

Presentation title as announced in Program Book: “*The Theology, Halakhah, Politics, and Esotericism of the DSS Essene Sect Compared with Normative Rabbinic Practices and that of the Second Temple Sadducees*” by David B. Levy

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Description

As well as a brief general overview of the DSS library, the differences revealed by the contents of DSS texts in theology between Essenes, Sadducees, and Pharisees will be illustrated by looking at the topics of predestination, immortality, dualism, apocalyptic messianism, and angelology. Differences in halakhah will be illustrated by touching on the laws regarding halah, peru u-revu, pikuah nefesh, li-fenim mi-shurat ha-din, oils, mikvaot immersions, harvesting the omer, tevel yom relating to the parah adumah, and some differences in Shabbat observances. The method of my approach is to compare DSS theology, politics, and halakhah with the evolution of mainstream Rabbinic traditions across history in order to illuminate, enhance, and increase our knowledge about Rabbinic observances, history, and practices

The Library of the Dead Sea Scroll Qumran Community Scriptorium: Politics, Theology, and Halakhah of the DSS Essene sect compared with Normative Rabbinic Halakhah, Customs, and Tradition

I. Introduction

The Dead Sea Scrolls were in some minds the most important archeological find of the 20th century. Before the texts and fragments of the Dead Sea scrolls the oldest biblical manuscripts known for centuries were the *Leningrad Codex*, *Vatican Codex*, and *Aleppo Codex* (10th century CE). Maimonides (1135-1204) writes in a letter that in his time he examined the Aleppo Codex and found it to be the most authoritative *Masoretic text*.

The texts in the Qumran library were produced by an ascetic community at Qumran, most commonly held to be the Essenes (Cross, VanderKam, Stegemann), although many scholars like Lawrence Schiffman hold that they were possibly disgruntled breakaway Sadducees. Josephus, Pliny the Elder, and Philo all name the Essenes as living in or near the Qumran area. Qumran is near Ein Gedi in Israel's Judean desert where the atmospheric conditions of a dry climate hidden in vases in nearby caves allowed the documents to survive. The sect lived during the Second Temple (3rd Century BCE to 68 C.E.). Pliny refers to Ein Gedi as “lying below” (*infra hos*) an Essene settlement. Roland De Vaux notes that after Ein Gedi, Pliny refers to Masada (“*inde*, on leaving this, Masada”), thus Pliny is describing sites going from north to south so that the Essene settlement lies north of Ein Gedi. Solinus also used the singular in describing the destruction of Ein Gedi: “Lying below the Essenes was formerly the town of Engada, but it was razed.” [*Engada oppidum infra Essenos fuit, sed excisum est.*] Dio (in Synesius) remarks that the Essenes had a “very blessed city” (or a “complete and happy city,” *polin holn eudaimona*). Joseph M. Baumgarten notes an interesting Qumran parallel to M.

Agrippa's description of Essenes as a "*gens aeterna*" by drawing on 4Q502, thereby comparing the blessings "*btwk 'm 'wlmy[m,*" "in the midst of an eternal people." (J. M. Baumgarten, "4Q502, Marriage or Golden Age Ritual?," *JJS* 34 (1983) 125-35). Pliny writes:

Ita per saeculorum milia- incredibile dictum- gens aeterna est, in qua nemo nascitur. Tam fecunda illis aliorum vita paenitentia est. (In this way this people has lasted- strange to say- for thousands of generations, though no one is born within it; so fruitful for them is the penitence for life which others feel. (Natural History V/17).

One of my aunts, Leah Gluskin's (zl) husband, Joseph Amusin, also compared "*gens aeterna*" to a text attested at Qumran that Dr. Amusin refers to as the self-descriptions in CD VII, 6; XIX, 1-2; and XX, 22: "**I' 'lp dwr,**" that they live for a thousand generations.

Roland de Vaux, a Jesuit priest, excavated the site of their commune and identified what he called a *scriptorium*, which is a term that defines a room in medieval monasteries devoted to the activity of scribes. In the *scriptorium* three inkwells and what looked like a table for writing were uncovered. The texts of this library reveal a community committed in part to celibacy, communal ownership of wealth, and fundamentalist ideas of predestination.

The scrolls and scroll fragments recovered at Qumran are a voluminous body of Jewish texts which shed insight into the turn of the millennium about 2000 years ago where other groups known as Pharisees, Sadducees, and early Christians dotted the political landscape. These groups held different theologies, rituals, and world views. The Essenes were often more strict in *halakhic* (legal) observance than even the Pharisees. For example the Essenes waited longer than the appearance of 3 stars to mark the end of Shabbos, separated *hallah* in each kneading as opposed to each batch of loaves as rabbinic law prescribes, and were more strict with regards to traveling outside of the Sabbath boundary known as the *tehum* (1000 cubits vs. Rabbinic 2000 cubits). In fact this ascetic sect was known to immerse in *mikvaot* on a much more constant basis, to subject its members to fasting more frequently than those times prescribed in the rabbinic calendar such as *Yom Kippur*, *Ta'anit Esther*, etc. The sect was also apocalyptic and believed that their "teacher of righteousness" (*moreh HaTzedek*) was leading them to messianic fulfillment. The sect was communistic *avant la lettre*- that is to join the community one donated all of one's wealth to the community which held it in common. In *The War Scroll* the sect identified the Romans as the "sons of darkness" and themselves as "the sons of light" and predicted that the Romans would destroy the *Beit HaMikdash* in Jerusalem and exile the Jewish people. The Essenes retreated into the desert of the Judean desert, dressing in all white, because they did not agree not only with the Hellenized Sadducees who rejected the *oral law*, but for major periods controlled the functioning of the Temple as under King Alexander Yannaeus, but also differed in lesser degrees from the Pharisees who were often not strict enough for them in *ascetism*. In fact a passage in the Babylonian Talmud *Sukkah* (6th tractate) that describes how Alexander Yannai poured the water at the foot of the altar rather on the altar and was pelted by *etrogim* by the Pharisees ("for on one occasion he poured it over his feet and all the people pelted him with their citrons"), whereby he summoned the police to crucify 900

Pharisees on *Sukkot* in one day after the water drawing ceremony, is also told over in one of the Dead Sea Scrolls. In *mishnah* 9 of *Maseket Sukkah* the water libation is seen as an omen for rain. The *mishnah* in chapter 5 *mishnah* 2 in *Maseket Berakhot* reads:

מזכירין גבורות גשמים בתחית המתים ושואלין הגשמים בברכת השנים והבדלה בחונן הדעת רבי עקיבא אומר
אומרה ברכה רביעית בפני עצמה רבי אליעזר אומר בהודאה
(the power of the rains must be mentioned in the Resurrection of the dead at the prayer for the rains must be mentioned in the Benedictions of the Years and the *Havdalah* in who graciously grants understanding. Rabbi Akiba says, "It should be said as a 4th benediction by itself. Rabbi Eliezer says in Thanksgiving.")

A gold container would be filled from the water of Shiloah. Alexander Janneaus (103-76 BCE) like his father was alienated from the Pharisees. He usurped the position of priest and poured the water on the ground. The people appealed to Demetrius Eikaios, the Seleucid monarch for aid. Janneaus overcame the rebellion but bid his wife Salome to compromise with the Pharisees. Alexander as a Sadducee believed that the willow branches of the Pharisees should be hidden under the heavy stones in the *Beit Hamikdash* so that they should not be used. By acknowledging Hashem in each direction it was thought by some Pharisees to destin the amount of rainfall for the following year. The *Am-Haretzim* however Josephus notes were willing to profane the Sabbath in order to insure a harvest. The Sadducees held that the libation of the water which was offered by a priest should be poured on the ground while the Pharisees held it should be poured on the altar.

Perhaps the Essenes major departure from the Pharisees was their following of a solar calendar from *The Book of Jubilees* as opposed to the Rabbinic lunar calendar. In fact the Damascus document recounts that this calendrical difference lead to an incident where the *Kohen Gadol* traveled from Jerusalem to Qumran on the day of reckoning of *Yom Kippur* which sometimes is pedagogically compared to the incident in Talmudic tractate *Rosh HaShanah* when Rabbi Yehoshua traveled on *Yom Kippur*, to submit to the calendrical calculations of the Fast Day according to Rabban Gamliel's determination (*mishnah* RH 2, 9).

שלח לו רבן גמליאל גוזרני עליך שתבא אצלי במקלך ובמעוטיך ביום הכפורים שחל להיות בחשבונך הלך ומצאו רבי עקיבא מיצר אמר לו יש לי ללמוד שכל מה-שעשה רבן גמליאל עשוי שנאמר אלה מועדי הי מקראי קדש אשר תקראו אתם בין בזמנן בין שלא בזמנן אין לי מועדות אלא אלו בא לו אצל רבי דוסא בן הרכינס אמר לו אם באין אנו לדון אחר בית דינו של רבן גמליאל צריכין אנו לדון אחר כל-בית דין ובית דין שעמד מימות משה ועד עכשיו שנאמר ויעל משה ואהרן נדב ואביהו ושבעים מזקני ישראל ולמה לא נתפרשו שמותן של זקנים אלא ללמד שכל שלשה ושלשה שעמדו בית דין על ישראל הרי הוא כבית דינו של משה נטל מקלו ומעותיו בידו הלך ליבנה אצל רבן גמליאל ביום שחל יום הכפורים להיות בחשבונו עמד רבן גמליאל ונשקו על ראשו אמר לו בוא בשלום רבי ותלמידי רבי בחכמה ותלמידי שקבלת דברי

Witnesses had appeared before Gamaliel II testifying that they had seen the new moon. Rabban Gamliel announced that the new month had begun. But witnesses had delivered false testimony. Therefore the calendar was fixed by Rabban Gamliel in error. Rabbi Joshua was ordered to publicly violate *Yom Kippur* calculated in opposition to Gamliel's calendrical reckoning. Rabbi Joshua came with staff and money belt on *Yom Kippur* that

fell in accordance with his reckoning. Rabban Gamliel kissed him and said, "Come in peace my master and disciple." Rabban Gamliel possesses great knowledge of astronomical terms. In RH *mishnah* 2, 8 he possessed pictures of the shapes of the moon. He set no limit to the number of witnesses that can travel:

דמות צורות לבנות היו לו לרבן גמליאל בטבלא ובכותל בעלייתו שבהן מראה את ההדיוטות ואומר הכזה ראית או כזה מעשה שבאו שנים ואמרו ראינוהו שחרית במזרה וערבית במערב אמר רבי יוחנן בן נורי עדי שקר הם כשבאו ליבנה קיבלן רבן גמליאל ועוד באו שנים ואמרו ראינוהו בזמנו ובליל עבורו לא נראה וקבלן רבן גמליאל אמר רבי דוסא בן הרכינס עדי שקר הן היאך מעידים על האשה שילדה ולמחר כריסה בין שיניה אמר לו רבי יהושע רואה אני את- דבריך

Hebrew, Aramaic, and Greek were the languages of composition of the scribes of the Qumran library/scriptorium. At the time, according to Fitzmeyer, Hebrew was the language of the synagogue, Aramaic the language of the street and market, Greek the language of the educated, and Latin the language of the government. Three chief categories are represented amongst the library of the Dead Sea Scrolls. They copied Biblical texts. The oldest copy of the book of Isaiah dates from their community. All the books of the Bible are represented in the Dead Sea Scroll collection except Esther. Schiffman holds that this is because that particular scroll did not survive given the harsh climatic conditions while David Katz and others hold that the secular thrust of Megillat Esther raised problems of canonization.

A second genre of texts found in the library are *apocryphal or pseudepigraphical* works. These are works which are omitted from various canons of the Bible and included in others. Included among the Apocrypha, *Ecclesiasticus* or the *Wisdom of Ben Sirah* extols wisdom and ethical conduct in the spirit of Hellenistic philosophy in the mode of the Biblical book of Proverbs. A Hebrew version of the book, which was known only in Greek after the 10th century, was discovered by Solomon Schechter in the Cairo *Genizah* in the 19th century. Fragments of the original Hebrew version were found in Cave 2. Schechter also gave Louis Ginzberg a Genizah paraphrase of the Damascus Document which Ginzberg published as *Eine Unbekannte Judische Sekte*. Ginzberg established the precedent for the indispensability of Rabbinic texts for understanding the Damascus document and by extension other Sectarian works.

A third genre of texts found in the Qumran library are known as *Sectarian* works. These are texts related to a pietistic commune and include *ordinances, biblical commentaries, apocalyptic visions, and liturgical works*. The most well known of these works include: *The Community Rule (Serkeh ha-Yahad= 1QS)*, *Calendrical Documents (Mishmarot)*, *Torah Precepts (Miqsat Ma'ase ha-Torah)*, *Hosea Commentary (Peshet Hoshea)*, *Peshet Habbakuk (1QpHab)*, *Damascus Document (Brit Damasek= 4Q266-273)*, *The War Rule (Serekh ha-Milhamah= 1QM)*, *Thanksgiving Hymns (1QH)*, *Genesis Apocryphon (1QapGen)*, *Aramaic Testament of Levi (TLevi ar)*, *Aramaic Apocalypse (ArApocal)*, *Flood Apocryphon (Flood Ap)*, *Joseph Apocryphon (JosAp)*, etc.

Some scholars hold that there is a fourth category of scroll materials. In their view such scrolls, represent a turn of the millennium "contemporary Jewish writing," which may include the mystical text of the "Songs of the Sabbath Sacrifice (*ShirShaba-b*)" known as angelic liturgy, which taps into the *Gnostic* tradition of the "G-d's chariot vision (*ma'aseh merkavah*)" glimpsed by such prophets as Elijah, Isaiah, and Ezekiel and later

represented in the *Kabbalistic* tradition by works such as *Hekhalot Rabbati* and *Hekhalot Zutrati*, as well as finding a place in even mainstream Rabbinic texts such as certain *suygot* (passages) in the Babylonian Talmud (see Halperin, David, *The Ma'aseh Merkavah* in the Talmud). The thirteen separate sections, one for each of the first 13 Sabbaths of the year evoke angelic praise and elaborate on angelic priesthood, the heavenly Temple, and the Sabbath worship in the Temple. Eight manuscripts of this work were found in Qumran Cave 4 and one in Cave 11, dating from the late *Hasmonean* and *Herodian* periods. One manuscript of the *Songs of Sabbath Sacrifice* was also found at *Masada*, a Zealot fortress that the Romans sieged only to find the Jewish refugees on top to have committed suicide rather than be taken as slaves to Rome for immorality and hard labor.

Qumran text 4Q400 1,1 alludes further to the four streams from Gan Eden that fructify the vineyard/pardes of Isaiah's metaphor of All of Israel is the vineyard of Hashem. These streams in later mysticism might refer to the streams of *Atzilut* (emanation) of the *sefirot*. In Qumran text 4Q500 of fragmentary 6 lines the logic of Paradise= Temple is extended to Isaiah's vineyard (Isa. 5) = Vineyard with streams. We read,
 [/] בכאיכה ינצו ו [/] יקב תירושכה [ב]נוי באבני [/] לשער מרום הקודש [/] מטעכה ופלגי כבודכה ב [/] כפות שעשועיכה

[/] מכה [/] According to M. Baillet's edition (DJD VII Oxford, 1982) we read,

... **que tes [muri]ers fleurissent et...**
 ... **ton pressoir a vin [b]ati en pierres...**
 ... **a la porte de la sainte hauteur...**
 ...**ta plantation et tes magnifiques canaux....**
**les branchages (qui font) tes delices**

II. Differences in Theology between Essences and Pharisees

While Pharisees and Essenes would agree on the importance of: (1) modesty, (2) the performance of *mitzvoth*, (3) respect for *zekanim*, (4) ultimate rewards and punishments, (5) the fact that *Hashem* loves wisdom, understanding, and knowledge and that they surround His throne i.e. see line 3 Co12 MSA... there are important differences between these two sects with regards to: (1) theology, (2) calendar, (3) *halakhah* that shed light on the second Temple period. Practices of the Sectarrians included: (a) holding property in common, (b) a hierarchical community structure dictating worship and organization, (c) strict observance of Mosaic Law, (d) community decision making, (e) dressing in white garments, (f) initiation procedures, and (g) immersion in water collected by cisterns. According to Josephus the Pharisees concerned themselves with the strict interpretation of the observance of the Torah. Josephus compares the Pharisees to the stoics and the Essenes to the Pythagoreans. Schematically we can represent the following similarities and differences between the Pharisees, Essenes, an Sadducees:

Pharisees	Sadducees	Essenes
(1) soul & body imperishable	(1) body perish	(1) soul and body immortal (<i>psuche ton anthropos athantos</i>)

(2) existence of angels	(2) denied angels	(2) existence of angels
<p>(3) Providence and free will <i>HaKol Tzephuy veReshut nitanah (yediah&behirah)</i> רבי עקיבא אומר... הכל צפוי והרשות נתונה. ובטוב העולם נדון, והכל לפי רוב המעשה Gen 22:15: ויקרא מלאך ה' אל-אברהם אברהם ויאמר הנני: ויאמר אל-תשלח ידך אל-הנער ואל-תעש לו מאומה כי עתה ידעתי כי-ירא אלקים אתה ולא חשכת את-בנך את-יחדך ממני Genesis Rabbah 56:7 (5th century) comments, “Did He (Hashem) then not know beforehand? Surely it is written, I am G-d... declaring the end from the beginning, and from ancient times things that are not yet done (Isa. 46:9)?- Read not YADATI (I know) but YIDATI (I have made known): Now all mortals will know how far the fear of heaven reaches, that man may sacrifice his only son.” Thus the <i>Midrash</i> tolerates no <i>lacunae</i> or absence in Hashem’s knowledge but sees the <i>Akedah</i>, as does the later <i>Degel Yehudah</i>, as a means to educate the world of Avraham’s faith and <i>betuchon</i>, raised as the Ramban (1194-1270) says from <i>potentiality to actuality</i>. Rav Saadia Gaon (882-942) also resolves this paradox in the choice of the verb tense he makes in his Arabic translation of the <i>Tanakh</i>. Rav Saadia translates</p>	<p>(3) deny destiny (Greek= moreh)</p>	<p>(3) strong Providence (<i>Yediah shel hashem</i>); In <i>the Community Rule</i> there is reference to “His (Hashem’s) glorious design.” Communion with angels enables us to read in the War Scroll that such a communion is the common praise of G-d as in “You cast eternal destiny for man with the spirits of knowledge, to praise your name together in celebration and to tell of your wonders before all your work (1QHa xi.20-23 [iii.19-22]).</p>

<p>YADATI to ARRAFTU ALNAS which means in Arabic, <i>I have made known to mankind.</i></p>		
<p>(4) accept oral and written torah</p>	<p>(4) reject oral torah</p>	<p>(4) unique oral torah/unique modifications of oral law</p>
<p>(5) lunar calendar</p>	<p>(5) lunar calendar</p>	<p>(5) Solar calendar from book of Jubilees</p>
<p>(6) Tevel yom with regards to red heifer (see Num 19:7 הכהן וכבס בגדיו הכהן red heifer and Lev. 11:39-40); The Pharisees insisted that since the red cow was not a Temple sacrifice the <i>tebul yom</i> was considered adequately pure, just as he was eligible to consume non-sacramental purities; Parah 3:7; לא היתה פרה רוצה לצאת אין מוציאין עמה שחורה שלא אמרו שחורה שחטו ולא אדומה שלא אמרו שתים שחטו רבי יוסי אומר לא משום זה אלא משום שנאמר והוציא אותה לבדה וזקני ישראל היו מקדימים ברגליהם להר המשחה ובית טבילה היה שם ומטמאים היו את- הכהן השורף את- הפרה מפני הצדוקים שלא יהיו אומרים במעורבי שמש היתה נעשית (... They used to defile the priest who was to burn the cow, because of the Zadokites, that they should not say that it must be made by those who had waited for sundown.); Assert eligibility of tebul yom. R. Joshua insisted that even the utensils used in the Parah ritual must also be purified and used without waiting for sundown (5:4)</p>	<p>(6) wait until sundown; Zadokites held that only a priest whose purification was completed by waiting for sundown was eligible; Num 19:3-22 ויקחו אליך פרה אדמה תמימה אשר אין –בה מום אשר לא-עלה עליה על : ונתתם אתה אל-אלעזר הכהן והוציא אתה אל-מחוז למחנה ושחט אתה לפניו: ולקח אלעזר הכהן מדמה באצבעו והוה אל-נכה פני אהל-מועד מדמה שבע פעמים: ושרף את-הפרה לעיניו את-ערה ואת-בשרה ואת-דמה על-פרשה ישרף: ולקח הכהן עץ ארז ואזוב ושני תולעת והשליך אל-תוך שרפת הפרה: וכבס בגדיו הכהן ורחץ בשרו במים ואחר יבא אל- המחנה וטמא הכהן עד-הערב: ושרף אתה יכבס בגדיו במים ורחץ בשרו במים וטמא עד-הערב: ואסף איש טהור את אפר הפרה והגיה מחוז למחנה במקום טהור והיתה לעדת בני-ישראל למשמרת למי נדה חטאת הוא: וכבס האסף את- אפר הפרה את-בגדיו וטמא עד- הערב והיתה לבני ישראל ולגר הגר בתוכם לחקת עולם: הנגע במת לכל-נפש אדם וטמא שבעת ימים: הוא יתחטא-בו ביום השלישי וביום השביעי יטהר ואם-לא יתחטא ביום השלישי וביום השביעי לא יטהר: כל-הנגע במת בנפש האדם אשר-ימות ולו יתחטא את-משכן ה" טמא ונכרתה הנפש</p>	<p>6) Essenes reject <i>Tevel yom</i> (must wait: see 11Q Temple; employ adult priests not <i>pirchei kehunah</i>); See: Temple Scroll & 4Q394 3-7 I 16-20: ואפ על טהרת פרת החטאת השוחת אתוה והסורף אותה והאוסף [א]ת אפרה והמזה את [מי] החטאת לכול אלה להערי[ב]ת השמש להיות טהורים בשל שא יהיה הטהר מזה (And concerning the purity of the cow of purgation, he who slaughters it, and he who burns it, and he who gathers its ashes, and he who sprinkles the purgation water, all these must wait for sundown to be pure, so that a pure man will sprinkle upon the impure one. 4Q276 frg 1 (Thr. Bb) [בגדים] אשר לוא שרת במ בקודש/ [] וחיב את הבגדים ושחט את / [ה]פרה [ל]פניו <ג>שא את דמה בכלי חרש אשר/ [קד]ש במזבה והזה מדמה באצבע[ו] שבע/ [פעמים]א[ל] נוכה א[ו]הל מועד והשליך את הארז/ואת האזוב ואת שני ה[ת]ולע אל תוך שרפתה/ ואסף את אפר הפרה/ והנ[י]חוהו למשמרת/ ולבש הכוהן ([garments] with which he did not minister in the sacred (precincts)/[] and he</p>

