding command. Understood in this way, the situation is precisely analogous to Exod 10:3–6, where Moses and Aaron, by delivering a warning to Pharaoh, are understood by an SP editor as fulfilling a command that is missing from the text. Just as the command, retroverted from the fulfillment, is inserted in SP immediately before the account of the fulfillment, so in this case 4Q158 inserts immediately before the fulfillment the command that the editor perceived as missing.

⁴⁴ See section 2.2.1 above.

⁴⁵ For discussion of this issue, see section 2.2.2 above.

To summarize this section on addition of material from elsewhere in SP: the smaller instances of this technique, with the exception of the expansion in Gen 12:16, tend to ‘harmonize’ different verses to one another in the sense of increasing their similarity to one another, usually on the level of formulation, without a great deal of implications for the meaning of the text. In this way SP provides a very close parallel to the 4QRP mss, where small additions from elsewhere function in much the same way. For the additions of larger size, the parallels are less exact, though perhaps the very fact that SP uses this technique so frequently is significant, given that it is prominent in only one of the three major 4QRP mss. In general terms there is substantial overlap in the types of situations in which SP and 4Q158 employ this technique (reports of earlier speech, commands and their fulfillment), and one or two instances in 4Q158 resemble SP strongly.⁴⁶ However, others treat shared concerns without the distinctive principles evidenced by SP: attention is paid to a command and its fulfillment, but it is a case where the fulfillment is already present and needs merely to be highlighted (the notice about worship on Sinai in 4Q158 4 ii 2); or a speech report is made to reflect the exact words of that speech, but the indirect version preserved in MT did not contain any discrepancies with the original speech (Moses’ report to Aaron in 4Q158 1–2 16).⁴⁷ Finally, two instances go beyond the concern with texts that naturally correspond (a command and its fulfillment, an event and its recollection) to link similar but independent events. An addition of material from elsewhere that seems to serve this purpose does occur once in SP (addition to Gen 12:16), but on the very small scale of an addition of only three words. It constitutes the exception to the rule that, normally, addition from elsewhere in SP and related texts functions in a very different way.

⁴⁶ Even more generally speaking, David Carr observes (on the basis of 4QRP, SP, and TS) that later reworkings of the biblical text tend to show particular interest in direct speech in general and direct divine speech in particular, and that larger interventions tend to cluster around speech; Carr, “Method,” 124. The investigation here supports Carr’s observation but also provides a more nuanced distinction between particular types of speech and between particular techniques by which they are reworked.

⁴⁷ Note again the reconstructed addition in 4QNum^b after Num 36:2 (see n. 43 above). If Jastram’s analysis is correct, then the editor of 4QNum^b, like the editor of 4Q158, used the technique of adding material from elsewhere in situations where other editors in the SP text tradition felt no need to intervene.

4.3 OMISSIONS

The analysis in the previous chapter indicated that there are no clear examples of deliberate omission in any of the 4QRP mss. In SP, minuses that likely constitute intentional omissions are rare, but they do occur. One of moderate size appears in Deut 1:39:

Deut 1:39 MT ובניכם אשר לא ידעו היום טוב ורע המה יבאו...
...שמה, "...and your children, *who now do not know good and evil*, they will enter it..."

Deut 1:39 SP ...ובניכם הם יבאו שמה..., "...and your children, they will enter it..."

There is no good reason to regard the extra clause in MT as a later insertion, serving as it does to stress the non-culpability of the youngest Israelites for the sin for which the wilderness generation was punished.⁴⁸ On the other hand, as Raphael Weiss suggests, an editor may have interpreted the phrase "knowing good and evil" as having sexual connotations and concluded that it was best left out.⁴⁹ Besides this example, and aside from one omission that belongs to the specifically Samaritan revision of SP,⁵⁰ I am aware of only one minor omission that is likely to be deliberate. In Exod 21:35, the word השור, "the ox," in the phrase החי השור את השור, "they shall sell the living ox," has

⁴⁸ This position is widely reflected in the commentaries; see e.g. Driver, *Deuteronomy*, 28; Moshe Weinfeld, *Deuteronomy 1–11* (AB 5; New York: Doubleday, 1991), 151. As the same commentators note, the situation is different for the first clause of Deut 1:39, יהיה לבזו ימיהם אשר אמרתם לבזו ימיהם, "And your little ones, about whom you said, 'they shall become plunder.'" This phrase has a precise parallel in Num 14:31, is absent in G, and is widely considered a later editorial insertion.

⁴⁹ Weiss, "חילופי לשונות נרדפים," 158.

⁵⁰ The omission of the word כל, "every," in the Covenant Code's altar law (Exod 20:24) makes the sentence read במקום אשר אזכרתני את שמי, "in the place where I have caused my name to be remembered," and thus supports the sectarian claim that Mt. Gerizim rather than Mt. Zion was chosen by God as his official site of worship. The past-tense verb is also a sectarian change (MT = אזכיר), making the text refer back to the sectarian tenth commandment in which God commands the construction of an altar at Mt. Gerizim. The unusual orthography should probably be construed as an 'Aphel perfect, though this would not be a normal form for the Hebrew of the Samaritan Pentateuch. See Bernard M. Levinson, "Is the Covenant Code an Exilic Composition? A Response to John Van Seters," in *In Search of Pre-Exilic Israel* (ed. John Day; London: Continuum, 2004), 272–325, at p. 307; Abraham Tal, "The Samaritan Targum of the Pentateuch," in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. Martin Jan Mulder; CRINT II.1; Philadelphia: Fortress, 1988), 189–216, at pp. 212–13.

been excised. This is in keeping with the larger series of changes that SP makes to this portion of the Covenant Code: since the offending animal in the protasis of the verse is no longer an ox but any domestic animal (... בהמתו...), that animal cannot be referred to as simply an ox later in the verse. Since the clause ומכרו את החי, “they shall sell the living one,” reads smoothly and conforms to the mention of המת, “the dead one,” at the end of the verse, the editor opted simply to omit the word שור.⁵¹

4.4 REARRANGEMENTS

In the previous chapter I discussed rearrangement together with paraphrase. For SP and its predecessors, however, I could find no credible examples of paraphrase. Rearrangements, on the other hand, are found in a variety of sizes. They can be arranged into two major groups according to the purpose they serve: two rearrangements in SP clarify or improve the logical sequence of the text, while several others harmonize the verse(s) in question to other verses elsewhere in the Pentateuch.

The two cases I have identified in SP where rearrangement seems to function primarily as clarification are both relatively minor. The first, in Exod 34:4, simply involves removing the word משה from its place later in the verse and inserting it at the beginning, immediately after the first verb, thus clarifying the subject of the verse.

Exod 34:4 MT ... ויפסל שני לוחת אבנים כראשנים וישכם משה בבקר...
 “So he cut two stone tablets like the first ones, and Moses got up early in the morning...”

Exod 34:4 SP ... ויפסל משה שני לוחת אבנים כראישונים וישכם בבקר...
 “So Moses cut two stone tablets like the first ones, and he got up early in the morning...”

The second example is a little more interesting:

Exod 20:18a MT וכל העם ראים את הקולת ואת הלפידים ואת קול...
 ... השפר ואת ההר עשן... “And all the people saw the

⁵¹ It is always possible that in this case SP reflects a more original form of the text and the שור in MT represents a later, clarifying addition. Given that the minus is necessary for SP's reinterpretation of this verse, however, deliberate omission in SP is the more likely option.

thunder and the torches and the sound of the shofar and the mountain smoking...”

Exod 20:18a SP וכל העם שמע את הקולות ואת קול השופר וראים את ...הפידים ואת ההר עשן. “And all the people *heard* the thunder and the sound of the shofar and saw the torches and the mountain smoking...”

An editor working in the SP text tradition appears to have been troubled, quite naturally, by the idea of anyone “seeing” thunder or the sound of the shofar. He therefore added one word and rearranged the verse so that it makes more sense, with the people now *hearing* the thunder and shofar-blast and seeing the torches and smoking mountain.

Much more prevalent are cases where rearrangement serves to harmonize the passage with another biblical text. Some examples involve very minor interventions. For example, the SP version of the (traditional) tenth commandment in Deut 5:21 has the sequence רעך—אשת רעך—בית רעך for the first two things not to be coveted. This sequence departs from that of MT Deut 5:21, which has —אשת רעך—בית רעך, but matches the sequence of the parallel in Exod 20:17. Similarly, in the list of unclean birds in Deuteronomy 14, השלך, “the cormorant” (?), is moved from its position in 14:17 to near the beginning of 14:16, where it follows הכוס, “the little owl,” in conformity with Lev 11:17, which has the sequence ואת הכוס ואת השלך.

There are two larger cases of rearrangement in SP that follow this same principle. In SP Exodus 29, v. 21, which describes the sprinkling of the priests’ garments with blood from the purification offering, is removed from its location in MT and relocated after v. 28, which concludes the description of the elevation offering.⁵² The new sequence matches command to execution, since in Leviticus 8 it is only after the raising of the breast as an elevation offering that the priests’ garments are sprinkled (Lev 8:30).⁵³ Finally, in SP, Exod 30:1–10, the instructions for the making of the incense altar, are relocated to after Exod 26:35.⁵⁴ In a way this change improves the logical sequence of the

⁵² This rearrangement is also attested in 4QpaleoExod^m, where the text goes directly from Exod 29:20 to v. 22; unfortunately, the section of the text where v. 21 would have been relocated, after v. 28, is not preserved. See Skehan, Ulrich, and Sanderson, DJD 9:117–18.

⁵³ Sanderson refers to this case as “parablepsis later corrected,” overlooking the parallel to Leviticus 8 created by the change; see Sanderson, *Exodus Scroll*, 234–35.

⁵⁴ The same rearrangement is partially extant in 4QpaleoExod^m; see Skehan, Ulrich, and Sanderson, DJD 9:112–13.

section, since now the instructions for the incense altar occur along with the other instructions for the Tabernacle and its appurtenances (chapters 25–27). However, the move also partially conforms the commands for the construction of the Tabernacle to the record of their fulfillment in Exodus 37, where the incense altar is made directly after the table and the lampstand that also are located in the Tabernacle but outside the Holy of Holies.⁵⁵

Comparing the rearrangements that occur in SP to those of the 4QRP MSS presents some difficulties, largely because we have few clear cases of rearrangement to work with. Besides the apparent rearrangement of the Decalogue in 4Q158 and the minor case of the different order of the twelve tribes of Israel in Num 13:4–15 according to 4Q365 (frag. 32), we have the cases of juxtaposition discussed above, where we cannot be entirely confident that rearrangement is at issue.⁵⁶ However, I believe that at least some of these cases, like the juxtaposition of the Sukkot laws of Deuteronomy and Numbers in 4Q366, are in fact best regarded as rearrangements. It is interesting to note that all these major cases of rearrangements or possible rearrangements fall into the category of improving the logical sequence of the text: 4Q158's rearrangement of the Decalogue solves the interpretive difficulties associated with various ideas about whether and at what point God's words were mediated to the people; the juxtaposition of the Sukkot laws in 4Q366 points to a concern for the topical arrangement of law; the juxtaposition of Numbers 4 and 7 in 4Q365 seeks to improve the flow of the story by removing the disruptive legal material of chapters 5–6;

⁵⁵ It should be noted that the resulting correspondence is not complete in general or specific terms. First, the 'correct' placement for the instructions for the incense altar (when viewed from the perspective of the implementation section) would be after the instructions for the lampstand (25:31–40). (It is probably not coincidental, however, that the table and the lampstand—with which the incense altar is grouped in the implementation section—are mentioned in 26:35, immediately prior to the SP insertion.) Second, there are major discrepancies in sequence between the command and fulfillment sections of this part of Exodus which SP does not resolve, the most obvious being that the fulfillment section describes the making of the Tabernacle itself before describing any of its furniture (36:8–38:8), while the command section begins with the ark, the table, and the lampstand before going on to the Tabernacle itself. Nonetheless, the rearrangement witnessed by SP is clearly an attempt to improve upon the order preserved in MT, where the instructions for the incense altar are marooned between the instructions for the daily *tamid* offering and the command concerning a census and the half-shekel registration fee. For a contrasting view that regards the two locations as synonymous variants (in the sense that one is not clearly secondary to the other), see Sanderson, *Exodus Scroll*, 111.

⁵⁶ See sections 3.2.6 and 3.3.2.

and the juxtaposition of the two halves of the story of the daughters of Zelophehad (Numbers 27 and 36) in 4Q365 also evinces a desire for topical arrangement and/or narrative continuity. None of these cases demonstrate the concern to coordinate or harmonize parallel events or laws that appears to have been the prime motivation for rearrangement in SP. The one instance of rearrangement in the 4QRP MSS that may point to this concern is the rearrangement of the Israelite tribes in Num 13:13–16 (4Q365 32 1–2) such that the tribe of Asher now appears last, which may have been done under the influence of other texts in which Asher appears last in a list of tribes. Not only is this a very modest change in terms of size; it is also not entirely clear that it does in fact represent a harmonization. It may be the case that 4Q365 here simply reflects another textual tradition.⁵⁷

4.5 MINOR ALTERATIONS

The numerous small changes that are found in SP serve a variety of functions. In several of these functions they constitute parallels to similar changes in the 4QRP MSS, while some others go beyond what is extant in 4QRP.

Minor alterations addressing perceived infelicities of language or clarifying ambiguities are present in good numbers in both groups of texts. One example of the former type is Exod 4:29, where MT attests the reading... וילך משה ואהרן, “Moses and Aaron went (singular).” In SP the grammar is normalized to read וילכו משה ואהרן, “Moses and Aaron went (plural).” A similar move appears in 4Q364 14 4–5, where ויעל משה, “and Moses went up” (Exod 24:13) is replaced by לעלות, “to go up,” in order to account for the fact that Joshua also appears to go up the mountain. On the other hand, the clearest example of clarificatory alteration preserved in SP occurs in Gen 14:19, where the ambiguous ויברכהו, “he blessed him,” of MT, in which the identity of the subject is not clear, is changed to ויברך את אברם, “he (Melchizedek) blessed Abram.”⁵⁸ The reading אהרון in 4Q365 9b ii 3 instead of הוא as in MT functions similarly, although in this case there is no real unclarity as to the referent of the pronoun הוא. An attempt to head off a more serious potential ambiguity occurs in 4Q158 10–12 6 with

⁵⁷ For a more complete discussion, see above, section 3.2.4.

⁵⁸ This change is also attested in G.

the change in Exod 22:4 from יבער, which in unpointed Hebrew could mean “burn” or “graze,” to יבעה, which in the context can only mean “graze.”

Another use to which minor alterations are frequently put in SP is harmonization. As was the case with small, harmonistic additions from elsewhere, the change sometimes brings a passage into closer conformity with another passage in the same textual unit, and sometimes harmonizes parallel verses that are at some distance from one another.⁵⁹ Although both categories appear in SP, only the former is extant in the 4QRP mss, specifically in 4Q365. For example, MT Exod 39:14 refers at first to the twelve *sons* of Israel (whose names are inscribed on the precious stones in the high priest’s breastplate), but the end of the verse indicates that the stones are inscribed with the names of the twelve *tribes* of Israel (לשנים עשר שבט). Presumably out of a desire to level the formulation of the verse, the editor of 4Q365 changed שבט to בני ישראל, “sons of Israel” (frag. 12b iii 13). Elsewhere, at 4Q365 25 14, the editor replaced והשמדתי in Lev 26:30 with והשמותי, apparently under the influence of the use of the latter twice in the following verses. For SP, we can observe a similar minor change in Exod 19:12:

Exod 19:12 MT והגבלת את העם סביב, “Set bounds for the *people* all around”

Exod 19:12 SP והגבלת את ההר סביב, “Set bounds for the *mountain* all around”

Cf. Exod 19:23b כי אתה העדתה בנו לאמר הגבל את ההר וקדשתו, “for you yourself warned us, saying: Set bounds for the *mountain* and regard it as holy.”

Here, however, it is not simply concern for lexical correspondence generally speaking that seems to prompt the change. Rather, it is SP’s familiar concern with the recollection of speech: according to MT, Moses recalls God prescribing the setting of bounds around the *moun-*

⁵⁹ Tov suggests that harmonizations be classified according to whether they occur “within the same context,” “within the same book,” or “between different books” (along with other criteria); Tov, “Harmonizations,” 5. Formally there seems to be little difference between a change intended to harmonize to a parallel that occurs in the same book (but outside the immediate context) and one harmonizing to a parallel in another book. Raphael Weiss also distinguishes between parallels in the same book and those across books, but subsumes both these categories under the larger rubric of harmonization to a parallel verse, as opposed to harmonization to a verse in the immediate context. See Weiss, “חילופי לשונות נרדפים,” 137.

tain, whereas God's actual words prescribed bounds for the *people*. Once again, the change makes original speech and later recollection match.⁶⁰

SP also contains, as mentioned, a number of minor alterations that harmonize a particular verse to a parallel some distance away, a use of this technique that we do not see in the extant portions of the 4QRP mss. Interestingly, there is a cluster of these sorts of changes in the pentateuchal laws for Pesach and Mazzot. In one instance, the motive clause of the law concerning Mazzot in Exod 34:18 is harmonized to that of the parallel law in the Covenant Code:

Exod 34:18 MT את חג המצות תשמר...למועד חדש האביב כי בחדש האביב יצאת ממצרים, "You shall observe the festival of unleavened bread...at the appointed time in the month of Abib, for in the month of Abib you came out from Egypt."

Exod 34:18 SP את חג המצות תשמר...למועד חדש האביב כי בן יצאת ממצרים, "You shall observe the festival of unleavened bread...at the appointed time in the month of Abib, for in *it* you came out from Egypt."⁶¹

Cf. Exod 23:15 MT את חג המצות תשמר...למועד חדש האביב כי בן יצאת ממצרים, "You shall observe the festival of unleavened bread...at the appointed time in the month of Abib, for in *it* you came out from Egypt."

⁶⁰ I have not found any clear cases in SP of harmonizations of language through minor alterations that do *not* reflect such a specific concern but seem simply intended to bring similar verses in the same context into lexical conformity, such as occur with minor additions from elsewhere. There is a possible instance in Lev 26:34b and 43. Both of these verses refer to the land "repaying" or "having restored" its Sabbaths (*HAL*: רצה II), but in MT the phrase in the former case is שבתתיה את והרצת, while the latter reads שבתתיה את ותריך. In SP, a unified formulation is created through the use of the H form שבתתיה את והרצתה in both cases. On the other hand, SP retains the Qal form in the phrase שבתתיה את שבתתיה הארץ in 26:34a, so any formal harmonization remains only partial. Furthermore, the MT form ותריך in 26:43 is problematic (we would expect ותרצה), so SP may reflect a more original reading or an attempt at correction of an error, as opposed to a change intended to harmonize.

⁶¹ Ironically, this change in SP in a way undoes an earlier harmonization in a different direction: Exod 34:18 most likely represents a rewriting of the Covenant Code's Mazzot law in light of Deuteronomy, with the expansion from יצאת ממצרים to כי בן יצאת ממצרים כי בחדש האביב הוציאך יהוה אלהיך ממצרים, reflecting Deut 16:1b, לילה, "for in the month of Abib YHWH your God brought you out from Egypt by night." For a discussion of the use of earlier sources in Exodus 34, see Bernard M. Levinson, "The Revelation of Redaction: Exodus 34:10–26 as a Challenge to the Standard Documentary Hypothesis" (forthcoming); Carr, "Method," 127–30. For this particular change, see the chart on Carr's p. 139.

Two further changes to the Passover legislation occur in Deuteronomy's version of the laws. In the first, SP substitutes a common Priestly term for the time of the Passover sacrifice for Deuteronomy's less specific term:

- Deut 16:4 MT ולא ילין מן הבשר אשר תזבח בערב ביום הראשון לבקר, "Let none of the meat that you sacrifice in the evening on the first day remain until morning."
 Deut 16:4 SP ולא ילין מן הבשר אשר תזבח בין הערבים ביום הראשון לבקר, "Let none of the meat that you sacrifice *between the evenings* on the first day remain until morning."
 Cf. Exod 12:6 MT ושחטו אתו...בין הערבים, "and they shall slaughter it...*between the evenings*" (see also Lev 23:5; Num 9:3, 5, 11).

In the second, we see once again a harmonization of formulation to that of a parallel verse occurring earlier in the Pentateuch:

- Deut 16:8 MT וביום השביעי עצרת ליהוה אלהיך, "and on the seventh day there shall be an assembly for YHWH your God"
 Deut 16:8 SP וביום השביעי חג ליהוה אלהיך, "and on the seventh day there shall be a *pilgrimage-festival* for YHWH your God"
 Cf. Exod 13:6 MT וביום השביעי חג ליהוה, "and on the seventh day there shall be a *pilgrimage-festival* for YHWH"⁶²

One final category into which these small alterations can be grouped is 'interpretive' changes. Of course in a way all the changes being discussed here are interpretive in that they reflect particular decisions about the text and particular ways of reading the text. But this group goes beyond the concern with language on the one hand and with the internal cohesion of the text on the other. For lack of a better word, it is more 'exegetical.'⁶³ For instance, in Gen 49:7, the Blessing of Jacob, Simeon and Levi's wrath is described as ארוּר, "cursed," in MT, but as אדיר, "mighty," in SP. One could argue that this is simply an ortho-

⁶² Raphael Weiss classifies both of these changes as "unintentional" synonymous variants as opposed to deliberate harmonization; Weiss, "חילופי לשונות נרדפים," 84, 136. Of course certainty is impossible, but the cluster of changes in the Passover law, relating to several different sources, makes intentional change seem somewhat more plausible in this case.

⁶³ Besides the examples below, see also the "theological changes" described by Raphael Weiss, "חילופי לשונות נרדפים," 163–70.

graphic error, but it is more likely an apologetic change, designed to avoid cursing two of Jacob's sons.⁶⁴ Another example which has already been mentioned in other contexts is the series of changes made to the laws of the goring ox in Exod 21:28–36, whereby the applicability of the laws is extended from oxen alone to any domestic animal. Besides the frequent addition of the phrase *או כל בהמה*, “or any animal,” the extension also involves the substitution of *בהמה* for *שור* to describe the offending animal and the use of the verb *הכה*, “strike,” instead of *נגח*, “gore,” in 21:28, 29, 32, and 36.⁶⁵

The only parallel I have found in the 4QRP MSS to this type of interpretive change is the instance in 4Q158 1–2 13 where the editor amends the earlier reading preserved in MT, *על כף הירך*, to *על שתי כפות הירך*, presumably reflecting a stricter interpretation of the rule involved. (I discussed this example earlier in the context of minor additions [שתי], but since *כף* is changed to *כפות* this case also involves minor alteration.) However, it is probably unwise to attribute too much significance to the infrequency of these types of changes in the 4QRP MSS, or the absence of minor alterations that harmonize distant but parallel verses. If we only had a fraction of the full text of SP, some categories would probably not be attested either. That is to say, minor alterations may have been used in more ways in the 4QRP MSS than we have evidence for now, simply because of their poor preservation. Nonetheless, it is interesting that SP has a relatively large number of minor alterations that harmonize parallel but distant verses, while none at all are preserved in the 4QRP MSS. On the other hand, there are two cases in the 4QRP MSS where harmonization between distant parallels is effected through minor or moderate additions of material from elsewhere (4Q364 21 2, Deut 1:17//16:19; 4Q365 6b 5, Exod 15:19b//Exod 14:29), showing that these editors too could be sensitive to differences between parallels separated by a great deal of intervening text.

⁶⁴ Gen 49:5–7 refers obliquely to Simeon and Levi's slaughter of the men of Shechem after the abduction and rape of Dinah (Genesis 34). While the deed is condemned in Jacob's blessing, some later interpreters viewed it with approbation; see e.g. Judt 9:2; Jub 30:23; and compare Tg. Ps-Jon. ad loc. The change in SP may reflect the same tradition; see Franz Delitzsch, *A New Commentary on Genesis* (trans. Sophia Taylor; 2 vols.; New York: Scribner & Welford, 1889), 2:373; August Dillmann, *Genesis* (trans. W. B. Stevenson; 2 vols.; Edinburgh: T&T Clark, 1897), 2:457; Jürgen Ebach, *Genesis 37–50* (HTKAT; Freiburg: Herder, 2007), 593.

⁶⁵ As mentioned above, these changes appear to be absent in 4QpaleoExod^m; see Skehan, Ulrich, and Sanderson, DJD 9:104–5.

4.6 REPLACEMENTS WITH MATERIAL FROM ELSEWHERE

In my investigation of SP, I discovered a number of changes that evinced a kind of compositional technique different from any of those I had identified in the 4QRP mss. These changes are similar to additions of material from elsewhere, in that text is copied verbatim from another source into the new context. The difference is that, in these cases, some material is also omitted in the course of the insertion; in this way, the changes resemble minor alterations where one word is replaced with another, except on a larger scale, and with the requirement that the new version be derived from an existing scriptural source. The changes differ from paraphrase—which, as we have seen, can sometimes involve material from elsewhere⁶⁶—in the degree to which extended portions of the source text, rather than allusions or key terms, are inserted. The title I have given this category of changes, “replacements with material from elsewhere,” indicates its two major features: that some of the original text is replaced, i.e. omitted; and material from elsewhere in the Pentateuch is inserted.

Some of these replacements occur in the context of the larger program evidenced in SP and related texts of inserting material from Deuteronomy into parallel sections of the books of Exodus and Numbers. In these cases, instances of direct overlap between the parallels seem to have prompted the omission of part of the original version in order to avoid redundancy. In the story of Moses’ appointment of judges, for example (Exod 18:17–27//Deut 1:9–18), the versions are different enough that they can stand side by side, except for the actual act of appointing the judges:

Exod 18:25 ויבחר משה אנשי חיל מכל ישראל ויתן אתם ראשים על העם, “So Moses chose capable men from all Israel and appointed them leaders over the people”

Deut 1:15 ואקח את ראשי שבטיכם אנשים חכמים וידעים ואתן אתם ראשים עליכם, “So I took the heads of your tribes, wise and experienced men, and I appointed them as leaders over you”

The same act is involved in both verses: since Moses can only appoint the judges once, there is no obvious way both verses can be incorporated. So the editor responsible for this change simply chooses between

⁶⁶ See e.g. 4Q158 frag. 14; 4Q365 frag. 37.

them: he continues with the text of Deuteronomy that he has been following, with minor changes (such as the change to the third person) to adapt the verse to its context: ויקח את ראשי שבטיהם אנשים חכמים וידעים ויתן אתם ראשים עליהם. After Exod 18:24, SP reverts to Exod 18:26 only after the insertion of the whole of Deut 1:9–18; Exod 18:25 is wholly replaced by the parallel verse in Deuteronomy.

The same move takes place in SP Num 21:22:

Table 4.1: Replacement with Material from Elsewhere in SP Num 21:22

MT Num 21:22	MT Deut 2:27–29	SP Num 21:22
אעברה בארצך	אעברה בארצך	אעברה בארצך
לא נטה בשדה ובכרם	בדרך בדרך אלך	בדרך המלך אלך
לא נשתה מי באר	לא אסור ימין ושמאל	לא אסור ימין ושמאל
בדרך המלך נלך עד		לא אטה בשדה ובכרם
אשר נעבר גבלך		
	אכל בכסף תשברני	אכל בכסף תשברני
	ואכלתי	ואכלתי
	ומים בכסף תתן לי	ומים בכסף תתן לי
	ושתייתי רק אעברה	ושתייתי רק אעברה
	ברגלי	ברגלי
Let me pass through your land.	Let me pass through your land. I will go only by the highway; I will not veer to the right or left.	Let me pass through your land. By the king's highway I shall go; I will not veer to the right or left; I will not turn aside in field or in vineyard.
We shall not turn aside in field or in vineyard. We shall not drink well water; by the king's highway we shall go until we pass your border.	Food you shall provide me for money and I will eat, and water you shall give me for money and I will drink, only let me pass through on foot.	Food you shall provide me for money and I will eat, and water you shall give me for money and I will drink, only let me pass through on foot.

Here, the latter two-thirds of the Numbers verse (לא נשתה מי באר) בדרך המלך נלך עד אשר נעבר גבלך, “We shall not drink well water; by the king’s highway we shall go until we pass your border”) are displaced by the insertion of Deut 2:27–29. The editor appears to have considered this material ‘covered’ by the contents of the inserted material from Deuteronomy: Deut 2:27 includes the phrase בדרך המלך אלך, “by the king’s highway I will go,”⁶⁷ and 2:28 has ומים בכסף תתן לי ושתיתי רק אעברה ברגלי I will drink, only let me pass through on foot.”

At other points, these ‘replacements from elsewhere’ serve a harmonistic purpose, bringing a given verse into conformity with a parallel or creating a more consistent use of language. Two examples occur in legislative contexts. The first, a reading that is also present in G, comes in the dietary laws of Deuteronomy 14. In the MT, Deut 14:8a, on the pig, begins and ends in exactly the same way as its parallel in Lev 11:7. Between these points, however, the Leviticus version is much longer. In SP, therefore, the extra material from the longer version (double-underlined) is spliced into Deut 14:8, replacing Deuteronomy’s short middle (only two words, single-underlined):

Table 4.2: Replacement with Material from Elsewhere in SP Deut 14:8

Deut 14:8a (MT)	Lev 11:7	Deut 14:8a (SP/G)
ואת החזיר כי מפריס פרסה הוא ולא גרה טמא הוא לכם	ואת החזיר כי מפריס פרסה הוא <u>ושסע שסע פרסה</u> <u>והוא גרה לא יגר</u> טמא הוא לכם	ואת החזיר כי מפריס פרסה הוא <u>ושסע שסע פרסה</u> <u>והוא גרה לא יגור</u> טמא הוא לכם
And the pig, because it is cloven of hoof	And the pig, because it is cloven of hoof <u>and is cleft-hooved</u> <u>but does not chew the</u>	And the pig, because it is cloven of hoof <u>and is cleft-hooved</u> <u>but does not chew the</u>
<i>but has no cud</i> it is unclean for you.	<u>cud</u> it is unclean for you.	<u>cud</u> it is unclean for you.

