

# Studies on the Texts of the Desert of Judah

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# Qumran Cave 1 Revisited

Texts from Cave 1 Sixty Years after  
Their Discovery: Proceedings of the Sixth  
Meeting of the IOQS in Ljubljana

*Edited by*

Daniel K. Falk, Sarianna Metso,  
Donald W. Parry, and Eibert J. C. Tigchelaar



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the candidates to the community could appear before the whole congregation during the entrance ceremony. However, active *participation* of the individuals, whose deeds and spirit have not been cleansed from the stain of sin, in the spiritual life of the community, would compromise its purity and holy status. Hence certain rights of the novices and the lapsed members, such as the right of counsel, were restricted. With physical impurity, the situation is reversed. Restrictions imposed on the bodily unclean members concern their sharing of physical space, but do not limit their involvement in the decision-making and other functions of the communal spiritual life. It can thus be argued that the authors of IQS and IQSa did not conflate the concepts of sin-impurity and physical impurity.

## ISSUES OF SEXUALITY IN IQSA AND 4QPAP CRYPTA SEREKH HA-'EDAH (4Q249D, E)

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The present paper arises out of my engagement in a research project which is investigating attitudes towards sexuality in Judaism and Christianity in the Hellenistic Greco-Roman Era.<sup>1</sup> More particularly it belongs within the exploration of attitudes towards sexuality within the sectarian and related literature at Qumran.<sup>2</sup> Here the *Rule of the Congregation* plays a significant role and was the focus of discussion from early days. In particular attention has focused on IQSa 1:9–11, which speaks of a young man and of his spouse. The first part of the statement is quite explicit:

ולוא יקרבו אל אשה לדעתה למשכבי זכר כי אם לפי מולואת לו  
עשר[ים] שנה בדעתו [טוב] 11 ודע

and he shall not approach 10 a woman to have sexual intercourse with her by lying with her as male does until he has completed twenty years when he knows good 11 and evil. (IQSa 1:9–11)

There is to be no sexual intercourse and by implication no marriage (as in *Jub.* 25:4) before the age of twenty. The elaborate formulation used to describe sexual intercourse is found in Num 31:17 and similarly, Judg 21:12.<sup>3</sup> Knowing good and evil may reflect Deut 1:39 and possibly the Eden story (Gen 2:17; cf. also 3:5, 22), where it includes awareness of nakedness and so sexual consciousness (cf. also 2 Sam 14:17 and 1 Kgs 3:9).<sup>4</sup> Here in IQSa 1:10b–11, knowing right and wrong would

<sup>1</sup> The first volume: William Loader, *Enoch, Levi, and Jubilees on Sexuality: Attitudes towards Sexuality in the Early Enoch Literature, the Aramaic Levi Document, and the Book of Jubilees* (Grand Rapids, Mich.: Eerdmans, 2007).

<sup>2</sup> See the detailed discussion in William Loader, *The Dead Sea Scrolls on Sexuality* (Grand Rapids, Mich.: Eerdmans, 2009).

<sup>3</sup> So Michael A. Knibb, *The Qumran Community* (Cambridge Commentaries on Writings of the Jewish and Christian World 200 B.C. to A.D. 200 2; Cambridge: Cambridge University Press, 1987), 149.

<sup>4</sup> See R. Gordis, "The Knowledge of Good and Evil in the Old Testament and the Dead Sea Scrolls," *JBL* 76 (1957): 126–38, at 130. He interprets 2 Sam 19:36 similarly (136). See also Peder Borgen, "'At the Age of Twenty' in IQSa," *RevQ* 3/10 (1961): 267–77, at 267.

include matters pertaining to sexuality, including through instruction in the book of Hagy mentioned a few lines previously (1:7). Borgen notes that *m. 'Abot* 5:21, which also divides life up into stages, speaks of entering marriage at eighteen and *Eccl. Rab.* 1.2 §1 at twenty.<sup>5</sup> Both are late, but may reflect a traditional view, though probably more idealistic than realistic, since the latter does not speak of employment until later.

