

# Studies on the Texts of the Desert of Judah

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# Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls

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## PREFACE

The papers in this volume were originally presented at the Eighth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature at the Hebrew University of Jerusalem, 7–9 January, 2003. The theme around which the symposium was organized is the question of what can be learned from the Dead Sea Scrolls relative to early rabbinic literature, and from rabbinic literature relative to the Dead Sea Scrolls. Stated differently, what lines of continuity and discontinuity connect and differentiate the two literary corpora and their respective religious cultures and social structures? However, beyond the matter of determining the specific relations of the Dead Sea Scrolls to early rabbinic Judaism is the broader comparative/contrastive question of how to view the varieties of Second Temple Judaism from the perspective of their successors, following the destruction of the Second Temple in 70 CE, and vice versa, since for much of modern scholarship, that event marks not only a historical watershed, but a divide of scholarly interests and competencies.

In the more than fifty years since the first discoveries of the Dead Sea Scrolls, many conferences and resulting volumes have been devoted to the relationship of the Dead Sea Scrolls to the Hebrew Bible, Second Temple history and literature, and the New Testament/early Christianity. So far as we are aware, this is the first such conference and volume devoted solely to the relation of the Scrolls to early rabbinic Judaism. It is not necessary here to speculate on the reasons for previous relative inattentiveness to this perspective, but we do note the resulting large gap that the studies included herein seek partly to fill. In fact, given the enormous possibilities for considering the many ways that the two bodies of literature might elucidate one another (e.g., in matters of language, liturgy, scriptural interpretation, legal and social history, theology, and eschatology), the following papers only begin to scratch the surface. Nevertheless, they do so in very important regards; some focus on specific case studies with broader implications (Fraade, Noam, Schiffman, Schremer, and Shemesh), while others raise far-reaching issues of historical and comparative methodology (Baumgarten, Doering, Regev, and Werman). It will be noted that most of the studies deal with questions of sectarian and rabbinic law (*mishpat* for the former,

*halakhah* for the latter). This area itself has been relatively avoided in much of previous Dead Sea Scroll scholarship, but it has more recently been rendered unavoidable by the publication of increasing numbers of legal texts from Qumran (e.g., the *Temple Scroll*, 4QMMT, the Cave Four fragments of the *Damascus Document*), with their interesting lines of concordance with and discordance from the legal substance and rhetoric of early rabbinic texts. While much more remains to be investigated and debated in this regard, we hope that the following studies will model the questions and directions that need to be pursued.

We should note that some of the papers presented at the original symposium, those by David Weiss Halivni, Menahem Kister, Paul Mandel, and Moshe Tur-Paz, are for various reasons *not* included in this volume. For the full program, with abstracts of symposium papers, see <<http://orion.mscc.huji.ac.il/symposiums/8th/main.shtml>>.

We would like to thank Esther Chazon and the Orion Center staff for organizing and hosting the conference. Co-editor Ruth Clements copy-edited the volume and prepared the indices; research assistant Nadav Sharon prepared and checked the Hebrew text; and Orion Intern Jeremy Penner helped proofread the manuscript. Neither the symposium nor this volume would have been possible without the generous support of the Orion Foundation, the Sir Zelman Cowan Universities Fund, and the Hebrew University of Jerusalem. Finally, we owe our appreciation to Florentino García Martínez, the editor of the STDJ series, and to the editorial staff of Brill Academic Press, especially Wilma de Weert and Mattie Kuiper, for ushering this volume into print.

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## ABBREVIATIONS

|             |  |
|-------------|--|
| AB          | Anchor Bible   |
| ABRL        | Anchor Bible Reference Library   |
| AGJU        | Arbeiten zur Geschichte des antiken Judentums und des Urchristentums   |
| <i>AJSR</i> | <i>Association for Jewish Studies Review</i>   |
| AOAT        | Alter Orient und Altes Testament   |
| ASOR        | American Schools of Oriental Research  |
| <i>BA</i>   | <i>Biblical Archaeologist</i>  |
| BETL        | Bibliotheca ephemeridum theologiarum lovaniensium  |
| BHT         | Beiträge zur historischen Theologie  |
| <i>Bib</i>  | <i>Biblica</i>   |
| BJS         | Brown Judaic Studies   |
| <i>BZ</i>   | <i>Biblische Zeitschrift</i>   |
| CBET        | Contributions to Biblical Exegesis and Theology  |
| ConBNT      | Coniectanea neotestamentica or Coniectanea biblica: New Testament Series   |
| <i>CBQ</i>  | <i>Catholic Biblical Quarterly</i>   |
| CRINT       | Compendia rerum iudaicarum ad Novum Testamentum  |
| CSJH        | Chicago Studies in the History of Judaism  |
| CSCO        | Corpus scriptorum christianorum orientalium  |
| DJD         | Discoveries in the Judean Desert   |
| <i>DSD</i>  | <i>Dead Sea Discoveries</i>  |
| EBib        | Etudes bibliques   |
| <i>EDSS</i> | <i>Encyclopedia of the Dead Sea Scrolls</i> . Edited by L. H. Schiffman and J. C. VanderKam. 2 vols. Oxford and New York, 2000 |
| <i>EJ</i>   | <i>Encyclopedia Judaica</i>  |
| <i>HAR</i>  | <i>Hebrew Annual Review</i>  |
| HBS         | Herders biblische Studien  |
| HSS         | Harvard Semitic Studies  |
| <i>HTR</i>  | <i>Harvard Theological Review</i>  |
| <i>JAOS</i> | <i>Journal of the American Oriental Society</i>  |
| <i>JAAR</i> | <i>Journal of the American Academy of Religion</i>   |
| <i>JBL</i>  | <i>Journal of Biblical Literature</i>  |
| <i>JJS</i>  | <i>Journal of Jewish Studies</i>   |

|         |   |
|---------|---|
| JLCRS   | Jordan Lectures in Comparative Religion Series  |
| JANES   | <i>Journal of the Ancient Near Eastern Society of Columbia University</i>   |
| JQR     | <i>Jewish Quarterly Review</i>  |
| JSJ     | <i>Journal for the Study of Judaism in the Persian, Hellenistic and Roman Periods</i>                               |
| JSJSup  | Journal for the Study of Judaism: Supplement Series   |
| JSNTSup | Journal for the Study of the New Testament: Supplement Series   |
| JSOT    | <i>Journal for the Study of the Old Testament</i>   |
| JSOTSup | Journal for the Study of the Old Testament: Supplement Series   |
| JSPSup  | Journal for the Study of the Pseudepigrapha: Supplement Series  |
| JSQ     | <i>Jewish Studies Quarterly</i>   |
| JTS     | <i>Journal of Theological Studies</i>   |
| LCL     | Loeb Classical Library  |
| LTK     | <i>Lexicon für Theologie und Kirche</i>   |
| LSJ     | Liddell, H. G., R. Scott, H. S. Jones, <i>A Greek-English Lexicon</i> 9th ed. with revised supplement. Oxford, 1996 |
| MGWJ    | <i>Monatschrift für Geschichte und Wissenschaft des Judentums</i>   |
| NovTSup | Novum Testamentum Supplements   |
| NTAbh   | Neutestamentliche Abhandlungen  |
| NTS     | <i>New Testament Studies</i>  |
| NTTS    | New Testament Tools and Studies   |
| OTP     | <i>Old Testament Pseudepigrapha</i> . Edited by J. H. Charlesworth. 2 vols. New York, 1983, 1985                    |
| OTS     | Old Testament Studies   |
| PAAJR   | <i>Proceedings of the American Academy of Jewish Research</i>   |
| PEQ     | <i>Palestine Exploration Quarterly</i>  |
| RB      | <i>Revue biblique</i>   |
| RevQ    | <i>Revue de Qumrân</i>  |
| RGG     | <i>Religion in Geschichte und Gegenwart</i> . Edited by K. Galling. 7 vols. 3d ed. Tübingen, 1957–1965              |
| SBLEJL  | Society of Biblical Literature Early Judaism and its Literature   |
| SBLMS   | Society of Biblical Literature Monograph Series   |
| SBLSymS | Society of Biblical Literature Symposium Series   |
| SBS     | Stuttgarter Bibelstudien  |
| ScrHier | Scripta Hierosolymitana   |
| SJLA    | Studies in Judaism in Late Antiquity  |

|        |   |
|--------|---|
| SJOT   | <i>Scandinavian Journal of the Old Testament</i>  |
| SPhilo | <i>Studia Philonica Annual</i>  |
| STDJ   | Studies on the Texts of the Desert of Judah   |
| TRE    | <i>Theologische Realenzyklopädie</i> . Edited by G. Krause and G. Müller. Berlin, 1977– |
| TRENT  | Traditions of the Rabbis from the Era of the New Testament                              |
| TSAJ   | Texte und Studien zum antiken Judentum  |
| VF     | <i>Verkündigung und Forschung</i>   |
| VT     | <i>Vetus Testamentum</i>  |
| VTSup  | Vetus Testamentum Supplements   |
| WUNT   | Wissenschaftliche Untersuchungen zum Neuen Testament                                    |

## LOOKING FOR NARRATIVE MIDRASH AT QUMRAN

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### 1. *Introduction*

One of the most important fields of study in which the Dead Sea Scrolls and early rabbinic literature have shed light on one another is that of scriptural interpretation, or *midrash*, as the term is variously employed in both textual corpora. Whereas in the early days of their initial discovery, the *pesharim* were thought to characterize Qumran scriptural interpretation, now, with a more complete view of the Dead Sea Scrolls, we appreciate not just the *volume* of texts that stand in an interpretive relation to what was to become canonical Scripture, but, even more importantly, the great *variety* of types and methods of scriptural interpretation found at Qumran, even within single texts. While there is dispute as to precisely which of these texts and types of scriptural interpretation are specific to the sectarian Qumran community and which circulated more broadly among Jews of the Second Temple period,<sup>1</sup> there is reason to believe that the variety itself is characteristic of both the Qumran community and the larger cultural context of Second Temple Judaism.