<p>ההוא מישראל כי מי נדה לא-זרק עליו טמא ה" עוד טמאתו בו: זאת התורה אדם כי-ימות באהל כל-הבא אל-האהל וכל-אשר באהל יטמא שבעת ימים: וכל כלי פתוח אשר אין-צמיד פתיל עליו טמא הוא: וכל אשר-יגע על-פני השדה בחלל-חרב או במת או-בעצם אדם או בקבר יטמא שבעת ימים: ולקחו לטמא מעפר שרפת החטאת ונתן עליו מים חיים אל-כלי: ולקח אזוב וטבל במים איש טהור והזה על-האהל ועל-כל-הכלים ועל-הנפשות אשר היו-שם ועל-הנגע בעצם או בחלל או במת או בקבר: והזה הטהר על- הטמא בים השלישי וביום השביעי וחטאו ביום השביעי וכבס בגדיו ורחץ במים וטהר בערב: ואש אשר-יטמא ולא יתחטא ונכרתה הנפש ההוא מתוך הקהל כי את מקדש ה" טמא מי נדה לא-זרק עליו טמא הוא: והיתה להם לחקת עולם ומזה מי-הנדה יכבס בגדיו והנגע במי הנדה יטמא עד-הערב: וכל אשר-יגע-בו הטמא יטמא והנפש הנגעת תטמא עד-הערב:</p> <p>-----</p> <p>Lev. 11:39: וכי ימות מן-הבהמה אשר-היא לכם לאכלה הנגע בנבלתה יטמא עד-הערב: והאכל מנבלתה יכבס בגדו וטמא עד-הערב והנשא את-נבלתה (And if any beast, of which ye may eat, die he that toucheth the carcass thereof shall be unclean until the evening. And he that eateth of the carcass of it shall wash his clothes, and be unclean until the even.</p>	<p>shall gird [?] the garments and slaugh[ter the] [the cow] [b]efore him, and he shall <c>arry its blood in a clay vessel which/ [was sancti]fied by the altar. And he shall sprinkle of its blood with his finger seven/ [times to]ward the tent of meeting. And he shall cast the cedar wood/ and the hyssop and the scarlet into the midst of its burning [and he shall gather] the ashes of the cow/ [and they] shall place it for safekeeping/ [and the priest shall put on</p> <p>4Q277 frg. 1 (Thr B) [האזוב ואת] שני התולעת/ [איש טהור מכול טמאת ערב /] [הכוהן המכפר בדם הפרה וכול /א]ת כלי [החלמה אשר כפרו במ את משפט] [הטמא? ורחץ] במים [וט]מה עג [הער]ב והנוג[ע] ב[ל]חת מי הגדה יט[מא] ואל יז[ו] /איש א[ת] מי הנדה על טמאי נ[פש] כיא איש כוהן טהור [רק הוא יזה] / על[יהן] כי[א] מ[כפר] הוא על הטמ[א] ועלול אל יז על הטמא ו[המקבלים] / את מי [הג]דה יאבואו במים ויט[ה]רו מטמאת הנפש ב [ומכל] / [טמאה] אחרת [ויז]רוק עליהם [הכוהן את מי הגדה לטהר]ם כיא לוא / [יתקדשו] כיא אם [י]טהרו וט[הור] בשרהם וכל אשר יגע [בו] / הזב את זוכו ואי[ן] ידיו שט[ו]פות במים יטמא / [מש]כבו ומוש[בו] [נגעו] [זוכו מגע טמאתו] / וט[מה] עד [הערב] והנושא [את ב]גדיו ורחץ וטמא [the hyssop and] [עד] ה[ערב] and the [scarlet] / [] a man purified from any impurity (which lasts till) evening [] / [] the priest who purges with the blood of the cow.</p>
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		<p>And all [] the clay [vessels] with [whi]ch they purged the state [of impurity. He shall bathe]/ in water and [be im]pure until the ev[en]ing. One who touché[s the] wetness of the purification water becomes im[pure. Let no man sprinkle]/ the purification water upon those defiled by a c[orpse] except for a priest who is pure. [Only he/ [upon] them, fo[r he is per]forming a purgation rite for the impure. A child shall not sprinkle upon he impure. And [those who receive]/ the [pur]ification water shall (first0 immerse themselves in water and be cleansed of the corpse defilement [and of every]/other [defilement]: (then) let the [pri]est [spr]inkle the purification water upon them to purify [them, for they cannot]/ be sanctified] unless they are cleansed and their flesh is c[lean]. And anyone touched by one/ [who has] a flux [] and his hands were not rinsed in water becomes [unclean]/ [] and his bedand his seat [] touched [] his flux [] the touch of [his] uncleanness/ [and he shall be im]pure until evening, and he who carries his [g]arments shall [bat]he and be [] impure until evening.</p>
(7) Bones of animals not defile (see Yadayim 4:6)	(7) bones defile	(7) bones defile; Qumran burial of bone remnants in jars from meals may have been for the

		purpose of preventing their defilement by dogs or other animals while they still had remnants of meat on them. The MMT supports this hypothesis. This rule assigned the 4th year fruit to priests, to the land of Israel, as in Lev. 19:23, while 4Q266 6 iv extends it also to the land of sojourning. In Or. 3:9 and Kidd. 1:9 prohibition of fruit of 1 st 3 years also.
8) <i>Nissoq</i> = unbroken stream of liquid (can defile); a) impure liquids may contaminate not only other liquids and foods, but vessels b) Impure liquids transmit first degree uncleanness to other liquids without any diminution through the chain of derivative contacts; <i>Mishnah Tohorot ch.9-10</i> describes precautions taken, including quarantining to insure the purity of workers in olive presses. Shammai is reputed to have threatened to extend restrictions applicable to impure wine grapes to olives as well when questioned by Hillel; <i>tMakh 3:3-5: Joshua ben Perahyah said that wheat coming from Alexandria is unclean as a result of their water-wheel. The sages said: if so let them be unclean for Joshua ben Perahyah but pure for all Israel</i>	(8) H2O from cemetery o.k.	(8) stream defiles; 4Q274 & 4Q284a deal with the problem of juices exuding from ripened fruit and vegetables and their effect on their susceptibility to impurity: (a) Harvested fruits are made susceptible to impurity by juices oozing regardless of owners intention- thus gatherers are required to be ritually clean, (b) rain and dew falling upon harvested fruits also make them susceptible, regardless of whether the precipitation was welcomed by the owner; (c) Foods in an open earthen vessel in a house which is unclean becomes unclean. Even sealed vessels are not effective barriers against impurity for the mahmir; 11 QT 49:6-8 [see Lev 11] ואדם כי ימות בעריכמה כול אשר בבית וכל אכול אשר יוצק עליו מ[י]ם יטמא כול חמושקה יטמא
(9) Immersion of menorah; Tosefta Hagigah 3, 35 relates that the Pharisees once immersed the Menorah of	(8) claim rabbis immerse orb of moon; In asserting the immunity of the Menorah to	(8) less strict (exceptional case for Essenes usually more mahmir); At Qumran liquids were held to be more

<p>the Temple on a pilgrimage festival. The Sadducees ridiculed this purification מעשה והטבילו את המנורה ביום טוב והיו צדוקין אומרים בואו וראו פרושין שמטילין מאור הלבנה [It once happened that they immersed the menorah on a festival; and the Sadducees said: Come and observe the Pharisees who immerse the light of the moon/ Yerushalmi substitutes moon for "orb of sun." See: Yalqut Pequdei 40, #419; cf. Midrash Tadshe 11, Bet ha-Midrash 3, p. 175: חמה כנגד חמה ולבנה שבעת נרותיה כנגד ז" כוכבים המשמשין את העולם (The Menorah represents the sun and moon. Its seven lights represent the seven planets which serve the world; See Philo <i>Quis rerum divinarum</i> heres 225 & De vita Mosis 2, 102 & Josephus Antiq. 3, 146)/ Zechariah 4:10- 7 branches~ the eyes of Hashem ranging over the earth... pure diadem on Joshua צניף טהור ergo like מצנפת ציץ</p>	<p>contamination the Sadducees were not negating their otherwise strict stance in matters of purity, but basing themselves on a priestly tradition concerning the purifying power of its radiance; Sadducean critique of Pharisees allowing <i>n'importe qui (hoi poloi)</i> to come in contact with Priestly sacred kelim (Ya'kov Sussman & S. Lieberman; Tosefta Kifshutah (V., p.1336)); Sadducean leniency regarding Menorah indicates regarded it to be unsusceptible to contamination regardless of its source, <i>ergo</i> supernatural talismanic ceremonial object; Given the Hellenized nature of the Sadducees they had affinities with allegorical interpretations that the menorah depicted as a source of celestial illumination (also in Tosefta).</p>	<p>potent transmitters of impurity than solids; The biblical principle that the ground and water attached to it were not subject to defilement seems to be followed by Qumranites and Tannaim- According to R. Eliezer, the copper and golden altars of the <i>Beit HaMikdash</i> did not require purification after the <i>Hagim</i>, מפני שהן כקרקע (mHagigah 3,8)- extension from Ex. 20:21 מזבח אדמה which was also extended to metallic altars. Analogously, since the menorah was symbolic of the heavens, i.e. beyond reach of man, may be deemed by Sadducees to be immune to any contamination. However, the Pharisees once opted to immerse the Menorah as a precaution.</p>
<p>(10) regarding Gittin</p>	<p>(10) Sadducees protest for not write name of ruler</p>	<p><i>Moreh HaTzedek= Tzadok HaKohen HaGadol (Tzadokite priesthood origins)</i></p>
<p>(11) Omer offering in Menachot 10:3 כיצד היו עושים? שלוחי בית דין יוצאים מערב יום טוב ועושין אותו כריכות במחובר לקרקע כדי שיהא נוח לקצור וכול העיירות הסמוכות לשם מתכנסות לשם כדי שיהא נקצר בעסק גדול כיון שחשכה אומר להם בא השמש? אומרים הין בא השמש? אומרים הין מגל זו?</p>	<p>(11) omer brought on Sunday because fearful of doing agricultural work on a Shabbos. The Sadducees would wave the omer on the Sunday following Shabbat. The Pharisees sometimes waived the <i>omer</i> on <i>Shabbas</i></p>	<p>(11) Omer on Sunday The Essenes would harvest the <i>omer</i> on the Sunday after Pesach. In cave 4 a scroll fragment was found where the Essenes denounced the practice of waiving the omer on Shabbos as <i>an error of blindness</i>. The text reads:</p>

<p>אומרים הין מגל זו? אומרים הין קופה זו? אומרים הין בשבת אומר להם שבת זו? אומרים הין שבת זו? אומרים הין אקצור? והם אומרים לו קצור אקצור? והם אומרים לו קצור שלש פעמים על כל-דבר ודבר והם אומרים לו הין הין הין וכל כך למה? מפני הביתוסים שהיו אומרים אין קצירת העומר במוצאי יום טוב</p> <p>All of this <i>tekas</i> (ceremony) was because the Boethuseans used to say the Omer may not be reaped at the close of a festival day.</p>		<p>Waiving of Omer... mistake of blindness (תעות עורום...) Except your Sabbaths...</p> <p>In the Masada text of the Essenes the concept of forbidden grain or <i>hadash</i> is made. Leviticus 23:14 forbids use of grain of the new harvest to be eaten before the <i>omer</i> offering has been completed.</p>
<p>(12) <i>Negaim</i>= skin disease Quarentine: (a) white hair (b) raw flesh</p>	<p>(12) <i>Negaim</i>= skin disease Quarentine</p>	<p>12) law of <i>nega</i> CDC 13:4-7 Quarentine</p>
<p>(13) light incense after entering <i>Kodesh Kodoshim</i> on Yom Kippur</p>	<p>(13) light incense before enter <i>Kodesh Kodoshim</i> on Yom Kippur</p>	<p>(13) Boycot <i>Beit HaMikdash</i> because of decadence of Sadducees</p>

A. Differences in theology

- (a) **Predestination:** a famous paradoxical saying of Rabbi Akiva in Pirke Avot 3:19 asserts, *Hakol Tzphuey vereshut nitanah*. While agreeing that Hashem has forseen all things, the Essenes differed from the possibility of freedom of choice by asserting that everything is in the hands of Hashem. The Essenes believed in absolute predestination and providence. In *the Community Rule* there is reference to “His (Hashem’s) glorious design.” Communion with angels enables us to read in the War Scroll that such a communion is the common praise of G-d as in “You cast eternal destiny for man with the spirits of knowledge, to praise your name together in celebration and to tell of your wonders before all your work (1QHa xi.20-23 [iii.19-22]. The term fate in Greek is *Moreh* and in Hebrew *yediah*, or *Hashem’s foreknowledge*. The classic paradigm examined by the Rabbinic tradition to illustrate the paradox of *Hakol Tzphuey vereshut nitanah*, is the *Akedat Yitzak* (Gen. 22) where the question of Hashem’s *yediah* (foreknowledge) and human will/choice (*bihira/reshut nitanah*) is raised. The key *pusek* is, “*atah (now) yadati (I know) ki atah yirei hashem (that you fear Hashem)*.” Genesis Rabbah 56:7 (5th century) comments, “Did He (Hashem) then not know beforehand? Surely it is written, I am G-d... declaring the end from the beginning,

and from ancient times things that are not yet done (Isa. 46:9)?- Read not YADATI (I know) but YIDATI (I have made known): Now all mortals will know how far the fear of heaven reaches, that man may sacrifice his only son.” Thus the *Midrash* tolerates no lacunae or absence in Hashem’s knowledge but sees the *Akedah*, as does the later *Degel Yehudah*, as a means to educate the world of Avraham’s faith and *betuchon*, raised as the Ramban (1194-1270) says from *potentiality to actuality*. Rav Saadia Gaon (882-942) also resolves this paradox in the choice of the verb tense he makes in his Arabic translation of the *Tanakh*. Rav Saadia translates YADATI to ARRAFTU ALNAS which means in Arabic, *I have made known to mankind*. Rabbis Yosef Albo and Gersonides however disagree with Rav Saadia’s argument of strong providence and assert that *Hashem* knew precisely how Avraham would respond, because both philosophers hold that in order to be a *moral agent* who is responsible and accountable we have to act “as if” we have free will. Crescas holds that G-d knew how Avraham would react. R. Isaac Arama holds that G-d tested Avraham for the sake of instructing and edifying not the world, but the patriarch himself. Rashbam argues the test was for the education of the world by noting, “Because now I know”- I now can demonstrate My knowledge about you to the whole world, “because you fear G-d, that you are G-d fearing. Rashi (1040-1105) in the name of Rabbi Abba avoids the providence vs. free will debate by paying attention to the fact that, “when I said to you take (*kach*)... I did not say slay him (*shechathu*), but bring him up (*Haolahu*). The *Keli Yekar* elaborates on the theme from the early *midrash* by noting that the word ATAH (now) does not always eliminate the past, but may be like HINEI (behold). He quotes others who explain NISAH (v.1) to mean *exalted*, as a banner on a staff (*Nais*). In that case YADATI is like HODATI (I made known). *Me’am Lo’ez*, a Ladino commentary, also is sensitive to words and the multiple connotations of YADATI in close reading when it notes, “Some say that the word YADATI here is used in the sense of attachment and binding, as in the verse, “Adam knew his wife Eve.” The angel said in G-d’s name, “I will be bound to you because you feared G-d. Although you did not actually sacrifice *Yitzak*, I will be bound to you, having mercy on you and your children, just as if you actually had completed the deed, because you never hesitated.” Rabbi Moshe Alshich (1498-1593, Safed) also elaborates on the theme of the test as necessary to demonstrate Avraham’s obedience to *Hashem*, but introduces the distinction between the attributes of MERCY and JUSTICE when he comments, “whereas G-d had known about Avraham’s intention to go through with sacrificing *Yitzhak*, He could only say to him after he had begun to carry out the deed ‘you have not withheld’. The Fact that the slaughter was aborted was an act of the attribute of MERCY (angel Michael associated with water). Hence the angel who is called the angel of *Hashem* (Michael), not angel of G-d (Gabriel associated with fire). This attribute of mercy had now been enabled to say to Avraham, ‘you have demonstrated your obedience even to the demands by the attribute of justice.’ The command to offer *Yitzak* as a sacrifice had been initiated by the attribute of Justice (*Elokim*). This is considered a new revelation to Avraham of his own capabilities. Or of the reasons why the slaughter had to be stopped... is the fact that sacrifice and the attribute of justice are contradictions in terms. The whole concept of

sacrifice is tenable only in conjunction with the attribute of MERCY. The Malbim argues that the test was allowed to test the motivation of Avraham's faith when he writes, "Hence ATAH YADATI- from the second mitzvah that you have fulfilled- I know that you are a G-d fearing one since you have not spared your son. In sparing him from death there was no foreign motive involved; it did not enter your mind that you have spared your son because he is your only one. Not because of this did you spare him, but from Me: you have done so solely in order to fulfill the commandment free of any ulterior motivation." Rabbi Yaakov Tzevi Mecklenberg (1785-1865) in *Haketav vehakabblah* sets up a question and answer dialectic structure also found in Rabbi Manasseh ben Israel's earlier work *The Conciliator*. Rav Mecklenberg asks, "ATAH YADATI- (1) how is it possible to ascribe to G-d at this point a knowledge which He had not already possessed previously? Lack of knowledge is a form of imperfection; how can one attribute any imperfection to G-d?" *Haketav Vehakabblah* attempts to resolve these questions brilliantly in six sections. The *Chasam Sofer* (1851-1899) raises the question of *yediah and behirah* within the context of fear and love of Hashem and that the test demonstrated both fear and love in perfect balance and to the limit by Avraham. This aspect is more deeply treated by the Rambam (1134-1205) in the *Moreh Nevukhim* where the *Nesher HaGadol* shows that the Akedah shows the limit (*gevul*) that fear and love of Hashem can reach. Rambam is also insistent to assert that Avraham was not *meshugah* when he initiated the process to sacrifice Yitzak. Rather "the act spring from thought, correct understanding, consideration of the truth of his command... nor should one opt for the notion that he was in a state of passion/irrational. Rambam also implies that since Avraham is the prince of bringing monotheism to the world and he performed the Akedah with perfect love that he brought down the *Shekhinah* or *Shem haMephorash* in that the gematria of Akhdut/Unity [of Hashem]= (13) and Ahavah/Love= 13 which equals the tetragramaton (26). Rav Kook (1865-1935) in an epistle uses the Akedah question of providence to emphasize that Avraham rejected *avodah zarah* and his act evokes eternally *zekut avot*, which is a manifestation of the penetration of sublime pure light.

- (b) **Immortality:** While the Sadducees asserted that the soul is immortal they rejected bodily resurrection. The Pharisees believed in after life and resurrection of body and soul based on Daniel 12:2, Ezekiel's vision of the dry bones, the phrase *az yashir Moshe (zeh bi-atid)*, *ashrei yoshvei betechkah oed yehalukhah (oed extra)*, etc. In Koheleth the *pusek*, "*Hanefesh tashuv limakor*" i.e. the source who gave the soul = Hashem is also interpreted as an allusion to immortality i.e. Hashem is *Mekor Hayim (Fons Vital)*, the name of a work by Rabbi Shlomo ibn Gabirol. Elaborate Kabbalistic systems of *gilgulim* are also seen as a way in which the soul returns through reincarnations to perfect itself. Thus the *pusek*, "Let Reuven live and not die" is seen by one commentator as Moshe's plea that Reuven's soul go straight to *Gan Eden* and not need to descend to another reincarnation. Mordecai makes a *tikkun* for Yakov because Mordecai refused to bow before the wicked Haman, *yimach shemo*, while Yakov did bow to the wicked Esau. According to the seventh Lubavitch Rebbe, Yakov bowed to the *Shuresh* of Esau (i.e. Avraham), and not the wicked Esau *per se*. In *parashat Pinchas*, Pinchas is seen

as *Eliyahu hanavi*, both sharing the character trait of *zealousness*. In this system of *gilgulim* Moshe is a *gilgul* of Havel. In later history the Ramhal is seen as a *gilgul* of Rabbi Akiva because Rabbi Akiva learned the *otiot* at 40 years of age, while the Ramhal passed on at 40 years. Rabbi Chaim Vital's *Sefer HaHezyanot* maps the history of his *soul spark* via mystical reincarnations. Books such as *Life After Death: A history of the afterlife in the religions of the west* by Alan Segal, *If you were G-d: Immortality and the soul* by Aryeh Kaplan, *Netsah yesod...me'inyan nitshiyut ha-nefesh ve-hash'aratah ke-noam temidi* by Benjamin Fraenkel, *The Idea of the Development of the Soul in Medieval Jewish Philosophy* by Philip David Bookstaber, *Ascensions on high in Jewish mysticism* by Moshe Idel, and *Death and Afterlife* by Jacob Neusner are just a few books on the subject. In Rabbinic thought there is a difference between *olam ha-bah*, *Gan Eden*, *Afterlife*, *gilgulim*, and *resurrection*, etc. Sarachek in his book *The Doctrine of the Messiah in Medieval Literature* has shown that the idea of resurrection is linked to understanding in part the function of the messiah. The injunction from *perek Helek* in Sanhedrin that adorns every opening chapter of *Pirke Avot*, "All of Israel have a share in *olam ha-bah*," has numerous interpretations.

The Essenes believed in the immortality of the soul expressed in the phrase, *psuche ton anthropos athanatos*, as well as bodily resurrection, along with the Pharisees. A key aspect of their idea of immortality is the linkage of the vineyard in Isaiah with the merkavah of Elijah and Ezekiel corresponding to Pardes fructified by the four wheels in Gan Eden. Fours are a motif not only in 4 parts of the tefillin, 4 words for creation, 4 sons on Pesah, 4 matriachs, and 4 wheels of the merkavah corresponding to Avraham as man, Yitzak as lion, Yakov as ox, and Dovid HaMelekh as eagle. In Isaiah 6 we find a throne vision of Hashem in the Temple in Jerusalem and an early report of the angeology of the sect confirmed a fragment of DSS containing the phrase TBNYT KS' MRKBH as part of an elaborate description of angels surrounding the throne (see J. Strugnell, "The Angelic Liturgy at Qumran- 4Q *Serek Sirot Olat Hassabat*," *Supplements to Vetus Testamentum* 7 (1960), 318-345) usually associated with *Hekhalot* hymns. The Merkavah in tannaitic sources and those emerging in early Jewish mysticism are in part an outgrowth of these early traditions. Many scholars however question the direct causal trajectories of Qumran, rabbinic, and Hekhalot texts out of historical context (Halperin, Schafer, Gruenwald, Y, Dan). Aspects of merkavah exegesis preserved in rabbinic written and oral traditions serve as guidelines for understanding the Qumran *Songs of the Sabbath Sacrifice* from caves 4 and 11 and Masada. In the *Songs of the Sabbath Sacrifice* the human worshippers are transported through the numinous heavenly sanctuary from the vestibules of the Hekhalot through the wondrously embroidered veil of the sanctuary to the foot of the divine throne, and finally to a vision of the Merkavah itself. The Sabbath sacrifice served as the high point of this progression. 4Q405 15 ii-16 describes the veil (*peroket*) in the celestial *debir* as having figures of heavenly beings. Of glory from both of their sides. In Ex. 32:15 the *luhot* are notes as being inscribed on both sides. The veil in Ex. 26:1, 31 is described as having artistic work of kerubim. In Yoma 72b that is elaborated to mean the

threads were interwoven in a way that different figures were seen from each side. The expression “wondrous embroidery work” in 4Q405 may refer to this feature of the veil (paroket). An auditory aspect of 4Q405 14-15 I is that the figures embroidered in the vestibules of the royal chambers were capable of singing hymns of praise. Scholem in his study of *Merkavah* Mysticism, refers to the song of the kine who drew the ark of the covenant. According to Avodah Zarah 24b the song depicted the ark as “girdled in golden embroidery” which Scholem compared to Hekhalot Rabbati where G-d is described as “He who is glorified with embroideries of song.” The Qumran angelic liturgy also uses the word BDNYM to describe figures engraved on the furnishings of the debir. Ex. 24:10 refers to “under his feet a kind of brickwork of sapphire” existed and individual the figures of the shapes of divine beings are engraved round about their glorious bricks. The Qumran writers conceived of the angelic figures as engraved on the pedestal for the divine throne. The Zohar Bereshit 19a depicts four creatures of the Merkavah engraved on the divine throne when we read, דיוקנין אלין מחקקן גליפן בכורסייא ובורסייא גליפא מרקמא בהו חד לימינא וחד לשמאלא וחד לקמא וחד לאחורא רשימא בארבע סטרין דעלמא (These images (of the creatures) are chiseled and engraved on the throne, and the throne is engraved and embroidered with them, one on the right, and one of the left, one in front, and one behind, marked in the four directions of the world.) The Zohar passage refers to the throne while the Qumran text refers to the brickwork under it, both emphasizing the presence of the angelic figures round the throne. Bereshit Rabbah 8:12 portrays the angels as taunting Jacob while he slept with the dream of the ladder and the angels going up and down: מעלים ומורידים בו אופזים בו קופזים בו סונטים בו שנ ישראל אשר בכך אתפאר את הוא (They both exalted and deprecated him; they danced about him, jumped around him, and taunted him; for it is written, You Israel in whom I glory (Is.49,3). Are you the one whose image is engraved above?’. In Hekhalot Rabbati (Jellinke, Bet ha-Midrash III 90) with parallels in Hullin 91b Jacob’s visage on the heavenly throne recurs when we read, קלסתר פניו של יעקב אביכם שהיא חקוקה לי על כסא כבודי the Hekhalot text describes HaShem anthropomorphically kissing and embracing the likeness of Jacob whenever Israel recites the Kedushah: אני כורע עליה ומנפך ומנשק ומחבק אותה וידי על זרועותי שלש פעמים Well known is the formulation of R. Simeon b. Laqish that the Avot constitute the first three wheels of the merkavah (see: http://student.cbcmd.edu/~dlevy11/Maimonidean_Controversy.pdf) Dovid HaMelekh is the fourth wheel of the merkavah because he completes, understands, and fulfills the whole. Spirits of knowledge and truth and righteousness in the Holy of Holies is evoked in the Song of the 8th Sabbath Sacrifice on the 23rd of the 2nd month. We read:

רוחי דעת אמת וצדק בקודש קודשים / צורות אלוקים חיים צורי רוחות מאירים / כול מעשיהם קודשי דבקי פלא... / צורות אלוקים מחוקקי סביב ללבני כבודם... / וצורות בדניהם מלאכי קודש מתחת לדברי הפלא / קול דממת שקט אלוקים מברכים... המלך... / מהללים תמיד כל אלוקים (Spirits of the knowledge of truth and righteousness in the Holy of holies/ Forms of living divine beings, images of luminous spirits/ All their deeds are of holy things, of wondrous unifications.../ figures of the shapes of divine beings,

engraved round around the glorious images of the sapphire pavement of splendour and majesty/ And the images of their figures are holy angels/ From underneath the wondrous devirim comes the sound of quiet stillness, / The heavenly beings blessing... the King.. praising continually... G-d.)

4Q401 11,3 Songs, p.133-134 mentioned Melchizedek as the priest of of the divine assembly, a presiding MC of angels. The song of the 9th Sabbath brings the worshiper into the royal vestibules, and in the 10th the pilgrim approaches the marvelous veil, but in the 11th he views the figures on the brick pedestal of the throne. In the 12th the Merkavah is described, leading to the climatic finale in the 13th song of the *olah* (burnt offering). 4Q400 preserves the beginning words of the 21 lines of the text describing the heavenly sanctuary. G-d is addressed as “the beauty of Your Kingdom.” Allusion to the six rivers of joy is possible in the six paths. *Hekhalot Rabbati* 8, 4 enumerates synonyms of joy (while Ketubot 8a lists 10 expressions of joy, only 5 listed in *Hekhalot Rabbati*): נהרי שמחה נהרי ששון נהרי גילה נהרי רצון נהרי אהבה נהרי ריעות משתפחין ויוצאין מלפני כסא הכבוד ומתגברין והולכין בשערי נתיבות ערבות רקיע (Streams of joy, mirth, rejoicing, good-will, love, and friendship pour forth from the throne of glory and flow mightly through the gates of the paths of the firmament of Arabot.) Rivers are seen to issue from the divine Paradise which echoes Psalm 46:5 נהר פלגיו ישמחו עיר אלקים קדש משכני עליון Within this divine logic the heavenly paradise= the heavenly *Beit HaMikdash* which in the messianic era will be brought down on *Har HaBayit*. Qumran text 4Q400 1,1 alludes further to these streams, which in later mysticism might refer to the streams of *Atzilut* (emanation) of the *sefirot*. In Qumran text 4Q500 of fragmentary 6 lines the logic of Paradise= Temple is extended to Isaiah’s vineyard (Isa. 5) = Vineyard with streams. We read, [ב]נוי באבני [/ יקב תירושכה [/ בכאיכה ינצו /] / לשער מרום הקודש [/ מטעכה ופלגי כבודכה ב [/ כפות שעשועיכה [/ מכה According to M. Baillet’s edition (DJD VII Oxford, 1982) we read,

... que tes [muri]ers fleurissent et...
 ... ton pressoir a vin [b]ati en pierres...
 ... a la porte de la sainte hauteur...
 ...ta plantation et tes magnifiques canaux....
les branchages (qui font) tes delices...

