

*Manuscripts and their (Proof-)Texts: Paradigms for Purity and Holiness in the Community Rule and the Damascus Document*<sup>1</sup>

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Ever since the discovery and publication of the ancient Jewish texts found at Qumran in 1947, one of the foremost areas of scholarly interest has concerned itself with the categories of purity and holiness found in these Scrolls.<sup>2</sup> In general, the scholarly literature has sought to conceptualise the relationship between purity of body and purity of spirit (we might also categorise this as a distinction between ritual and moral purity) in the texts from Qumran. In the Hebrew Bible these two areas are often distinct,<sup>3</sup> while this is definitely so in the case of the later Rabbinic literature.<sup>4</sup> However, the connection in the material from Qumran has caused some scholarly dissent among interpreters. On the one hand, scholars such as Jonathan Klawans have argued that the independent concepts of ritual and moral impurity as are found in certain biblical books have become intertwined in the documents from Qumran.<sup>5</sup> On the other, Hannah K. Harrington among others have continued to discern between ritual impurities and those caused by sin in the Scrolls.<sup>6</sup> The problem to my mind rests upon the reconstructive possibilities afforded by the Scrolls to the group or groups behind their creation. Should these texts stem from a single group, then a coherent concept built from a synthetic treatment of the documents is a necessary corollary.<sup>7</sup> This was the interpretation which dictated early forays into the social-historical background of the Scrolls: by the 1960s a consensus view had emerged which linked the Qumran community to Essenism as depicted by the Classical authors, and its origins to the

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<sup>1</sup> The origins of this paper lie in a graduate course on Qumranic Hebrew convened by Professor C.T.R. Hayward, and I would like to thank him for his generous engagement with my work. I would also like to express my thanks to Dr Dan Batovici for organising such a stimulating conference, and to the conference participants for their helpful comments on my work.

<sup>2</sup> On these concepts see Harrington, *The Purity Texts*, 7-42. Harrington distinguishes between “purity” as a state-of-being, the absence of impurity, with “holiness” as an active force that stems directly from God. On the semantics of the primary terms for purity in Biblical Hebrew and cognate languages, see Feder, *The Semantics of Purity*.

<sup>3</sup> To be sure, the Bible connects ritual with moral impurity at several places. For example, the concept of נדה, menstrual impurity, is sometimes used to describe the sins of Israel, particularly in prophetic texts (see e.g. Isa 30:22, etc.). In other texts, however, the relationship between disease, pollution and sin in the Bible is less clear cut: see Feder, *Behind the Scenes*. On the distinction between ritual and moral impurity in the Hebrew Bible, see Klawans, *Impurity and Sin*, 21-42.

<sup>4</sup> Harrington, *The Impurity Systems*; Noam, *The Bounds of Non-Priestly Purity*; idem, *The Dual Strategy*; idem, *From Qumran*; and idem, *Ritual Impurity*.

<sup>5</sup> Klawans, *Impurity and Sin*, 75-90. Klawans is followed in this interpretation by several other commentators, see e.g. Newton, *The Concept of Purity*, 44-49; Neusner, *The Idea of Purity*, 50-55; and García Martínez, *The Problem of Purity*. Older studies include Garnet, *Salvation and Atonement*, 58-59; and Ringgren, *The Faith of Qumran*, 120-126.

<sup>6</sup> See e.g. Harrington, *The Nature of Impurity*, 610-616. See also Himmelfarb, *Sexual Relations*, 11-36; and idem, *Impurity and Sin*, 9-37.

<sup>7</sup> For a criticism of this type of approach with regard to conceptions of purity among the Scrolls, see Werrett, *Ritual Purity*; and idem, *The Evolution of Purity*. By treating each document from Qumran as a unique composition and hence avoiding this tendency to read the Scrolls in light of each other, Werrett has shown that there is no single coherent purity system shared across the Dead Sea Scrolls. The Temple Scroll in particular presents idiosyncratic data in the context of its purity rulings.