Since early rabbinic literature, beginning with the so-called "tan-naitic" textual collections, likewise displays a great volume of texts and variety of types of scriptural interpretation, comparisons between the two corpora both in their general contours and specific forms and contents have been undertaken from the beginnings of Dead Sea Scrolls scholarship until the present, without abatement, notwithstanding their chronological separation. It is not my intent here to survey those efforts, but rather to focus on one aspect of the comparison that has not been

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<sup>1</sup> See, for example, C. Newsom, "'Sectually Explicit' Literature from Qumran," in *The Hebrew Bible and Its Interpreters* (ed. W. H. Propp, B. Halpern, and D. N. Freedman; Biblical and Judaic Studies from the University of California, San Diego; Winona Lake: Eisenbrauns, 1990), 167-87.

sufficiently noted. However, before doing so, I shall enumerate several guiding principles of the comparative enterprise more generally:<sup>2</sup>

1. Since phenomena are only worthy of comparison to the extent that they are neither fully identical nor entirely different, comparisons that admit only to characteristics of congruence or of incongruence are inherently misleading and self-serving. It is precisely in light of similarities that differences warrant notice and explanation, and in light of differences that similarities bear significance. In other words, similarity and dissimilarity are mutually instructive, and to acknowledge one without the other is to distort the comparative endeavor.<sup>3</sup>
2. Even if we could exhaustively list in one column the many points of similarity and in another column the many points of difference between the two corpora, we should not hope to be able to tally the two columns and come up with an overall score, triumphantly declaring similarity or dissimilarity to be the winner. Such an exercise would more likely be driven by ideological motivations than any ability to weight, score, and tally the list in an objective and non-reductive manner. As much comparative insight can be gained from difference as from similarity. Here much can be cautiously learned from some previous attempts, largely theologically driven and exaggerated, to comparatively link the New Testament and early Christianity to the Dead Sea Scrolls.<sup>4</sup>
3. In comparing and contrasting the two textual corpora, we need to attend not only to their *contents*, but also to their *textual forms*, hermeneutical *strategies*, and rhetorical *functions*; that is, not only to

<sup>2</sup> For a fuller methodological treatment, with more extensive bibliography on comparison, see the contribution by Lutz Doering in this volume.

<sup>3</sup> For the most recent attempts to emphasize the similarities, rather than differences, between rabbinic midrash and Qumran interpretation, see P. Mandel, "Midrashic Exegesis and its Precedents in the Dead Sea Scrolls," *DSD* 8 (2001): 149–68; L. H. Schiffman, "Biblical Interpretation in the Dead Sea Scrolls," in *Encyclopaedia of Midrash: Biblical Interpretation in Formative Judaism* (ed. J. Neusner and A. J. Avery-Peck; 2 vols.; Leiden: Brill, 2005), 1:40–54.

<sup>4</sup> See most recently: G. J. Brooke, "The Scrolls and the Study of the New Testament," in *The Dead Sea Scrolls at Fifty: Proceedings of the 1997 Society of Biblical Literature Qumran Section Meetings* (ed. R. A. Kugler and E. M. Schuller; SBL 15; Atlanta: Scholars Press, 1999), 61–76; J. A. Fitzmyer, *The Dead Sea Scrolls and Christian Origins* (Grand Rapids: Eerdmans, 2000), 1–40; J. VanderKam and P. Flint, *The Meaning of the Dead Sea Scrolls: Their Significance for Understanding the Bible, Judaism, Jesus, and Christianity* (San Francisco: Harper San Francisco, 2002), 311–78, including additional bibliography.

the shared traditions but to the *morphological* means by which those traditional understandings of Scripture are performatively both connected to Scripture and communicated to their respective studying communities. Traditions are never communicated or engaged by their tradents apart from ideologically freighted and socially formative rhetorical embodiments. The medium may not alone be the message, but it certainly contributes mightily to it.<sup>5</sup>

4. In comparing the two corpora we need to resist the impulse to connect them in direct linear, evolutionary succession or development;<sup>6</sup> that is, to seek in the Dead Sea Scrolls the missing links between rabbinic literature and its prerabbinic antecedents, as if these two corpora were the only shows in town. Aside from the Dead Sea Scrolls, the vast majority of Second Temple Jewish writings of which we know have only survived because one or more Christian churches deemed them worthy of preservation and transmission, subject to varying degrees of translation and editing, for their own self-serving interests. We have little way of knowing how much more extensive and diverse the forms of Second Temple Jewish interpretive creativity might actually have been. Therefore, it is better to engage, at first, in *analogical* comparisons and contrasts between the textual corpora that have survived, than to assume any *genetic* relations between them. How does each one cast the others in sharper comparative and contrastive relief? We need to ask not only, what are the *common* denominators that emerge, but what are the *distinctive* features of each, and how can those common *and* distinctive features *together* be critically understood?

At the first Orion Symposium in 1996, I offered a modest contribution to this comparative enterprise entitled "Looking for Legal Midrash at Qumran," subsequently published in the proceedings of that con-

<sup>5</sup> For further argumentation along these lines, see S. D. Fraade, "Comparative Midrash' Revisited: The Case of the Dead Sea Scrolls and Rabbinic Midrash," in *Munchat Yonah: Festschrift for Prof. Yonah Fraenkel* (ed. Y. Elbaum, J. Levinson, and G. Hasan-Rokem; Jerusalem: The Hebrew University Magnes Press, forthcoming), 261–84 (Hebrew); idem, "Midrashim," in *EDSS* 1:549–52. For further references to the sorts of previous studies against which I am arguing, see my "Looking for Legal Midrash at Qumran," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996* (ed. M. E. Stone and E. Chazon; STDJ 28; Leiden: Brill, 1998), 59–79, p. 62 n. 7.

<sup>6</sup> See below, n. 54.

ference.<sup>7</sup> In that paper, I argued that notwithstanding the strong likelihood that Qumran law derived from Scripture, at least in part through a process of exegesis which in many cases can be reconstructed, the sectarian Dead Sea Scrolls do not, in the main, preserve or transmit their rules in exegetical form. That is, they frame their legal discourse in terms of its legal *product* rather than its exegetical *process*. Thus, what we would recognize in form as *midrash halakhah* from the “tannaitic” midrashic collections of commentary is generally not to be found, with some notable exceptions, at Qumran. These formal and rhetorical differences, I argued, should not be dismissed as merely incidental to the textual practices and, hence pedagogical purposes, of these writings. Rather, they are keys to our understanding of their differing attitudes toward scriptural text and authority on the one hand, and of their functional roles among their respective textual communities on the other. In what follows, I will ask a similar set of questions deriving from an initial comparison between early rabbinic *midrash aggadah* and forms of narrative interpretation in the Dead Sea Scrolls, without pretending to be the least bit exhaustive of either.

## 2. Defining Midrash Aggadah

In looking for *midrash aggadah* at Qumran, I have something more specific in mind than simply the interpretation of non-legal scriptural verses, of which there is obviously much. Rather, I wish to consider a particular and prominent aspect of rabbinic narrative midrash and ask why it is relatively absent from the Dead Sea Scrolls. In so doing, I will focus on our earliest rabbinic midrashic collections (*Mekilta* to Exodus, *Sifra* to Leviticus, *Sifre* to Numbers and Deuteronomy), usually referred to as either “tannaitic midrashim” or “*midreshe halakhah*,” both of which designations are recognized as misnomers.<sup>8</sup> Although many characteristic features of *midrash aggadah* only become prominent in later midrashic collections, those features are generally recognizable,

<sup>7</sup> See n. 5 above.

<sup>8</sup> The first term is misleading since these collections, while containing earlier traditions, were produced in their present form by amoraic editors (most likely in the mid- to late-third century). The second term is imprecise since, while concentrating on the legal sections of the Torah, these collections contain large sections of narrative midrash, especially in the case of the *Mekiltas* and the *Sifre to Deuteronomy*, which are approximately half *midrash aggadah*.

albeit sometimes in more nascent forms, in the so-called “tannaitic midrashim.”