⁶⁷ This is how the phrase reads in SP Numbers; in MT and SP Deut 2:27 the phrase is בדרך בדרך אלך, “I will go only by the road” (RSV); “I will keep strictly to the highway” (NJPS). It thus appears that the editor responsible for this change adjusted the insertion from Deuteronomy to incorporate the phrase בדרך המלך from Num 21:22, even as he deleted the verse that caused the adjustment (unless, of course, בדרך בדרך in MT Deut 2:27 is a later reading and the editor’s *Vorlage* had בדרך המלך). Note that the only other use of the phrase בדרך המלך in the Pentateuch is in the parallel message to the king of Edom in Num 20:17.

Num 8:16 presents another example. In the second half of the verse, God describes the special status of the Levites as the redemption-price for the firstborn of Israel. SP replaces the bulk of this formulation with the parallel in Num 3:12.

Num 8:16 MT כי נתנים נתנים המה לי מתוך בני ישראל תחת פטרם כל רחם בכור כל מבני ישראל לקחתי אתם לי, “For they are completely dedicated to me from among the children of Israel; in place of that which opens every womb, the firstborn of each from the children of Israel, I have taken them for myself.”

Num 8:16 SP כי נתנים נתנים הם לי מתוך בני ישראל תחת כל בכור פטר רחם בבני ישראל לקחתי אתם לי, “For they are completely dedicated to me from among the children of Israel; in place of every firstborn that opens the womb among the children of Israel, I have taken them for myself.”

Cf. Num 3:12 SP⁶⁸ ואני הנה לקחתי את הלויים מתוך בני ישראל תחת כל בכור פטר רחם בבני ישראל... “See, I myself have taken the Levites from among the children of Israel, in place of every firstborn that opens the womb among the children of Israel...”

Another pair of replacements with material from elsewhere both involve descriptions of the land of Israel. Unusually, they both involve abridgment, with the new version ending up substantially shorter than the original. Gen 10:19 describes the land allotted to the Canaanites, while Deut 34:2–3 describes the land as seen by Moses standing at the top of Mt. Pisgah before his death. Each incorporates a variety of details and place-names. As the chart below shows, SP levels both of them to a more standardized formulation drawn from a combination of Gen 15:18 and Deut 11:24.

As a result of this leveling, Gen 10:19 and Deut 34:1–3 lose their particularity, and are transformed to idealized descriptions of the land. The replacements also serve to increase a sense of cross-referentiality and cohesion throughout the Pentateuch: they make clear that the land of the Canaanites (Gen 10:19) had exactly the same boundaries as the land promised to Abraham (Gen 15:18), and that precisely this same territory was promised by God through Moses to Abraham’s

⁶⁸ SP Num 3:12 = MT, except for the reading מבני for MT בבני.

Table 4.3: Replacement from Elsewhere in SP Gen 10:19;
Deut 34:2–3

BEFORE (MT)	
ויהי גבול הכנעני מצידן באכה גררה עד עזה באכה סדמה ועמרה ואדמה וצבים עד לשע	Gen 10:19
ויראהו יהוה את כל הארץ את הגלעד עד דן ואת כל נפתלי ואת ארץ אפרים ומנשה ואת כל ארץ יהודה עד הים האחרון ואת הנגב ואת הככר בקעת ירחו עיר התמרים עד צער ... מנהר מצרים עד הנהר הגדול נהר פרת	Deut 34:1b–3
מן המדבר והלבנון מן הנהר נהר פרת ועד הים האחרון יהיה גבלכם	Gen 15:18
מן המדבר והלבנון מן הנהר נהר פרת ועד הים האחרון יהיה גבלכם	Deut 11:24
Now the border of the Canaanites was from Sidon in the direction of Gerar as far as Gaza, in the direction of Sodom and Gomorrah and Admah and Zeboiim as far as Lasha	Gen 10:19
And YHWH showed him the whole land; the Gilead as far as Dan and all of Naphtali and the land of Ephraim and Manasseh and all the land of Judah as far as the Western Sea, and the Negeb and the Plain—the valley of Jericho, city of palm trees, as far as Zoar	Deut 34:1b–3
... from the River of Egypt as far as the Great River, the River Euphrates	Gen 15:18
From the wilderness and the Lebanon; from the River, the River Euphrates, as far as the Western Sea shall be your border	Deut 11:24
AFTER (SP)	
ויהי גבול הכנעני מנהר מצרים עד הנהר הגדול נהר פרת ועד הים האחרון	Gen 10:19
ויראהו יהוה את כל הארץ מנהר מצרים עד הנהר הגדול נהר פרת ועד הים האחרון	Deut 34:1b–3
Now the border of the Canaanites was from the River of Egypt as far as the Great River, the River Euphrates, and as far as the Western Sea	Gen 10:19
And YHWH showed him the whole land, from the River of Egypt as far as the Great River, the River Euphrates, and as far as the Western Sea	Deut 34:1b–3

descendants, if they kept the terms of the covenant (Deut 11:24), and was shown to Moses prior to his death (Deut 34:1b–3).

The final example of this compositional technique that I will mention is noteworthy in that it appears to serve the same purpose as many of the large additions of material from elsewhere that are so characteristic of SP: to ensure that, when a command is given by God, there is a record of that command being carried out. Yet here it is not the absence of a command or of a fulfillment report that prompts the change, but a contradiction between the two:

Num 25:4 MT ויאמר יהוה אל משה קח את כל ראשי העם והוקע אותם ליהוה נגד השמש וישב חרון אף יהוה מישראל, “YHWH said to Moses, ‘Take all the leaders of the people and impale them for YHWH in broad daylight, so that the wrath of YHWH’s anger might turn away from Israel.’”

Num 25:4 SP ויאמר יהוה אל משה אמר ויהרגו את האנשים הנצמדים לבעל פעור וישב חרון אף יהוה מישראל, “YHWH said to Moses, ‘Order them to kill those men who have attached themselves to Baal Peor, so that the wrath of YHWH’s anger might turn away from Israel.’”

Cf. Num 25:5 MT זיאמר משה אל שפטי ישראל הרגו איש אנשיו הנצמדים לבעל פעור, “So Moses said to the judges of Israel, ‘Each man of you, kill those of your men who have attached themselves to Baal Peor!’”

In the MT version of vv. 4–5, Moses immediately responds to YHWH’s command, but does not carry it out as instructed. While God seems to have commanded that the leaders (את כל ראשי העם) be put to death as punishment for the nation’s sin, Moses instructs the leaders (שפטי ישראל, “Israel’s judges”) to execute those who had actually sinned. Moses appears to ignore or at least substantially reinterpret God’s instructions. In SP, which elsewhere evidences such concern that command and fulfillment correspond, this discrepancy was not allowed to stand. Interestingly, though, the fulfillment is not conformed to the command, but the command is changed so that it matches the fulfillment: according to SP Num 25:4, God commands Moses to do precisely what he does in 25:5—instruct the leaders to execute the offenders.⁶⁹

⁶⁹ In 4QNum^b col. 18, the word קח and part of the word והוקע are preserved, indicating that 4QNum^b agrees with MT at this point and does not contain the SP change; see Jastram, DJD 12:237–38.

Apparently, an editor felt that it was more appropriate that those who sinned be executed, rather than that the leaders be held responsible for the behavior of all the people. In siding with Moses against God in this way, this editor demonstrates that the concern to coordinate command and fulfillment does not necessarily involve any special valuation of the command (as God's word) above the fulfillment.

4.7 SUMMARY

A more detailed look at the points of contact and difference between SP and its forebears and the 4QRP mss has yielded a much more complex picture than is usually recognized. Three main issues especially require discussion: the use of the various compositional techniques in the two groups of texts, the purposes for which those techniques were used, and the question of a single, purposeful redaction; that is, the history of the development of the SP text tradition.

With regard to compositional technique, it is crucial to note that all the compositional techniques identified in the 4QRP mss are also attested in SP, except for paraphrase. Furthermore, SP uses an additional technique, replacements with material from elsewhere. SP's reworking of the Pentateuch is, I believe, not generally conceived of as so diverse.⁷⁰ But from the perspective of *how* the Pentateuch is reworked, there is little qualitative difference from the 4QRP mss.

However, size does matter, and *quantitatively* there are major differences between the SP group and the 4QRP mss. Unique additions of new material of any size greater than a word or two are rare in SP, and never come close in size to the multiple-line additions in 4Q158, 4Q364, and 4Q365, to say nothing of the multiple columns of new material in 4Q365a. SP presents one case of major rearrange-

⁷⁰ I do not mean to imply that scholars who work with SP are unaware of the various types of changes present; rather, the (justifiable) tendency to focus on the most pervasive changes, as well as the tendency to classify changes using a variety of compositional techniques as 'harmonistic,' has meant that the full breadth of editorial work attested in SP tends to be overlooked. See e.g. the sweeping statement by Segal, "In the (pre-)Samaritan Pentateuch, the additions and harmonizations are taken from other sections of the Pentateuch, and are not composed *ex nihilo* by the scribe responsible for those changes," Segal, "4QReworked Pentateuch," 394. (A somewhat more nuanced view is presented in Segal, "Text of the Hebrew Bible," 14.) Similarly, Sanderson: "The scribe was not free to add to revelation by creating his own words"; Sanderson, *Exodus Scroll*, 271. See also Crawford, *Rewriting Scripture*, 23, 37.

ment (the incense altar) and one case of moderate rearrangement (the sprinkling of the priestly vestments), while changes of sequence that are likely to be rearrangements occur more often in the 4QRP MSS: there is one likely case of rearrangement in 4Q158, along with two major new juxtapositions of material in 4Q365, two in 4Q366, and two in 4Q367. Given the fragmentary preservation of the 4QRP MSS, changes of sequence are proportionally much more frequent in them than in SP. On the other hand, SP employs major additions of material from elsewhere with a frequency unparalleled by any of the 4QRP MSS except perhaps 4Q158.

The lack of major additions of new material or any type of paraphrase, along with the relative infrequency of changes of sequence (rearrangements), suggests that SP represents, as has long been argued, a more conservative reworking of the Pentateuch than do the 4QRP MSS.⁷¹ This impression of conservatism might seem to lead to the idea that the SP editors had more respect for the sanctity of the pentateuchal text, insofar as their major additions contained only material that was already found elsewhere in the Pentateuch.⁷² This of course is one very logical interpretation of the data. However, it is not a necessary conclusion. We have seen that the major alterations in SP nearly all result from a single concern: to increase the consistency of speech events. Perhaps the infrequency of major instances of other techniques simply indicates that the editors in the SP text tradition were not particularly interested in adding material or changing sequences. Outside of their specific concern, they may have been content to leave the text more or less as it stood.

This brings us to the issue of the uses to which the various compositional techniques were put. The discussion above demonstrated that in many cases, especially those involving minor changes, SP and the 4QRP MSS address the same types of issues: problems with language, clarification, minor interpretive changes, sometimes even halakhic adjustments. There are several major differences, however, that deserve comment.

⁷¹ For this position, see Segal, "4QReworked Pentateuch," 394; Crawford, "'Rewritten' Bible at Qumran," 3. A similar view is implied in Tov, "Rewritten Bible Compositions," 354.

⁷² For this view, though of course without reference to the 4QRP MSS, most of which had not yet been published, see Sanderson, *Exodus Scroll*, 269, 300.

First, we noted how the major interventions by the editors responsible for SP almost all are concerned with two specific types of speech, namely commands and recollections. If a command is given, it must be fulfilled, and if someone reports that something was done or said at an earlier point, there must be a record of that event. It was also observed that 4Q158 demonstrates the same concerns in its use of additions of material from elsewhere, but its editors did not limit their activity to the extreme cases where a command or fulfillment or event was actually missing from the text. Their changes serve to strengthen correspondences rather than actually to create them. This also extends in two cases to stressing the links between two independent events, without particular attention to speech. With its use of additions of material from elsewhere, 4Q158 seems to span the distance between the gap-filling of SP and a more comprehensive reflection on the interconnectedness of the biblical text that is characteristic of rabbinic literature. One wonders whether evidence of such deep reflection on the biblical text might actually demonstrate *higher* regard for the text on the part of the editor(s) of 4Q158 than on the part of the editors in the SP tradition!⁷³

Second, although SP clearly demonstrates concern with the coherence and orderliness of the Pentateuch, it lacks one particular manifestation of this concern that occurs in some of the 4QRP MSS: an interest in providing the text with a more logical sequence. 4Q365 presents an 'improved' sequence in its juxtaposition of Numbers 4 and 7 in frag. 28 and Numbers 27 and 36 in frag. 36. 4Q366 shows a concern for the topical arrangement of law in its juxtaposition of the Numbers and Deuteronomy Sukkot laws (frag. 4). There are no clear signs of this type of activity in SP: rearrangement tends to take place for the purpose of conforming the sequence of one text to the sequence of a parallel, and only very rarely and in minor cases for the sake of a more logical sequence per se. This lack of concern with topical grouping helps explain why there are no major interventions

⁷³ I thank Prof. James VanderKam for this observation. Although the idea that the editor that most interferes with the text might in fact have the highest regard for its sanctity seems paradoxical in our culture, where reverence is equated with faithful preservation, the evidence suggests that exact copying was only one of several ways current in Second Temple Judaism to express commitment to the text.

in SP in the pentateuchal legal material, even though those texts are rife with repetitions.⁷⁴

Third, even though it is generally inaccurate to refer to the large additions of material from elsewhere that are characteristic of SP as ‘harmonistic,’ smaller additions from elsewhere and several other compositional techniques are used frequently in SP for the purpose of harmonization. Especially interesting are cases where a particular verse or passage is changed to bring it into conformity with another text some distance away. Changes for this purpose occur only twice in 4QRP (4Q364 21 2; 4Q365 6b 5), but are common in SP: many minor additions from elsewhere and minor alterations serve this purpose, as well as the major cases of rearrangement and several of the cases of replacement with material from elsewhere.

Given the prevalence of changes made for the purposes of harmonization, it may be justified to speak of SP as a more harmonistic text than the 4QRP mss. There is, however, some evidence requiring that this assertion be qualified somewhat. First, there are a few cases in the 4QRP mss where harmonization seems to be the goal: that concern is not absent from those texts. Besides the small examples that have been cited, the paraphrase in 4Q158 frag. 14 should be mentioned: if it really does present a version of Exod 6:6–8 that brings it closer in formulation to Exodus 15, then it constitutes a type of harmonization.⁷⁵ Second, as I must keep repeating, the 4QRP mss are all very fragmentary, and their incomplete preservation means that we may be missing part of the

⁷⁴ The clearest explanation for SP’s relative disengagement with legal texts is that they do not directly purport to be equivalent. The priestly legislation in Leviticus and Numbers has as its narrative setting God’s speech to Moses from the tent of meeting (Lev 1:1; Num 1:1). The Covenant Code (Exodus 21–23), on the other hand, is situated at Mt. Sinai, while Deuteronomy’s law code is spoken by Moses on the plains of Moab. Though it is explicitly noted that Moses decrees the laws in accordance with God’s instructions (Deut 1:3; 6:1), there is no identification of the law code itself with God’s earlier revelation on Sinai. Thus, there is no sense that any of the law codes is, in a narrative sense, a repetition of any other, and therefore no need to make them conform to one another. As Segal puts it, “... the legal sections in Deuteronomy contains [sic] no internal references to earlier source material that should have been known to the reader from any other section of the Pentateuch” (“Text of the Hebrew Bible,” 17). Because major intervention in law simply was not consistent with the goals of the editors of SP (and because SP does contain smaller-scale changes to legal texts), there is no warrant to conclude that SP avoided the law because it was regarded with a particular reverence, as Moshe Bernstein implies. See Bernstein, “What Has Happened to the Laws,” 32–33, 47; Segal, “Text of the Hebrew Bible,” 14.

⁷⁵ See the discussion above, section 2.4.1.

picture. Perhaps it is best to say simply that SP shows more evidence of a concern with harmonization than do the extant remains of the 4QRP MSS.

A final issue to discuss here concerns how we should think about the development of the text in the tradition that eventually became SP. As mentioned above, the textual evidence points in two directions. On the one hand, more clearly than any of the 4QRP MSS, SP contains a series of changes that point to a specific redactional goal. It seems quite possible that the major changes to the plague and wilderness narratives and the handful of other changes that reflect the specific concern with command/fulfillment and recollections mentioned above are the work of a single editor.⁷⁶ A first editor may have missed a case or two that fit the criteria for intervention, and a later scribe may then have corrected the oversight, but the precise circumstances under which changes are introduced indicate that they are all likely to have originated within a short period of time. On the other hand, with SP we are fortunate to have evidence of several stages of composition that point to the gradual development of the text. I mentioned above the fact that SP's purely sectarian tenth commandment is not attested at Qumran (it is lacking in 4QpaleoExod^m), suggesting that the Samaritans made only minor changes to a preexisting version of the text.⁷⁷ Thus at the very least we have evidence for a pre-Samaritan version and a Samaritan stage. Another series of changes, those concerning the goring ox and other animal laws in Exodus 21–22, also appears to be absent from 4QpaleoExod^m, suggesting it too was added at a later stage, as also the SP change to Num 25:4 (God's command to punish those worshipping Baal Peor) is absent in 4QNum^b. Since there is nothing particularly Samaritan about these changes, they are likely to be unrelated to the Samaritan redaction and thus constitute intervening stages. Furthermore, the Qumran evidence shows that the text did in some cases continue to develop beyond the point at which it was adopted by the Samaritans, since the 'pre-Samaritan' texts attest some changes that are not present in SP. Finally, I have mentioned several cases where SP shares readings with G, pointing toward some sort of early shared tradition.⁷⁸

⁷⁶ Tov, "Rewritten Bible Compositions," 351. See also Sanderson, *Exodus Scroll*, 311.

⁷⁷ P. 135.

⁷⁸ See especially the moderately-sized pluses mentioned in n. 7 above.

We therefore have evidence in the SP group for multiple stages of the textual tradition, even if we can also posit that the changes most characteristic of SP may well have been made in the course of a single redaction. In this way, SP and its predecessors may provide a useful model for thinking about the development of the 4QRP mss. I have hypothesized a similar picture in the previous chapters, suggesting that some of the major changes in each 4QRP ms might have arisen together, while others, as well as the whole variety of more minor changes, may have been introduced over a longer period of time. As we will see, the Temple Scroll on the whole presents quite a different picture.

To conclude this chapter, SP provides another example, alongside the five 4QRP manuscripts, of a reworking of the Pentateuch that shares some features with the others but presents its own distinguishing characteristics. The editor(s) responsible for SP used most of the same compositional techniques as did the editors responsible for the 4QRP mss, and in many cases used them for the same or similar purposes. Yet some types of changes, such as major additions and paraphrases, are absent from SP, while others, especially addition of material from elsewhere, are used with great frequency for a distinctive purpose. In its use of replacement with material from elsewhere, SP also employs a technique not attested in the 4QRP mss. In both its similarities and its differences, then, SP provides an important analogue to the 4QRP mss.

CHAPTER FIVE

POINTS OF COMPARISON II: THE TEMPLE SCROLL

The Temple Scroll (11Q19 = TS), the longest extant scroll discovered at Qumran, is made up of instructions for a monumental Temple and its courts, accompanied by various laws addressing sacrifices and festivals, purity regulations, kingship, and other matters.¹ The date and compositional history of this legal tour de force have been disputed, but there is good evidence that, in its present form, TS constitutes a unified composition dating from somewhere around the middle of the second century B.C.E.²

¹ Although 11Q19 (11QTemple^a) provides the most complete manuscript of TS and as such is the focus of most studies and will constitute the basis of the analysis here, there are at least two other manuscript copies of TS, 11Q20 (11QTemple^b) and 4Q524. Each of these differs from 11Q19 in some details, but clearly constitutes a copy of the same work. Other mss that have been identified as copies of TS, 4Q365a and 11Q21, have less substantial parallels and appear to belong to different compositions. On 4Q365a, see pp. 99–100 above; on the whole question see García Martínez, “Multiple Literary Editions.”

² On the date, see most recently C. D. Elledge, *The Statutes of the King: The Temple Scroll's Legislation on Kingship, 11Q19 LVI 12–LIX 21* (Cahiers de la Revue Biblique 56; Paris: Gabalda, 2004), 37–45; Simone Paganini, “Nicht darfst du zu diesen Wörtern etwas hinzufügen.” *Die Rezeption des Deuteronomiums in der Tempelrolle: Sprache, Autoren, Hermeneutik* (BZABR 11; Wiesbaden: Harrassowitz, 2009), 265–71. With regard to compositional history, it has been popular since the 1982 publication of Wilson and Wills to view TS as the result of the combination of several previously independent sources; see Andrew M. Wilson and Lawrence Wills, “Literary Sources of the Temple Scroll,” *HTR* 75 (1982): 275–88. This hypothesis is followed by e.g. Wise, *Critical Study*; Dwight D. Swanson, *The Temple Scroll and the Bible: The Methodology of 11QT* (STDJ 14; Leiden: Brill, 1995); Schiffman in his many articles (see n. 8 below); and two recent introductions to TS; see Sidnie White Crawford, *The Temple Scroll and Related Texts* (Companion to the Qumran Scrolls 2; Sheffield: Sheffield Academic Press, 2000), 22–24; Florentino García Martínez, “Temple Scroll,” in *Encyclopedia of the Dead Sea Scrolls* (ed. Lawrence H. Schiffman and James C. VanderKam; 2 vols.; Oxford: Oxford University Press, 2000), 2:927–33, at pp. 929–30. Although more study of the issue is required, few of the criteria for identifying prior sources used by Wilson and Wills are compelling, and it is not clear that later revisions of the theory have improved the case for multiple sources; see my analysis in Molly M. Zahn, “Schneiderei oder Weberei? Zum Verständnis der Diachronie der Tempelrolle,” *RevQ* 20 (2001): 255–86. Others have also noted features of TS that point to a unified composition, especially consistency in style and in attitude towards Scripture; see Elledge, *Statutes*, 32–37 (though with reference only to the latter part of the Scroll); Paganini, *Rezeption*, 23–27. None of this is to say that the author of TS used no prior materials

Two aspects of TS have especially intrigued interpreters. First, it is cast as the direct speech of YHWH to Moses at Mt. Sinai, as is made clear by the material from Exodus 34 present in the first extant column of the Scroll (col. 2) and the systematic use of the first-person pronoun ‘I’ to refer to YHWH.³ TS thus presents itself as revelation, with the same divine origins as the Torah itself.⁴ Second, despite this claim to originality, TS draws heavily upon the Pentateuch itself and other scriptural texts to construct its new revelation. The result is a composition deeply rooted in reflection upon Israel’s sacred Scripture and thus deeply interpretive, and yet radically independent in the freedom with which it redeploys Scripture to create a new vision for an ideal Jewish community.⁵

Because of the significant role that reuse of prior Scripture plays in TS, it has often functioned as a parade example of the category ‘rewritten Scripture.’⁶ As such, it constitutes an important analogue

besides some form of Hebrew Scripture—in fact, the overlaps between TS and 4Q365a may suggest the contrary (see above, pp. 99–100). Rather, it appears that, whatever these materials were, the author recast and reshaped them to a considerable degree, such that it is appropriate to regard TS as a fundamentally coherent work rather than a loose collection of sources, each with their own styles and agendas.

³ On this feature, see Yadin, *Temple Scroll*, 1:71–73; Lawrence H. Schiffman, “The Temple Scroll and the Halakic Pseudepigrapha of the Second Temple Period,” in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls* (ed. Esther G. Chazon and Michael E. Stone; STDJ 31; Leiden: Brill, 1999); Zahn, “New Voices,” 437–41.

⁴ TS’s claim to direct divine authority puts it on a par with much of the Pentateuch’s legal material, which is characterized as God’s words to Moses (e.g. Leviticus). On the other hand, the direct authority claimed by TS *exceeds* that of Deuteronomy, which after all is portrayed as the words of Moses rather than YHWH. For the view that TS’s authority claim and legal hermeneutic specifically target Deuteronomy and aim to unseat it from its pentateuchal place as the final and authoritative interpretation of YHWH’s Sinaitic revelation, see Eckart Otto, “Die Rechtshermeneutik im Pentateuch und in der Tempelrolle,” in *Tora in der Hebräischen Bibel* (ed. Reinhard Achenbach et al.; BZABR 7; Wiesbaden: Harrassowitz, 2007), 72–121, at pp. 114–17; Paganini, *Rezeption*, 283–96. While Otto and Paganini are right that it is primarily Deuteronomy whose authority claim that of TS actually exceeds, the rewriting of laws from elsewhere in the Pentateuch indicates that TS’s claim to constitute direct divine revelation also has implications for the rest of the pentateuchal legal corpora. More discussion is required of how the author of TS envisioned its relationship to those parts of the Torah that claimed an authority equal to its own. On the whole issue, see Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (JSJSup 77; Leiden: Brill, 2003), 41–69.

⁵ For a sensitive and compelling, though somewhat speculative, discussion of the goals and social location of TS’s author, see Paganini, *Rezeption*, 263–71.

⁶ See e.g. Segal, “Between Bible and Rewritten Bible,” 11; VanderKam, “Wording of Biblical Citations,” 46–48. On the other hand, Bernstein notes that the legal nature of TS has led to its exclusion from the category ‘rewritten Bible’ in some discussions,

to the 4QRP MSS, and studies on ‘rewritten Scripture’ often compare them to one another.⁷ Yet despite this broad recognition of similarities between TS and the 4QRP MSS, there has been no detailed comparison of the two in terms of their interaction with their scriptural *Vorlagen*.⁸ This chapter represents a first step towards such a comparative examination. Since the focus of this study is the 4QRP MSS, a full catalogue of compositional techniques employed in every part of TS cannot be included here. Rather, I have selected a series of passages of approximately one-half to one column in length that constitute a representative sample of the various ways in which the author of TS manipulated and reworked the Pentateuch.⁹

This chapter is organized differently from the three preceding chapters: here I have departed from the procedure of ordering the

since other clear examples of ‘rewritten Bible’ are largely narrative (e.g. Jubilees, the Genesis Apocryphon, Josephus’s *Antiquities*). However, its obvious and continuous engagement with the pentateuchal text requires that it be considered in discussions of texts that rework Scripture, as most recent scholars recognize. See Bernstein, “Rewritten Bible,” 193–95.

⁷ E.g., Tov, “Biblical Texts as Reworked,” 114–16; Dwight D. Swanson, “How Scriptural Is Rewritten Bible?,” *RevQ* 83 (2004): 407–27; Crawford, “‘Rewritten’ Bible at Qumran,” 5–6.

⁸ There has been a substantial amount of attention paid to describing TS’s interaction with Scripture. Yadin’s edition contains a thorough analysis of the scriptural sources used at each point in the text as well as his oft-cited list of five “forms of editing” found in TS: “formulating the text in the first person,” “merging commands on the same subject,” “unifying duplicate commands,” “modifications and additions” for halakhic clarification, and “appending whole new sections”; see Yadin, *Temple Scroll*, 1:71–88. Since Yadin’s publication, several monographs have been devoted in whole or in part to this question; see Wise, *Critical Study*; Swanson, *Temple Scroll and the Bible*; Elledge, *Statutes*; Paganini, *Rezeption*; and the two works by Riska, whose primary interest is in reconstructing the scriptural *Vorlage* of TS: Magnus K. Riska, *The Temple Scroll and the Biblical Text Traditions: A Study of Columns 2–13:9* (PFES 81; Helsinki: Finnish Exegetical Society, 2001); idem, *The House of the LORD: A Study of the Temple Scroll Columns 29:3b–47:18* (PFES 93; Göttingen: Vandenhoeck & Ruprecht, 2007). See also the important early articles by Brin and Kaufman: Gershon Brin, “המקרא במגילת המקדש,” *Shnaton* 4 (1980): 182–225; Stephen A. Kaufman, “The Temple Scroll and Higher Criticism,” *HUCA* 53 (1982): 29–43. In his many studies on the Scroll, Schiffman also devotes attention to the reuse of Scripture, though his concern is generally more with the exegetical issues involved than with describing compositional technique. Schiffman’s articles are now conveniently available in idem, *The Courtyards of the House of the Lord: Studies on the Temple Scroll* (ed. Florentino García Martínez; STDJ 75; Leiden: Brill, 2008).

⁹ This is not a random sample; I have chosen passages that I feel best reflect the diversity of ways in which TS interacts with the Pentateuch. I do not claim that these examples are exhaustive in the sense that every possible mode of rewriting in TS is contained in these five sample passages, but I do believe they accurately represent TS’s approach to Scripture.

discussion according to the categories of compositional technique that I have developed. Discussing one passage at a time and observing the various compositional techniques employed in each will convey a better overall sense of TS and the ways it interacts with the pentateuchal text than grouping together several examples of a single type of change and separating them from their context. TS's reuse of the Pentateuch is in many ways more intricate and complex than anything we have seen in the 4QRP MSS and texts in the SP group, and this complexity is best illustrated by examining entire passages in their context. For each passage, I will discuss which scriptural sources TS appears to be drawing upon (sometimes this is obvious but at other points source identifications have been disputed), the compositional techniques employed, and the exegetical issues that appear to motivate TS's formulation. I proceed along a rough spectrum from the passage with the fewest differences from the pentateuchal text to that which is most free in its reuse of Scripture. After gathering the textual data through analysis of all five passages, I will compare TS's use of various compositional techniques to the applications we have seen in previous chapters, indicating how the evidence of TS allows for a more precise understanding of rewriting in the 4QRP MSS.