mid-second century BCE. These Essenes then, were responsible for all of the sectarian literature written over some two hundred years at Qumran.<sup>8</sup> This consensus was challenged by Jerome Murphy-O'Connor, who preferred the Qumran community to be a splinter group from the wider Essene movement, and stemming from a point of time between the exile and the first half of the second century.<sup>9</sup> A synthesis of these two views, the so-called "Groningen Hypothesis" of Florentino García Martínez and Adam S. van der Woude, maintained the splinter group proposition of Murphy-O'Connor but, as with the consensus, situated the origin of this in the early second century BCE.<sup>10</sup> Yet more recently an awareness that not all of the documents found at Qumran were written at that location has steadily gained in traction. For example, Alison Schofield has argued for a Jerusalemite provenance for the earliest stages of the *Community Rule* prior to its revision at Qumran.<sup>11</sup> John J. Collins has written extensively on the issue, convincingly making the case that the Yahad should be understood as an umbrella organization, encompassing various groups of Essenes whose views were subject to changes and developments over time.<sup>12</sup> Indeed, the two texts most usually taken to describe the workings of a community, the *Community Rule* and the *Damascus Document*, although apparently related in a number of ways, nevertheless seem to legislate for different types of communities. For example, in the group which the *Community Rule* describes neither women nor participation in Temple sacrifice are found; in contrast the *Damascus Document* prescribes regulations that presume both the presence of women (CD 7,6b-9a; 11,11; 12,1-2; 14,12-16; 15,5-6; 16,10-12) and participation in sacrifices (CD 9,13-14; 11,17-21; 16,13). The *Community Rule* also describes the sharing of property (1QS 1,11b; 3,2; 5,17, 19-20, 22), while the *Damascus Document* implies private ownership (CD 9,10b-16a; 13,15-16; 14,12-13). Accordingly, some scholars have argued for a development from the camp structure described in the *Damascus Document* to the community structure of the *Community Rule*.<sup>13</sup> Annette Stuedel has made a similar case that the *Damascus Document* best be understood as a rewriting of the *Community Rule*, albeit she still recognises influence from the alternative direction.<sup>14</sup> Arguing for the opposite direction of development are Colin G. Kruse and Eyal Regev.<sup>15</sup> But the diachronic dimension inherent to all these reconstructions does not necessarily bear out the evidence of textual pluriformity in ancient Judaism. Both the *Community Rule* and the *Damascus Document* present diverse textual data. The *Damascus Document* was discovered first in medieval form at the end of the nineteenth century in the storeroom of the Cairo

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<sup>8</sup> For an outline of this consensus see Schürer/ Vermes/ Millar, *The History of the Jewish People*, II: 555-590.

<sup>9</sup> Murphy-O'Connor, *The Essenes*.

<sup>10</sup> García Martínez/ van der Woude, *A Groningen Hypothesis*.

<sup>11</sup> Schofield, *From Qumran to the Yahad*.

<sup>12</sup> Collins, *Forms of Community*; idem, *The Yahad and the Qumran Community*; idem, *The Nature and Aims of the Sect*; and idem, *Beyond the Qumran Community*.

<sup>13</sup> See Kapfer, *The Relations Between*; Collins, *Beyond the Qumran Community*; and Schofield, *From Qumran to the Yahad*.

<sup>14</sup> Stuedel, *The Damascus Document*. Cf. Kratz, *Der "Penal Code,"* for a complementary conclusion.

<sup>15</sup> Kruse, *Community Functionaries*; Regev, *Sectarianism in Qumran*; and idem, *Between Two Sects*.

Genizah (CD);<sup>16</sup> since the discovery of fragments of the *Document* at Qumran in caves 4, 5, and 6, CD has been treated as one of the Dead Sea Scrolls.<sup>17</sup> The *Community Rule* similarly exists in several versions. The early discovery in cave 1 (1QS) was joined by additional discoveries from cave 4 (4QS) which allowed for reconstructions to be posited concerning the evolution of the text.<sup>18</sup> Yet despite the plurality of the available data, I have avoided providing a detailed history of diachronic development as I find Charlotte Hempel's recent suggestions concerning these manuscripts particularly convincing. Hempel emphasizes that the complexity of the evidence paints a picture of fluid traditions within and between different manuscripts; evidence indicating a desire toward promoting a standard text seems entirely absent.<sup>19</sup> By asking which of the *Community Rule* or *Damascus Document* manuscript traditions is the most current and most authoritative one, we may be asking questions of the material that did not occur to the authors of these ancient works. The Jews of this period were happy to tolerate inconsistencies in, and pluralities of, texts.<sup>20</sup>

There is no longer a need to assume that the material from Qumran presents a coherent body of halakhah, nor that divergences between texts be synthesised in creation of this. This suggests that a reinterpretation of the documents themselves is a timely endeavour. In particular, given that the halakhic material from Qumran was shaped through Scriptural exegesis,<sup>21</sup> and that scholars have long recognised discrepancies between the treatments of cultic and moral impurity in the various books of the Hebrew Bible,<sup>22</sup> it is proposed to compare the ways in which the texts from Qumran build their concepts of purity from their differing interactions with Scripture. In this way, the particular contribution of this essay might be said to relate to manuscripts and their *proof*-texts, broadly defined. Two texts will concern us here: as two of the most popular documents at Qumran, appearing in multiple caves and in various copies, and moreover, as two texts commonly treated in the context of

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<sup>16</sup> Schechter, *Documents of Jewish Sectaries*. Manuscript A most likely stems from the tenth century CE; while manuscript B from the twelfth century CE.

<sup>17</sup> Ten copies of the document seem to have been preserved at Qumran, with eight of these found in cave 4. A considerable portion of the 4QD fragments parallel the text of CD, albeit with additional material not found in the medieval versions.

<sup>18</sup> So Metso, *The Textual Development*, who has argued that, contra the palaeographic dating of the manuscripts which support the priority of 1QS, the theological insertions provided by 1QS nevertheless confirm this to be a later innovation of the cave 4 material; the anachronism in the palaeographic dating of the traditions stems from scribal activity which saw multiple versions copied even when a more extensive, newer version was available.

<sup>19</sup> See Hempel, *The Social Matrix*.