Here I wish to highlight three features of *midrash aggadah* in its textual embodiments, the first two of which are shared by *midrash halakhah* in the same collections, even if in varying degrees: 1) These midrashim take the structural form of running commentary; that is, formal citation of a base lemma followed by its explication, whether simple or complex. 2) They are dialogical and intertextual in their articulation, e.g., through the rhetoric of questions and answers, the interpretation of one verse by using others from elsewhere in Scripture, the adducing of multiple interpretations, and the editorial staging of exegetical disputes, often unresolved, between named or anonymous sages. 3) In seeking to resolve seeming contradictions, ambiguities, repetitions, and gaps within the narrative text being explicated, they often construct a more replete version of the biblical narrative, the latter referred to by scholars of midrash as the *sippur darshani*, or exegetical story: a “rewritten” biblical story produced through the explicit process of scriptural interpretation.<sup>9</sup> While each of these traits finds some degree of antecedent in Second Temple forms of scriptural interpretation, including those in the Dead Sea Scrolls, their *combination*, I would argue, is unique to rabbinic *midrash aggadah*.

## 3. Contrasting Midrash Aggadah to Second-Temple Forms of Narrative Interpretation

To overly simplify the matter, Second Temple forms of scriptural interpretation can be divided roughly into two categories: expositional and compositional.<sup>10</sup> The first, usually in the form of a commentary,

<sup>9</sup> For the most recent and sophisticated analysis of the rabbinic exegetical story, with ample references to scholarly antecedents, see J. Levinson, *The Twice Told Tale: A Poetics of the Exegetical Narrative in Rabbinic Midrash* (Jerusalem: The Hebrew University Magnes Press, 2005 [Hebrew]). On the relation of “rewritten” Bible to rabbinic midrash as commentary, see S. D. Fraade, “Rewritten Bible and Rabbinic Midrash As Commentary,” in *Current Trends in the Study of Midrash* (ed. C. Bakhos; JSJSup 106; Leiden: Brill, 2006), 59–78.

<sup>10</sup> I adapt this categorization from D. Dimant, “Use and Interpretation of Mikra in the Apocrypha and Pseudepigrapha,” in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. M. J. Mulder; CRINT 2.1; Assen: Van Gorcum; Philadelphia: Fortress, 1990), 382–83. For a broader survey of the variety of forms of scriptural interpretation in the Dead Sea Scrolls, with reference to



begins with a biblical text and explicates its very language according to the progression of Scripture. The clearest and most extensive examples are Philo's allegorical commentaries and the Qumran continuous *pesherim*.<sup>11</sup> Sometimes, smaller units of explicit citation and explication may be embedded for thematic reasons in a larger text whose form is not that of a commentary, as in the case, most notably, of the *Damascus Document*.

The second, and more widely evidenced form of scriptural interpretation, both in Second Temple Jewish literature in general and in the Dead Sea Scrolls in particular, is most commonly referred to by the term "rewritten Bible," a designation not without problems. These writings retell scriptural narratives (or laws), weaving together biblical language with paraphrastic clarifications and/or extensive expansions, and so producing a self-contained composition in which the line between base Scripture and its retelling is blurred if not effaced.<sup>12</sup> The most extensive examples are the biblical parts of Josephus's *Jewish Antiquities* (1–11), Pseudo-Philo's *Biblical Antiquities*, the *Book of Jubilees*, parts of *1 Enoch* (especially chaps. 11–16 of the Book of the Watchers), and the *Genesis Apocryphon*. The last three are well-evidenced among the Dead Sea Scrolls (although generally not thought to have been produced exclusively by or for that community), as are many more fragmentary works, such as *4QReworked Pentateuch*, which were unknown prior to the discovery of the Scrolls.<sup>13</sup> To what degree such works of "rewritten

earlier literature, see M. J. Bernstein, "Interpretation of Scriptures," *EDSS* 1:376–82; idem, "Scriptures: Quotation and Use," *EDSS* 2:839–42.

<sup>11</sup> For a comparison of Philo and the *pesherim* with early rabbinic midrashic commentary, see my book, *From Tradition to Commentary: Torah and its Interpretation in the Midrash Sifre to Deuteronomy* (Albany: State University of New York Press, 1991), 1–23.

<sup>12</sup> For a recent survey of this group of writings, see G. J. Brooke, "Rewritten Bible," *EDSS* 2:777–81; as well as idem, "Between Authority and Canon: The Significance of Reworking the Bible for Understanding the Canonical Process," in *Reworking the Bible: Apocryphal and Related Texts at Qumran. Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for Advanced Studies Research Group on Qumran, 15–17 January, 2002* (ed. E. G. Chazon, D. Dimant, and R. A. Clements; STDJ 58; Leiden: Brill, 2005), 85–104. On the problems with this nomenclature and on the ways in which these works understood themselves as revelation, see H. Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (JSJSup 77; Leiden: Brill, 2003), 7–8, with further bibliography in notes. A preferable designation, "parabiblical literature," was suggested by H. L. Ginzberg (*Theological Studies* 28 [1967]: 574), but never caught on.

<sup>13</sup> On *Reworked Pentateuch* (4Q158, 364–367), see S. W. Crawford, "Reworked Pentateuch," *EDSS* 2:775–77. For *1 Enoch* 11–16 as an exegetical retelling of Gen 6:1–4, see D. Dimant, "1 Enoch 6–11: A Fragment of a Parabiblical Work," *JJS* 53 (2002): 223–37.

Bible" found *only* among the Dead Sea Scrolls are narrowly sectarian in their provenance is unclear, but sectarian roots are certainly not to be presumed. At the very least, we can say that the prominent presence of these works among the Dead Sea Scrolls suggests that such narrative paraphrases and expansions were familiar to, and most likely met with approval from, the members of the sectarian community.

These writings vary widely in the extent to which they produce a close paraphrase of the underlying biblical text or an expanded, selected, and/or rearranged narrative composition; varying degrees of paraphrase and expansion may be combined within a single work. However they were understood to relate to what had or was to become canonical Scripture, they generally display no *explicit* relation to that Scripture and its authority. In other words, since they are not textually structured in relation to the words of Scripture (as in a commentary), their self-conscious relation to Scripture—whether as complement, supplement, replacement, successor, or esoteric accompaniment—is generally not evident from the text on its own. In some instances, paraphrastic retellings of Scripture may be combined with bits of *pesher*-like commentary (e.g., 4Q252), but such crossovers are not common.<sup>14</sup>

Where we do have *explicit* interpretation of non-legal scriptural verses in the Dead Sea Scrolls, they tend to be of two types: 1) Interpretation of narrative sections of Scripture to provide backing for normative practice, as understood and lived within the Qumran community.<sup>15</sup> 2) Interpretation of narrative verses, prophetically understood, to reveal their eschatological fulfillment in the history and imminently expected vindication of the community.<sup>16</sup> In other words, biblical narratives, to the extent that they are formally and explicitly engaged via interpretation, are most commonly understood to address either proper divinely commanded conduct in the present, or imminent eschatological expectations for the future, or, we might say, the former in preparation for the latter.

<sup>14</sup> For 4Q252, generally considered a composite work drawn from a variety of sources, see *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (ed. G. J. Brooke, et al.; DJD 22; Oxford: Clarendon, 1996), 185–207, prepared and introduced by G. J. Brooke. See also the introduction by J. L. Trafton in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations, Vol. 6B: Pesherim, Other Commentaries and Related Documents* (ed. J. H. Charlesworth et al.; Tübingen: Mohr Siebeck; Louisville: Westminster John Knox, 2002), 203–7. On its mixed nature, see M. J. Bernstein, "4Q252: From Re-Written Bible to Biblical Commentary," *JJS* 45 (1994): 1–27.

<sup>15</sup> E.g., CD 4:20–5:1.

<sup>16</sup> E.g., CD 6:2–11.

Although both of these aspects of narrative interpretation are abundant in early rabbinic *midrash aggadah*, they by no means characterize it. Rather, what is striking about early rabbinic *midrash aggadah*, by contrast with narrative interpretation in the Dead Sea Scrolls, is the extent to which the former persistently combines and integrates explicit scriptural commentary with retold-biblical narrative composition. In the Dead Sea Scrolls, whether of sectarian provenance or not, these two forms are almost always kept separate. I shall give two examples of this contrast, selected simply from two more extensive, recent studies of mine.<sup>17</sup>

#### 4. Example 1: Blessings and Curses Renewed

The Deuteronomic account of a covenantal ceremony of “blessings” and “curses,” to be performed by the Israelites upon crossing the Jordan River and arriving at Mts. Gerizim and Ebal (Deuteronomy 27–28), is famously difficult to understand, largely because several rituals or varied accounts of a single ritual appear to have been editorially combined. Precisely which blessings and curses, or rewards and punishments, were recited by whom upon whom, when and where, and in what manner, is hard to decipher from the composite biblical narrative. All traditional interpreters, beginning with inner-biblical readers, have sought to resolve these textual difficulties by integrating and harmonizing the various biblical traditions with one another.<sup>18</sup>

Josephus takes a crack at retelling the biblical account so as to produce a coherent narrative, as does the Mishnah, even though their accounts differ from one another according to the aspects of the biblical account they each choose to emphasize.<sup>19</sup> By contrast, the Qumran community,

<sup>17</sup> S. D. Fraade, “Rhetoric and Hermeneutics in Miqṣat Ma’ase Ha-Torah (4QMMT): The Case of the Blessings and Curses,” *DSD* 10 (2003): 150–61; idem, “Moses and the Commandments: Can Hermeneutics, History, and Rhetoric Be Disentangled?” in *The Idea of Biblical Interpretation: Essays in Honor of James L. Kugel* (ed. H. Najman and J. H. Newman; JSJSup 83; Leiden: Brill, 2004), 399–422.