Controversy surrounded the statements about the woman:

ובכן תקבל להעיד עליו משפטות התורה ולהתנין צב במשמע משפטים  
and on this she shall be received to testify about him in relation to the regulations of the law and to [st]and in the proclamation of the judgments. (1QSa 1:11)

The initial reaction to this reading, which implied a woman would have a legal function, was to propose an amendment of the feminine **תקבל** "she shall be received" to a masculine **יקבל** "he shall be received," and **עליו** "concerning him" to **על פי** "in accordance with." Baumgarten, who took up the suggestion and argued it in detail,<sup>6</sup> later changed his assessment and abandoned the amendment.<sup>7</sup> He then proposed instead to translate **להעיד עליו** on the basis of Jer 6:10 as "to warn him," rather than "to testify concerning him."<sup>8</sup> Rothstein, while acknowledging that the notion of a woman as young as eighteen testifying poses some problems, nevertheless argues that **העיד** is best taken in this sense, as

<sup>5</sup> Borgen, "Age of Twenty," 269–70. He suggests that *Ecclesiastes Rabbah* is influenced by Eccles 12:1–8 and *Abot* by Ps 90:10 (277 n. 21). He also mentions Philo, *Creation* 103, about stages of a man's life. Joseph M. Baumgarten, "The Qumran-Essene Restraints on Marriage," in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin* (ed. L. H. Schiffman; JSPSup 8; Sheffield: JSOT Press, 1990), 13–24, notes that rabbinic tradition viewed the age of twenty as a terminus *ante quem* for marriage and assumes on the basis of 1QSa that at Qumran the opposite applied (14).

<sup>6</sup> Joseph M. Baumgarten, "On the Testimony of Women in 1QSa," *JBL* 76 (1957): 266–69. Similarly Lawrence H. Schiffman, *The Eschatological Community of the Dead Sea Scrolls: A Study of the Rule of the Congregation* (SBLMonSer38; Atlanta: Scholars Press, 1989), 18–19 and Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls: The History of Judaism, the Background of Christianity, the Lost Library of Qumran* (New York: Doubleday, 1995), 134–35. The text contains clear evidence of errors, e.g. **התורה** instead of **התורה** in 1QSa 1:11, but it is another matter to posit the more substantial change entailed in the conjecture.

<sup>7</sup> Baumgarten, DJD 18:165.  
<sup>8</sup> Baumgarten, DJD 18:165, paraphrases the meaning as: "she must promise to admonish her husband about the laws concerning sexual intercourse with which she is to familiarize herself by learning them and fulfilling them."

in CD 9:20 and later rabbinic literature.<sup>9</sup> He notes significant roles for women in the sect, for instance the "mothers" in D and the role of women's testimony in relation to virginity (cf. 4Q271 [4QD<sup>f</sup>] 3 13b–15a; 4Q159 [4QOrd<sup>d</sup>] 2–4+8 8–10). He also points to the assumption that family members testify against each other already in Deut 13:7–10 about idolatry and in Deut 21:18–21 about rebellious sons.<sup>10</sup>

Davies and Taylor had earlier rejected the assertion that it would be inconsistent with the assumed misogyny which people read into the texts from Philo and Josephus.<sup>11</sup> Borgen had sought to interpret the feminine as a reference not to the woman, but to the family and congregation,<sup>12</sup> but this seems not to be the most natural referent in the context.

Like Rothstein, Wassen suggests that the testimony might cover transgression of communal regulations in general and not just issues pertaining to sexual relations such as purity, fornication, or sex on the Sabbath.<sup>13</sup> In my view Davies and Taylor are right in arguing that the context favours a narrower focus.<sup>14</sup> It could include intercourse during menstruation, pregnancy, on the Sabbath, or in the holy city, all of which would constitute committing sexual wrongdoing with one's wife. Contrary to the assumptions brought to the documents on the

<sup>9</sup> David Rothstein, "Women's Testimony at Qumran: The Biblical and Second Temple Evidence," *RevQ* 21/84 (2004): 597–614, at 599, 601; similarly Moshe J. Bernstein, "Women and Children in Legal and Liturgical Texts from Qumran," *DSD* 11 (2004): 191–211, notes that "'to admonish' is an unusual translation of **להעיד**, which generally means 'to testify,' and it is difficult to understand how the rest of the sentence, 'the laws of the Torah and to stand in the hearing of the laws,' pertains to the woman" (208). He suggests: "she shall take it upon herself to testify against him (according to?) the laws of the Torah and to be present at the proclamation of the verdict (?)" (208).

<sup>10</sup> Rothstein, "Women's Testimony," 608–10.

<sup>11</sup> Philip R. Davies and Joan E. Taylor, "On the Testimony of Women in 1QSa," *DSD* 3 (1996): 223–35, at 226–28.

<sup>12</sup> Borgen, "Age of Twenty," 272–73.

<sup>13</sup> Rothstein, "Women's Testimony," 613. Rothstein assumes the sect forbade remarriage and so sees any such testimony as a big risk for a woman (613–14). Cecilia Wassen, *Women in the Damascus Document* (SBL Academia Biblica 21; Atlanta: SBL, 2005), 182.