<sup>20</sup> So for example Schofield, *From Qumran to the Yahad*, who has argued that the differences between the cave 1 and cave 4 traditions of the *Community Rule* are the result of multiple scribal circles, both inside and outside of Qumran. Divergences hence need not be understood according to diachronic development (contra Metso, see n. 18, above), but rather are the result of independent textual traditions that developed side-by-side. Cf. Hempel, *The Literary Development of the S Tradition*, for a complementary conclusion.

<sup>21</sup> Nearly all of the writings found at Qumran are pervaded with Scripture, and indeed, with the book of Esther as the sole exception, all of the books of the Hebrew Bible were found at Qumran. Regardless of whether there was a biblical "canon" at Qumran, it seems nevertheless apparent that what later became the canonical Hebrew Bible was recognised as authoritative writings by the scribes behind the Qumran texts.

<sup>22</sup> The literature in this context is vast, but see e.g. Milgrom, *Rationale*; and idem, *Leviticus*, who distinguishes between the concrete, ritual impurity of P, with the abstract moral impurity of H. Alternatively, Frymer-Kensky has couched the distinction as one between "contagious pollutions" and "danger beliefs." See Frymer-Kensky, *Pollution*, 399-410.

purity and holiness at Qumran, the *Community Rule* and the *Damascus Document* will be explored. By comparing the use of Scripture in these documents, a new access to the relationship of these compositions to each other and in particular to their understanding of purity and holiness will be provided.

### 1. *The Biblical Paradigms Preferred by the Community Rule and Damascus Document*

The texts from Qumran build their cogency through biblical means, be this through quotation, allusion, or imitation. Concerning the *Damascus Document*, Chaim Rabin has stated: “I am convinced that the Admonition... is all of it a mosaic of quotations.”<sup>23</sup> To label these biblical citations as “mosaic” is to emphasize their abstract, patchwork nature. Previous examinations of Scripture in these documents have sought to determine every biblical citation or suggestion in the text,<sup>24</sup> but an over-determined categorization of Scriptural references will necessarily evidence an anthology of jumbled citations. Instead this analysis will attempt to determine the *dominant* biblical paradigm which organizes and informs the self-understanding of these texts.

James C. VanderKam has already provided a cogent outline of the controlling biblical paradigm for the *Community Rule*. This outline has felicitous consequences for our study and so is worth exploring in detail. VanderKam determines the characteristics of the *Community Rule* to be as follows: (1) the members of the community envisioned by the texts considered themselves entrants into a covenant which required that they pledge themselves to obeying all of the laws of Moses; (2) they called themselves a *יחד*, a unity, and spoke of themselves as ones who had freely pledged loyalty to the covenant; and (3) the *Community Rule* legislates for males, never mentioning women members.<sup>25</sup> To these summaries VanderKam prescribes an organizing biblical principle: the Israel of the wilderness period and more particularly the Israel that was encamped at Mount Sinai, namely in Exod 19,1–Num 10,11.<sup>26</sup> Thus he notes the importance of “covenant” (*ברית*) in (1), arguing that the word metonymically reminds of the agreement made under the leadership of Moses at Mount Sinai (Exod 19,5; 24,8):<sup>27</sup> and indeed, in the *Community Rule* obedience is sworn to the entire law of Moses (cf. 1QS 1,8-9, 13-15, 16-17, etc.). In explication of (2) he refers the unity implied by the term which the group described in the *Community Rule* employed for itself (*יחד*) to Exod 19,7, where the people of Israel “answered as one (*יחדו*).”<sup>28</sup>

<sup>23</sup> Rabin, *The Zadokite Documents*, ix.

<sup>24</sup> See, for example, Campbell, *The Use of Scripture*; and Metso, *Biblical Quotations*. More nuanced is the approach of Goldman, *The Exegesis*, who has argued that the coherent organization of the *Damascus Document* with regard to its interpretation of the laws of Torah suggests the work to have been compiled by a single editor with a single purpose.

<sup>25</sup> VanderKam, *Sinai Revisited*, 47.

<sup>26</sup> To be sure, this image was paradigmatic to multiple traditions from Qumran. On the use and interpretation of this paradigm in the Temple Scroll, see Feder, *The Wilderness Camp*.

<sup>27</sup> VanderKam, *Sinai Revisited*, 49.

<sup>28</sup> *Ibid*, 52-53. For the alternative view that Ezra 4,3 lies behind the use of the term, see Talmon, *The Qumran יחד*. Conversely, John J. Collins has suggested Deut. 33,5 as the origin of the label, see Collins, *The Yahad and*

VanderKam then moves to his final summary (3). Remarking that the sources which emphasize Israel's unity at Mount Sinai also emphasized the masculine nature of this unity in Exod 19,3 ("thus you shall say to the House of Jacob, and tell the *sons* of Israel" [my italics]), VanderKam finds the command which Moses gave to the people in Exod 19,15 ("prepare for the third day; do not go near a woman") axiomatic to the exegetics of the *Community Rule*. Thus like Israel at Sinai, the group described in the *Community Rule*

...too formed a noble unity consisting of those pledged to the covenantal relationship. They organized themselves as ancient Israel had... They too sanctified themselves, separating from women, and thus were in the requisite state of purity for God to appear and reveal his will, as ancient Israel had been... The Qumran community saw itself as re-creating the camp of Israel in the wilderness.<sup>29</sup>

VanderKam's cogent hypothesis has provided an understanding of the organizational principle of the *Community Rule* to be the Sinai tradition of Exod 19,1–Num 10,11:

**The Community Described in the *Community Rule***

1 The members of the community considered themselves entrants into a **covenant** which required that they pledge themselves to obeying all of the laws of Moses.

