



A Qumran Composition of Sabbath Laws and Its Contribution to the Study of Early Halakah¹

Vered Noam

Department of Hebrew Culture Studies, Tel Aviv University,
POB 39040, Tel Aviv 69978, Israel
veredn@post.tau.ac.il

Elisha Qimron

Department of Hebrew Language, Ben Gurion University of the Negev,
POB 653, Beer Sheva 84105, Israel
qimrons@gmail.com

Abstract

This article presents a composite edition, with new reconstructions, notes, and translation, of a composition we title “Sabbath Laws” (4Q264a and 4Q421). Three of these Sabbath laws are treated at length in comparison to rabbinic halakah: carrying and playing musical instruments, reading a scroll, and leaving coals burning. Mutually beneficial, this comparison contributes to our understanding, and reconstruction, of the history of halakah.

Keywords

Sabbath laws; Qumran halakah; rabbinic halakah

A Qumran Composition of Sabbath Laws

Two fragmentary texts from Qumran Cave 4, 4Q264a and 4Q421, are entirely devoted to Sabbath laws.² Although both texts have already been

¹ This is a revised version of “A Qumran Composition on the Laws of the Sabbath and Its Contribution to Early Halachic History,” *Tarbiz* 74 (2005): 511–46 [Hebrew]. The present version includes different readings and fresh discussions. It was translated from the Hebrew by Dena Ordan.

² It is also possible that these fragments belong to a work including laws on other topics.

published,³ and the overlap between the Sabbath laws in each noted,⁴ this composition merits reexamination. Our starting point is a composite edition of all of the passages treating Sabbath laws in both manuscripts, with many new readings and reconstructions.⁵ This text, which we title Sabbath Laws, combines 4Q264a and the Sabbath laws from 4Q421, to which we assign the siglum 4Q421a.⁶ In the second part of this article,

³ 4Q264a was published by J. Baumgarten, “264a. 4QHalakha B,” *DJD* 35:53–56. Baumgarten was aware of the parallel in 4Q421 (*ibid.*, 53 n. 1), and incorporated it partially in the edited fragment. Tigchelaar (see below) drew attention to the text surviving in the old photograph PAM 40.626. 4Q421 was published by T. Elgvin, “421. 4QWays of Righteousness^b,” *DJD* 20:183–202.

⁴ See L. Doering, *Sabbat: Sabbathalacha und -praxis im antiken Judentum und Urchristentum* (TSAJ 78; Tübingen: J.C.B. Mohr, 1999), 217–18 (who was the first to note the overlap in his 1997 doctoral thesis on which this book is based); E.J.C. Tigchelaar, “Sabbath Halakha and Worship in 4QWays of Righteousness: 4Q421 11 and 13+2+8 par 4Q264a 1–2,” *RevQ* 18/71 (1998): 359–72; *idem*, “More on 4Q264A (4QHalakha A or 4QWays of Righteousness?),” *RevQ* 19/75 (2000): 453–56. Regarding Tigchelaar’s restorations see the discussion below.

⁵ We also suggest emendations of Tigchelaar’s readings. For his restorations, see Tigchelaar, “Sabbath Halakha,” 359–72. Facilitating restoration of missing parts of the text is the fact that some of the Sabbath laws in these fragments are also known from the *Damascus Document* and from *Jubilees*.

⁶ We suggest that the question of whether 4Q421 is one work or two be reopened; namely, whether the fragments containing wisdom sayings and those treating Sabbath laws belong to one manuscript, or perhaps physical resemblance led to the mistaken joining of parts of different compositions. We are of the opinion that 4Q421 actually consists of three different manuscripts, one containing wisdom sayings (frags. 1a+b, 3, 10), another containing Sabbath laws to which we assign the siglum 4Q421a (frags. 2, 8, 11–13), and a third, frag. 9, which probably belongs to neither text. Supporting the possibility that the first two are separate works is not only their different genres but also the distinct difference in width between the wisdom section, where the page is narrow, and the legal part, where the page is quite wide. Furthermore, the letter *alef* has a different form in each. Carbon-14 dating would be helpful here. Tigchelaar’s arguments regarding the link between the Sabbath laws and the wisdom composition are not convincing. Elgvin, in his edition, did not recognize that all the laws in 4Q421 are Sabbath laws. Fragment 9 does not belong to either of the manuscripts for the following reasons: (1) the distance between the lines in this fragments is greater than in the other fragments and the *sade* is distinct, (2) the word לל is written defectively only in this fragment (note also the word עבדי), (3) the

three of these Sabbath laws are discussed at length. Comparison of Qumran law and rabbinic halakah not only benefits our understanding of both, it is essential for reconstructing the history of halakah.

Edition of Sabbath Laws (4Q264a and 4Q421a)

The reconstruction presented below combines the text from both manuscripts. In each instance, the more complete text was chosen as the basis for our edition. Underlining indicates where the texts overlap. The complementary text based on the other manuscript appears in the brackets in fully inked letters. Our suggested restorations appear in brackets in hollow letters (and in italics in the translation).

4Q264a frag. 1 (col. I) (par 4Q421a frags. 2, 8, 13)

Top margin

- 1] אַל יתהלך איש חוץ לעירו כִּיא אַמ אַל[בַּאמָה אַל יקח איש
2 [כול כלי שיר לשורר בהם ביום השבת] גם הכהנים בני
3 [אהרון אַל יקחו כלי שיר לשורר בהם עַל [העולות והזבחים אש
4 [יקריבו בשבת אַל יקח איש מגל]ת ספר[לקרו]א בכתבו ביום [השבת]
5 [רק הרבים יקחו כתבים ו]יקראו [ו]ילמדו בם אַל יחשב איש [בפיהו]
6 [לעשות חפצו בשבת אַל ידבר] בכול דבר אֹו עבודה או בהון או במק[ת]
7 [וממכר או לצאת לדרך] ביום המ[וחר]ת ואל יד[בר ד]בר כי אם לדבר[י]
8 [קודש כחוק ויד]בב לברך [את] אַל אַךְ ידבר [דבר] לאכול ולשתות[] [

Bottom margin

4Q264a frag. 2 (col. II) (par 4Q421a frag. 13)

Top margin

- 1 [ולכול] תענוג ביום השבת
2 [אַל יער איש] גחלי אש [לפני השבת
3 [אַל יע]זובהו]
4 [איש בו] לה

Notes on Readings:

L. 2: Although we agree with Tigchelaar's insertion of לשורר (from 4Q421a 8 1) in line 2 of 4Q264a, frag. 1, at the conclusion of the

genre of this fragment is different (according to a new reading of the text to be published elsewhere).

sentence whose subject is *איש*,⁷ we find his proposed restoration (אל יקה) linguistically and contextually unlikely.⁸ Baumgarten incorporates the word *לשורר* into line 3, in the rule concerning the priests, leaving a lacuna in the law opening with *אל יקה איש*. His suggested restorations of this law have nothing to do with song.⁹ Our restoration is based on two assumptions: (1) that the word *לשורר* appears in the first law, which treats an ordinary person; and (2) that the particle *גם* preceding the second law indicates parity between the law for an ordinary person and that for priests. Therefore, we assume that the prohibition relating to the actions of the priests in conjunction with the sacrifices also touches on making musical sounds on the Sabbath.¹⁰ This assumption is supported by the use of the words *על העולות והזבחים* in the second law, an allusion to Num 10:10, which treats the sounding of the trumpets accompanying the sacrifices. The exact nature of the prohibition concerning the priests will be discussed at length below.

L. 4: *א*[לקרו]. Baumgarten aligns two fragments, as if directly connected. (Note that the larger fragment stands alone in the old photograph 41.453.) As Tigchelaar recognized, this proposed combination is incorrect. Indeed, the fragments stand at a distance of at least two letters from one another, leaving room to restore *לקרוא* according to 4Q421a. The original editor adds this word above the line and claims that traces of its letters are visible.

L. 5: *ו*[ללמדו]. The above-noted, mistaken alignment of the fragments by the previous editor is relevant to the word *ילמדו* here; according to the original reconstruction, the head of the *lamed* is above the *dalet*. Moving the smaller fragment to the right brings with it correct placement of the *lamed*, making the traces of the *yod* of *ללמדו* *ו*[ללמדו] visible.

L. 6: *א*ו עבודה. Previous editors read: *בכל דברי עבודה* in line with CD 10:19, but traces of the *alef* in *או* are clearly visible. The word *דבר* is apparently an allusion to Isa 58:13 (see below).

L. 7: *המ*[וחרת]. There is enough room for this restoration, which we prefer to *הש*[בת] suggested by previous editors. The second letter is *mem*

⁷ Tigchelaar, “Sabbath Halakha,” 363.

⁸ *Ibid.*, 365; cf. the brief criticism in Doering, *Schabbat*, 252.

⁹ Baumgarten, *DJD* 35:53–56.

¹⁰ Similar uses of *גם* are found in the Bible and the Dead Sea Scrolls. See, for example, Exod 19:10, 22; Lev 25:44–45; Joel 3:1–2; Zech 13:2; CD 16:13–14.

rather than *shin*. Moreover, the word המוחרת is an equivalent of למשכים in the similar law in CD: אל ידבר בדברי המלאכה והעבודה לעשות למשכים (CD 10:19).¹¹

יד[בר ד]בר. Due to the distortion of the parchment, some of the writing has been displaced, in the lower left-hand section of the large fragment especially. This has moved to the right, reducing the width of the lacuna between the left- and right-hand sections. The straightening out of the parchment allows sufficient space for the reading בר[ד]בר in both lines 7 and 8 ([ידבר דבר]), in accordance with Isa 58:13, as Tigchelaar tentatively suggests.

L. 8: אל לברך [את]. This restoration is grammatically required and fits the lacunae as well. Previous editors read לברך אל.

[ידבר דבר]. See line 7.

Translation:

4Q264a frag. 1 (col. I)

- 1 [*No one shall go outside his city but up to a thousand cubits. No one shall take*
- 2 *[any musical instruments to play them on the Sabbath]. Also the priests, the sons of*
- 3 *[Aaron, shall not take any musical instruments to play them over] the burnt-offerings and the sacrifices which*
- 4 *[they sacrifice on the Sabbath. No one shall take a scroll] [to read] his own book on the [Sabbath]*
- 5 *[Only the public may take books to] read [and] study them. No one shall reckon [with his mouth]*
- 6 *[to pursue his affairs on the Sabbath. He shall not speak] about any matters or working or property or buyin[g]*
- 7 *[and selling or traveling] on the next day. He may only speak words of [holy]*
- 8 matters [as is customary and he may speak to bless God. Yet, one may speak [of things] with regard to eating and drinking []]

¹¹ All citations from the Damascus Document are from the Geniza copy. See E. Qimron, "The Text of CDC," in *The Damascus Document Reconsidered* (ed. M. Broshi; Jerusalem: Israel Exploration Society, 1992).

4Q264a frag. 2 (col. II)

1 [*and with regard to any*] delight on the Sa[*bbath*
 2 [no one shall prepare] burning coals [before *the Sabbath*
 3 [*He should not le*]ave it []
 [4] [one in]lb [

Comments:

1. The first law (frag. 1 1), which treats the Sabbath boundaries, bears similarities to CD 10:20. Addressed widely in the research, this law will not be discussed here.

2. The second law (frag. 1 1–4) addresses the use of musical instruments on the Sabbath, whether by any Jew anywhere, or by the priests in the Temple (על העולות והזבחים). It will be discussed below.

3. The third law (frag. 1 4–5), which deals with reading a scroll on the Sabbath, is treated below.

4. Another law prohibits speaking about post-Sabbath tasks, including a prohibition against secular speech in general (frag. 1 5–8). This ban also appears in *Jub.* 50:8; cf. CD 10:17–21. Our text is unique for the scope of the restriction and for its precise definition of permitted speech: all speech is forbidden on the Sabbath (בכול דבר), with the exception of that devoted to God (אל [את] לברך... [... קודש]) and to Sabbath needs (לאכול ולשתות).¹² Linked to Isa 58:13 (ממצוא חפצך ודבר דבר), this prohibition is grounded in a conception of the Sabbath shared by the sect and by early Pharisaic halakah in general, and by the School of Shammai in particular.¹³ According to this conception, the Sabbath is “a Sabbath of the Lord your God” (Exod 20:10), “hallowed” by the Lord (v. 11), and not for mundane matters.¹⁴ Note the similarity between the language of

¹² For a broader discussion of these laws, as worded here, see V. Noam, “Beit Shammai and the Sectarian Halakha,” *Jewish Studies* 41 (2002): 45–67 at 63–65 [Hebrew]; for the meaning and partial parallels of the phrase יחשב בפיהו cf. also Doering, *Sabbat*, 225–27.