<sup>14</sup> Davies and Taylor, "Testimony of Women," 229; Sidnie White Crawford, "Not According to Rule: Women, the Dead Sea Scrolls and Qumran," in *Emanuel: Studies in Hebrew Bible, Septuagint, and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. Shalom M. Paul, Robert A. Kraft, Lawrence H. Schiffman, and Weston W. Fields; SVT 94; Leiden: Brill, 2003), 127–50, at 139; George J. Brooke, "From Qumran to Corinth: Embroidered Allusions to Women's Authority," in *The Dead Sea Scrolls and the New Testament* (Minneapolis: Fortress, 2005), 195–213, at 205.

basis of Philo and Josephus, nothing suggests that the concern was intercourse for purposes other than procreation.<sup>15</sup>

The passage is therefore best understood as addressing marriage as coming also at the point where the man enters the community, but stressing that marital relations must remain within the law as understood by the community. In relation to the latter, then, there are matters on which only the woman had competence to report in the context of a hearing, and she is to do so. It might be seen as a digression, to be dealing with marriage at this point, but it belonged closely together with the man's turning twenty.<sup>16</sup>

Such seemed a reasonable explanation of the text, but then something new came to light through the important publication of further fragments of the *Rule of the Congregation* by Stephen Pfann.<sup>17</sup> It is interesting that in both of the surviving fragments which preserve this section of column one, the reference to the woman's testimony appears to be absent. This may suggest, that, as probably with the expansions of the *Community Rule* in IQS, so IQSa preserves an expanded text.<sup>18</sup> Lines 4–6 of the six-line reconstructed text 4Q249d read:

4 וְבֵן עֶשְׂרִים [שְׁנֵה 5 יַעֲבֹר (9) עַל הַפְּקִידִים לְבֹא בְּתוֹךְ מִשְׁפַּחְתּוֹ] 4  
בְּגֹרֶל בְּעֵדָת 6 קוֹדֵשׁ (13) וְבֵן שְׁלוּשִׁים שָׁנָה (14) יִתְּצֵב בְּרֹאשֵׁי [אַלְפֵי  
יִשְׂרָאֵל]

4 Then at the age of twenty [years] 5 [he shall be subject (9) to the census; he shall enter in the midst of his clan |by| lo[ft] to be united with] 6 [the holy Congregation. (13) Then at the age of thirty (14) he may be promoted to take his place among the chiefs of the |Thousands of [Israel]. (4Q249d 4–6)]  
(4Q249d [4Qpap crypta A Serekh ha-'Edah'] 4b-6; IQSa numbering in brackets)

<sup>15</sup> Rothstein, "Women's Testimony," 602–5, 610–11. Cf. Davies and Taylor, "Testimony of Women," 331–32.

<sup>16</sup> Knibb, *Qumran Community*, notes that this reflects the age of enrolment in the census in Exod 30:14; 38:26; Num 1:3; and 1 Chron 27:23 (149).

<sup>17</sup> See Stephen J. Pfann, DJD 36:515–74; Stephen J. Pfann, "Historical Implications of the Early Second Century Dating of the 4Q249–250 Cryptic A Corpus," in *Things Revealed: Studies in Early Jewish and Christian Literature in Honor of Michael E. Stone* (ed. Esther G. Chazon, David Satran, and Ruth A. Clements; JSJSup 89; Leiden: Brill, 2004), 171–86. Cautionary on the dating because of the limited amount of text: Charlotte Hempel, "The Groningen Hypothesis: Strengths and Weaknesses," in *Enoch and Qumran Origins: New Light on a Forgotten Connection* (ed. Gabriele Boccaccini; Grand Rapids, Mich.: Eerdmans, 2005), 249–55, 254; Florentino García Martínez, "Response: The Groningen Hypothesis Revisited," in *Enoch and Qumran Origins*, 310–16, at 314.

<sup>18</sup> So Pfann, DJD 36:534.

When read within the context of the longer preserved text of IQSa, it appears, however, more likely that the absence of reference to the woman's testimony in 4Q249d is as a result of *homoioteleuton* because of the repetition of קודש (below near the end of IQSa 1:9, and at the end of 1:12 and the beginning of 1:13).