2 They called themselves a **קהל**, a **unity**, and spoke of themselves as ones who had freely pledged loyalty to the covenant.

3 The *Community Rule* legislates for **males**, never mentioning women members.

**Biblical Basis, Exod 9,1-Num 10,11**

1 **Covenant** metonymically reminds of the agreement made under the leadership of Moses at Mount Sinai, **Exod 9:1-Num 10,11**.

2 The unity implied by the term **קהל** refers to **Exod 19,7**, where the people of Israel "answer as **one**," using the same term, **קהל**.

3 The sources that emphasized Israel's unity at Mount Sinai also emphasized the masculine nature of this unity, so in **Exod 19,3** it is written "thus you shall say to the House of Jacob, and tell the **sons** of Israel."

On the other hand, that the book of Deuteronomy has had a pervasive influence upon the *Damascus Document* has often been noted.<sup>30</sup> While Jonathan G. Campbell's analysis of the use of Scripture in the *Damascus Document* sought to define every biblical citation (and indeed, the slightest of allusions) – and so provides an assorted matrix of varied results – his attempt does have value for our own endeavour when limits are applied to his over-determined criteria. Although he notes biblical influence from diverse sources, if we narrow our concern to only the most frequent of these referents, Deuteronomy 28-32 is shown to be paradigmatic to the text. Thus the *Damascus Document* parallels Deuteronomy 28-32 not only lexically but in order of events, involving disobedience followed by God "hiding his face" in the form of exile.<sup>31</sup> Undeniably the pattern of rebellion, punishment, and the restoration of a faithful remnant is inherent to this text, thus the intrinsic interest of the *Damascus*

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the Qumran Community, 84-85. For a critique of both of these alternative suggestions, see Schofield, *From Qumran to Yahad*, 140-141. Schofield finds VanderKam's argumentation particularly attractive given that the group described in the text apparently envisioned itself "to be at the foot of Sinai as the special recipients of God's revealed Law" (ibid, 141).

<sup>29</sup> VanderKam, *Sinai Revisited*, 58-59. VanderKam thus identifies this group specifically with the Qumran community, a view which I challenged above.

<sup>30</sup> See for example Schiffman, *The Halakhah at Qumran*, 5; and Fishbane, *Use, Authority and Interpretation*, 558. Philip R. Davies has also noted the covenant formulary structure of the Admonition, though without developing this to suppose Deuteronomistic influence (Davies, *The Damascus Covenant*, 50). On the importance of the book of Deuteronomy in traditions from the Second Temple Period, see White Crawford, *Reading Deuteronomy*, 127-140.

<sup>31</sup> Campbell, *The Use of Scripture*, 59.

*Document* in the exile, suggested by the mass of exilic imagery and the numerous Scriptural passages which Campbell uncovers. Indeed, whatever is to be made of the claim historically, CD 1,5-8 places the group's origin in the exile, thus implying this to be a major theme of the work.<sup>32</sup> It is proposed then, that the organizational structure of the *Damascus Document* is that of the exile specifically as this concept was understood by Deuteronomy 28-32:

**The Origin of the Community, CD 1,4-11**

4 ...when He remembered the covenant with the forefathers, he saved a remnant 5 for Israel and did not deliver them up to destruction... 11 and He raised up for them a teacher in order to direct them in the path of His heart. *Blank*

**Biblical Basis, Deuteronomy 29,22-28**

22 And the next generation, your children who rise up after you... 25 They abandoned the covenant of the LORD... 28 and the LORD uprooted them from their land in anger and fury and great wrath, and cast them into another land, as they are this day.

The presupposition that the *Community Rule* is patterned after the Exodus-Sinai tradition found at Exod 9,1–Num 10,11, while the *Damascus Document* preferred the exile paradigm of Deuteronomy 28-32, can be developed to explicate some of the difficulties inherent to these works. The penal codes of the *Community Rule* and *Damascus Document* (see 1QS 6,24-7,25; 4QS<sup>d</sup> 5,1; 4QS<sup>e</sup> 1,4-15; 2,3-8; 4QS<sup>g</sup> 3,2-4; and CD 14,18b-22; 4QD<sup>a</sup> 10,1-2; 4QD<sup>b</sup> 9,6; 4QD<sup>d</sup> 11,1-2; 4QD<sup>e</sup> 7,1), while not identical – differing both in regard to offences given and punishments meted – both specify the same two kinds of punishments: most offences dictate temporary banishment (הבדלה, separation); more severe transgressions are punished by expulsion from the sect. Despite the differences between these two lists, they essentially agree to the classification of offences punishable by exclusion on the one hand, and expulsion on the other. Accordingly, scholars have argued for a close relationship between the codes.<sup>33</sup> Notwithstanding these apparent similarities, however, understanding of the organizational themes of these works elucidates the differing biblical basis of these punishments.