¹³ On the affinity between the halakic doctrines of the School of Shammai and Qumran halakah, see Noam, “Beit Shammai,” below.

¹⁴ See G. Alon, “Ha-halakhah be-iggeret Bar Neva,” in *Studies in Jewish History* (Israel: Hakibbutz Hameuchad, 1957–58), 1:306–7 [Hebrew]; Y.D. Gilat, “Regarding the Antiquity of Several Sabbath Prohibitions,” in *Studies in the Development of the Halakha* (Ramat Gan: Bar-Ilan Press, 1992), 255–58 (repr. of *Bar-Ilan* 1 [1963]) [Hebrew]; E. Qimron, “The Halacha of Damascus Covenant:

the law in question: וידבר לברך את אל אך ידבר דבר לאכול לשתות and the essence of the Sabbath as this emerges from *Jubilees*: “to eat, drink, and bless the creator of all” (2:21).¹⁵

5. An intriguing law is the one treating burning coals (frag. 2 2). This law, which we understand as touching on lighting a fire before the Sabbath and allowing it to continue burning on the Sabbath, will be discussed below.

4Q264a frag. 3 (+ 4Q421a frag. 12)

We tentatively suggest that, even though they do not overlap, 4Q264a frag. 3, and 4Q421a frag. 12 are complementary, for the following reasons: the phrase ואם באו in 4Q421a 124 fits the description of an enemy attack alluded to in 4Q264a 3 8’s להלחם עמו (cf. ואם עם רב בא לארץ (cf. *Temple Scroll* 58:6)); כי יבוא צר ואויב [Lam 4:12]). Also the description of the location—בבית או בעיר—(cf. 4Q264a 3 7)—is consistent with ממקומו (cf. 4Q421a 124); and ועץ וכול גוש (cf. 4Q264a 3 6) links well with אל יוצא ואל יבא (cf. 4Q421a 12 3) which relates to carrying on the Sabbath.

4Q264a frag. 3 (+ 4Q421a frag. 12)

[	]	ooooo	[]	4
[	וכול עבד ואמה לוא יוכל בכול	]	אחריהם ל	5
[	ועץ וכול גוש א	ל יוצא ואל יבא בשער חצרו ובשער עירו ואם		6
[	בבית או בעיר י	היה אל יצא ממקומו חנם ואם באו לעירו גוים		7
[	להלחם עמו א	ל יצא אליהם	מה או בכול	8

An Interpretation of ‘Al Yit’arev,” *Proceedings of the Ninth World Congress of Jewish Studies, Division D* (Jerusalem: World Union of Jewish Studies, 1986), 1:9–15 [Hebrew].

¹⁵ Cited from *The Book of Jubilees* (trans. J.C. VanderKam; CSCO 511; *Scriptores Aethiopic* 88; Louvain: Peeters, 1989). For the similarity between the two texts, cf. L. Doering, “The Concept of the Sabbath in the Book of Jubilees,” in *Studies in the Book of Jubilees* (ed. M. Albani et al.; TSAJ 65; Tübingen: Mohr Siebeck, 1997), 179–205 at 196–97. This notion also appears in the sect’s liturgy, whose Sabbath prayers involve praise rather than petition, a principle also found in various rabbinic formulations. See E.G. Chazon, “A Liturgical Document from Qumran and Its Implications: *Words of the Luminaries*” (Ph.D. diss., Hebrew University, 1991), 113–14, 304.

Notes on Readings

L. 5: **וכול עבד ואמה לוא יוכל בכול**. The phrase **לא יוכל ב** is reminiscent of Exod 12's **לא יאכל בו**, found in the context of those who should not partake of the paschal sacrifice: foreigners, uncircumcised slaves, bound or hired laborers, and the uncircumcised (vv. 43–44, 48). Nonetheless, its association with Sabbath laws is difficult. If the law refers to non-Jewish slaves or maidservants, it may then be compared to CD 11:14–15 **אל ישובת איש במקום קרוב לגוים בשבת**.

L. 6: **ועץ וכל גוש**. This perhaps relates to carrying objects such as wood and clods of earth on the Sabbath.¹⁶ A similar prohibition appears in CD 11:10–11: **אל יטול בבית מושבת סלע ועפר**, where the carrying of dirt and rocks is forbidden inside the house, comparable to the later rabbinic concept of *muqṣeh*.¹⁷

ואל יבא בשער חצרו. This evidently also applies to carrying on the Sabbath.

L. 7: **אל יצא ממקומו**. Based on Exod 16:29, we attribute this law to the Sabbath boundaries. Accordingly, we restore **א[יצ]א ממקומו** against Elgvin's **א[יבי]א ממקומו**.

ואם באו. For this phrase, see above.

בבית או בעיר. Perhaps this line treats leaving the Sabbath boundaries.

L. 8: **להלחם עמו**. This may refer to engaging in war with an aggressor on the Sabbath. This is consistent with the previous line if our assumption that it deals with going beyond the Sabbath boundaries is correct. Perhaps the law prohibits going beyond the Sabbath boundaries even in wartime. Most of the law, however, has been lost.

Translation:

4 [] ooooo[

5 after them to [and no slave or maidservant shall eat any]

6 and wood and any clod n[o *one shall take* out or bring in the gate of his courtyard and in the gate of his city and if]

7 he [is] in a house or in the city [*he shall not leave* his place in vain and if *gentiles* invade his city]

¹⁶ **גוש** is here understood according to its meaning in *m. Ṭehar.* 5:1; and *t. 'Ed.* 1:7 (Zuckerman ed., 455), and elsewhere.

¹⁷ On the early date of the prohibitions closely resembling the Tannaitic concept of *muqṣeh*, see the discussion below.

8 to fight with him h[e *may not go out toward them* or with
any]

Comments:

1. The fragmentary laws which we tentatively identified in 4Q264a 3 and 4Q421a 12—carrying, exiting the Sabbath boundaries, making war on the Sabbath, and the obscure law regarding eating with a slave or maid-servant—are difficult to understand and require further study.

4Q421a frag. 11

[	יִשָּׂא	○○○○	[	]	1
[	אֵל יִפְתַּח אִישׁ כָּלִי	[	טוֹחַ לֶאֱכֹל וּלְשָׂתוֹת מִמֶּנּוּ כּוֹל דְּ[בַר]	]	2
[	וְאִם עַל יַד	[	בְּזוֹר יִהְיֶה חוֹנָה אֵל יִשָּׂאב מִמֶּנּוּ בְ[שַׁבַּת]	]	3
[	כִּי אִם מִלֵּאכַת עֲמַל הִיא	אֵל יִחַל	[	]	4
[	אִישׁ בִּידֵי	[	לְ]	]	5
[	אֵל יִ	[	]	]	6

Notes on Readings:

L. 2: טוֹחַ [בְּלִי, with Tigchelaar, and not טוֹחַ [ב] as Elgvin restores.

L. 3: [וְאִם עַל יַד [בְּזוֹר יִהְיֶה חוֹנָה]. Elgvin reads סֵפֶר וְהִיא חָנָם. Tigchelaar reads סֵפֶר וְהִיא חָנָם. For the signification of this prohibition, see the comments below.

L. 4: מִלֵּאכַת עֲמַל. Compare to מִלֵּאכַת עֲבָדָה (e.g., the several occurrences in Lev 23; Num 28).

Translation:

- 1 [] let him carry []
 2 [*No one shall open a*] sealed [*vessel*] to eat or drink anyth[*ing*] from it
 3 [*and if*] he camps [*near*] a cistern, he shall not draw water from
 it on the [*Sabbath*]
 4 [] for that is laborious work. No one shall des-
 ecrate[]
 5 [] one in the hand[]/[]
 6 [] shall not[]

Comments

1. 4Q421a 11 contains two fragmentary laws also known from CD. The surviving text of Sabbath Laws sheds light on CD. The first law (line 2) prohibits the opening of a sealed vessel and the eating or drinking of its

contents. Mention of eating and drinking is missing from the parallel in CD, which states only: **אל יפתח כלי טוח בשבת** (11:9).¹⁸ A parallel, but dissenting, Tannaitic halakah also links the opening of the vessel with eating: “A person may break a jar to eat dried figs from it” (*m. Šabb.* 22:3).¹⁹

The second law concerns drawing water on the Sabbath. According to our reading, someone who camps near a water cistern cannot draw water from it on the Sabbath. The parallel in CD 10:23–11:2 reads: **ואל יאכל ואל ישתה כי אם היה במחנה בדרך וירד לרחוץ ישתה על עומדו ואל ישאב אל [כל כלי].** The accepted scholarly interpretation divides CD’s law into two parts: (a) **ואל יאכל ואל ישתה כי אם היה במחנה** “One should not eat or drink unless [the food or drink] are in the ‘camp,’” namely, in a city, in a person’s dwelling place. According to this understanding, the verb **היה** relates to food and drink, permitted on the Sabbath only if found within the boundaries of the camp (city), or if placed there before the Sabbath begins; and (b) **בדרך וירד לרחוץ ישתה על עומדו ואל ישאב אל כל כלי**— “[When one is] on a journey and ‘goes down’ to wash his hands (or immerse), he [is allowed] to drink [from a water source] right where he stands, as long as he does not use a vessel to draw water.”²⁰ But, according to our fragment, which reads: **[ואם על יד] בור יהיה חונה**, “[and if] he camps [near] a cistern,” the word **במחנה** in CD is equivalent to **היה חונה** (“he camps”) and therefore should be appended to **בדרך**. Thus, the “camp” is not the city, but rather a temporary stop on the way; likewise, the referent of **בדרך במחנה** is the person, and not the food or water. If so, the parallel in CD is also one law, and mandates that one should not eat or drink (food or water that has not been prepared before the Sabbath), unless camping while on a journey and going down to wash. The sect accordingly prohibits the drawing of water on the Sabbath and requires that it be prepared in advance (cf. *Jub.* 50:8; 4Q251 1). For the sect, drinking from a cistern on the Sabbath is permitted only for a person making a stop on a journey, without a vessel and while washing.²¹

¹⁸ See the discussion by L.H. Schiffman, *The Halakhah at Qumran* (SJLA 16; Leiden: Brill, 1975), 115–16.

¹⁹ Regarding drinking from a closed vessel, see *t. Šabb.* 16 (17):13 (Lieberman ed., 78).

²⁰ See C. Rabin, *The Zadokite Documents* (Oxford: Clarendon, 1958), 52–54; Schiffman, *Halakhah at Qumran*, 102–4. Rabin moved the opening words **ואל יאכל** to the end of the previous line.

²¹ See J. Baumgarten, “265. 4QMiscellaneous Rules,” *DJD* 35:76–77. Our

A parallel to the Sabbath laws found in our fragments, which also contains prohibitions against drawing water, carrying, and reading a scroll on the Sabbath, appears in 4Q251 1.²²

The Qumran Sabbath Laws as Reflected in Early Halakah

We now single out three of the Sabbath laws found in this Qumran collection for broader discussion: the use of a musical instrument, reading a scroll, and leaving coals burning over the Sabbath. Comparison of the Qumran laws with rabbinic halakah not only sheds light on the Qumran laws, it also elucidates aspects of early rabbinic halakah.

Carrying and Playing Musical Instruments on the Sabbath

The Generic Law

אל יקח איש [כול כלי שיר לשורר בהם ביום השבת]
(4Q264a frag. 1 1–2)

According to our proposed restoration, this halakah involves “taking” an instrument on the Sabbath. The root ל"ק"ח, synonymous with נש"א,²³ and with נט"ל,²⁴ here relates to carrying on the Sabbath. The prohibition against carrying on the Sabbath is treated emphatically and at length in CD 11, where it also applies to carrying babies (line 11), and even to cases of life-threatening danger (lines 16–17).

The existence of a sweeping prohibition against shifting objects from indoors to outdoors or vice versa, or carrying in the public realm, makes the necessity for a separate law for musical instruments difficult to understand. Therefore it appears that the law treats the very taking of a musical instrument, for whatever use, on the Sabbath, even without carrying it from one place to another. This ban is based on the standing prohibition against the instrument’s main function—being played—on the Sabbath, as any instrument forbidden for use on the Sabbath is considered “unready”

fragment indicates that the permission to drink while bathing is restricted to the situation of camping on a journey and does not apply to a settlement.

²² E. Larson, M.R. Lehmann, and L. Schiffman, “251. 4QHalakha A,” *DJD* 35:28.

²³ See Neh 13:15.