וְבֵן עֶשְׂרִים שָׁנָה יַעֲבֹר 9 עַל הַפְּקִידִים לְבֹא בְּתוֹךְ מִשְׁפַּחְתּוֹ  
לִיָּחַד בְּעֵדָתָךְ קוֹדֵשׁ וְלֹא יִקְרָב 10 אֶל אִשָּׁה לְדַעְתָּה לְמִשְׁכְּבֵי זָכָר  
כִּי אִם לְפִי מְלוּאָת לֹא עֲשֶׂה [וְשָׁנָה בְּדַעְתּוֹן טוֹב] 11 וְעַתָּה וְבֵן תִּקְבַּל  
לְהַעֲדֵי עָלָי מִשְׁפָּטוֹת הַתּוֹרָה וְלִהְיוֹתִי צֶבַע בְּמִשְׁמַע מִשְׁפָּטֶיךָ 12 וּבְמִלּוּא בֹא  
וְאֵת עֲבֹדָת הַחֹמֶשׁ וְעֲשֶׂרִים שָׁנָה יָבֹא לְהִתְ[וֹ]צֵב בִּיְסוּדוֹת עֵדָת 13 הַקּוֹדֵשׁ לְעֵבֹד  
אֶת עֲבֹדָת הָאֱלֹהִים וְבֵן שְׁלוּשִׁים שָׁנָה יֵגֵשׁ לְרִיב רֵיב 14 וּמִ[שְׁ]פָט לְהַחֲצִיב  
בְּרֹאשֵׁי אַלְפֵי יִשְׂרָאֵל

Then, at [age] twenty, [he shall be enrolled] 9. [in] the ranks and take his place among the men of his clan, thereby joining the *holy congregation*. He must not app[roach] 10 a woman for sexual intercourse before he is fully tw[en]ty years old, when he knows [right] 11. from wrong. From this time on she shall bear witness concerning him in relation to the statutes of the Law, and (he shall) ta[k]e his place among the ranks for the ceremonial proclamation of the ordinances. 12. And when he completes his *vacat* At age twenty-five, he is eligible to ta[ke] his place among the pillars of the *holy* 13. *congregation* and to begin serving the *congregation*. When he is thirty years old, he may begin to take part in le[gal] disputes. 14. Further, he is now eligible for command, whether of the thousands of Israel... (DSSEL adapted) (IQSa 1:8–14)

The proposal that *homoioteleuton* has taken place is slightly complicated by the fact that the words following the second occurrence of לעבוד את עבודת העדה הקודש, namely עדת קודש to begin serving the congregation" are also missing, but that may relate to the occurrence of the word, העדה "congregation." Thus 4Q249d appears to lack the lines 10b-12 and so the statement about marriage, and then to continue with an abbreviated form of 13, referring to the age of thirty years. If the omission is due to *homoioteleuton*, then this would imply that the text reflected in IQSa is older than 4Q249d, which Pfann dates to the first half of the second century B.C.E., but that is another issue.<sup>19</sup>

4Q249e, of similar age, is different again.

6 וְבֵן 20 שָׁנָה יַעֲבֹר (9) עַל הַפְּקִידִים  
| לִיָּחַד | 7a

<sup>19</sup> Ibid.



as in what I consider the more likely reading of 1QSa, namely that the young man is not to engage in sexual intercourse with his wife in illicit ways. One might speculate that 4Q249e could have begun with a defective text as apparently 4Q249d, and that a scribe, aware of the fuller text, supplemented it above line 8 with what was the original concern in the omitted lines, namely proper sexual relations in marriage. In a similar way in 7a לִיחַד appears to have been “added to the text by a second hand.”<sup>23</sup> In 1QSa it belongs to לִיחַד “added to the text by a second hand” and was missing in the 4Q249e text.

Our discussion suggests that, if Pfann’s dating is correct, the relation between 1QSa and the 4Q249d and e texts may be the reverse of what he assumes and may indicate that 1QSa preserves the older version. It would then have to be dated early second century B.C.E., perhaps suggesting that its military imagery is more than symbolism. It appears that 4Q249d has omitted by *homoiooteleuton* what is preserved in the longer text of 1QSa, that in 4Q249e, which also had a shorter text, a scribe, knowing the fuller text, has inserted a summary of its import above line 8, to the effect that the man must avoid any illicit sexual relations with his wife. Negatively, we do not find 4Q249e to be evidence of espousal of celibacy.

It remains for me to comment briefly that the remainder of the document is not irrelevant to issues of sexuality, but reflects a demarcation typical of a number of other texts at Qumran.<sup>24</sup> For three days before the great assembly it requires purity which entails also temporary and locational celibacy. Outside that sacred space and time there is room for normal family life, including marriage and sexual relations, witnessed to also by the mention of women and children in the congregation. Its image of differentiated time and space appears to mirror a widespread understanding in the documents of the eschatological age, where the same mixture of celibacy and family life is assumed. Our wider investigation<sup>25</sup> supports the view reflected in CD 7–8, namely that some among the men of perfect holiness were celibates and that that was related to their location, and that they were differentiated from the others who lived in camps, but not as an expression of a less worthy existence nor as a reflection of Hellenistic asceticism which deemed sexual relations beyond procreation as unworthy.

## HODAYOT

<sup>23</sup> Pfann, DJD 36:559.

<sup>24</sup> See my discussion in Loader, *Dead Sea Scrolls on Sexuality*, 363–69.

<sup>25</sup> See *ibid.*, 369–83.