<sup>18</sup> The relevant biblical passages are Deut 11:26–30; 27:11–13, 14–26; 28; Josh 8:30–35; cf. Lev 26:3–46. The account in Joshua would appear to be an inner-biblical attempt to make sense of the Deuteronomic passages by narrating the ritual that they prescribe. For further discussion of the interpretive challenges posed by the biblical texts, see Fraade, “Rhetoric and Hermeneutics,” 7–8.

<sup>19</sup> Josephus, *Ant.* 4.305–308; 5.68–70; *m. Soṭah* 7:5. Cf. *t. Soṭah* 8:9–11; *Sifre Deut.* 55, to be treated below.

for whom the Deuteronomic blessings and curses were clearly significant to their covenantal and sacro-historical self-understanding, evidences no interest in the biblical narrative of the blessings and curses as a past event per se; that is, they produce no direct interpretation of Deuteronomy 27–28 as depicting an historical event. Rather, the sectarians appear to have seen the one-time biblical ceremony as a *model* for the community’s own annual ceremony of covenantal renewal and confirmation of new members,<sup>20</sup> and for its understanding of how the scriptural blessings will finally and redemptively play out for the elect “returnees” in the pending “end of days,” as predicted by Deut 30:1–3 (in combination with Deut 4:30). Interestingly, but not surprisingly, while the priests are largely absent from the biblical ceremony of blessings and curses, with the Levites reciting the curses of Deut 27:14–26,<sup>21</sup> the *Community Rule* assumes that if the Levites recite the curses, the priests must recite the blessings, thereby giving the latter the lead role in the sectarian ceremony (1QS 1:18–2:19):

ובעוברים בברית יהיו הכוהנים והלויים מברכים את אל ישועות ואת כול מעשי אמתו וכול העוברים בברית אומרים אחריהם אמן אמן [vacat] והכוהנים מספרים את צדקות אל במעשי גבורתם ומשמיעים כול חסדי רחמים על ישראל והלויים מספרים את עונות בני ישראל וכול פשעי אשמתם וחטאתם בממשלת בליעל [וכן] העוברים בברית מודים אחריהם לאמור נעונו [פשענו]... והכוהנים מברכים את כול אנשי גורל אל ההולכים תמים בכול דרכיו ואומרים יברכה בכול טוב וישמורכה מכול רע... והלויים מקללים את כול אנשי בליעל וענו ואמרו ארור אתה בכול מעשי רשע... וכול העוברים בברית אומרים אחר המברכים והמקללים אמן אמן... ככה יעשו שנה בשנה כול יומי ממשלת בליעל...

On entering the Covenant, the Priests and Levites shall bless the God of salvation and all His faithfulness, and all those entering the Covenant shall say after them, “Amen, Amen!” Then the Priests shall recite the favours of God manifested in His mighty deeds and shall declare all His merciful grace to Israel, and the Levites shall recite the iniquities of the children of Israel, all their guilty rebellions and sins during the dominion of Belial. And after them, all those entering the Covenant shall confess and say: “We have strayed! We have [disobeyed!]...” And the Priests shall bless

<sup>20</sup> See 1QS 1:16–2:18. That this annual ceremony most likely occurred in conjunction with the festival of Shavuot is indicated by 4Q266 (4QD\*) 11 16–18 (= 4Q270 7 ii 11–12). For a messianic battle version of the ceremony, see 1QM 13:1–6. For an overview of ritual texts of blessings and curses at Qumran, see Bilhah Nitzan, “Blessings and Curses,” *EDSS* 1:95–100.

<sup>21</sup> In Josh 8:30–35, Joshua recites the blessings and curses. In 1QM 13:1–6, the priests, Levites, and elders together recite the blessings and curses.

all the men of the lot of God who walk perfectly in all His ways, saying: "May He bless you with all good and preserve you from all evil!..." And the Levites shall curse all the men of the lot of Belial, saying: "Be cursed because of all your wickedness!..." And after the blessing and cursing, all those entering the Covenant shall say, "Amen, Amen!"... Thus shall they do, year by year, for as long as the dominion of Belial endures...<sup>22</sup>

Thus, the Qumran interest is not in interpretively engaging the biblical narrative as scriptural text and past, but in appropriating a blend of scriptural language so as to extend and reenact scriptural covenantal language and practice within their own time and place, thereby impressing upon the sectaries the urgency of repentant preparation for the ultimate and imminent fulfillment of those prophetically construed blessings and curses.

Even though such Qumran texts as the *Community Rule*, *Miqsat Ma'ase Ha-Torah*, the *Temple Scroll*, and the *War Scroll* ingeniously appropriate the language of the blessings and curses of Deuteronomy 27–28 (as well as Leviticus 26 and the Priestly Blessing of Num 6:24–26), together with many other scriptural passages (e.g., Deut 17:14–20), they never directly and exegetically engage the texts of Scripture, even though the reworking of those texts reveals an anterior exegetical process.<sup>23</sup> Rather, these Qumran texts creatively employ scriptural language and allusion for their own purposes of informing communal practice and eschatological self-understanding.

By contrast, the Mishnah's narrative retelling of the one-time ritual of blessings and curses at Shechem includes four explicit scriptural citations,<sup>24</sup> while the Tosefta's includes three, but with more dialogical language and argument.<sup>25</sup> In neither of these accounts, by contrast to

<sup>22</sup> Hebrew text from E. Qimron and J. H. Charlesworth, "Rule of the Community," in *Hebrew, Aramaic, and Greek Texts with English Translations, Vol. 1: The Rule of the Community and Related Documents* (ed. J. H. Charlesworth; Tübingen: Mohr [Siebeck]; Louisville: Westminster John Knox, 1994), 9–10. Translation from G. Vermes, *The Complete Dead Sea Scrolls in English* (New York: Penguin, 1997), 99–100.

<sup>23</sup> See especially 4QMMT C 21, *שכתוב בספר משה*. The closest to a direct scriptural citation is in 4QMMT C 12–16, introduced by *וכתוב*, where Deut 30:1–3 is selectively paraphrased, with the insertion of *באחרית הימים* from Deut 4:30. For discussion of 4QMMT's use of Scripture, see Fraade, "Rhetoric and Hermeneutics," 2–3, with reference to earlier treatments in 11 n. 29.

<sup>24</sup> *M. Sotah* 7:5, citing Deut 11:30; Gen 12:6; Josh 8:33; Deut 27:15.

<sup>25</sup> *T. Sotah* 8:9–11, citing Josh 8:33; Deut 27:15, 26.

the *Community Rule*, do the priests have a speaking role distinct from that of the Levites.<sup>26</sup> Let us look at *m. Sotah* 7:5:<sup>27</sup>

ברכות וקללות כיצד? כיון שעברו ישראל את הירדן ובאו אל הר גרזים ואל הר עיבל שבשומרון שבצד שכם, שאצל אלוני מורה, שנאמר: הלא-המה בעבר הירדן וגו' ולהלן הוא אומר: ויעברו אברם עד מקום שכם עד אלון מורה—מה אלון מורה האמור להלן: שכם, אף אלון מורה האמור כאן: שכם. ששה שבטים עלו לראש הר גרזים, וששה שבטים עלו לראש הר עיבל, והכהנים והלוים והארון עומדים למטה באמצע, הכהנים מקיפין את הארון, והלוים את הכהנים, וכל ישראל מכאן ומכאן שנאמר: וכל-ישראל וזקניו ושטריו ושפטיו עומדים מזה ומזה לארון וגו'. הפכו פניהם כלפי הר גרזים ופתחו בברכה: ברוך האיש אשר לא יעשה פסל ומסכה, ואלו ואלו עונין אמן. הפכו פניהם כלפי הר עיבל ופתחו בקללה: ארוך האיש אשר יעשה פסל ומסכה, ואלו ואלו עונין אמן, עד שגומרין ברכות וקללות.

What is/was the manner of the Blessings and the Curses? When Israel crossed the Jordan and came to Mt. Gerizim and to Mt. Ebal in Samaria, alongside Shechem, by the terebinths of Moreh,<sup>28</sup> as it is said, "Are they not beyond the Jordan [...by the terebinths of Moreh]" (Deut 11:30). Elsewhere it says, "And Abram passed through the land as far as the site of Shechem, at the terebinth of Moreh" (Gen 12:6). Just as the terebinth of Moreh mentioned there (Gen. 12:6) is [at] Shechem, so too here (Deut 11:30) the terebinth of Moreh is [at] Shechem. Six tribes went up to the top of Mt. Gerizim and six tribes went up to the top of Mt. Ebal, and the priests and Levites and the Ark stand<sup>29</sup> below in the middle. The priests surround the Ark and the Levites [surround] the priests, with all of Israel on either side, as it is said, "And all of Israel and its elders and its officers, and its judges stand on either side of the Ark," etc. (Josh 8:33). They turned their faces toward Mt. Gerizim and began with the blessing, "Blessed is the person who does not make a graven or molten image." And both these and these respond, "Amen!" They turned their faces toward Mt. Ebal and began with a curse, "Cursed is the person who makes a graven or molten image" (Deut 27:15). And both these and these respond, "Amen!", until they complete the Blessings and Curses.