²⁴ See CD 11:10; *m. Šabb.* 17:1.

for other uses as well.²⁵ This early prohibition against moving a utensil whose use is forbidden on the Sabbath (later termed *muqṣeh* in rabbinic parlance) is well known in sectarian literature and early halakah.²⁶ However, as worded, the prohibition evidently bans the *use* of a musical instrument on the Sabbath as well: לְשׂוֹרֵר... אֵל יִקַּח אִישׁ “Let no man take... to play them.”

This law reflects a sectarian prohibition against playing an instrument on the Sabbath. Consideration of the continuation, which relates to the

²⁵ See 4Q251 1, *DJD* 35:28. The blurring of the boundaries in our fragment between the prohibition against playing musical instruments on the Sabbath and the one against carrying them, as well as the following one regarding musical instruments or trumpets used in the Temple is reminiscent of the ancient halakah that the shofar is not blown outside the Temple when the New Year falls on a Sabbath. See *m. Roš. Haš.* 4:1; and H. Albeck, *Shishah Sidrei Mishnah mefurashim al-yedei H. Albek: Seder Mo'ed* (Jerusalem: Mossad Bialik, 1952), 489–90; G. Alon, “On Philo’s Halakha,” in *Jews, Judaism and the Classical World: Studies in Jewish History in the Times of the Second Temple and Talmud* (trans. I. Abrahams; Jerusalem: Magnes, 1977), 124–32; E. Fleischer, “A *Piyyut* Describing the Blowing of the Shofar on *Rosh ha-Shana* and *Shabbat*,” *Tarbiz* 54 (1984): 61–66 [Hebrew]; L. Moscovitz, “On Sounding the Shofar in the High Court of Palestine on Shabat Rosh Hashanah,” *Tarbiz* 55 (1986): 608–10 [Hebrew]; E. Fleischer, “Rejoinder,” *ibid.*, 611–12 [Hebrew]; D. Henshke, “The Sounding of the *Shofar* on the Sabbath,” *Sidra* 8 (1992): 19–37 [Hebrew]. The entire gamut of sources and additional studies are cited in these articles. Although much has been written regarding the source and its history, this is not the place for a detailed discussion. We note only that the scholarly consensus holds that “Rabbah’s decree,” which interprets this custom as coming to prevent the transporting of the shofar four cubits in the public domain, reflects a late, secondary Babylonian rationale. Perhaps, in light of our fragment, the possibility that Rabbah transmitted echoes of an early Palestinian rationale should be examined. This matter merits further study.

²⁶ See CD 10:22, 11:10–11; *Jub.* 2:29; 50:8, Josephus, *J. W.* 2.147; *t. Šabb.* 14 (15):1 (Lieberman ed., 64). See Y.D. Gilat, *R. Eliezer Ben Hyrcanus: A Scholar Outcast* (Bar-Ilan Studies in Near Eastern Languages and Culture; Ramat-Gan: Bar-Ilan University Press, 1984), 197–205; *idem.*, “The Development of the *Shevut* (שְׁבוּת) Prohibitions on the Sabbath,” in *Studies in the Development of the Halakha*, 87–108 [Hebrew] (repr. of “The Development of the *Shevuth* Prohibitions on Sabbath,” *Proceedings of the Tenth World Congress of Jewish Studies, Division C* (1990) [Hebrew]); Schiffman, *Halakhah at Qumran*, 117–19; Baumgarten, *DJD* 35:77. See also n. 29 below.

priestly service in the Temple (על העולות והזבחים... גם הכוהנים [lines 2–3; see discussion below]), clarifies this prohibition. If the playing of a musical instrument during the temple sacrificial rites was forbidden on the Sabbath, then it was certainly proscribed for individuals in private precincts. This proscription against playing music on the Sabbath, which has no other parallels in Qumran literature, not only contributes significantly to an understanding of the sectarian Sabbath laws but also illumines the actions defined as *shevut* (“[sabbath] rest”—work rabbinically forbidden on the Sabbath) in Tannaitic halakah.

Tannaitic law contains no explicit prohibition against making music on the Sabbath. It does, however, enumerate stamping feet and clapping hands among the activities forbidden on the Sabbath and festivals because of *shevut*:²⁷

And these are the acts for which people are liable by reason of Sabbath rest [משום שבות]: they may not climb a tree, ride a beast, swim in water, clap hands [לא מספקין], slap the thigh [לא מטפחים], or stamp the feet [ולא מרקדים]. (*m. Beṣah* 5:2; Neusner trans.)²⁸

The BT explains this prohibition as “a preventive measure lest he might prepare musical instruments” (*b. Beṣah* 36b). If indeed grounded in the fear that dancing and clapping may lead to the creation or repair of musical instruments, the Tannaim certainly proscribed the playing of instruments themselves on the Sabbath for the same reason; namely, lest a person make or repair an instrument. However, as Saul Lieberman and Yitzhak D. Gilat note, neither Tannaitic halakah, nor the halakah of the Palestinian Amoraim, recognizes this or the other rationales put forth in BT for the *shevut*-related prohibitions: “a preventive measure lest...”²⁹

²⁷ The exact nature of clapping in the Mishnah is not our concern here. The difference between *סיפוק* and *טיפוח* is discussed in both Talmuds; see *y. Beṣah* 5:2 (63a; Academy of the Hebrew Language [henceforth: AHL] ed., 699); *b. Beṣah* 30a. Evidently, during mishnaic and talmudic times various Jewish communities were lax in enforcing this prohibition. See D. Sperber, “Al ha-riqud be-shabbat,” *Sinai* 57 (1965): 122–26; 61 (1967): 71–73.

²⁸ See also *t. Šabb.* 17:29 (Lieberman ed., 86); *t. Yom Tov* 4:4 (Lieberman ed., 300). On the differences in order between the versions in the Mishnah and in the parallels, see S. Lieberman, *Tosefta ki-fshuta* (New York: Jewish Theological Seminary of America, 1993): 3:298, 300.

²⁹ See Lieberman, *Tosefta ki-fshuta*, 3:32, 298, 300; Gilat, “*Shevut* Prohibitions,”

Both scholars conjecture that these prohibitions are rather grounded in an early tradition concerning avoidance of any actions of a secular nature on the Sabbath, and are not motivated by fear of infringing another halakah. As we shall see, our Qumran fragment supports their surmise.

Indeed, in halakic midrash the prohibition against clapping and stamping is associated with the inclusive language of the Bible, and is not framed as a hedge around another prohibition:

I know that the prohibition extends only to acts of labor that require a sin offering [namely, are explicitly forbidden in the Pentateuch] . . . How do I know [as well] that one should not climb a tree, or ride on a beast, or paddle on water, or clap [לֹא מִסְפְּקִין], stamp the feet [וְלֹא מִרְקָדִין], or slap the thigh [וְלֹא מִטְפָּחִין]? Scripture says, “Any work . . . [כָּל מְלָאכָה]” [Exod 12:16] (*Mek. de-R. Shimon bar Yoḥai* 12:16 [Epstein-Melamed ed., 19–20]; trans. by authors)³⁰

An identical list of actions forbidden on the Sabbath—involving clapping, slapping the thigh, and stamping the feet—appears in a context divorced from musical instruments:

He who guards seeds against birds and fields against wild beasts, should guard them in the normal way on the Sabbath, provided that he does not clap [שְׁלֵא יִסְפֵּק] [his hands on his hips], stamp his feet [וְלֹא יִרְקַד], or slap the thigh [וְלֹא יִטְפַּח], as he does on weekdays. (*t. Šabb.* 17:25, Neusner trans., 71; slightly revised)³¹

89–90. See also Alon, “Philo’s Halakha,” 124–32; idem, “Shevut, Reshut, Mišvah,” in *Studies in Jewish History* (Tel-Aviv: Hakibbutz Hameuchad, 1957–58), 2:111–19 [Hebrew]; A. Goldberg, “The Use of the Tosefta and the *Baraita* of the School of Samuel by the Babylonian Amora Rava for the Interpretation of the Mishna,” *Tarbiz* 40 (1971): 148 n. 15 [Hebrew]; idem, *Commentary to the Mishna: Shabbat* (Jerusalem: The Jewish Theological Seminary of America, 1976), 56 [Hebrew]; Albeck, *Mishnah: Mo’ed*, 489–90. For a comprehensive discussion, see A. Kosman, “On the History of the Category of ‘Ovadin De’Chol’ Prohibitions on the Sabbath and Yom Tov and Its Relationship to the Category of ‘Shevut’ Prohibitions” (Ph.D. diss., Bar-Ilan University, 1999) [Hebrew].

³⁰ A similar midrashic treatment refers to the Day of Atonement. See *Sipra: Aḥarei Mot*, parasha 5, chap. 7:9 (Weiss ed., 83; Neusner, *Sifra: An Analytical Translation*, 3:43).

³¹ For other occurrences of this list of actions in rabbinic literature, in the

The reasons suggested for this halakah by the Amoraim in the BT (*b. Erub.* 104a) make no mention of the fear of preparing or repairing musical instruments. Indeed, the very wording of these Tannaitic sources suggests that they simply list actions that should not be performed on the Sabbath as they are “on weekdays.”³² Gilat identifies Isa 58:13: “If you refrain from trampling the Sabbath, From pursuing your affairs on My holy day... And if you honor it, not looking to your affairs, nor doing business, nor speaking thereof” (NJPS, revised) as the biblical basis for the multiple prohibitions aimed at creating a distinction between weekdays and Sabbath activities.³³

If the rabbinic ban on stamping feet and clapping on the Sabbath relates to their categorization as עובדין דחול (weekday activities), but not to the use of musical instruments, this raises the question as to whether early rabbinic halakah indeed forbade the use of musical instruments on the Sabbath, and on what grounds. The answer may be found in an early halakic prohibition against “making noise” on the Sabbath, preserved in the rabbinic sources. The *sugya* in the PT on *m. Beṣah* 5:2 discusses slapping the thighs and stamping:

One may not slap the thigh [ולא מטפחין]... Rabbi was marrying off R. Simeon, his son. And [on that occasion] the people were clapping with the backs of their hands on the Sabbath. R. Meir happened by and heard the noise. He said, “Our rabbi, Sabbath has been desecrated!” Rabbi heard his voice and said, “Who is this who has come to chastise us in our own home?”... R. Meir heard his voice and fled...

One may not stamp the feet [ולא מרקדין]... R. Eleazar said, “*Whatever makes a noise is forbidden on the Sabbath.*” R. Samuel bar R. Isaac considered [using] the knocker of the new synagogue [on the Sabbath].³⁴

context of idolatry, see *t. Šabb.* 6:2 (Lieberman ed., 22); *y. Soṭah* 3:4, 19a (AHL ed., 920).

³² See Lieberman, *Tosefta ki-fshuta*, 3:298. On the expression “as one does on weekdays” and its signification, see A. Kosman, “The Category of ‘עובדין דחול’ in the Tannaitic Literature,” *Proceedings of the Eleventh World Congress of Jewish Studies, Division C* (Jerusalem: World Union of Jewish Studies, 1994), 1:47–54 [Hebrew] where he suggests a different interpretation.

³³ Gilat, “*Shevut Prohibitions*,” 90 n. 12.

³⁴ The phrase מקושה דכנישתא חדתא appears to be corrupted and various emendations have been suggested. For our purposes it suffices to say that the

R. Lil b. R. Eles knocked on a glass. R. Ila stayed late at the study session. He went home and found them all asleep. He lay up on a ladder, because he did not want to knock on the door on the Sabbath. R. Jeremiah would study with the son of R. Immi. He [R. Immi] went and wanted to wake him [= his son] up in the morning on the Sabbath. He began to knock on the door. He said to him: “Father, who gave you permission [to knock on the Sabbath]?” R. Abba bar Kahana asked before R. Yosé, “What is the law as to patting one’s stomach on the Sabbath [to heal a bellyache]?” (*y. Beṣah* 5:2; Academy of the Hebrew Language ed. [henceforth: AHL], 699; Neusner trans., 88; revised)

From this sugya it is apparent that, in Palestine, the mishnaic prohibition was understood as emerging from an inclusive, underlying prohibition: “Whatever makes a noise is forbidden on the Sabbath.” R. Eleazar states this explicitly. It is also implied by the redactors’ juxtaposition of the discussion of making sounds on the Sabbath to the Mishnah’s mention of clapping, slapping and stamping. The sharp awareness of this prohibition on the part of Palestinian Tannaim and Amoraim emerges from Rabbi Meir’s extreme response to Judah the Prince’s leniency regarding clapping, and in the great caution some exercised not to knock on doors or tap their stomachs on the Sabbath. The Babylonian Amoraim were also familiar with the ban on producing sounds on the Sabbath. They too debated its scope: did it include only “musical sounds” or any noise?³⁵

The above-cited evidence resolves the question raised earlier. According to rabbinic tradition, because it belonged to the realm of everyday activities, the making of noise on the Sabbath was intrinsically forbidden. No fear of breaking a different prohibition was involved. Undoubtedly, this prohibition primarily entailed the use of musical instruments,³⁶ but also

commentators unanimously view this as a halakic debate regarding the use of a synagogue knocker on the Sabbath.