The text clearly echoes Isaiah 5: 1-7. Isaiah identified the house of Israel with the vineyard (5:7) but Qumran text 4Q500 already reflects later Rabbinic exegesis that the vineyard is the site of the *Beit HaMikdash* which is associated with the Garden of Eden. Allusion is made to the *Har Habayit* and the fructifying streams in its vicinity (Ez. 47, 1-12 and *Tehillim* 46, 5) as well as the branches of river of Eden which waters the garden (Gen. 2:10). Both 4Q400 and 4Q500 are in the second person and addressed to Hashem, and portray aspects of the *Beit HaMikdash*. The phrase *Shaar HaMarom* can refer to the gate in the celestial or terrestrial *Beit HaMikdash*. In light of Rachel Elior’s book *Three Temples*, the “seven paths” in 4Q400 I ii may have correlations with the “seven paths” which the *Hekhalot* tradition indicates, (also correlating to the seven rivers of joy issuing from the Throne of Glory). Elior delineates the merkavah coded language and

the sevenfold pattern which is the title of her first chapter. The seven rivers of joy issuing from the throne of glory are an encrypted resisting decodification from the cryptic meaning i.e. secret. [See chart in powerpoint]

4Q500 describes the L-rd's vineyard or garden as the key to the visionary chiasmus of the heavenly and earthly sanctuaries. As Rabbinic culture creates fences around fences to prevent the immature, uninitiated, and less knowledgeable from attaining *via* the labyrinth of rabbinic exegesis and thought to the final prize, i.e. a culture of secrecy, boundaries, and fences, in *Sepher Eliyahu Rabbah* ch. 8 p. 43 we find the gating or restrictions applied to those who unauthorizedly attempt to enter the vineyard of Isaiah correlating to the spiritual and terrestrial Temples. There we read: כי כרם הי צבאות בית ישראל, רבי אליעזר הגדול אומר / כרמו של הקב"ה בית ישראל, אל תציץ בו, ואם הצצת בו / אל תרד לתוכו ואם ירדת לתוכו אל תהנה ממנו, ואם נהנית ממנו אל תאכל מפירותיו. ואם הצצת וירדת ונהנית ואכלת (For the house of Israel is the vineyard of the L-rd of hosts (Isa.5,7). R. Eliezer the great says, The house of Israel is the vineyard of the Holy One blessed be He. Do not glance at it; if you have glanced into it, do not descend into it; if you have descended into it, do not take pleasure in it; if you have taken pleasure in it, eat not of its fruits. If you glance and descend and take pleasure and eat of its fruits, you are destined to be driven out of the world.). These restrictions may be warnings against the enemies of Israel who unlawfully try to steal her secrets. A parallel text of the vineyard is that belonging to a man in *Abot d'Rabbi Natan* (B text, Schechter ed.) ch. 38 where we read: הוא היה אומר אל תציץ לכרמו של אדם, ואם הצצת אל תדר, ואם ירדת אל תביט, ואם הבטת אל תיגע, ואם הגעת אל תאכל, ואם אכל הרי אדם נמצא טורף נפשו מחיי העולם הזה ומחיי העולם הבא (He [Ben Zoma] used to say, Do not glance into a man's vineyard, and if you glance do not descend, and if you descend do not look, and if you look, do not touch, and if you touch do not eat; for if a man eats, behold he tears himself away from the life of this world and that of the world to come). The restrictions on entering the vineyard correlate to those on Adam who was admonished not to eat of the tree of knowledge of good or evil or he would die. The forbidden fruit is mostly identified with the grape, although other suppositions include the *rimon*, fig, wheat, or barley. Adam's vineyard before his sin was the vineyard of Paradise. The most well known description of the 4 who entered Pardes is found in Hagigah 14 b where we read: ת"ר ארבעה נכנסו בפרדס ואלו הם בן עזאי ובן זומא אחר ורבי עקיבא אמר להם ר"ע כשאתם מגיעין אצל אבני שיש טהור אל תאמרו מים מים משום שנאמר דובר שקרים לא יכון לנגד עיני בן עזאי הציץ ומת עליו הכתוב אומר יקר בעיני ה' המותה לחסידיו בן זומא הציץ ונפגע ועליו הכתוב אומר דבש מצאת אכול דיך פן תשבענו והקאתו אחר The dangers confronting the mystic soul as he ascends through the seven palaces of *Arabot*, the seventh heavens, are many including madness [Ben Azzai] (cutting the shoots), and "eating too much honey" [ben zoma), or becoming a Greek philosopher (Aher). Rambam says Ben Zoma is still outside doing logic. Is this a Tikkun for Ben Zoma's flight into unconventional logics, what rav Soloveitchik in *Halakhic Man* calls *Ish religiousus vs. ish halakah*? Halakhic man is composite of cognitive man (*ish ha-da-at*) while homo religious is *ish ha-dat*. Homo religiosus enters into the Nietzschean Dionysian mode of primeval creation, regretting rationality, fleeing into ecstasy and transcendence, escaping into unjustified intuitions and emotionality i.e. escaping from the bonds of conventional logic. Whether this is an escape into a Wittgensteinian private language as laid out in the *Tractatus* is a matter of question. What is clear is that halakhic man, the man of science and cognition refuses to free himself

from the reins of reason and halakhah. Ish religious is phenomenological rather than normative. The Ish religiousus has entered into the subjective thirsting after the mysterious and mystical at the expense of the objective mooring of objective criteria. He ignores rationality of demonstration and cognitive proof. Rambam is the epitome of the halakhic man because in the MT he deconstructs halakhic laws into their infinitesimal components and recasts them in ideal legal constructs (Hillukim) via Erkenntnis. Ben Zoma, when he returns from his mystical journey, speaks riddlingly in enigmatic formulations such as the distance between the first *rakia* and second *rakia* is the distance of a dove's wings beating. His language is cryptic, evasive, and borders on that of a Wittgensteinian private language for those who do not know how to decode its cues and hints. The esoteric connotations of the PaRDES are immense. Whether they stand for the method of *peshat, remez, derosh, or sod* (Schafer) or whether they represent a way of channeling the *sefirot* is a matter of debate.

Students of mysticism recognize (*anagoresis*) that allusion to the perils associated with heavenly ascent are common in merkavah texts. At certain points in the journey the visionary is confronted with tests which may determine the outcome of ascent. The “danger motif” is common to Jewish *apocalyptic merkavah* genres and Gnostic genres. Hekhalot texts which refer to the illusion of waves (the angel in our text above says, *al tomru mayim mayim*) of water seen by the ascensor at the gates of the sixth palace are actually illusion, not water, but the glitter of water from marble plates. The pure marble places in PaRDES appear in rabbinic description of Herod's temple which was built with “stones of pure marble which gave it the appearance of waves of the sea (b. Sukkah 51b). Anyone who had not seen Herod's temple had never seen a beautiful sacred space. Josephus describes Herod's temple as covered with gold which when the sun was up “radiated a fiery flash (JW 5, 5, 6 222). The affinity between what is found below and what is above is the correlation the merkavah mystics call the microcosm as a hint of the macrocosm. The Lesser and Greater Hekhalot texts use the metaphor of “going down to the merkavah.” In this ascent to go up, by going down, the mystic visionary experiences synesthesia, a mixing of senses. Hearing and seeing pose as a test. Which does one trust. Aristotle refers to sight as the highest of the senses yet Derrida in *L'Oreille de L'autre* speaks of the superiority of hearing for a tradition that has been marginalized and not logographically represented for sight readings. The mystic is warned, “do not say water water.” Clearly this is the illusion from a tangible material phenomena with echoes in the upper macrocosmic dimension. Herod's temple gave the illusion, with its marble plates of pure blue, and the flashes of light off the gold, of apparent waves of water. Do not be deceived however for at the 6th and seventh palaces any deception or falsehood can not abide, only *aletheia* i.e. *ruah hakodesh* i.e. *Shekhinah* exists. Merkavah texts speak of the dangerous illusion of the “things one sees when going in (*ha heoraken embateuon*)” i.e. to the gates of the palaces, and the magical techniques that assure successful heavenly ascension.

The Tosefta Hagigah 2:5 rounds out the metaphor of *Pardes* in a parable as follows: משל למה הדבר דומה, לפרדס של מלך ועלייה בנויה על גביו, מה עליו על אדם להציץ ובלבד שלא יזין את עיניו ממנו (A parable; to what may the matter be likened / to a king's garden with a balcony built over it. What must a man do? Glance; only let him not feast his eyes upon it). The

Tosephta uses *pardes* rather than *kerem*. In Yoma 5a there is mention that a curtain was in the sanctuary to not allow the public to glimpse the *Hekhal*. Only on festivals was “glancing” permitted. The *Sepher Eliyahu Rabbah* prohibits even glancing. Hekhalot Zutarti confirms that the prohibition of limiting access to the *Pardes* as the L-rd’s garden being associated with the merkavah is found when we read, *הוי זהיר בכבוד קונך ואל תרד לו, ואם ירדת לו אל תהנה ממנו ואם נהנית מימנו סופך להטרד מן העולם* (Pay heed to the glory of thy Maker and descend not to it (the *merkavah*). And if you have descended to it, do not take pleasure in it; (and if you have taken pleasure in it), you are destined to be driven out of the world). While Qumran texts so far have not revealed admonishments about entering or descending to the *pardes* nor the perils and dangers associated there, it seems that the decoded logic of the scrolls also associates “vineyard”= “orchard” (*Pardes*)= “merkavah” to be the hidden matrix of associations often used interchangeably in an encrypted way that hides their very decoding. Common with the Rabbinic streams is the Qumran view that it is possible for rare individuals to gain access to Paradise and behold the splendor of its exotic fruits while pilgrim sojourners dwell in this world, *olam ha-zeh*. The Qumran belief that righteous men and angels will live eternally in the eternal sanctuary of Paradise, the heavenly temple, the vineyard of the L-rd is documented from 4Q511 35,2: *במזוקקי שבעתים ובקדושים יקדיש אלוקים לו למקדש וטהרה בנבורים*: (Among the seven-fold purified, G-d will sanctify unto himself a sanctuary of eternity and purity among those who are cleansed (from sin).

- (c) **Dualism:** While the Pharisees strictly condemned dualism the Essenes believed in an eschatological confrontation between two powers of the sons of light (*benei or*) and the sons of darkness (*benei hoshek*= Romans). See: Dualism in Rabbinic literature: <http://student.cbcemd.edu/~dlevy11/DeadSeaScrolls.pdf> In the *Community Rule* dualism operates as the tension between truth= prince of light and falsehood= angel of darkness (Belial). A *mishnah* in *Maseket Berakhot* warns that if someone says, “*Modim, Modim*” (*we give thanks, we give thanks*) they are silenced for this ascribes to Zoroastrian dualism.

*האומר על קן צפור יגיעו רחמיך ועל טוב יזכר שמך מודים מודים משתקין אותו האומר יברכך Dualism is refuted by passages such as Isaiah 45:7 where we read that the L-rd “formed light and created darkness.” That He “is the Maker of peace and Creator of evil” (יוצר אור ובורא השך עשה שלום ובורא רע אני הי עשה כל אלה) which found itself into the the *Siddur* excerpts that HaShem created *light and darkness* and makes peace between them (Isaiah 45:7). In the liturgy, the change of the word “רע” into “הכל” is prompted by an aversion to having “רע” directly associated with G-d’s name. This benediction is justified by *Berakhot* 1:4 that specifies that one must preface the Shema with two benedictions and follow it with one *בשחר מברך שתים לפניך ואחת לאחריה ובערב מברך שתים לפניך ושתיים לאחריה*. The first benedictions are named for their beginnings “Creator of Light” (*Yotzer Or*). Aversion to dualism is further seen by the rabbis in their explanation that the *yetzer ha-rah* is an agency for the good (*Gen. Rabbah* 9) for no one would have a house, have children, or a career were it not for the *yetzer ha-rah*.*

Dualism is also censored if one says, “*may the good bless you*” (Megillah 4:19):
האומר יברכוך טובים הרי זו דרך המינות על קן צפור יגיעו רחמיך ועל טוב יזכר שמך מודים
מודים משתקיך אותו

Since the eighteenth benediction begins with “*Modim*” to repeat this term twice would be tantamount to a belief in a dual divinity. In the *gemara* of *Berakhot* 33b we read that we understand why he is silenced if he says, “we give thanks, we give thanks” because he is manifesting a belief in two powers. The Essenes may not have silenced such practice as is apparent from the *Thanksgiving Psalm* which reads, “I thank Thee my God for Thou has dealt wondrously to dust, and mightily towards a creation of clay! I thank Thee, I thank Thee.” Elbogen comments on the rejection of the repeated use of “*modim*” when he writes, “*Einschube in diesen Text scheinen schon fruh ublich gewesen zu sein, die Mishcna erwahnt und verpont zwei, deren Sinn und Zweck uns nicht mehr verstandlich sind, weil sie wahrscheinlich mit gnostischen Anschauungen im Zusammenhang stehen, namlich die Wiederholung des Wortes, “Modim” am Anfange und die Satze, al ken ztipur yigiah rahamekhah veal tov yebareckah tovim oder yizkor shemekah, die jedenfalls ans Ende gestellt wurden. Das Verbot hat nicht verhindert, daB auch nach 300 einzelne Vorbeter sich die Frieheit nahmen, ahnliche Satze einzufugen* (Ber. 33b).

As noted dualism is refuted by passages such as Isaiah 45:7 where we read that the L-rd “formed light and created darkness.” That He “is the Maker of peace and Creator of evil” which found itself into the daily liturgy of the *Siddur* excerpts that HaShem created *light and darkness* and makes peace between them (Isaiah 45:7). In the liturgy, the change of the word “*ra*” into “*ha-kol*” is prompted by an aversion to having “evil” directly associated with G-d’s name. This benediction is justified by *Berakhot* 1:4 that specifies that one must preface the *Shema* with two benedictions and follow it with one. The first benedictions are named for their beginnings “Creator of Light” (*Yotzer Or*). Aversion to dualism is further seen by the rabbis in their explanation that the *yetzer ha-rah* is an agency for the good (*Gen. Rabbah* 9) for no one would have a house, have children, or a career were it not for the *yetzer ha-rah*. One should give thanks for the good and evil in experience. The *Book of Ben Sira* during the Hellenistic period also warns against blaming wickedness on HaShem. Dualism is also censored if one says, “*may the good bless you*” (Megillah 4:10). See: <http://student.ccbcmd.edu/~dlevy11/DeadSeaScrolls.pdf>

Dualism has been interpreted in popular commentary on the Dead Sea Scrolls by Steven Fisdell (*The Dead Sea Scrolls: Understanding their Spiritual Message*, Northvale, N.J.: Jason Aronson, 1997) to mean that *Hashem* implanted in each individual a measure of light and dark which fight for man’s soul- a view similar to the Pharisaic notion of the good and evil impulse. R. Fisdell stresses that the primary objective throughout his work is to “tap into the message of the scrolls and to elucidate the spiritual views that are reflected in the material (p.108).” He asserts that “the most important and valuable aspects of the Dead Sea Literature are the spiritual perspectives presented (p.1)”. Caution perhaps abodes from Leo Straus who has noted in “*Perspectives on the Good Society*” that the mystical experience of Paul made it possible for Christianity to reinterpret traditional Jewish authority of the law in the name of the “SPIRITUAL”, faith over observance of the *mitzvot*. Judaism is a

religion of law, while Christianity is a religion of faith. Paul's analogy that one may enter the kingdom of heaven if one's faith in *Yeshka* has grown from the size of mustard seed to a big mustard bush, finds no place in Judaism which does not allow spiritual faith to trump *Halakhah* or obedience to the law. True there exist the *yod gimel ikkarim* ascribed to the Rambam, but Judaism is a religion of reason (*Eine Religion der Vernunft*), in that reason is the matrix in which *halakhah* is understood, and it is the understanding, and the understanding of understanding (*noesis noesis*) that makes Judaism more intellectual than Christianity. In fact Rambam proclaims the link between the human being and *Hashem* to reside in this intellectual faculty of the *sekel hapoal* when he writes, "*hakesher bain Adam veHashem zeh hazekl hapoal.*" In that man is both intellect and body perhaps it is the spirit and spirituality that serve as that third element that allow for the *aufhebung* (synthesis) in which the body is made intellectual and the intellect is converted into the spiritual. Fisdell interprets the messianic and apocalyptic fragments of the Dead Sea Literature as the prediction of a "spiritual awakening" that will occur in the messianic age whereby according to Isaiah, "the earth shall be full of the knowledge of the L-rd, as the waters cover the sea." Fisdell's spiritual messianism from the Dead Sea Scrolls teaches that when the kingdom of Hashem is established on the earth there will be as Rambam notes in *Sefer Shoftim* of the MT: (1) no more war, (2) no famine, (3) justice, (4) righteousness, (5) the lamb (Jews) will not be persecuted by wolves (other nations), (6) the one preoccupation of the world will be to know Hashem, (7) it will be a shabbos 24/7, (9) building of *beith hamikdash*, (10) ingathering of exiles, (11) tribes clearly distinguished by ruach hakodesh, and (12) truth will become the norm of civilization. However, in our present age with immense popular interest in "spirituality" we should heed Schiffman's advice, "to be careful to base our studies of the Sectarians on the most scientific approaches possible, for the job of the scholar of antiquity is to reconstruct ancient reality as authentically as possible, not to shape the past in the image of the present (p.xxv, *Reclaiming the Dead Sea Scrolls*).

The Sabbath trumpets in 4Q493 Mc may be the announcement of the final apocalyptic battle between the sons of light vs. sons of darkness. In Numbers 10, 1-10 three categories of signals are given: (1) as a signal for gathering the congregation and directing its journeys, (2) as a sound of alarm and for summoning divine aid in time of war, (3) as an accompaniment of the sacrifices offered on Hagim. Yadin found five types of trumpet sounds which belong to the first category: (a) trumpets for calling the congregation, (b) trumpets for calling the nobles, (c) trumpets for calling the levites (המדורות) (d) trumpets for gathering the men of renown, (e) trumpets for direction the camps and their journeys (Yadin, *Scroll of War of the Songs of Light vs. Sons of Darkness*, Hebrew, Jerusalem, 1955, 82-105). The second category are divided into six types: (a) trumpets of withdrawal and return, (b) pursuit, (c) ambush, (d) sounded over slain of enemy, (e) calling forth the foot soldiers (אנשי הבנים) (f) trumpets of battle arrays. This is the battle to usher in the final apocalyptic confrontation between the two warring forces in the universe good vs. evil, light vs. darkness, truth vs. falsehood, day vs. night, white vs. black, etc. The הצוצרות הזכרון are associated with the category of battle too. We read, "And afterwards the priests shall sound the trumpets of remembrance and the gates of combat shall be opened and the foot soldiers shall come forth (1QM XVI, 2-3)." The term זכרון may derive from

Num. 10:9 where the sounding of trumpets in the time of war serves so that “you shall be remembered ונוכרתם before *hashem*, your G-d.’ The *War Scroll* from Cave 4 notes the varieties of trumpets including those of remembrance, war, over slain, and withdrawal and return (1.2-12). Line 13 puts forward a further category of trumpets. Namely those of the Shabbatot. We read: [] על הצוצרו[ת] השבתות [כתוב] [] התמיד ולעולות [] כתו[] . Josephus in his description of *Har HaBayit* states that there was a tower upon which “it was the custom for one of the priests to stand and to give notice, by sound of trumpet, in the afternoon of the approach, and on the following evening of the close, of every seventh day, announcing to the people the respective hours for ceasing work and for resuming their labors” (Jewish War 4, 582, loeb lib., Cambridge 1947, 172-3). Archeologists have uncovered at the southwest corner of the *har habayit* a stone inscription reading, [] לבית התקיעה להכ[] This is an inscription that marked the place where the Levitical priest trumpeted to announce the onset of the Shabbos. *L’havdil* a bit not unlike the sirens that sound before every shabbos in Brooklyn, NY! We must rather never forget the Meshek Hokmah’s critique of the Jews of Berlin, who made Berlin their Jerusalem. Tosephta Sukkah 4:11 reads, “Three sounds were blown to stop the people from work. The official חזן of the Knesset would take the trumpet and ascent to the highest roof of the city.” In Bavli Shabbat 35b the text reads that a shofar was sounded, but the sequel suggests interchange between shofar and trumpet. Tanhuma Mattot 2 reads Num. 10:10 to mean the onset of Rosh Hodesh and *Hagim* were also marked by blasts on the trumpet. The interval in rabbinic law separating the secular time from holy shabbos of *hagim* time is called תוספת מלאכה (*Yoma* 81 a) and the Sectarians also followed this practice but with one twist. The Qumranites believed that the final apocalyptic battle at the end of time, preceding the ushering in of a perpetual shabbos, of messianic fulfilment, would also be marked by the blowing of the trumpet. Maseket tamid refers to the instrument of the magrepha, which the NT interprets as being cast down to cause a cosmic ring at the final eschatological fulfilment of *chronos plethorei* (redeemed time). Thus the messianic age would be marked by perpetual introduction into a time of eternal shabbos. The Ramban interpreted that this would dawn in the Hebrew year 6000 based on a gemarah, but the Rambam said it can come in the blink of an eye (*Augenblick*) because according to Samuel in the gemarah there is no difference between *olam hazeh* and the messianic time except that Israel won’t be persecuted by her neighbors.

To bring the world to this messianic stage according to Rabbinic law two *shabbatot* must be perfectly observed by all Jews. This will in part incorporate two complete shabbotot in conformity with halakhah. But what was the Halakhah of the Sectarians with regards to the onset of Shabbat? The first regulation of the *Shabbos* code in the *Zadokite Document* (CDC X, 14-16) gives a clue: “No man shall work on the sixth day from the moment when the sun’s orb is distant by its own fullness from the gate (wherein it sinks).” Trumpets as an alert signal is found in CDC XI, 22-23 where the Temple congregation is bidden when they hear the sound of the trumpets, “to come before or after so that they not cause the *Avodah* (temple service) to stop.” The Sabbath trumpets were also related to the order of the *Korbanot*. In the Beit HaMikdash the Sabbath trumpets were blown at the time of the *Olah*- whole burnt offering. Rabbinic exegesis is voluminous regarding the playing of instruments on shabbos in the Bavli (Ta’anit 14a & *Menahem Ha-meiri ad locum*, compare RH 29b).

The mishnah *Ta'anit* 3:7 suggests that some Tannaim allowed the trumpets to be blown on Shabbos in a time of crisis or emergency to summon help and call for prayer. In the *Beit HaMikdash* the trumpet was blown on Rosh Hashanah even when coinciding with Shabbos. After the Hurban R. Yochanan ben Zakkai ordered the sounding of the Shofar on the Shabbos at Yabneh, seat of the Sanhedrin, and later this meant any place where a beit din sat (RH 4:1). In the diaspora, halakhah holds that for fear of carrying the shofar, it is not to be sounded on Rosh Hashanah if it falls on a Shabbos. Rav Soloveitchik is famous for saying it is better to stay at home than to go to a Reform synagogue and hear the shofar sounded on *Shabbos*. The position of the Essenes on this halakhic matter can be deduced from the fact that their Solar calendar excluded any coincidence that the biblical holiday fall on Shabbos. Numbers 10:10 orders certain festive occasions when trumpets were to be blown as an accompaniment of Korbanot: *וביום שמחתכם ובמועדיכם ובראשי חודשיכם ותקעתם בהצצרת על*. Shabbos is not mentioned Siphre Bamidbar 77, p77 (Horowitz) fills in the gap: *("on the days of your rejoicing this refers to the Sabbaths. R. Natan says, this refers to the perpetual Korbanot")*. Like the Sadducees the Essenes may have tended to adhere to the literal meaning of the written text. It may thus not be likely that they took their days of rejoicing to include the Shabbos. The term *ומועדיכם* may have been to embrace Shabbos. Thus they may have blown the trumpets with the Shabbos offering. However the big picture of the war scroll speaks of the cataclysmic battle between sons of light and sons of darkness. This ultimate eschatological battle was to usher in the perpetual messianic shabbos when men would not again know war, and they would beat their swords into plowshares. For that the Rabbinic tradition holds that Elijah the prophet will blow upon the shofar that derives from one of the horns of the ram that was sacrificed on *Har Moriah* during the *Akedat Yitzak*. The first horn was blown on the first *Rosh Hashanah* of the world. Like Book ends separating redeemed from unredeemed from redeemed time, the symmetry of the rabbinic aggadic imagination suggests a sublime mathematical pure architectonic that is cognitively cogent and completely rational in its beautiful form, understanding, and forecast.

(d) **Angels (malak/angelos)**: Unlike the Sadducees denial of the existence of angels (Acts 23:8), the Essenes like the Pharisees believed in angels. Fragments from I Enoch and Jubilees have been found and these works are sources of angelology. *The Songs of the Sabbath Sacrifice* (4Q400-407, 11Q17, Mas1k) is fully developed angelology. *Temple Scroll* (11Q19) on the other hand does not mention angels at all. A few *pesharim* use an angelic *lexicon* (Q174, 4Q177, 4Q182, 11Q13) whereas others do not. Allusion to the *Nephilim* in *Bereshit* 6:4 is made in the *Damascus Document* when reference is made to "the watchers of heaven who fell". The allusion to the misadventures of the sons of G-d in Gen. 6:2 becomes the *locus classicus* for belief in evil angels. In the *Book of Enoch* the specific names of angels are given. This may beg comparison with *Maseket Haggigah* 12b-14b where angels such as the *barakim*, *hashmalim* (see *Ps. 104:4*), etc. are described. Jewish texts of the Greco-Roman time add detail to the traditions of angels found in the Tanakh (Jubilees 2:2; Ben Sira 16:26-30). In Enoch III angels have a hierarchical serving order in relation to G-d, each designated with a sphere of authority. Mention is made of Uriel, Raphael, Peniel, Metratron (not to be

pronounced), and many others (I Enoch; Tobit; IV Ezra). Exceptional persons like Enoch, Elijah, and Serach bat Asher are elevated to angelic status (I Enoch; Zohar : 100a, 129b; T.Z. Hakdamah 16b). For the Qumran sect angels are divided into two camps in accordance with their proclivity to dualism. Angels of light and angles of darkness are illuminated in *The War Scroll* and *The Manual of Discipline*. The concept of fallen angels appears in the pseudepigraphic writings (I Enoch 6, from the section called, *Book of the Watchers*). It can be argued that this theological dualism of the concept of fallen angels becomes a major motif in Christianity. Starting in late antiquity including *Beit Sheni* inter-testamental period, angels are increasingly related to and seen as part of everyday life of persons and the functioning of the world. Thus the Dead Sea Scroll sect evokes the protective properties of specific angels. This later plays itself out perhaps in the appearance of amulets, magical inscriptions, and formulaic equations.