5.1 PASSAGE ONE: MINIMAL CHANGES (TS 63:1–8)

As we shall see, in most parts of TS its pentateuchal source material is heavily rewritten and combined with new material. Beginning in col. 51:11, however, the Scroll begins to follow the Pentateuch more closely, reproducing much of the legal corpus of Deuteronomy 12–26.¹⁰ While at times this material is rearranged, adjusted, or supplemented, in this section of TS we also find numerous whole paragraphs that differ only slightly from the pentateuchal text as known from elsewhere. The eight first lines of TS col. 63, for example, adhere closely to Deut 21:3–9, which describes the procedure for removing bloodguilt in the case of a corpse found lying in the countryside. The only changes are as follows.

¹⁰ On this section of TS, see Lawrence H. Schiffman, "The Deuteronomic Paraphrase of the Temple Scroll," *RevQ* 15 (1992): 543–68; Wise, *Critical Study*, 35–60; and most recently Paganini, *Rezeption*. This section has often been regarded as a previously-existing source into which the redactor of TS inserted the laws on kingship in cols. 57–59 (themselves often regarded as predating TS). More recent studies, however, have tended to be skeptical of this source-critical approach to TS; see above, n. 2.

In line 2 (= Deut 21:4), there is a minor rearrangement as well as a minor omission:

Deut 21:4¹¹ וְעָרְפוּ בּוֹ וְלֹא יִזְרַע לא יעבד, “which is neither *worked* nor *sown*”

TS 63:2 וְעָרְפוּ וְלֹא יִזְרַע ולא יעבד, “which is neither *sown* nor *worked*”¹²

The omission may be intentional in this case since the grammar is somewhat smoother in the shorter reading.¹³

Later in line 2, there is another case of omission, along with an extremely minor alteration:

Deut 21:4 וְעָרְפוּ שָׁם אֶת הָעֵגְלָה בְּנַחַל וְעָרְפוּ שָׁם את העגלה בנחל, “and they shall break the neck of the heifer there, *in the wadi*.”

TS 63:2 וְעָרְפוּ שָׁמָּה אֶת הָעֵגְלָה וְעָרְפוּ שָׁמָּה את העגלה, “and they shall break the neck of the heifer there.”¹⁴

In line 3, the only changes are a minor addition and a series of minor alterations. The minor alterations all serve the purpose of casting God, rather than Moses, as the speaker of the command:

Deut 21:5 MT כִּי בַּסּ בָּחַר יְהוָה אֱלֹהֵיכֶם לְשָׂרְתוֹ וּלְבָרְךְ בְּשֵׁם יְהוָה כי בס בחר יהוה אלהיכם לשרתו ולברך בשם יהוה, “for *YHWH your God* has chosen them to serve him and to bless *in the name of YHWH*”

TS 63:3 כִּי בַהֲמָה בְּחַרְתִּי לְשָׂרְתִּי לִפְנֵי וּלְבָרְךְ בְּשֵׁמִי כי בהמה בחרתי לשרת לפני ולברך בשמי, “for *I* have chosen them to serve¹⁵ *before me* and to bless *in my name*”

This change is typical of those parts of TS that draw upon Deuteronomy: the author’s depiction of the Scroll as the direct words of YHWH requires that deuteronomic law, in which Moses is the speaker and

¹¹ As in previous chapters, unless noted all readings in TS are unique. MT is cited for convenience, but in each case the readings in SP and G, if different from MT, do not appear to be related to the reading in TS.

¹² Citations from the Temple Scroll follow Yadin’s transcription. I have included brackets indicating reconstructed text, but I have omitted dots and circlets.

¹³ Yadin, *Temple Scroll*, 2:284. See also Paganini, *Rezeption*, 192.

¹⁴ Paganini argues that the reading שָׁמָּה, with the locative הָ, for MT שָׁם in this line is a deliberate change meant to compensate for the deletion of בְּנַחַל (*Rezeption*, 192). I find this interpretation of such a minor change unpersuasive, especially since there appears to be no semantic difference between the two forms. On locative הָ in the Qumran scrolls, see Qimron, *Hebrew of the DSS*, 69.

¹⁵ SP also reads לְשָׂרְתִּי instead of MT, G לְשָׂרְתוֹ. TS departs from both in inserting לִפְנֵי, and conceivably could have had either reading in its *Vorlage*.

references to God are generally in the third person, be reformulated to reflect this pseudepigraphic voicing.¹⁶

In line 4, a minor alteration serves to smooth the somewhat awkward syntax preserved in other versions:

Deut 21:6 ... אל החלל אל הקרבים ההוא העיר ההוא הקרבים אל החלל ... “And all the elders of that city *who are closest* to the corpse...”

TS 63:4 ... אל החלל אל הקרובה ההיא העיר ההיא הקרובה אל החלל ... “And all the elders of that city *which is closest* to the corpse...”

The change from masculine plural to feminine singular suffix makes clear that the issue is which *city* is closest to the corpse and whose elders thus bear responsibility for cleansing the resultant impurity (consonant with Deut 21:3), not somehow the proximity of the elders themselves.¹⁷

In line 7, another minor alteration was very probably intended to normalize the grammar:

Deut 21:8 וְנִכְפַּר לָהֶם הַדָּם, “and the blood(guilt) shall be purged for them.”

TS 63:7 וְכּוֹפֵר לְהִמָּה הַדָּם, “and the blood(guilt) shall be purged for them.”

Deuteronomy’s unusual form נִכְפַּר, pointed by the Masoretes as a *hitqattel* (rare in the Hebrew Bible but much more common in later Hebrew), has been recognized by the author as anomalous and replaced with a standard *qattal* form.¹⁸

Line 8 (Deut 21:9) contains five minor alterations and three minor additions:

Deut 21:9 וְאַתָּה תְּבַעַר הַדָּם הַנָּקִי מִקְרַבְךָ כִּי תַעֲשֶׂה הַיָּשָׁר בְּעֵינֵי יְהוָה, “And you shall purge *the innocent blood from your midst; indeed, you shall do what is right in the eyes of YHWH.*”

TS 63:7–8 וְאַתָּה תְּבַעַר אֶת דָּם נָקִי מִיִּשְׂרָאֵל וְעֲשִׂיתָ הַיָּשָׁר וְהַטּוֹב לְפָנַי יְהוָה אֱלֹהֵיכֶם, “And you shall purge *innocent blood from Israel, and you shall do what is right and good before me, YHWH your God*”

¹⁶ See above, nn. 3–4.

¹⁷ See also Paganini, *Rezeption*, 193–94.

¹⁸ Paganini, *Rezeption*, 192. On the form, see e.g. Driver, *Deuteronomy*, 243–44.

The replacement of **כי תעשה** with **ועשיתה** may well be an attempt to smooth the syntax of the verse, as the function of **כי** is not entirely obvious in this context.¹⁹ The three final modifications (**לפני**, **והטוב**, and **אלוהיכה**) seem designed to bring this half-verse into conformity with formulations found elsewhere in the Scroll; see TS 53:7–8 **ועשיתה** **לפני**, **והטוב**, **אלוהיכה** (Deut 12:28) and 55:14 **הישר** **לפני**, **והטוב**, **אלוהיכה** (Deut 13:19).²⁰ Given the parallels, the two minor additions are best considered minor additions of material from elsewhere, although to be precise the nearest source of the additions is the formulation in an earlier passage in TS, not a formulation found elsewhere in MT or another known version.²¹

5.2 PASSAGE TWO: A SERIES OF LAWS GROUPED BY TOPIC (TS 52:1–21)

This second passage differs from the first in that, besides the minor changes found there, it contains various types of more substantial modification, especially rearrangements of sequence and addition of new material. The major effect of the changes is that TS here leaves off following the pentateuchal text sequentially and instead presents a group of topically related laws dealing with domestic animals and the rules for proper sacrifice of them.

The extant portion of the column begins with Deuteronomy 16:21–22 in lines 1–2, following on from the beginning of the ‘deuteronomic’ portion of the Scroll in 51:11, which contains Deut 16:18. A large

¹⁹ Aejmelaeus notes that **כי** can sometimes function in Biblical Hebrew essentially as a clause coordinator, with very little retention of the causal meaning that it usually has when it appears between two clauses. She suggests that, while **ו** functions as a “universal connective,” **כי** “appears in argumentative texts as a kind of argumentative coordinator.” Though she does not discuss Deut 21:9, deuteronomic law would certainly seem to fit the category of “argumentative texts.” See Anneli Aejmelaeus, “The Function and Interpretation of **כי** in Biblical Hebrew,” in *On the Trail of the Septuagint Translators: Collected Essays* (Kampen: Kok Pharos, 1993), 165–85, at p. 181.

²⁰ Paganini notes that TS consistently adds the word **טוב** wherever **ישר** appears without it in MT (*Rezeption*, 194).

²¹ In all three instances, MT SP reads **בעיני** where TS has **לפני**, and the word **אני** in 53:8 is an addition meant to adapt the verse to TS’s setting as the direct speech of God. TS’s reading **והטוב הישר** follows SP in 53:7–8 (Deut 12:28) and 55:14 (Deut 13:19), suggesting that this element could have been present already in the author’s *Vorlage*. In all three instances, G reads τὸ καλὸν καὶ τὸ ἀρεστὸν, thus reversing the two elements.

insertion, presumably containing injunctions against foreign religious practices and the worship of other gods, began in 51:19 and must have continued through most of the lacuna between cols. 51 and 52. Since 51:19 contains a clear reference to Deut 16:21 (the collocation נטע אשרה occurs only here), the more precise reuse of that verse in 52:1–2 may have the character of a repetitive resumption, bracketing the insertion. In any case, once TS moves on to Deut 16:22, it takes advantage of a parallel formulation to include related material from Lev 26:1.

Table 5.1: Combination of Deut 16:22 and Lev 26:1 in TS 52:2–3

	Deut 16:22	ולא תקים לך מצבה אשר שנא יהוה אלהיך
Lev 26:1	לא תעשו לכם אלילים ופסל ומצבה לא תקימו לכם ואבן משכית לא תתנו בארצכם להשתחוות עליה כי אני יהוה אלהיכם	
TS 52:2–3	ולוא תקים לכה מצבה [אשר שנאתי וא]בן [מ]שכית [לן]א תעשה לכה בכול ארצכה להשתח[ות] עליה	
Deut 16:22	Do not erect for yourself a standing stone, <u>which</u> YHWH your God <u>hates</u> .	
Lev 26:1	Do not make for yourselves idols, and <u>do not erect for yourselves a graven image or a standing stone, and a carved stone you shall not set up in your land so as to prostrate yourselves to it</u> , for I am YHWH your God.	
TS 52:2–3	Do not erect for yourself a standing stone, [<u>which I hate, and a c</u>]arved [<u>st</u>]one you shall [<u>no</u>]t make for yourself in all <u>your land so as to prostr[ate] yourself to it</u> .	

Since it does not seem that Lev 26:1 appeared anywhere else in the Scroll, this insertion represents a moderate rearrangement: this half-verse was given a new context as part of the deuteronomic law proscribing idolatry. The rearrangement also involved a moderate omission (of אני יהוה אלהיכם), a minor addition (לכה בכול), and a minor alteration (תתנו תעשה for תעשה).

Line 4 returns to Deuteronomy with the next verse, 17:1. Aside from the typical change from third-person אלהיך to first person לי, the only change of any significance is the following:

Deut 17:1 לא תזבח ליהוה אלהיך שור ושה אשר יהיה בו מום כל דבר רע, “You shall not sacrifice to YHWH your God an ox or a sheep in which there is a blemish, any serious problem.”

TS 52:4 ולוא תזבח לי שור ושה אשר יהיה בו כול מום רע, “You shall not sacrifice to me an ox or a sheep in which there is *any serious blemish*.”

This change constitutes a minor alteration or, perhaps better, a minor replacement from elsewhere; in either case it conforms the formulation of this verse to the prohibition of slaughtering a firstling with a blemish (see Deut 15:21 and TS 52:10, below).²²

In line 5 we find the injunction ולוא תזבח לי שור ושה ועז והמה מלאות כי תועבה המה לי, “You shall not sacrifice to me an ox or a sheep or a goat that is pregnant, for it is an abomination to me.” This is not a law found in the Pentateuch; thus it is an addition of new material.²³ Interestingly, the addition is clearly modeled upon the preceding law regarding animals with blemishes (both open with the phrase ולוא לי תזבח and end with כי תועבה המה לי). As the rest of this chapter will demonstrate, it is a characteristic feature of TS that new content—laws or other materials that are not found in the Pentateuch—is often patterned after existing texts. Addition of new material thus here approximates addition of material from elsewhere.²⁴

Line 6 continues the collection of related materials from around the Pentateuch, now moving from Deuteronomy to Leviticus:

Lev 22:28 וישור ושה אתו ואת בנו לא תשחטו ביום אחד, “An ox or a sheep, it and its offspring, you shall not *slaughter* on the same day.”²⁵

TS 52:6 וישור ושה אותו ואת בנו לוא תזבח ביום אחד, “An ox or a sheep, it and its offspring, you shall not *sacrifice* on the same day.”

The only noteworthy change made by the author of TS is the minor alteration תזבח for תשחטו, probably to make the language of the law

²² As Schiffman points out, there may also be a halakhic issue here, since it was not clear to all interpreters of Deut 17:1 that מום and רע דבר רע were synonymous; *Tg. Ps-J.* interpreted them as two different things. The change makes clear that only one type of problem, physical blemish, is at issue. See Lawrence H. Schiffman, “Some Laws Pertaining to Animals in *Temple Scroll*, Column 52,” in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies*, Cambridge, 1995 (ed. Moshe Bernstein et al.; STDJ 23; Leiden: Brill, 1997), 167–78, at pp. 168–69; also Paganini, *Rezeption*, 56.

²³ On this law in the context of Second Temple period halakhic debates about the status of a fetus, see Teeter, “You Shall Not Seethe,” 54–55.

²⁴ On this issue, see below, section 5.5.

²⁵ This is the reading of SP; MT G have ישור אן שה. That TS follows SP here suggests that this was the reading in its pentateuchal *Vorlage*.

consistent with the other laws in this section.²⁶ Following this, TS moves to Deut 22:6b:

Deut 22:6b לא תקח האם על הבנים, “You shall not take the mother along with the young.”

TS 52:6–7 ולוא תכה אם על בנים, “and you shall not *strike* a mother along with (her) young.”

Beside some very minor alterations—addition of an initial copula and absence of definite articles—the author makes one important alteration to this clause, the substitution of הכה, “strike,” for לקח, “take.” This minor alteration serves to adapt the clause to its new context: in Deut 22:6, the context is the discovery of a bird’s nest, with the mother bird brooding over eggs or hatchlings. In that context, לקח is appropriate, whereas here the reference is to domestic animals, and הכה is more fitting.²⁷ Furthermore, in this case we are not dealing with rearrangement, but with addition of material from elsewhere, since Deut 22:6 appears in its entirety in TS 65:2–4.

From the topic of mothers and young of animals suitable for sacrifice TS moves to the related subject of the firstlings of domestic animals. 52:7–12 contains the text of Deut 15:19–23 with only a few minor alterations, additions, and omissions, alongside the expected change to the first person with reference to God. While several of these changes are of little significance, three are somewhat more interesting.²⁸ The following minor omission may have halakhic significance:

²⁶ For a discussion of this change, see Zahn, “New Voices,” 444–45.

²⁷ Yadin agrees that Deut 22:6b is included at this point, but also suggests that the specific formulation here is based on Gen 32:12, פן יבוא והכני אם על בנים, “lest he come and slay me [= my household], mother and children together”; Yadin, *Temple Scroll*, 2:233. It is not clear to me, however, that the presence of the verb הכה here in TS mandates a connection with Gen 32:12. If we presume that the author intended to include Deut 22:6b at this point, but realized that the verb לקח was not appropriate to the context, it seems more likely that he would independently choose a more neutral verb like הכה than that he would draw on an only marginally related nonlegal passage for the formulation. The same can be said of Paganini’s suggestion that the “inspiration” for the change from לקח to הכה came from the use of הכה in Deut 20:13–14 (*Rezeption*, 59): the laws of war in Deuteronomy 20 differ contextually from the rules for slaughter of animals discussed here, and the mere presence of the verb הכה and the mention of animals (והבהמה, 20:14) is not sufficient to establish a connection between the two passages. For a discussion of the difficulty of reliably identifying TS’s scriptural sources in borderline cases, see my forthcoming article, “Identifying Reuse of Scripture in the Temple Scroll: Some Methodological Reflections.”

²⁸ Besides the examples discussed below and the change to the first person, there are only a handful of unique readings in these lines. There are no clear cases of minor

Deut 15:20 לפני יהוה אלהיך תאכלנו שנה בשנה במקום אשר יבחר יהוה אתה וביתך, “Before YHWH your God you shall eat it, year by year, in the place which YHWH will choose, *you and your family.*”

TS 52:9 לפני תואכלנו שנה בשנה במקום אשר אבחר, “Before me you shall eat it, year by year, in the place which I will choose.”

Although the straightforward meaning of the law in Deuteronomy is that it is the owner of the firstlings that should consume their meat, elsewhere in the Pentateuch (and in TS) firstlings are regarded as part of the priestly prebends.²⁹ Thus the phrase “you and your family,” which stresses the owner’s right to eat the firstlings he offers, may have been omitted in order to facilitate the subordination of this verse to the priestly view.³⁰

A minor alteration in 52:9 adjusts the casuistic continuation of the firstlings law, which began with an apodictic formulation:

alteration: דמו for הדם in 52:11 = Deut 15:23 is also attested in G; Paganini’s attempt to read it as a deliberate clarifying change in TS (*Rezeption*, 65) cannot be defended. In another apparent case, Yadin reads כשנה for MT בשנה in 52:9 = Deut 15:20; however, as several scholars have noted, the letter that Yadin reads as כ appears in fact to be a ב. The two are very similar in 11Q19, but ב tends to be wider and have a more pronounced upper serif. See Schiffman, “Some Laws,” 170. Otherwise, I note only one minor omission (of את in 52:11 = Deut 15:23), and one minor addition (of בכה in 52:11 = Deut 15:22, but cf. G). Two further cases of minor alteration (בבקרך ובצאנך הזכרים for MT, SP בבקרך ובצאנך הזכרים in 52:7–8 = Deut 15:19) also correspond to G (and V). Despite the fact that G and V have the plural for all three terms in this string rather than just two as in TS, in my mind it remains likely that TS here follows a *Vorlage* different from MT. Because of the shared reading I do not feel comfortable concluding, as Paganini does, that TS here deliberately updates the language of the verse because בקר in the singular was allegedly no longer understood as a collective noun (*Rezeption*, 61; see also Schiffman, “Some Laws,” 170).

²⁹ See Num 18:18–19; TS 60:2.

³⁰ See Schiffman, who notes that tannaitic halakhah agreed that firstlings were due the priests (“Some Laws,” 170–71, followed by Paganini, *Rezeption*, 62). It should be noted that, even with the omission in TS, the straightforward meaning of the clause is that the one who brings the offering—i.e. the owner—is the “you” who is to eat it; in fact, Yadin argues that this is the meaning TS intends here, despite the contradiction with 60:2 (*Temple Scroll*, 1:314–15, 2:234). Schiffman and Paganini downplay the contradiction that still exists within the Scroll, while Yadin notes the discrepancy but does not explain it. If TS intends the law to apply to the householder as in Deuteronomy, why omit אתה וביתך (as Schiffman asks)? It is always possible that the omission was unintentional or appeared in a *Vorlage*, but given its uniqueness and relevance to halakhic issues this may be less likely. On the other hand, if the author was really concerned to stress that firstlings belong to the priests, why was this law not edited more heavily? Perhaps the author did not feel it necessary to intervene heavily here, thinking that the minor omission would allow for an interpretation along the lines of 60:2 even if this interpretation did not preserve the straightforward sense of the law.

- Deut 15:21 ... **וכי** יהיה בו מום פסח או עור כל מום רע. “But if it has a defect, (if) it is lame or blind; any serious defect...”
- TS 52:9–10 ... **ואם** יהיה בו מום פסח או עור או כול מום רע. “But if it has a defect, (if) it is lame or blind or has any serious defect...”³¹

This seemingly insignificant change in fact reflects the depth of TS’s hermeneutical engagement with pentateuchal law. As I and Bernard Levinson have discussed elsewhere, in a linguistic situation where the conditional use of **כי**, so common in pentateuchal law, has become rare, TS seeks to use **כי** more consistently than the Pentateuch does. It follows the Covenant Code in restricting **כי** to marking the protasis of a new legal statement and using **אם** to mark further subconditions. In those cases where Deuteronomy goes against this principle and uses **כי** to introduce legal subconditions instead of new laws, TS changes Deuteronomy’s **כי** to **אם**.³²

Finally, a small addition to the end of v. 23 is also of hermeneutical significance:

- Deut 15:23 רק את דמו לא תאכל על הארץ תשפכנו כמים “Only its blood you shall not eat; you shall pour it out on the ground like water.”
- TS 52:11–12 רק הדם לוא תואכל על הארץ תשופכנו כמים **וכסיתו בעפר** “Only the blood you shall not eat; you shall pour it out on the ground like water *and cover it with dust.*”
- Cf. Lev 17:13 **ושפך את דמו וכסהו בעפר** “he shall pour its blood out *and cover it with dust.*”

The same addition is made to Deut 12:24 in TS 53:5–6. According to the classificatory terms I have developed thus far, this change is a minor rearrangement, since Lev 17:13 does not appear elsewhere in the Scroll. In this case, the original law to which the provision applied, the slaughter of wild game, is omitted from TS’s version of pentateuchal law, but since Deut 12:22–24 (on nonsacrificial slaughter) and 15:22–23 (on blemished firstlings) both *compare* the object of their law to wild game, and since those laws both require the pouring out of

³¹ Contra Paganini (*Rezeption*, 65), the fact that TS shares the reading **אם** **כול** **מום** **רע** with SP, G, V, and S makes it highly likely that this was the reading of TS’s pentateuchal *Vorlage* rather than an independent clarifying change; see also Schiffman, “Some Laws,” 171.

³² See Levinson and Zahn, “Revelation Regained,” 314–27.

the animal's blood just as the blood of wild game is to be poured out, the author likely reasoned that covering the blood with dust, required for wild game, was also required here. Yadin refers to this in his commentary as an "extreme case of harmonizing," but hints elsewhere at a different dynamic. The purpose here appears to be not so much harmonizing of texts as halakhic 'homogenization' (a term coined by Milgrom): a prescription originally limited to a single law (the disposal of the blood of wild animals) is taken to apply also to similar laws (the disposal of the blood of domestic animals not slaughtered at the altar).³³

Line 12 continues with two laws that do not concern sacrifice, but perhaps were inserted because of their focus on domestic animals.³⁴

Deut 25:4 לֹא תַחֲסֵם שׁוֹר בְּדִישׁוֹ, "You shall not muzzle an ox while it threshes."

TS 52:12 וְלֹא תַחֲסֵם שׁוֹר עַל דִּישׁוֹ, "And you shall not muzzle an ox while it threshes."

Deut 22:10 לֹא תַחַרֵּשׁ בַּשׂוֹר וּבַחֲמֹר יַחְדוֹ, "You shall not plow with an ox and a donkey together"

TS 52:13 וְלֹא תַחַרֵּשׁ בַּשׂוֹר וּבַחֲמֹר יַחְדוֹ, "And you shall not plow with an ox and a donkey together."

³³ See Yadin, *Temple Scroll*, 1:315, 2:234; Schiffman, "Deuteronomical Paraphrase," 560. On the principle of homogenization, see Jacob Milgrom, "The Qumran Cult: Its Exegetical Principles," in *Temple Scroll Studies* (ed. George J. Brooke; JSPSup 7; Sheffield: Sheffield Academic Press, 1989), 165–80, at pp. 171–75. Paganini's attempt to argue that TS does not necessarily draw deliberately from Lev 17:13 here (*Rezeption*, 84) is unpersuasive because of the clear ties between the two laws already present in the Pentateuch.

³⁴ Yadin asserts that these two laws were included here because they are "out of place" in their biblical locations. It is true that Deut 25:4 does not have any ties to its surroundings, sandwiched as it is between laws for corporeal punishment (25:1–3) and levirate marriage (25:5–10)—although the two sets of laws on either side do not have much connection to one another either. Deut 22:10, however, fits perfectly well among other laws prohibiting certain mixtures. Yadin agrees that the laws were probably inserted because they dealt with animals, but suggests that the primary reason for the insertion was the proximity of 22:10 to 22:6, "you shall not take the mother with the young," which was cited earlier in the column. This explanation fails to convince, first because it does not account for the presence of 25:4, and second because there is no clear evidence that the author worked in such an associative way, here or elsewhere. For the discussion, see Yadin, *Temple Scroll*, 1:315–16. Envisioning a sort of key-word connection as opposed to a general topical connection, Brin suggests instead that both laws were included because they pertain to a שׁוֹר, "ox"; he also points to the occurrence of the word יַחְדוֹ, "together," in the law for eating a blemished firstling (TS 52:11) and in Deut 22:10. See Brin, "הַמְקָרָא בַּמְגִילַת הַמִּקְדָּשׁ," 208.

The differences between TS and the pentateuchal text of both laws are very minor.³⁵

In lines 13–16, TS contains a law requiring that all clean animals—that is, those fit for sacrifice—belonging to all Israelites who live within a three-days’ journey of the Temple be slaughtered only inside the Temple as a burnt offering or peace offering: there is no secular slaughter permitted for those living within this distance from the Temple. The text is worth quoting in full:

	לוא תזבח שור ושה ועז טהורים	13
	בכול שעריכה קרוב למקדשי דרך שלושת ימים כי אם בתוך	14
	מקדשי תזבחנו לעשות אותו עולה או זבח שלמים ואכלתה	15
	ושמחתה לפני במקום אשר אבחי לשום שמי עליו	16
13	You shall not slaughter a clean ox or sheep or goat	
14	in any of your gates within a three-days’ journey of my temple, but inside	
15	my temple you shall sacrifice it, so as to offer it as a burnt offering or an offering of well-being, and you shall eat	
16	and rejoice before me in the place upon which I will choose to place my name.	

This short paragraph has connections of content and language with both Deuteronomy 12 and Leviticus 17. Deuteronomy 12 famously confines all cultic sacrifice to the single “place that YHWH will choose,” while allowing non-sacrificial slaughter away from the Temple for the purposes of meat consumption. Leviticus 17 appears to take a stricter view, requiring that all slaughtered animals be brought “to the entrance of the tent of meeting” and offered sacrificially.³⁶ In this passage, TS charts a middle course and implicitly suggests a resolution to the tension between the two laws, banning secular slaughter for those within a three-days’ journey of the Temple.³⁷ That TS did allow for some non-sacrificial slaughter is indicated by the beginning of col. 53, which contains Deut 12:21–25, a text that allows for secular slaughter

³⁵ Schiffman notes that addition of conjunctive ׀ at the beginning of sentences “is typical of the style of the scroll” (“Some Laws,” 173). Less convincing is the suggestion, followed by Paganini, that the switch from *בדישו* to *על דישו* is meant to resolve ambiguities inherent in this law (Schiffman, “Some Laws,” 173; Paganini, *Rezeption*, 68–69). The law is certainly unclear, and Schiffman points out the exegetical debates surrounding it, but given that *על* also carries a variety of senses it is hard to see how its use here makes the law any clearer.

³⁶ Jacob Milgrom, *Leviticus 17–22* (AB 3A; New York: Doubleday, 2000), 1452–63.

³⁷ For a discussion, see Yadin, *Temple Scroll*, 1:316–20.

“if the place that YHWH your God will choose is too far from you.”³⁸ There is no proof, of course, that any connection was made at the top of col. 53 to the law in 52:13–16, but a natural assumption would be that the author of TS has concretized Deuteronomy’s vague “too far from you” into the absolute distance of a three-days’ journey.³⁹

³⁸ It should be noted that the preceding paragraph (Deut 12:13–19) appears to permit secular slaughter no matter where one is in relationship to the Temple, just as long as the slaughter is for the purpose of eating meat and is not sacrificial in nature. On the relation of the two paragraphs, see Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997), 39–42.

³⁹ Schiffman suggests that the exegetical reasoning that “too far” is anything greater than a three-days’ journey is based on analogy with Exod 8:23–24, where the Israelites’ proposed three-days’ journey into the desert is near enough to Egypt that Pharaoh allows it but adds, “only do not go too far.” See Lawrence H. Schiffman, “Sacral and Non-Sacral Slaughter According to the Temple Scroll,” in *Time to Prepare the Way in the Wilderness* (ed. Devorah Dimant and Lawrence H. Schiffman; STDJ 16; Leiden: Brill, 1995), 69–84, at p. 77; Bernstein and Koyfman, “Interpretation of Biblical Law,” 86.