³⁵ *B. Erub.* 104a. In the course of the sugya, one of the views explicates a catalogue of Tannaitic Sabbath laws from different spheres as resting in the prohibition against producing sounds on the Sabbath. This, for example, is the rationale given for the following prohibitions: using a vessel from which water drips at a fixed rate; chasing away animals by clapping and stamping; playing with nuts; and drawing water with a pulley outside the Temple on the Sabbath. This dispute continued among medieval halakists. See Lieberman, *Tosefta ki-fshuta*, 3:31–32.

³⁶ The unusual dispensation to blow the shofar on the Sabbath only in circumstances of extreme danger (*m. Ta’an.* 3:7) assists this understanding. See

included the acts of clapping and stamping, perceived as everyday activities. Some rabbis, in Palestine in particular, were so stringent regarding the production of sounds on the Sabbath that they even prohibited knocking on a door, framing it as actual desecration of the Sabbath. Coexisting with this tendency was a more lenient halakic approach that permitted making noise in an unusual fashion and unmelodic sounds. But, apart from the discussion of clapping, slapping, and stamping, Tannaitic literature contains no explicit tradition generally forbidding the production of sounds on the Sabbath. This conception survived only in the Talmuds. Its recognition by scholars as an early tradition underlying the mishnaic prohibition was conjectural.³⁷

Our Qumran fragment supports this scholarly conjecture. It demonstrates that the prohibition against playing musical instruments on the Sabbath was an early one, dating to the Second Temple period.³⁸ Gilat's surmise that the prohibition is grounded in Isa 58:12–14, which enjoin distancing oneself from one's "affairs" on God's "holy day," also finds support in our Qumran fragment. These verses reverberate clearly in the sectarian Sabbath laws as a whole,³⁹ and in our fragment in particular. Note the echoes of Isaiah's דבר ודבר in the phrase יד[בר ד]בר (line 7; see also line 8) and the mention of תענוג (II 1) there, which is reminiscent of the biblical וקראת לשבת ענג. Thus, our fragment contributes both to the understanding of Qumran halakah and to the exposure of the origins of Tannaitic halakah.

Albeck, *Mishnah: Mo'ed*, 494. One of many suggested explanations for the custom of not blowing the shofar outside the Temple on the Sabbath is that it rests in this ancient prohibition. See Henshke, "Sounding of the *Shofar* on the Sabbath," 19–37.

³⁷ See n. 29 above.

³⁸ Note that the use of the root שי"ר, the biblical term for playing (Amos 6:5; Neh 12:36; 1 Chr 15:16, among others), is also shared by the Qumran fragment and Talmudic discussions of producing sound on the Sabbath: שמא יתקן כלי שיר (b. *Beṣah* 36a); לא אסרו אלא קול של שיר (b. *Erub.* 104a).

³⁹ See CD 10:14–11:18. Its connection to Isa 58:13–14 is discussed in all the research treating this passage, and some scholars even view these verses as this list's underlying organizational principle. See E. Slomovic, "Towards an Understanding of the Exegesis in the Dead Sea Scrolls," *RevQ* 7/25 (1969): 3–15 at 9–10 and the literature cited in n. 28 there. See also Schiffman, *Halakhah at Qumran*, 87–91, 109–11, 124–25.

The Law for Priests

גם הכוהנים בני [אהרון אל יקחו כלי שיר לשורר בהם על] העולות
 והזבחים אשר [יקריבו בשבת]
 (4Q264a frag. 1 2–4)

The text clearly refers to the priests in the sacrificial context. But, as noted above, the particle גם links this and the preceding topic. The subject of this law, as we interpret it, therefore relates to the production of musical sounds as an accompaniment to the sacrifices, and not to sacrificial matters in general, as others suggest.⁴⁰ Our reconstruction relies on the specification of על העולות והזבחים, which echoes the pentateuchal commandment to blow trumpets during the sacrificial rites: “And on your joyous occasions—your fixed festivals and new moon days—you shall sound the trumpets over your burnt offerings [על עלתיכם] and your sacrifices of well-being [ועל זבחי שלמיכם]” (Num 10:10, NJPS).

However, even within the parameters of musical accompaniment to the sacrifices, the fragmentary state of the text permits different reconstructions. One possibility is that the text prohibits blowing trumpets over the Sabbath sacrifices. The sounding of trumpets over sacrifices is a priestly task and, as shown above, is also the topic of the verse alluded to by the Qumran text. Perhaps the law seeks to forbid the sounding of trumpets, which is the priestly province, over the Sabbath sacrifice. If so, another possible restoration is: גם הכוהנים בני [אהרון אל יקחו חצוצרות לתקוע בהן] [על] העולות והזבחים אשר [יקריבו בשבת].

Yet the verb לשורר in the preceding prohibition undermines this reconstruction. In the Bible, the root שי"ר always refers to the playing of lyres, harps, and cymbals, (כלי שיר), rather than trumpets. One blows trumpets (תוקע), or sounds short blasts with them (מריע), but never plays them (משורר).⁴¹ Since the generic prohibition discusses playing musical instruments and not the blowing of trumpets, the specification for the priests may also involve instrumental playing. This implies that the priests played musical instruments during the weekday sacrifices in the Temple. Such an understanding backs the second possibility, namely our initial restoration,

⁴⁰ Tigchelaar, “Sabbath Halakha,” 365.

⁴¹ Moreover, different terms distinguish between those who play musical instruments—משוררים—and those who blow trumpets—מחצרים. See, for example, 2 Chr 5:12–13, 23:13, among others.

which reads: גם הכהנים בני [אהרון אל יקחו כלי שיר לשורר בהם על] העולות [יקריבו בשבת] והזבחים אשר.⁴²

Before addressing each of the proposed restorations, we must briefly survey what is known of the trumpeting and playing of instruments over the sacrifices in the Temple in general, and in the world of the sect in particular. What is the source for instrumental accompaniment to the sacrificial rites? Except for Num 10:10's instruction to blow trumpets over the sacrifices, there is no explicit pentateuchal commandment to play music while sacrificing. Tannaitic halakah specifies the timing and manner of blowing during the *tamid* sacrifice (*m. Tamid* 7:3), and enumerates the blasts for the additional sacrifices, and for other occasions, such as the beginning and end of the Sabbath, the opening of the Temple gates, and the water libation (*m. Sukkah* 5:5). Additional instruments played during the sacrificial rites are not mentioned in the Pentateuch, but do find mention elsewhere in the Bible. According to Chronicles, the priests blew trumpets and the levites played lyres, harps, and cymbals.⁴³ The Mishnah also describes this practice and spells out what instruments were played, and by how many levites,⁴⁴ as well as the special occasions on which flutes were also played, evidently during the reading of the Hallel: "And on twelve days in the year the flute is played [מכה החליל] before the altar" (*m. 'Arak.* 2:3).⁴⁵ These days included the days of the first and second

⁴² We cannot rule out a positive reconstruction of the same halakah: גם הכהנים בני [אהרון אל יקחו כי אם חצוצרות לתקוע] על העולות והזבחים אשר [יקריבו בשבת].

⁴³ For this distinction between priests and levites, see Ezra 3:10; 2 Chr 5:12, 29:25–26. On levitical playing of instruments in general, see 1 Chr 15:16, 16:4–5, 25:1–6.

⁴⁴ *M. 'Arak.* 2:3–6. See also *m. Mid.* 2:6; *m. Šeqal.* 5:1. According to *m. 'Arak.* 2:6 there was a Tannaitic dispute as to whether only the levites, prestigious Israelites, or servants of the priests played. The commentators are divided as to this Mishnah's meaning: does it permit all of the instruments—lyres, harps, and cymbals—to be played by non-levites during the sacrificial rites, or is the dispute restricted to the flute alone (see below), which is played in addition to the other instruments on only twelve occasions during the year? See H. Albeck, "Hashlamot le-masekhet 'Arakhin," *Shishah Sidrei Mishnah mefurashim al-yedei H. Albek: Seder Qodashim* (Jerusalem: Mossad Bialik, 1959), 401, lemma היו הכהנים ועבדי הכהנים.

⁴⁵ On the playing of the flute on these special days, during the recitation of the Hallel in particular, and not during the wine libation with the sacrifice, see Albeck, *Mishnah: Qodashim*, 400–401, and the sources cited there. Note, however, that the days of flute-playing in *m. 'Arakhin* and the "eighteen days" on which

Passover offerings, the first festival day of Passover; the festival day of Pentecost; and the eight days of Tabernacles.

Having established that the sacrificial rites were accompanied by music, we must then ask whether the sacrificial rites were accompanied by instrumental music even on the Sabbath. Although no explicit statements regarding the playing of trumpets or musical instruments on the Sabbath appear in either the Mishnah or the Tosefta, halakic midrashim explicitly state that the trumpets override the Sabbath, and with regard to the Mishnah we can extrapolate to the other instruments as well:

“And on your joyous occasions [ובימים שמחתכם]” refers to the Sabbath. R. Nathan says, “The reference is to the daily offerings [תמידים].” “Your fixed festivals” [ובמועדיכם]: this refers to the three pilgrim-festivals. “...and new moon days [ובראשי חודשיכם]:” This is to be understood in the ordinary sense of the words. (*Sipre Num.* 77; Horowitz ed., 71; Neusner trans., 49, revised)

Be-yom: that is Yom Tov. *U-ve-yom*: that is the Sabbath. *U-ve-yom*: that is the Day of Atonement. *Simḥatkhem*: those are the festivals. *Mo’adekhem*: those are the daily sacrifices [*temidim*]. When the verse states *u-mo’adekhem* this is to include each and every daily sacrifice. *U-ve-rashei ḥodshekhem*: these are the new moons. *Ve-rashei ḥodshekhem*: this is to include the New Year. (*Sipre Zuta* 10:10; Horowitz ed., 262; trans. by authors)

The anonymous *Sipre* deduces the sounding of the trumpets on the Sabbath from the words: וביום שמחתכם. *Sipre Zuta* derives their sounding on the Sabbath from the letter *bet*, and interprets the *vav* of the word וביום as including trumpet blasts on the Day of Atonement.⁴⁶ Josephus as well notes the use of trumpets “on the Sabbaths and on the remaining days.”⁴⁷ Elsewhere he adds that the levites play musical instruments—lyres, harps,

the Hallel prayer is recited do not completely overlap (*t. Sukkah* 3:2; Lieberman ed., 266).

⁴⁶ The homilies in *Sipre Zuta* use the hermeneutical method of the school of Rabbi Akiba. See *b. Sanh.* 51b; *b. Yebam.* 68b. On homilies of this nature in *Sipre Zuta*, see J.N. Epstein, *Introduction to Tannaitic Literature: Mishna, Tosefta and Halakic Midrashim* (ed. E.Z. Melamed; Jerusalem: Magnes Press, 1957), 742 [Hebrew].

⁴⁷ *Ant.* 3.294 (Mason ed., 321).

and cymbals—on the Sabbath, and attributes this law to David(!).⁴⁸ Notwithstanding the absence of explicit Tannaitic evidence regarding the playing of musical instruments (other than trumpets) over the Sabbath sacrifice, there are two indirect indications that instruments were played on the Sabbath in the Temple: the Mishnah permits tying the torn string (of a lyre) in the Temple on the Sabbath (*m. 'Erub.* 10:13); and the Tosefta and the PT describe the controversy as to whether the “flute played before the altar” overrides Sabbath restrictions (*t. Sukkah* 4:14, Lieberman ed., 275; *y. Sukkah* 5:1, AHL ed., 653). The PT points out that the majority of the sages prohibited this flute on the Sabbath, because of its lack of a biblical basis. This indicates that they allowed the playing of other instruments, which has biblical (though not pentateuchal) roots.⁴⁹

The discussion so far demonstrates that the Tannaim held that trumpets and other instruments were used in the Temple on the Sabbath as part of the sacrificial rites.⁵⁰ Only the flute was regarded as an exception, because it was considered an accompaniment to the Hallel and not to the sacrifices, and did not belong to the fixed repertory of levitical instruments.