In the Aramaic Testament of Levi, Levi's plea that he may exclusively follow "the paths of righteousness" (line 6) and not stray from his divinely assigned path (line 10) may be in emulation of one of the physical characteristics ascribed to angels. In Ezekiel angels feet are straight, they go forward in the direction assigned by the spirit. They do not turn as they walk (Ezek 1:7-12). In Qumran theology this uprightness in direction was granted to chosen mortals by the spirit of light: to make straight before him all the paths of righteousness לִישָׁר לִפְנֵי כּוֹל דְּרָכֵי צְדָק (1QS 4:2). Levi takes steps back as if approaching Hashem's royalty, a practice in Rabbinic prayer derived from the very נִגַּשׁ (Gen. 18:23; I Kgs 18:36; Isa 29:13) which in later subsequent Midrashic usage is seen in Gen. Rab 49.8. The three steps preceding the Amidah derive from this paradigm (R. Moses Isserles in שולחן ערוך אורח חיים 95, 1). In Yerushalmi Ber 1:1 an opinion for the reason of keeping the feet aligned during the standing prayer is that it is an imitation of the angels (Ezek. 1:7) while another opinion holds that it derives from the formal gait of the Levites in the Temple. Thus Levi straightens his paths as a prelude to prayer. Levi either is transmographed as "angel" or imitates the angels. Levi after ritual immersion states, "*And I prayed and said, O L-rd, you know all hearts, and you alone understand all the thoughts of minds (l. 5)/ And now my children are with me, and grant me all the paths of truth/ make far from me, O L-rd, the unrighteous spirt, and evil thought and fornication, and turn pride away from me./ Let there be shown to me, O L-rd the holy spirit, and counsel, and wisdom and knowledge and grant me strength,/ in order to do that which is pleasing to you and find favor before you, and to praise your words with me, O L-rd... and that which is pleasant and good before you./ and let not any satan have power over me, to make me stray from your path.*" The text speaks therefore of the battle of the good angel against the power of the angels of satan. This is in conformity with the dualism of the sect.

Josephus notes the Essene practice of keeping angelic names secret (*The Jewish War* 2:142). Angels in Qumran texts serve functions of ruling over nature, serving G-d, watching over the tree of knowledge, etc. Dead Sea Scroll texts are rich in angelic terms derived from combinations with the words El (G-d) or *Elim*; for example the *War Scroll* (1QMx.8). The phrase "holy ones" are also employed who appear at G-d's side to destroy the sons of darkness (IQM i.16). Holy ones takes on

double meanings as does *ruah*. “And a perverted spirit you purified from great violation, so that it might stand in rank with the host of holy ones, and so that it might come together with the congregation of the son’s of heaven. And you cast for man an eternal lot with the spirits of knowledge (1QHa ix [i]). Spirit like holy one can designate in the same context angels and human beings. Some scrolls refer to angels as “spirits of knowledge” (*Elei da’at*). The Dead Sea Scrolls also use the term “prince” or commander (*sar*). We must however be wary of systemization of Dead Sea Scroll angelology, for the “Prince of light” in the *Rule of the Community* from Qumran Cave 1 need not be the archangel Michael or Uriel. The Melchizedek scroll (11Q13) places Melchizedek in opposition to Belial (the evil one) and his angels. Melchizedek is a savior figure for the end of time. *The Genesis Apocryphon* (1QapGen) speculates whether the appearance of the newborn Noah is a sign that his parents are indeed the watchers (angels who descended according to 1 Enoch). The three angels at Mamre hosted by Avraham as seen as angels in *the Ages of Creation* (4Q180). The dualism of the Sectarials influences their communion with angels. The sons of light and the sons of darkness are allotted to the principal angelic Princes of Light and Princes of Darkness. The dualistic division of humankind is formulated in the *Treatise on the Two Spirits* now part of 1QRule of the Community (1QS iii.13-iv.26). A future battle of the prince of light with the sons of light against the forces of darkness is a dualistic impulse. The War Scroll develops the eschatological battle against Belial and his angels (1QM i.10-11, ix. 14-16, xii. 1-9). We are told that for the ultimate battle the names of the archangels will be written on the shields of the towers (1QM ix. 14-16). Certain people are banned from the camp because “for the angles of holiness are in the camp, together with their hosts (1QM vii.6).” The communion of the members of the Qumran commune with the angels is an explanation for the function of the *Songs of the Sabbath Sacrifice* (4Q400-407). Angels are not only involved with the fulfillment of liturgical and eschatological tasks but struggle for the future of individuals as in the *Visions of Amram* (4Q543 3, 6; 4Q544 3.12-14, 6.2-3). It is a matter of debate whether the sectarians saw the transformation of the just into angels based on the *War Scroll* (4Q491) which speaks of a figure enthroned in heaven. In *Hodayot* there is a certain critique against some of the angels (1QH xviii.34-35 [x.32-33]). G-d is in dispute with angels and seeks justice among them. In this text the angels’ knowledge of G-d is limited and they are unable to stand before his wrath. Punishing angels or demons are mentioned also.

The anthropomozation of rabbinic *Aggadata* is not at all in total evidence in *the Songs of the Sabbath sacrifice*. The angels are described as awe-inspiring to “mortal councils.” In a tone of self-effacement the human worshippers are made to say: “How shall we be considered among them and how shall our priesthood (be considered) in their habitations?... [What] is the offering of our mortal tongue (compared) with the knowledge of the angels” (Newsom, Carol, *Songs*, pp.13-21). The heavenly priesthood is thus glorified in the Angelic Liturgy at Qumran.

Angels may be invoked and employed by humans diviners appears in the *Testament of Solomon* and later *ma’asei Merkavah* texts. Rabbinic texts minimize the importance of angels when compared with their role in the priestly Qumran, apocalyptic, and mystical traditions. In Shabbat 88b and Gen. R. 48:11 angels are said to have no free will, differing from the Qumran notions. Rabbis however conceded

that angels do have intellect and inner life and are capable of errors (Sanh. 38b; Midrash Psalms 18:13). For the Rabbis most angels exist to do a single task (B.M. 86b; Gen. R. 50:2) and as exalted as they may be are subordinate to the *Tzadikim* (Gen. R. 21; Sanh. 93a; Ned. 32a; Deut. R.1). Rabbis see many divine actions in the *Tanakh* as ascribed to angels (Deut. R. 9; Gen R. 31:8; Sanh. 105b). The *Pesah Haggadah* is an exception to these opinions. It denies that angels played an important role in the *yitziat mimitzrayim* (see *Magid*).

The *pusek Na-aseh Adam betzelmenu kidemuteinu* is seen as the heavenly host. Gabriel is seen as the angel who guards the gates of *Gan Eden* with the sword that flashes every which way. Three *malakhim* are hosted by Avraham and Sarah at Mamre, one being Raphael to cure Avraham of the *brit milah*. At the Akedah (Gen. 22) Sforno names the *malakh* who stops Avraham from *shechting* Yitzak as, Michael, when he says, “*al tishlach yadchah al ha-naar.*” Rashi names the unnamed man as an angel who instructs Yosef that his brothers are sheparding their flocks at Dothan. An angel is said to be with the children of Israel in the desert. In *Haftorah* Yetro the *seraphim*, *ofanim*, and *hayot hakodesh* is the subject of great exegesis in the Rabbinic imagination. These angels appear to be winged parts of Hashem’s throne (Isa. 6) or of the divine chariot (Ezek.1). That all angels (and not just *seraphim* and *cherubim* have wings is mentioned in Chag. 16a; PdRE4). *Al Kanfeh Shekhinah* (under the wings of the Shekhinah) also evokes wing imagery. In Homer we find the phrase “winged words” but in Rabbinic parlance angels have wings and move at different speeds depending upon their mission (Ber. 4b). G-d’s speed is often given in *parasangs*, a Persian measurement. The idea of seraphim being associated with fire may find correlaries with the Islamic *ifrit*, or from the oxymoranic (opposites uniting) unifications of fire and water (Sefer Yetzirah 1:7; S of S R. 10; J.R.H. 58; *Gedulat Moshe*; Rashi on the hail as fire and water). In post-modern science we are interestingly told of a real state where water exists as a gas, liquid, and ice, known as the triple point!

The rationalistic philosophic tradition of Rambam and Ralbag however holds that angels are immaterial, incorporeal disembodied intellects. Rambam spurns the notion that “angels eat” and even Rashi concedes that the 3 angels at Mamre hosted by Avraham, from the midrash, only “appear to be eating.” This is a controversy in rabbinic texts (see Judg. 13; Gen. R.48:14; B.M. 86b; Zohar I: 102b). The strong philosophic rationalism of the Rambam and Ralbag intellectualizes angelology within an Aristotelian modality. Rambam expounds on angels in *Hilchot Yisodei Ha-Torah* (Laws of the Foundations of the Torah). His expertise in classification is applied not only in *halakhah* but in this esoteric area. Rambam classifies angelic ranking into ten levels. In the *Moreh Nevukhim* further elaboration is given equating angels with Aristotelian “intelligences.” These “intelligences” mediate between the spheres. They possess the attribute of consciousness and govern the spheres in their motion. Influenced from Aristotle, Rambam holds that they are forms (*eidos*) of natural causation rather than supernatural beings, *has vehalilah* with bodies. As forms of causation they are thus absolutely incorporeal without bodies. Rambam in the Aristotelian mode remarks on the libidinous impulse of the “angel of lust.” As remarked before the Rambam holds that the “sense of touch is a shame to us” a remark also found in Aristotle, but not to be understood in the Christological

sense of shame, but rather for those who have experienced the life of the mind totally as pure spirit (not Hegelian necessarily) or the experience of the *sekel hapoal* as transcendent even of *time* itself. To enter into the perfection of the tautology of what it is to think thinking itself as *sui generis*, is beyond all body and *gashmius*. Rambam denies that angels ever take corporeal form. They are extensions of the faculty of the human and divine intellects. As such the encounters in the *Tanakh* according to Rambam of angels are only the dream visions of the *Avot*, and Matriarchs. Moses is the chief of the prophets in that his prophecy was completely vibrant and clear not in dreams but while awake. To Moses, night appears as day (see *Moreh Nevukhim*). By contrast other Rabbinic traditions like the German Pietist such as Eleazar of Worms, adhere unapologetically to supernatural angelology. Rituals for summoning angels, especially angels who can reveal secrets of Torah (*sitrei Torah*), like the *Sar ha-Torah* and *Sar ha-Panim* (The prince of the Torah and Prince of the Presence of *Haderat Panim*), are sighted, cited, and sited! The Hasidic tradition also departs from the strict Maimonidean rationalism in this regard and regards texts such as *Sefer ha-Razim* catalogs of hundreds of angels, along with how to influence them and employ their names in constructing protective amulets, throwing curses, and gaining spiritual power as a mode of practical Kabbalah. The *Zohar* is sighted with its tradition of angelic taxonomy, ranking angels to the four worlds of emanation (I. 11-40), as well as assigning angels feminine and masculine attributes (I: 119b).

In Rabbinic tradition little children are told to recite the formula before going to sleep that Gabriel is at the left, Michael at the right, Oriel in front, and Raphael behind one.

For the rabbis an angel is a spiritual entity in the service of Hashem with no will other than Hashem's. Angels can be classified into the following types: *Malach*, *Irin*, *Cheruv*, *Saraf*, *Ofan*, *Cahyyah*, *Sar*, *Memuneh*, *Ben Elokim*, *Kodesh*. The *malach* (messenger) is one variety. Distinguished from *malachim* are the *Irinim* (Watchers/High angels). *Sarim* (Princes), *Serafim* (Fiery ones), *Chayyot* (Holy Creatures), and *Ofanim* (Wheels) are different types. They are alluded to in collective designations that include: *Tzeva* (Host), *B'nai ha-Elokim*, or *B'nai Elim* (sons of G-d), and *Kedoshim* (Holy ones). Their divine assembly is sometimes called *Adat Kel* (Ps. 82, Job 1). Their forms are unspecified as in Judg. 6:11-14 and Zech. 4). They appear humanoid in most biblical testimonies (Num. 22) and are therefore indistinguishable from human form (Gen. 18, 32: 10-13; Josh. 5:13-15; Judg. 13:1-5). Sometimes they manifest in pillars of fire and cloud, or the firey bushes that are not consumed (Ex. 14:3). On the *Aron ha-Kodesh* (Ex. 25) *cherubim* were artistically represented and the *shekhinah* dwelt there. The idea that angels envy humanity is found in pseudepigraphic texts and in rabbinic and medieval texts (Sanh. 88b-89a; 109a; Gen. R. 118:6; ChdM).

The function of Biblical angels can convey knowledge to mortals (Zech.1-4), *shielding* (Ex. 14), *rescuing* (Gen. 21), and *smiting* Israel's enemies. They have responsibility but no authority except in the Book of Daniel. Daniel holds that all the nations of the world have their own angelic prince, arranged hierarchically, with limited spheres of control over mortal realms (also see Deut. 32). Angels have prominent roles especially in biblical roles written by Kohanim who were prophets including Isaiah, Ezekiel, and Zechariah. In Zechariah the host of heaven is

differentiated into groupings of angels governing and serving different levels of heaven. Zechariah makes reference to the seven eyes of G-d (4:10), referring to seven arch angels, or the seven angel hosts in the seven heavens. This has parallels with Enoch 61 and Testament of the Patriarchs, Levi.

The Jewish concept of personal angel, of *malach sharet, mazal, or memuneh*, “ministering” or “guarding angel” and an angelic “deputy” also is apparent in texts such as Rashi on Meg. 3a; Mid. Prov. 11:27 and Sch 129, 633, 1162. The rabbis expand in commentary to a great extent on angels forming choirs of singing praises to G-d (i.e. Gen. R. 78:1) and yet G-d is “beyond” even the greatest of praises (*lailah liailah*) which is invoked during the *Yamim Noraim*.

Gershom Scholem has recently brought to light the motif of angelology as a component of *ma'aseh merkavah* mysticism within the academic discourses. These texts describe how the practitioner to the *Pardes* in this world, or the pilgrim disembodied soul in the next life, wishing to ascend through the palaces of the heavens and achieve a vision of the divine glory needs to know “passwords” to get past the archons (gatekeepers) at each level (III Enoch). For how this archetype relates to Kafka’s parable *Vor Dem Gesetz* (Before the Law) and the Jewish mystical subtexts in texts ranging from *Hechalot Rabbati and Zutrati to Orhot Tzadikim*, see: <http://student.cbcemd.edu/~dlevy11/Kafka.pdf> The second half of this paper has been retracted from the *reshut harabim* on Rabbinic advise that this material should not be made public! Angels can be conjured to be summoned and brought down to earth to serve the human practitioner. Many rituals and practices devoted to this end are preserved in *Hechalot* writings.

The rabbis offer opinions on the origins of angels. Some hold that angels did not pre-exist Creation, but were formed as part of the heavens on the second day (Gen. R. 1:3, 3). Another rabbinic opinion posits their origin on the second day (Gen. R. 1:3, 3). A third opinion holds on the fifth day along with the winged and gliding beings (bird and fish) creations. In Chag. 14b; PdRE 4 speculation is asserted reconciling *Midrash Rabbah* that different kinds of angels came into being at different stages of Creation. The *Zohar* teaches that all angels result from specific manifestations of *sefirot*. For examples angels of love emanate from *hesed* while punishing angels emanate from *gevurah*, each type coming into existence coinciding with the manifestation of the *sefirah* that is its source (I: 46a-b). Chag 14a and Gen. R. 78:1 reveal the distinction between angels which are enduring and anonymous ephemeral angels, which are constantly coming in and going out of existence (*kiyamut*). According to Rabbi Chaim Vital, the *Talmud Mivuhak* of HaAri *HaKodesh*, and other Chasidic masters, the ephemeral angels are the direct result of human actions. Goodly deeds create good angels while destructive behavior creates destructive angels, etc. Thus some angels are the products of “gathering the sparks.” The power of the word “*amen*” itself can create multitudes of angels. Human actions thus become the cause of angelic and demonic forces (*kelipot*). Human action and decision have infinite consequences. As Louis Jacob’s book *Their Heads in Heaven* (see review by David B. Levy) alludes... man stands upon the earth and his head reaches to the heavens, and the angels of the Eternal ascend and descend with him (Ben Porat Yosef 42a). Rabbi Elimelekh of Lizansk thus brings down the interpretation that the ladder that Yakov dreams, with angels going up and down, has

the *gematria* of *mammon* (correlating to *Tzedakah*), *kol* (voice correlating to prayer), and *tzum* (fasting). Thus Chasidic masters emphasize the value of seeking the help of angels. The Rambam as rationalist however views such intermediary worship as *avodah zarah* and insists that one must only *davon* to Hashem. The most comprehensive Chasidic meditation on angelology is *Sichat Malachei ha-Shareit* (*Meditation on the Guardian Angels*) by Tzadok ha-kohen Rabinowitz.

Rabbi Josef Karo in his *Maggid Mesharim* gives testimony to being visited by the *Shekhinah* personified as the *mishnah* who gave angelic wisdom over to the Kabbalist. The mystic-legalist was taught *Torah ha-Sod* as testified in *Maggid Mesharim*. In this trajectory, the Baal Shem Tov, characterized angels as “the garments of G-d.” Thus according to Jacob Katz the Kabbalists “killed Medieval Philosophic Rationalism” or a least reacted to it by re-anthropocentrizing Judaism. Remember Rambam set out in the *Moreh Nevukhim* to understand all Biblical anthropomorphisms (*deoreita*) in philosophic modes. That is, for example, to be in the image of *Hashem* was to possess the *sekel hapoel*, not crude anthropomorphic resemblance. Thus the “strong hand and outstretched arm of Hashem” is the *yad hazakah*, *mishnah Torah*, itself, that will free one of their mental Egypts, initiating them cognitively into the redeemed *noetic* realm of true knowledge rather than false opinions.

The Essenes also have their own system (*makreket*) for hierarchical designation of the angels (*angelos*, or messengers.) The priests who contributed to the Dead Sea Scrolls believed in a transitory fusion with angels when they performed their mystical liturgy. The *Songs of the Sabbath Sacrifice* illustrate this. *Ma'asei Merkavah* mystics who *descend* to the chariot to *ascend* to the palaces, also engaged in corollary kinds of angelic experiences through their techniques of ascent. A *Midrash* holds that in the 9 months of pregnancy a *malakh* teaches the developing fetus all the torah, and our job in life is to remember and recollect what the *malakh* taught. Michael, the angelic prince over Israel, serves as *Kohen Gadol in Yerushalyim shel malah*, (Chag. 12b). *L'havdil* this is different than Plato's notion of recollection of the truth (*aleitheia/wahrheit*) before being born. *Aletheia* is not the equivalent of the Hebrew *Emet*. In Jewish law *Emet* is trumped in the scenario for example if someone is hiding Jews from the Nazis, and the Nazis demand, “Are you hiding Jews?” Torah law dictates lying to save the Jews.

A great interest in folk traditions surrounding Elijah have seen light in recent years. Legends concerning this prophet turned angel (Ber. 4b) is a motif in many *maseh* (tales) of the Hasidim. Elijah frequently appears among mortals, bearing revelations of childbirth, *parnassah*, miracles, and heavenly news, as well as resolving *kashes* of difficult problems.

(e) **Theological Leadership:** While the leaders of the Pharisees stemmed from the patriachate preceded by the pairs who lived during the Greek and Roman occupation [traced chronologically by the Rambam in the opening of the MT from Moshe Kibal Torah mi-sinai to the present day], the Essenes vested theological leadership in the teacher of righteousness (*moreh hatzedek*). This teacher of righteousness claimed to have the power to interpret the correct meaning of the prophet's writings and the ability to uncover the hidden things therein. The teacher of righteousness may have gone to Damascus because the Essenes may

have held that revelation takes place outside the land of Israel. Note Mount Sinai is not within the geographical boundary of Eretz Israel proper. While the *Damascus Document* does not give specific names of those opposed to the teacher of righteousness, it does name the evil priest (*Kohen ha-rashah*), preachers of lies, scoffers, and the seekers of smooth things as enemies of the teacher of righteousness. Dr. Hanna Eisher suggests that *the Damascus document* does not make mention of specific names but rather gives titles because if a specific person was mentioned this sect might get into political trouble. The “seekers of smooth things” in line 18 of *the Damascus Document* may be a veiled allusion to the Pharisees who were opponents of Alexander Yannaeus, referred to as “the furious young lion” in *Pesher Habbakuk*, who hung many Pharisees in Jerusalem. His wife was *Shalom Tzion*, who when her husband died, reinstated the Pharisees. She after all was the sister of the *Av Bet Din*, Shimon ben Shetakh. The Sectarians were founded by priests and Levites who traced their lineage back to *Tzadok*, the high priest under King David, and separated themselves from the Temple in Jerusalem. Drawing on the hypothesis of Zeitlin, who suggested that the Essenes are the *Hassidim* mentioned in Maccabees I, some scholars are led to infer that the Qumran sect rejected Hellenistic sympathies of the Sadducees who controlled the Temple, instead followed Onias III who they called “the teacher of righteousness” and who appears in a dream vision to Judah Maccabee along with Jeremiah. Therefore these scholars reject O’Connor’s argument of the Essene origin traced to Babylonia during the Judean exile. By drawing on the Temple Scroll published by Yadin, attention is given to what the scrolls say regarding the Temple, priestly regulations, sacrifice, ritual, and ritual purity. The priests sacrificed sin, guilt, thanksgiving, and peace offerings and received the first fruits. The Chofetz Chaim’s *yeshivah* prided itself on learning the laws of the *korbanot* in *seder Kodshim*, considering the rabbinic dictum that the study of the *korbanot* is as if one had already offered them. In the community rule it is said of the 4 grades of persons in the sect, if a Junior member touched a senior member the senior member would take a bath. In general the sense of touch was anathema to the sect priding themselves on the spiritual. This may remind one of Aristotle’s remark picked up by the Rambam that “the sense of touch is a shame to us.” Rabbinic law while maintaining *Shomer nagia*, does not have such a view. Rather it is because the sense of touch in marital relations, in the right time and place, is so sacred that *Shomer nagiah* is observed for women not one’s wife (see Ramban, *Iggerot Kodesh*). The Essenes on the other hand in initiation to the sect held that after 2 year of probation, “the junior member shall not yet touch the meal of the congregation until 1 full year. He shall not touch the drink until a second year among men of the community.” With this strictness to touching food and drink we may see some parallels to the laws of *yayin nesek*, and *mevushal*. The Rema holds that the wine at a *pesach seder* must be covered, for a non-Jew may not even have a thought (*makshavah*) equating mentally such wine with the Eucharist. Josephus and Philo saw the Essenes as a reaction to Hellenism. They called them the *Essaioi* from *osiotos* or holiness. Josephus credits the member of the sect with prophecy and notes that they did not send animal sacrifices to the *Beit HaMikdash* because they did not recognize the high priests of the Hasmonean family as

legitimate priests. Irony of ironies is that these Hasmoneans became more Hellenized than the Syrian Greeks their Maccabean ancestors rebelled against!

Who was the teacher of righteousness? Joseph Amussin my great-Aunt's (Lea Gluskin) husband, offers many insights in his 150 publications including four books, many of which were translated into Greek, Japanese, Roumanian, Hungarian, Polish, Slavak, and Georgian, while some he translated himself into English, German, and French. All the books and 65 of the papers deal with DSS. Amusin immediately recognized the important significance of the sect which he shared the widespread view were the Essene movement, and correctly dated their works before scientific lab work validated their time period. Amusin never doubted that *the Teacher of Righteousness* was a real person and not mythical, and might be the author of many Qumran texts. After the teacher had been prosecuted and put to death by the enemies of the "Impious Priest" the members of Qumran community may have expected him to be resurrected, to return and to give birth to the "kingdom of light." Amusin rejected the two teachers hypothesis- the historical and eschatological one. Amusin did key word searches on mention of the teacher in *Pesher Habakkuk*, *Damascus Document*, *Commentaries on Psalms and Micah*. These texts attest to the theological leader as chosen by the L-rd, who communicated to him all the mysteries concealed in the prophetic writings. Habakkuk wrote down words of Hashem about the "end of time." The teacher understood the full significance of these prophecies. The Qumranites were to be prepared as the "the last generation" for the "last time." Qumranians believed that faithfulness to the Teacher and fulfillment of the Sacred law would save them from destruction. Amusin saw the Qumranians as viewing the Teacher as more important than the prophets because he was endowed with superprophetic power and could foretell "the fate of the last generation" in the "last days." The Teacher was on a mission, sent by G-d. The Teacher played a prominent role in destinying the eschatological ideas of the Qumran sect. Amusin argued that the Qumranians could be viewed, though not Christian, "as one of the predecessors of the Christian communities." This argument is based on their self-designations, in some religious dogmas, i.e. (1) repudiation of blood sacrifices (as well as participation in the Temple services (avodah), (2) in there organization (common life and labour, faithfulness to the memory of their Teacher), (3) strict observance of the established order, etc. The Teacher interpreted Prophetic books line by line often with seeing connections to their own time of the Second Temple. This is based on the presumption that the canonized prophetic texts, regardless of their being written hundreds of years earlier, had been "encoded with secrets" relevant to the period of the Sectarians. Amusin took the task of decodifying these symbolic designations. The Book of Nahum mentioned the names of the Syrian Kings Demetrius and Antiochus. Following Allegro, Amussin identified Demetrius with Demetrius III Eucairos (95-83 BCE) who had been called upon by the Pharisees in 88 BCE to aid them in their rebellion against Jannaeus (103-76 BCE). Amusin drew on Josephus concerning the events in Palestine during the reigns of Jannaeus (103-76), his widow Alexandra Salome (76-67) [who ironically though reinstating the Pharisees rejected the pharisaical law of obtaining a legal *get*, or bill of divorce], and the subsequent vicious struggle of their two sons, Aristobulos (supported by the Sadducees) and Hyrcanus (supported by the Pharisees) which resulted in the Roman intrusion under Pompeius

in 63 BCE. Amusin was inclined to identify Alexander Jannaeus as the enemy of the Teacher of righteousness based on characterizations as “Lion of Wrath” and “the Wicked Priest.” Amusin, who himself had a very hard life of poverty and suffered terrible discrimination and persecution, also gravitated to descriptions of the sect as “the congregation of the Poor,” “The Simple ones of Judah,” “The Doers of the Law,” “the Elect of G-d,” and “the New Covenant.” The coincidence of “the Elect of G-d” and the “New Covenant” (*Brit Hadash*) uncannily were noted with those phrases in the NT. Amusin was interested in the social ideas and organization of the Sect. Their holding common property, collective labour, and collective life set them apart from many other Hellenistic Utopian visions, in that they lived their Utopia in reality and not only as idea. They tried to make social equality a reality in practice, although hierarchical only spiritually and according to priestly geneology. A bit of a far out idea of Amusin based on K.M, Kenyon’s archaeological discoveries of the region of ancient Jericho, Amusin speculated that the Damascus Document might have been composed in this community (Rukopisi Merlvogo Morja, Moskava 1960 p.73; Kumranskaja obscina, p.26).