<sup>26</sup> In *S. Olam Rab.* 11, "Israel said blessings and curses."

<sup>27</sup> Hebrew text is from C. Albeck, *Shishah Sidre Mishnah* (6 vols.; Jerusalem: Bialik Institute, 1958), 3:249–50, checked against MS Kaufmann. English translation is my own.

<sup>28</sup> From this point until the mention of the "six tribes" the text makes an exegetical digression to identify the site of the covenantal ceremony with Shechem, which is not otherwise identified in MT as the location for this ceremony. The Samaritan Pentateuch adds to Deut 11:30: *מול שכם* ("opposite Shechem"). Cf. *Sifre Deut.* 56; *b. Sotah* 33b; *y. Sotah* 7:3 (21c), where the tone is more polemical: the Samaritan scribes did not need to change the biblical text since the same identification could be achieved through scriptural exegesis.

<sup>29</sup> The verbs here change from perfects to participles, and will switch again.

Although the mishnaic retelling of the scriptural ceremony is quite paraphrastic, filling in and smoothing over many gaps and ambiguities in the scriptural narrative, its explicit but selective citation of scriptural language, in contrast to the Qumran texts, conveys the impression of being linked to its scriptural base text, yet without dependence for all of its narrative detail on direct scriptural interpretation.

By further contrast, the midrash *Sifre to Deuteronomy* (§55), which directly explicates Deut 11:29, is even more intertextual and dialogical, as befits the nature of its scriptural commentary:<sup>30</sup>

ונתת את הברכה על הר גריזים וגו'; וכי מה בא הכתוב ללמדנו שהברכה על הר גריזים והקללה על הר עיבל והלא כבר נאמר אלה יעמדו לברך את העם על הר גריזים ואלה יעמדו על הקללה בהר עיבל מה ת"ל ונתת את הברכה על הר גריזים שיכול שיהיו כל הברכות קודמות לקללות [תלמוד לומר ונתת את הברכה על הר גריזים ברכה קודמת לקללה ואין כל הברכות קודמות לקללות] אלא להקיש קללות לברכות מה קללות בלויים אף ברכות בלויים מה קללות בקול רם אף ברכות בקול רם מה קללות בלשון הקודש אף ברכות בלשון הקודש מה קללות בכלל ופרט אף ברכות בכלל ופרט מה קללות אלו ואלו עונים ואומרים אמן אף ברכות אלו ואלו עונים ואומרים אמן כשהפכו פניהם בשעת ברכה אל הר גריזים ובשעה קללה אל הר עיבל.

"You shall pronounce the blessing on Mount Gerizim [and the curse on Mt. Ebal]": Was it necessary for Scripture to come to teach us that the blessing is on Mt. Gerizim and the curse on Mt. Ebal? Is it not said elsewhere, "These shall stand on Mt. Gerizim for the blessing of the people... and these shall stand on Mt. Ebal for the curse" (Deut 27:12–13)? Why then does Scripture say, "You shall pronounce the blessing on Mt. Gerizim"? Since it would [otherwise] be possible [to think] that all the blessings [as a group] precede the curses. Hence Scripture says "You shall pronounce the blessing on Mt. Gerizim." A [single] blessing precedes a [single] curse, and the [group of] blessings do not precede [the group of] curses. Also to draw an analogy between curses and blessings: Just as the curses are recited by the Levites, so too the blessings are recited by the Levites. Just as the curses are recited aloud, so too the blessings are recited aloud. Just as the curses are recited in the holy tongue, so too the blessings are recited in the holy tongue. Just as the blessings are general and particular, so too

<sup>30</sup> Since *Sifre Deut.* does not comment directly on Deuteronomy 27–30, it retells the ritual of the blessings and curses through its commentary on 11:29. The text is from *Siphre ad Deuteronomium* (ed. L. Finkelstein; Berlin: Gesellschaft zur Förderung der Wissenschaft des Judentums, 1939; repr. New York: Jewish Theological Seminary, 1969), 122–23, checked against MS Vatican 32. English translation is my own. Compare "Mekilta ledevarim parashat re'eh," ed. S. Schechter, in *Tiferet Yisrael: Festschrift zu Israel Leuy's siebzigstem Geburtstag* (ed. M. Brann and J. Elbogen; Breslau: Marcus, 1911), 189–90; S. Lieberman, *Tosefta Ki-Fshutah: A Comprehensive Commentary on the Tosefta* (New York: Jewish Theological Seminary of America, 1973), 8:700–701.

the curses are general and particular. Just as to the curses, both groups answered "Amen," so too to the blessings, both groups answered "Amen," turning to face Mt. Gerizim for the blessings and toward Mt. Ebal for the curses.

A retold biblical narrative is here constructed, in its specifics much like that of the more coherent narrative of the Mishnah and Tosefta; but this retelling emerges now more gradually through the shuttle between Scripture and commentary, that is, in expressly expository form, employing intertextual hermeneutics and dialogical rhetoric. Although, in contrast to Qumran usage, the reconstructed biblical narrative in both Mishnah and midrash tells clearly of a one-time *past* event in scriptural time, with no contemporary practical consequence, its participial verbal forms denote the perpetual present of the commentary itself. If the performative aspects of the Qumran accounts of an annual, eschatological ceremony of blessings and curses have the effect of extending scriptural texts and events into the communal present and eschatological future, the performative aspects of the midrashic commentary have the effect of dialogically drawing its rabbinic auditors into scriptural text and time. Even if the net effect of temporal connectivity is comparable, the very different performative strategies employed by each form of interpretive textuality can be illuminatively contrasted, revealing thereby different attitudes toward and approaches to scriptural text and time.

### 5. Example 2: Revelation Retold<sup>31</sup>

Both the Dead Sea Scrolls and early rabbinic literature place great emphasis on the claims that their respective traditions are the successors to what was revealed to Israel via the Torah of Moses.<sup>32</sup> At Qumran, many works of "rewritten Bible," some previously known, such as

<sup>31</sup> See above, n. 17. I have previously dealt with midrashic re-presentations of the Sinaitic revelation in *From Tradition to Commentary: Torah and its Interpretation in the Midrash Sifre to Deuteronomy* (Albany: State University of New York Press, 1991), 25–68; "The Kisses of His Mouth": Intimacy and Intermediacy as Performative Aspects of a Midrash Commentary," in *Textual Reasonings: Jewish Philosophy and Text Study at the End of the Twentieth Century* (ed. P. Ochs and N. Levene; London: SCM Press, 2002), 52–56.

<sup>32</sup> For the "Torah of Moses," see: 1QS 5:8; 8:22; CD 15:2–9, 12; 16:2, 5; 4Q266 (4QD<sup>a</sup>) 11 6. For "commanded by the hand of Moses," see 1QS 8:15; 1QM 10:6; 1QH 17:12; 4Q504 (4QDibHam<sup>a</sup>) 1–2 v 14. For "by the hand of Moses and the prophets," see 1QS 1:3; CD 5:21. For the "Book of Moses," see 4Q174 (4QFlor) 1 i 2–3 (restored); 4QMMT C 10, 17, 21; 4Q247 1 verso. For "Moses said," see CD 5:8; 8:14 (= 19:26).

*Jubilees*, and some previously unknown, such as the *Temple Scroll* and other, more fragmentary works of "Mosaic pseudepigraphy," echo Josephus's attribution to the Essenes of great reverence for Moses the lawgiver.<sup>33</sup> These texts of esoteric knowledge either explicitly or implicitly claim to have been revealed at Mt. Sinai, presumably alongside the Torah, to the spiritual elite. Curiously, however, the Dead Sea Scrolls contain hardly any direct exegetical engagement with biblical passages narrating the revelation at Mt. Sinai as a way of exegetically linking their revelatory self-understanding to that central scriptural event.<sup>34</sup> Perhaps the Dead Sea Scrolls' emphasis on continuous revelation, especially in the recent history and present time of the community via its prophetic teachers, produces little interest in elucidating the revelatory narrative of Mt. Sinai.

By contrast, our earliest "tannaitic" midrashim, especially the *Mekillat*s to Exodus and the *Sifre to Deuteronomy*, embrace a rich assortment of exegetical retellings, some substantially expansive, and often in

<sup>33</sup> Josephus, *J.W.* 2.145. For overviews of attitudes to Moses and of writings associated with him in the Dead Sea Scrolls, see D. K. Falk, "Moses," *EDSS* 1:576–77; idem, "Moses, Texts of," *EDSS* 1:577–81. The surviving texts of "rewritten Bible" dealing with Moses appear more interested in Moses's farewell orations of warning to Israel at the end of the Book of Deuteronomy, understood to be prophecies, than in his role in narratives of the exodus from Egypt or the revelation at Mt. Sinai. For examples of both, see 1Q22 (*Words of Moses*); 4Q368 (*Apocryphal Pentateuch A*); 4Q377 (*Apocryphal Pentateuch B*). For fragmentary texts retelling the exodus from Egypt, see 4Q374; 4Q422 col. 3. On the broader phenomenon of "Mosaic discourse" in Second Temple Jewish literature, see H. Najman, *Seconding Sinai*.