What do the Dead Sea Scrolls say on this question? The list of “David’s Compositions,” found in the Cave 11 Psalms Scroll,⁵¹ contains, in addition to compositions denoted as psalms, “songs to sing before the altar,” as well as songs “over the whole-burnt *tamid* offering everyday,” and for the “*qorban* of the Sabbaths, 52 songs,” and for the New Moon sacrifice, the Solemn Assemblies, and for the Day of Atonement, for each year.⁵² Elsewhere Vered Noam suggested that this list, as well as the catalogue of

⁴⁸ *Ibid.*, 7.305.

⁴⁹ See Albeck, *Mishnah: Qodashim*, 401.

⁵⁰ Rabbi Nathan’s dissenting opinion in *Sipre* may represent a rejected viewpoint, according to which trumpets are not blown on the Sabbath. This cannot, however, be proven definitively.

⁵¹ J.A. Sanders, *The Psalms Scroll of Qumrân Cave 11 (11QP^a)* (DJD 4; Oxford: Clarendon, 1965), col. 27, pp. 48, 91–93; *idem*, *The Dead Sea Psalms Scroll* (Ithaca: Cornell University Press, 1967), 86–87, 134–35.

⁵² Because it clearly reflects the Qumran calendar, this list has attracted much attention in scholarly research. For two central studies addressing its implications for restoration of the Qumran calendar, see J.C. VanderKam, “Studies on ‘David’s Compositions’ (11QP^a 27:2–11),” *Eretz-Israel* 26 (F.M. Cross Volume, 1999): 212–20 (English section); and S. Talmon, “The Covenanters’ Calendar of Holy Seasons according to the List of King David’s Compositions in the Psalms Scroll from Cave 11 (11QP^a XXVII),” in *Fifty Years of Dead Sea Scrolls Research: Studies*

the sect used the midrashic expansion found in *Sipre* and *Sipre Zuta*; rather, he suggests that it construed במועדיכם in the verse as including the Sabbaths.⁵⁷

How does this text impact on the understanding of the prohibition in our fragment? The *War Scroll* text apparently sanctions blowing the trumpets on the Sabbath. Therefore, it seemingly contradicts our fragment, according to which the priests are forbidden to play, or blow the trumpets, over the Sabbath sacrifices. Baumgarten suggests resolving this contradiction by the following restoration in our fragment: אַל יביאו כלי שיר לַשׁוֹרֵר. In other words, the Sabbath Laws fragment forbids the bringing of the instruments to the Temple, not their use during the sacrificial rites.⁵⁸ But as noted earlier, in our proposed reconstruction the subject of the verb לַשׁוֹרֵר in line 1 is אִישׁ, and its auxiliary verb is יִקַּח. The גַּם that precedes the law concerning the priests makes it evident that they too are forbidden “to take” instruments *to play them*, or, alternately, to “take” trumpets *to blow them*, and not just to bring the instruments to the Temple.

Another possible solution is that the instruments that can be played on the Sabbath in Qumran literature are the Sabbath trumpets. Our text, however, uses the root שׁי"ר, which in biblical language, as shown above, always refers to the playing of lyres, harps, and cymbals, but never to trumpets. If this root also appeared in the law for the priests, we could then state that the *War Scroll* permitted the blowing of trumpets on the Sabbath, whereas our fragment prohibited the playing of other instruments.

This distinction between trumpets and other instruments may have biblical roots. In 2 Chronicles (29:25–26), the trumpets are the priestly province, whereas the other instruments belong to the levitical sphere and are described as “David’s instruments.” Moreover, the trumpets are blown, according to Num 10:10, on joyous occasions, festivals and new moons, which may be interpreted as including the Sabbath. This instruction is not paralleled regarding musical instruments. The rabbis also make this distinction: the priests sound the trumpets (*m. Tamid* 7:3), and the levites (*m. Mid.* 2:6), or even Israelites, or servants of the priests, play the instruments (*m. 'Arak.* 2:4).⁵⁹ The rabbis were well aware of this distinction

⁵⁷ J.M. Baumgarten, “The Sabbath Trumpets in 4Q493 M^c,” [RevQ 12/48 \(1987\): 555–59](#).

⁵⁸ Baumgarten, *DJD* 35:54–55; restoration and comments to line 3.

⁵⁹ The blowing of the trumpets and the shofar was a priestly obligation. See Alon, “Philo’s Halakha,” 127–30.

between the pentateuchally ordained trumpets and the levitical playing of musical instruments, a Davidic and prophetic mandate with no pentateuchal basis, as the verses in Chronicles explicitly declare. Josephus as well attributes the establishment of singing and instrumental music in the Temple to David.⁶⁰ The following two homilies are illustrative of the forced rabbinic exegetical attempts to overcome the absence of an explicit source for levitical song in the Pentateuch:

They shall discharge their duties to you and to the Tent as a whole [but they must not have any contact with the furnishings of the Shrine or with the altar, lest both they and you die—Num 18:3] ... R. Nathan says: This is a pentateuchal allusion to [levitical] song,⁶¹ but was interpreted by Ezra.⁶² R. Ḥananiah the son of R. Joshua's brother says: This is unnecessary, because Scripture already stated: *Moses kept speaking, and God kept answering in the sound* [בְּקוֹל—literally: by a voice—[Exod 19:19]; this is a pentateuchal allusion to [levitical] song. (*Sipre Num.* 115; Horowitz ed., 131–32; trans. by authors)⁶³

He may serve in the name of the Lord [Deut 18:7]: What is service in the name of the Lord? Say that it is song. From this we learn that the levites recited song over the sacrifices. (*Midrash Tannaim* to Deut 18:7; Hoffman ed., 109; trans. by authors)⁶⁴

Thus, it is entirely possible that the Qumran sectarians distinguished between trumpets and other musical instruments. The trumpets, explicitly commanded in the Pentateuch to be blown on festivals, could have been perceived as part of the sacrificial rite and their blowing permitted

⁶⁰ *Ant.* 7.305. Josephus states there that David composed songs and hymns and even prepared musical instruments.

⁶¹ Namely, the words of the verse, “lest both they and you die,” comparing the levites to the priests, indicate a pentateuchal command regarding the levitical role: song, just as they command the priestly service.

⁶² See Ezra 3:10.

⁶³ In the parallel discussion in *b. 'Arak.* 11a–b (see n. 61 above), Rabbi Ḥananiah son of R. Joshua's brother's statement is interpreted as follows: “*Moses spoke and God answered him by a voice* [i.e.,] concerning the voice.”

⁶⁴ This homily as well has a parallel in *b. 'Arak.* 11a–b. This sugya reflects uncertainty regarding the status of levitical song, whether or not it is equivalent to the altar service and whether it is a necessary condition for sacrifice. No fewer than ten separate attempts are made to find pentateuchal support for levitical song.

on the Sabbath, as seen from the *War Scroll*. But the Sabbath hymns, which, according to the Cave 11 Psalms Scroll should be recited over the Sabbath sacrifice, must have no musical accompaniment. Singing—and playing music—over a sacrifice specifically on Sabbath and festivals is not biblically ordained, and their very existence in the Temple, even on weekdays, has no pentateuchal basis. Such a prohibition is consistent with *Jubilees*' approach, namely, that sacrifices alone are permitted in the Temple on the Sabbath.⁶⁵ Nonetheless, as seen from our fragment's allusive language: על העולות והזבחים, the sect did not abstain from linking the playing of musical instruments in the Temple to the verses treating the trumpets in Numbers. Perhaps the midrashic efforts to find pentateuchal prooftexts for levitical song reflect a polemical cast: an attempt to permit the playing of musical instruments over sacrifices on Sabbath, in contradistinction to sectarian doctrines.

If this interpretation is correct, our fragment concords with other Qumran texts that bear on singing over the sacrifices. It also indicates that the sect associated this obligation with the verses treating the trumpets in Numbers. Apparently, Tannaitic halakah permitted both the blowing of trumpets and the playing of musical instruments on the Sabbath, whereas Qumran law allowed the trumpet blast over the sacrifices because of its pentateuchal origins, but prohibited the playing of other instruments, defined in Chronicles as prophetically instituted. Qumran law permitted in addition to the trumpets only vocal singing. The postulation of such a controversy between the Pharisees and the sect during the Second Temple period provides a conjectural source for the rabbinic traditions seeking pentateuchal prooftexts for the levitical playing of instruments in the Temple.

Nonetheless, our restoration, which postulates a prohibition against the priestly playing of other instruments, and not the sounding of the trumpets, is difficult as Chronicles associates trumpets with priests specifically and other musical instruments with the levites. This difficulty underlies the second suggested restoration forbidding the priests to blow the trumpets over the Sabbath sacrifice, namely, בני [אהרון אל יקחו] גם הכוהנים חצוצרות לתקוע בהן על [העולות והזבחים אשר [יקריבו בשבת]

⁶⁵ “And to rest on it from any work that belong to the work of mankind except to burn incense and to bring before the Lord offerings and sacrifices for the days and the Sabbaths. Only (this kind) of work is to be done on the Sabbath days in the sanctuary of the Lord your God” (*Jub.* 50:10–11; VanderKam trans.).

makes sectarian law even more stringent. It does not, however, solve the difficulty posed by the *War Scroll's* explicit mention of “Sabbath trumpets.” In the absence of a complete text, the precise nature of this prohibition remains obscure.

Reading a Scroll on the Sabbath

The combined witnesses from 4Q264a 1 4–5, and the parallel from 4Q421a 2–3, restore a fragmentary halakah treating the use of a scroll on the Sabbath:

[אל יקח איש מגל'ת ספר] לקרו'א בכתבו ביום [השבת]
 [רק הרבים יקחו כתבים ו] יקר'או [ו] ילמדו במ

This is the sole appearance of the biblical combination *מגלת ספר* in Qumran literature,⁶⁶ but a similar law, dealing with *ספר*, is found in another Qumran fragment treating Sabbath laws:

[ואין] לו לדרוש ולקרא בספר ב[ו]ם [השבת]
 (4Q251 1–2)⁶⁷

He shall [*not*] study or read a book on the [*Sabb*]ath.

The editors of the latter text express uncertainty as to whether this line from 4Q251 is a positive commandment to study the Bible on the Sabbath (similar to 1QS 6:7's injunction to study: “will be diligent together for the third of every night of the year, reading aloud from the Book, and interpreting Scripture”—Wise and Abegg trans., 134), or a negative one prohibiting the reading of certain books on the Sabbath.⁶⁸ As 4Q251 1 contains Sabbath regulations, including a prohibition against pulling a domesticated animal out of a pit on the Sabbath,⁶⁹ and carrying objects from the private to the public domain and vice versa, we postulate that this line also contains a prohibition and restore accordingly.

⁶⁶ See Jer 36:2; Ezek 2:9–10; Ps 40:8.

⁶⁷ Larson, Lehman, and Schiffman, *DJD* 35:28. The translation and the restoration of the beginning of the line are ours.

⁶⁸ *Ibid.*, 30.

⁶⁹ Based on the reasonable conjecture by the editors in light of the CD parallel. See *ibid.*, 29.

The new fragment treated here supports this supposition. It too is devoted entirely to Sabbath-related prohibitions: exiting the Sabbath boundaries, playing instruments, speaking about mundane matters, and pouring burning coals. The formulaic openings begin with אל יקח. Cf. אל יקח איש in 4Q264a 1 1; אל יחשב איש in line 5; [ואל ידבר] in l. 7; and אל יער איש in 4Q421a 13+2+8 5. We assume that the law under discussion follows this pattern and restore: [אל יקח איש מגל] ת ספר.⁷⁰

These two texts bear remarkable similarity. Both prohibit reading a book on the Sabbath, and seem to refer specifically to an individual (note the word לו in 4Q251 and the context in 4Q264a + 4Q421a). Reading and study also appear in both texts. The texts differ in the following respects: 4Q251 mentions study only in the prohibitory sentence; our text refers to study in the second sentence and uses the third person pronominal suffix (בם), which probably refers to public study. Only 4Q251 mentions weekdays (the word החיל in the following line should be emended to החול).

What is the exact nature of this prohibition? The most striking parallel from Tannaitic halakah appears in a difficult Mishnah from tractate *Shabbat*:

All Holy Scriptures [כתבי הקדש]—are to be saved from fire [on Sabbath], whether they are read [שקורין בהם] and whether they are not read [ובין שאינן קורים בהם]; Even though they are written in any [other] language, they require storage [גניזה]. And why are they not read? Because of the neglect of the study house [מפני ביטול בית המדרש]. (*m. Šabb.* 16:1; Neusner trans., revised)⁷¹

The wording of this Mishnah is difficult,⁷² and both Talmuds, mishnaic commentators, and scholars have debated, and continue to debate, its

⁷⁰ As opposed to the editor's restoration: אל יגיה איש מגלת ספר (Baumgarten, *DJD* 35:54–55).