The *Damascus Document* provides a historical survey of the sect, the final stage of which relates to the Babylonian exile:

The first to enter the covenant made themselves guilty through it; and they were given to the sword, having departed from God's covenant and having chosen their will, and having followed the stubbornness of their heart, each doing his own will. But with those who held fast to God's precepts, those who were left from among them, God established his covenant with Israel forever, revealing to them hidden things in which all of Israel had gone astray (CD 3,9-14).

Thus exiled Israel consisted of two groups: those who had “chosen their will” and so wilfully violated the covenant; and those who “held fast to God's precepts” and so to whom God had revealed “hidden things,” that is, the community set out in the *Damascus Document*. Aharon Shemesh has provided a useful explanatory schema to comprehend this account: underlying these “hidden things” is the idea that God gave to Israel commandments both revealed and hidden: those revealed in the Torah, and those hidden and known only to the sect. This scheme enabled an explanation to those loyal few why they, too, had been exiled: although they had “held fast to God's precepts” they had inadvertently

<sup>32</sup> See Knibb, *The Exile in the Literature of the Intertestamental Period*, 262-263; and idem, *Exile in the Damascus Document*, 109-117.

<sup>33</sup> See Steudel, *The Damascus Document*; and Kratz, *Der “Penal Code.”*

disobeyed the hidden commandments which were as yet unknown to them.<sup>34</sup> Exile then, is a punishment for unintentional sin, and so in the list of punishment and offences in CD 14,18-23 only deliberate violators are expelled. This is an interpretation which has stemmed from the Admonition passage in the book of Deuteronomy.<sup>35</sup> Frequent paralleling of phrases from this passage (“desolate land,” “abandon the covenant,” “stubbornness of heart”), and the development of this idea of revealed and hidden commandments – a distinction found first in Deut 29,28 – is indicative of this:

#### CD 3,10-14

10 The first to enter the covenant made themselves guilty through it; and they were given 11 to the sword, having departed from God’s covenant and having chosen their will, and having followed the stubbornness 12 of their heart, each doing his own will. *Blank* But with those who held fast to God’s precepts, 13 those who were left from among them, God established his covenant with Israel forever, revealing to them 14 **secret things** (נסתרות) in which all of Israel had gone astray. *Blank*

#### Deut 29,27-29

27 Therefore the anger of the LORD was kindled against this land, bringing upon it all the curses written in this book, 28 and the LORD uprooted them from their land in anger and fury and great wrath, and cast them into another land, as they are this day. 29 The **secret things** (נסתרות) belong to the LORD our God, but the things that are revealed belong to us and to our children forever, that we may do all of the words of this law.

The *Community Rule*, however, develops its punishment scheme according to its own biblical control, so the book of Numbers.

...anyone of them who breaks a word of the Law of Moses defiantly (ביד רמה) or through carelessness will be banished from the community council and shall not return again; none of the men of holiness should associate with his goods or his advice on any matter. However, if he acted through oversight (בשגגה) he should be excluded from pure food and from the Council and they shall apply the regulation to him: “He may not judge anyone and not be asked any advice for two whole years...” Because for {...} one sin of oversight he will be punished two years; but whoever acts defiantly shall not return again (1QS 8,22-9,2).

The terms שגגה and ביד רמה, with their contrasted punishments, recall Numbers 15. Here unintentional sin (“If you unwittingly fail [וכי תשגו] to observe any one of the commandments which the LORD has declared to Moses” [v. 22]) is contrasted against “the person... who acts defiantly (ביד רמה)” (v. 30). The unwittingly sinner is offered the opportunity for ritual expiation; the deliberate sinner “shall surely be cut off” (v. 31).<sup>36</sup> The *Community Rule* has built its punishment scheme from Numbers 15:

#### 1QS 8,21b-9,1

21 ...anyone of them 22 who breaks a word of the Law of Moses **defiantly** (ביד רמה) or through carelessness will be banished from the community council 23 and shall not return again; none of the men of holiness should associate with his goods or his advice on any 24 matter. However if he acted through **oversight** (בשגגה) he should be excluded from pure food and from the Council and they shall apply the regulation to him: 25 “He may not judge anyone and not be asked any advice for two whole years...” I

#### Num 15,22-30

30 the person... who acts **defiantly** (ביד רמה), whether he is native or a sojourner, reviles the LORD, and that person shall be cut off from among his people.

22 If you **unwittingly fail** (וכי תשגו) to observe any one of the commandments which the LORD has declared to Moses... 24 then if it was done unintentionally without the knowledge of the congregation, all the congregation shall offer one bull from the herd for a burnt offering... 25 And they shall

<sup>34</sup> Shemesh, *Expulsion and Exclusion*, 54-55.