Baumgarten contests that the Qumranites saw themselves in Christological terms as constituting a Brit Hadash. Rather he writes in French that they had a notion of revelation still speaking to their *Teacher of Righteousness* and him being able to convey that revelation rather than just a bat kol. Baumgarten writes about this notion of revelation amongst the sectarians: unique oral torah/unique modifications of oral law; Damascus Document assumes that revelations are made to the sectarians via the *Moreh ha-Tzedek*: Baumgarten writes, “L’Ecrit de Damas relie les origines de la communaute a leur prise de conscience “qu’ils etaient des hommes coupables (CD 1,9) parce qu’eux-memes, comme tout Israel, s’etaient egares, a propos des choses cachees de la Torah, que Dieu leur avait desormais revelees (CD 3, 12-14) [See: La Loi Religieuse de la Communaute de Qumran, Annales HSS, Sept-Oct. 1996, no.5, p.1005]; “L’expression revelees (**heb.niglah**) selon lui signifierait “rien de plus que l’Ecriture, tandis que cachees (**heb. Nistar**) s’appliqueraient a “l’interpretation sectaire de celle-ci.” Cette lecture restrictive de niglah peut paraître adaptee dans certains contextes, tel ce passage ou les hommes pervers sont depeints non seulement comme ignorants des choses cachees, mais encore comme des transgresseurs flagrants des preceptes reveles de la Torah (IQS 5,12)... Cette coie (c’est-a-dire celle mentionnee par Isaia 40:3), c’est l’etude de la loi qu’Il a promulguee par l’intermediaire de Moise, afin qu’on agisse selon tout ce qui est revele epoque par epoque et selon ce que les Prophetes ont revele par Son Esprit saint (IQS 8, 15-16). **Ces revelations progressives peuvent prendre la forme d’une exegese inspiree de l’Ecriture, mais aussi d’ajouts ou de modifications apportees aux textes canoniques: c’est le cas par exemple des fetes non scripturaires de recolte ainsi que des regles supplementaires de purete. Recues par un sage de la communaute ces revelations etaient gardees secretes (les choses cachees) et transmises uniquement au sein de la secte (IQS 8,11; 9, 17)...le texte originel de la Bible provient de la revelation divine; quant a leurs propres textes, qui elargissent et developpent les enseignements de Dieu, selon divers recueils legislatifs sectaires et selon divers commentaires, ils proviennent egalement de la revelation divine.”**

Perhaps some of Amusin's most exciting work on the theological leadership of the sect involved searching for antiqumranian polemic in the Talmud. In fact Amusin's father in law, was the Av Bet Din of Minsk and later head of the Choral synagogue of Leningrad, Rav Menachem Mendel Gluskin (ztsl) the son of R. Aaron Gluskin of Paritchi and Esther Wolfson Gluskin (zl). R. Aaron received semichah from the Tzemach Tzedek. Rav Menachem married the Minsker Gadol's daughter Fraidl Rabinovitch (zl). Thus Amusin married into a first-class rabbinic family where the Talmud was not a matter of academic political games but a vibrant way of life and practice. Amusin thus drew on Rabbinic learning to investigate how the characteristic features of Qumran ideology such as eschatological, messianic, apocalyptic, and dualistic ideas were censored by the rabbis. Amusin revealed a number of critical expressions in Rabbinic texts that could be viewed as anti-Qumranian. These phrases and concepts include: (1) "those who try to determine the End" (Derek Eres Rabba XI) i.e. to predict the coming of the messiah; (2) against those who speak about two worlds (the world of light and darkness, Truth and falsehood, Good and evil, etc.) i.e. against dualistic views (M. Sahn 4.5). The ideas of this Jewish sect were definitely in tension with some opinions in Rabbinical tradition. In M. Aboth III,11 we also find polemics against those who disdain the sanctuaries and the festivals, and revealed the meaning of the prophets. The Qumranites protested against the corruption of the false priesthood of Jerusalem and denied the temple cult. As for the festivals in that the Qumranites followed a solar calendar we can see a possible polemic against those "who disdained the festivals" i.e. the festivals as they fall out on the lunar calendar. The Qumran sect, which claimed to have concluded a new alliance with G-d was *eo ipso* destroying the traditional conceptions. After the Hurban it was thought that a *bat kol* only spoke and even during the late second temple period the Rabbis held that prophecy had ceased. The Teacher's claim to renewed and more vibrant prophetic abilities must be seen as a contradiction to Rabbinic beliefs. Also the Rabbinic tradition did not regard poverty as a good necessarily. Wealth was seen as an awarding of divine Providence. The Rabbis relegate much discussion to matters of the laws of private property, and to do away with the notion of private property must have seemed revolutionary by this renegade sect. Qumranites referred to themselves as the "community of the poor." To sit on the Rabbinic Sanhedrin one must be exceedingly wealthy so as not to be able to be bribed. The Patriachiate like Rabbi Yehudah HaNasi and Rabban Gamliel's families were exceedingly wealthy.

However one shared aspect of the Sect's theology with Rabbinic theology is the culture of secrecy, that only the initiates to the sect are worthy, mature, and capable of receiving divine secrets. In Josephus we read, "to communicate their doctrines to no one any otherwise than he received them himself" ... and will equally preserve in secrecy the books belonging to their sect and the names of the angels" . "he further swears to communicate their doctrines to no one any otherwise than as he himself received them, refraining from distortion of any kind, and equally to keep SECRET both the books of the sect and the names of the angels." For the culture of secrecy amongst rabbinic culture with regards to Kabbalah see:

http://student.cbcemd.edu/~dlevy11/Maimonidean_Controversy.pdf

Amusin also considered similarities and difference in theological leadership between the sect and the rabbis but also with early Christians. Amusin found in

Pseudo-Cyprian epistle published in 1914 the phrase *unitatis magister* (Teacher of Unity). An identical title is known in DSS as *More hayyachad* (the Teacher of Unity) in CD XX, 1; 14). The context of the phrase *magister unitatis* is that of the command to “forsake kith and kin” and follow the teacher of righteousness. This idea is alien to Judaism’s insistence on fearing one’s mother and honoring and respecting one’s father. Only Philo’s description of the renegade *Therapeutai* incorporates such an anti-Jewish commandment. Amusin argued that the passage in Pseudo-Cyprian (II, 19-25) revealed a mentality akin to the Qumranites.

III. Differences in Calendar

- (a) The Essenes followed a solar calendar adopted from *the Book of Jubilees* (1QJuba-b). The Pharisees to this day follow the lunar calendar with names of months possibly adopted from the deities of the Babylonian pantheon i.e. *Tamuz*. *The Damascus Document* contains a passage denouncing the followers of the lunar calendar system. The Essene calendar consisted of 364 days over the course of 52 weeks. Thus each *hag* would fall on a specific day as opposed to the Pharisaical calendar where each *hag* falls on a different day in the week each year (see Vander Kam). The calendar gave rise to an incident recounted in *Pesher Habakkuk* where “the wicked priest” arrived in the presence of a group in exile one Yom Kippur and disturbed the communities *Yom Kippur* observance. Dr. Talmon argues that this imposition by the “wicked priest” was due to the fact that *Yom Kippur* fell on a different day according to the lunar calendar as opposed to the Essene’s solar calendar. With regards to the measurement of time, the Essenes also differed from the Pharisees with regard to when *Shabbat* begins. According to the Essenes *Shabbat* begins when the diameter of the sun is equal to the distance of the sun from the horizon. In a nutshell the complicated reckonings of the rabbis according to Pharisaical law, holds that *Shabbat* begins 18 minutes before sundown. If you live in *Yerushalayim* or Brooklyn N.Y. *Shabbat* is signaled by two sirens. The Essene’s observance of the solar calendar whereby each week of the year bears its own name based on the name of the priestly family that would officiate in the Temple at that time during the 26 courses (*mishmarot*) of priests and Levites according to the *Book of Jubilees* marks this sect’s adherence to a different method of tracking time. The Essenes operated under a solar calendar which never permitted the coincidence of a holiday falling on a *Shabbat*. (364 days/ 52 weeks). Thus Pesach is on Wednesday. A conflict arose between the leader of the sect and Jonathan Maccabeus who was called the “wicked priest” who visited the Essenes on the day of Atonement. Jonathan’s downfall and execution was seen as divine punishment. The sect flourished under Herod who exempted them from oaths. The *Mekilta*, a *halakhic midrash* on *Shemot*, on the other hand shows the Jews following a lunar calendar of 354 days with the extra month of intercalation (Adar II). The book of *Jubilees* is a *pseudoepigraphic* work dating from the middle of the 2nd temple purports to be the secret revelation of the angel of the divine

presence to Moses. It predicts that Israel will go astray as to the new moons and seasons. It opts for the solar calendar of 364 days and 52 weeks that the Essenes followed. The original title of the work was: *Book of the Divisions of the Seasons according to Their Jubilees and their Weeks*. Folio 16 of the Damascus document makes direct mention of the *Book of Jubilees*. The solar calendar of the Essenes eliminated the coincidence of dates of any Biblical festival with the Sabbath except two seven day festivals of Passover and *Sukkot* whose 4th day coincides with *Shabbos*. The year in Jubilees begins on Wednesday. Thus all *Rosh Hodesh* and festivals begin on Sunday, Wednesday, or Friday across the solar calendar of 364 days. The jubilees calendar does not allow any of the festivals or *Rosh Hodeshes* to occur on *Shabbos*.

IV. Differences in Halakhah

(a) **Hallah** Offering: In Rabbinic law the term *hallah* refers to the portion of dough set aside and given to the priests based on *BaMidbar* 15:19-20. The tractate in the Talmud in the order *Zera'im* by this name deals with the laws of *hallah* and its separation. In the first chapter there is a discussion of the species liable to *hallah* and to tithes. Chapter 2 treats quantities which establish liability. *One point seven quarts* requires the separation of *hallah*. The Essenes differed from Pharisaical law by dictating that *hallah* separation only need be made one time per year. Yet separation was made in each loaf, not batch. While the Pharisees and Essenes therefore differed on the frequency of *hallah* separation, both groups sought to transfer the laws of the Temple to their practitioners. The democratization of concern for ritual purity thereby enacting an extension of the Torah from the sphere of the Temple into daily life was common to both the Pharisaical community and Qumran sect. The rabbis did this in many ways. For example each person's home was seen as a little *beit hamikdash*. One's *shabbos* table like a *mizbeakh*. One's *hallah* on *Shabbos* and *haggim* like the *lechem panim*. One's *kellim* (dishes) like those in the *beit hamikdash* requiring *teveling* in a mikvah, etc.

Machon Mishnas Rabbi Aaron has recently issued the second volume of *Tractate Hallah*, which is subtitled *Piskei HaRishonim*, which presents one with the laws pertaining to the mitzvah of the separation of *Hallah* as they appear in various works such as: *Halakhot Gedolot* of Geonic times until the *Levushim* by Rabbi Mordecai Yaffeh. Treatises printed and books quoted in the volume include: *Sefer Yere'im* by Rabbi Eliezer of Metz, *Sefer HaRoke'ah* by Rabbi Eliezer ben Rabbi Yehudah of Worms, *Sefer Mitsvot Gadol* by Rabbi Moses of Coucy, *Or Zarua* by Rabbi Yitzhak of Vienna, *Hilkot Hallah* by Ramban, *Piskei Hallah* by Rashba, *Minhagei Maharil*, and *Tur Yoreh De'ah*. The Chapter *Hafrashat Hallah* of Machzor Vitry, a student of Rashi, was annotated by R. Naftali Cohen. After R. Cohen completed the work, the heads of *Machon Mishnas* Rabbi Aaron became aware that a new edition of Machzor Vitry, edited by Rabbi Aryeh Goldschmidt, had been published by *Otzar HaPoskim*. The notes of R. Naftali Cohen are added to those of Rabbi Aryeh Goldschmidt. The text of the laws of *Hallah* in *Sefer HaRoke'ah* that was printed in this new edition was taken from Rabbi Baruch Shimeon Schneurson's edition. R. Aaron Mordecai Shadmi compared it with a manuscript found in the National and Hebrew University Library and corrected several errors. *Piskei HaRosh* on *Hilkot Hallah* was printed on the basis of three manuscripts and

a printed edition (Venice 1521) was compared with the commentary of the Rosh on the *mishnah*. The editors also printed *Kitzur Piskei HaRosh* on *Hallah* based on several manuscripts preserved in the National and Hebrew University Library. *Piskei HaRosh* was edited by Rabbi David Aaron Sofer. *Hilkhot Eretz Yisrael* ascribed to the author of the Tur (Rabbi Yaakov Ba'al HaTurim) was copied from a Munich manuscript by Rabbi Menashe Grossberg who added notes and source references. He sold his copy to Yaakov Rabinowitz, who published it in 1900 in London, with notes and *Hiddushim* by his father, Rabbi Eliezer Simha Rabinowitz of Lomza. It was printed again by Rabbi Yaakov Ze'ev Yoskowitz, with notes and explanations, together with a treatise of notes and *Hiddushim* by Rabbi Meir Dan of Ostrova. The text of the laws of *Hallah* in *Hilkot Eretz Yisrael* in the volume before the above mentioned new volume two edition was printed on the basis of two manuscripts. The editors also drew on a manuscript by Rabbi Mordecai Gifter with explanations and *Hiddushim on Hilkot Eretz Yisrael*. Rabbi Gifter had proved in his preface that *Hilkot Eretz Yisrael* was not written by the author of the Tur but by another early authority. Rabbi Gifter's *Hiddushim* are drawn upon. Several texts in the volume required no editing and were transferred from the edition of *Halakhot Gedolot* published by *Machon Yerushalayim*. *Machon Mishnas* Rabbi Aaron's presenting of *Kol Bo*, a work that concentrates all the sources as well the views of the sages of the Talmud and of the *Rishonim* and *Aharonim* of the laws of *Hallah*, has been a feature.

(b) **Piru ve-revu:** While the Pharisees viewed marriage as a necessary relationship between man and wife conducive to happiness, and essential in fulfilling the *mitzvah* to be fruitful and multiply, the Essenes tolerated celibacy. There were Essenes who were not married and some who did marry according to Josephus. The ascetic ones who did not marry and chose celibacy were considered as having the full time occupation of interpreting the Torah. *The Community Rule* sets out what some have called a *monastic* pattern of eating together, studying together, and remaining celibate. The Pharisees reject celibacy and view *Adam and Havah* as the paradigmatic pair. Pairs of male and female are seen as deriving from the pairs taken into Noah's ark. According to the Talmud a man is not complete until he marries a wife, or *ezer kinegdo*. The Pharisees accept that marital relations were stopped for three days upon receiving of the Torah on Har Sinai (*Moshe Kibel Torah MiSinai*), and the maxim that "those occupied in words of Torah cannot become impure" influenced the dialectic between the *eros* attributed to learning sacred texts and marital relationships. In summary the Pharisees rejected celibacy as *contra natura* and the ultimate purpose for which man and wife are destined to fulfill with their sacred mission to create a *beit neaman biyisrael* whereby the couple according to the *sheva berachot* become *reim ahuvim* (beloved friends). This relationship of beloved friends is characterized ideally by *Adam Kadmon* wishing the happiness, well being, and benefits of *Havah* even above those of his own. A story exists of a great Rabbi and his Rebbetzin who went to the doctor and he is reported to have said, "Our foot is hurting us." This characterizes such a relationship. Its extreme is perhaps seen in popular accounts such as Dicken's *Tale of Two Cities* where Sidney Carton lays down his life so that Lucy, the woman he loves, may not have her husband guillotined. The film *Casablanca* also features such sacrifice where Humphrey Bogart gives up his plane tickets to escape the Nazis so that his lover and her husband can escape. The case in *Baba Metzia 62a* of two persons in the desert and one bottle of water also epitomizes the dilemma of self-sacrifice/altruism, although Rabbi Akiba mandates that the person that

brought the water may keep it for themselves within the strict requirements of halakhic obligation. Rabbi Joshua is bidden however, since he is a *Tzadik*, to act *lifnei misharat hadin*, beyond the letter of the law, and give the water to the friend, a *middot hasiduth*. Rabbinic marriage does require many little acts of self-sacrifice, but it is not suicidal to the point of laying down one's life for the other, as the Christian radical ethic demands. See: <http://student.ccbcmd.edu/~dlevy11/loveofneighbordb1042105.pdf> (appendix). The Essenes on the other hand regarded celibacy as a way of remaining pure, and self-sacrifice was all to the community (*yahad*). There is a misogynistic passage cited by Josephus that shows that in the view of the Essenes women were associated with corporality, carnality, and the body, while men are linked with the forms (*eidos*), spirit, and mind which are incorporeal. This misogynistic dualistic delineation can be found in Aristotle, and an opinion in the *Midrash* that men contribute in the sperm the white parts of the body i.e. bone, whites of eye, and teeth, and women the blood and flesh (*huypokeimonon*). This has led to a long western misogynistic tradition whereby women are relegated to *gashmius* and men to *eidos* and *ruchanies*. A significant difference with regards to sex between the Pharisees and Essenes is that the small percentage of Essenes who did have wives would not continue sexual relations once their spouses were pregnant, while a *gemarah* in *Yevamot* holds that such marital relations is not only tolerated, but to be encouraged and helpful for the developing fetus. Once the child of an Essene was born the child was also raised communally. This may have parallels with Plato's idea of communal upbringing in the *Republic*, that used to characterize a number of Israeli *kibbutzim*. However reports of promiscuity on the Kibbutzim would make it very different than the Essene's sect. The MMT prohibits sexual promiscuity. Some Jewish scholars downplaying the Christian exaggeration of the celibacy issue, have pointed out that it would be strange for the MMT to focus so much attention on issues of priestly marriage, monogamy, laws of incest, and divorce if the Sectarial life were primarily monastic and celibate. The emphasis on celibacy has been of particular interest to Christian scholars who see the sect as a pre-monastic sect *avant la letter*. According to Betz, John the Baptist learned baptism from the Qumran immersion practices. Josephus mentions that the Essenes would adopt other men's children in Book 2 of the Wars. A *Baraita* raises the question if one should study Torah or marry a wife first. Rabbi Judah holds that one should marry first. Rabbi Johanan answered, "with a millstone around his neck?" The anonymous statement opts in favor of studying first. In Babylonia they married first while in Palestine they studied first, perhaps revealing two different economic situations. Ben Azzai claimed that he married the Torah, *l'havidil* differently than Shabbatai Zevi did in the 17th century CE quite literally by marrying in a ceremony a Torah scroll. Cave 4 4Q502 is an anomaly in the Qumran literature that lauds women possessing qualities of "intelligence and understanding, as daughters of truth and sisters within the *yahad*. Burials of women and children in the Qumran cemetery may attest to this female presence at the commune. CDC 4, 20-21 however denounces polygamy roughly 1000 years before Rabbenu Gershom's edict of monogamy. Josephus notes that in regards to a women who was pregnant, the husband would not engage in further intercourse as a matter of self indulgence, for they regarded intercourse solely for begetting children. Syriac accounts also attest to separation from wives once they became pregnant. The Essenes banned sexual relations in the city of the sanctuary

(Jerusalem). In this sense the Essenes may resemble the ascetic philosophic *Therapeutae* described by Philo.

(c) **Pekuah nefesh:** The Qumran *Halakhah* was very *mahmir* with regards to saving a person fallen in water on Shabbat. This differs with the Pharisaical principle of *pekuah nefesh*. Rabbi Eleazar b. Azariah notes in the *gemarrah* that “if we do *brit milah* on shabbos, if the circumcision falls on the 8th day, to save one limb of the body, then *kal wa-homer*, we do *pekuah nefesh* on shabbos to save all 248 limbs of the body.” In Yoma 85 it notes that R. Ishmael, R. Akiba, and Rabbi Elazar b. Azariah were once on a journey with Levi ha-Sandler, and R. Ishmael son of R. Elazar b. Azariah following them. Then this question was asked of them: Whence (*minayim*) do we know that in a case of danger to human life, the laws of Shabbat are suspended?” R. Ishmael answered and said, “If a thief be found breaking in (Ex. 22:1/ see Sanhedrin 72a-b). Now in the case of this one it is doubtful whether he has come to take a life and although the shedding of blood pollutes the land, so that the *Shekhinah* departs from Israel, yet it is lawful to save oneself at the cost of his life- how much more so (*kal wa homer*) may one suspend the laws of *Sabbath* to save human life. R. Elazar b. Azariah answered and said, “If circumcision which attaches to only one of the 248 members of the body suspends the *Shabbos*, how much more shall the saving of a whole body suspend the Sabbath. Rabbi Jonathan b. Joseph said: For it (Shabbat) is holy unto you i.e. the Sabbath is committed to your hands, not you to its hands. Rabbi Simeon b. Menasia said, “And the children of Israel shall keep the Sabbath. The Torah said: Profane for his sake one *Sabbath* so that he may keep many Sabbaths. Rabbi Judah said in the name of Samuel: If I had been there I should have told them something better than what they said. He shall live by them, but he shall not die because of them (Lev. 18:5).” In this *gemarrah* we find the employment of multiple uses of *kal wa-homer* logic. Rabbi Ishamel, who expanded Hillel’s 7 hermeneutical rules to 13, evokes Exodus 22:1 about a burglary in progress where if it is dark there is no bloodguilt but if the sun rose there may be bloodguilt in killing the *rodef*. Rabbi Akiba, the martyr in 132 CE in the Bar Kokbah revolt who is credited with entering the *Pardes* (*Peshat, Remes, Derosh, Sod*) is also a part of this discussion of *pekuah nefesh*, remains quiet. The *gemarrah* refers to the R. Eliezer b. Azariah, who in *Maseket Berackhot* is accredited with saying “behold I am like a man of 70” and who assumed the position of *Nasi* when Rabban Gamliel was deposed for insulting R. Yehoshua over the question of the evening *Shema*, and was selected for office because “*hu hakham, hu ashir, hu asar li-Ezra*” after consulting with his wife if he should (she advised not), after 18 rows of his beard turned white. R. Levi ha-Sandler to whom the *gemarrah* refers as a maker of nets i.e. a great systematizer. Rabbi Jonathan b. Yosef in our *gemarrah* makes a remark that may have parallel’s to the NT where Yeshka states that *Shabbat* is given to the son of man not the son of man to the Sabbath.” Yet Rabbi Jonathan b. Yosef would reject Yeshka’s breaking of the laws of *Shabbos*, as in the case of picking agricultural products on *Shabbos*, or further not washing one’s hands before a meal with bread. The use of *kol wa homer* logic in this *gemarrah* is not unique to *Maseket Yoma* but can be found throughout the *Shas* as for instance when Hillel argues concerning the pascal lamb offering on Shabbat that it is to be done because the *tamid* offering on Shabbat is brought *kol wa-homer* for the Pascal offering where it is said “he who fails to take care of the Pascal offering will be cut off from Israel.”

Rabbinic law holds that in only 3 cases may one give up their life: (1) *avodah zarah*, (b) murder, (c) incest or licentiousness. Yet there are the extreme situations of acting *lifnei misharat ha-din* or acting beyond the letter of what the law requires, if one is uniquely a great *Tzadik*. Thus the case of Baba Metzia 62b of two people in the desert and only one flask of water- what to do? Rabbi Akiva says that the person who brought the water may drink it and reach civilization to survive. Rabbi Yehoshua since more is expected of such a *Tzadik* and *Hasid* is expected to lay down his life and give the water to the friend, acting *lifnei misharat hadin*. Stupidity is pouring the water out so no one benefits or only drinking half where neither party would reach civilization to survive. *Baba Metzia* 62a notes Rabbi Johanan interpreting “that thy brother may live with thee?” He utilizes it for that which was taught. If two are traveling on a journey and one has a pitcher of water if both drink they will both die, but if one only drinks he can reach civilization. The son of Patura taught: It is better that both should drink and die rather than that one should behold his companion’s death. Until Rabbi Akiva came and taught: “That thy brother may live with thee, thy life takes precedence over his life. Patura is not willing to stand idly by the blood of his brother. Rabbi Akiba however argues that you do not need to sacrifice your life for love but does not pre-empt for *Tzadikim* volunteering to do so. In WWII the case of a torpedoed ship led to the scenario where a Catholic priest, 2 protestant ministers, and a rabbi gave up their life jackets for children and women. However according to a *gemarah* in *Horayot* the *Talmud Hakham* should not give up his life in such a way because if he survives with the life vest he can go and teach Torah to the *Olam*. The *mishnah* in *Horyot* was applied literally by the *Vaad Hatzalah* during WWII to save the *Yeshivah Lite Rosh Yeshivah* and Hierarchy of Mir with the same logic that their survival could perpetuate more *Torah* after the war. See footnotes at: <http://www.h-net.msu.edu/reviews/showrev.cgi?path=1837951260569> In the extension of this case to a further modern scenario Rabbi Moshe Feinstein with Rabbi Tendler argued that in the case of *simesse* twins where two persons share one heart, it is a tough call which child should be separated and given the heart for a chance to survive. The heart is likened to the “bottle of water” in the desert in *Baba Metzia* 62a. Dr. Koop suggested that the *simmesse* twin with more chance to survive should be given the heart.