<sup>34</sup> See *The Texts From the Judaean Desert: Indices and an Introduction to the Discoveries in the Judaean Desert Series* (ed. E. Tov et al.; DJD 39; Oxford: Clarendon, 2002), 115–64. A. Lange, "Annotated List of the Texts from the Judaean Desert," where many "parabiblical texts" are listed for the Book of Genesis, and many texts apocryphally attributed to Moses, but nothing devoted to the narratives of Exodus-Deuteronomy. The closest would seem to be 4Q377 2 ii. Similarly, under "Exegetical Texts," there are several "commentaries" to Genesis (4Q252–254, on which see above, n. 14), and *peshtarim* to the prophetic books, but nothing on Exodus-Deuteronomy or the early prophets. For the centrality of Sinai in the self-understanding of the Qumran community, see J. C. VanderKam, "Sinai Revisited," in *Biblical Interpretation at Qumran* (ed. M. Henze; Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids: Eerdmans, 2005), 44–60, who states that "Israel at Sinai was the template for the Qumran fellowship" (48). However, as VanderKam notes elsewhere ("The Interpretation of Genesis in *1 Enoch*," in *The Bible at Qumran: Text, Shape, and Interpretation* [ed. P. W. Flint; Studies in the Dead Sea Scrolls and Related Literature; Grand Rapids: Eerdmans, 2001], 142), the revelation at Mt. Sinai is absent from *1 Enoch* (see 85–90), and is not narrated in the *Book of Jubilees*, both of which were probably considered authoritative at Qumran. Note also the argument of M. Segal ("Between Bible and Rewritten Bible," in Henze, *Biblical Interpretation at Qumran*, 22) that the missing first column of the *Temple Scroll* would have contained a retelling of the first part of Exodus 34, with its renewal of the covenant after the golden calf incident.

multiple versions, of the giving of the Torah to Israel at Mt. Sinai, and of Moses's intermediary role therein. For example, we may recall the well-known rabbinic accounts according to which God first offered the Torah unsuccessfully to the other nations, exegetically linked to biblical passages in Exodus and Deuteronomy.<sup>35</sup> To give a very crude representation of this disproportionate attention, in all of the nonbiblical Dead Sea Scrolls, the proper name "Sinai" appears in only five places, in two of which the text is too damaged to know the context, and in none of which is the text clearly of sectarian provenance.<sup>36</sup> Even if we add to that count one other place of unlikely sectarian provenance (4QReworked Pentateuch, where the word is restored);<sup>37</sup> three instances of the word restored in Hebrew fragments of the *Book of Jubilees*;<sup>38</sup> and one instance restored in an Aramaic fragment of *1 Enoch*;<sup>39</sup> the evidence is still paltry, especially considering the centrality in other respects of Moses and Mosaic revelation to the Qumran community's prophetic self-understanding. By contrast, whereas the word "Sinai" occurs 35 times in all of the Hebrew Bible, 8 times in the Mishnah, and eleven times in the Tosefta, it appears 228 times in the "tannaitic" midrashim.<sup>40</sup> Clearly, the tannaitic midrashim evidence much more exegetical engagement with the biblical narrative of the Sinaitic revelation than do the Dead Sea Scrolls (or the Mishnah/Tosefta).<sup>41</sup>

<sup>35</sup> For texts and treatment, see S. D. Fraade, *From Tradition to Commentary*, 32–44. See as well the following collection of rabbinic interpretations of the Sinaitic revelation: S. Y. Agnon, *'Atem Re'item, Sefer Rishon. Parashat Matan Torah: Peshatim u-derashim* (Jerusalem: Schocken, 1959); *Present at Sinai: The Giving of the Law. Commentaries selected by S. Y. Agnon* (trans. M. Swirsky; Philadelphia: Jewish Publication Society, 1994).

<sup>36</sup> 1Q22 1 i 4 (rewritten Bible based mainly on Deuteronomy); 4Q365 26a–b 4 (Num 1:1); 4Q374 2 i 7 (isolated word); 4Q377 2 ii 6 (rewritten Bible on Sinaitic revelation); 4Q547 9 4 (isolated Hebrew phrase in Aramaic document, perhaps dealing with Moses at Mt. Sinai). To find these five instances, I consulted M. G. Abegg's "Concordance of Proper Names in the Non-biblical Texts from Qumran," DJD 39.275; which I confirmed by searching *The Dead Sea Scrolls Electronic Reference Library, Volume 2* (ed. E. Tov; prepared by the Foundation for Ancient Research and Mormon Studies and its Center for the Preservation of Ancient Religious Texts at Brigham Young University, Provo, Utah; Leiden: Brill, 1999).

<sup>37</sup> 4Q367 3 14 (*Reworked Pentateuch* for Lev 27:34).

<sup>38</sup> 4Q216 (4QJub\*) 1 i 3, 8, 15 (= *Jub.* Prologue; 1:2, 5).

<sup>39</sup> 4Q201 (4QEn\*) 1 i 5 (= *1 Enoch* 1:4).

<sup>40</sup> These numbers derive from computerized searches using the *Bar Ilan Responsa Project Judaic Library on CD-ROM* (version 12).

<sup>41</sup> It should be noted, but cannot be investigated here, that other Second Temple Jewish writings also give slight attention to the narrative of the Sinaitic revelation. For example, the *Book of Jubilees*, with all of its emphasis on being the product of Sinaitic revelation and its being narratively framed by that event (Prologue; 1:1–5; 4:26; 48:2;

We shall examine one limited example. Exodus 19, in describing preparations for the revelation at Mt. Sinai, contains several narrative gaps, repetitions, and inconsistencies that midrashic interpreters must address in filling out that narrative. One such apparent inconsistency noted by the two *Mekiltas* to Exodus occurs in Exod 19:10–12, where God instructs Moses: “Go to the people and warn them to stay pure today and tomorrow. Let them wash their clothes. Let them be ready for the third day; for on the third day the Lord will come down, in the sight of all the people, on Mount Sinai.” Yet several verses later (19:14–15), the narrative states: “Moses came down from the mountain to the people and warned the people to stay pure, and they washed their clothes. And he said to the people, ‘Be ready for the third day: do not go near a woman.’” Rabbinic exegetes confronted two inconsistencies here: first, are the people to remain pure for two or three days prior to revelation; and second, why does Moses add to God’s instructions to be pure (which might denote only ablutions) the separation (of the men) from the women, understood to denote sexual abstinence?<sup>42</sup>

At Qumran, we find no exegetical engagement with these seeming narrative inconsistencies, or for that matter with any of the others in the Sinaitic narrative. However, it is generally understood that this narrative is the basis of the *Temple Scroll*’s requirement of three days of sexual purity as a precondition to entering any part of the Temple after a nocturnal seminal emission or any part of the Temple city after sexual intercourse, in contrast to Lev 15:16–18 and Deut 23:11–12, which would seem to require bathing and at most a one-day wait (11QT<sup>a</sup> 45:7–12).<sup>43</sup>

50:2), ends its retelling of the Bible just short of Sinai (after forty-nine jubilees from Adam; 50:4). Similarly, Philo, while devoting a whole treatise to the *Life of Moses*, extolling Moses as the ideal lawgiver, hardly discusses the event of revelation itself (cf. *Decal.* 32–49). See above, n. 33, as well as S. D. Fraade, “Moses and the Commandments,” 420 n. 51. In each instance, this relative inattention to the Sinaitic narrative can be explained in specific theological terms; e.g., for *Jubilees* and Philo, the projection of law-giving or law-abiding into the pre-Sinaitic, patriarchal period, while for the Dead Sea Scrolls, the emphasis on continuing post-Sinaitic esoteric revelation within the sectarian community. My argument, however, is that there is a larger comparative pattern that demands explanation. See above, n. 34.

<sup>42</sup> Compare Pseudo-Philo, *L.A.B.* 11:2–3, in which sexual abstinence is part of God’s instruction to Moses, but not Moses’s to the people.

<sup>43</sup> *The Temple Scroll* (ed. Y. Yadin; 3 vols.; Jerusalem: Israel Exploration Society, 1983), 2:191–92 for text, translation, and notes; and 1:287–89 for discussion. The following Hebrew text and English translation are from Yadin.

וא[יש] כי יהיה מקרה לילה לוא יבוא אל כול המקדש עד אשר [יש] לים שלושת ימים וכבס בגדיו ורחץ ביום הראשון וביום השלישי יכבס בגדיו (ורחץ) ובאה השמש אחר יבוא אל המקדש ולוא יבואו בנדת טמאתמה אל מקדשי וטמאו [vacat] ואיש כיא ישכב עם אשתו שכבת זרע לוא יבוא אל כול עיר המקדש אשר אשכין שמי בה שלושת ימים:

And if a ma[n] has a nocturnal emission, he shall not enter into any part of the Temple until [he will com]plete three days. And he shall wash his clothes and bathe on the first day, and on the third day he shall wash his clothes (and bathe,) and when the sun is down, he may come within the Temple. And they shall not come into my Temple in their *niddah*-like uncleanness and defile it. And if a man lies with his wife and has an emission of semen, he shall not come into any part of the city of the Temple, where I will settle my name, for three days.