<sup>35</sup> Cf. Shemesh/ Werman, *Hidden Things*, 409-427.

<sup>36</sup> Cf. Shemesh, *Expulsion and Exclusion*, 59.

Because for {...} one sin of oversight he will be punished two years; but whoever acts defiantly shall not return again. be forgiven because it was a mistake.

Thus although the punishment lists of 1QS 6,24-7,26 and CD 14,18-23 apparently contain similar disciplinary prescriptions, and so suggesting a mutual process of development, the texts nevertheless underpin these punishments via the differing biblical traditions which each preferred as essential to its self-understanding.

## 2. *Priestly and Deuteronomic Holiness*

A corollary to the assumption that the *Community Rule* is modelled upon Exod 19,1–Num 10,11 and *Damascus Document* upon Deuteronomy 28-32, is that the *Community Rule* is therefore informed by the Priestly Pentateuchal source, while the *Damascus Document* by the book of Deuteronomy. Since the beginning of biblical higher criticism it has been accepted that there are essential differences between the Priestly and Deuteronomic sources concerning both fundamental theological ideas and cultic prescriptions. Thus far we have seen that the apparently similar punishments of 1QS 6,24-7:26 and CD 14,18-23 stem from a different biblical basis in each. While in this case similar conceptions were generated, the differing biblical paradigms have also informed these works to produce radically different theologies. Some 80% of the law extant in the Scrolls concerns matters of holiness:<sup>37</sup> yet these laws are not theologically coherent, and so different systems are depicted between the *Community Rule* and *Damascus Document*, leading to the dissenting scholarly opinions recounted above. In the following I will argue that this difference is a product of the difference in biblical paradigms that underpin each text, and so by the distinction between the Priestly and Deuteronomic sources. We shall begin by examining the contrasting conceptions of holiness as depicted in these schools.

The detailed differences between the Priestly and Deuteronomic sources have been elaborated upon by Moshe Weinfeld, who has depicted the Deuteronomic change in attitude towards both the cult and the perception of God in comparison to the Priestly school.<sup>38</sup> This change had dramatic implications in respect to the conception of holiness. Crucial here is the idea of purity (טהרה) as a state of being referring to the absence of impurity (טמא), whereas holiness (קדוש) is rather an active force of God.<sup>39</sup> Eyal Regev has developed this distinction along anthropological lines, classifying impurity into two categorizational conceptions: dynamic impurity and static impurity. Dynamic impurity is a dangerous entity: it can violate holiness and thus requires complicated rites of elimination. In contrast, static impurity, while signifying the prohibited or improper, does not

<sup>37</sup> Harrington, *Holiness and Law*, 127.

<sup>38</sup> Weinfeld, *Deuteronomy*, 179-243; cf. Douglas, *Leviticus*, 87-108, where the differences between these schools are expounded in even more concrete terms.

<sup>39</sup> See Harrington, *The Purity Texts*, 9.

endanger holiness.<sup>40</sup> This conceptual outline relates to the distinction between ritual and moral impurity, discussed above. While ritual defilement may temporarily preclude participation in temple rituals, logic determines that normal bodily functions such as menstruation not be categorised as sinful:<sup>41</sup> though they may generate ritual impurity, they do not constitute a rebellion against God, nor do they endanger holiness. Ritual impurity is thus a type of static impurity. In contrast, moral impurity is an assault upon holiness itself. The differences between dynamic and static holiness therefore shape distinct notions of cult, ritual and theology; Regev has persuasively demonstrated that such a distinction is inherent to the differences between these conceptions in the Priestly and Deuteronomic sources. Thus whereas in the Priestly source the people are sanctified in a continual process of ritual obligation (so, dynamic impurity), in Deuteronomy holiness is not an active entity but a status, consequent of God's election of Israel and not upon adherence to His commands.<sup>42</sup> That is to say, in the Priestly source the people sanctify themselves *to be holy* (קדשים תהיו והתקדשתם והייתם קדשים) – and hence not to contaminate themselves with impurity (Lev 11,44; 19,2; 20,26) – while in Deuteronomy the people do not contaminate themselves because they *are holy* by virtue of their election (כי עם קדוש אתה לה' אלהיך). This conception informs the Priestly source to develop impurity as a category which can exist in more abstract terms, namely as sin. Thus skin eruptions are punishment for transgression (Num 12,10), and certain sins are defiling: so idolatry (Lev 18,21; 20,1-5), forbidden sexual relations (Lev 18,20), and murder (Num 35,33-34). Yet in Deuteronomy impurity remains a concrete fact, related to ritual – and not moral – behaviours.