A parallel case is further found in *Maseket Pesachim* 50 a concerning a town in Lydda where Lulianus and Papus, two brothers, took upon themselves the guilt for the death of the Emperor’s daughter so as to save the community as a whole by giving themselves up as martyrs. This is a case of self sacrifice in the name of false confession to a crime Lulianus and Papus did not commit. Thus it differs from the Dicken’s case of Sydney Carten who was in no danger, and acted on a radical Christian ethic of laying down a life for the other, while Lilianus and Papus were in danger. Rabbi Simeon ben Lakeash, a former thief/gladiator before he became a *Talmud hakham* and married into an illustrious rabbinic family, remarks on our *gemarah* that even where one of the company had been specified by name the others may not deliver him to the gentiles, unless he is guilty of the death of Sheba, the son of Bichri, was guilty of his rebellion against the king. Thus Rabbi Simeon ben Lakeash would be against the case of Jews hiding from the Nazis, and a crying baby risks their detection, justifying the baby to be suffocated (see Rabbi Ephraim Oshry, *MiMamakim*). Rabbi Johanan holds that the others may have saved themselves by handing over the man, whose name had been specified, even if he is not guilty of death. When Rabbi Joshua ben Levi of Lydda is described as persuading the

man to surrender and give up his life to save the community, it is said that Elijah stopped appearing to him, although Elijah appears to Rabbi Yehoshua numerous times as when he was *davoning* in a ruin (*mifolet*) and is told not to do so (*Maseket Berakhot*). The *Tosefta* in *Terumoth* chapter 7 describes a group of people traveling and are attacked. It is demanded that one of the members to be surrendered or murder the whole group. The law demands that they should all surrender themselves to the murderers rather than surrender a single innocent person to be killed. The law demands the self-sacrifice of the many for the sake of the single soul individual. This is the application of the principle elucidated in the *mishnah* that the saving of one life is tantamount to the preservation of the entire world (*Sanhedrin* IV:5). If however the victim whose surrender is demanded cannot possibly escape and is foredoomed, rabbinic opinion is divided as to what course of action the group should take. According to one view the individual should be given up. According to another opinion he should be surrendered only if the intended victim has committed an offense for which the penalty is capital punishment. In *Terumoth* 46b Rabbi Joshua ben Levi in Lyda feared that the entire community might be hurt. The fleer's action had endangered the entire community. R. Joshua ben Levi persuaded the fleer to give himself up to the Romans. The fleer gives himself up voluntarily. Elijah ceased to reveal himself to R. Joshua. R. Joshua argued that he had acted in accordance with the law. To which Elijah replied, "Is this the teaching of *Hassidim*"? The commentators explain Elijah's query to mean that a pious man like R. Joshua should act beyond the requirements of the law, *lifnei misharat hadin*. Rabbi Tendler argues that if two men jump out of an airplane with one parachute the person who brought the parachute originally is justified to kick the friend off, thus applying the situations of Baba Metzia 62a and *Tosefta Terumoth 7* to a more modern example. Rabbinic law does not require a radical Christian ethic. This is illustrated in Karl Lowith's essay, "Can there be a Christian Gentleman." See:

<http://student.cbcemd.edu/~dlevy11/loveofneighbor042105.pdf>

The Essenes most likely would also reject the Rabbinic *halakhic* ruling that entitles one to search debris of a fallen structure on *Shabbos* in order to save lives. The *gemarah* in *Yoma* 85a again illuminates: "If debris has fallen upon individuals.... How far does one search? Our Rabbis taught: how far does one search? Until one reaches his nose. Some say: up to his heart. If one searches and finds those above to be dead, one must not assume those below are surely dead. Once it happened that those above were dead and those below were found to be alive. Are we to say that these *Tannaim* dispute the same as the following *Tannaim*? For it was taught: from where does the formation of the embryo commence? From its head as it is said: *thou art he that took me out of mother's womb*, and it is also said: *Cut off thy hair and cast it away*. Abba Saul said: from the navel which sends its roots into every direction! You may even say in as much as Abba Saul holds his view only touching the first formation because everything develops from its core, but regarding the saving of life, he would agree that life manifests itself through the nose especially as it is written, "*In whose nostrils was the breath of the spirit of life* (Gen. 3:22) R. Papa said: the dispute arises only as to form below upwards, but if from above downwards one had searched up to the nose, one need not search any further as it is said: "In whose nostrils was the breath of life." This *gemarah* not only raises the question of the suspension of the laws of *Shabbos* if a building has collapsed and the wreckage needs to be searched to save victims, but also about the 2 criteria of death: respiration and

heartbeat. The *Hakham Tzvi* in a later time rejects respiration as not the criteria of life but an indication that heart is beating. Therefore a patient is not to be pronounced dead if the breathing stops solely. Both criteria of irreversible cessation of cardiac and respiratory activity are signs. Thus David Bleich extrapolates that the presence of heartbeat is thus an indication of life even in the absence of brain function or spontaneous respiration. By extension the ramifications of the timing of potentially disconnecting a heart-lung machine is illustrated by complicated *halakhic* nuances and negotiations. Lord Jakobovits describes a situation where a declared “brain dead” patient supported on a heart-lung machine once returned his greeting on shabbos, “good shabbos” thus suggesting that we should not be over anxious to disconnect all life support. Who knows what Hashem is deciding in the twilight limbo state of the life-support patient. Rabbi Yitzak Breitowitz has written brilliantly in a *teshuvah* on the Teri Shavo case. Essentially Terry was starved to death, because the husband wanted to marry another woman and stop having the “burden” of Terry. The decision to disconnect feeding tube help to Terry Sheivo was made into an obscene political agenda. Her ultimate care was thus subjected to the most obscenely vulgar of political factors.

(d) **Picking up a child** on *Shabbos*: In Pharisaical law one is allowed to pick up a child on *Shabbos*. If there is an *eruv* one can even wheel a stroller to *shul*. The Essenes however were very *mahmir* and would not pick up children on *Shabbos*. This was felt to constitute work.

(e) **Truth Telling**: The Essenes were sticklers in literal avoidance of all untruths. Thus with regard to truth telling and *beating around the bush* they would probably differ from the opinion in *Moed Katan 26 b* where we learn, “If the close relative of a sick man dies, we do not inform the sick man, lest he be emotionally overwhelmed.” Well known is the dictum of Hillel that one should tell the *kallah* that she is pretty, while Shammai struck to the direct truth and would say no such thing, to fudge the appearance that she is beautiful and he felt she was not. There are however no hard and fast rules to truth telling and beating around the bush or soft pedeling in *halakhah*. *Yevamot 65b* notes, “One may properly speak an untruth for the sake of peace, as did Joseph’s brothers.” In the *Damascus Document* one Belial’s three nets is falsehood (along with polygamy, excessive riches, and profaning the Temple). The Besht is noted to have said, “in every lie there is a kernel of truth.” For how one may interpret this see:

<http://student.cbcmd.edu/~dlevy11/Heschel.pdf>

(f) **Harvesting Omer**: The Essenes would harvest the *omer* on the Sunday after Pesach. The Sadducees would wave the omer on the Sunday following Shabbat. The Pharisees sometimes waived the *omer* on *Shabbas*. In the *mishnah of menachot* ch. 10, 1 the Sadducees bring the Omer the day after Shabbat= Sunday.

רבי ישמעאל אומר העומר היה בא בשבת משלש סאין ובחול מחמש וחכמים אומרים אחד בשבת ואחד בחול משלש היה בא רבי חנינא סגן הכהנים אומר בשבת היה נקצר ביחיד ובמגל אחד ובקופה אחת ובחול בשלשה ובשלש קופות ובשלש מגלות וחכמים אומרים אחד בשבת ואחד בחול בשלשה ובשלש קופות ובשלש מגלות

(R. Ishmael says, the omer brought on the Shabbos was taken from three seahs [only of barley], and on a weekday [it was taken from only] five [seahs], but the Sages say,

It is all one whether [the second day of Passover] were a Sabbath or a week day, [the tenth of an ephah of flour] was produced from three seahs [of barley]. R. Chanina the Prefect of the priests says, On a Sabbath it was reaped by one man and with one sickle and in one basket, and on a weekday [it was reaped] by three men and in three baskets and with three sickles; but the Sages say, It is all one whether [the sixteenth day of Nisan] were a Sabbath or a weekday [the reaping was carried out] by three men and into three baskets and with three sickles.)

The Pharisees bring the Omer always on the 16th of Nisan. The 16th of Nisan could be a *Sabbath*. Rabbi Ishmael thought that when one cut the *Omer* on Sabbath it is best to minimize desecration from 5 *seahs* to 3 *seahs*. In the *mishnah* in *Menahoth* 10:3 we read that the priest used to call out three times for every matter, and they answered yea: Is the sunset? And they answered yea! Is the sunset? And they answered yea! Is this the sickle? And they answered yea! Is this the sickle? And they answered yea! Is this the basket? And they answered yea! Is this the basket? And they answered yea! On this Sabbath? And they answered yea! On this Sabbath? And they answered yea!

כיצד היו עושים? שלוחי בית דין יוצאים מערב יום טוב ועושין אותו כריכות במחובר לקרקע כדי שיהא נוה לקצור וכול העיירות הסמוכות לשם מתכנסות לשם כדי שיהא נקצר בעסק גדול כיון שחשכה אומר להם בא השמש? אומרים הין בא השמש? אומרים הין מגל זו? אומרים הין מגל זו? אומרים הין קופה זו? אומרים הין קופה זו? אומרים הין בשבת אומר להם שבת זו? אומרים הין שבת זו? אומרים הין אקצור? והם אומרים לו קצור אקצור? והם אומרים לו קצור שלש פעמים על כל-דבר ודבר והם אומרים לו הין הין וכל כך למה? מפני הביתוסים שהיו אומרים אין קצירת העומר במוצאי יום טוב

(How did they make [the omer] ready? The messengers of the Court used to go out [into the field] on the eve of the Festival [of Pesah] and tie up [the upper part fo the corn by handfuls] in bunches while it was still connected with the soil in order that it should be easier to reap; and [the people of] the towns close by assembled there [in the evening at the end fo the first day of Passover] that it should be reaped with great ceremonial display. When it grew dark [the appointed reaper] called out to them [the by-standers]. `Has the sun set? And they replied, `Yea! [He enquired again], `Has the sun set? [and they answee once more], Yea! [He now asked}, `Is this the sickle?' [intened for cutting the omer], and they responded, `Yea!' [He repeated this question], `Is this the sickle?, and they replied, `Yea!' He then inquired, `Is this the basket?' [to hold the corn], and they made reply, `Yea!' [He again enquired], `Is this the basket?' and they [again] answered, `Yea!' [If the occasion were the conclusion of] the Sabbath, he asked of them `{On} this Shabbos?' and they replied, `Yea!' [and again], `[On] this Shabbos? And [again] they answered `Yea!' [And finally he called out], `Shall I reap?' and they made reply `Reap!' [and yet again], `Shall I reap?' and they answered, `Reap!' Three times [did he call out] for every [separate] matter and they made reply, `Yea!, `Yea!', `Yea!' And why was all this procedure carried out? Because of the Boethusians/Sadducees who used to maintain that the omer must not be reaped at the conclusion fo the [first] Festival day of [Pesah].)

All of this *tekas* (ceremony) was because the Boethuseans used to say the Omer may not be reaped at the close of a festival day. In cave 4 a scroll fragment was found where the Essenes denounced this practice as *an error of blindness*. The text reads:

Waiving of Omer...
..... mistake of blindness (תעות עורום...)
.... Except your Sabbaths...

In the Masada text of the Essenes the concept of forbidden grain or *hadash* is made. Leviticus 23:14 forbids use of grain of the new harvest to be eaten before the *omer* offering has been completed.

(g) **Oils:** In *Yadayim* the Pharisees pronounce clean a *nizzoq* (interrupted flow of liquid) while the Sadducees pronounce clean water from a cemetery. The Essenes would follow the Pharisees and argue that oils and liquids can transmit impurities in that they were very *mahmir* about oils. Josephus in the Book of Wars chapter 2 notes that the Essenes avoid oil because liquids can be a source of *tuma*. By extension another *mishnah* in *Yadayim* holds that the Pharisees hold that the sacred scriptures render the hands unclean. The Sadducees rejected this law because they reject oral law. The Sadducees say the law is illogical because why should the holy books defile the hands while secular books like Homer do not. Rabbi Yochanan ben Zakkai holds that to the Pharisees the *sifreim Hamarim* (Homer) are not considered *kodesh*. Folio 12 of the Damascus Rule warns against the defiling nature of oil. One of the defiling properties of oil is given as its inability to evaporate by Josephus. The *mishnah in Yadayim* 4:7 reads, “The Sadducees say, “We must reprove you Pharisees that you declare the streaming (when pouring liquid from a clean into an unclean vessel) to be clean. The Pharisees answered we must reprove you Sadducees that you declare a conduit from a burial ground to be clean.

In the Damascus Document XII 15-17, Baumgarten has restored the correct meaning of the text by noting that Schechter and Ginzberg miss interjected the word שמן for שמו . The text thus reads: וכל העצים והאבנים והעפר אשר יגואלו בטמאת האדם לגאולי שמן בהם כפי טמאתם יטמא הנוגע בהם (And all wood, stones or dust which are sullied by the defilement of man, having stains oil on them, according to their defilement shall he who touches them become defiled). Thus as Josephus mentions (Jewish War II, 8, 3, 123) the Essenes avoided oils: “Oil they consider staining, and anyone who is accidentally anointed with it scours his body; for they think it good to keep a dry skin and to be always dressed in white.” The *loshon* in the Tanakh employs two words, defilement=טומאה and staining/besmirching=געל . In Zebahim 88a priestly garments that have been stained are not to be washed with natron . Avodah Zarah 67b refers to vessels contaminated by pagans which had been scoured before use: גיעולי עובדי כוכבים . The plural construct of this term is similar to גאולי שמן in Dam. Doc. XII, 16. Baumgarten has given the correct translation of the precise meaning of the eluding pusek in 1 Q Serek III, 2-3 where we read: כי בסאון רשע מחרשו וגאולים בשיבתו in English as: For he plows in the mud of wickedness and the blade of his plow is besmirched with stains. The word סאון is a variant of טין which is employed in the Targumim to translate the Hebrew: רפש חמר and טיט (used in Tehillim 18). The word גאולים means stains, as in Dam. Doc. XII 16 (10). The difference between גאל and טמא appears in 1 Q Milhamah IX, 7-9 in the context of a

regulation to safeguard the purity of priests on the battlefield when we read: And when the slain are falling, the priests shall sound (their trumpets) from a distance; they shall not go into the midst of the slain lest they be stained by their impure blood (להתגאל בדם טמאתם). The reason given for the priestly rule is found when we read: כי קדושים המה ולוא יחלו שמן (for they [the priests] are holy and they are not to defile the oil of their priestly anointment with the blood of the vain heathen). In Keritot 5b we learn that according to Rabbinic halakha ordinary priests, as distinguished from the Kohen Gadol, did not require anointing for their consecration. In Tosefta Sota III, 1 and Horayot 12a, and Keritot 5b it is remembered that the anointing of high priests is said to have fallen into disuse in the *Beit Sheini Tekufah*. The high priests of the Second Temple are said to have been distinguished only by their more numerous garments: בבדדים מרובה (see Mishnah Horayot III, 4; Megillah 1, 9; and Yoma VII, 5). The DSS text and Mishnah Sotah VIII, 1 imply that the priests who accompanied the men in battle were consecrated by anointing, but the Rabbinic Mishnah further envisions a High Priest for battle. The background for the defilement of oil is revealed by the Dam. Doc. Which is translated as follows: And all wood, stones or dust which are sullied by the defilement of man, having stains oil on them, according to their defilement shall he who touches them become defiled i.e. the stains of oil are the agents of contamination because they adhere to the materials, and hence whoever touches the materials is likewise contaminated. The oil merely acts as the carrier of impurity. It is the defilement of man טמאת האדם which is the locus of defilement. The last two chapters of the *mishnah* in *Tohoroth* give a picture of the precautions taken during the *Beit Sheini Tekufah* to insure purity of olive oil i.e. the olives were not susceptible to defilement until they were placed in the vat, where the exuding moisture wetted them and thus made them susceptible (מוכשרון) to impurity (Mishnah tohorot IX, 1-3). In the olive presses operated by the עמי הארץ i.e. people who did not observe ritual purity and not trusted with giving proper maser and terumah i.e. demai (doubtful produce because the tithes were not taken- see:

<http://student.cbcmd.edu/~dlevy11/amharetz.pdf>)

- special procedures were followed noted when we read: הנועל בית הבד מפני הבדדין והיו שמן כלים טמאין מדרש רבי מאיר אומר בית הבד טמא רבי יהודה אומר בית הבד טהור רבי שמעון אומר אם טהורין להן בית הבד טמא ואם טמאין להן בית הבד טהור אמר רבי יוסי וכי מפני מה טמאות אלא שאין עם הארץ בקיאים בהיסט (If one locked in the olive-treaders inside the olive press building, and there were articles there [within] unclean with treading-contact-uncleanness, R. Meir says, The olive press building becomes unclean. R. Judah says, The olive-press building remains clean. R. Simon says, If [in the opinion of the עמי הארץ labourers the articles] were clean the olive press building becomes unclean, but if [to their way of thinking] they were clean, the olive-press building remains clean. R. Jose said, (But) the reason why [all the objects within become unclean is only because the עמי הארץ are not conversant with the laws regarding the moving of aught unclean.] The mishnah refers to the practice whereby the workers, who were initially pure, would be locked in the building containing the olive-press in order to isolate them from any possible contamination. However in the case in discussion, unclean articles had accidentally been left inside the building. The question is if the workers can be trusted to avoid the impure objects. The next mishnah also illuminates: הבדדין שהיו נכנסין ויוצאין ומשקין טמאין בתוך בית הבד אם יש בין משקין לזיתים כדי שינגבו את – רגליהם בארץ הרי אלו טהורין הבדדין ובוצרין שנמצאת טומאה לפנייהם נאמנין לומר לא נגענו וכן התינוקות שביניהן יוצאים חוץ לפסה בית הבד ופונים לאחורי

הגדר והן טהורין עד כמה ירחיקו ויהיו טהורין? עד כדי שיהא רואן (If the workmen in the olive-press (building) went in and came out, and there was unclean liquid in the olive-press-building (lying on the floor), and there was (enough space) between the unclean liquid and the olives to wipe their (bare) feet dry on the ground, then they remain clean. If uncleanness be found in front of the olive-press (building) workmen and the grape-cutters, they are believed when they say, `We did not touch [the uncleanness]. And likewise, also, the children among them may go outside the entrance of the olive-press building and relieve themselves behind the fence and be considered clean (to reenter). How far may they go and (still) be accounted clean? Just as far as they can be seen.). The Halakhic distinction between solid foods and liquids should be kept in mind- namely while unclean foods transmit their impurity only to others foods, liquids may may contaminate even vessels. In the case of solid foods the degree of impurity goes down with each derivative contact. However for liquids, even if touched by a person or object bearing second degree impurity becomes defiled to the first degree (Mishnah Parah VIII, 5-7). According to Tosefta Tohorot I, 6, one who has incurred impurity of the second degree should not work in the olive press because he would contaminate the liquids which would then become defiled to the first degree: השני מטמא את המשקין לעשות תחילה. Thus if the bare feet of the workmen were still wet with the unclean liquids when they reach the olives, all the oil would be contaminated with impurity of the first degree. If they wore shoes, these would become ritually unclean and would in turn transfer impurity to the oil. In ! Q Serek we see that the knowledge of these rabbinic laws of the special status of liquids with regards to impurity is seen the inter-testamental periods. A novice in the Qumran community was admitted to the טוהורת הרבים the pure foods of the sect, after an apprenticeship of one year. However in order to share of the liquid משקה הרבים the pure liquids of the sect, he had to pass the tests that lasted two years. The distinction is rooted in the special character of the halakhic principle of the different status of liquids and solids susceptible to impurities. The precautions in processing olives and their oils cited in the mishnah stems from the bigger stakes to assure the purity of the oil set aside for the heave-offering, the meal-offerings, and the libations of the Temple. During the seasons of olive and wine pressing all the people of Judaea, including *amme ha-ares*, made and effort to maintain ritual purity in order not to contaminate the heave-offering (Mishnah Hagigah III, 4; Tosefta Hagigah III, 30-32). In the Galilee, however if the oil were even prepared in purity it would be contaminated during transport through the central regions inhabited by Samaritans and pagans (Hagigah 25a). Contact of pagans made the oil ritually impure. Josephus mentions that “those Jews who were unwilling to use foreign oil should receive a fixed sum of money from the gymnasiarchs to pay for their own kind of oil” (Antiquities X!, III, 1, 120). The unwillingness of Jews to use Greek oil applied to dietary and perhaps anointing oil also. Greek inscriptions testify to the strategy to increase assimilation by distribution of “free” oils by municipal officials of Hellenistic cities. Josephus notes that just before the outbreak of the war with Rome, the Jewish inhabitants of Caesarea “having no pure oil for personal use” sent a request to the Zealot leader, John Gischala, to send them a supply, “lest they should be driven to violate their legal ordiances by resort to foreign Grecian oils (Vita, 74; cf. Jewish War II, xxi, 2, 591). Josephus accuses John of exploiting the shortage for personal profiteering, admits that he agreed to the shipment “from fear of being stoned by the Jewish mob if he withheld it” (Vita 76). Thus we see the concern for matters of impurity even amongst the *hoi*

poloi/n'importe qui of a Jewish mob. A case is brought of the immodest behavior of a woman in the market place who when a barrel of oil is broken, lapped up the spilled oil to anoint her hair. That the oil came in contact with the ground was seen as a source of impurity, and that she removed her head covering a source of immodesty.

Oil is also the source of legislation not only in the mishnah but also in the Talmud. Rab lists it among the 18 Decrees passed by the Shammaites to curtail intercourse with pagans (Avodah Zarah 36a). Other versions attribute the ban to Daniel. Avodah Zarah contains the memory of a 3rd century Amoraic tradition that the Jews once ascended to the King's mountain to obtain oil and were killed because of it: שהיו עולין עמו להר המלך ונהרגין עליו The mishnah classifies pagan oil among the things forbidden as food. Since Rabbi Yehudah HaNasi revoked the prohibition (Avodah Zarah 36 and Yerushalmi AZ 41d), the Amoraim of the 3rd century were no longer certain about its origin and nature. The Amora Samuel explained the ban as arising from the contamination of pagan utensils which were ritual unclean: זליפתן של כלים טמאין אוסרתן. The gemarah asks, "but do all people eat their food in levitical purity?" Samuel's statement is emended to read: "the pouring (of the oil) into vessels which contained prohibited food causes it to be prohibited." The avoidance so pagan oil arose from the stringencies concerning ritual purity and the abhorrence of idolatry.

The tannaitic laws of the four gradations of those who observed levitical purity are found in Hagigah II, 7 in ascending order: Perusin- those who kept apart from *amme ha-ares* and ate there ordinary food (**Hullin**) in purity; (2) *okle terumah*- priests and the households who ate the heave-offerings; (3) *Kodes*- those permitted to eat of the sacrifices, (4) *Hatt'at*- those involved in the preparation of the ashes of the red heifer. According to one opinion in the Talmud, a fifth category, purity for the tithes, is to be inserted between (1) and (2); mishnah Hagigah II, 6.. Contact with persons of a lower grade of purity or even their garments was considered defiling (mishnah hagigah II, 7). Similarly Josephus reports that the four stages of the Essene novitiate were so defined that a "senior if but touched by a junior must take a bath, as after contact with an alien" (Jewish War II, viii, 10, 150). Since the Essenes were more mahmir than the Pharisees in most areas, we can conjecture that the Essenes observed a standard of purity from oils equivalent or beyond even the highest rabbinic gradation, that required for the preparation of the ashes of the red heifer. The sprinklers of מי נדה were not adolescents as in rabbinic law, but only adult priests. In 11Q Temple the Qumranites insisted on employing only adult priests not *pirchei kehunah*); See: Temple Scroll & 4Q394 3-7 I 16-20: אתוה והסורף אותה והאוסף [א]ת אפרה והמזה את [מי] החטאת לכול ואפ על טהרת פרת החטאת השוחת: 20: (And concerning the purity of the cow of purgation, he who slaughters it, and he who burns it, and he who gathers its ashes, and he who sprinkles the purgation water, all these must wait for sundown to be pure, so that a pure man will sprinkle upon the impure one.