In two recent publications, Aharon Shemesh has argued that the intent of the author in TS 52:13–16 was not to prohibit non-sacral slaughter, as most commentators have assumed, but to prohibit *sacrificial* slaughter within a three-days’ journey of the Temple; see Aharon Shemesh, “‘Three-Days’ Journey from the Temple’: The Use of This Expression in the Temple Scroll,” *DSD* 6 (1999): 126–38; idem, “A New Reading of 11QT^a 52:13–16,” in *The Dead Sea Scrolls: Fifty Years After Their Discovery* (ed. Lawrence H. Schiffman et al.; Jerusalem: Israel Exploration Society/Shrine of the Book, Israel Museum, 2000), 400–10. This position, with its implication that TS permitted sacrifice in locations more than three days from the Temple, is only made plausible by Shemesh’s concomitant argument that “three days’ journey” in fact represents, for the author of TS, the borders of the Land of Israel. He bases himself partly on an interpretation of Exod 8:21–22, where Pharaoh’s suggestion that Israel sacrifice to its God “within the land” is met by Moses’ rejoinder that, since the Israelites’ sacrifice is odious to the Egyptians, it must be performed where the Egyptians cannot witness the sacrifice; thus he requests permission to journey three days into the wilderness. I do not think that this one exchange can support Shemesh’s claim that “‘three-days’ journey’ does not necessarily indicate a precise distance but rather designates an area outside the boundaries of the land” (Shemesh, “‘Three-Days’ Journey,” 127). Shemesh’s second main argument is also problematic: based on the Mishnah’s description of the distance of a single day’s journey from Jerusalem, he calculates that a three-days’ journey would have encompassed all of the Land of Israel except perhaps the Upper Galilee (Shemesh, “‘Three-Days’ Journey,” 126; Shemesh, “New Reading,” 406). One might object that such a radius from Jerusalem would also encompass a great deal of territory *outside* the land, thus vitiating the analogy between a three-days’ journey and the borders of Eretz Israel. A more pertinent objection is that the author of TS is unlikely to have taken such a pragmatic perspective, since pragmatism does not seem to be of primary concern in the Scroll: after all, TS allows no one to defecate within the Temple city (46:13–16), and the dimensions of the Temple courts are so vast that implementation of them would have required a major terraforming operation in which, among other changes, the Kidron valley would have to be filled in; see Magen Broshi, “The Gigantic Dimensions of the Visionary Temple in the Temple Scroll,” in *Understanding the Dead Sea Scrolls* (ed. Hershel Shanks; London: SPCK, 1993), 113–15. Without the assumption that “three days’ journey” refers to the entire

With regard to compositional technique, TS 52:13–16 seems best regarded as a (condensing) paraphrase of Deuteronomy 12.⁴⁰ More specifically, the author seems to have drawn primarily on Deut 12:5–7.⁴¹ The *כי אם*-clause at the end of line 14 (*כי אם בתוך מקדשי תזבחנו*) recalls Deut 12:5–6, *כי אם אל המקום אשר יבחר יהוה... תדרשו ובאת*, “But rather, to the place that YHWH will choose... you shall turn, and come there, and bring there your burnt offerings and your sacrifices” (cf. also v. 14). The mention of *עולה או זבח שלמים* (TS 52:15) is loosely parallel to the list of sacrifices, beginning with *עלתיכם וזבחיכם*, in Deut 12:6, though I would argue that the actual formulation in TS is based upon Leviticus 17 (see below). To *ואכלתה ושמתה לפני* we can compare Deut 12:7, *ואכלתם שם לפני יהוה אלהיכם ושמתם בכל משלח ידכם*, “And you shall eat there before YHWH your God, and you shall rejoice in all your undertakings” (cf. also 12:12, 18). Although various versions of the centralization formula (see line 16, *במקום אשר אבחר לשום שמי עליו*) occur throughout this chapter (Deut 12:5, 11, 14, 18, 21, 26), only 12:5 and 21 resemble TS 52:16 in reading *לשום (את) שמו שם*. The phrase *בכל שעריך* does not occur in Deut 12:5–7, but does appear in 12:15 (and cf. *בשעריך* in vv. 17, 18, and 21). Thus this passage follows the contours of Deut 12:5–7 without actually reproducing more than a few words of those verses at a time.

A few aspects of this passage, however, point not to Deuteronomy 12 but in another direction. The opening clause of the law, *לוא תזבח*, follows the pattern of the laws in 52:4 and 5, which both open... *שור ושה*... *ולוא תזבח לי שור ושה*. In its mention of slaughter and the list of animals, it also resembles the formulation of Lev 17:3–4:

איש איש מבית ישראל אשר ישחט שור או כשב או עז... ואל פתח אהל... מועד לא הביאו... “Any man from the house of Israel who slaughters an ox or a lamb or a goat... and does not bring it to the entrance of the tent of meeting...”

land, there is no compelling reason to interpret TS 52:13–16 as referring to sacrifice as opposed to non-sacral slaughter; the passage makes more sense when viewed as an exegetical response to the vague “too far from you” of Deut 12:21, with non-sacral slaughter at issue.

⁴⁰ On the highly repetitive nature of Deuteronomy 12 and the reduction of this repetition in TS, see Emanuel Tov, “Deut. 12 and 11QT_{Temple} LII–LIII: A Contrastive Analysis,” *RevQ* 15 (1991): 169–73.

⁴¹ Schiffman, “Sacral and Non-Sacral Slaughter,” 76–78.

Again, from the perspective of compositional technique, one could argue that TS has paraphrased the casuistic legal formulation of Lev 17:3–4 (which determines that anyone found slaughtering outside the tent of meeting will be “cut off from the midst of his people”) into an apodictic prohibition: “You shall not slaughter a clean ox or sheep or goat in any of your gates...” Further evidence that the author of TS had Lev 17:3–4 in mind comes from the phrase לעשות אותו עולה או זבח שלמים. Here TS appears to be citing a text tradition other than that represented by the MT: while the phrase לעשות אותו in reference to a sacrificial animal occurs in MT only at Lev 17:9, an addition to 17:4 attested in G, SP, and 4QLev^d—and arguably based on Lev 17:9—contains the clause לעשות אתו עלה או שלמים ליהוה. The almost exact repetition of this clause in TS suggests strongly that it was present in the author’s pentateuchal *Vorlage*.⁴² Finally, the distinctive addition from the author, קרוב למקדשי דרך שלושת ימים, effects an interpretive compromise between Deuteronomy 12 and Leviticus 17, neither banning secular slaughter outright nor permitting it outright.⁴³

The subject of eating meat returns the author to the issue of blemished animals. So far, col. 52 has repeated the pentateuchal laws concerning animals with a *מום*: animals with a blemish cannot be sacrificed (Deut 17:1 = 52:4), and, more specifically, firstlings with a blemish cannot be sacrificed but may be eaten in the towns (Deut 15:21–22 = 52:9–12). The Pentateuch does not specifically detail what should be done with clean, non-firstling animals with blemishes, so the author of TS creates a new law that is clearly extrapolated from the treatment of blemished firstlings prescribed in Deut 15:21–22:

TS 52:16–19: וכול הבהמה הטהורה אשר יש בה מום בשעריכה תואכלנה רחוק ממקדשי סביב שלושים רס לוא תזבח קרוב למקדשי

⁴² On this plus, see Teeter, “Exegesis.” Teeter argues convincingly that the plus is a secondary exegetical expansion, based on the language of Lev 17:8–9 and intended to suggest that the whole of Lev 17:1–9 pertains only to sacrificial slaughter, thus removing any tension between this law and the permission for non-sacrificial slaughter granted in Deuteronomy 12.

⁴³ Paganini hesitates to see an interpretive function in these lines, regarding TS’s formulation as an “independent composition” in which the deuteronomic law “functions only as a vague recollection” and Leviticus 17 “plays no substantial role” (*Rezeption*, 72–73). It is true that TS does not closely follow Deut 12:5–7 or Lev 17:3–4 in its wording, but there are enough overlaps in formulation to make a strong argument that these verses did influence TS’s wording here, and the result of TS’s rewriting—a law that basically effects a compromise between Deuteronomy and Leviticus—strongly suggests exegetical engagement with these texts.

כי בשר פגול הוא, “Any clean animal which has a blemish: you shall eat it in your gates, far from my temple (at a distance of) thirty stadia all around; you shall not slaughter (it) near my temple, for it is foul flesh.”

This law addresses a topic not covered in the Pentateuch, yet it is not simply an addition of new material. The author of TS draws on the language of specific pentateuchal laws in order to construct at least part of his new law. The first clause, וכול הבהמה הטהורה אשר יש בה, מום, appears to be an expanded version of the opening of Lev 22:20, (לא תקריבו), “Anything which has in it a blemish (you shall not offer).”⁴⁴ The next clause, בשעריכה תואכלנה, “in your gates you shall eat it,” is precisely equivalent to Deut 15:22a, which refers to eating blemished firstlings. The reuse indicates the author’s train of thought: he is regarding all blemished animals like blemished firstlings. The rest of this new law, however, lacks clear connections to specific pentateuchal verses. Thus in this instance addition of material from elsewhere is combined with addition of new material.⁴⁵

The situation is similar for the final extant lines of col. 52:

TS 52:19–21: לוא תואכל בשר שור ושה ועז בתוך עירי אשר אנוכי מקדש לשום שמי בתוכה אשר לוא יבוא לתוך מקדשי וזבחו שמה וזרקו את דמו על יסוד מזבח העולה ואת חלבו יקטירו...

⁴⁴ Yadin traces the formulation מכל הבהמה הטהורה in TS back to Gen 7:2, “From all the clean animals you shall take seven and seven”; Yadin, *Temple Scroll*, 2:235. The underlying assumption that every phrase in TS that has a biblical parallel, no matter how remote, must have been influenced by that parallel is characteristic of Yadin’s comments on the use of the Bible in TS, and also recurs in the monograph by Swanson. However, no matter how clearly the author of TS wanted to make his text sound ‘biblical,’ he need not have had a specific biblical verse in mind for everything he wrote. His familiarity with the text would have allowed him to mimic its register and vocabulary even without referring to specific verses (similarly, see already Brin, “המקרא במגילת המקדש,” 224). Thus there is no good reason to assume a connection with Gen 7:2 here; more likely, the phrase הטהורה simply reflects a summary of טהורים ועז טהורים (referring to clean, unblemished animals) in 52:13. For the methodological issues involved, see Zahn, “Identifying Reuse.”

⁴⁵ Schiffman notes that this law appears to radically circumscribe TS’s ban on the slaughter of domestic animals within a three-days’ journey of the Temple, since it allows the slaughter of blemished animals only a couple of miles from the Temple (30 רס is defined in rabbinic literature as approximately 4 Roman miles, equal to around 4 km). The law thus implies that the three-days’ journey restriction applies only to animals that are fit for sacrifice; that is, unblemished. See Schiffman, “Some Laws,” 175–78. Contra Schiffman, I do not think the reduced application of the three-days’ journey restriction is so illogical as to justify reading this law as intended only for blemished firstlings despite its plain application to “any clean animal.”

“You shall not eat the flesh of an ox ^{or sheep} or goat within my city, which I consecrate to put my name there, that does not come within my Temple, and they shall sacrifice there and sprinkle its blood on the base of the altar of burnt offering, and its fat they shall turn to smoke...”

The author now provides the corollary of the law prohibiting secular slaughter near the Temple: he prohibits the consumption of meat resulting from secular slaughter within the Temple city. No such rule, referring specifically to eating, is made explicit in the Pentateuch. Again, much of the law is the formulation of the author, but at several points it becomes evident that the author is drawing upon a specific passage for some of his language. In this case, Lev 17:3–6, which as noted above prohibits slaughter anywhere besides the tent of meeting, appears to constitute the source. Although several circumstances have changed (eating vs. slaughter, Temple city vs. desert camp), some clear points of contact are evident.

To לוא תואכל בשר שור ושה ועז בתוך עירי

Compare Lev 17:3 ... אשר ישחט שור או כשב או עז במחנה.
“Any man... who slaughters an ox or a lamb or a goat within the camp...”

To אשר לוא יבוא בתוך מקדשי

Compare Lev 17:4 ואל פתח אהל מועד לא הביאו, “and does not bring it to the entrance of the tent of meeting.”

To זבחו שמה וזרקו את דמו על יסוד מזבח העולה ואת חלבו יקטירו

Compare Lev 17:5–6 זבחו זבחי שלמים... וזרק הכהן את הדם על מזבח... והקטיר החלב, “And they shall slaughter sacrifices of well-being... and the priest shall scatter the blood upon YHWH’s altar... and he shall turn the fat into smoke...”⁴⁶

We might speculate that these verses were fresh in the author’s mind because they had just been used a few lines previously to construct the law prohibiting non-sacrificial slaughter within a three-days’ journey of the Temple; here they are used again to create a related stipulation covering a situation not dealt with explicitly in the Pentateuch. Again, a legal innovation is not constructed from scratch, but is created via

⁴⁶ The mention of the יסוד, “base,” of the altar reflects a regular change by the author of TS; see also 23:13; 34:8. For a discussion, see Zahn, “Schneiderej,” 276–77.

a mixture of addition of new material and addition of material from elsewhere in the Pentateuch.

5.3 PASSAGE THREE: ONE LAW OUT OF MANY (TS 17:6–16)

The Temple Scroll is well known for combining parallel laws into a single command; as Yadin put it, “unifying duplicate commands.”⁴⁷ A prime example of this phenomenon is TS’s law for the festivals of Pesach and Mazzot in col. 17. The Pentateuch contains laws pertaining to these two festivals not only in the various festival calendars (Exod 23:15; 34:18; Lev 23:5–8; Num 28:16–25; Deut 16:1–8), but also in Exod 12:1–28; 13:3–10; Num 9:1–14. TS presents only a single law on Pesach and Mazzot, drawing on different elements of the various laws but also adding its own clarificatory remarks.

The law on Pesach that opens in line 6 appears to begin in familiar fashion, although the column is still somewhat fragmentary at this point. Reconstructing the lacunae according to Lev 23:5, Yadin reads:

[ועשו] [בארב] עה עשר בחושד הראישון [בין הערבים פסח ליהוה] they [shall perform on the fo]urteenth of the first month, [between the evenings, a Passover to YHWH]”⁴⁸

The date is mentioned at the opening of the laws in Lev 23:5; Num 9:3; 28:16, although never exactly in this form:

Lev 23:5 ... בחדש הראשון בארבעה עשר לחדש

Num 28:16 ... ובחדש הראשון בארבעה עשר יום לחדש

Num 9:3 ... בארבעה עשר יום בחדש הזה

Since only Num 9:3 has the day before the month, as in TS, the author may have had Numbers 9 specifically in mind at this point, perhaps in a version slightly different from that preserved in MT.⁴⁹ If this is the case, TS’s compositional technique could be described as minor omission (of יום), along with the apparent minor addition of the opening verb ועשו. On the other hand, the author may have had the formulation of Lev 23:5 or Num 28:16 in mind, and used the technique of

⁴⁷ Yadin, *Temple Scroll*, 1:74.

⁴⁸ Yadin, *Temple Scroll*, 2:74.

⁴⁹ Note the reading of G, which matches TS even more closely: τῆ τεσσαρεσκαδεκάτῃ ἡμέρᾳ τοῦ μηνὸς τοῦ πρώτου, “On the fourteenth day of the *first* month.”

rearrangement to reverse the sequence to match the introduction to the law on Mazzot in 17:10: "...ובחמשה עשר לחדש הזה..."; here TS matches Lev 23:6; Num 28:17 in mentioning the day before the month. There also would have been a minor omission, since the word **לחדש** appears not to have been incorporated.

After this general instruction which opens the law, TS includes at least two extrabiblical prescriptions:

TS 17:7-8: **וזבחו לפני מנחת הערב וזבחו [?] מבן עשרי[ם] שנה ומעלה יעשו אותו**, "And they shall sacrifice it before the evening sacrifice, and they shall sacrifice [?...] From twent[y] years and up they shall keep it."

Both extant clauses constitute halakhic clarifications of aspects of the law that are not spelled out in the pentateuchal legislation. The first addresses the issue of the order of sacrifice: was the Passover to be slaughtered before or after the daily *tamid* offering?⁵⁰ The second legislates the age from which observance of Pesach was required.⁵¹ The lacuna in the middle clause is unlikely to have contained more than a single word; Yadin suggests **וזבחו [במועדו]**, "and they shall sacrifice at its appointed time." This reading is really no more than a guess, but if it is correct it might constitute a reference to Num 9:3, **בארבעה עשר יום תעשו אתו במועדו**, "On the fourteenth day...you shall observe it *at its appointed time*." From the compositional point of view, the material before the lacuna represents an addition of new material; it does not appear to use language from any particular biblical verse. What follows the lacuna may, in part, represent an addition of material from elsewhere: the phrase "from twenty years old and upward" occurs in Num 1:3 and throughout Numbers 1, where it represents the "whole congregation of the children of Israel" that is to be included in the census.⁵² Since the "whole assembly of the congregation of Israel" is required to slaughter the Passover (Exod 12:6), the author of TS may have made a connection between the two verses and reasoned that

⁵⁰ It should be noted that the decision in TS, that the Passover is to be slaughtered before the afternoon *tamid* offering, contradicts the rabbinic position; see Yadin, *Temple Scroll*, 1:96-97.

⁵¹ The Passover law in the book of Jubilees contains the same nonpentateuchal prescription (Jub 49:17).

⁵² See also Exod 30:14, on the half-shekel payment to the sanctuary; Yadin, *Temple Scroll*, 1:97.

twenty was the age of legal obligation for this law.⁵³ We should not be too quick, however, to assume TS is drawing on a specific biblical verse here: since the phrase occurs about 20 times in the Pentateuch and 26 times total in the Hebrew Bible, the author may simply have regarded it as a stock phrase for legal majority.

The rest of the law for Pesach paraphrases several aspects of the pentateuchal legislation. It reads:

TS 17:8–9: ואכלוהו בלילה בחצרות [ה]קִדְשׁ והשכימו והלכו איש לאוהלו,
“and they shall eat it at night in the courts of the holy place,
and they shall get up early and each shall go to his tent.”

The sequence of eating—place of eating—return makes clear that the source of the paraphrase is Deuteronomy:

Deut 16:7 ובשלת ואכלת במקום אשר יבחר יהוה אלהיך בו ופנית בבקר
והלכת לאהל־יך, “You shall boil it and eat it in the place that
YHWH your God will choose, and you will turn in the
morning and go to your tents.”

The insertion of בלילה, “at night,” may reflect a conscious reference to Exod 12:8, ... ואכלו את הבשר בלילה הזה... “and they shall eat the meat *on this night*...” This is the only verse that explicitly states that the Passover is to be eaten at night, although this can be inferred from other verses that require the sacrifice to be performed at evening and forbid leaving any of the meat over until the next morning (Num 9:3–4, 11–12; compare Deut 16:6–8). The phrase בחצרות הקודש is functionally equivalent to Deuteronomy’s statement that the Pesach must be eaten at “the place that YHWH your God will choose”; TS simply dispenses with the historical fiction.⁵⁴ Finally, the phrase והשכימו והלכו איש לאוהלו is virtually synonymous with בבקר והלכת לאהל־יך aside from the change to the third-person plural. Indeed, one wonders why the author of TS bothered to rephrase this clause at all. That the author of TS feels free to paraphrase the pentateuchal text even when clearly referring to a specific verse is a revealing sign of his independent stance towards Scripture.

The prescriptions for the adjacent festival of Mazzot (17:10–16) are somewhat more closely tied to the wording of the corresponding pen-

⁵³ This is Yadin’s interpretation; *Temple Scroll*, 1:97.

⁵⁴ An appropriate move, given that TS contains instructions for building the Temple!

tateuchal legislation. Yet the author of TS has streamlined the text, mainly by using moderate rearrangements with a few minor omissions. The first sentence (17:10–12) combines the several clauses of Lev 23:6–7 (//Num 28:17–18) into a single statement:

Table 5.2: Modification of Lev 23:6–7 in TS 17:10–12

Lev 23:6–7	TS 17:10–12
<p>ובחמשה עשר יום לחדש הזה</p> <p>חג המצות ליהוה שבעת ימים מצות תאכלו</p> <p>ביום הראשון מקרא קדש יהיה לכם כל מלאכת עבדה לא תעשו</p>	<p>ובחמשה עשר לחודש הזה</p> <p>מקרא קון[דש]</p> <p>כול מלאכת עבודה לוא תעשו בו</p> <p>חג מצות שבעת ימים ליהוה</p>
<p><i>And on the fifteenth day of this month,</i></p> <p><i>the festival of mazzot for YHWH. Seven days you shall eat mazzot. On the first day you shall have a holy convocation; you shall not do any laborious work.</i></p>	<p><i>And on the fifteenth of this month is a ho[ly] convocation;</i></p> <p><i>you shall not do any laborious work on it, a festival of mazzot, seven days, for YHWH.</i></p>

The main rearrangement is that consideration of the מקרא קדש and the prohibition of work is moved prior to the mention of the festival's name. Also, all mention of eating unleavened bread is dropped. That omission, along with some minor rearrangement, creates a clause, חג המצות ליהוה שבעת ימים ליהוה, that is virtually identical to Lev 23:34bβ, חג הסכות שבעת ימים ליהוה, "the festival of Sukkot, seven days to YHWH." This correspondence seems too close to be coincidental; it appears that the author of TS here made at least a small attempt to coordinate the language used to describe the two festivals.⁵⁵

For the enumeration of the sacrifices, TS turns to the only source that lists them, Numbers 28. Lines 12–13 basically parallel Num 28:19:

⁵⁵ Unfortunately, the corresponding portion of TS's Sukkot law is missing, in the lacuna at the top of col. 28.

Table 5.3: Reuse of Num 28:19 in TS 17:12–13

Num 28:19	TS 17:12–13
<p style="text-align: center;"><u>והקרבתם</u> אשה עלה ליהוה פרים בני בקר שנים ואיל אחד ושבעה כבשים בני שנה תמימים יהיו לכם</p>	<p style="text-align: center;">והקרבתמה בכול יום ויום לשבעת הימים האלה] עולה ליהוה פרים שנים ואיל וכבשים בני שנה שבעה תמימים</p>
<p><i>And you shall offer</i> an offering by fire, a burnt offering to YHWH, two bulls of the herd, one ram and seven lambs a year old, unblemished shall they be for you</p>	<p><i>And you shall offer</i> on every day for the[se] seven days a burnt offering to YHWH, two bulls, a ram, and seven lambs a year old, unblemished</p>

Again, aside from some minor omissions (יהיו לכם, אחד, בני בקר), the major difference between TS and Num 28:19 is due to a rearrangement, in this case somewhat paraphrastic: the clause בכול יום ויום לשבעת הימים האלה, which is not paralleled in Num 28:19, reflects the first half of Num 28:24a, כאלה תעשו ליום שבעת ימים, “You shall offer the same as these each day (for) seven days.”

Lines 14–15 continue with information regarding the sacrifices:

ושעיר עזים אחד לחטאת ומנחתמה ונסכמה [כמש]פט לפרים ולאלים ול[כב]שים ולשעיר, “and one male goat for a purification offering, and their grain offering and their drink offering, [according to the ord]inance for the bulls and for the rams and for the lambs and for the goat.”

This formulation diverges substantially from that of Num 28:20–23, which first details the required grain offerings for the bulls, ram, and lambs (vv. 20–21; no drink offering is mentioned), then prescribes the goat for the purification offering (v. 22), and then notes that all this should be offered in addition to the regular morning *tamid* sacrifice (v. 23). TS drops this last bit of information altogether. The differences between lines 14–15 and Num 28:20–22, on the other hand, reflect standard formulations that the author of TS uses throughout the Scroll when prescribing a list of sacrifices. In other words, TS always differs from the festival calendar in Numbers 28–29 in the same ways as it does here: the purification offering is always moved up before the mention of the grain and drink offerings, and the grain and drink

offerings are rarely enumerated but are usually referred to with this same short formula.⁵⁶ Formally, we could regard this as a condensing paraphrase of Num 28:20–23.

After the sacrificial prescriptions, TS concludes its legislation for Mazzot in lines 15–16 with

וביום השביעי [עצרת] ל[יה]וה כול מלאכת עבודה לוא תעשו בו, “And on the seventh day is an [assembly] for YHWH; you shall not do any laborious work upon it.”

Cf. Lev 23:8b ביום השביעי מקרא קדש כל מלאכת עבודה לא תעשו, “On the seventh day is a holy convocation; you shall not do any laborious work.”⁵⁷

Yadin argues that the phrase מקרא קדש of Lev 23:8 will not fit in the lacuna at the beginning of line 16, so he reconstructs עצרת in light of Deut 16:8bα, וביום השביעי עצרת ליהוה אלהיך לא תעשה מלאכה, “and on the seventh day is an *assembly* for YHWH your God; you shall not do work.” The presence of ליהוה, which occurs in Deut 16:8 but not in Lev 23:8, and never occurs in the Hebrew Bible after the phrase מקרא קדש, supports Yadin’s suggestion.⁵⁸ If this reading is correct, it is striking, because it means that, even though TS focuses on the sacrifices for the festival of Mazzot, which Deuteronomy never considers, and completely ignores the eating of unleavened bread that is the focus of Deuteronomy’s version, the author has still incorporated terminology from Deuteronomy, suggesting that he regarded his version

⁵⁶ The earlier mention of the purification offering is due to the author’s conviction that the goat sacrificed as a purification offering also requires a grain and drink offering. For discussion, see Yadin, *Temple Scroll*, 1:143–46; Eyal Regev, “The Sectarian Controversies about the Cereal Offerings,” *DSD* 5 (1998): 33–56, at pp. 34–36. The full amounts for the grain and drink offerings are stipulated for Rosh Hodesh and for the first day of the first month (both in col. 14), and apparently for the Waving of the Sheaf (col. 18). Otherwise the shorter formulation with כמשפט appears to be the norm; see the legislation for the Feast of Ordination (col. 15), Firstfruits of Wheat (col. 19), Firstfruits of Wine (col. 20), Firstfruits of Oil (col. 22), Rosh Hashanah (col. 25), the Day of Atonement (col. 25), and Sukkot (cols. 28–29).

⁵⁷ Num 28:25 is almost exactly parallel to Lev 23:8. It, like TS, begins with the copula (... וביום השביעי חג, “And on the seventh day...”). The only other difference is that the Numbers verse reads מקרא קדש יהיה לכם, “you shall have a holy convocation.”

⁵⁸ The SP reading in Deut 16:8b is interesting because it appears to represent an attempt to integrate priestly language into Deuteronomical law in a manner reminiscent of TS’s combination of language from various pentateuchal sources: וביום השביעי חג ליהוה אלהיך לא תעשה כל מלאכת עבודה, “and on the seventh day is a pilgrimage-festival to YHWH your God; you shall not do any laborious work.”

as a summary or combination of all the pentateuchal laws on Pesach and Mazzot. Faced with an overabundance of pentateuchal material, the author carefully constructed a single, unified law. From a compositional standpoint, the new version is created largely by means of paraphrase, but a paraphrase that involves minor additions of new material, minor omissions, and, insofar as the priestly festival calendars serve as the basis for this law but other sources are also used, addition of material from elsewhere.

5.4 PASSAGE FOUR: EXTENDING A PATTERN (TS 66:11–16)

This passage presents an intriguing case of the grouping of similar laws. Having followed the sequence of Deuteronomy without major changes for several columns, TS logically proceeds on from Deut 22:24–29 in the beginning of col. 66 (lines 1–10) to Deut 23:1 in lines 11–12. Deut 23:1 contains a law pertaining to improper sexual relationships: **לא יקח איש את אשת אביו ולא יגלה כנף אביו**, “A man shall not take the wife of his father; he shall not uncover his father’s skirt.” In the context of Deuteronomy 23, this law is somewhat isolated, followed not by other laws governing sexual relationships but by laws prohibiting a variety of persons from entering the “assembly of YHWH” (23:2–9). The author of TS, on the other hand, chooses Deut 23:1 as a sort of gathering point for other laws governing sexual relationships. The pentateuchal material on this topic is rearranged in that some of the laws originally found in Leviticus 18 and 20 are now located here in the context of Deuteronomy. However, the author does not simply move the laws to a new setting. He also rewords them so that they match the formulation of Deut 23:1. In terms of compositional technique, these reformulated laws are best considered paraphrases, since they reflect the content of the original laws, but in different words. For example, TS 66:12–13 prohibits a man from having sexual relations with his brother’s wife. In Leviticus, this prohibition is found in 18:16, **ערות אשת אחיך לא תגלה ערות אחיך הוא**, “You shall not uncover the nakedness of your brother’s wife; it is your brother’s nakedness,” and 20:21, **ואיש אשר יקח את אשת אחיו גדה הוא ערות אחיו גלה ערירים יהיו**, “A man who takes his brother’s wife: it is impurity; he has uncovered the nakedness of his brother; they shall be childless.” In the first case, the law is phrased as a second-person apodictic command (“You shall not...”); in the second, as a casuistic case (“A man who...”). In TS, the law is given the same third-person apodictic formulation as Deut 23:1:

TS 66:12–13: לוא יקח איש את אשת אחיהו ולוא יגלה כנף אחיהו בן אביה או בן אמו כי נדה היא, “A man shall not take the wife of his brother; he shall not uncover his brother’s skirt, the son of his father or the son of his mother, for it is impurity.”

The new version retains key terminology of the old (e.g., the identification of the act as נדה, “impurity,” from Lev 20:21), and even adds a clarificatory clause based on the following law in TS (“his father’s son or his mother’s son”; see line 14 and Lev 20:17), but it is obvious that the law has been restructured according to the pattern of Deut 23:1.

The same procedure is followed for the subsequent laws, prohibiting sexual relations of a man and his sister (66:14//Lev 18:9; 20:17), a man and his aunt (66:15//Lev 18:12–13; 20:19), and a man and his niece (66:16, non-pentateuchal). All three begin just as Deut 23:1 does, ... לוא יקח איש, “A man shall not take...” In the first two cases, this formulation replaces an original casuistic or second-person apodictic command. The third case is notable because it contains a law not found in the Pentateuch; it, too, is constructed according to the model of Deut 23:1.⁵⁹

This chain of laws represents a more extended example of a phenomenon already observed above, in TS 52:4–5, 13, where a new law and an existing law were reformulated in light of the structure of a particular verse (in that case, Deut 17:1: לא תזבח ליהוה אלהיך שור ... ושה). Here we have numerous laws moved from their original setting and restructured to match the formulation of the particular verse that is made the head of the series.⁶⁰ The author of TS has used

⁵⁹ For the prohibition of uncle-niece marriage in the Damascus Document, see ch. 1, p. 13. The same regulation is also found in 4QHalakha A (4Q251 17 2–3). Though permitted by the rabbis, such a marriage was forbidden by most other Jewish groups; see Schiffman, “Laws Pertaining to Women,” 227.