### 3. Priestly and Deuteronomic Holiness at Qumran

As we have seen, some scholars have argued that the conflation of impurity with sin found in the Priestly source is also an explicit feature of Qumranic theology.<sup>43</sup> Indeed, in the conclusion to his discussion of the purification rituals of 4Q512, J.M. Baumgarten contrasts the rabbinic tradition which tended “by and large to treat ritual impurity as a morally neutral phenomenon” with Qumran, where “[t]he dividing line between uncleanness and sin... is not sharply drawn.”<sup>44</sup> Baumgarten's discussion is based upon texts widely regarded to be products of the sect, and so he has suggested that several passages in the *Damascus Document* also reflect this theology.<sup>45</sup> Baumgarten then, treats all of the halakhic texts found among the scrolls as part of a single system. Yet such an assumption fails to take into account the differences (both in content and dating) between these documents. An interpretation

<sup>40</sup> Regev, *Priestly Dynamic Holiness*, 255-257.

<sup>41</sup> Harrington, *The Nature of Impurity*, 610-616.

<sup>42</sup> Regev, *Priestly Dynamic Holiness*, 252-253.

<sup>43</sup> See, for example, Klawans, *Impurity and Sin*, 75-90; Newton, *The Concept of Purity*, 44-49; Neusner, *The Idea of Purity*, 50-55; and García Martínez, *The Problem of Purity*.

<sup>44</sup> Baumgarten, *The Purification Rituals*, 209.

<sup>45</sup> Baumgarten, *Qumran Cave 4*, 56; idem, *Zab Impurity*, 255.

which instead treats the *Community Rule* and *Damascus Document* according to their individual data is proposed.

Certainly the *Community Rule* – according to its Priestly organization – transforms purity and impurity into spiritual, rather than physical, categories.<sup>46</sup> So for example 1QS 2,25-3,9, which uses the language of purity to condemn those who have rejected the community; a similar use of purity and impurity as categories with which to denounce the immoral appears in a description of the eschatological purification of humanity (1QS 4,20-22). While these passages use language of ritual purity (טהרה and טמאה), they are nevertheless unconcerned with matters of ritual purity law. Instead, this language is used to describe sinfulness in general (sometimes referred to as “deceit,” ערול; e.g. 1QS 3,19, 21; 4,9). Sinful outsiders also become ritually defiling:

[The outsider] must not enter the water in order to touch the purity of the men of holiness. For they cannot be cleansed unless they turn away from the wickedness, for (he remains) impure among all those who transgress His words. (1QS 5,13-14).

This conflation of both deeds and body as constituting the impurity of the outsider is also reflected in 1QS3,5-6, which states that an unrepentant outsider will never attain ritual purity.<sup>47</sup>

The conflation of ritual and moral impurity in the *Community Rule* is correlated to its rejection of the Jerusalem Temple cult and hence the necessity to create a substituting system which produced all of the features necessary for the worship of God: so ritual and moral purity.<sup>48</sup> Thus in 1QS 9,3-5 righteous behaviour atones as substitute for the corrupt sacrifices in the Temple. Moral prescriptions are thereby posited as an alternative to the ritual prescriptions of the traditional cult: the *Community Rule* has developed from the Priestly source all of the features necessary to create its own religious system separate from the normative Jerusalemite model. In this context, Mary Douglas’s innovative interpretation of the book of Leviticus as permeated in its very literary structure by the image of the Temple is relevant, the text with its sequences forming a complex ring structure of three parts of diminishing size: (1) the outer court, the arena for sacrifice; (2) the first sanctuary; and finally (3) the holy of holies.<sup>49</sup> The *Community Rule* finds in its Priestly organization the very image which it needed to recreate in its alternative system, where righteous behaviour substitutes for sacrifice, and the community – made holy by various ritual behaviours – could substitute for the Temple itself.<sup>50</sup>

As we have seen, Baumgarten – influenced by his understanding of the corpus as a reflection of a coherent sectarian system – saw such a distinction discernible also in the *Damascus Document*. Yet this has been disputed by the cogent analysis of Martha Himmelfarb, who notes that the *Damascus Document*’s favourite way of characterising sin is not as impurity but rather as stubbornness,

<sup>46</sup> See Klawans, *Impurity and Sin*, 67-91.

<sup>47</sup> See also Himmelfarb, *Impurity and Sin*, 29-34, who has argued that the *Community Rule* draws upon P’s terminology with respect to impurity, albeit Himmelfarb nevertheless maintains that the language of P in the *Community Rule* is used in metaphorical rather than concrete terms.

<sup>48</sup> So Regev, *Abominated Temple*, 244.

<sup>49</sup> Douglas, *Leviticus*, pp. 78-81.

<sup>50</sup> See Hayward, *The Jewish Temple*, 3-4.

the “wantonness of the heart” (לב שרירות) CD 2,17-18; 3,5, 11-12; 8,8, 19).<sup>51</sup> Indeed, while the *Damascus Document* is extremely cautious concerning bodily impurity, impurity is nevertheless here understood as a ritual category with no moral significance.<sup>52</sup> Himmelfarb develops this view with an analysis of laws concerning “skin eruptions”, צרעת. In 4QD צרעת is not a punishment for sin and hence the particular impurity resulting from skin eruptions has no moral component. This difference in conceptions of purity and impurity from the *Community Rule* is explicit in the very terms which the documents use to classify the groups that they purport to describe, so in the *Damascus Document* we meet “the community of the renewed covenant in the land of Damascus” (CD 6,19), while the *Community Rule* proclaimed itself “a holy house” (1QS 8,5): that is to say, the reconstituted temple. Therefore, whereas the *Community Rule* built its understanding of holiness from the Priestly source, the *Damascus Document* is surely still within the Deuteronomic tradition, thus for the elected few of the “renewed covenant” immorality is not via impurity but through wilful violation of the commandments which God had revealed to them. Purity here is a concrete ritual category informed by the Deuteronomic preference of the text.