According to Numbers 19:3:22 , the parasha of this years AJL Convention, the laws of the parah adumah are as follows:

ויקחו אליך פרה אדמה תמימה אשר אין—בה מום אשר לא-עלה עליה

על : ונתתם אתה אל-אלעזר

הכהן והוציא אתה אל-מחוץ למחנה ושחט אתה לפניו: ולקח אלעזר הכהן מדמה

באצבעו והזה

אל-נכח פני אהל-מועד מדמה שבע פעמים: ושרף את-הפרה לעיניו את-ערה ואת-בשרה ואת-דמה על-|
פרשה ישרף: ולקח הכהן עץ ארז ואזוב ושני תולעת והשליך אל-תוך שרפת הפרה: וכבס בגדיו הכהן
ורחץ בשרו במים ואחר יבא אל-המחנה וטמא הכהן עד-הערב: והשרף אתה יכבס בגדיו במים ורחץ
בשרו במים וטמא עד-הערב: ואסף איש טהור את אפר הפרה והניח מחוץ למחנה במקום טהור והיתה
לעדת בני-ישראל למשמרת למי נדה חטאת הוא: וכבס האסף את-אפר הפרה את-בגדיו וטמא עד-הערב
והיתה לבני ישראל ולגר ולגר הגר בתוכם לחקת עולם: הנגע במת לכל-נפש אדם וטמא שבעת ימים: הוא
יתחטא-בו ביום השלישי וביום השביעי יטהר ואם-לא יתחטא ביום השלישי וביום השביעי לא יטהר:
כל-הנגע במת בנפש האדם אשר-ימות ולא יתחטא את-משכן ה' טמא ונכרתה הנפש ההוא מישראל כי
מי נדה לא-זרק עליו טמא יהיה עוד טמאתו בו: זאת התורה אדם כי-ימות באהל כל-הבא אל-האהל וכל-
אשר באהל יטמא שבעת ימים: וכל כלי פתוח אשר אין-צמיד פתיל עליו טמא הוא: וכל אשר-יגע על-
פני השדה בחלל-חרב או במת או-בעצם אדם או בקבר יטמא שבעת ימים: ולקחו לטמא מעפר שרפת
החטאת ונתן עליו מים חיים אל-כלי: ולקח אזוב וטבל במים איש טהור והזה על-האהל
ועל-כל-הכלים ועל-הנפשות אשר היו-שם ועל-הנגע בעצם או בחלל או במת או בקבר: והזה הטהר על-
הטמא ביום השלישי וביום השביעי וטמא ביום השביעי וכבס בגדיו ורחץ במים וטהר בערב: ואיש
אשר-יטמא ולא יתחטא ונכרתה הנפש ההוא מתוך הקהל כי את מקדש ה' טמא מי נדה לא-זרק עליו
טמא הוא: והיתה להם לחקת עולם ומזה מי-הנדה יכבס בגדיו והנגע במי הנדה יטמא עד-הערב: וכל
אשר-יגע-בו הטמא יטמא והנפש הנגעת טמא עד-הערב

The Qumranites describe the observance of the above stipulations in fragment
4Q276 frg 1 (Thr. Bb)

[בגדים] אשר לוא שרת במ בקודש/ [] וחיב את הבגדים ושחט את / [ה]פרה [ל]פניו <נ>שא את דמה בכלי
חרש אשר/ [קד]ש במזבה והזה מדמה באצבע[ו] שבע/ [פעמים א]ל נוכה א[ו]הל מועד והשליך את
הארז/ [ואת האזוב ואת שני ה]תולע אל תוך שרפתה/ [ואסף] את אפר הפרה/ והנ]יחוהו למשמרת/ ולבש הכוהן
[garments] with which he did not minister in the sacred (precincts0/[] and he shall gird
[?] the garments and slaugh[ter the] [the cow] [b]efore him, and he shall <c>arry its
blood in a clay vessel which/ [was sancti]fied by the altar. And he shall sprinkle of its
blood with his finger seven/ [times to]ward the tent of meeting. And he shall cast the
cedar wood/ and the hyssop and the scarlet into the midst of its burning [and he shall
gather] the ashes of the cow/ [and they] shall place it for safekeeping/ [and the
priest shall put on

The Pharisees used to defile the pirchei kehunah that they employed to sprinkle the ashes
of the red heifer: We read in Parah 3:7; לא היתה פרה רוצה לצאת אין מוציאין עמה שחורה שלא
יאמרו שחורה שחטו ולא אדמה שלא יאמרו שנים שחטו

רבי יוסי אומר לא משום זה אלא משום שנאמר והוציא אותה לבדה וזקני ישראל
היו מקדימים ברגליהם להר המשחה
ובית

טבילה היה שם ומטמאים היו את- הכהן השורף את

הפרה מפני הצדוקים שלא יהיו אומרים במעורבי שמש היתה נעשית -

(...They used to defile the priest who was to burn the cow, because of the Zadokites, that
they should not say that it must be made by those who had waited for sundown.); Assert
eligibility of tebul yom. R. Joshua insisted that even the utensils used in the Parah ritual
must also be purified and used without waiting for sundown (5:4)

A further fragment of the Qumranites regarding the parah adamah halakhah, especially
relevant for this weeks AJL convention which includes the laws of the red heifer, which

even baffled King Solomon is:4Q277 frg. 1 (Thr B) (Essenes on tevel yom continued)
Therein we read:

ערב [] / [] הכוהן המכפר בדם הפרה וכול [א/] ת כלי [] האזוב ואת [שני התולעת/] איש טהור מכול טמאת
[החלמה אשר כפרו במ את משפט ה[טמאה ? רחץ/] במים [וט] מה עג ה[ער]ב והנוג[ע ב] לחת מי הגדה
יט[מא ואל יז] / איש א[ת] מי הגדה על טמאי נ[פש] כיא איש כוהן טהור [רק הוא יזה] / על[יהן כי] א[מ] כפר
הוא על הטמ[א] ועלול אל יז על הטמא ו[המקבלים] / את מי [הג]דה יאבואו במים ויט[ה]רו מטמאת הנפש ב []
ומכל[] / [טמאה] אחרת [ויז]רוק עליהם [הכוהן את מי הגדה לטהר]ם [כיא לוא] / [יתקדשו] כיא אם [י]טהרו
מש[כבו ומוש]בו [] / [ואי]ן ידיו שט[ו]פות במים יטמא [וט]הור[] בשרהם וכל אשר יגע [בו] / הזב את[] זובו
the [] ה[ע]רב [] זובו מגע טמאת[ו] / [וט]מה עד [ה]ערב והנושא [את ב]גדיו ורח[ץ] וטמא עד [] נגעו
hyssop and the [scarlet] / [] a man purified from any impurity (which lasts till) evening
[] / [] the priest who purges with the blood of the cow. And all [] the clay [vessels] with
[whi]ch they purged the state [of impurity. He shall bathe]/ in water and [be im]pure until
the ev[en]ing. One who touché[s the] wetness of the purification water becomes im[pure].
Let no man sprinkle]/ the purification water upon those defiled by a c[orpse] except for a
priest who is pure. [Only he/ [upon] them, fo[r he is per]forming a purgation rite for the
impure. A child shall not sprinkle upon the impure. And [those who receive]/ the
[pur]ification water shall (first0 immerse themselves in water and be cleansed of the
corpse defilement [and of every]/other [defilement]: (then) let the [pri]est [spr]inkle the
purification water upon them to purify [them, for they cannot]/ be sanctified] unless they
are cleansed and their flesh is c[lean]. And anyone touched by one/ [who has] a flux []
and his hands were not rinsed in water becomes [unclean]/ [] and his bed and his seat []
touched [] his flux [] the touch of [his] uncleanness/ [and he shall be im]pure until
evening, and he who carries his [g]arments shall [bat]he and be [] impure until evening

They were held by the Essenes also to be defiled to the setting of the sun, rather than just after only teveling in a mikvah. Among the Qumranites there were gradations of various categories of water: מי רחץ (water for bathing) מי דוכו (water for purification; see 1 Q Serek III, 9); and מי נידה (water for sprinkling). The mishnah in Hagigah II, 5 and Parah X, 2 holds that if contact came in connection with unclean foods or liquids, which normally only defile the hands, they were held to be completely defiled.

With this background context regarding the impurity of liquids and oils found in our mishnah and Talmudim, we are better able to understand the law in Dam.Doc regarding the raw materials (wood, stones, and dust) that are held to be susceptible to defilement. This seems incompatible with Rabbinic views that unfinished vessels (גולמיין) do not receive impurity (Mishnah Tohorot XII, 6 and Sifre on Numbers Ch. 158). This is all in keeping with the general principle of the Essenes being more mahmir than even the Pharisees. The correlation with Rabbinic standards is that oil when touched by an unclean person always becomes impure to the first degree which is in turn transmitted to anyone who touches the materials. The phrase טמאת האדם may refer to the impurity in the eyes of the Essenes of all pagan non-Jews and even other Jews outside of the yahad as being ritually unclean to their highest standards. Thus they used and avoided all oils from alien sources. Even within the gradations of the Essenes only the most pure oil was used if necessary to employ oils. An anointed Essene high priest thus may never touch, even accidentally, one of a lower order or else he would himself become impure via the transmission properties of the oils. Thus we see why Josephus states clearly that the Essenes always kept a dry skin and wiped off any oils with which they might come in

contact, if not avoided oils all together. The avoidance of oil jives with the Essenes general asceticism and avoidance of luxury. However probably a stronger factor was the strictness with regards to the laws of levitical purities. This is seen in the fact that the sectarians preferred wine that was תירוש rather than used the term יין. Again the mishnah of Tohoroth and Yerushalmi Nedarim 40b illuminates this distinction. There we learn that תירוש or unfermented grape juice is less likely to contamination than יין. It also of course was less susceptible to rendering one inebriated, and for the lack of the Megillat Esther celebrating Purim we cannot assume the Qumran sect ever got drunk, which is in keeping with their asceticism. This asceticism was designed to separate man from animals, to elevate the highest spiritual aspects of the souls.

(h) **Nedarim:** The Sectarians according to Josephus avoided oaths. This would differ from the complicated and elaborate system of the admonishment of vows and taking of vows as dealt with in *Maseket Nedarim* not to mention the development of the *Yom Kippur Service of Kol Nidre*. See Dissertation of Solomon Rybak at Yeshivah University on *Maseket Nedarim*.

(i) **Sensitivity to Sun:** Before the sun rose the Sectarians were said not to allow a word to be uttered in prayer for this might be seen as urging the sun to rise and *avodah zarah*. They also covered their excrement so as “not to offend the rays of the sun.” Rabbinic Jews on the other hand while not advocating worship of the sun certainly would not be opposed to *learning daf yomi or amud yomi, forms of prayer, before the sunrise*. Yet *Maseket Berachot* notes that one may not utter the *shema* until one can tell “the white threads from the blue threads.” *Maseket Berachot* opens with the question of the evening *shema* instead of the morning *shema* based on the principle that the Jewish day begins at sundown, noted in the *shema* verse, “when you lie down and when you rise up” and the mnemonic formulation in *Bereshit* “there was evening, there was morning...” where evening is mentioned first. Referring to the visibility of the white threads differentiated from the blue threads may thus be marshaled as evidence that Rabbis see time (*zeman, moed, et*) as a *halakhic* process rather than in Hellenistic terms of a fixed quantity to be manipulated and exploited either by spending (*chronos diatriben*) or as the NT view of ultimate fulfillment of time (*chronos plethorei*). It is thus not accidental that rabbinic words for clocks (tools used to measure time) are Greek in origin such as *clepsedra* (water clock) or *horlogion* (sand clock). See: <http://student.ccbcmd.edu/~dlevy11/stern.htm>

(j) **Strict about Food prepared before Shabbat:** The Essenes would prepare all food beforehand rather than on Shabbat. On *Yomim Tovim* Rabbinic law allows some food preparation on a *Hag*. However the Essenes, would in no case kindle a fire in their habitation. Like the Karaites they did not bench *licht* before *Shabbos*.

(k) **Immersion in Cisterns and avoidance of impure sacrifices:** The sectarians collected water in cisterns that served as *mikvaot*. They were very *mahmir* in frequent immersions. Folio 10 of the *Damascus Rule* speaks of purification by water and that the water should be 40 saw deep, like a Rabbinic *mikvah*. Ancient *Mikvaot* have been found throughout Israel in Jerusalem, Tzipori, Masada, etc.

The Essenes differ from Rabbinic Jews in that they immersed with a ritual loin cloth vs. Rabbinic immersion which requires that no part of the body remain untouched directly by the *mikvah* water. The Sectarian's attention to purities is seen in CDC 16:13 regarding the law forbidding devotion to the Temple of stolen property which was a defiled offering. Further CDC 1Q18-20 forbids one to send an offering to the altar in Jerusalem by the hand of an unclean person. The offering of the lips, prayer, is seen as "*terumat sefatayim*" and if one has spoken slander or libel their lips are impure and prayer void and *pusel*. This is prayer that is not like pure water. In CDC 11:20-21 pure prayer that is authentic is preferable to impure sacrifices. Thus inwardness rather than cultic performance marked what Rachel Elior has described in *the 3 Temples* as the movement of physical temple to celestial Temple (see *Berakhot*: Temple is 18 miles above *har habayit* with three watches in *shamayim* by angels) to the body as holy temple for the *shekhinah* of *hashem*. Josephus notes that, "The Essenes have shown themselves to especially devoted to the service of G-d not by offering sacrifices of animals, but by resolving to sanctify their minds." It is debatable if sacrifices were offered at Qumran of animals. The Essenes kept themselves from the public (*Tzibur*) in order to not come into contact with a world of hypocrisy and *tuma*. "The sacrifices of the wicked is an abomination but the prayer of the righteous is like an acceptable oblation." CDC 5:6-8 refers to the opponents of the sect who profaned the Temple by not separating during a woman's menstrual period in the laws of family purity.

- (l) **Rabbinic Jews rejected *Macabees* not fighting on *Shabbos* while Essenes never tolerated War on *Shabbos*:** In *The book of Jubilees* it is forbidden to wage war on the Sabbath. It is seen as a capital offense. In that the Essenes followed the *Book of Jubilees* they thus would have to been in agreement with the *Macabees* resort to the defense of fighting on the *Shabbos*.
- (m) **No Spitting:** The Essenes prohibited spitting as unfitting a *haver* in the sect. This differs from some rabbinic practices in the *Aleinu* which note that the *gematria* of "*hevel* and *rik*" is *Yeshka*, and to this day some *Chabad Lubavitch* Jews will spit at this *pusel* just after, *shelo sam helkeinu kahem*. Rabbinic law permits spitting most notably in the case of *yibum* (Levirate marriage) where the redeeming brother who marries his brother's widow is subjected to being spat in the eye/face once he has removed the shoe from her feet. Recently *yibum* and *hatzlihah* were performed by officiating Rabbi Hopfer at his synagogue in Baltimore. Thus the tradition continues! In *Monsey* *Yibum* is still often performed also.
- (n) **Essenes Not allow buying or selling for profit amongst themselves *kal-wa-homer gerim* & *apostates*.** This differs dramatically from the complex laws of buyers and sellers in *Baba Metzia*, *Baba Batra*, and *Baba Kama* dealing with torts, contracts, lost and found objects, business ethics in general regarding monopolies, price-fixing, false advertising, *heter iska*, etc. The laws of *ribbit* allow for a *heter-iska*, or halakhic circumvention for the accepting of interest from a Jew.

In the *Serek ha-Yahad* (1QS) the sectarian rule forbade the receiving of any food or articles from apostates unless they were paid for: ואשר לוא יוכל מהוגם כול ולוא ישתה ולוא יקה מידם כול מאומה אשר לוא במחיר (And that one may neither eat nor drink of

that which is theirs. Nor take anything at all from them except for a price [1QS 5:16-17]). In the Cairo Damascus Covenant (CDC) 13:14-15 we read, *ואיש מכל באי ברית אל אל ישא ואל יתן לבני השחת כי אם כף לכף* (And let no man of all the members of the covenant of G-d trade with the children of the pit except for cash.) 1QS rule apparently bans gifts or loans from “outsiders” the CDC pertains to buying and selling *ומתן משה וכף*. The expression *כף לכף* may be the equivalent to the mishnaic Hebrew *מיד למיד* which may mean cash payment. It turns out the initial Qumran findings contributed to a misreading of the passage in CDC based on the reception history of the Schechter *editio princeps*. The question is over *בני השחר* vs. *בני שחת*. The sectarians identified themselves as *בני אור* which lends itself to those who “wake the dawn” i.e. *בני שחר*. A morning hymn in Psalms Scroll from Cave XI testifies to this interest and celestial significance of the dawn: *גדול וקדוש ה' מבדיל אור מאפלה. שחר: הכין בדעת לבו, אז ראו כול מלאכיו וירגו, כי הראם את אשר לוא ידעו Hashem... who has parted light from darkness and through the knowledge of his heart He established the dawn, When all His angels saw it they sang for joy, for what He showed them was a thing they had not known before (11 QPsa 26: 1-5). In Hodayot 4:6 dawn is seen as relating to divine illumination, or mental sunrise: *וכשחר נכון לאור[רתו]ם הופעתה לי* (As dawn established You appeared as perfect light to me). Josephus notes that the Essenes waked the dawn, “as though entreating him (the sun) to rise (War, II. 128). Ergo *בני השחר* is another epithet that characterizes the name of the sectarians. J.T. Milik brings the fragment from Cave IX, *[דברי?] משכיל אשר דבר, לכול בני שחר האזינו Dawn: Hearken*). Thus in CDC 13:14-15 a translation remains, “And let no man of all who enter the covenant of G-d buy from or sell to the Sons of Dawn, but rather (give) hand to hand. Philo and Josephus note the exclusion of the Essenes. Philo writes, “They have not the vaguest idea of commerce either wholesale or retail or marine, but pack the inducements to covetousness off in disgrace. Not a single slave is to be found among them, but all are free, exchanging services with each other (Quod omnis probus liber sit, 78). Likewise Josephus confirms, “There is no buying or selling among themselves, but each gives what he has to any in need and receives from him in exchange something useful to himself (War, II 127; cf. Hippolytus, Refutatio omnium haeresium, IX, 20, 2). CDC treats related subjects of return of lost objects (9:14-15), treatment of pagan slaves (11:12; 12:10-11), and contributions to Tzedakah (14:13-14). The sectarians shun avarice [הון]. The sons of dawn did not trade amongst themselves (13:14-15).*

Utopianism has a long history in philosophy from Plato’s Republic to Sir Thomas Moore’s Utopia. Plato viewed farming as the most desirable occupation while trading corrupted one’s spiritual being (Leg., 743 d). The Scythians “are not money grabbers... and hold all things in common (Strabo, VII, 3, 9). On the Isle of the sun there is no private property, but they take turns ministering to the needs of one another... They do not marry but possess their children in common... There is no rivalry among them... they never cease placing the highest value upon internal harmony (Diodorus, II, 54-60). The Essenes banned commercialism because they ideally felt that private wealth could be the result of exploitation for profit out of greed which was a threat to their harmony and naïve sense of justice. How this greatly differed from the Pharisees! To be a member of the Sanhedrin one had to be so

wealthy as not to be susceptible to bribes. Further the patriarchate of Rabban Gamliel and Rabbi Yehudah HaNasi would be the equivalent today of multi-billionaires, and their burial tombs at Beat Shearim, close to Safed and Tzipori, attest to expensive burial tombs with expensive art embellishment of *menorot* carved into the rock caves and other ceremonial artistic illumination. Raddishes were never not seen on the table of Rabbi Yehudah, a statement attesting to the wealth of the redactor of our mishnah.

(o) Birth: Purification after childbirth is brought down in the Torah in Leviticus 12:1-6 where post-partem purification requires the new mother to wait 7 days for a boy and 14 days for a girl baby. In 4Q265 the mention of 40 days for a male and 80 days for a girl is given.

(p) Dogs: In 4QMMT dogs are not allowed into the holy camp. R. Joseph Baumgarten has written on this topic regarding dogs also not being allowed within the walls of Jerusalem. Dogs were thought to be unclean. In Shakespeare an insult waged at Shylock is that he is an “uncircumcised dog.” Joshua Trachtenberg, in *The Devil and the Jews*, notes the folk belief in the medieval ages that the sight of a dog meant the devil was close near. *HaAri Hakodesh* in Safed is said to have related to his *Talmid mivuhak*, Rabbi Chaim Vital that the sight of a dog in Safed represented *nebuch*, a poor soul whose *aveirot* were greater than their mitzvot, to such a terrible extent that they had descended to the *gilgul* of punishment of being reincarnated in a dog’s body. The *Tzadikim* however have their reincarnations associated with fish and thus the Bostoner Hasidim’s practice of eating 7 kinds of fish at *seudah shelishit* (see Chaim Solovietchik). The powerful poem, “*Lo Kidumuteinu KiKelevim*” (They did not liken us to dogs amongst the gentiles) by Jabotinskeit Uri Tzvi Greenberg also notes the perversity of dogs being treated better than Jews in the Holocaust concentration camps. Greenberg notes that the dogs were better housed, fed, and buried than the Jews whose corpses were left to rot. Greenberg might also have pointed out the not so uncommon practice related to me by a Shoah survivor from Bergen-Belsen that as *Sportmachen* the Nazi guards did not feed the dogs for days, and coated the inmates clothes with lard so that the inmates served as foxes who the dogs ripped apart in fox chases, all for the sport of the laughing Nazis.

(q) Mature Kohen designated for Parah Adumah ceremony vs. Pharisaical law to employ a pirchei Kuhunah (young priest). In *mishnah parah* 3:7-8 we learn that “they used to defile the priest who was to burn the red cow (parah adumah) because of the *Zadokites* that they should not say that it must be made by those who waited for sun down (*tevel yom*).” Sprinkling blood outside the sanctuary and not with sacred vestments was proscribed by the Essenes. They also employed a mature priest to do the sprinkling as opposed to the Pharisees who employed a young priest to sprinkle. Disqualified from being a sprinkler are: (a) deaf mutes, (b) mentally incompetent, (c) and minors. Qumran opposed the use of minors. Qumran texts corroborate that the use of young priests described in the *mishnah* and the epistle of Barnabas was a preventative practice in the days when the Temple was standing.

(r) Essenes forbid Sabbath to be in presence and association of gentiles. *The* Essenes retreated in solitude to Qumran, near Ein Gedi where they came into no contact with gentiles. Rabbinic law of the *Shabbos Goy*, celebrated in a book by

Jacob Katz, however sees such over-strictness as too zealous. CDC 11:14-15 asserts that the Sabbath may not be spent in association with gentiles. This was extended to the exclusion of *Netinim* and *Proselytes* in 4Q Florelegium. The Essenes held strictly that a proselyte and *ger* may not enter the sanctuary. They did not proselytize or accept converts as did the Pharisees as the famous story with Hillel and Shammai in *Maseket Shabbat* illustrates. Hillel says, “Do not do unto others as you would not like to be treated yourself. All the rest is commentary. Go and study the commentary (Shabbat 31a).” Shammai interestingly chaises the gentile who impudently asks immediately before the onset of Sabbath, with a building cubit. The word for building cubit, in Latin is *regel* which is the Latin equivalent related to Rabbinic rules or *halakhah* which etymologically derives from the word “to walk” i.e. walk with Hashem in Hashem’s light. Thus Shammai’s act, once the etymology of *regel* is known, is symbolic and pedagogic. The gentile is disrespectful to have Shammai stand “*al regel akhat/ stans pede in uno*.” As Horace’s Satires connote *stans pede in uno* connotes doing without effort. Horace criticizes Lucilius who “*in hora saepe ducentos ut magnum versus ditabat stans pede in uno*.” While Hillel probably never read Horace’s literary *corpus* he does not abandon Shammai’s insistence on the necessity of making a greater effort by urging the gentile to go and learn the commentary. For the place of the commandment, “and you shall love your neighbor as yourself” within the context of gemara of Shabbat 31a. See: <http://student.ccbcmd.edu/~dlevy11/loveofneighbordb1042105.pdf>

While it is true that Isaiah (56:7) speaks of the Beit HaMikdash as a house of prayer for all nations, the structure of the sanctuary and its courtyards embodied strict limitations on the right of access to non-Jews. The Chronicler holds the entrance of the Beit HaMikdash only for Levitical priests, while the lay people could penetrate no further than the courtyards (II Chron. 23: 5-70). In mishnah Kelim I. 8-9) designation of degrees of holiness is given

לפנים מן-החומה מקודש מהם שאוכלים שם קדשים קלים ומעשר שני הר הבית מקדש ממנו שאין זבים וזבות נדות ויולדות נכנסים לשם החיל מקודש ממנו שאין עובד כוכבים וטמא מת נכנסים לשם עזרת נשים מקודשת ממנו שאין טבול יום נכנס לשם ואין חיבום עליה חטאת . עזרת ישראל מקודשת ממנה, שאין מחסר כפורים נכנס לשם, וחייבין עליה חטאת עזרת הכהנים מקודשת ממנה שאין ישראל נכנסים לשם, אלא בשעת צרכיהם לסמיכה, לשחיטה לתנופה

(Within the wall [of Jerusalem the locality] is still more holy than they are [namely, the foregoing] in that there they may eat of the lesser holy sacrifices and the second tithe. The Temple Mount is more holy than it, for no men with a flux or women with a flux or menstruants or women after childbirth may enter therein. The Rampart is more holy than it [Temple Mount], since no gentile and none that has acquired corpse uncleanness may enter therein. The Court of Women is more holy than it [the Rampart], for none that had immersed himself the selfsame day may enter therein [before sunset], but none [entering it unwittingly] would thereby become liable to a sin-offering. The court of the Israelites is more holy than it [the Court of the Women], because no one whose atonement is incomplete

might enter therein, and [if he did enter wantonly] he becomes liable therefore to a sin-offering. The court of the priests is holier than it [the court of the Israelites], for non-priests may not enter therein except when they must lay on the hands, at the slaughtering, [and] at the waving.)

The exclusion of non-Jews is further noted in the following famous proclamation of Antiochus III:

It is unlawful for any foreigner to enter the enclosure of the Temple which is forbidden to the Jews, except those of them who are accustomed to enter after purifying themselves in accordance with the laws of the country (Ant. 12, 145).

This relationship is shown in the *Qumran Temple Scroll*. The temple is to be surrounded by three concentric courtyards distinguished by an ascending order of exclusiveness analogous to our Mishnah. The outer courtyard is accessible to Israelite men, women, and children in a state of cleanliness (40: 5-6). The middle courtyard is limited to men over the age of twenty (39:7-10). In the inner courtyard the area around the altar and the *Hekal* is permissible only to priests wearing the vestments (35: 5-9). Gentiles are not mentioned in connection with the Temple, but the location of the *Hel* outside the entire sanctuary implies that they were denied access to any of the courtyards (Megillat ha-Miqdash, ed. Y. Yadin, 3 vols. (Jerusalem 1977). There is mention of *gerim* in 11QTemple 40:6 which reads לבנות יהמה ולגרים אשר נולדו This context refers to the outer courtyard to which women were admitted. Proselytes also were to be admitted only if they were born as children of converts: אשר נולדו Yadin restores the text to imply born as the third generation: אשר נולדו דור שלישי based on a text found in column 39:5 where we read: מה דור רבי עיכן ישראל: Deuteronomy 23:3 bans Ammonites and Moabites after the tenth generation, while Edomites and Egyptians, were eligible after the third generation (23:9). The restrictions denoted in 4QFlorilegium note: This is the house where shall not enter [] forever, and an Ammonite and a Moabite an a bastard and an alien and a proselyte forever. Rabbinic halakah, although it did not grant total equality to proselytes in all respects, and embodied the opinion that *gerim*, not being part of the *qahal* of Deut. 23 were permitted to marry illegitimates (mKidd. 4:1; tKidd. 5:1; Siphre Deut (ed. Finkelstein 247)), did not place any restrictions on the entrance of proselytes into the Temple. In Mishnah Bikkurim 1:4 we read:

אלו מביאין ולא קורין: הגר מביא ואינו קורא שאינו יכול לומר אשר נשבע ה' לאבותינו לתת לנו ואם היתה אמו מישראל מביא וקורא וכשהוא מתפלל בינו לבין עצמו אומר אלהי אבות ישראל וכשהוא בבית הכנסת אומר אלהי אבותיכם ואם היתה אמו מישראל אומר אלהי אבותינו

(These may bring but do not make the declaration: the proselyte may bring but does not make the declaration because he can not say, Which the Eternal swore to our ancestors to give unto us. But if his mother were an Israelite, he may bring and make the declaration. And when he prays privately he says, O G-d of the ancestors of Israel: and when he is in the Synagogue, he says, O G-d of your

ancestors; and if his mother were an Israelite, he may say, O G-d of our ancestors.)