⁷¹ *M. Šabb.* 16:1. For variants, see Goldberg, *Mishna: Shabbat*, 284.

⁷² Among the outstanding difficulties: the Mishnah deals with laws of rescue on the Sabbath; why does it incorporate the law requiring genizah for *targumim* and the explanation of the prohibition against reading Scripture on Sabbath? Neither of these is relevant to the main topic. What is the nature of the “Holy Scriptures,” which are not to be read, and what is the underlying rationale for this prohibition? Why does the statement “Even though... storage” [אף על פי...] interrupt the flow between the halakah “they are not read” and its rationale?

meaning.⁷³ For the purposes of this discussion, we focus only on the apparent prohibition against reading Scripture on the Sabbath, its scope and rationale.

The Mishnah states that there are Scriptures which are not read [on the Sabbath], citing as its rationale the notion that this leads to “neglect of the study house.” The Talmud (*b. Šabb.* 115a) identifies the books that are read as the Prophets, and those that are not read as the Writings. According to this interpretation, the Mishnah allows the Writings to be saved from fire on the Sabbath, even though they are not read publicly in synagogue. The words *קורין בהן* are understood to refer to the public synagogue reading [הפטרה, השלמה], which comes from the Prophets, but not from the Writings. In the BT, the rationale for the avoidance of reading the Writings on the Sabbath, “neglect of the study house,” is interpreted as related to the fear that this would interfere with the public sermon in the synagogue; consequently, Rav restricts the prohibition “only to the time of the Beth Hamidrash,” that is, to the time of the public sermon alone.⁷⁴ In the PT we find a suggestion that the prohibition should be limited to “a locale in which there is a study house” (*y. Šabb.* 16:1, 15c; AHL ed., 437).

However, this identification of the Scriptures that are not read on Sabbath with the Writings, which are not read *publicly*, is not consistent with the rationale of neglect of the public sermon. After all, how would the public reading of the Writings interfere with the public sermon delivered either earlier or later in the day in the same synagogue? The understand-

Does the qualifying sentence “Even though written in any language” [אף על פי (כתובין בכל לשון)] belong to the preceding matter (they are rescued even though they are in any language), or to what follows (even though written in any language they require genizah)? And are targumim saved from a fire? And the requirement of genizah—is it due to the honor afforded these books or because reading them is forbidden?

⁷³ This Mishnah was treated by the leading scholars of the Wissenschaft des Judentums movement and by twentieth-century scholars. For a survey of the research, see the discussion below, and the bibliography noted by S. Friedman, “The Primacy of Tosefta in Mishnah-Tosefta Parallels: *Shabbat* 16, 1: *בל כתבי הקדש*,” *Tarbiz* 62 (1993): 313–38.

⁷⁴ *B. Šabb.* 116b. In the continuation, the anonymous Talmud suggests a modification to the dispute between Rav and Samuel, according to which Rav’s limitation relates to place: “They learnt this only in the place of the Beth Hamidrash; but we may read [them] elsewhere than in the Beth Hamidrash.”

ing that an individual reading on his own at home may then neglect to come to the study house better fits the context of the Mishnah; besides, the chapter consistently speaks of an individual rescuing from fire in his home the things that he may need on that Sabbath, such as food or clothing.⁷⁵ It appears then that the Mishnah's intent is that books not in use on the Sabbath *by the individual, in the private domain*, are nevertheless saved from a fire, due to their sanctity. Indeed, Rashi comments, in the name of Rabbenu Halevi, and most mishnaic commentators follow in his wake, that the reason presented in the conclusion—the neglect of the study house—refers to an individual, who is prohibited from reading the Writings at home, and not to the synagogal custom mandating against public reading of the Writings. Rashi attributes the prohibition to the appealing nature of the Writings, noting how “on Sabbaths they used to have a sermon for the householders who worked all week long, devoted to matters of practical halakah, which is preferable for them to hear over studying the Writings.”⁷⁶

Indeed, the prohibition against individuals reading Scripture on the Sabbath is attested in additional sources, including the following Tosefta:

One may go out wearing phylacteries at twilight. And one may read in the Holy Scripture at twilight. But one shall not read on Sabbath nights. (*t. Šabb.* 1:11; Lieberman ed., 3; Neusner trans., revised)⁷⁷

This halakah permits the reading of Scripture until the Sabbath, but proscribes reading Scripture after dark, when the Sabbath begins.⁷⁸ According to this Tosefta, *individuals* are forbidden to read Scripture from the start of the Sabbath, and it seems that our Mishnah treats this prohibition as well.

⁷⁵ “[If] a fire broke out on the night of the Sabbath, they save food for three meals. [If it broke out] in the morning, they save food for two meals. [If it broke out] in the afternoon, [they save food for] one meal (*m. Šabb.* 16:2). Regarding clothing, see Rabbi Yose’s opinion in Mishnah 4.

⁷⁶ *B. Šabb.* 115a, lemma: בין שאין קורין בהן.

⁷⁷ See Lieberman, *Tosefta ki-fshuta*, 3:9–10. Lieberman explains that the sentence ends with the words “Sabbath nights,” and the succeeding mention of the light of a lamp in this Toseftan passage opens another matter.

⁷⁸ In the PT the same expression: “neglect of the study house” appears as the basis for another prohibition taking effect when the Sabbath begins. See *y. Šabb.* 4:1, 6d (AHL ed., 389).

Examination of the occurrences of this expression, demonstrates that the activities performed or forbidden because of the “neglect of the study house” were not intended to allow a person to attend public sessions at the study house, but rather to make room, or time, for private study, as Shamma Friedman has shown. This study could be carried out at home, in the fields, in a store, or elsewhere.⁷⁹ Support for this understanding comes from a Toseftan passage referring to our Mishnah:

Even though they have said, “One may not read in the Holy Scriptures [אין קורין בכתבי הקדש] [on the Sabbath]” one may review [what one has read] in them [שונין בהן], and may expound [what is in them] [ודורשין בהן]. And if one has a need to check something, he takes the Holy Scripture and checks it. R. Neḥemiah said, “On what account did they rule, ‘One may not read in the Holy Scriptures’? Because of ordinary documents [שטר׳י הדיוטות]. So that people would reason, ‘In Holy Scriptures they may not read, all the more so in ordinary documents!’” (*t. Šabb.* 13 [14]: 1; Lieberman ed., 57; Neusner trans., revised)

This halakah leaves no room for doubt that the prohibition against reading, like the permission to review, Scripture, refers to the individual at home and not to the public reading. Rabbi Neḥemiah’s rationale, which ascribes this regulation to the need to prevent people from reading ordinary documents on the Sabbath, also relates to individuals at home and not to public synagogue practice.

As opposed to exegetical oral study, scriptural reading was always chanted out loud to a melody, according to set rules, as Menahem Haran has shown.⁸⁰ The prohibition against an individual reading Scripture is intended to free time for intensive study of the oral law through the rabbinic method of homily and repetition: this is the Mishnah’s “study

⁷⁹ Friedman, “Primacy of Tosefta,” 328. Note that *m. Šabb.* 18:1 treats clearing *space* for study at home, just as our Mishnah treats making *time* for study at home. But in *b. Ber.* 53a, where the beraitot speak of being physically present in the study house, the expression “neglect of the study house” is applied to interruption of the sages’ study and not to preventing people from going to the study house in the first place.

⁸⁰ M. Haran, “Problems of the Canonization of Scripture,” *Tarbiṣ* 25 (1956): 247–51 [Hebrew].

house.” Its intent is to prevent superficial reading, even of Scripture,⁸¹ and certainly of secular writings, as Rabbi Neḥemiah states in the Tosefta.⁸²

As we have previously seen, the accepted interpretation of the books that are not to be read on the Sabbath in the mishnaic ruling identifies them primarily as books *not read publicly in synagogue*, namely, the Writings, as the Talmud explains. However, the mishnaic rationale, “neglect of the study house,” applies the prohibition to *individuals in private homes*, as seen from the Tannaitic parallels and context, and as also arises from the Talmuds.⁸³ The question at the conclusion of the Mishnah (מפני מה אין קורין בהם—“And why are they not read?”) refers directly to the opening statement (שאין קורין בהם—they are not read”). This makes the exegetical leap from public custom to individual prohibition nearly impossible.⁸⁴ This difficulty led some scholars to unify the Mishnah’s instruction: some argue that the entire Mishnah is aimed at preventing the public reading of the Writings, in order to leave time for the sermon.⁸⁵

⁸¹ “Study of the Mishnah takes precedence over study of Scripture” (*y. Šabb.* 16:1, 15c; AHL ed., 437). This aspect is also stressed by M. Haran, *The Biblical Collection: Its Consolidation to the End of the Second Temple Times and Changes of Form to the End of the Middle Ages* (Jerusalem: Magnes, 1996), 1:126–29 [Hebrew].

⁸² Geiger put forth a similar interpretation. See A. Geiger, “Biblische und thalmudische Miscellen,” *Jüdische Zeitschrift für Wissenschaft und Leben* 5 (1867): 98–102. He understood the expression בית מדרש as denoting private study of books requiring “devotion.”

⁸³ The restriction of the prohibition against reading Scripture to the place of the study house (PT), and to the time of the study house (BT), indicates that both Talmuds take it as referring to an *individual, who is forbidden to read* while a public sermon is being delivered.

⁸⁴ See Haran, *Biblical Collection*, 1:126–29. Various attempts have been made to resolve this difficulty. In his commentary to the Mishnah, Maimonides ascribes the prohibition against reading mainly to the individual, linking it to the fact that the Writings are not read publicly: “The reason they [the Writings] are not read [in public] is to prevent individuals from reading them at home and neglecting the study house.” Goldberg attempts to solve the difficulty in an opposite fashion. He views the prohibition for the individual that emerges from both Talmuds as grounded not in “neglect of the study house,” but in the fact that the Writings are not read publicly on the Sabbath; therefore, they acquired a *muqṣeh*-like status (*Mishna: Shabbat*, 285–86).

⁸⁵ Goldberg, *Mishna: Shabbat*, 286. For variations on this approach, see N. Brüll,

The contrary standpoint taken by other scholars is that the Mishnah, including the statement in the opening (“or do not read in them”), refers to an individual at home and has nothing to do with the synagogue reading. The second approach seems more likely.⁸⁶ As we saw earlier, the rationale of “neglect of the study house” in the Mishnah’s conclusion and in other Tannaitic halakot is directed to individuals in the private domain.

This interpretation of the mishnaic prohibition as applying to individuals undermines the Talmudic interpretation that identifies the Scriptures not read with the Writings, which are not read *publicly*. Why should a prohibition intended to prevent individuals from reading a scroll, and directing them to the study of the oral law instead, be restricted to the Writings?⁸⁷ Moreover, the Tosefta grants permission to recite orally and expound, but not to read, books. Reviewing and expounding are activities for the purpose of deriving halakah, mainly on the basis of pentateuchal verses, and usually do not apply to the Writings.

Some scholars indeed reject the explanation found in the BT and of traditional mishnaic commentators in its wake, and apply the phrase **אין קורין בהם** to damaged books, Bible translations, books whose canonical status was not yet fixed, or to the entire Bible.⁸⁸ We assume that the

“He‘arot shonot,” *Beth Talmud* 4 (1885): 74–76; S.Z. Leiman, *The Canonization of Hebrew Scripture: The Talmudic and Midrashic Evidence* (Transactions of the Connecticut Academy of Arts and Sciences 47; Hamden, Conn.: Archon, 1976), 168; E.E. Urbach, “Targum ve-Tosefta,” in *Saul Lieberman Memorial Volume* (ed. S. Friedman; New York: Jewish Theological Seminary of America, 1993), 51–63 [Hebrew].

⁸⁶ As Geiger already pointed out (“Biblische und thalmudische Miscellen,” 98–102). On Geiger’s stance regarding the nature of the writings that are not read, see below. See also L. Hausdorff, “Zur Geschichte der Targumim nach Talmudischen Quellen,” *MGWJ* 38 (1894): 203–8; M. Ish Shalom, “Gilgul tum‘at yadayim bi-khlal ve-al-yedei maga be-khitvei ha-qodesh bi-frat,” *Hagoren* 5 (1906): 56–62; and Friedman, “Primacy of Tosefta,” 313–38.

⁸⁷ Rashi’s explanation in the name of his teacher that the Writings appeal to the heart is influenced by the BT, which identifies the books referred to in the Mishnah with the Writings.