The Deuteronomic and Priestly “schools” are obviously modern constructs and the ancients were not aware of the distinction between them plainly stated. Yet we should recall Hannah K Harrington’s conclusion regarding the interaction of the scribes from Qumran with Scriptural concepts of impurity: “The sect was reading the biblical text too carefully not to notice the distinction present for different types of impurity.”<sup>53</sup> The preference of the scribes behind the *Community Rule* for the Priestly school, while the *Damascus Document* for the Deuteronomic, created different conceptions of purity in these documents: ancient exegetes had to negotiate between the Deuteronomic and Priestly “schools” in halakhic matters, however unconsciously. Nevertheless, I do not suppose that for the *Community Rule* and *Damascus Document* traditions *only* these particular biblical schools were favoured. The importance of other traditions, both biblical and extra-biblical, should not be understated. Rather it is posited that while both the *Community Rule* and *Damascus Document* did indeed utilize many and various sources, the *Community Rule* had an especial interest in Priestly materials, and the *Damascus Document* in Deuteronomic, and that these are integral to the self-understanding of each text. Indeed, this distinction between the Priestly and Deuteronomic sources in the *Community Rule* and *Damascus Document* helps to explain why both were used and re-worked and re-copied at Qumran: one encompasses Deuteronomic material, the other Priestly, which for the Qumran community were both part of the one, unified revelation called the Torah of Moses.

<sup>51</sup> Himmelfarb, *Impurity and Sin*, 14. In an earlier study, Himmelfarb had concluded that there are significant differences between the *Temple Scroll* and *Jubilees* in their treatments of the laws of sexual relations and impurity. See Himmelfarb, *Sexual Relations*, 11-36.

<sup>52</sup> Himmelfarb, *Impurity and Sin*, 37. See also Jonathan Klawans, who has noted that, in contrast to the *Community Rule*, where ritual and moral defilements are not distinguished, the *Damascus Document* uses purity terms in their “traditional” sense: Klawans, *Purity and Sacrifice*, 155-156.

<sup>53</sup> Harrington, *The Purity Texts*, 30.

Accordingly, the differences between the two texts in terms of their Scriptural preferences need not be taken as an argument that different scribal groups lay behind their creation, although this cannot be ruled out either. The *Community Rule* and *Damascus Document* utilized different motifs according to their own agendas: so the *Community Rule* took on the Priestly source in its development of a rule of community discipline, whereas the *Damascus Document* built from Deuteronomy the description of the faithful remnant first described in Deuteronomy 29.

This analysis has sought to explicate the different ways in which the *Community Rule* and *Damascus Document* are informed by Scripture. It was proposed that the dominant scriptural control preferred by the *Community Rule* was that of the Sinai tradition of Exod 19,1–Num. 10,11, while in the *Damascus Document* the paradigm of exile as specifically perceived by Deuteronomy 28-32 was discerned. This new understanding was found to explicate the differing basis of the apparently similar offences and punishments given in each text; further that the already established differences between the schools which generated this biblical material, the Priestly and the Deuteronomic, provided a coherent system with which to understand the concept of holiness in these traditions. Thus it is proposed that differing conceptions of purity and holiness in the *Community Rule* and *Damascus Document* are produced by the differences in the biblical paradigms favoured in each, and so by the Exodus-Sinai tradition as understood by the Priestly source, and by the topoi of exile in Deuteronomy. We might couch this as a conflict between traditions of Exodus or exile. While many scholars are comfortable discussing the use of Scripture in the Scrolls, few have attempted to differentiate between the legacy of the differing biblical strata in these documents, and in the differing outcomes that such strata generate in matters of theology and cult.

#### *Abstract*

This paper considers the scriptural paradigms favoured by the *Community Rule* and the *Damascus Document*, as a new way to understand the differing presentations of purity and holiness in each document. By demonstrating that the *Community Rule* promotes the Priestly source in matters of theology and cult, while the *Damascus Document* prefers the book of Deuteronomy, it is proposed that the differing conceptions of purity and holiness in the Priestly and Deuteronomic Schools has generated a similar distinction in these documents from Qumran.

#### *Abstrakt*

Dieser Aufsatz liefert einen Erklärungsansatz für die verschiedenen Darstellungsformen von Reinheit und Heiligkeit in der *Sektenregel* und der *Damaskusschrift*. Es wird aufgezeigt, dass die *Sektenregel* auf die priesterliche Quelle zurückgreift, während die *Damaskusschrift* an das *Deuteronomium* anknüpft. Dadurch unterzieht dieser Aufsatz die jeweilige biblische Vorlage und deren Einfluss auf die jeweilige Textproduktion einer kritischen Neubewertung.

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