⁶⁰ Three laws from Leviticus are extant in col. 66, the fourth (uncle-niece relations) being non-pentateuchal. However, the last preserved words of col. 66, לוא יקח, suggest that more laws followed in col. 67, the last column of this copy of TS, which contains no extant writing. Yadin posits that this final column could have contained no more than 5–6 inscribed lines (*Temple Scroll*, 2:300–1). Confirmation that these lines did indeed contain additional laws on prohibited marriages is provided by 4Q524, the earliest preserved copy of TS. Although it is very fragmentary, 4Q524 clearly overlaps with the material in col. 66 of 11QT^a and continues further, containing several more laws concerning proscribed marriages and then the law for levirate marriage (Deut 25:5–10). Puech construes the additional laws as corresponding to Lev 18:10; 18:15//20:12; 18:17 cf. 20:14; 18:18, and has reconstructed the same introductory formula for them all, לוא יקח איש; see Émile Puech, *Qumrân Grotte 4, XVIII: Textes Hébreux* (DJD 25; Oxford: Clarendon, 1998), 103–7. Although none of these opening

rearrangement and paraphrase to replace the diverse and repetitive laws of the Pentateuch with an orderly and consistent paragraph on prohibited sexual relations.

5.5 PASSAGE FIVE: THE COMPOSITION OF NEW LAW (TS 21:12–23:01)

Although I have already mentioned several cases where TS presents completely new legislation, these laws were relatively brief. TS also contains whole passages for which there is no direct parallel in Hebrew Scripture, such as the legislation for the festivals of the Firstfruits of Wine and Oil in the Scroll's festival calendar, the instructions for the courts and various structures associated with the Temple, many of the Scroll's purity laws, and the extensive Law of the King. All of this material is technically 'new' or non-pentateuchal, since its content is not reflected in the Pentateuch. Unsurprisingly, then, the wording of much of this material is the author's own composition. Yet in many cases these new passages show some relation to the text of the Pentateuch, either through the use of vocabulary characteristic of a particular part of the Pentateuch, or through reuse of specific verses or groups of verses. In terms of compositional technique, that is, much of TS's new material is created through addition of material from elsewhere. In my discussion of this final passage, the Scroll's legislation for the non-biblical festival of the Firstfruits of Oil, I want to point out the variety of ways the author of TS drew upon pentateuchal language to compose new law. Though formally any use of Scripture in these new sections constitutes addition of material from elsewhere, the detailed analysis will show that such use can range from verbatim reuse through reuse of a verse in an altered form to employment of the stock language of particular pentateuchal units without clear reference to any specific verse. In fact, within these examples of addition of material from elsewhere we can often identify other compositional techniques by which

formulae have been preserved in the section of 4Q524 that goes beyond the preserved text of 11QT^a, there is no reason to think the additional laws would have been formulated any differently.

As Schiffman notes, the evidence of 4Q524 suggests that 11QT^a represents an incomplete copy of TS, or possibly a different, shorter recension of TS, although this may be less likely given the later date of 11QT^a. See Lawrence H. Schiffman, "The Unfinished Scroll: A Reconsideration of the End of the Temple Scroll," *DSD* 15 (2008): 67–78.

the added material was reworked, notably rearrangement, paraphrase, and minor additions, omissions, and alterations.

The Scroll's legislation on the Firstfruits of Oil begins as follows (TS 21:12–14):

וספר[תמ]ה [לכמ]ה מיום הזה שבעה שבועות שבע פעמים תשעה 12
 וארבעים יום שבע שבתות תמימות תהינה עד ממחרת השבת 13
 השביעית תספורו חמשים יום 14

- 12 And [you] shall count [for yourself]ves from this day seven weeks;
 seven times;
 13 forty-nine days; there shall be seven complete weeks; until the day
after the
 14 seventh Sabbath you shall count, fifty days.

The (single-)underlined portions of the above text correspond exactly to Lev 23:15–16a, the pentateuchal command to count fifty days from the waving of the עמר before bringing a “new grain-offering” to the altar:

וספרתם לכם ממחרת השבת מיום הביאכם את עמר התנופה שבע שבתות
תמימת תהינה עד ממחרת השבת השביעית תספורו חמשים יום, “*And you shall count for yourselves from the day after the Sabbath; from the day when you bring the sheaf of the wave-offering; there shall be seven complete weeks; until the day after the seventh Sabbath you shall count, fifty days.*”

The author has made three separate modifications. First, he removes the specific temporal reference that no longer applies in the new context, replacing Leviticus's ממחרת השבת מיום הביאכם את עמר התנופה with מיום הזה, “from this day” (condensing paraphrase).⁶¹ Second, he adds the phrase שבעה שבועות, “seven weeks” (double-underlined), taken from the parallel law in Deut 16:9 (addition of material from elsewhere).⁶² Third, he adds the further clarifications שבע פעמים יום תשעה וארבעים יום, “seven times; forty-nine days” (addition of new

⁶¹ In the new context, the “this day” in question is the day of the festival of Firstfruits of Wine, which itself is held fifty days after the festival of Firstfruits of Wheat, the pentateuchal Shavuot/Firstfruits. The counting scheme employed in the Pentateuch to date Shavuot in relation to the raising of the עמר (Lev 23:15–16) is extrapolated to accommodate the two new festivals into the calendar. See Vanderkam, *Calendars*, 68.

⁶² This phrase is also inserted into the introduction to the laws for Firstfruits of Wine, which similarly draws upon Lev 23:15 (TS 19:11–13). However, the incorporation of the deuteronomical phrase does not occur in the legislation for Firstfruits of Wheat (the section of TS that actually describes the same festival as Lev 23:15 does).

material). But these modifications are relatively minor compared to the near-verbatim reuse of Lev 23:15–16a. It is important to note that, in this type of addition of material from elsewhere, the words, though largely the same, have a new referent: no longer do they refer to counting fifty days from the raising of the sheaf, but from the festival of Firstfruits of Wine.

The reapplication of Leviticus 23 continues in the remainder of line 14, but TS then moves quickly away from that source and into details specific to the new festival:

Lev 23:16b–17a **והקרבתם מנחה חדשה ליהוה ממושבתיכם תביאו לחם** תנופה שתיים, “*You shall offer a new grain-offering to YHWH; from your dwelling-places you shall bring two loaves as a wave-offering.*”

TS 21:14–15 **והקרבתמה שמן חדש ממשבות [מ]טות ב[ני יש]ראל**, “*You shall offer new oil from the dwelling-places of the tribes of the children of Israel.*”

The wording of the details that follow cannot be traced to any specific pentateuchal source(s):

TS 21:15–16 [] מחצית ההין אחד מן המטה שמן חדש כתית [] יצהר על מזבח העולה בכורים לפני יהוה, “*a single half a hin from each tribe, new beaten oil [] oil upon the altar of burnt offering, firstfruits before YHWH*”

The word **כתית** was certainly used because of the cultic purposes envisioned for the new oil—the oil used in the sanctuary’s lamps and the oil mixed with the daily grain-offering is described in the Pentateuch as **כתית**—but the collocation **שמן חדש** occurs nowhere in the Hebrew Bible.⁶³ Interestingly, however, the Scroll seems to revert once again to Leviticus 23 in the last words of col. 21: **בכורים לפני יהוה**, “firstfruits before YHWH,” corresponds to Lev 23:17b, **בכורים ליהוה**, “firstfruits for YHWH.” In a way, TS 21:12–16 can be viewed as completely rooted in Lev 23:15–17, with all of the changes simply reflecting the

⁶³ The oil burnt in the lamps is called **זך כתית**, “pure beaten olive-oil” in Exod 27:20; Lev 24:2; the oil for the grain-offering accompanying the morning *tamid* is **שמן כתית**, “beaten oil,” according to Exod 29:40; Num 28:5. See Yadin, *Temple Scroll*, 1:112. These passages, along with e.g. the stipulations for the oil accompanying the grain offering in Num 15:1–16, may have influenced the author’s thinking in this passage, but there is nothing to suggest that TS drew directly upon the wording of any of them; cf. Swanson, *Temple Scroll and the Bible*, 94.

new context: legislation for Firstfruits of Oil as opposed to Firstfruits of Wheat (= biblical Shavuot). Further evidence that the mention of **בכורים** constitutes a deliberate reference to Lev 23:17b is that TS then appears to move on to the sacrificial prescriptions for the day, just as H does in Lev 23:18 (... **והקרבתם על הלחם שבעת כבשים**... “And you shall offer along with the loaves seven lambs...”).

The first few lines of col. 22 are very fragmentarily preserved, but it is clear that they begin to discuss the animal sacrifices required for the festival.⁶⁴ The isolated phrases that remain are all basically consistent with the language used by the pentateuchal sources P and H to describe sacrificial procedure, but they show varying degrees of connection with specific verses. What remains of line 02 is among the more traceable phrases, since only a few verses in the Pentateuch describe the priest making atonement for the whole congregation.

TS 22:02 **וּכְפַר בּוֹ עַל כּוֹל הָעֵדָה לְפָנָי**, “[he will make *expiation* with it on behalf of the whole congregation before]”

Num 15:25, which refers to the purification offering (**חטאת**) made when the entire congregation of Israel unintentionally sins, is the closest in formulation to the reading in TS:

וּכְפַר הַכֹּהֵן עַל כָּל עֵדַת בְּנֵי יִשְׂרָאֵל וְנִסְלַח לָהֶם, “The priest shall make *expiation on behalf of the whole congregation* of the children of Israel, and they shall be forgiven.”⁶⁵

It is somewhat difficult to judge the significance of this parallel, however: the words involved are not uncommon, and it does not seem impossible that the author of TS might have used them independently of any biblical verse. On the other hand, if there is a deliberate paraphrastic reference here to Num 15:25, it would constitute another sign of the author’s connection of related passages and general habit of reading the Torah in light of itself. Normally in the priestly festival calendars, atonement is mentioned only very briefly, typically in the form

⁶⁴ The lines numbered 22:01–05 are not preserved at all in 11QT^a. However, 11QT^b has preserved some of the contents of these lines. 11QT^a is partially extant beginning in line 1, but 11QT^b continues to provide additional readings through line 5. For the combined text, see Yadin, *Temple Scroll*, 2:98–99.

⁶⁵ See also Lev 16:33, **וּכְפַר יִכְפֹּר עַל כָּל עַם הַקֹּהֵל יִכְפֹּר**, “on behalf of the priests and the whole people of the assembly he shall make *expiation*”; and Lev 4:20, **וּכְפַר יִכְפֹּר עַל כָּל עַם הַקֹּהֵל יִכְפֹּר**, “and the priest shall make *expiation on their behalf* and they shall be forgiven.”

of reference to the standard purification offering, e.g. ושעיר חטאת אחד לכפר עליכם, “and one goat for a purification offering, to effect expiation on your behalf” (Num 28:22). Since this expiation achieved by the festival offerings applies to the entire community (לכפר עליכם) just as does the purification offering sacrificed on behalf of the whole congregation (על כל עדת בני ישראל), it is perhaps not strange that a more expansive reference to the festival expiation would be formulated, by analogy, in light of that communal purification offering (Num 15:24–26).⁶⁶

There is nothing particularly pentateuchal about what remains in line 03, בשמן הזה מחצית ההין, “with this oil, half a hin.” Half a hin of oil is the amount that should be mixed into the grain offering for a bull according to Num 15:9—a fact that Yadin cites in support of his surmise that the offering with which expiation is made in line 02 is a bull⁶⁷—but Numbers always uses the word חצי, not מחצית, for “half,” and the phrase השמן הזה must refer back to the new oil brought by the tribes according to 21:15. The remains of line 04, however, have more pentateuchal precedent:

TS 22:04: ...] שפט עולה הוא אשה ריח[במ], “according to the ordinance, it is a burnt offering, an offering by fire, an odor[...”

The string ריח ניחח עולה הוא אשה ריח ניחח occurs in Lev 1:13, 17, referring to a goat or bird offered as a whole burnt offering (עלה). But if Yadin is correct and lines 02–05 refer to a purification offering (as line 02 makes likely), then the string has been radically reapplied, referring no longer to an עולה at all, but to those parts of the purification offering (חטאת) that were burnt upon the altar (the fat and the accompanying grain and drink offerings, according to TS). In the Pentateuch, the phrase עולה הוא always refers to an actual whole burnt offering (Exod 29:18; Lev 1:13, 17; 8:21). It seems, therefore, that the author has taken a familiar pentateuchal phrase and used it in a new situation

⁶⁶ It is not entirely clear from the fragmentary context whether the sacrificial animal that effects the expiation in TS 22:02 is a purification offering (Yadin, *Temple Scroll*, 2:98) or a burnt offering (Swanson, *Temple Scroll and the Bible*, 96). The strong language of expiation and the similarity in wording to Num 15:25, which deals with the purification offering, suggest to me that the sacrifice here is probably likewise a purification offering, but it is true that burnt offerings were also sometimes said to effect expiation (e.g. Lev 1:4; 16:24).

⁶⁷ *Temple Scroll*, 2:98.

that was (presumably) deemed analogous.⁶⁸ Finally, the phrase *השמן הזה יבעירו בנרות*, “this oil they shall light in the lamps,” in lines 05–1 has no biblical antecedent. 2 Chronicles twice uses the root *בער* with *נרות* (4:20; 13:11), but there *בער* is D, not H, and the *נרות* themselves are the object of the verb (whereas here, contra Yadin, the oil must be the object of *יבעירו*).⁶⁹

Continuing with sacrificial prescriptions in line 2, the Scroll mentions... *שרי האלפים עם נשניאי*, “the commanders of thousands along with the princes of...” The “commanders of thousands” appear as military personnel in the Pentateuch (see e.g. Numbers 31), while the *נשיאים*, “princes, leaders,” are envisioned as civil authorities or clan leaders (see e.g. Num 1:16). Their appearance here in the context of sacrificial prescriptions therefore departs from the usual conception of the Pentateuch: the author of TS apparently envisions them acting as representatives of their respective tribes in those rites which require each tribe to bring a contribution to the altar.⁷⁰ This view is probably based on Numbers 7, where the *נשיאי ישראל*, one per tribe, bring offerings to the newly-completed Tabernacle. TS has extended this one-time role into a permanent, annual responsibility.

More sacrificial animals are mentioned in lines 3–4, which have no clear pentateuchal source and thus seem to represent addition of new material:

TS 22:3–4 ... *כבש[ים] ב[ני שנה] ארבעה עשר ומנחתמה ונסכמה [ו]לאלים*, “lamb[s] a [year old], fourteen, and their grain offering and their drink offering[... and] for the rams.”

Fourteen lambs are to be offered every day of the festival of Sukkot according to Numbers 29, but succeeding lines will make clear that TS stipulates fourteen lambs *and* fourteen rams—a number never prescribed in Scripture for any festival. The mention of the grain and drink offerings matches the standard formulation of TS, “and their

⁶⁸ Note that TS similarly uses the phrase *עולה הוא* to refer to the fat, grain offering, and drink offering of the purification offering in 16:10; see Yadin, *Temple Scroll*, 2:70.

⁶⁹ See Yadin, *Temple Scroll*, 2:99.

⁷⁰ The *שרי האלפים* occur in the same position in col. 21, in the legislation for the Firstfruits of Wine, where their exact role is similarly unclear. Col. 21 also mentions the *נשיאי הדגלים*, “the princes of the ‘standards,’” who drink the new wine after the priests and Levites but before all the rest of the people. On these passages, see Swanson, *Temple Scroll and the Bible*, 72–75, 78–79, 99.

grain offering and their drink offering according to the ordinance for the [animal 1]s and the [animal 2]s and the [animal 3]s”; see e.g. 17:14–15; 20:04–05; 25:14–15.

The actual procedure for the sacrifice of these animals is delineated next, after an interval (TS 22:4–8). The first words of the new section, ...א]ת לוי א]ת, “The sons of Levi shall slaughter the...,” are striking because Levites are never portrayed as slaughtering sacrifices in the Pentateuch. The new role is part of a general elevation of the status of the Levites throughout the Scroll, as Jacob Milgrom has pointed out.⁷¹ The disposal of the blood, however, remains the purview of the priests:

TS 22:5 ...] דמם את אהרון בני אהרון וזרקו הכהנים בני אהרון את דמם [...]

Here TS seems to draw on a specific pentateuchal source: only two verses contain בני אהרון + כהנים + וזרקו, Lev 1:11 and Lev 3:2 (though TS’s use involves an element of rearrangement, since both verses have the latter two elements in a sequence different from that of TS, וזרקו בני אהרון הכהנים). Since Lev 3:2 refers to the offering of well-being (זבח שלמים), the type of sacrifice at issue here, it seems likely that the author of TS drew on that verse. More precisely, he probably drew on Lev 3:8, 13, which refer to the disposal of blood from a sheep or goat offered as a זבח שלמים and are thus most analogous to the situation here (Lev 3:2 refers to a bull). Both verses read וזרקו בני אהרון את דמו, without the word כהנים. Consciously or unconsciously, the author employed the longer formulation instead.

With line 6 a direct source is no longer easily identifiable. Whereas the prescriptions for the זבח שלמים in Leviticus 3 list in detail the various fatty parts to be removed from the animal, TS simply summarizes:

TS 22:6 ואת חלבמה יקטירו על מזבח העולה, “and their fat they shall turn to smoke upon the altar of [burnt offering].”

A similar summary occurs throughout Leviticus 4, where at first the fat to be removed from the purification offering is delineated (vv. 8–9) but thereafter the summary statement is used ואת כל חלבו יקטיר המזבחה, “and all its fat he [the priest] shall turn to smoke on the altar” (e.g.

⁷¹ Jacob Milgrom, “Studies in the Temple Scroll,” *JBL* 97 (1978): 501–23, at pp. 501–4.

4:26). It may be that the author of TS had such summaries in mind; the *casus pendens* structure common to TS and Lev 4:26, whereby the object precedes the verb, may be evidence of a direct connection. On the other hand, there are some differences in the formulation and, rather than assuming that TS here paraphrases Lev 4:26, we must recognize the possibility that the author simply drew on his knowledge of priestly idiom to compose the sentence.

Not even a potential source can be found for the formulation in the next line:

TS 22:7 **וּמִנְחַתְמָה [וְנִסְכְּמָה יִקְטִירוּ עַל הַחֲלָבִים]**, “[and their grain offering]and their drink offering they shall turn to smoke upon the fat[s]”

Although the prescriptions for the grain offering in Leviticus 2 stipulate that a portion of it is to be burned upon the altar, instructions for animal sacrifice accompanied by a grain and drink offering do not indicate what is to be done with them: it is never stated that they are to be placed upon the fats removed from the animal. Alternatively, **עַל** may simply mean “in addition to” here, without any spatial connotation. In either case, TS’s wording here is best viewed as independent.⁷²

Line 8 begins with the tail end of a standard priestly phrase—**אֲשִׁי** **לְיְהוָה [לְיְהוָה] נִיחֹחַ [רִיחַ]**, “an offering by fire, a pleasing odor to YHWH”—that is used so often in P that its presence here cannot be traced to any particular verse, and probably just reflects the author’s familiarity with the formulaic language of sacrificial texts. From here, TS continues with several lines on portions of the sacrifices that are to be given to the priests and Levites.⁷³ They begin as follows:

⁷² There is a partial conceptual parallel to the spatial interpretation in Lev 8:26, the account of Aaron’s ordination as high priest, where Moses takes various baked goods, places them **עַל הַחֲלָבִים וְעַל שׁוֹק הַיְמִינִי**, “upon the fats and upon the right thigh,” puts all this in Aaron’s hands to be elevated, and then burns the lot. However, the parallel is limited: the cakes taken from the **סֵל הַמִּצּוֹת**, “basket of unleavened bread,” are not an ordinary grain offering, and there is little overlap in formulation besides the phrase **עַל הַחֲלָבִים**. Thus it does not seem likely that the author would have been thinking of this verse when formulating this clause in TS.

⁷³ The priestly portions are discussed as part of the Scroll’s legislation for the Firstfruits of Wine and the Firstfruits of Oil, as well as, it appears, in the context of Deuteronomy’s legislation on the subject. TS 60:1–11 represents a substantially rewritten version of Deut 18:1–5, although some of the material on the portions due the priests must originally have appeared in the lacuna prior to TS 60:1. See Yadin, *Temple Scroll*, 1:151–54, 2:271. The presence of these stipulations as part of the legislation for the firstfruits festivals may be related to the notice in Lev 23:20 that the offerings on the

[וירימו מ]ן 8
 את שוק הימין ואת חזי התנופה 9

8 And they shall lift up fr[om]
 9 the right thigh and the breast of the wave-offering

The verb **הרים** is not normally associated in the Bible with the priestly prebends. On the other hand, the priestly portions mentioned in line 9 are familiar from e.g. Lev 7:31–32; 10:14–15. The usual way of referring to them as a pair is **חזה התנופה ושוק התרומה**, “the breast of the wave-offering and the thigh of the contribution” (Ex 29:27; Lev 7:34; 10:14; Num 6:20; cf. Lev 10:15).⁷⁴ The combination **שוק הימין + חזה התנופה** occurs only once, in Num 18:18, where, however, the meat of firstborn animals is *compared* to the breast and thigh as another portion due the priests (**ובשרם יהיה לך כחזה התנופה וכשוק הימין לך יהיה**). Since it is hard to understand why this particular verse, as opposed to others that discuss the priestly portions more directly, would have served as a model for TS, I would rather regard TS’s formulation as an independent use of familiar priestly terminology.⁷⁵

The situation is different in the rest of line 9 and line 10:

TS 22:9–10 **ולראשית] את האזרוע ואת הלחיים ואת הקבה לכוהנים**
יהיה למנה כמשפטמה, “and as a *reshit*, [the foreleg,] *the*
cheeks, and the maw shall belong to the priests as a portion,
 according to their ordinance.”

Deut 18:3 **זוה יהיה משפט הכהנים מאת העם מאת זבחי הזבח אם שור**
אם שה ונתן לכהן הזרע והלחיים והקבה, “This shall be the
priests’ right from the people, from those who sacrifice, be it
 an ox or a sheep: they shall give to the priest *the foreleg and*
the cheeks and the maw.”

Here reference to Deut 18:3 is obvious, as this is the only verse in the Pentateuch that mentions the foreleg, cheeks, and maw; the further overlap in the words **יהיה** and **משפט** point to deliberate reuse (rearrangement with omission). Besides **ולראשית**, the sense of which

festival of Shavuot (= Firstfruits of Wheat) “shall be holy to YHWH for the priest”; this is the only reference in the pentateuchal firstfruits legislation to the priestly dues. Note also the prominent place of firstlings and firstfruits in the legislation on the priestly portions in Numbers 18 as well as their mention as part of the priestly dues in Deut 18:4.

⁷⁴ For this interpretation of **תרומה**, see HAL, ad loc.

⁷⁵ Contra Swanson, *Temple Scroll and the Bible*, 103.

is unclear,⁷⁶ the only word in this sentence that does not stem from Deut 18:3 is לַמְנָה, “as a portion.” As this term is used to describe the right thigh in Lev 7:33; 8:29//Exod 29:26, it seems evident that the author of TS was attempting to unify the opinions of two sources (deuteronomic and priestly) on the subject of the priestly prebends, reading them together to deduce that the foreleg, cheeks, and maw, as well as the right thigh and the breast, were due to the priests from every sacrifice of well-being.⁷⁷

The next phrase, וללויים את השכם (“and for the Levites, the shoulder”; lines 10–11), represents a major departure from pentateuchal law, where the Levites are given the tithes (Num 18:21) but no sacrificial portions. The decision that the Levites should have a share in the sacrificial portions appears to have been exegetically based on Deut 18:1, which states that “the whole tribe of Levi” shall have sacrificial offerings (אֲשֵׁי יְהוָה) as a portion.⁷⁸ The reason for assigning specifically the shoulder to the Levites is somewhat less clear; Milgrom makes a persuasive argument that it is based on longstanding unclarity about the definition of the foreleg (זָרוּעַ).⁷⁹

The bulk of lines 11–13 instructs that, after the priestly and levitical portions have been removed, the meat of the sacrifices shall be apportioned to the people, with one ram and one lamb going to each tribe, plus one of each for the priests and one of each for the Levites (hence the conclusion earlier that fourteen rams must have been mentioned alongside the fourteen lambs in lines 2–3). As far as I can see, these lines contain no reference or allusion to any scriptural text, and

⁷⁶ Yadin thinks it means that the foreleg, cheeks, and maw are only included in the priestly portion, and the shoulder only assigned to the Levites (see below), when they come from animals sacrificed as part of a firstfruits festival, as is the case here (*Temple Scroll*, 1:154). Milgrom rejects this view, noting that TS 60:7 also assigns the shoulder to the Levites, without any restriction on the sacrifice from which it derives. Unfortunately, however, Milgrom does not indicate clearly how he would interpret ולראשית in 22:9; he implies that perhaps it refers to the “choice” or “best” portions and is not related to firstfruits at all. See Milgrom, “Studies in the Temple Scroll,” 505–6.

⁷⁷ Thus I agree with Milgrom’s interpretation contra Yadin; see previous note. If, however, Yadin is correct and TS envisions the foreleg, cheeks, and maw going to the priests only in the context of firstfruits festivals and similar cases (*Temple Scroll*, 1:154), then TS has resolved the tension between D and P differently, applying each version to a different situation instead of combining them into one.

⁷⁸ Jacob Milgrom, “The Shoulder for the Levites,” in *The Temple Scroll* (by Yigael Yadin; 3 vols.; Jerusalem: Israel Exploration Society, 1977–83), 1:169–76, at pp. 169–70.

⁷⁹ Milgrom, “Shoulder,” 1:171–76.

thus formally constitute addition of new material.⁸⁰ That changes in the next sentence:

TS 22:13–14 ואכלום ביום הזה בחצר החיצונה לפני יהוה חוקות עולם לדורותיהמה שנה בשנה, “*And they shall eat them on this day in the outer court, before YHWH, eternal statutes for their generations, year by year.*”

Several overlaps in phraseology suggest that this formulation represents a paraphrase of Deut 15:20a:

לפני יהוה אלהיך תאכלנו שנה בשנה במקום אשר יבחר יהוה, “*Before YHWH your God you shall eat it, year by year, in the place which YHWH will choose.*”

This verse refers to the consumption of firstborn livestock, thus forming a parallel, albeit an inexact one, with the situation in TS, which describes consumption of the sacrifices offered in conjunction with the Firstfruits of Oil. Besides rearranging the elements of his source, the author of TS inserted several additional elements. The first two relate to the context of this prescription in the Scroll: with ביום הזה the author reminds that this is now an annual festival with a specific date in the calendar.⁸¹ The note בחצר החיצונה explicitly locates the festivities in TS’s new Temple, once again undoing Deuteronomy’s putative pre-conquest setting, as we saw in the Passover law above.⁸² The final insertion, חוקות עולם לדורותיהמה, reflects of course a standard priestly formulation, but one that is especially prominent in the

⁸⁰ Swanson similarly regards the bulk of these lines as new material, but traces the phrases איל אחד, “one ram,” and כבש אחד, “one lamb,” back to the occurrence of these words in Num 28:27, 29 (*Temple Scroll and the Bible*, 105). Although these verses do pertain to the festival of Firstfruits (= Shavuot) and thus have a basic contextual connection with the column at hand, they do not describe the apportionment of the meat as TS does (a topic Numbers 28–29 is not concerned with). Num 28:27 prescribes that “one ram” is to be offered alongside two bulls and seven lambs (note the contrast with the fourteen rams in TS), and 28:29 prescribes the grain offering “for each lamb” (לכבש האחד) of the seven. I see no reason why the author of TS would look to these verses to provide wording for the stipulations for apportioning the sacrificial meat, and I would dispute the assumption implied in Swanson’s analysis; namely, that the author of TS could not refer to something as common and as appropriate to the context as “one ram” and “one lamb” without having a specific pentateuchal source in mind. See further Zahn, “Identifying Reuse.”

⁸¹ TS appears to follow the 364-day calendar familiar from Jubilees and other Qumran documents. Since 364 is exactly divisible by 7, in this calendar every festival occurs on the same date and day of the week every year. See Yadin, *Temple Scroll*, 1:116–19; VanderKam, *Calendars*, 65–69.

⁸² On the outer court in TS, see Yadin, *Temple Scroll*, 1:249–75.

festival calendar in Leviticus 23 (vv. 14, 21, 31, 41).⁸³ It may therefore have been included as part of an effort (seen also in the use of biblical wording in the first place) to tie this non-scriptural feast more firmly into the series of annual festivals as envisioned in Scripture.

From the last word of line 14 through most of line 16, the Scroll prescribes that the people should anoint themselves with the new oil and eat olives from the new harvest, “for on that day they shall atone on all the oil of the land before YHWH, one time per year.” There is no real evidence here of any dependence on pentateuchal language. The only possible exception is the final phrase, לפני יהוה פעם אחת בשנה, “before YHWH once a year.” This is vaguely reminiscent of the formula closing the list of festivals in the Covenant Code, although the lack of a more sustained parallel makes this suggestion highly uncertain.⁸⁴

Exod 23:17 שלש פעמים בשנה יראה כל זכורך אל פני האדן יהוה, “Three times a year each of your males shall appear before the lord YHWH”

Finally we arrive at the last extant words pertaining to the festival of Firstfruits of Oil:

TS 22:16–23:01 וישמחו כול בני ישראל בכולן מושבותיהמה(?), “And all the children of Israel shall rejoice in all [their dwelling-places(?)”

The idea of “rejoicing” at a festival or sacrifice is found in the Pentateuch almost exclusively in Deuteronomy (although see also Lev 23:40, on Sukkot). All the pentateuchal instances, however, are phrased in the second person (“you shall rejoice...”). The author of TS has once again taken over a familiar idiom (in this case deuteronomic) and redeployed it in a new framework (here, third person instead of second, and applied to a new festival). If Yadin’s reconstruction is correct and TS continued with typical priestly language (משבות), then this is another instance of TS integrating the characteristic language of the various pentateuchal sources.