⁸⁸ For the opinion that this phrase refers to both damaged books and targumim, see Urbach, “Targum ve-Tosefta,” 51–63. Hausdorff, who preceded Urbach in some of his suppositions, also attributes the phrase to Bible translations (“Zur Geschichte der Targumim,” 203–8). Elsewhere Geiger suggests that the phrase could refer to books whose canonical status was not yet fixed (“Biblische und

prohibition addresses individuals reading Bible or parts thereof at home on the Sabbath.⁸⁹ This halakah predates the Mishnah, which takes for granted two categories: books that are read, and those that are not. It also predates our Tosefta, which seems to quote this halakah from earlier strata: “they have said (אמרו): ‘One may not read in Holy Scriptures.’”⁹⁰ It is not surprising that the Talmud already found this early halakah difficult to interpret.

We propose that the Cave 4 fragment also reflects this ancient halakah. The Qumran law here also forbids reading a “scroll” on the Sabbath, just as Tannaitic halakah forbids the reading of a book that resembles ordinary documents. In the Tannaitic world the rationale for this prohibition was linked to the rabbinic preference for oral study—“midrash” and “mishnah”—over scriptural reading.⁹¹ This was not the case for the Qumran sect, which made no distinction between the written and the oral law, and which wrote and sanctified its exegesis and homilies. And indeed, 4Q251 prohibits to “study” (לדרוש) on the Sabbath as well, since this act was also performed by the sect in a “book.”

thalmudische Miscellen,” 98–102). Hirshman understands the Mishnah as follows: “The *Mishnah* (Shabbath 16:1) absolutely forbids the reading of Scripture ‘lest they negate the *beit-hamidrash* [house of study],’ . . . Thus, the *tannaim* stressed that, even on the Sabbath, which was the central day of study for the people, the study of Scripture should only be done orally!” (M. Hirshman, *A Rivalry of Genius: Jewish and Christian Biblical Interpretation in Late Antiquity* [trans. B. Stein; SUNY Series in Judaica: Hermeneutics, Mysticism, and Religion; Albany: SUNY Press, 1996]). This interpretation does not account for “the books that are read.”

⁸⁹ Scholars have noted that the prohibition reflects an attempt to uproot a widespread custom of reading from scrolls on the Sabbath for pleasure, as emerges from the Mishnah addressing the question of rolling back a scroll that has fallen out of the reader’s hands on the Sabbath (*m. Erub.* 10:3). See Haran, *Biblical Collection*, 1:126–29; Friedman, “Primacy of Tosefta,” 313–38.

⁹⁰ On the word אמרו as representing a citation from an early Mishnah, see J.N. Epstein, *Introduction to the Mishnaic Text* (3d ed., Jerusalem: Magnes, 2000), 2:726–28 [Hebrew]; on this text specifically, see Friedman, “Primacy of Tosefta,” 321.

⁹¹ Later, in the BT, the reasoning of “neglect of the study house” acquired a secondary explanation, as if it referred to the public sermon. By so doing, perhaps the BT unconsciously coincided with the ancient motivation for the pre-Tannaitic prohibition against reading on the Sabbath.

In its early stages, the decree related to the reading of biblical scrolls by individuals on the Sabbath. Perhaps this law had its inception in the desire to ensure that the individual participate in the public reading (note the plural forms יִלְמְדוּ, יִקְרְאוּ that follow the prohibition, which may be directed to reading and studying in public), or in fear of competing literature, or even of secular documents. The rabbis introduced the rationale “neglect of the study (house),” namely, neglect of oral study. While Tannaitic halakah offsets this prohibition by allowing review and exegesis (שׁוֹנֵן וְדוֹרְשֵׁין) on the Sabbath, Qumran halakah endorses liturgical activity: ... דְּבַרֵי קוֹדֶשׁ לְבִרְךְ [אֵת] אֵל. (lines 7–8).

The Tannaitic halakah illuminates the fragmentary Qumran text: the Qumran fragment evidently treats a prohibition against reading, not an obligation to read, and not a restricted prohibition against correcting the text.⁹² At the same time, the Qumran passages shed light on the Mishnah, and eliminate some of the scholarly interpretations. Their wording indicates that the mishnaic prohibition, like the sectarian one, is directed at an individual and that its subject has no connection to books that are not read publicly. Furthermore, the term מַגְלַת סֵפֶר implies that the prohibition in the opening of the Mishnah does not apply to Bible translations, as some scholars mistakenly thought on the basis of the next passage in the Mishnah, nor to nonbiblical books in particular, but rather to written scrolls in general. There is no means to determine whether the Qumran author intended to forbid the reading of Scripture or of other works, nor can we deduce what literary corpus the phrase מַגְלַת סֵפֶר represents in the sectarian context. In the Tannaitic world, however, it appears likely that the prohibition was directed against reading the Bible, or certain parts of it. This halakah is of intrinsic importance. Although without any biblical basis, it is nevertheless shared by the Qumran sect and the rabbis. This verifies the existence of an ancient, shared extrabiblical halakic stratum.

Burning Coals

[אֵל יַעַר אִישׁ] [גְּחָלֵי אֵשׁ] [לְפָנַי הַשְּׁבֵת]

Comparison of the parallels in 4Q264a and 4Q421a forms the basis for the above reconstruction.⁹³ 4Q421a 13 5, preserves the words אֵל יַעַר אִישׁ.

⁹² See n. 70 above.

⁹³ For preliminary remarks on this halakah in the context of a discussion of

Initially, before its content and complementary texts were known, it was mistakenly interpreted as dealing with altar- and Temple-related matters. The editor thought that the verb יַעַר referred to the priests revealing their nakedness upon ascending to the altar.⁹⁴ However, the suggested reconstruction of the text—אֵל יַעַר אִישׁ גַּחְלִי אֵשׁ לִפְנֵי⁹⁵—was reached on the basis of the parallel between this fragment and 4Q264a II 2–3 (and the realization that 4Q421a frags 2, 18, and 13 belong to one fragment).

Tigchelaar suggests several derivations for the verb יַעַר, all similar in meaning: mixing or stirring, and interprets לִפְנֵי as a preposition of place, translating: “One should not stir up coals of fire in front of [].”⁹⁶ Baumgarten, who edited the parallel text 4Q264a II 2–3 and reconstructed it according to 4Q421a, understands the root יַעַר as “pour” and translates: “let no man pour burning coals.” In light of *m. Tamid* 5:5—which uses the same root and refers to the scooping up of cinders into a firepan—he interprets the prohibition as relating to the removal of coals from the altar on the Sabbath.⁹⁷

We are of the opinion that the association with the altar is out of place and that this line should be interpreted in the context of Sabbath laws alone. We too analyze the verb יַעַר as the *piel* form of the root יַעַר,⁹⁸ but understand it as referring to the transfer and pouring of coals into a cooking or heating utensil, as explained below. Note that, in the above-mentioned Mishnah, the verb יַעַר describes not the removal of the coals, but rather their being poured into a different vessel after having been scooped up. We postulate that this law treats a prohibition against lighting or transferring fire on the Sabbath. The pouring of coals is the final step in their preparation for use, namely, their removal to a cooking or heating utensil, samovar, oven, or pan.

the link between the halakah of the School of Shammai and sectarian halakah, see Noam, “Beit Shammai and Sectarian Halakha,” 65–66.

⁹⁴ Elgvin, *DJD* 20:201.

⁹⁵ See Tigchelaar, “Sabbath Halakha,” 362.

⁹⁶ *Ibid.*, 364, 368 and nn. 33–34.

⁹⁷ See Baumgarten, *DJD* 35:56. But cf. already Doering, *Schabbat*, 251, who briefly considers that the prohibition might have referred to stirring up a coal fire kindled before the onset of the Sabbath.

⁹⁸ A derivation from the roots יַעַר or יַעַר appears unlikely, since these roots never collocate with גַּחְלִים. On the other hand, the collocation יַעַר גַּחְלִים is commonplace in rabbinic literature and also fits the context.

Moreover, we interpret לפני here as denoting time, not place. Therefore, we postulate that the law relates to the transfer, before the Sabbath, of coals intended to continue burning on the Sabbath. This assumption raises an interesting parallel with Tannaitic halakah and, surprisingly, reveals the early roots of a lively medieval dispute. These topics will be treated below with the due caution necessary given the Qumran text's fragmented nature.

The biblical prohibition: לא תבערו אש בכל משבתים ביום השבת (Exod 35:3) raises two fundamental questions: first of all, can a fire lit before the Sabbath be left burning to provide heat or light; and secondly, if it is permissible to leave the fire burning, can food be placed on the fire or the coals prior to the Sabbath and left there during the Sabbath, or even placed on the fire on the Sabbath?

The parameters and minutiae of the second question are widely treated in Tannaitic literature. However, regarding the first question, no explicit dispute, either internal or external, is recorded in rabbinic literature.⁹⁹ Ostensibly, unequivocal agreement exists that a fire lit before the Sabbath can be left burning on the Sabbath.¹⁰⁰ Moreover, the lighting of a lamp before the Sabbath became an “obligatory” [חובה]¹⁰¹ means of signaling its inception.¹⁰² The rabbis emphasized this act's importance,¹⁰³ even devoting an entire chapter of tractate *Shabbat* to its halakot.¹⁰⁴

But the Middle Ages saw the emergence of a bitter polemic between Karaites and Rabbanites regarding leaving a fire burning over the Sabbath.¹⁰⁵ The Karaites, who took an inclusive view of לא תבערו, prohibited

⁹⁹ On the Samaritan practice, see below.

¹⁰⁰ “As a case in point, they did not differ as to whether or not it is obligatory to light the Sabbath lamp; what they did dispute was ‘with what it may be lighted and with what it may not be lighted’” (*The Book of Tradition by Abraham Ibn Daud* [trans. and annotated by G.D. Cohen; Philadelphia: Jewish Publication Society, 1967], 3–4 [English section.]).

¹⁰¹ This is the wording in *b. Šabb.* 25b. See also *m. Šabb.* 2:6.

¹⁰² See *m. Šabb.* 2:7.

¹⁰³ On the antiquity and importance of Sabbath lamps, see B.M. Lewin, “Le-toledot ner shel shabbat,” in *Essays and Studies in Memory of Linda R. Miller* (ed. I. Davidson; New York: Jewish Theological Seminary of America, 1938), 55–68 [Hebrew]; Y.D. Gilat, “*Kabbalat Shabbat* (קבלת שבת),” in *Studies in the Development of the Halakha*, 334–49 (repr. of *Sidra* 3 [1987]) [Hebrew].

¹⁰⁴ See *m. Šabb.*, chap. 2; and *t. Šabb.*, chap. 2.

¹⁰⁵ See S. Poznanski, “Anan et ses écrits,” *REJ* 44 (1902): 173–76; Lewin, “Le-toledot ner shel shabbat,” 55–68; B. Klar, “Ma’amar ner shabbat le-Rav Saadya

the leaving of any fire, including a lamp, burning on the Sabbath, even if lit before the Sabbath, as attested by Jeshua ben Judah's citation from Anan's *Sefer ha-miṣvot*:

One might perhaps say that it is only the kindling of fire on the Sabbath which is forbidden, and that if the fire had been kindled on the preceding weekday it is to be considered lawful to let it remain over the Sabbath. Now the Merciful One has written here: *Ye shall not kindle fire*, and elsewhere: *thou shalt not perform any work* (Exod 20:10)... If in the case of labor, of which it is written: *thou shalt not perform any work*, it is evident that even if the work was begun on a weekday, before the arrival of the Sabbath, it is necessary to desist from it with the arrival of the Sabbath. The same rule must therefore apply also to the kindling of fire, of which it is written: *Ye shall not kindle*, meaning that even if the fire has been kindled on a weekday, prior to the arrival of the Sabbath, it must be extinguished. (Anan ben David, "Book of Precepts," *Karaite Anthology: Excerpts from the Early Literature* [trans. and annotated by L. Nemoy; Yale Judaica Series 7; New Haven: Yale University Press, 1952], 17–18)¹⁰⁶

This harsh Karaite-Rabbanite polemic lasted for centuries. Saadiah Gaon devoted a separate treatise to the dispute with the Karaite stance on Sabbath lights,¹⁰⁷ and embedded traces of the debate are identifiable in Rabbanite biblical exegesis, in late midrash, and even in Friday night synagogal customs still practiced to date: the public recitation of the mishnaic chapter *במה מדליקין*, dealing with the lighting of Sabbath candles, on Friday nights is probably rooted in this polemic.¹⁰⁸

As noted, no dissenting opinion similar to the Karaite one is attested in rabbinic literature. Yet, Abraham Geiger commented that the Samaritans

Gaon," in *Mehqarim ve-ʿiyyunim be-lashon be-shira u-be-sifrut* (Tel Aviv: Maḥberot le-sifrut, 1954), 242–58; N. Wieder, "Berakhah bilti yedu'ah al qeri'at pereq 'Ba-meh madliqim' mi-tokh ha-genizah," *Sinai* 82 (1978): 197–221. See also the comprehensive summary by H. Leshem, *The Sabbath and Festivals of Israel in Halacha, Aggadah, Way of Life and Folklore* (Tel Aviv: Niv, 1965), 1:19–38 [Hebrew]. We thank Prof. Yoram Erder for his assistance on Karaite matters.