Agrippa was not allowed to enter the Temple because of his alien ancestry when in fact Agrippa stemmed from proselyte forebears. Alon argues that Agrippa's attendance at the Caesarean theatre which included pagan rites, was enough to exclude him from the Temple as a transgressor. 4QFlorilegium envisions a sanctuary unpolluted by the presence of any *ger*. Simon was extreme in his religious scrupulousness and thus may share similar rationale with those at Qumran. Agrippa was fourth generation descendant of Idumean ancestors of Herod who converted to Judaism. The question is: Are the Herodians really legitimate converts? Josephus logs the complaint of the Idumeans, that during the Roman war the gates of Jerusalem were open to foreigners, but were closed to them (JW 4, 281). The fact that Nicolaus of Damascus was employed by Herod to construct a fictional Jewish pedigree suggests his fear that his Idumean ancestry might be an issue of slurs and disqualification. Antigonus referred to Herod as **hemiioudaios**. Agrippa's daughter, Berenice, was married to Polemo, King of Cilicia, after he consented to *brit millah*, but when she deserted him not long afterwards, Polemo "was relieved (apellakio) simultaneously of his marriage and of further adherence to the Jewish way of life (Ant. 20, 146). Herod was viewed by Jews, as he was in Rome, as *socius et amicus populi Romani*. In Psalms of Solomon 17:7 Herod could be described as "a man that was alien to our race" (*alotrion genous hemon*). Salome, Agrippa's grandmother, displayed lack of regard for Jewish law (*ton eggene nomon*) by divorcing Costobar with the equivalent of a Roman *repudium* (Ant. 15, 259-60). The Jewish identity of Berenice, Agrippa's mother, may have been fragile. Simon sought to deny Agrippa the privilege of entering the temple granted only to Jews (*tois eggenesin*). Agrippa countered that nothing illicit was being done in the Roman theatres, although the trophies were considered by some as idols in the time of Herod. Simon's murmurings against Agrippa reflected misgivings about the Jewishness of the Herodian clan, rather than his rights as a proselyte. Thus the Qumran laws that sought to keep converts out of the sanctuary again represent a case of greater strictness than rabbinic law, thereby another case of Qumran puristic *desiderata*.

- (s) **More Makmir on Shabbos laws:** In general the *Av Malakhot* of the Pharisees were more sophisticated than *The Book of Jubilees and the Damascus Rule* but also more lenient in some cases. Jubilees which the Essenes followed considers going on a journey, talking about business, carrying, and marital relations as capital offenses on *Shabbos*. Rabbinic Kabbalists however saw Friday night as the best time for marital relations when "*Keter*" unites with "*Malkhut*" according to the Zohar passage anthologized in the *Siddur*. Some Rabbinic Jews however advocated for marital relations on Wednesdays so that children not be born on

Shabbos, and there be a risk desecrating *shabbos*. On the other hand the Rabbis were much more practical and less demanding when they divided the 39 categories of forbidden work over the following rubrics

- 1) **sowing, plowing, reaping...** baking= 11 stages to make *hallah*
 - 2) **shearing wool, cleansing, combining, sewing= textile industry**
 - 3) **hunting deer, slaughtering, flaying.... Writing 2 letters= parchment making**
 - 4) **building, demolishing, extinguishing, kindling, use hammer, carrying**
- b. The *Shabbos* of the Essenes was more restrictive than the rabbis. The Essenes began Sabbath when the sun's diameter was equal to the distance from the horizon while the rabbis legislated 18 minutes before sundown.
 - c. The *Essenes* would not walk more than 1 thousand cubits vs. the 2000 cubits to pasture animals allowed for a shepherd in Rabbinic law. This is described in *BaMidbar 35*
 - d. The Essenes legislate that "if any man fall into water or fire let him not be pulled out with the aid of a ladder or rope or utensil. Rabbinic law as seen above not only permits such saving of life on *shabbos* but advocates it so that one may observe many *Shabbatot*."
 - e. The Essenes legislate that "no man on the Sabbath may offer anything on the altar except the Sabbath offerings (Lev. 23:38). Thus the observance of a Sabbath with the reaping of the *omer* would be different in Pharisaical and Essene law.
 - f. The Essenes since they held by the *Book of Jubilees* probably considered Sabbath defamiation as liable to capital punishment. Not even *Aher* who rode his horse on *Shabbos* to flaunt the *Shabbos* laws, was put to capital punishment. Instead *Aher* is seen as one who entered *Pardes* with Rabbi Akiba, Ben Zoma, and Ben Azai. Because *Aher* in Hagigah 14b saw two powers in *Shamayim* (*shte'i rishuyot bashamayim*) suggested by the way (*[Metatron]*)/not to be pronounced) was sitting., the teacher of Rabbi Meir who ate the seeds and threw away the klippah of the rimon, became a Greek Philosopher i.e. *Aher*.
 - g. Hellenism? The presence of texts in Greek may support Schiffman's thesis that many of the Sectarians were disgruntled breakaway Sadducees since the Sadducees were often Hellenized. However the Pharisees in the spirit of the *mishnah* in *Yadayim* in the name of Rabbi Yochanan ben Zakkai reject the Hellenistic fault of not being able to differentiate between *kodesh* and *secular*. In *mishnah yadayim 4:6* we read: The Sadducees say, "we must reprove you, Pharisees, because you say the Holy Scriptures render the hands unclean, but the writings of Homer (*sifrei Hamirim*) do not render the hands unclean. Rabban Yochanan ben Zakkai said have we nothing else against the Pharisees beyond this? For

they also say the “bones of an ass are clean and the bones of Yohanan the Kohen Gadol are unclean. They (the Sadducees) said to him, “Their uncleanness is according to our love for them, that no man makes spoons of the bones of his father and mother. He said to them,,” In the case of the Holy Scriptures also their uncleanness is according to our love for them: but the writings of *Hamiras* which are not loved do not render the hands unclean.” The halakhah that is derived from this mishnah that exposes the anti-Hellinism of Rabbi Yochanan ben Zakkai is that one must not store a sefer Torah with food, lest mice be enticed to eat the sefer Torah, etc. Our mishnah reads:

אומרים צדוקים קובלין אנו עליכם פרושים שאתם אומרים כתבי הקודש מטמאין את-הידיים וספרי המירם אינם מטמאים את הידיים אמר רבי יוחנן בן זכאי וכי אין לנו על הפרושים אלא זו בלבד? הרי הם אומרים עצמות חמור טהורים אעצמות יוחנן כהן גדול טמאים אמרו לו לפי חבתן היא טומאתן שלא יעשה אדם עצמות אביו ואמו תרודות אמר להם אף כתבי הקודש לפי חבתן היא טומאתן ספרי המירם שאינן חביבין אין מטמאין את הידיים

h. Skin Disease

One thing all Pharisees, Sadducees, and Essenes could agree upon was the necessity of quarantining someone who suffered from skin disease which according to some superstitious interpretations results from speaking lashon ha-rah. We read in the Qumran fragment:

law of *nega* CDC 13:4-7 Quarentine/4Q266

וראה הכהן אומר אתו כמראי הבשר החי וכ/ היאה האוחזתה בעור החי וכמשפט הזה/ וראה הכוהן ביום השביעי והנה נוסף מן החי/ רעת ממארת היא ומשפט נתק הרוש והזקן/ נא באה הרוח ברוש ובזקן באוחזת / ער והפך מראהו לדק צוהב כי כעשב/ הוא אשר ש הרחש תחתו ויקץ שורשו ויבש פרחו ואשר / אמר וצוה הכוהן וגלתו את הברושר ואת הנתק לא יגלתו למען אשר/ שספור הכוהן את השעורת המיתות והחיות וראה אם יושסף מן/ כ החי אל המת בשבעת הימים טמא הואה ואם לו ליוסף מן ה על המיתות והגיד נמלא דם ורוח החיים עולה ויורדת בו / הנגע זה משפט תורת הצרעת לבני אהרון להבדיל ל / שפט הזב את זובו כולאיש א ביה/ יעלה ל שבת ה או/ מגעו שאת או ספחת או בהרת / [] מה היא והספחת מכת עץ ואבן וכול מכה בבוא הרוח ואחזה/ בגיד ושב הדם למעלה ולמטה והגיד []/ אחר הדם [וראה הכוהן את העור] החי ואת [המת אם לוא ישפל ה]מת מן / [עד אשר] ישיב הדם לגיד [ואח] א ישוה / [החי והסגירו עד] אשר יצמח הבשר וראה הכוהן [ביום]/ השביעי [והנה רו]ח החיים עולה וירדת והבשר צמח/ נרפא [] הספחת לוא יראנה הכוהן לעור הבשר / [] ואם שפל השאת או הספחת [] / מן העור [] וראה הכוהן אותו כמראי הבשר החי / [צרעת] היאה האוחזת בעור החי וכמשפט הזה / [] וראה הכוהן ביום השביעי והנה נוסף מן החי/ [אלהמת צ]רעת ממארת היא ומשפט נתק הרוש והזקן/ [] וראה הכוהן [והנ] באה הרוח ברוש ובזקן באוחזת / []

מתחת השער והפך מראיהו לדק צוהב כי כעשב / הוא אשר יש הרחש תחתו ויקץ שורשו ויבש פרחו ואשר אמר וצוה הכוהן וגלחו את הברושר ואת הנתק לא יגלחו למען אשר /שספור הכוהן את השעורת המיתות והחיות וראה אם יושסף מן / [כ] החי אל המת בשבעת הימים טמא הוא ואם לו ליוסף מן החיות / על המיתות והגיד נמלא [ד]ם ו[ר]ח החיים עולה וירדת בו [נרפא] /הנגע זה משפט [תור]ת הצרעת לבני אהרון להבדיל ל [] (A discoloration or a scab or a b[right spot]/... and the scab a blow of wood, stone, or any blow hen the spi[rit comes and takes hold]/ of the artery, making the blood recede upwards and downwards, and the artery []... after the blood... [the priest shall examine the] live [skin and the dead], if the dead (skin) [is not lower than [until] the blood returns to the artery and after[wards] he shall compare the live, he shall quarantien him] until the flesh grows.the priest shall examine (him- on the seventh day: if the [spi]rit of life moves up and down and the flesh has grown... is healed] the scab. The priest (need) not examine the skin of the flesh. But if the discoloration or the scab is lower [than the skin and the priest sees] in it the appearance of living flesh [it is sara'at] which has taken hold of the living skin. A similar rule for [the priest shall examine it on the seventh day: if some of the [living] has been added [to the dead], it is malignant sara'at. And the rule for a scall of the head or the beard:/ [] when the priest sees that the spirit has entered the head or the beard as a blockage [under the] hair, turning its appearance to fine yellowish; for it is like a plant which has a worm under it which severs its root and makes its blossom wither. And as to that/ which is said, `And the priest shall order that they shave his head, but not the call', this is in order that/ the priest may count the dead and live hair and see whether any has been added from/ the lilve to the dead during the seven days (in which case) he is unclean; while if none has been added from the live/ to the dead, and the artery is filled with blood and the spirit of life moves up and down in it, the plague is [healed]. This is the rule of the law of sara't for the sons of Aaron to separate.

- i. *Maseket Sanhedrin and Makkot* deal with **penal procedure and codes**. A court of 3 is used for monetary damages, while a court of 23 takes its number from 2 *minyanim*, Calev and Joshua, and Moshe to break a tie. A court of 71 (Sanhedrin) tries capital punishment cases, false prophets, witchcraft, etc. A tribe may not be tried save by a court of 71 (greater Sanhedrin) or a lesser Sanhedrin (court of 23). The Rabbi's visions of the divine court in heaven is a replica or correlary of the Great Sanhedrin. In Qumran at the age of 20 years a man becomes eligible to testifying as a witness and attending hearings. The word "testimony" in fact etymologically derives from the word for "*male testes*" for in a Roman court of law men would hold their testes while testifying. This act would be absolutely forbidden by Essenes and Pharisees who regard contact with the procreative member as *lude* and unacceptable at all times.

The Sectarian courts included: (a) the council of the community (12 men and 3 Levites), (b) court of 12 (must include 2 Levites), (c) and court of 12 Levites. The sectarian penal codes can be found in the *Manual of Discipline* which tells how to join the sect. They had a ritual for the expulsion of sinners. *The Community Rule*

describes the disciplinary actions of (1) exclusion, and (2) reduction of food ration. The infractions and penalties include:

- a) Lying about one's holdings and property donated to sect
- b) malicious grudges= exclusion 200 days/ penance 100 days
- c) unseemly speech
- d) misinterpreting speech of other= penance 10 days
- e) sleeping during assembly= exclusion 30 days/ penance 10 days
- f) leaving assembly 3x during a session w/out permission= 10 days, 30 days penance
- g) walking naked= 6 months exclusion
- h) guffawing foolishly= exclusion 30 days/ penance 15 days
- i) gesticulating with left hand= penance 10 days
- j) approach to fornicate with wife in violation of law
- k) murmurs against fathers
- l) lies to companion= excluded 6 months
- m) improper use of divine name
- n) speak against priests of sect
- o) insulting
- p) deceiving
- q) malice
- r) interrupting

As we can see this is much more strict penalties than pharisaical law mandates. In the case of *motzi shem rah* for instance in *Shidduchim the Chofetz Chaim* brings the *mishnah* from Sanhedrin that Cain killed not only Abel but Abel's progeny to the messianic era. "Kol *demei akhikhah zoakim elei min haAdamah*" is noted to contain the word "bloods" in the plural because Cain's murder was multifold across transgenerations. The text does not say *dam* but *damei* (bloods). However the penalty for such an infraction is the belief that *Hashem* will take *nekamah*. With regards to *lashon harah*, saying something that is true, but should not be said anyway, the *Chofetz Chaim* likens this to irreversibly splitting a feather pillow and being unable to recollect all the feathers. In each case the slanderers/libelists likened to murderers are not subject to the death penalty of capital punishment, although the analogy of Cain and Abel would suggest such a chain reaction of multiple murderers across the generations. Essene *halakhah* with regards to slander and libel we can only surmise would be much more exacting and strict.

Post-Script: Challenging the Essene-Qumran hypothesis- Examining Epistemological Claims

My teacher, and doctorate oral exam questioner, Joseph M. Baumgarten in his dissertation, supervised under William Foxwell Albright argued for the linkage between

the Essene hypothesis and Qumran site and scriptorium. His dissertation might be summed up thus:

- (1) Essene avoidance of oil (JW 2.123) is known to stem from role of liquids as transmitters of impurity (CD 12:16, 11QTemple 49:11)
- (2) Essene loin cloth to tevel (JW 2.161)/4Q512 **וכסה את בגדיו**
- (3) Ban on spitting in public (JW 2.147)/ 1QS 7:13
- (4) Essene Shabbat strictness exemplified by requirement that all food be prepared beforehand and by the prohibition against moving any utensil (JW 2:147; cf. CD 10:22 & 11:17)
- (5) Married Essenes avoided sex during pregnancy (JW 2:161; cf 4Q270 2)
- (6) Essenes insisted on fulfilling their binding oaths even in the face of death (JW 2:161), in CD 16:7-8 we read **עד מחיר מות אל יפדהו**
- (7) Essenes banned commercial transaction between members of order who were expected to supply each other's needs without payment (JW 2:127). Qumran neophytes designated as "sons of dawn" in CD 13:14-15 refrained from mercantilism when we read: **איש מכל באי ברית אל אל ישא ואל יתן לבני השחר כי אם כף לכף**

The process by which the Essene-Qumran hypothesis came to be the mainstream consensus amongst early DSS scholars is complex. Many early Christian scholars had an invested ideological interest in revealing the Judeo-Christian origins of Western Civilization and gravitated to DSS scholarship to reveal the origins of Christianity. Joseph A. Fitzmyer and others see the scrolls as to reveal "the very matrix in which Christianity was born." Deveaux held mass at Qumran and envisioned the site as the place where a proto-monastic sect lived, a kind of manifestation of a Christian ethos avant la lettre. The all or nothing, saved or not, light vs. darkness dichotomies that one finds in extreme types of Christian theology may be present in the War Scrolls characterization of the sons of light against the sons of darkness. Preoccupation with purity, poverty, messianism, apocalypticism, eschatology, celibacy, and predestination also had many resonances with the later developments in the history of Christianity not to mention articles in the spirit of the "pierced messiah text." Carbon dating also seems to put the scrolls in the time period of the beginning of the Christian era, between John the Baptist and Yeshka of Nazareth.

Also Jewish studies scholars had an invested ideological interest to see the scrolls as being able to reveal much light on the early formation of the mishnah and development of halakhah not to mention textual based scholarship facilitated by comparing the Masoretic text with the Biblical books copied and preserved at Qumran. Jewish scholarship had an invested interest to see the reliability of Josephus' account and its validation in the discovery of the scrolls, as well as the accounts of Philo of Alexandria and Pliny the Elder. Eleazer L. Sukenik set the stage for linking the scrolls to the Essenes. He purchased three of the scrolls from the Bedouin. The coincidences here are uncanny. As in *Megillat Esther* where HaShem is behind all coincidence, (what if the King had not been sleepless that night, what if Mordecai had not overheard the plot to destroy the king, etc.), likewise at looking at the Community Rule on the night of the United Nations vote to adopt the division plan of Palestine between Jews and Arabs (Nov. 29, 1947), Sukenik

hit upon a view of the Essene-Qumran linkage at a time when Israel's historic right and claim to the land of Israel was crucial for gaining world support.

How and what facts enabled the Qumran-Essene theory attain its prominence? Charismatic scholars like Sukenik and Devaux and a thirst among the general popular lay community eager to believe it helped in allowing the Qumran-Essene theory to prevail as the default theory. There may be compelling evidence between Josephus' descriptions and what we learn in the Community Rule to suggest that the scroll is that of the Essenes. That this text describes a religious community that was organized, disciplined, and observed special rites seems apparent. For the popular masses the publishing success of Edmund Wilson's 1955 book and early series of articles in the popular *New Yorker*, had the effect of wild fire to convince the lay public and set in place of configuration of the Qumran-Essene hypothesis. Wilson accepted the de Vaux and Yadin Qumran-Essene version of interpretation of the DSS and gave it the allure that catered to a mass market. The allure of this romantic and utopian spell feeds the fires of wishing to see a Judeo-Christian significance of the scrolls.

The perepetia or turning point in DSS scholarship was the 1990s. Since the 1990s scholars such as Norman Golb, Robert Donceel and Pauline Donceel-Voute, Yizhar Hirschfeld, Alan Crown, and Lena Cansdale, Michael Wise, Yizhak Magen and Yuval Peleg have criticized the arguments that can be made of the Qumran-Essene Theory and offered alternative theories. They attempt to rupture the connection between the Qumran site and the scrolls identification with the Essenes. They reject the site as the *loci* of the religious sect. It is no longer assumed that the scrolls were all written at Qumran, and not necessarily by the Essenes. These scholars marshal the following types of evidence to argue against the mainstream consensus that the scrolls are the product of the Essenes:

- (1) fortified tower at Qumran in a pacifist sect?
- (2) the glass assemblage among the finds (glass was very expensive for a sect interpreted to hold property in common and prefer spirituality to materiality)
- (3) ambiguous nature of the pieces of plastered furniture in the alleged scriptorium
- (4) animal bone deposits found throughout the site
- (5) industrial workshops (for pottery?)
- (6) The copper scroll (treasure map identifying trove of Jerusalem Temple wealth)
- (7) Devaux based on ideological commitments shaped the interpretation of the scrolls and Qumran to fit his own Christological commitments i.e. a Freudian "wish fulfillment" of a "wishful archaeology"?
- (8) Why does Josephus not tell us that the Essene sect followed a solar calendar as opposed to the rabbinic lunar calendar?
- (9) Female skeletons in the Qumran cemetery for a celibate sect, although Josephus concedes that some did marry
- (10) "gendered-objects" such as a spindle whorl and beads used by women?

Many of the scholars who site such evidence wish to show that the DSS were written in Jerusalem, possibly in the Temple library, and rushed for safekeeping to the remote caves of the Judaeen wilderness as the Roman legions were closing in to siege Jerusalem just for the Hurban. This attack on the early proposed identification of the scrolls with the Essenes as their authors and Qumran as the site of their commune already has altered DSS opinions. Many are now willing to concede that only some of the scrolls were written or copied at Qumran, and that many of the scrolls were brought to Qumran from elsewhere including Jerusalem. Who the Essenes were, their priestly origins, social class, religious doctrine, and theologies is also undergoing re-interpretation. Views have also altered regarding the nature of the *mikva'ot* at Qumran and their use and significance. The reigning consensus however holds that Qumran-Essene theory. Scroll scholarship may very well undergo a paradigm shift should new evidence come to light or if the past interpretations are radically changed by a sea-change in coherent demonstrative argument congealing archeological artifacts with interpretations of such facts. This is the post-modern horizon DSS scholarship faces as it moves into the post-modern Nietzschean groundless ground where there are “no facts only interpretations of facts.”

If this trend is able to overthrow the prevalent reigning Qumran-Essene consensus then what are we to conclude was the function of the supposed site of Qumran as an Essene religio-spiritual commune? Whether the site of Qumran will be reinterpreted as:

- (1) military fortress
- (2) aristocratic villa
- (3) industrial plant
- (4) customs post
- (5) agricultural manor house
- (6) roadside inn
- (7) pottery factory

waits to be seen. The mysteries of the DSS continues. The riddles of the DSS, their provenance, and their messages waits further interpretation as the present re-interprets the past by slipping in and out of the relativity of time. What was will be, what will be was such is the wisdom of Koheleth and such is the wisdom regarding the methodology and hermeneutics of ways in which facts are re-interpreted according to the spirit of their ages.

Hermeneutics is interested in part in the evaluation and validity of competing theories, assessing the relationship between evidence and its interpretation, what constitutes “true,” “valid”, and “sound”, arguments along the spectrum of truths. In hermeneutics questions must be asked of confirmation and refutation of rival hypotheses, and how we make judgements regarding the validity of arguments. Is what comes to be taken for truth merely the will of the stronger, i.e. which scholars and their elite associations with Universities with big endowments and hyped reputations give credence to their assertions. Have we entered a *_Closing of the American Mind_* (Bloom) where all academics and its theories are merely representative of politics and economic factors? Is all of academic scholarship at the beck and call of Foucaultian “power-knowledge regimes” so it is not what you know, but who you know, and your agility as a “political

player” on the stage of academic performance that gets you prestige and grants? If this post-modern description of the Lyotardian, Foucaultian, and Derridian state of affairs is true- what does it say about DSS scholarship also? What we are asking is regarding the nature of knowledge or what philosophers call epistemology. How do we know anything? What are the limits of knowledge? Can they be mapped in DSS scholarship? Is Whitehead right that science can only know what we can measure? Do the scrolls ultimately speak to something beyond what can be measured i.e. to the supernatural as revealed in works such as the Songs of the Sabbath Sacrifice? If religions speak of something which is beyond measurement should that eternal dimension really reveal what is ultimately at stake in DSS research? Which theory is in or out, i.e. The Essene-Qumran hypothesis as the reigning default theory of a mainstream consensus, ultimately therefore is not the most important question. Whether the future forbodes the Kuhnian paradigm shift that shows “beyond reasonable doubt” that there is no tenable relationship between the DSS and the site of Qumran with the Essenes, is ultimately not the most fundamentally important question at stake. What is ultimately at stake, in part, I would suggest is the nature of memory, and historical memory in particular. And even more important what eternal truths and verities do the DSS shed light on for our own eventual understanding, and understanding of understanding, noesis noesis. This act of understanding is so high, so pure, so illuminating, that Maimonides subscribes it to the fundamental attribute of the nature of Hashem.

Each of us here in our lives is compelled to find their bearings by his or her own powers with help hopefully from the powers of Hashem. We have no comfort in a Boethian sense, other than inherent in this activity called thinking, critical analysis, and in general the search for wisdom, understanding, and knowledge. The DSS enlarge our knowledge not only of the politics, theology, and halakhah of the Second Temple period, but their continuing reception history enlightens us about the processes of power and how knowledge, episteme, is established before the tribunal of reason. We cannot exert our understanding, without from time to time understanding something of importance: and this act of understanding may be accompanied by an awareness of our understanding, by understanding of understanding, by noesis noeseos, and that this is so high, so pure, so noble an experience that Maimonides could ascribe it to HaShem gives ultimate goodness to the world, because it is the home of the human and divine minds. By becoming aware of the dignity of the mind, we realize the true ground of the dignity of human beings created in the image of Hashem, i.e. possessing the active intellect which is the link between human beings and Hashem. The world is the home of human beings created in the image of Hashem however not only because of intellectual virtue but also moral and spiritual virtue. It is the DSS that shed much light on a possible Essene sect that shows us one radical ascetic way that sought to balance the trinity of intellectual, moral, and spiritual virtue. May we gain therefrom further insight about the balance all of us must strive for in working on ourselves, in shaping our souls, to manifest the spark of divine being. Evidence of the human spirit devoted toward attaining to some form of saintliness often leaves no traces, for angels it has been said popularly, often do not leave footprints. I hope you will see however from my material on the DSS angelology that there is much there worth learning from regarding the presence of the invisible, and the undeniable supernatural esoteric element in the DSS.