This detailed examination of the laws for the festival of Firstfruits of Oil has been lengthy, but I hope that it has served to illustrate the

⁸³ The plural form חוקות, however, does not appear in the Pentateuch, though it does appear eight times in the Hebrew Bible (mostly in Jeremiah and Ezekiel). If the plural form has any significance here, it is not clear to me.

⁸⁴ Here I am in agreement with Swanson, *Temple Scroll and the Bible*, 109.

complexity of characterizing TS's reuse of pentateuchal material in sections that essentially represent new composition. Although all reuse in these sections could simply be classified as addition of material from elsewhere, the text ranges from near-verbatim redeployment of a specific verse or verses through to totally independent composition that shows no hint of any scriptural model. In between, the author may reuse a specific verse in a reworked fashion, using rearrangement, paraphrase, and other compositional techniques we have seen elsewhere, or may use language specific to a particular pentateuchal source without appearing to draw on any one verse. Obviously, the degree of engagement with scriptural texts depends to some extent on whether there is a scriptural parallel for what the author wished to say. On the other hand, this entire block of legislation refers to a festival that does not exist in the Pentateuch, making almost every use of pentateuchal material in a sense analogical. There are two ways to look at the author's procedure in composing passages such as this. On the one hand, it is striking that so much of the author's language, even in composing new law, is based in some way upon existing scriptural texts. On the other hand, in the framework of my larger study it is important to recognize that there is no indication that the author of TS felt in any way constrained to use scriptural language or to adhere strictly to existing models: when there was no precedent for what he needed to say, he went ahead and said it in what appear to be his own words. The Scroll's very deep engagement with and redeployment of the text of the Torah serves a vital purpose in that it supports and enhances the Scroll's claim to itself represent Sinaitic Torah.⁸⁵ However, the author is not chained to what already exists: he is free simply to compose new law when necessary.

5.6 COMPOSITIONAL TECHNIQUE IN TS AND THE 4QRP MSS

The foregoing detailed analysis of five passages from TS has provided some indication of the variety of ways in which its author reworked the pentateuchal text. The question now becomes how those compositional techniques compare to what we have seen in the 4QRP MSS. The reader of the preceding discussion will have noticed many points of

⁸⁵ See Brin, "המקרא במגילת המקדש," 214, 224; Levinson and Zahn, "Revelation Regained," 307–8; Zahn, "New Voices," 440–46.

similarity, but also some considerable differences. I submit that many of the differences are less matters of the use of different techniques than matters of the application of the same techniques to different types of texts and with different goals.

5.6.1 *Minor Changes (Additions, Omissions, and Alterations)*

The first passage discussed in this chapter exemplified sections of TS which reproduce pentateuchal text with only very minor changes. Other passages, especially Passage 2, also contain many minor changes of various types. Such small changes, as previous chapters have indicated, are likewise frequent in the 4QRP MSS and in SP. As in those texts, minor changes serve a variety of purposes in TS. One of the most common functions of minor alterations, for example, is to improve the syntax of a given clause.⁸⁶ (In Passage 1, TS 63:2, we may also see a minor omission functioning in that same way, a phenomenon not attested in the 4QRP MSS.) A second prominent function for minor alterations as well as minor additions from elsewhere is to harmonize a given formulation to that of a parallel or neighboring passage.⁸⁷ Minor changes may also have halakhic import, as may be the case with the omission of *וּבִיתְךָ* in TS 52:9.⁸⁸ All of these types of modifications are attested in the 4QRP MSS, in varying proportions. At this point, it is unsurprising that we should encounter small changes of various types in TS, since they occur in every text we have examined. What is perhaps more noteworthy is how frequently minor omissions occur in TS: clear examples of omission are very infrequent in both the 4QRP MSS and SP.⁸⁹

5.6.2 *Paraphrase/Unification of Parallel Laws*

Several instances in the passages discussed above illustrate that the author of TS excelled at paraphrase. For instance, Deuteronomy 12 is paraphrased in TS 52:13–16: it is heavily condensed, reworded, supplemented with points important to the author, and combined with material from Leviticus 17. The Passover law of col. 17 represents a paraphrastic combination of the pentateuchal laws on the subject. In

⁸⁶ See e.g. the minor alterations in TS 52:9; 63:4, 7, 8.

⁸⁷ See e.g. TS 52:4, 6, 12; 63:8.

⁸⁸ See above, p. 189.

⁸⁹ For omission in the passages I have discussed, see e.g. TS 17:10–12; 52:9; 63:2.

col. 66, the laws on prohibited sexual relations from Leviticus 18 and 20 are paraphrased in that they are restated to conform to the textual model provided by Deut 23:1.

Although the fragmentary preservation of the 4QRP mss often makes precise classification difficult, in the preceding chapters I have mentioned some examples of apparent paraphrase in those texts as well. Several of these examples are small in scope (ca. one line or less), and thus are not particularly similar to the more extensive paraphrases of TS (e.g. 4Q158 4 ii 4; 4Q364 24 8). One or two, however, are more comparable. Especially pertinent here is 4Q158 frag. 14, which appears to be a paraphrase of portions of Exodus 6, with material included from Exodus 15; it is thus analogous to the combination of Deuteronomy 12 and Leviticus 17 in TS col. 52. The possible combination of Numbers 21 and Deuteronomy 2 in 4Q365 37 could also be adduced.

Analogues thus exist in the 4QRP mss to TS's use of paraphrase; however, there is one particular purpose for which TS employs this technique that is without parallel in the 4QRP mss. As we saw in the Passover laws (col. 17), TS regularly uses paraphrase to combine all or several of the pentateuchal laws on a given topic into a single law. In practice, this means replacing a whole panoply of scriptural laws (at least in the case of Passover it is a panoply) with one. Similarly, in col. 66, TS brings together differently-formulated laws on sexual relations from three different places (Leviticus 18, Leviticus 20, and Deuteronomy 23) and rewords them to create one unified section of laws on this subject. A final example of this procedure, among others that could be mentioned, is the law for the Day of Atonement in TS (25:10–27:10), in which the pertinent material from Leviticus 16, Leviticus 23, and Numbers 29 is skillfully woven together.⁹⁰ This practice in TS has been referred to as 'conflation,' a descriptor that makes a good deal of sense.⁹¹ However, I believe it is not far off the mark to consider this activity a type of paraphrase as well, since through the combination into a single law the basic content of each of the sources is reflected, but in different wording. Furthermore, we have seen in the case of the Passover

⁹⁰ On the Day of Atonement in TS, see Lawrence H. Schiffman, "The Case of the Day of Atonement Ritual," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael E. Stone and Esther G. Chazon; STDJ 28; Leiden: Brill, 1998), 181–88.

⁹¹ See especially Kaufman, "Temple Scroll." Yadin speaks of "unifying duplicate commands" (*Temple Scroll*, 1:74).

law that TS does not simply stitch together pentateuchal passages, but rephrases and adds new elements as well: the unified whole reflects the sources, but is not limited to them for its wording or contents. In any case, it is worthy of note that this use of paraphrase does not appear in the 4QRP MSS. While we have seen that those MSS sometimes use paraphrase to introduce one parallel source into another, our two examples both involve narrative—nowhere is paraphrase used to unite parallel laws. In fact, a striking contrast to TS is evident in the one clear instance of reworking of the festival legislation in the 4QRP MSS: in 4Q366 4, Deut 16:13–14 is located after Num 29:32–30:1, thus bringing into proximity two laws on the festival of Sukkot. On the face of it this move appears similar to the topical arrangement of law in TS. However, TS does not simply juxtapose laws that pertain to the same subject, but rather reworks them into a single law. Laws on the same *general* topic may be brought together (like the sacrificial laws in col. 52 or the incest laws in col. 66), but laws that are truly *parallel*—such as the laws for Pesach and Mazzot—are combined.⁹² It is possible that the editor of 4Q366 did not perceive the two Sukkot laws as parallel: after all, the priestly laws pertain almost entirely to the sacrificial procedures for the festival, while Deuteronomy's version refers exclusively to each Israelite's responsibility to rejoice during the festival at the central sanctuary. Each can stand next to the other without alteration. Even so, this example simply reinforces the observation that there is no evidence in the 4QRP MSS for the use of paraphrase to unite parallel pentateuchal laws. One might tentatively surmise that the editors of the 4QRP MSS did not have any interest in reducing the redundancy of pentateuchal law, a cause clearly near and dear to the author of TS.

5.6.3 *Rearrangement/Topical Grouping*

The passages analyzed above have shown that rearrangement takes on major importance in TS in that it is used to create topical groupings of

⁹² Interestingly, the treatment of Sukkot in TS is less integrative than selective. The legislation on this festival (TS 27:10–29:1) is drawn almost exclusively from Numbers 29; there is no clear reference to material from Leviticus 23 or Deuteronomy 16 in this section. Such selectivity is only partially explained by TS's stress on the sacrificial order for each festival: TS similarly focuses on the relevant sacrifices for Pesach and Mazzot in col. 17—it completely omits any reference to the eating of unleavened bread!—but still manages to incorporate material from Leviticus and Deuteronomy as well as Numbers.

laws. Col. 52 (Passage 2) collects together a variety of laws pertaining to sacrifice, and indeed TS proceeds topically, rather than according to the pentateuchal sequence, from this point all the way through 55:13, where it finally arrives back at Deut 17:2 (Deut 17:1 occurs at TS 52:4). We saw further topical arrangement in col. 66, where laws on inappropriate sexual relations from Leviticus 18 and 20 were joined with a similar law in Deut 23:1. The topical ordering apparently continued beyond what is attested in 11QT^a: in 4Q524, the laws governing sexual relations are followed by the law of levirate marriage (Deut 25:5–10)—the one exception to the general rule that one is not to marry the wife of one's brother.⁹³

There are hints of similar activity in the 4QRP mss. I mentioned just above that the juxtaposition of the priestly and deuteronomic Sukkot laws (4Q366 frag. 4) may have been intended by the editor responsible as a topical grouping of law. Unfortunately we have no way of knowing whether the Sukkot laws from Leviticus 23 were originally included in 4Q366's new arrangement as well. The 4QRP mss also attest several other examples of the rearrangement of law (4Q366 frag. 2; 4Q367 frags. 2, 3), but since the juxtaposed laws do not seem particularly related in any of these cases, it is difficult to suggest that they demonstrate a concern for topical ordering of law. On the other hand, presuming that these juxtapositions were intentional and meaningful, beneath them must lie some kind of concern with the sequence of legal material in the Pentateuch and a willingness to change the received sequence, even if we cannot divine the underlying principle for the new arrangement.

Although our evidence for a concern with the sequence of law in the 4QRP mss is somewhat tenuous, there are clearer indications of concern with sequence as pertains to narrative in 4Q158 and 4Q365. The rearrangement postulated for the second part of the Decalogue in 4Q158 frag. 7, and the juxtaposition of Numbers 4 and 7 and Numbers 27 and 36 in 4Q365 frags 28 and 36, all reflect a concern for the smooth and logical progression of Torah *as narrative*: the sequence of events in the revelation of the Decalogue now corresponds to the grammar of the divine speech (first person vs. third); laws that intrude between the narrative elements at the beginning of Numbers are removed; and the two halves of the account of the legal proceedings pertaining to

⁹³ Puech, DJD 25:107.

Zelophehad's daughters are no longer separated by eight chapters of unrelated material but occur one after the other.

TS and some of the 4QRP mss (most clearly, 4Q365 and 4Q366) thus share a concern for the proper sequence of Torah. Beyond this general observation, however, two factors make it difficult to draw more specific conclusions. First, TS is manifestly a legal work; it contains only God's legislative speech from Sinai, and preserves no narrative material. Since narrative lay outside the author's purview, it is impossible to know whether his approach would have resembled that of e.g. 4Q365. Second and more significantly, the fragmentary preservation of the 4QRP mss once again rears its ugly head. Rearrangements or new sequences appear once or twice apiece in 4Q158, 4Q365, 4Q366, and 4Q367. It is impossible to guess how frequently they might have occurred in the original, complete version of each manuscript, or whether, in 4Q158 and 4Q365, some might have involved law as well as narrative. For 4Q158 and 4Q365 it might be justified to guess that these sorts of changes were probably not pervasive, since each ms contains multiple other fragments (in the case of 4Q365, many other fragments) that show no departure from the sequence of the Pentateuch. In 4Q366 and 4Q367, however, new sequences are very frequent in proportion to the total amount of preserved text, occurring in two out of five fragments in 4Q366 and two out of three fragments in 4Q367. Perhaps these manuscripts contained more pervasive changes to the sequence of the Pentateuch as known from elsewhere.

5.6.4 *Additions*

The amount of additional, nonpentateuchal material in TS is quite large. The analysis above called attention to new laws in several of the passages discussed, e.g. the additional stipulations on the correct time to slaughter the Pesach and on the age limit for mandatory participation (17:7–8, Passage 3); the law forbidding the slaughter of a pregnant animal (52:5, Passage 2); and the prohibition of uncle-niece marriage (66:16–17, Passage 4). In addition, I examined one major addition in detail, the laws for the festival of the Firstfruits of Oil (cols. 21–22; Passage 5). The analysis revealed that TS, while often adding completely new material—that is, material without any perceivable connection to the pentateuchal text—just as frequently created something new by redeploying pentateuchal material (in terms of compositional technique, addition of material from elsewhere). Sometimes

this involved extensive verbatim reuse of a particular verse or verses; sometimes the reuse involved substantial reworking. At other times, TS structures new material according to the model of another verse; still elsewhere, it uses idioms and vocabulary characteristic of a section or source in the Pentateuch without drawing on any specific verse. As the discussion of Passage 5 showed, several of these techniques can occur together in the course of a new section.

The great variety of ways in which TS interacts with Scripture in the course of composing new material allows for a more complete understanding of the shape of additional material in the 4QRP MSS. More precisely, it shows how the categories I have defined as ‘additions of new material’ and ‘additions of material from elsewhere’ function as opposite poles on a continuum, with intermediate types of interaction with the Pentateuch falling in between those two poles. While in my study of the 4QRP MSS I have classified simply as ‘addition of new material’ any addition that did not reuse a specific verse or part of a verse, I have noted within that category several additions that did show some sort of connection to Scripture, even though it could not be characterized as direct reuse. Furthermore, within the category of ‘addition of material from elsewhere’ were included examples in which the scriptural text is reproduced with varying degrees of exactness. Therefore, additions in the 4QRP MSS can be shown to fall at various points on the ‘continuum’ identified on the basis of TS.

Additions of material from elsewhere in the 4QRP MSS (or rather, in 4Q158, where the only clear examples of any size occur) are sometimes little more than repetition of the source of the addition, with whatever modifications are necessary to suit the context. This is the case, for example, with the fulfillment notice “so the people returned, each to their tent, and Moses stood before [YHWH...” (4Q158 7–9 5). In one instance that I have included in this category, however, more extensive modifications were made: I argued that 4Q158 4 ii 6–7 reflects an addition that weaves together elements of Gen 17:7–8 and Exod 6:3–7; thus it is a sort of addition of *paraphrased* material from elsewhere. In this way it is analogous to instances where TS incorporates a paraphrased or reworked version of a particular source verse, such as the use of Deut 15:20 (on consumption of firstlings at the Temple) in TS 22:13–14 or the use of Lev 17:3–6 (forbidding slaughter away from the altar) in TS 52:19–21. One might also mention in this context the beginning of the major addition on the wood offering in 4Q365 frag.

23, which contains a *Landnahme* formula that reflects Deut 26:1 as well as, most likely, Deut 12:9–11.

Moving further along the continuum, we have seen that TS sometimes creates a new law that employs the grammatical structure of an existing law, such as the prohibition of uncle-niece marriage in TS 66:16–17, which is modeled after the formula of Deut 23:1 (לא יקח) ... איש). There is only one clear instance of this sort of reuse among the 4QRP mss: in 4Q364 1, the plus אשר ילדה לו שרה אשתו to Gen 25:19 is modeled upon the phrase אשר ילדה הגר המצרית שפחת שרה לאברהם in Gen 25:12.⁹⁴ Similarly, I find only one possible parallel in the 4QRP mss to the use of language associated with a particular pentateuchal source or genre as opposed to a specific verse. Miriam's song in 4Q365 6a, c ii uses some of the language of the Song of the Sea in Exodus 15, but seems simply to pick up on particular words or phrases, without quoting any specific verse more extensively. The parallel to TS in this case is less than complete, since the language of 4Q365 can be traced to a fairly small unit (Exod 15:1–20), even if not to a more specific verse. When TS uses this technique, it tends to incorporate characteristic phrases that recur throughout a book or literary source (like חקת עולם לדורתכם in Leviticus): the source cannot even be narrowed down as far as a specific chapter.

The relative paucity of substantial additions in the 4QRP mss results in few examples to discuss. Even aside from simple matters of preservation, TS sometimes seems to make particularly effective use of some of the above strategies, such as the use of idiomatic phrases like חקת עולם לדורותכם. This use of 'pentateuchal' style even when no particular verse is in mind may relate to TS's self-presentation as Sinaitic Torah and the author's corresponding attempt to make TS sound like the revelation that it claims to be.⁹⁵ Despite these issues, however, we can on occasion identify similar moves in the 4QRP mss. The fuller preservation of TS and the extensive use it makes of the Pentateuch even in the composition of new laws provides a framework that contextualizes and elucidates some aspects of additions in the 4QRP mss.

⁹⁴ See p. 82 above. There is also an instance of this sort of modeling in SP, in the additions to Genesis 11 that bring it formally into conformity with Genesis 5 (p. 139 above).

⁹⁵ See Levinson and Zahn, "Revelation Regained," 307–8; Zahn, "New Voices," 441–46.

5.6.5 *Summary*

There is no question that TS goes far beyond the reworking of the Pentateuch evident in the 4QRP mss. In the consistency of its concern for topical arrangement of law and for removal of redundancy and parallel laws, and in its creative use of existing texts to generate new ones, it exceeds anything we have seen thus far in the course of this study. On the other hand, the compositional techniques used to create TS are fundamentally the same as those used in the 4QRP mss, and we have hints in the large-scale modifications in the 4QRP mss of the same concerns as reflected in TS, even if it appears that these techniques are used more frequently and these concerns addressed more consistently in TS. If more were preserved of the 4QRP mss, there would be more to say about the degree to which the various manuscripts resemble TS—e.g. it is possible, but completely unprovable, that 4Q366 and 4Q367 contained significant resequencing of biblical law. Unfortunately, we can only point to parallels in compositional technique, without being able to undertake a reliable quantitative comparison. Examination of TS has been useful for the understanding of the 4QRP mss because its good preservation allows for a better understanding of how it reuses the pentateuchal text: what is preserved only incompletely and ambiguously in the 4QRP mss is often attested more clearly in TS. Moving in the other direction, however, comparison of the two (groups of) texts also elucidates aspects of TS. The 4QRP mss show that the various compositional techniques applied so frequently and thoroughly in TS did not simply originate with the author: others around the same time were also reworking the pentateuchal text with an eye to its underlying structure and coherence, and doing so in ways that are comparable in their specifics to the techniques used in TS. The author of TS adopted these techniques and applied them with perhaps unprecedented consistency to the legal materials of the Torah as a part of his creation of a new divine revelation from Sinai.

This discussion of the author's activity points to one final issue that must be addressed. Previous chapters have concluded with a discussion of how the 4QRP mss and SP might have developed. I have suggested that there is little evidence for a single coherent redaction of any of the 4QRP mss, and that changes may have been made gradually. Most of the major changes in SP reflect such a specific goal that the evidence is much stronger for viewing it as having undergone a single redaction at some point, even though we also have empirical evidence

that others of SP's changes were made at various times, and that the text tradition continued to expand past the point reflected in SP itself. The question of origins takes on a somewhat different cast with regard to TS, because it indisputably has a structure and organization that separate it from the Pentateuch. Although it does follow the sequence of the Deuteronomic law code for portions of cols. 51–66, for the most part it is organized spatially, proceeding outwards from the Temple: first instructions are given for building the Temple itself and the altar. After the construction of the altar comes the list of festivals, which is largely concerned with the sacrifices to be offered upon the altar throughout the year. Thereafter come instructions for the courts of the Temple, followed by rules ensuring the purity of the holy city in which the Temple is located and then governing the purity of the rest of the land of Israel. The deuteronomic section at the end of the Scroll presents laws for the whole land of Israel.⁹⁶

This structure means that, unlike the 4QRP mss and SP, there is no way that TS could simply have 'evolved' from a form of the Pentateuch.⁹⁷ Someone at some point gave the Scroll its distinct shape. Furthermore, someone decided to cast TS as the direct speech of God. Both the new organizing principle and the change in voicing contribute to the creation in TS of a new literary work out of a combination of pentateuchal and non-pentateuchal materials.⁹⁸ The new shape

⁹⁶ See Johann Maier, *The Temple Scroll: An Introduction, Translation, and Commentary* (Sheffield: JSOT Press, 1985), 5–6. Note that Schiffman also detects a rough parallel to the Torah in the organization of the Scroll, with instructions for the Temple at the beginning (~Exodus), purity regulations in the middle (~Leviticus and Numbers), and deuteronomic law at the end. See e.g. Lawrence H. Schiffman, "The King, His Guard, and the Royal Council in the *Temple Scroll*," *PAAJR* 54 (1987): 237–59, at p. 239. While the general shape of pentateuchal law may have been a contributing factor, perhaps especially for the inclusion of so much deuteronomic law at the end of the Scroll, the arrangement of TS—most obviously the position of the festival laws before the instructions for the courts of the Temple, but in other details as well—cannot solely be explained with reference to the Torah.

⁹⁷ Of course we do not know that this is what happened in the case of the 4QRP mss, but the point is that it could have happened.

⁹⁸ It may be that complete restructuring of a text in accordance with a new set of organizing principles should be considered another marker of a work intended as a new composition rather than as a new edition of its *Vorlage*. (See the brief discussion of Michael Segal's suggested criteria for distinguishing between 'Bible' and 'rewritten Bible' in the Introduction, section 1.2.) Such a criterion seems particularly well-suited to law: Josephus, in his *Antiquities*, generally follows the scriptural sequence, but when he comes to the pentateuchal laws he completely rearranges them; see Gallant, "Josephus' Expositions of Biblical Law." On the other hand, such a new organization is by

definitely distinguishes TS from SP (since we know that SP retains the shape and sequence of the Pentateuch), and may distinguish it from the 4QRP mss—unfortunately, we have little evidence as to their original scope and shape. The new divine voicing, however, clearly sets TS apart from both SP and the 4QRP mss. Moreover, the consistency of certain features of TS, like the reordering of law and the conflation of parallel laws, points to a unified redactional/authorial hand.

In making these observations I do not mean that TS was created directly from the Pentateuch alone by a single author. Besides minor differences between the manuscript witnesses of TS, one factor in particular suggests that TS as we have it in 11QT^a has a considerable pre-history.⁹⁹ This is the extensive overlaps in content (including almost a whole column of virtually identical material) between TS and the material officially labeled 4Q365a (which I consider a part of 4Q365), pertaining to the courts of the Temple. The parallels are such that there must be a literary relationship between the two texts. This relationship still requires clarification, but given that the 4Q365a materials are part of a document that appears to be closer in sequence and content to the Pentateuch than is TS, and that the TS version must have been somewhat longer, I am inclined to think preliminarily that TS represents the later version and 4Q365a the earlier.¹⁰⁰ If this is correct, then it would appear that whoever is responsible for the basic structure and contents of TS drew upon an existing source for at least some of his instructions for the building of the Temple courts.¹⁰¹ Yet despite the evidence that the author of TS used earlier sources (besides the Pentateuch), its status as an independent literary work means that its composition was not simply a re-editing of the Pentateuch, and its characteristic features could not simply have come about gradually. The extent to which it differs in this respect from the 4QRP mss, and the possible implications of this difference, will be discussed in the final chapter.

no means a necessary component of a 'rewritten Scripture' composition. This is clear from the book of Jubilees, which generally follows the sequence of Genesis–Exodus.

⁹⁹ On the manuscripts of TS, see n. 1 above.

¹⁰⁰ See ch. 3, nn. 53, 56.

¹⁰¹ On the issue of earlier sources in TS, see above, n. 2.

CHAPTER SIX

CONCLUSION

The foregoing chapters have provided a wealth of detailed information concerning the ways in which pentateuchal material is reworked in the 4QRP mss, SP, and TS. In what follows I will pull together some of the various topical threads that have run through this work, highlighting how the detailed textual analysis has advanced our understanding of the texts I have examined, and returning to address the broader questions concerning exegesis, composition, and textual authority that I raised at the start of this study.

6.1 A CLEARER UNDERSTANDING OF THE TEXTS

The previous chapters have, I hope, demonstrated that great strides can be made in the discussion concerning textual reworking in the late Second Temple period by examining the pertinent texts in detail as opposed to dealing in generalities. This study's most salient contribution in this regard is a more nuanced picture of how the various texts resemble one another and how they differ. On the one hand, with the exception of the very fragmentary 4Q366 and 4Q367, all of the texts examined here made use of virtually the same compositional techniques.¹ On the other hand, in-depth analysis illustrates the extent to which each manuscript possesses a distinctive profile: no two manuscripts were alike in the proportions in which they used various compositional techniques or in the purposes to which they put these techniques.

For the 4QRP mss, instead of a single composition in multiple copies or even a closely affiliated group of texts, the picture emerges of a diverse collection of manuscripts that show some similarities, but also differ in important ways. 4Q366 and 4Q367, despite their extremely poor preservation, show a special predilection towards presenting

¹ The one compositional technique that did not occur in all the major manuscripts considered here is 'replacement with material from elsewhere,' which was restricted to SP except for one very minor case in TS.

biblical laws in new sequences. 4Q365 contains proportionately more new material than any of the other texts except TS. Its concern with the construction of a Temple complex, which indicates some sort of literary relationship between it and TS, is of course unique among the 4QRP MSS. 4Q365 also shows a concern with sequence, though in contrast to 4Q366 and 4Q367 its two major changes of sequence seem to pertain more to narrative than to law.² 4Q158, on the other hand, seems especially concerned to build textual bridges between related pericopes. In order to accomplish this goal, it alone of the 4QRP MSS frequently employs large additions of material from elsewhere. 4Q364 becomes distinctive in its own way by apparently failing to put particular emphasis on any one compositional technique or compositional goal. Although it contains a variety of additions and other changes, some not precisely identifiable, 4Q364 preserves proportionately fewer substantial changes than any of the other 4QRP MSS, and shows no sign of any particular editorial concern.

The Samaritan Pentateuch has often been held up as a foil to the 4QRP MSS: while the 4QRP editors felt free to add new materials in the course of their reworking, the editors responsible for SP used only the text of the Pentateuch itself.³ As chapter 4 illustrates, an in-depth look at instances of substantial difference between SP and other versions results in a somewhat more complex picture. It is true that addition of new material in SP and its forebears rarely exceeds more than a few words, and never exceeds more than a single verse. It is also true that the most prominent changes in SP are additions of material from elsewhere, in which large blocks of pentateuchal text are repeated in a new location. However, my investigation showed that every type of compositional technique evidenced by the 4QRP MSS save one—paraphrase—appeared in SP and its forebears. These techniques were deployed for a wide variety of purposes, including improved clarity,

² The case of the juxtaposition of Numbers 27 and 36 is not easily classified as ‘legal’ or ‘narrative’—the two pericopes deal with the same legal issue and thus their juxtaposition might be seen as reflecting a concern for topical arrangement of law. Yet insofar as the legal issue is framed as a series of appeals to Moses for adjudication, the context is narrative and the juxtaposition could reflect a concern to bring together parts of the storyline that belong together. Perhaps it is best to say simply that, in this case, topical and narrative concerns overlap. Cf. the statement of Moshe Bernstein that here “it is the narrative which appears to govern the sequence and arrangement of the texts”; Bernstein, “What Has Happened to the Laws,” 36.

³ See e.g. Tov, “Rewritten Bible Compositions,” 339; Segal, “4QReworked Pentateuch,” 394; Crawford, *Rewriting Scripture*, 13; Sanderson, *Exodus Scroll*, 271.

lexical harmonization, and to reflect particular exegetical decisions about the text. Furthermore, the most prominent feature of SP and its forebears, the major additions of material from elsewhere, occurs in very specific situations pertaining to very specific types of speech. In other words, instead of taking the major additions from elsewhere in SP as a sign of the text's conservatism, we should take them as indications of a specific exegetical concern on the part of the editors responsible for the text, a concern similar though not identical to the hermeneutical approach seen in 4Q158. Finally, the one compositional technique that occurs in SP but not in the 4QRP MSS, replacement with material from elsewhere, can even be regarded as more radical than anything found in the 4QRP MSS, since it involves omission of pentateuchal material on a scale not clearly attested in the 4QRP MSS.⁴ SP and its forebears thus reflect a tradition of pentateuchal revision that should be regarded less as a foil to the 4QRP MSS than as another set of witnesses to the same basic process: the revision of the Pentateuch according to a standard set of compositional techniques, but with particular emphases and goals.

The Temple Scroll, on the face of it, is the most distinctive of the texts examined in this study. Although certainty is difficult because of the fragmentary state of the 4QRP MSS, TS appears to contain larger amounts of new material than any of the other texts, and appears to apply techniques like paraphrase and rearrangement more frequently and consistently than the other texts. Also distinctive in its scope is the use in TS of the pentateuchal text—whether drawn from a specific passage or from the characteristic vocabulary of a particular pentateuchal source—to generate new text.⁵ But the extent and intricacy of scriptural reworking in TS should not obscure the similarities between it and the 4QRP MSS. As I indicated in the previous chapter, TS often presents in a clearer way types of reworking that appear only ambiguously in the fragmentary 4QRP MSS.⁶ Even as TS seems to go far beyond the other texts in its creative reformulation of the Pentateuch, it clearly employs the same techniques, and often addresses the same sorts of issues, as

⁴ It should be kept in mind, however, that some of the 4QRP MSS *may* have omitted a great deal more material, depending upon how we understand the nature of juxtapositions such as that of Numbers 27 and 36 in 4Q365. See above, section 3.2.6.