Since the Temple city was considered analogous not only to the wilderness camp, but especially to Mt. Sinai, people entering it needed to be in the same state of ritual purity as those approaching Mt. Sinai in order to receive divine revelation; hence, the three-day (שלושת ימים) stringency of the *Temple Scroll* is understood to derive from Exod 19:15. That the Qumran community applied the same understanding to themselves, ideally at least, can be seen from 1QSa (1Q28a) 1:25–27:

ואם תעודה תהיה לכול הקהל למשפט או לעצת יחד או לתעודת מלחמה וקדשום שלושת ימים להיות כול הבא עת [יד ל]הנה.<sup>44</sup>

And when the whole assembly is summoned for judgment, or for a Council of the Community, or for war, they shall sanctify them for three days that every one of its members may be prepared.<sup>45</sup>

Since the Qumran community understood itself to be in a state of ongoing revelatory reception, and since (according to 4QMMT) they understood the “sanctuary” to be the functional equivalent of the “tent of meeting” (a revelatory locus), and the “city of Jerusalem” to be the functional equivalent of the “camp,”<sup>46</sup> they would have assumed that an idealized Jerusalem, like an idealized covenantal community, would be, in a sense, a perpetual Mt. Sinai, to which entry would have required three prior days of sexual separation. While we can readily reconstruct

<sup>44</sup> The Hebrew text is according to *Qumran Cave I* (ed. D. Barthélemy and J. T. Milik; DJD 1; Oxford: Clarendon, 1955), 110. Others restore the final word as לעצה (“for the council”).

<sup>45</sup> Translation is from Vermes, *The Complete Dead Sea Scrolls*, 159. For discussion, see L. H. Schiffman, *The Eschatological Community of the Dead Sea Scrolls: A Study of the Rule of the Congregation* (SBLMS 38; Atlanta: Scholars Press, 1989), 29–32.

<sup>46</sup> 4QMMT B 29–33, 60–62; cf. CD 11:21–12:2.



the interpretive connection between Exod 19:14–15 and these practical and ideological purity applications, nowhere is such a link made explicit in the Scrolls themselves. Whatever the exegetical process by which the Exodus passage was linked to entry into the community as the site of continuous revelation, the Dead Sea Scrolls show no interest in engaging their readers in the process.

By contrast, let us look briefly at the *Mekilta of R. Ishmael's* commentary to the same verses (*Bahodesh* 3):<sup>47</sup>

ויאמר אל העם היו נכונים לשלשת ימים. אבל לא שמענו שאמר המקום לפרוש מן האשה, אלא היו נכונים—והיו נכונים לגזירה שוה, מה היו נכונים האמור כאן, לפרוש מן האשה, אף והיו נכונים האמור להלן, לפרוש מן האשה. רבי אומר, ממקומו הוא מוכרע, לך אל העם וקדשתם היום ומחר, ואם על ענין טבילה, יטבול בחמישי ויהי טהור כמו הערב שמש ומה ת"ל לך אל העם אלא שאמר המקום למשה, לפרוש מן האשה.

"And he said to the people, be ready for three days; [do not go near a woman]": But we did not hear God say to separate from women! But "be ready" (19:15) "and let them be ready" (19:11) form an analogy: Just as the expression "be ready" used here (19:15) means to separate from women, so too "and let them be ready" used there (19:11) means to separate from women. Rabbi (Judah the Patriarch) says: It can be proved from its own context. "Go to the people and sanctify them today and tomorrow" (19:10): If this only referred to immersion, one could immerse on the fifth day (of the week) and be pure around sunset. Why then does it say "Go to the people [and sanctify them today and tomorrow]"? Since God told Moses that they should separate from women.

The midrash is explicitly attentive to the subtle but significant differences between God's instructions to Moses to prepare the people for revelation and Moses's instructions to the people. As expressly stated in the *Mekilta of R. Simeon bar Yohai*, and elaborated in later midrashim, "Is it possible for Moses to have said this on his own," that is, to have revised God's instructions to the people, adding a requirement of sexual abstinence not specified by God?<sup>48</sup> While several later midrashic traditions celebrate

<sup>47</sup> The Hebrew text is from *Mekhilta d'Rabbi Ismael* (ed. H. S. Horowitz and I. A. Rabin; 2d ed.; Jerusalem: Wahrman, 1970), 213–14; with minor variants, *Mekilta de-Rabbi Ishmael* (ed. J. Z. Lauterbach; 3 vols.; Philadelphia: Jewish Publication Society, 1933–35), 2:216–17. Cf. *Mekhilta d'Rabbi Sim'on b. Yochai* (ed. J. N. Epstein and E. Z. Melamed; Jerusalem: Mekize Nirdamim, 1955), 142. The English translation is my own.

<sup>48</sup> Note as well *Sifre Num.* 103 (*Siphre ad Numeros adjecto Siphre zutta* [ed. H. S. Horowitz; Leipzig: Gustav Frock, 1917; repr. Jerusalem: Wahrman, 1966], 101), where Moses's own separation from his wife from the time of Sinai on is said to have been at God's express command, whereas in later sources this is said to have been at Moses's own (commendable) initiative. Cf. *Tg. Ps.-J.* to Num 12:8; Rashi on Num 12:8. Other

Moses's initiative here, and have God concur with him after the fact, our midrash avers that Moses simply made explicit what had been implicit in God's words to him. Two different hermeneutical arguments are given to prove that in fact God's words and Moses's words are congruent: 1) the use of analogous language; and 2) a contextual inference, presumably drawn by Moses, from God's instructions (the three-day wait could only be required in the case of sexual abstinence, and not with regard to general purification through immersion).<sup>49</sup> Note again the dialogical rhetoric, the multiplicity of interpretive strategies, and the prominence of participial verbal forms.

The midrash here hermeneutically and dialogically engages both the words of the Torah and its own textual auditors so as to resolve a seeming difficulty in scriptural narrative coherence. In arguing that Moses was correct in deducing from God's words the requirement of sexual abstinence as a prerequisite for the purification necessary to be recipients of revelation, the midrash projects rabbinic methods and contestations of hermeneutical argumentation onto the scriptural narrative itself. As I have shown elsewhere, this is not unusual for the tannaitic midrashim: in interpreting the scriptural narrative of Sinaitic revelation, these texts project the very activity of human (rabbinic) interpretation of divine speech back onto the originary moment of revelation itself. They thereby implicitly claim and performatively enact the very converse: i.e., that rabbinic interpretive practice is itself an extension of Sinai into the perpetual present of its studying community.<sup>50</sup> Much the same can be said for the Qumran projection of Exodus 19 onto the construction of an idealized Temple city and eschatological community, as perhaps enacted in the communal study of the textual embodiments of those constructions, with the critical difference that at Qumran, hermeneutical

rabbinic traditions indicate that Moses's innovation was in adding a day to the two specified by God. See *b. Sabb.* 87a (*baraita*); *b. Yebam.* 62a (*baraita*); *Abot R. Nat.* A2, B2; *Pirqe R. El.* 41, 46 (according to God's command); פסיקתא חדתא לחג השבועות (in A. Jellinek, *Beit ha-Midrash* [3d ed.; 6 vols. in 2; Jerusalem: Wahrman, 1967], 6:41); *Exod. Rab.* 19:3.

<sup>49</sup> See the continuation of the *Mekilta of R. Ishmael*. Semen remains virile within a woman for three days. Thus, to insure that she not discharge virile semen from previous intercourse just prior to revelation, and thereby be rendered impure and contagious to others, she must abstain from sexual intercourse for three days prior to revelation. Cf. *m. Miqw.* 8:3; *m. Sabb.* 9:3. On the addition of R. Judah the Patriarch's argument here, see M. Kahana, "Marginal Annotations" of the School of Rabbi in the Halakhic Midrashim," in *Studies in Bible and Talmud: Papers Delivered at the Departmental Symposia in Honour of the Sixtieth Anniversary of the Institute of Jewish Studies* (ed. S. Japhet; Jerusalem: Hebrew University of Jerusalem, 1987), 69–85 (Hebrew).

<sup>50</sup> See above, n. 31.

and dialogical engagement with the scriptural *text* of Exodus 19 does not appear to have occupied the same performative place as it did among the early rabbinic sages.

### 6. Conclusions

While the variety of forms of scriptural interpretation in the Dead Sea Scrolls is enormous, and provides an indispensable window into the richness of that variety which must have existed more broadly in Second Temple Jewish culture, we find relatively little by way of direct and explicit exposition of narrative Scriptures. Most interpretation of scriptural narrative that we find in the Dead Sea Scrolls, whatever its sectarian provenance, is what has been called, for want of a better term, “rewritten Bible,” which interpretively glosses and expands those narratives without explicitly engaging their language exegetically. The Scriptures that are the focus of such interpretive “rewriting” are especially those of Genesis (as *Urzeit*) and the end of Deuteronomy (as pointing to *Endzeit*).<sup>51</sup> This is by no means to diminish the interpretive and compositional creativity of such scrolls, nor of their ideational significance. To the extent that we encounter explicit expositions of scriptural narrative verses in Qumran sectarian texts, they are for purposes of scripturally grounding either the community’s rules or its eschatological expectations and self-understandings. This is somewhat surprising given the admonitions of some sectarian writings to “study (carefully)” not just “the book of Moses and the books of the Prophets,” but “the (writings of) David [and the] [events of] ages past.”<sup>52</sup> With very few exceptions, the interpretive modes of scriptural exposition and para-scriptural composition are kept textually separate in the Dead Sea Scrolls, both sectarian and non-sectarian.