¹⁰⁶ For additional references in Karaite and Rabbanite literature, see Klar, "Ma'amar ner shabbat," 242 nn. 1–2; Wieder, "Berakhah bilti yedu'ah," 204–7.

¹⁰⁷ Klar, "Ma'amar ner shabbat," 242–58.

¹⁰⁸ See Wieder, "Berakhah bilti yedu'ah."

prohibit leaving fire burning on the Sabbath, and postulated that, as in other halakic matters, the Karaite stance reflects the renewal of an early sectarian viewpoint. He conjectured that the Tannaitic halakic homily on the verse **לֹא תִבְעֵרוּ אֵשׁ** refers to a Second Temple polemic:¹⁰⁹

Ye shall kindle no fire, etc. Why was this said... one might think... one should already on Friday rest from work done for the Sabbath... or one should not be permitted on Friday to light a candle, or to bury in coverings things to be kept warm, or to make a fire, for the Sabbath. Therefore Scripture says: "Ye shall kindle no fire in your dwelling-places on the sabbath day." On the sabbath day itself you may not kindle a fire, but you may on Friday kindle a fire for the Sabbath. (Mek.: Tractate Shabbata, Lauterbach ed., 3:208–9; slightly revised)

Geiger sees the great importance ascribed to Sabbath lights in early halakah as a deliberate Pharisaic step aimed at eradicating the more stringent Sadducean position by deliberately ushering in the Sabbath through the act of lighting candles.

Geiger, who basically views Sadducean halakah as early Pharisaic halakah, admits that early Pharisaic halakah makes no reference to a prohibition against leaving a fire lit before the Sabbath burning on the Sabbath. He identifies a related example, however, in the general stance of the School of Shammai.

The Mishnah lists a controversy between the School of Hillel and the School of Shammai regarding a series of activities started before the Sabbath that are completed on their own on the Sabbath. These include soaking ink, dyestuffs or vetches; placing wet flax in the oven, or wool in the

¹⁰⁹ "This entire baraita appears to be aimed against the Sadducees, who, like their descendants the Karaites, interpreted the verse **לֹא תִבְעֵרוּ אֵשׁ** literally" (*Mekilta im perush Midot Sofrim* [I.H. Weiss ed.; Vienna: Buchdruckerei von Jacob Schlossberg, 1865], 111 n. 1. See also A. Geiger, "Die gesetzlichen Differenzen zwischen Samaritanern und Juden," *ZDMG* 20 (1866): 532–33 (repr., L. Geiger, *Abraham Geiger's Nachgelassene Schriften*, vol. 3 [Berlin: L. Gerschel, 1876]). Based on a comparison of the Temple Scroll to Tannaitic halakah, Yadin argued that the ostensibly theoretical discussions by the rabbis, whose sole aim was to reject an alternate exegetical or halakic option, actually referred to hidden polemics with dissident sects. See Y. Yadin, *The Temple Scroll* (Jerusalem: Israel Exploration Society, 1983), 1:401. Although caution should be exercised in reaching sweeping conclusions regarding Tannaitic halakic discourse, this phenomenon can be substantiated in some instances. See below.

cauldron; spreading out nets to catch animals, fowl, or fish; and giving hides to a gentile tanner or clothes to a gentile laundryman. In all of the above instances the School of Shammai forbid beginning these actions close to the Sabbath unless they are completed before its start, and the School of Hillel permit them (*m. Šabb.* 1:5–8).¹¹⁰ Although the BT interprets the rationale of the School of Shammai as *שביתת כלים* (resting of utensils; *b. Šabb.* 18a), it was probably inferred from Exod 20:8 as interpreted in the Tosefta and in the PT: “Six days shall you labor and do all your work”: “[meaning] that all your work should be complete by the eve of the Sabbath” (*t. Šabb.* 1:21, Lieberman ed., 5).¹¹¹ According to this viewpoint, the prohibition applies not just to the person performing the activity but also to activities that proceed on their own, and Geiger argues that the Second Temple sects followed this early, stringent halakah. But, whereas “the School of Shammai does not permit work that proceeds on its own with the exception of leaving a fire,”¹¹² the Sadducees, in his opinion, view leaving a fire burning as belonging to the category of activities that continue on their own on the Sabbath.¹¹³ This conjectural Sadducean stance is what Geiger identifies as underlying the later Karaite viewpoint; after all, as we saw in Anan’s *Book of Precepts*, Karaite law juxtaposes the two

¹¹⁰ MS Kaufman 8–12. Cf. *Mekilta de-Rabbi Shimon bar Yoḥai* (Epstein-Melammed ed.), 20:9.

¹¹¹ See *y. Šabb.* 1:5, 4a; AHL ed., 373). For the structure and meaning of these mishnayot, see Goldberg, *Mishna: Shabbat*, 23–28.

¹¹² As Goldberg states (*Mishna: Shabbat*, 34). On the ostensible contradiction in the stance of the School of Shammai between its sanctioning of the lighting of a lamp prior to the Sabbath which then continues to burn on the Sabbath, and its prohibiting the initiation of certain activities before the Sabbath and allowing them to reach completion on the Sabbath, see *b. Šabb.* 18b: “What of a tank [for brewing beer], a lamp, a pot, and a spit—why do Beth Shammai permit [them]?” There *שביתת כלים* is the rationale offered for the doctrine of the School of Shammai. See Lieberman’s comment: “[...] But with regard to lighting lamps, even the School of Shammai agree that this can be done before the Sabbath... the School of Shammai hold that with lighting a fire the transgression inheres in the act itself [not in its continuation]. As the entire work [of lighting] has been done prior to the Sabbath, even the School of Shammai admit that it can be allowed to continue on its own on the Sabbath” (*Tosefta ki-fshuta*, 3:20). For the School of Hillel’s approach, see Goldberg, *Mishna: Shabbat*, 57–58.

¹¹³ This was also Poznanski’s opinion (“Anan et ses écrits,” 173–76).

prohibitions—לא תעשה and לא תבערו.¹¹⁴ This daring surmise, which reconstructs a sectarian dispute from the Second Temple period on the basis of Samaritan and Karaite practice, without any direct evidence, has never been verified, from Geiger's day to the present.

Perhaps we can now offer backing for this longstanding scholarly conjecture. If the word לפני in the Qumran text denotes time, namely, the reconstructed phrase לפני השבת means “before the Sabbath,” this then is a key phrase for the understanding of this prohibition: one should not kindle coals before the Sabbath to be left burning on the Sabbath. According to this perception, there was in Second Temple Judaism a group that prohibited leaving a fire burning over the Sabbath, just as Geiger postulated.

Peripheral backing for this conjecture comes from a further detail shared by late Karaite halakah and early sectarian doctrine. The Karaites argued for equivalence between the time indicator ב in the verse . . . לא תבערו אש לא תחסם שור בדישו and that of ביום השבת (“You shall not muzzle an ox while it is threshing—Deut 25:4):

The intent of the verse בדישו is not that you should muzzle the ox while it is threshing, making it permissible to muzzle an ox before it begins threshing and it will start threshing while already muzzled. Rather, the intent is that it should not be muzzled at all while threshing. This is also the case for the verse לא תבערו אש בכל משבתיכם ביום השבת. It does not mean that one should not kindle a fire on the Sabbath, making it permissible to kindle a fire before the Sabbath and leaving it to burn on the Sabbath; rather it means that no fire should be left burning on the Sabbath at all. (Yefet ben Eli, *Commentary to the Torah*; trans. by authors)¹¹⁵

Saadia Gaon took the trouble to counter this argument.¹¹⁶

A similar view is found in the Temple Scroll, which reads: לא תחסום שור על דישו (“You shall not muzzle an ox when it treads out the grain”—

¹¹⁴ In his polemic with the Karaites, the author of *Leqah tov* backs his contention that it is permissible to leave a lamp burning from before the Sabbath on the Sabbath by listing “many processes that are completed on the Sabbath,” such as hides that are tanned and the irrigation of fields on the Sabbath. See Lewin, “Le-toledot ner shel shabbat,” 59.

¹¹⁵ The translation is based on Klar's Hebrew translation (“Ma'amar ner shabbat,” 243–44).

¹¹⁶ See Klar, “Ma'amar ner shabbat,” 243.

52:12). The aim of the wording *על דישו* is to clarify that the reference is to the place, rather than the time, of threshing, and means that the ox should not be muzzled in any way during the threshing, even if muzzled in advance.¹¹⁷ It is possible that the homily linking the threshing ox and fire on the Sabbath is an ancient sectarian one.

If this is indeed the case, this is another example of the intriguing affinity between the overall doctrine of the School of Shammai and Qumranic law.¹¹⁸ The School of Shammai prohibits work that continues by itself on the Sabbath, with the exception of allowing a fire to burn if lit before the Sabbath. The sect also maintains this doctrine, but is stricter in its application of the rule to fire. Perhaps the School of Shammai's divergence in the case of fire reflects an attempt to distinguish between its doctrine and that of the dissenting sects. This is especially plausible if we maintain that the lighting of Sabbath candles was a Pharisaic decree, intended to impose their view concerning the use of fire on the Sabbath.

The proposed existence of such a fundamental dispute regarding the Sabbath laws between the Pharisees and their opponents, which shaped the Sabbath in the rabbinic world (Sabbath candle-lighting), raises the question of why the rabbis silenced it. Note, however, that this is not an unusual phenomenon. To recall, a number of halakic controversies preserved in Qumran literature, on the one hand, and in rabbinic literature, on the other, do not specify their opponents' identity. Only the efforts to rebut the opposing exegetical-halakic option, coupled with the use of identical wording in the two source types, enable reconstruction of these hidden polemics. It appears that, in order not to create the impression of equality between their views and those of their antagonists, the sages preferred to avoid an open debate with their opponents, in line with the aphorism "Our perfect Torah should not resemble your idle talk." Therefore, no traces of fire-on-the-Sabbath dispute survived in later rabbinic literature.¹¹⁹ In addition, the close proximity between a definitively sectarian

¹¹⁷ See E. Qimron, "The Biblical Lexicon in Light of the Dead Sea Scrolls," *DSD* 2 (1995): 296–98.

¹¹⁸ See Noam, Beit Shammai and Sectarian Halakha," 64–65; idem, "Traces of Sectarian Halakha in the Rabbinic World," in *Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls, Proceedings of the Eighth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 7–9 January 2003* (ed. S. Fraade et al.; STDJ 62; Leiden: Brill, 2006), 67–85.

¹¹⁹ *B. B. Bat.* 116a; *b. Menah.* 65b; the Scholion to *Megillat Ta'anit* for 8

viewpoint and that of the School of Shammai may also have contributed to the silencing of this dispute.

The new edition of the Qumran passages presented here enriches our knowledge of Qumran sectarian literature with the remains of an additional legal work. Moreover, it provides a glimpse of some ancient Sabbath prohibitions. These include making musical sounds on the Sabbath and private reading of Scripture. These two laws, which find no mention in the Bible, represent an ancient stratum predating the schism in the Hasmonean era. The passages also uncover traces of a forgotten controversy concerning the status of musical accompaniment to the sacrificial rites in the temple, and the roots of the charged debate with regard to leaving a fire burning on the Sabbath.

Nisan, 27 Marḥeshvan (V. Noam, *Megillat Ta'anit: Versions, Interpretation, History, with a critical edition* [Between Bible and Mishnah: The David and Jemima Jeselsohn Library; Jerusalem: Yad Ben-Zvi, 2003], 61, 98) [Hebrew]. See Yadin, *Temple Scroll*, 1:401; Y. Sussman, "The History of *Halakha* and the Dead Sea Scrolls: A Preliminary to the Publication of 4QMMT," *Tarbiz* 59 (1989–90): 33–34 [Hebrew]; M. Kister, "Studies in 4QMiqṣat Ma'ase Ha-Torah and Related Texts: Law, Theology, Language and Calendar," *Tarbiz* 68 (1999): 328 [Hebrew].