⁵ The extent to which this extraordinary level of reworking is the result of the presentation of TS as a direct divine revelation from Sinai will be discussed below.

⁶ See the discussion in section 5.6 above.

the 4QRP mss. TS thus constitutes yet another distinctive use of a more widespread approach to revision of the pentateuchal text.

All of the (groups of) texts examined in this study have, in different ways, reminded us of the gradual or stepwise nature of the processes of reworking in the Second Temple period. Despite the distinctive profile of each of the 4QRP mss, there is little to suggest that all the changes in a given manuscript, or even all the major ones, should be attributed to a single redactor. Perhaps the best case can be made for a single main redactor in 4Q158, with its apparent interest in building connections between related passages, but even here the evidence is ambiguous.⁷ SP and its forebears might appear to provide more robust evidence for the role of a single prominent redactor, in that the most substantial changes in this group of manuscripts can be traced to a very particular exegetical perspective. Yet differences between SP itself and the pre-Samaritan texts from Qumran, as well as the frequency in SP of other types of more moderate change, make clear that this group of texts also reflects a process of development. Even for TS, which must at some point have been given its divine voicing and its particular organization vis-à-vis the Pentateuch by an individual redactor, we have some evidence for development in stages. In other words, though it is often most convenient to speak of rewritten texts as the product of a single scribe's revision of his *Vorlage*, this study has shown that, most often, the evidence suggests or at least allows for a more complex situation.

With this summary of how this investigation has enhanced our understanding of the texts, I wish to give priority neither to the similarities nor to the differences between them. In cases where differences have been emphasized in the past, such as the comparison between SP and its forebears, the 4QRP mss, and TS, noting the fundamental similarity in compositional techniques and often in the purposes served by the reworking represents an important corrective. By the same token, in cases where similarity has usually been assumed, such as in discussions of the five 4QRP mss, an adjustment of perspective is necessary that takes into account the considerable differences between the various manuscripts. Fundamentally, my goal has been to begin to replace generalizations with more detailed observations. As a result, in this final summation of results I will consciously resist oversimplification

⁷ See above, section 2.8.

even as I attempt to make sense of the broad range of information that derives from the textual analysis.

6.2 IMPLICATIONS

While part of the purpose of this study was simply to chart in detail the different methods of textual reworking in the 4QRP MSS and related texts, it was undertaken in the hope that its results might shed light on broader questions pertaining to the rewriting of Scripture in the Second Temple period. The discussion in the Introduction indicated that the relationship between three different processes or issues remains in need of clarification: the mechanics of textual reworking/compositional technique, the particular exegetical or ideological purpose(s) served by the reworking, and the status or nature of the composition (in the eyes of its author or its audience). The possible interactions between these three issues can be formulated in a series of questions: Can particular compositional techniques be associated with particular interpretive goals? Do particular compositional techniques *or* particular ways of using those techniques correlate with the status of a rewritten work as either a new copy or edition of a biblical book or as a new, 'extrabiblical' composition? Finally, to return to the issue of a 'continuum,' (how) does the *amount* of reworking influence the perceived or intended status of a rewritten work? I will consider each of these questions in turn as a way of drawing out some of the larger implications of this study.

6.2.1 *Compositional Techniques and Interpretive Goals*

Since in this study I have both looked at the compositional techniques utilized in the various texts and attempted to identify the reasons behind or motivations for particular changes, the question can now be asked whether there is any correlation between individual compositional techniques and specific interpretive goals. That is, do additions, for instance, tend to accomplish any particular purpose, or are they used in a wide variety of contexts for a variety of reasons?

It is perhaps to be expected that some compositional techniques, especially additions of new material, minor alterations, and paraphrase, appear to serve a wide variety of purposes. In contrast to other types of changes that I will discuss below, these compositional techniques are quite 'open' in the sense that there is little or no limitation inherent

in the technique itself on how it is used. Thus, minor additions and alterations accomplish quite a variety of interpretive goals, including grammatical or lexical clarification, hermeneutical or halakhic updating, and harmonization of one passage to another. Similarly, larger additions sometimes serve to fill perceived gaps (the new blessing in 4Q158 frag. 1–2; the note about the making of the Urim and Thummim in SP Exod 28:30), sometimes introduce new law (TS *passim*; the wood offering in 4Q365 frag. 23), and sometimes may simply reflect creative elaboration (e.g. the addition pertaining to Jacob's flight to Aram in 4Q364 3 ii). Paraphrase is a somewhat poorly-defined category in the 4QRP MSS and does not appear at all in SP, but it is still evident that this technique could serve a variety of purposes. Rewording can unify parallel passages (as in TS's passover law in col. 17), can make one passage more closely resemble another (as in TS's incest laws in col. 66 or 4Q158 frag. 14's rewording of Exodus 6 in light of Exodus 15), or can clarify or update the wording of a passage (as apparently in the paraphrase of Deut 2:34 in 4Q364 frag. 24). These techniques in a way constitute a toolkit or palette of colors which the rewriter can use to create whatever meaning is deemed necessary.

Other compositional techniques, however, are less open—they are more 'bound' in the sense that the technique itself limits to some extent the types of interpretive decisions that it can express. For example, addition of material from elsewhere by definition requires that its use create a repetition of some sort. Thus *a priori*, especially in narrative contexts, use of this technique points in the direction of some sort of coordination or harmonization of two (or more) passages. Similarly, the technique of rearrangement almost automatically implies an exegetical concern pertaining to sequence, since rearrangement—the alteration of sequence—implies dissatisfaction with the sequence of the source text as it stands.

Nevertheless, even these inherently 'bound' techniques are used for a great variety of purposes in the texts examined here. Addition of material from elsewhere is especially interesting in this regard. We have seen that smaller additions from elsewhere overwhelmingly serve to harmonize two passages at the level of their syntax or, especially, their vocabulary. Larger additions from elsewhere have most often been regarded as the vehicle by which SP and its forebears carry out their paradigmatically 'harmonistic' editing of the pentateuchal text. On the one hand, we have seen that these types of changes in SP are not simply harmonistic, but reflect a special concern with the coordi-

nation of speech events and their consequences. On the other hand, 4Q158 and TS demonstrate that this same technique can function in many more ways than it does in SP. 4Q158 sometimes uses additions from elsewhere in contexts very similar to SP—e.g., a command without any notice of its fulfillment—but also uses the same technique less technically, to reinforce (not create) the connections between an event and its recollection or a command or promise and its fulfillment, and even to indicate textually an exegetical association between two disparate events. In TS, addition of material from elsewhere can serve as the basis for the creation of new law, as in the new firstfruits festivals that TS constructs on the basis of the Holiness Code’s instructions for the festival of Shavuot. In this legal situation, as opposed to narrative settings, the repetition does not create or reinforce a connection between two events. Instead, the redeployment of pentateuchal language situates the new law among its older predecessors, allowing the new law to partake of the authority of the original law by partaking of its language.⁸

Similar to addition of material from elsewhere, rearrangement can also function in a variety of ways, despite the inherent limitations of the technique. In other words, the texts examined here indicate that there are multiple reasons why an editor might wish to change the sequence of the source text. We see a concern to improve the *logic* of the sequence in 4Q365, 4Q366, and TS. The latter two texts each evidence a concern for the topical grouping of law: laws on similar subjects should not be scattered haphazardly, but occur together. In 4Q365, the concern for sequence applies to narrative: the logical progression of the storyline prompts the removal or relocation of irrelevant intervening material.⁹ Similarly, SP uses rearrangement to solve the logical difficulty of the Israelites “seeing the thunder” in Exod 20:18. In other instances, though, other criteria seem to cause the change of sequence. The two largest cases of rearrangement in SP are harmonic in the sense that the new sequence conforms the text more closely to the sequence of a corresponding pericope. In the rearrangement of

⁸ The observation that TS reuses scriptural texts, even when composing new law, in order to appear ancient and authoritative was first made by Brin, “המקרא במגילת,” see especially p. 214. For further discussion of the relationship between TS’s claim to authority and its reworking of scriptural texts, see Najman, *Seconding Sinai*, 45–46; Zahn, “New Voices,” 441–42; Paganini, *Rezeption*, 88–89.

⁹ On the difficulty of characterizing precisely the nature of the new sequences created in 4Q365, see section 3.2.6 above.

the Decalogue that seems to have taken place between 4Q158 frags. 6 and 7, the editor appears to respond to a wider exegetical issue: the problem of the mediation of the commandments and the shift from first- to third-person reference to God within the Decalogue.

All in all, then, the texts discussed in this study indicate the great diversity of purposes to which a relatively small number of compositional techniques can be put. Aside from minor additions of material from elsewhere, which do seem consistently to function to harmonize the language of two passages, other types of changes do not correlate with only one exegetical or ideological purpose. This is true even in cases, such as additions from elsewhere, where the number of uses to which a technique can be put is inherently limited.

Although this result may seem largely negative (i.e., there tends not to be a strong correlation between particular compositional techniques and the uses to which they are put), it clarifies in important ways one leg of the triangular system of interrelationships described above. Some compositional techniques allow almost unlimited freedom in terms of how they can be used; others permit a narrower range of options. Considering the range of uses to which a single technique is put in various texts provides a window into the 'tool kit' of Second Temple scribes as well as their creativity in employing the tools at their disposal.

6.2.2 *Compositional Techniques and the Status of a Rewritten Text*

The second question to consider is whether this study has shed any light on a possible connection between the compositional techniques used in a given text, or the purposes to which those compositional techniques were put, and the status of that text as either a copy of a biblical book or a new composition. That is, do scribes responsible for new compositions use different methods of reworking, or use the same methods in different ways, than those who simply revise and update biblical books?

A priori, a negative answer lies closest to hand based on the results described in the previous section. The texts considered here include one group readily acknowledged to constitute copies of the Pentateuch (SP and its forebears); one text representing a new composition (TS); and one group (the 4QRP MSS) whose status is disputed, though I would incline to regarding them as copies of the Pentateuch. All of these texts share a basic set of compositional techniques, and although

different texts use different techniques for different purposes and in differing proportions, there is little clear evidence that would suggest a correlation between textual status and the methods and goals of textual reworking.

It is worth considering, however, whether TS might present some evidence for just such a correlation. That is, insofar as the author of TS rewrites the pentateuchal text for the purpose of creating a new composition that presents itself as divine revelation from Sinai, might we not regard some of the instances of reworking in TS as specifically contributing to this purpose and thus closely linked to the status of the text? In at least one case this is obviously true: TS contains a large number of minor alterations in which reference to God in the third person is transformed to first-person reference; thus יהוה often becomes אני, and so forth. This series of changes is the means by which the author creates the new divine voice for his work, a voice which helps to make clear that TS is not simply a copy of the legal sections of the Pentateuch, but a new composition. Yet this type of change is most profitably considered under the rubric of the theory that literary features like voice and setting are the primary ways by which authors signal that a text should be read as a new composition.¹⁰ It is approaching tautology to say that the author of a rewritten text constituting a new composition will use *rewriting* to change the literary features of the text to indicate that it is a new composition. To put it another way, since changes in voice and setting already indicate to us the possible status of a rewritten composition, we do not gain very much by saying that the use of particular compositional techniques for the purpose of changing voice or setting suggests that the work that does this sort of thing is likely a new composition.

Beyond these obvious changes in TS, however, there may be other distinctive features of its rewriting that owe their presence to TS's particular character. For example, alone of the texts considered here, TS shows concern to reduce the redundancy of law, often using paraphrase to combine parallel laws into a single piece of legislation (as we saw with the Passover and Mazzot laws). Might this use of paraphrase be motivated by TS's self-presentation as divine revelation, a context in which presumably redundancy would not be expected?

¹⁰ See above, section 1.2.

Bernard Levinson and I have suggested that some changes made by TS are made specifically with the purpose of supporting the text's Sinaitic claims, the logic being that, since the text purports to constitute God's direct speech from Mt. Sinai, the author's attempts to smooth out inconsistencies and redundancies in the pentateuchal text amount to an attempt to make TS's legal revelation fitting for the divinity through whom it is revealed.¹¹ Thus parts of TS's rewriting, such as reducing legal redundancy, may in fact be specifically connected to its new voice and setting, and thus to its status as a new composition.

Even if this is true, however, several factors should caution against trying to use the evidence of TS to formulate any sort of general principle regarding the relationship between compositional techniques or the purposes to which they are put and the status of the composition in which they occur. To begin with, the problems inherent in the pentateuchal text vis-à-vis the claim to direct divine revelation made by TS—namely, that the Pentateuch is contradictory and redundant—are equally relevant in the context of the transmission and revision of the pentateuchal text itself. We have seen many examples of attempts to smooth out the text in SP and in the 4QRP MSS. TS presents itself as direct divine revelation, but the Pentateuch, at the time of the rewritings we are considering, was already starting to be read as divine revelation, with all the expectations of consistency that that perception entailed. If the author of TS 'improves' the text in order to make it better fit the claim that this new text is divinely revealed, other scribes, working on the text of the Pentateuch itself, made the same types of moves in order that the pentateuchal text itself might better reflect the claims of divinity and completeness being made of it.¹²

¹¹ Zahn, "New Voices," 442; Levinson and Zahn, "Revelation Regained," 308.

¹² The attitude towards the Torah to which changes like these attest bears a great deal of resemblance to the rabbinic conception of the Torah as perfect and all-encompassing; see Alexander Samely, "Scripture's Implicature: The Midrashic Assumptions of Relevance and Consistency," *JSS* 37 (1992): 167–205, at pp. 173–76, 192; Azzan Yadin, *Scripture as Logos: Rabbi Ishmael and the Origins of Midrash* (Philadelphia: University of Pennsylvania Press, 2004), 45–47, 54–59. The difference, of course, is that these Second Temple scribes felt authorized to adjust the text of the Torah itself in light of their expectations. The rabbis, working with the fixed text that emerged in the late first century C.E., took another approach. As Samely and Yadin demonstrate, they essentially refused to regard redundancy and contradiction as such, instead viewing these textual features as hermeneutically generative; as clues to the Torah's proper interpretation.

To sum up this section, I would argue that TS shows that particular uses of compositional techniques *can* be related to the goals and purposes of a given text, and thus *can* be correlated in some way with the status of that text as new composition or copy of the Pentateuch. The evidence from TS, however, does not allow us to formulate specific criteria for what types of rewriting might shed light on the status of a text in other cases, because, even as TS positions itself as a new composition in literary terms, its claim to divine revelation mirrors the revealed status of the Pentateuch itself. On this question, then, more research is needed. Other rewritten texts need to be examined to determine the extent to which their use of particular compositional techniques interacts with other factors that influence our perception of their status, such as voice and setting. Perhaps it will emerge that these literary factors remain preeminent as ways of distinguishing between expanded editions of biblical books and new rewritten compositions, and analysis of compositional technique and exegetical purpose is of little help in this regard. On the other hand, perhaps analysis of a wider range of texts than has been possible here will provide new perspectives on the relationship between rewriting and textual status.

6.2.3 *A Continuum of Scriptural Reworking?*

The final question to be addressed is that of *quantity* vs. *quality* of rewriting: how does the idea of a 'continuum' of reworking help us to understand the various manifestations of the phenomenon of rewriting that we have considered here? Does quantity of rewriting have any connection to the status of a rewritten text as a copy of a biblical book or a new composition?

Before reflecting on the latter question, it is important to consider the degree to which the results of my study problematize the concept of a continuum in the first place. We have seen that reworking is not like filling a glass or painting a room, such that the amount of 'reworked' as opposed to 'non-reworked' text could easily be quantified. Instead, rewriting is a process that manifests itself in a variety of compositional techniques and that deposits in writing an even wider variety of exegetical concerns. While most people might agree intuitively that, for example, the Pentateuch is more heavily reworked in TS than in SP, in order for the idea of a continuum to have more than intuitive value it must be possible to quantify accurately the amount of reworking in various texts. Several factors militate against the practicality, if

not the possibility, of such quantification. First, given that the text to which changes were being made was constantly in flux in this period, how could we ever determine with the necessary precision what constitutes a change? Although in many cases the status of a variant as a deliberate change is clear, in many minor cases the more original reading cannot be determined. Second, even if it were possible to quantify precisely the number of words retained vs. words changed or added in a given rewritten text, how are changes like rearrangements counted? No words are necessarily removed or added, but certainly change has taken place. The problems only multiply: should additions from elsewhere be regarded as less significant than addition of brand-new material? What of changes that, though small in size, have major exegetical import? It seems wrong that the addition of the word *וְשֵׁתִי* in 4Q158 1–2 13, which reflects a substantive halakhic issue, should be given the same quantitative weight as the addition of a word, like *שְׁמָה* in 4Q158 1–2 3, that does not actually impact the meaning of the text and does not accomplish a clear exegetical goal. Yet how would the difference between these two examples be reflected quantitatively? My point is that the idea of a quantitative continuum breaks down in the face of the qualitative differences between various compositional techniques and between the various purposes to which they were put, as exemplified in this study. Careful study of individual rewritten texts indicates that the key features of each are the range of techniques they employ and the specific purposes for which they employ those techniques. A text's character is not captured simply by trying to determine 'how different' it is from its *Vorlage*—and indeed, such an attempt would likely be quick to founder.

If quantification is, on the one hand, inevitably inaccurate and, on the other hand, less than satisfactory in terms of what it tells us about each individual text, its potential to help us distinguish new rewritten compositions from copies of biblical texts seems all the more in jeopardy. If we cannot accurately plot where each text lies along a continuum, there is no way to draw a line at a given point on the continuum separating 'Bible' from 'not-Bible.' This is not to say that quantity plays no role: if, for example, a revision of the book of Genesis started with the creation of the world and the Garden of Eden but then followed the history of the snake as it crawled on its belly and begot its offspring in numerous generations, it would no longer be anything we would recognize as Genesis. (On the other hand, this would no longer be rewriting in any sustained sense, either.) It seems foolish

to deny that texts can base themselves on an earlier text, yet depart so drastically from it that they can no longer be considered the 'same text'.¹³ Yet in order to advance the discussion, it seems most profitable to abandon the notion of a continuum of reworking and think instead about how exactly readers or hearers construe texts. How are differences between two texts perceived and evaluated? Faced with two texts that have many similarities but perhaps many differences, what are the conditions under which an audience will regard the two as versions of the same text as opposed to two different texts? Obviously these questions cannot be answered here, but the more nuanced picture of reworking that has resulted from this study suggests that it is time for us to stop thinking so much in terms of the *amount* of reworking in a given text and start looking for new conceptual tools that will provide new frameworks and vocabulary for discussing the various forms early Jewish scriptural rewriting could take.

6.2.4 *Looking Ahead*

The previous paragraph indicates that this study constitutes only one step in what must be a longer process of analysis of rewritten texts and reassessment of the terminology and categories we use to describe them. It is my hope that this investigation of the 4QRP MSS will provide the impetus for similar work on other texts and a better understanding of the similarities and differences between the wide variety of rewritten texts known from Qumran and elsewhere. In closing, I will simply indicate two primary directions for such work that seem particularly important.

First, many rewritten texts remain in need of the type of detailed analysis used here, particularly from the perspective of compositional technique and exegetical goals. These texts include the Genesis Apocryphon, Jubilees, Josephus's *Antiquities*, and others. The pentateuchal Targumim constitute a rich trove of rewriting that should also be brought into the discussion.¹⁴ Furthermore, a fuller analysis of exegetical variants identifiable in the biblical versions, such as that

¹³ This is patently the case with, e.g., 1 Enoch, which is at least partially inspired by aspects of the Primeval History in Genesis, but does not interact in any sustained way with the pentateuchal text.

¹⁴ See especially Samely, *Interpretation of Speech*. Although Samely does not relate his work explicitly to earlier forms of rewriting, a great deal of his analysis is relevant to the questions raised here.

programmatically begun by Andrew Teeter in his recent dissertation, is also necessary.¹⁵

Second, a key object of future study will be clarification of the place of rewritten texts from the Second Temple period in the history of Jewish thought. On the one hand, it should be determined if and exactly how rewriting from this period continues processes operative in earlier stages of the formation of the Pentateuch (e.g. Deuteronomy's reuse of the Covenant Code), which in turn can be traced back to scribal practices current in the ancient Near East at least as far back as the second millennium B.C.E.¹⁶ On the other hand, there should be continued study of the ways in which pentateuchal reworking anticipates the work of the rabbis, especially as regards attitudes towards the scriptural text and exegetical method.¹⁷

Ultimately, the importance of understanding rewritten texts lies in their prevalence as a mode of interpretation in the late Second Temple period. Both revised versions of biblical books and new compositions of the sort we have labeled 'rewritten Scripture' attest to a remarkable period in the history of exegesis. At this time, notions of the sanctity, antiquity, and divine origins of the text were well-developed. Yet this did not translate into the inviolability of the text or the cessation of

¹⁵ Teeter, "Exegesis."

¹⁶ On rewriting within the pentateuchal legal corpora, see Levinson, *Deuteronomy*; Jeffrey Stackert, *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation* (FAT 52; Tübingen: Mohr Siebeck, 2007). On the connections between the scribal practices of ancient Israel and those of its ancient Near Eastern neighbors, see e.g. Jeffrey H. Tigay, "The Evolution of the Pentateuchal Narratives in the Light of the Evolution of the *Gilgamesh Epic*," in *Empirical Models for Biblical Criticism* (ed. Jeffrey H. Tigay; Philadelphia: University of Pennsylvania Press, 1985), 21–52; David M. Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (New York: Oxford University Press, 2005). For consideration of inner-biblical reuse in light of rewriting in late Second Temple period texts, see Levinson, "Revelation of Redaction"; Carr, "Method"; Molly M. Zahn, "Reexamining Empirical Models: The Case of Exodus 13," in *Das Deuteronomium zwischen Pentateuch und deuteronomistischem Geschichtswerk* (ed. Eckart Otto and Reinhard Achenbach; FRLANT 206; Göttingen: Vandenhoeck & Ruprecht, 2004), 36–55.

¹⁷ Besides the work of Samely on the Pentateuch Targums, mentioned above, the work of Steven Fraade and Azzan Yadin on the connections between rabbinic modes of thought and those prevalent at Qumran offer a starting point for explorations of this type. See e.g. Steven D. Fraade, "Interpretive Authority in the Studying Community at Qumran," *JJS* 44 (1993): 46–69; idem, "Looking for Legal Midrash at Qumran," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael E. Stone and Esther G. Chazon; STDJ 28; Leiden: Brill, 1998), 59–79; Azzan Yadin, "4QMMT, Rabbi Ishmael, and the Origins of Legal Midrash," *DSD* 10 (2003): 130–49.

access to traditional loci of revelation like Mount Sinai. The relationship between sacred text and faithful reader was different from what it would become in later Judaism and Christianity. In this setting, the faithful transmitter of the ancient and sacred textual tradition could, at the same time, be an innovator, whose own faithfulness to that textual tradition demanded reshaping of it.

APPENDIX ONE

TRANSCRIPTION AND TRANSLATION OF 4Q158

The following transcription and translation of 4Q158 is included as an aid to the textual analyses of chapter 2. While the text of 4Q364–367 is available in the excellent edition of Tov and White (Crawford) in DJD 13, Allegro's edition of 4Q158 in DJD 5 is unsatisfactory in a number of ways, including numerous errors of transcription and a complete lack of reconstruction of missing text even when a fragment appears to follow the pentateuchal text closely. A complete new text edition of 4Q158, based on the following transcription, is being prepared by Prof. Moshe Bernstein and myself and will be included in the forthcoming revised edition of the DJD 5 materials.¹ I have included reconstruction of the text in as many cases as a prudent suggestion can be offered, but have printed extensively reconstructed portions in grey in order to highlight their tentative nature.

In the transcriptions, a dot over a letter (ḥ) indicates that the reading given is very probable but not definite; a cirlet over a letter (ḥ̣) indicates that the visible ink traces are consistent with several possible letters and the reading is less certain. Ink traces that cannot be identified are marked with an open circle (○). A series of question marks in the reconstructed sections of the text (???) indicates my inability to suggest a reconstruction at that point.

¹ See ch. 1, n. 9. I am grateful to Prof. Bernstein for his review of this transcription and his suggestions at several points of readings or reconstructions.

1]
 2]
 3]
 4] ירד יעקב^ב בהאבקו עמו^ב וְאֶחָזוּהוּ אֱלֹהֵי שְׁמֵהּ יִאמְרוּ אֵלָיו שְׁלַחֲנִי כִּי עָלָה הַשְּׁחֹר וַיֹּאמֶר לֹא אֶשְׁלַחֲכֶם כִּי אִם בְּרַכְתֶּנִּי
 5] אֵלֵי^א] יאמר לו מה שמכה ויאמר לו יעקוב ויאמר לוא יעקוב ויאמר עוד שמכה כי אם ישראל כי שרית עם אלוהים
 6] וְלָעַם אֲנֹשִׁים וְתוֹכֵל יִשְׂרָאֵל יִקְרָב וְיִאמְרוּ הַגֵּנְזִיךְ לִי מִהַ שְׁמֵכָה וַיֹּאמֶר לְמָה זֶה תִּשְׁאַל לְשֵׁמִי
 7] וַיְבַרְךְ אוֹתוֹ שֵׁם וַיֹּאמֶר לוֹ יִפְרָכָה יְהוָה וַיִּרְבַּבְכֶּם
 8] דַּעֲת וּבִינָה וַיְצִילְכֶם מִכּוֹל חַמַּס וְיִסְּ
 9] עַד הַיּוֹם הַזֶּה וְעַד דּוֹרוֹת עוֹלָם
 10] וַיֵּלֶךְ לְדַרְכּוֹ בְּבָרְכּוֹ אוֹתוֹ שֵׁם וַיִּקְרָא יַעֲקֹב שֵׁם הַמָּקוֹם פְּנִיָּאל כִּי רָאִיתִי אֱלֹהִים פָּנִים אֶל פָּנִים וְתִנְצֵל נַפְשִׁי וַיֹּרֶחַ
 11] לוֹ הַשֶּׁמֶשׁ כְּאִשֶּׁר עָבַר אֶת פְּנּוּאֵל וְהוּאָה צוֹלַע עַל יָרֵכוֹ^{???}
 12] בַּיּוֹם הַהוּאָה וַיֹּאמֶר אֶל תּוֹאֵל כָּל־אֵת גִּיד הַנְּשָׂה אֲשֶׁר עָלִי שְׁתֵּי כְּפוֹת הַיָּד עַל כֵּן לֹא יוֹאכְלוּ בְּנֵי יִשְׂרָאֵל אֶת גִּיד הַנְּשָׂה אֲשֶׁר
 13] עָלִי שְׁתֵּי כְּפוֹת הַיָּד עַד הַיּוֹם הַזֶּה כִּי נָגַע בְּכַף יָדִי יַעֲקֹב בְּגִיד הַנְּשָׂה^{???}
 14] אֶל אַהֲרֹן לֵאמֹר לֵךְ לְקַרְאֹת [מְ]וֹשֵׁה הַמִּדְבָּרָה וַיֵּלֶךְ וַיִּפְגְּשֵׁהוּ בְּהַר הָאֱלֹהִים וַיִּשְׁק לּוֹ וַיִּגַּד מוֹשֶׁה לְאַהֲרֹן אֶת כּוֹל
 15] דְּבַרֵי יְהוָה אֲשֶׁר שְׁלַח וְאֵת כּוֹלֵי הָאוֹתוֹת אֲשֶׁר צִוָּהוּ^{???} וַיֹּאמֶר מוֹשֶׁה אֶל אַהֲרֹן (לֵאמֹר) זֶה הָאוֹת אֲשֶׁר צִוָּה
 16] יְהוָה לִי לֵאמֹר בְּהוֹצִיאֲכֶם אֶתְּן הָעַם מִמִּצְרַיִם תַּעֲבֹדוּן אֶת הָאֱלֹהִים עַל הַהָר הַזֶּה^{???}
 17] לִלְכֹת בְּיָמֵינוּ וְהִנֵּה הִמָּה שְׁלֹשׁ־^א
 18] יְהוָה אֱלֹהֵינוּ [הָ] לָן
 19] נִשְׁלַן [לָן]

1. []s so that[]]
2. []?{]sryt and p[]]
3. [] And J[ac]ob [re]mained a]lone there, and [a man] wrestled[with him until the dawn came. And he saw that he could not prevail over him, so he struck him on the hollow of his hip socket, and Jaco]b[’s hip socket was]
4. [wrenched out of joint] when he wrestled with him.[And]he seized him, so he said to [him, “Release me, for dawn has come!” And he said to him, “I will not release you unless you bless me]
5. [??] to me.” He said to him, “What is your name?”[And he said]to him, [“Jacob.”] He said, “No longer shall you be called Jacob, but rather Israel, because you have striven with God[]
6. [and]wi[th]humans and you have prevailed.” J[a]cob asked [and]sai[d, “Tel]] me, wh[at is your name?”] But he said, “Why do you ask my name?”]
7. [And he bless]ed him there, and he said to him, “May YH[WH] make you fruitful [and multiply]you[]]
8. [kno]wledge and understanding, and may he deliver you from all violence and ?[]]
9. until this day and until eternal generations[]]
10. And he went on his way after having blessed him there. And [Jacob] ca[ll]ed the name of the place Peni’el, because “I have seen God face to face, and yet my life has been saved.”]
11. [And] the sun [rose] upon him as he passed by Penue[], and he was limping because of his hip. ???]
12. on that day, and he said, “Do not eat[the tendon of the sciatic nerve that is upon the two hip sockets”; therefore] to [this day the children of Israel do not eat the tendon of the sciatic nerve that is]]
13. upon the two hip sockets, [for he struck]Jacob on the hip socket, on the tendon of the sciatic nerve]
spoke[]]
YHWH]
14. to Aaron, saying “Go to mee[t]M[oses in the wilderness.” So he went, and he met him on the mountain of God, and he kissed him. And Moses related to Aaron all[]]
15. the words of YHWH with which he had sent him and all[the signs with which he had commanded him. ??? And Moses said to Aaron, “This is the sign that]]
16. YHWH [commanded] me, saying “When you bring[the people out from Egypt, you shall worship God upon this mountain. ???]]
17. to go ?b?ym, and see, they are thirt[y(?)]]
18. YHWH God[]]t[]to[]]
19. drew off(?) []to[]?{]]

Frag. 3 (Gen 47:29–30?)