By contrast, our earliest rabbinic midrashic collections contain extensive sections of commentary that *combine* direct scriptural exposition

<sup>51</sup> See above, n. 34.

<sup>52</sup> 4QMMT C 10–11: כְּתָבִים וְאֵלֶיכָה שְׁתֵּבִין בְּסֵפֶר מוֹשֶׁה [וְ]בְסֵפֶר [י]הוֹנָה בְּיָמָיו. Text and translation are from *Qumran Cave 4. V: Miqsat Ma’ase Ha-Torah* (ed. E. Qimron and J. Strugnell; DJD 10; Oxford: Clarendon, 1994), 58–59. My argument is not dependent on questionable claims made by others that we have here evidence for a three- (or four-) fold scriptural canon. See E. Ulrich, “The Non-attestation of a Tripartite Canon in 4QMMT,” *CBQ* 65 (2001): 202–14. Cf. Deut 32:7: בְּהֵיכַל בְּמַעַשׂי דָּוָר וְדָוָר: 21:21 4Q270 (4QD<sup>c</sup>) 2 ii בְּיָמֵינוּ שְׁנוֹת דָּוָר וְדָוָר.

with expansively retold scriptural narratives, although not in the form of “rewritten Bible.”<sup>53</sup> Although they share interpretive traditions, hermeneutical presuppositions, terminology, and exegetical methods with the Dead Sea Scrolls and Second Temple Jewish writings more generally, their formal and rhetorical modes of communication, in particular their explicit employment of dialogical and intertextual commentary, differentiate them from their extant antecedents.

Describing these differences is one thing, accounting for them is quite another. Since space does not allow me to do justice to such an accounting, I shall sketch several possible explanatory trajectories, by no means mutually exclusive, that would need to be considered. My point, in part, is that complex cultural-historical phenomena, especially when comparatively viewed, do not submit to *singular* explanations, as convenient and satisfying as they may be.

1. One approach would be to argue that these differences are the product of time; that is, since rabbinic midrashim are significantly later, in their redacted forms, they represent an evolutionary progression from their Qumran antecedents. Such a progression might be occasioned internally by the unfolding of earlier exegetical potentialities, externally by changed historical circumstances, or by a combination of the two. For example, to what extent would the progressive closing and fixing of the Hebrew biblical canon have required a more “postbiblical” attitude to the biblical text and its authority, thereby necessitating that narrative retellings be explicitly anchored in the actual words of that text, from which they would derive their authority, rather than from pseudepigraphic attributions or charismatic claims to prophetic knowledge?<sup>54</sup> While this progression in canonical scriptural status is

<sup>53</sup> However, in Byzantine and early medieval times, *midrash aggadah* became increasingly narrativized. See Y. Elbaum, “From Sermon to Story: The Transformation of the Akedah,” *Prooftexts* 6 (1986): 97–116. In modern times, Louis Ginzberg reconstituted much of ancient midrash into a “retold Bible.” See D. Stern, “Introduction to the 2003 Edition,” in L. Ginzberg, *Legends of the Jews* (2d ed.; 7 vols. in 2; Philadelphia: Jewish Publication Society, 2003), xv–xxiv, esp. xix. For further discussion of “rewritten Bible” within early rabbinic midrashic commentary, see my essay, “Rewritten Bible and Rabbinic Midrash As Commentary,” cited above, n. 9.

<sup>54</sup> See, in particular, M. Kister, “A Common Heritage: Biblical Interpretation at Qumran and its Implications,” in Stone and Chazon, *Biblical Perspectives*, 102–11. For a comparison of Kister’s position with my own, see A. Shemesh, “Scriptural Interpretations in the Damascus Document and Their Parallels in Rabbinic Midrash,” in *The Damascus Document: A Centennial of Discovery. Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 4–8 February, 1998* (ed. J. M. Baumgarten, E. G. Chazon, and A. Pinnick; STDJ 34; Leiden: Brill, 1999),



a necessary precondition for rabbinic *midrash aggadah*, it is not alone a sufficient explanation. Otherwise, we would have to presume that had the Qumran community survived past 68 CE, its texts of scriptural exegesis would have evolved to approximate rabbinic midrash, and that the Pharisaic antecedents to rabbinic midrash would have resembled the forms of scriptural interpretation found at Qumran.

2. Another approach would be to link these dissimilarities to different understandings of the character of continuous revelation among the Qumran and rabbinic communities, especially with regard to the relation between ongoing revelation and revelation at Mt. Sinai. In simple terms, the rabbis considered the Oral Torah to have originated in the revelation at Sinai to all of Israel, and to have exegetically accompanied the Written Torah from then and ever since. By contrast, the Qumran community considered their esoteric teachings to be the most recent installment of revelations begun with Moses, continued with the prophets, and renewed, after a hiatus, among the sectarian covenantal "remnant" through the Teacher of Righteousness and his successors.<sup>55</sup> Thus, differing approaches to the interpretation of biblical narratives (and laws) reflect not simply progressive stages in the developing status and authority of those scriptural texts (previous point), but fundamentally different ideologies of the chronology and anthropology of continuing revelation across time.

3. Any comparison of Qumran and rabbinic forms of interpretation must take into account differences between their intended audiences. How did their differing textual practices, as "speech acts," seek rhetorically and performatively not just to inform, but to *privilege* and to *transform* their very different kinds of readers or auditors in very different social settings. How was the very process of study not just understood, but *experienced* as a form of divine service or worship? In other words, do the dialogical differences between these corpora reflect differences in their pedagogical methods and purposes, especially considering the rabbinic emphasis on the master-disciple relationship and circle, and

162–63. Note the remark of G. Brooke at the conclusion to his discussion of "Rewritten Bible" (see above, n. 12): "Once both the form and content of the biblical books were fixed in Hebrew, Rewritten Bible continued only in the Targums." Whether or not this is true for the Targums, the presumption here is that the shift from rewritten Bible to more explicit forms of exegesis is the product of the fixing and closing of the biblical canon.

<sup>55</sup> See S. D. Fraade, "Interpretive Authority in the Studying Community at Qumran," *JJS* 44 (1993): 46–69. Cf. A. Shemesh and C. Werman, "Hidden Things and Their Revelation," *RevQ* 18 (1998): 409–27.

the related differentiation between written and oral modes of revelatory transmission, nowhere evidenced at Qumran.<sup>56</sup> The following, from the preface to a recent comparative effort to get at the *differentia specifica* of commentaries cross-culturally, would apply well to the formal differences between scriptural interpretation within the Dead Sea Scrolls and early rabbinic midrash:

For commentary is not a natural type but is always constructed variously in various social formations, and may therefore be expected to respond differently to different kinds of identifiable exigencies. This constructedness of the form of commentary may well be disguised to a certain extent from its producers and consumers by its very ubiquity, both within their own work and across the spectrum of cultures available for historical and geographical comparison; . . . But there is nothing natural about the general form of commentary itself, and no matter how natural a particular form of commentary may seem to its own practitioners in any one place and time, it need not seem at all natural to other practitioners.<sup>57</sup>

4. Finally, as we have done with respect to the above examples, we might ask to what extent do differences between Qumran and early rabbinic narrative interpretation reflect different attitudes not just to the biblical *text*, but also to the biblical *past*, in relation both to the present lives of the respective textual communities and to their anticipation of the future (imminent or deferred) fulfillment of biblically generated eschatological expectations? The rabbis employed *midrash aggadah*, in part at least, as a means of shuttling back and forth between biblical, present, and eschatological times so as to defer while still foretasting the last, and to enter while refashioning the first; whereas Qumran narrative and prophetic interpretation was more intent on defining and justifying the present conduct of the elect in urgent preparation for an imminently anticipated consummation of history. How do these very different *temporal* perspectives of the two corpora shape their very different manners of reworking biblical narrative?

<sup>56</sup> On the relation of rabbinic orality to discipleship, see M. S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE–400 CE* (Oxford: Oxford University Press, 2001), 126–52; S. D. Fraade, "Literary Composition and Oral Performance in Early Midrashim," *Oral Tradition* 14 (1999): 33–51. On the role of the master-disciple relationship in determining the forms of rabbinic discourse, see A. D. Tropper, *Wisdom, Politics, and Historiography: Tractate Avot in the Context of the Graeco-Roman Near East* (Oxford: Oxford University Press, 2004). On the commentary form in relation to pedagogy more broadly, see G. W. Most, "Preface," *Commentaries—Kommentare* (ed. G. W. Most; Göttingen: Vandenhoeck & Ruprecht, 1999), vii–xv.

<sup>57</sup> Most, "Preface," vii–viii.

There are, no doubt, other aspects of this set of comparative questions that would need to be considered in any attempt at a fuller explanatory program, and many more specific comparative case-studies to be conducted along the way. But there can be no doubt that the Qumranic and rabbinic corpora, in their respective recastings of shared biblical narratives, have much more light to shed on one another and their respective textual, studying communities.<sup>58</sup>

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<sup>58</sup> I wish to thank two friends, Chaim Milikowsky and Hindy Najman, for their critical responses to an earlier draft of this paper.