1. And Jacob called [
2. in this land *m*l[
3. my fathers to come to[
4. []?{[

ויקרא יעקוב] 1
 בארץ הזאת מל[2
 אבותי לבוא אל[3
]oo[] 4

Frag. 4, column i (lineation according to col. ii)

בר[] 4
 o[] 5
 י[] 6

Frag. 4, column ii (Exod 24:4-6 + additions)

בהוציאה את [צוה לכה] 1
 העם ממצרים תעבדו את האלוהים על ההר הזה ??? וישכם (מושה) בבוקר (?) ויבן מזבח תחת ההר ושתיים עשרה מצבה 2
 למספר שנים עשר שבט ישראל וישלח את נערי בני ישראל (?) ??? 3
 ויעל את העולה על המזבח ויבנה זבחים שלמים ליהוה פרים (?) ויקח מושה חצי הדם וישם 4
 באזנות וחצי הדם זרק על המזבח ויקח ספר הברית ויקרא באזני העם ??? 5
 אשר הלאות אל אברהם ואל יצחק ואל יעקוב 6
 אתם להיות להמה ולזעם לאלוהים 7
 [עוד עולם] ת על [ל] ילוח 8
 [וה] 9

1. [] commanded you [
2. the people from Egypt you shall worship [God upon this mountain. ??? So (Moses) rose early in the morning (?) and built an altar at the base of the mountain and twelve stone pillars]
3. according to the number of the twelve tribes [of Israel. And he sent the young men of Israel (?) ???]
4. and he offered up the burnt offering upon the altar, and he offered bulls as sacrifices of well-being to YHWH (?). And Moses took half of the blood and put it]
5. in bowls, and half of the blood he sprinkled upon the [altar. And he took the book of the covenant and read it in the ears of the people ???]
6. which I showed to Abraham and to ???[Isaac and to Jacob ???]
7. with them to become] a God to them and to their se[e]d ? []
8. [f]oreve[r]t [] []? YHWH ? []
9. []w/h []

When you bring out
 And (also) I established my covenant]

Col ii	o	[		]	0
			בת־הַהֲרֵי]
			הַהֲרֵי וְהָרֵי עֲשֵׂנוּ כֹּלֹו מִפְּנֵי אֲשֶׁר יָרַד עֲלֵינוּ בְּעֲשֵׂנוּ כֵּבֶשֶׁן וַיְחַרֵּד כֹּל הַהָר מֵאֵד וַיְהִי קוֹל הַשּׁוֹפָר]
			מִשָּׁה רַב הָעֵד בְּעַם פֶּן יִהְרָסוּ אֶל יְהוָה לְרֵאוֹת וּנְפֹל מִמֶּנּוּ רַב וְגַם הַכּוֹהֲנִים הִגְשִׁים אֶל יְהוָה יִתְקַדְּשׁוּ [פֶּן יִפְרֹץ בְּהַמָּה]
			יְהוָה וַיֹּאמֶר מִשָּׁה אֶל יְהוָה לֹא יִזְכֵּר הָעַם לְעֹלֹת אֶל הָרֵי סִינַי כִּי אֶתָּה הֶעֱדוֹתָ בְּנוֹ לְאֹמְרוֹ הַגְּבֹל אֶתְּ הַהָר וּקְ[דִשְׁתּוּ]

1. [
2. [of the mountain. Now all of Mount Sinai was smoking because YHWH came down upon it in fire, and its smoke rose like the smoke of the kiln, and the whole mountain was shaking terribly, and the **sou]nd of the shofar**
3. [continued to increase mightily; Moses would speak and God would answer him with thunder. And YHWH came down upon Mount Sinai, to the top of the mountain, and Moses went up to the top of the mountain]. **And YHWH said to**
4. [Moses, "Go down, warn the people, lest they break through to YHWH to see, and many of them perish. And let even the priests who approach YHWH sanctify themselves]lest [YHWH] burst out against them."
5. [And Moses said to YHWH, "The people will not be able to go up to Mount Sinai, for you yourself warned us, saying: cordon off] the mountain and sa[nc]t[ify] it]

Frag. 6 (Exod 20:19–21 SP)

- 1 קרב [אתה] ושמע את כול אשר יואמר יהוה אלוהינו ואתה תדבר אלינו את כול אשר ידבר יהוה אלוהינו]
 2 [אליכר ושמענו ועשינו ול]וא ידבר ע[מנו אלוהים פן נמות ויאמר משה אל העם אל תיראו כי לבעבור נסות אתכם
 3 בא הא[לוהים ובע]בור תהיה יראתו על פניכם לבלתי תחטאו ועמוד העם מרחוק ומושה נגש אל הערפל אשר שם
 4 האלהים [ידבר] יהוה אל משה ל[אמר שמעתי את קול דברי העם הזה אשר דברו אליכם הטיבו כול אשר דברו מי יתן
 5 והיה הלבב הזה להמה לראה [אודי ולשמור את מצותי כול הימים למען ייטב להמה ולבניהמה לעולם ועתה לוא ישמעו והיה עודי]
 6 את קול דברי אמר[ן] להמה נביא [אקם להמה מקרב אחיהמה כמורה ונתתי דברי בפיו ודבר אליהמה את כול אשר אצוו והיה האיש
 7 אשר לוא ישמע[ן] א[ל דבר]ן אשר ידבר בשמי אנכי אדרוש עממו אך הנביא אשר יידי לדבר את הדבר אשר לוא צויתו
 8 [לד]בר או אשר יי[בר] בשם אלוהים אחרים ומת הנביא הואה וכי תואמר בלבבכה איך נודע את הדבר אשר לוא דברו יהוה
 9 [א]שר ידבר[ן] הנביא בשם יהוה לוא יהיה הדבר ולוא יהוא הדבר אשר לוא דברו יהוה בידון דברו הנביא לוא תגור ממנו]
 10]oo[[]]
1. [which YHWH our God speaks]
 "You [approach and listen to everything that YHWH our God shall say, and then you can speak to us everything which YHWH our God speaks]
 2. [to you, and we will listen and obey. But do n]ot let [God] speak w[ith us, lest we die." Moses said to the people, "Do not be afraid, for it is in order to test you that]
 3. G[od] has come, [and in ord]er that the fear of[him] might be [upon you, so that you do not sin." But the people stood at a distance, and Moses approached the thick darkness where]
 4. God [was. And]YHWH [spoke] to Moses s[aying, "I have heard the sound of this people's words which they spoke to you; everything which they spoke is appropriate. If only]
 5. they had this mind, to fear [me and to keep my commands forever, so that it might go well for them and for their descendants forever. And now, they shall no longer hear (?)]
 6. the sound of my words. Sa[y] to them: A prophet [like yourself I shall raise up for them from among their kin, and I will put my words in his mouth, and he will speak to them everything that I command him. And the man]
 7. who does not hee[d] [his] word[s, which he spoke in my name—I myself will require it of him. But the prophet who presumes to speak a word in my name which I did not command him]
 8. [to speak, or who spe]aks in the name of other gods—that prophet shall die. And if you say to yourself: How can we know the word which YHWH did not speak?
 9. [Wh]en [a prophet] speaks[in the name of YHWH, but the thing does not happen or come to be, that is a word which YHWH has not spoken; the prophet spoke it presumptuously. You shall not be afraid of him.]
 10. []]??

Frag. 7-9 (Exod 20:12-17, 21b SP-21:25)

- 1 [את אבִי] וְכֹה וְאֵת אִמִּיךָ לִמְעַן יִרְבִּיכֶם יִמִּיךָ עַל הָאָדָמָה אֲשֶׁר יְהוָה אֱלֹהֵיכֶם נֹתֵן לְכֹה לֹא תִרְצַח לֹא תִגְנוֹב לֹא תִעַנֶה
2 [בְּרַעֲפֶה עַד שֶׁקֶר לֹא תִחַמְדֶּה אֲשֶׁת לְרַעֲפֶה לֹא תִחַמְדֶּה בֵּית רַעֲפֶה וְעַבְדוֹ וְאִמְתּוֹ וְשׁוֹרֹו וְחִמְרוֹו וְכוּל אֲשֶׁר לְרַעֲפֶה
3 וַיֹּאמֶר יְהוָה אֵל מֹשֶׁה לֵךְ אִמּוֹר לְהַמָּה שׁוּבוּ לְכֹה לְאֹהֲלֵיכֶם וְאֵתָה פֹה עִמְדוּ וְאִבְרַה אֱלִיכָה אֵת כּוֹל הַמִּצְוָה אֵת הַחֻקִּים
4 וְאֵת הַמִּשְׁפָּטִים אֲשֶׁר תִּלְמַדְם וַעֲשׂוּ בְּאָרְץ אֲשֶׁרְכֶן אֲנֹכִי בְּתוֹן לְהַמָּה לְרִשְׁתָּהּ וַיֵּלֶךְ מֹשֶׁה וַיֹּאמֶר אֵל הָעָם שׁוּבוּ לְכֹה לְאֹהֲלֵיכֶם
5 וַיִּשְׁבוּ הָעָם אִישׁ לְאֹהֲלֵי וַיַּעֲמִיד מֹשֶׁה לִפְנֵי יְהוָה וַיְדַבֵּר יְהוָה אֵל מֹשֶׁה לֵאמֹר דַּבֵּר אֵל בְּנֵי יִשְׂרָאֵל אֲתָמָה
6 רֵאִיתֶמָה כִּי מִן הַשָּׁמַיִם דִּבַּרְתִּי עִמְכֶם לֹא תַעֲשׂוּן אֲתָי אֱלֹהֵי כֶסֶף וְאֱלֹהֵי זָהָב לֹא תַעֲשׂוּ לְכֹה מִזְבַּח אֲדָמָה תַעֲשֶׂה לִי וְזִבְחֹת
7 עֲלֵי אֵת עֹלֹתֵיכֶם וְאֵת שְׁלַמִּיכֶם אֵת צֹאנֵיכֶם [וְאֵת בְּקָרְיֵיכֶם בְּכוֹל מְקוֹם אֲשֶׁר אֲזַכִּיר אֵת שְׁמִי אֲבֹא אֵלֵיכֶם וּבְרַכְתִּיכֶם וְאִם מִזְבַּח אֲבָנִים
8 תַעֲשֶׂה לִי לֹא תִבְנֶה אֲתָהֶנָּה גֹזֵית כִּי חֲרַבְכָּה [הַגַּפֹּת עֲלֵיהָ וְתַחֲלָלָה וְלֹא תַעֲלֶה בְּמַעֲלֹת עַל מִזְבְּחִי אֲשֶׁר לֹא תִגְלֶה עֲרוֹתְכֶם
9 עֲלֵי אֱלֹהֵי הַמִּשְׁפָּטִים] אֱלֹהֵי הַמִּשְׁפָּטִים אֵשׁ [תִּשְׂרֹם לַפְּנֵיהֶם וְיִצְאָה אֲשֶׁתּוֹ עִמּוֹ אִם אֲדֹוֹנֵי יָתֵן לוֹ אֲשֶׁה וְיִלְדָה לוֹ בָנִים אוֹ בָנוֹת הָאִשָּׁה
10 [חֲנַם אִם] בְּגִפְיוֹ בָּא בְּגִפְיוֹ יִצָּא [אִם כֶּעַל אֲשֶׁה הוֹאֶה וַיִּצְאָה אֲשֶׁתּוֹ עִמּוֹ אִם אֲדֹוֹנֵי יָתֵן לוֹ אֲשֶׁה וְיִלְדָה לוֹ בָנִים אוֹ בָנוֹת הָאִשָּׁה
11 וְיִלְדֶיהָ תִהְיֶה [לְאִ] וְהָיָה וְהוֹאָא [יִצָּא בְּגִפְיוֹ וְאִם אֲמֹר יוֹאֲמֶר הָעַבֵּד אֶהְבַּתִּי אֵת אֲדֹוֹנֵי אֵת אֲשֶׁתִּי וְאֵת בְּנֵי לֹא אֲצַא חֲפְשִׁי
12 הָיָה] יִשׁוּ אֲדֹוֹנֵי אֵל הָאֱלֹהִים וְהִגִּישוּ אֵל הַדֹּלָת אוֹ אֵל הַמִּזְוָה וְרַצַּע אֲדֹוֹנֵי אֵת
13 אֲנֹו בְּמִרְצַעַן] וְעַבְדוֹ לְעוֹלָם וְכִי יִמְכֹר אִישׁ אֵת בְּתוֹ לְאִמָּה לֹא תִצָּא כְּצֵאת הָעַבְדִּים אִם רַעַה בְּעֵינֵי אֲדֹוֹנֵה אֲשֶׁר לֹא יַעֲדָה
14 [וְהָ] פְדָה לְעַם נְכַרִּי לֹא יִמְשֹׁל לְמַכְרָה בְּבַגְדוֹ בַּהּ וְאִם לְבָנוֹ יַעֲדֶנָּה כְּמִשְׁפֵּט בְּנוֹת יַעֲשֶׂה לָהּ אִם אַחֲרֵת יִקַּח לוֹ שְׂאֵרָה כְּסוּתָה וְעַנְתָּה לֹא יִגְרַע
15 [וְאִם שׁ] לְאִשׁ אֱלֹהֵי לֹא יַעֲשֶׂה לָהּ וַיִּצְאָה חֲנַם אֵין כֶּסֶף מְכָה אִישׁ מוֹת יוֹמָת וְאֲשֶׁר לֹא צָדָה וְהָאֱלֹהִים אִנָּה לִידוֹ וְשִׁמְתִי לְכֹה מְקוֹם
16 [אֲשֶׁר יָנוֹס שְׂמֹה וְכִי יִזִּיד אִישׁ עַל רַעְוֹ לְהִרְגוֹ בְּעֵרְמָה מִעַם מִזְבְּחֵי תִקְחֶנּוּ לְמוֹת וּמְכָה אֲבִיו וְאִמּוֹ מוֹת [וְיִוֹמָת מוֹת] גֹּזֵיבָן
17 [אִישׁ וּמְכָרוֹ וּנְמַצָּא בְּיַד מוֹת יוֹמָת וּמְקַלְל אֲבִיו וְאִמּוֹ מוֹת יוֹמָת וְכִי יִרְבִּינוּ אֲנָשִׁים וְהִכָּה אִישׁ אֶת רַעְוֹ בְּאָבָן] אוֹ בְּאֹגְרֵף וְלֹא
18 [יּוֹמָת וּנְפַל לְמִשְׁכַּב אִם יִקּוֹם וְהוֹחֲלֵךְ בַּחוּץ עַל מִשְׁעַנְתּוֹ וּנְקָה הַמְכָה רַק שְׁבַתּוֹ יָתֵן וּרְפוּאָה יִרְפָּא וְכִי יִכָּה אִישׁ אֵת עַבְדּוֹ
19 [אוֹ אֵת אִמְתּוֹ בְּשִׁבְטֵי מוֹת תַּחַת יַדוֹ נִקְם אֵד אִם יוֹם אוֹ יוֹמִים יַעֲמִיד לֹא יִקָּם כִּי כִסְפוֹ הוּאָה וְכִי יִצְוֶן אֲנָשִׁים
20 [וּגְנַפּוֹ אֲשֶׁה הִרָה וַיִּצְאוּ לִידָה וְלֹא יִהְיֶה אֲסוֹן עֲנִישׁ יַעֲשֶׂה כְּאֲשֶׁר יִשִּׁית עֲלֵי בְעַל הָאִשָּׁה וְיִנְתֵּן בְּפִלְלִיִּים] [וְאִם אֲסוֹן יִהְיֶה וְנִתְתָּה נֶפֶשׁ
21 תַּחַת נֶפֶשׁ עֵין תַּחַת עֵין שֵׁן תַּחַת שֵׁן דִּ תַּחַת יַד רַגְלֵי תַּחַת רַגְלֵי כּוֹיָה תַּחַת כּוֹיָה פַּעַץ תַּחַת פַּעַץ חֲבוּרָה [תַּחַת] חֲבוּרָה

1. your [father] and your mother[so that your days might be long upon the soil that YHWH your God is giving to you. You shall not murder. You shall not commit adultery. You shall not steal. You shall not give]
2. false testimony [against] your [neighbor]. You shall not covet [your] neighbor's wife. [You shall not covet your neighbor's house, nor his male or female slave, nor his ox, nor his donkey, nor anything that belongs to your neighbor.]
3. And YHWH said to Moses, "Go, tell them: Return t[o your tents! But you stay here with me, and I will tell you the whole commandment, the statutes]
4. and the ordinances that you will teach them so that they might do them in the land which[I am giving to them to inherit." So Moses went and told the people, "Return to your tents!"
5. So the people returned, each to his tents, while Moses remained before [YHWH. YHWH spoke to Moses, saying "Say to the children of Israel: You yourselves]
6. have seen that it was from heaven that I spoke to you. You shall not make[in my presence gods of silver, and gods of gold you shall not make for yourselves. You shall make for me an earthen altar, and you shall sacrifice]
7. upon it your burnt offerings and your offerings of well-being; your sheep [and your cattle. In every place where I cause my name to be remembered I will come to you and bless you. And if]
8. you make for me [an altar of stones], you shall not build with hewn stones, for (then) [you would raise] your chisel[upon it and profane it. You shall not go up upon my altar by means of steps, so that your nakedness shall not be uncovered]
9. upon it. These are the ordinances[whi]ch you shall s[et before them. If you purchase a Hebrew slave, six years shall he serve you, and in the seventh he shall go out free,]
10. [without compensation. If [he came alone, alone he shall go out; if he has a wife, his wife shall go out with him. If his master gives him a wife and she bears him sons or daughters, the woman]
11. [and her children shall belong]to his [m]aster, and he[shall go out alone. But if the slave should say, "I love my master, my wife, and my children; I will not go free,"]
12. then [his master] shall[bring him before God; he shall bring him to the door or to the doorpost, and his master shall pierce]
13. his ear with an awl[and he shall serve him forever. Now if a man sells his daughter as a maidservant, she shall not go out as the slaves go out. If her master who has designated her for himself is displeased with her,]
14. [he] shall let her be redeemed; [he shall not have the authority to sell her] to[a foreign] ma[ition, since he has treated her unjustly. If he designates her for his son, he shall treat her according to the rule for daughters. If he marries another, he shall not reduce her food, her clothing, or her conjugal rights.]
15. [And if these th]r[ee things he does not do for her, she shall go out without paying, without money. Anyone who strikes a man so that he dies shall be put to death—but as for the person who did not lie in wait but whose hand God caused (to strike), I will appoint a place for you]

16. [to which he can flee. But if a man is so presumptuous to his neighbor as to kill him with forethought, from my altar you shall take him to die. Whoever strikes his father or his mother shall be put] **to death**. **Whoever kidnaps**
17. [a person and sells him, or he is found in his keeping, shall be put to death. Whoever curses his father or his mother shall be put to death. If men quarrel and a **m**] **an [strikes] his neighbor with a stone[or with his fist, but he does not]**
18. [die but is confined to bed, if he gets up and walks around outdoors upon his staff, the one who struck shall be cleared; only he shall pay the cost of his confinement and shall have him healed. And if] **a man strikes [his] slave [**
19. [or his maidservant with a rod, and he dies under his hand, he shall surely be avenged. However, if he survives for a day or two, he is not to be avenged, since he is his property. And if] **[men] get into a fight[and they strike a]**
20. [pregnant woman and a miscarriage occurs, but there is no fatality, (the offender) shall pay a fine according to what is determined by the woman's husband—] **he shall pay as the judges (determine)**. [But if there is a fatality, then you shall give a life]
21. [for a life, an eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot, a burn for a burn, a wound for a wound, a stripe] **for[a stripe]**

Frag. 10–12 (Exod 21:32–22:13)

1 [כסף שלוש]ים שקלים יתן לאדוניו והשור יסקל וכי יפתח איש בור או כי יכרה איש בור ולוא יכסנו ונפל שמה שור או המור בעל
 2 [] הבור ישלם כסף לשיב לבעליו והמת יהיה לו וכי יגוף שור איש את שור רעהו ומת וגמרו את השור החי וחצו את
 3 [כסף וגם] את המת יחצו [אם נודע] [כפי ש] נהג הוא מתמול שלשים ולוא ישמרנו בעליו שלם שור תחת השור והמת
 4 [יהיה] [ל] [אם יגנוב איש שור או שור וטבחו או מן] ברו חמשה בקר ישלם תחת השור וארבע צואן תחת השור
 5 [אם במותרת ימצא הגנב] ויחזק ומת אין לו דמים אם זרחה השמש עליו ישלם בקר חמשה ולוא יגנבו את המצא
 6 [תמצא בידו הגנב משור עד] המור עד שה חיים אחד שנים ישלם וכי יבעה [איש שדה או כרם ושלהו בעירו ובעה בשדה
 7 [אחר שלם ישלם משדו] כת] בואתו אם כול השדה יבעה מיטב שדו ומיטב כרמו [שלם כי תצא אש ומצאה קוצים
 8 [ונואכל גדיש או הקמה או השדה ש]לם ישלם המבעל את הבעה כיא יתן איש אל [רעהו כסף או כלים לשמור וגונב מבית האישי
 9 [אחד שנים אם לוא ימצא הגנב ונקרב בעל] הבית לפני האלוהים אם לוא ילא ידו במלאכת] רעהו על כול דבר פשע על שור על
 10 [חמור על שור על שלמה על כול אבדה] אשר יואמר ^{הוא} יזאמה ידו זהו יבוא דבר שניהמה א]שר ירשעון האלוהים ישלם אחד שנים
 11 [לרעהו כי יתן איש אל רעהו המור] או שור או שור או שור או שור או שור או שור או שור או שור או שור או שור או שור או שור או שור
 12 [תהיה בין שניהמה אם לוא שלח ידו] במלאכת] רעהו ולקח בעליו ולוא ישלם ואם [גנב יגנב [מעמו ישלם לבעליו אם טרף
 13 [יטרף יביאהו עד הטרפה לוא ישלם ו] כיא ישאל אל] ש מעם] רעהו בהמ] ונשבר או מת [בעל]יו

1. thirty pieces of silver [he shall give to his master, and the ox shall be stoned. And if a man opens a cistern or if a man digs a cistern and he does not cover it, and an ox or a donkey falls into it,]
2. [the owner] of the cistern shall make recompense; he shall pay money to its owner, and the dead animal shall be his. And if one man's ox gores his neighbor's ox and it dies, they shall sell the live ox and divide its
3. [price, and also] the dead one they shall divide. [If it is known] that it was an ox [prone to goring in the past, and its owner has not guarded it, he shall make recompense, an ox in place of an ox,]
4. [and the dead animal shall be] his. [If a man steals an ox or a sheep and slaughters it or sells it, he shall repay five oxen in place of the ox and four sheep in place of the sheep.]
5. [If the thief is discovered while breaking in] and is struck and dies, there is no bloodguilt in the case. If the sun has risen upon him, there is bloodguilt [for the case. He shall surely make recompense. If he is unable, he shall sell himself for his theft. If]
6. [the stolen property is found in his possession, whether ox or] donkey or sheep, still alive, he shall repay each twofold. And if [a man] grazes [a field or vineyard and he sends out his herd and it grazes in the field]

7. [of another, he shall make recompense from his own field according to]its[out]put. If he causes the entire field to be grazed over, the best of his field and the best of his vineyard he shall] repay. If fire breaks out and catches in thorns]
8. [and stacked grain or the standing grain or the field is consumed,] the one who started the fire shall make recompense. If a man gives to [his neighbor money or tools to watch over and they are stolen from the man's house, if the thief is found he shall repay]
9. [each thing double. If the thief is not found, the own]er of the house [shall draw near] before God (and swear) that he has not laid his hand upon the proper]ty of his neighbor. In every case of wrongdoing involving an ox or]
10. [a donkey or a sheep or a garment or any lost item]about which one party says "that is it!," the dispute between the two of them shall come before YHWH. The[one whom God declares guilty shall repay each thing double]
11. [to his neighbor. If a man gives to his neighbor a donkey]or an ox or a sheep or any animal to watch over and[it dies or is injured or is carried off, without anyone seeing, there shall be an oath to YHWH]
12. [between the two of them that (the one) did not lay his hand]upon the property of his [neigh]bor, and its owner shall accept the oath and (the other) shall not make recom]pense. But if]it was stolen [from him he shall make recompense to its owner. If it was
13. [torn by a wild animal, he should bring it as evidence; he need not make recompense for the remains. And]if a ma[n] borrows an animal [from] his neighbor [and it is injured or dies, its] owner [

Frag. 13 (Exod 30:32–34?)

1 [מִן מִיִּם] קוֹדֵשׁ יִהְיֶה זֶה לִי
 2 [לְדוֹרוֹתֵיכֶם עַל בֶּשֶׂר אָדָם לֹא יִסַּךְ וּבִמְחֻכּוֹנֹתָיו לֹא תַעֲשֶׂה כְמוֹהוּ
 3 [יִהְיֶה לְכֶמָּה אִישׁ אֲשֶׁר יִרְקַח כְּמוֹהוּ וְאֲשֶׁר יִתֵּן מִמֶּנּוּ עַל יַד וְנִבְרַת מִעַמִּי] *vacat?*
 4
 5 [וַיֹּאמֶר יְהוָה אֵל מוֹשֶׁה קַח לְכָה סַמִּים נָטַף וְשִׁלַּחַת וְחִלְבֵנָה סַמִּים וְלִבְנֹה זָכָה בָּ]

1. [
2. [for your generations. Upon human flesh it shall not be smeared, and you shall not make any other like it in its composition. H]oly it is; holy of holies
3. [it shall be for you. The man who makes a compound like it or who puts any of it on an unauthorized person shall be cut off from his people.] *vacat?*
- 4.
5. [And YHWH said to Moses, “Take for yourself spices: stacte and onycha and galbanum; spices and] pure frank[incense], b[]b?? ?[]

Frag. 14, Column i (related to Exod 6:3–8; 15:1–20)

1 הַ
 2]
 3]
 4]
 5]
 6]
 7]
 8]
 9]

הַיְהוֹיִם
 אֲבָרָא בְקַיִם
 תְּהִי צִרָה וְיִהְיֶה לִי לַעֲמֵךְ עַד דְּוָרָא
 מִיָּדָם וְעַשְׂתִּי לִי לַעֲמֵךְ עַד דְּוָרָא
 בְּנִיבָה
 תְּהוּם
 בְּוֹן

1. []
2. []]?d and all the winds/spirits
]for a blessing for the earth/land
3. []? []] and in the land of Egypt
4. [] the nations [] this []? with all the power of Egypt, and I will redeem them
5. there will be distress and ? [] I will create *bqr*? [] Egypt and the []
6. from their hand, and I will make (them) my people until the generation [] the heart of the sea in the depths
7. of your sons ? [] a]nd in security / []? who will dwell
8. of the Deep ? []
9. in it [] / []? why?

Frag. 14, Column ii (lineation according to col i)

6
 7
 8

Frag. 15

1
 2
 3

APPENDIX TWO

UNIQUE VARIANTS IN 4Q158 BY FRAGMENT

Location (Frag.)	Type	Size	Key Word(s) ¹
1-2 1-2	Unclear	Unclear (2 lines extant)	למען[...שרית ופ]
1-2 3-13	Addition from elsewhere	11 lines extant	ו[יז]תר י[עק]ב...הירך עד ה[יום הזה
1-2 3	Addition	1 word	שמה
1-2 4	Addition	1 word	ו[אחזהו
1-2 5	Unclear	Unclear (up to a few words)	[אלי
1-2 5	Addition	1 word	לו
1-2 7-10	Addition	3 lines	ויאמר לו...בברכו אותו שם
1-2 12	Addition (?) + Addition from elsewhere	Ca. ½-1 line	ביום ההואה ויאמר אל תוא[כל...]
1-2 13	Addition	1 word	שתי
1-2 14	Addition	1 word	לאמור
1-2 16-19	Addition from elsewhere (+ paraphrase?)	At least 4 lines	יהוה לי לאמור בהוציאכה...
3	Paraphrase (expanded)	At least 4 lines	Entire fragment
4 1	Unclear	Unclear	צוה לכה
4 1-2	Addition from elsewhere	Ca. ½ line	העם ממצרים תעבד[ון

¹ The Key Word(s) are meant simply as an aid to identification of the variant in question. They represent the entire variant where possible. For larger variants, the first extant words or the first and last extant words are given.

Location (Frag.)	Type	Size	Key Word(s)
4 3	Addition	1 word	למספר
4 4	Paraphrase	Unclear (at least 5 words)	ויעל את העול[ה] על המזב[ח]
4 6-8	Addition from elsewhere (+ paraphrase)	At least 3 lines	אשר היראתי...
6 6	Addition	5 words + ?	את קול דברי אמו[ר] להמה
6 8	Minor alteration	1 word	או אשר
7-9 1-2	Rearrangement	Several lines (2 extant)	End of Decalogue
7-9 3	Addition	4 words	ויאמר יהוה אל מושה
7-9 4	Addition	1 word	את
7-9 4-5	Addition from elsewhere	Ca. 1 line	וישובו העם איש לאהליו...
10-12 4	Minor alteration	1 word	אם[
10-12 6	Minor alteration	1 word	יבעה
10-12 7	Minor alteration	1 word	אם
13 2	Addition	1 word	קדשים
14	Paraphrase (+ addition from elsewhere)	Unclear (at least 9 lines)	Entire fragment
15	Unclear (addition?)	Unclear	Entire fragment (?)

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