AN UNPUBLISHED FRAGMENT OF ESSEN HALAKHAH (4Q ORDINANCES)

By J. M. Allegro

The following text is composed of twelve scroll fragments pieced together from batches of Fourth Cave material recovered by purchase from the Bedouin since 1952. Other fragments of this document have also been isolated and the whole of the extant material will be published in due course in the appropriate volume of Discoveries in the Judaean Desert. In the meantime the information to be gleaned from this piece of Essene life and attitude to the Temple tribute makes its earlier publication worth while. It will also serve to emphasize the fact that the Qumran library contained material of relevance to Esseneism at large as well as to the peculiar circumstances of the monastic community at Qumran.

The parchment of the scroll is still very soft and pliable, of a fawn colour with patches of darker brown. The bottom and internal margins are of 2.4 cm. and 2 cm. respectively. The ruling is regular, at intervals of 0.85 cm. and well defined. The writing is in a beautifully shaped and proportioned book hand, bearing a marked resemblance, if not identical, with that of 4Q Florilegium (Journal of Biblical Literature, LXXVII (1958), 350–4).

TEXT*

Col. i
1. ...]
2. ...
3.
4. ...

Col. ii
1. ...h w' l...[...n n l[y[...
2. ...l' t m[s w?] w ty w w k pr l k w l p s'y h[m
3. ...w'y s m m n h g w r n w g t h b' l g w r[n

* A small circle above the letter implies a possible but quite uncertain reading; a dot that the reading is probable; a circle on the line implies the existence of a quite unreadable letter; a row of dots on the line indicates merely that an indeterminate number of letters are missing.
AN UNPUBLISHED FRAGMENT OF ESSENE HALAKHAH

4. šər by[šər?]l šər 'yn lw y'wklhw wκns lw wlb[ytw?]
5. hādh y'kλ ḅp̣yw ẉl bytw lw' yby' lḷnỵyw
6. [ksp h'ṛḳm šr ntnw yš kpr npsw mḥṣỵt[ ḥšq̣l]
7. rq [p̣]'ṃ] 'ht ytnnw kwl ymỵw ṣ̌rỵm gṛh ḥšq̣l ḅ[sq̣l ḥqẉds]̣
8. lšš m'[ẉ] ḥ'lp̣ ṃ't kkr lṣ̌lỵyt mḥṣỵt ḥḳkr
9. ẉḷṃṣ̌ỵm mḥṣỵt ḥṃn[ḥ]'ṣ̌rỵm ẉj̣hṃṣ̌ ḥsq̣l ḥkẉl[...]
10. ḥmṇh ṣ̌[.j̣ṃ[...]]l[...šl?]ẉš lṣ̌t ḥmṇỵm[...]
11. [...hm?]ṣ̌h ksp mšr ḥ[mṇh ?...]
12. [...šq̣l ḥqẉds mḥṣỵt...]
13. [...ḥ'ỵph ḥwḅt tkwn ḥd?]...]
14. [...ṣ̌]lẉš ḥṣ̌rẉỵm[...]
15.
16. [...šl]ḥ'ṃ ẉl' ḅg̣[dỵhṃ?...]
17. [...ỵṣ̌ṣ̌l ṣ́ṛl mẉš[h...]

TRANSLATION

Col. ii

... apportion to [š... his com[m]andments and to make atonement for all th[eir] sins[... .] and if [one] should make of it a threshing floor or wine press: he who comes to the threshing flloor[,] 4who is in [kṣul,a], who has nothing, shall eat and gather for himself and for [bṣ bṣt] house[hold... .] 4the field shall eat for himself but shall not bring (it) to his house to deposit it. 4Concerning [... ] money of Valuations that a man gives as a ransom for his soul: half a [shekel]. 7Only once shall he give it during his lifetime—the shekel is twenty gerahs according to [the shekel of the Sanctuary.] 8For The Six Hundred Thousand: one hundred talents; for The Third: half a talent; 9and for The Fifty: half a mīn[a]—{twenty}-five shekels; the total [....] 10the mīn[a]...th[ree for ten minas [š... fî]ve (shekels) of silver: a tenth of a [min[... ] shekel of the Sanctuary, half [... ] The ephah and the bath are of the same measure [... th][ree tenths [... concern[ing] the people and concerning [their garm]ents[... ] 1]srael, Moses burnt[...]

NOTES

Col. ii

1. 3 gwn wgt: for gwn wyqḥ of BH (Deut. xv. 14; xvi. 13); so also in CD xii. 9-10; cf. Rabin, The Zadokite Documents (Oxford, 1954), p. 61, who thinks the choice of gσ in the scrolls may have something to do with the unusual τρω[φ] in 1QS vi. 4 (cf. Milik, Dix Ans de Découvertes dans le Desert de Juda (Paris, 1957), pp. 68 ff.).

72
AN UNPUBLISHED FRAGMENT OF ESSENE HALAKHAH

1. 4. ‘sr byr’: perhaps meaning “who is within the Essene community”, i.e. the “true or Elect of Israel”, cf. CD iv. 3–4.

2. ‘r ym lw: cf. Exod. xxiii. 2. The Essenes were allowed to feed the destitute without reference to a higher authority (Josephus, War II, § 114).

3. 3–5. Deut. xxiii. 25–6 allows anyone to eat his fill of another’s vineyard or standing grain, but not to carry the fruit away or reap the corn. This text follows the second provision but allows free access to the threshed corn also, which, being no longer “standing grain” (qāmāh), may be taken away to feed the poor man’s family. This extension of the biblical law is presumably to make possible the kind of communal ownership of agricultural produce noted of the Essenes by Josephus (War II, §§ 124, 134).


5. 7. ‘rgp ‘m ‘lpy ytww kwlymwyw: contrary to normative Judaism of the post-exilic period where the half-shekel atonement money was paid annually (in Nehemiah’s time a third of a shekel: x. 3). Certainly nothing in the Torah required this tribute annually, its institution in Exod. xxx. 11–16 (cf. xxxviii. 26) referring to the tax to the time of Moses’ census of Israel (Num. 1). The Essenes apparently linked this once-for-all atonement money with the Vow of Valuation of Lev. xxvii. 1–8. This apparently quite unique understanding of the half-shekel tax as being required only once in a lifetime seems to have been shared by Jesus when he rebuked Peter for indicating to the tax collectors of Capernaum that his master paid the annual tribute (Matt. xvii. 24–7), and may account for some of his hostility towards the perfectly legitimate money-changing activities in the Temple courts (Matt. xxi. 12–13).

6. ‘brm ybr bhlq: Exod. xxx. 13; Num. xviii. 16.

7. 8. ‘sy m‘w‘t b‘lp: Exod. xii. 37; Num. xi. 21. The totals which follow presumably relate to the total levy which may be expected from the ideal Israel in the Last Days when the “second Moses” was perhaps expected to take a new census.

8. ‘ly ‘lyf: presumably an army division like the “Six Hundred Thousand”, and the “Fifty”. The “half-talent”, or 50-mina (1500 shekels) levy implies a force of 3000 men. The origin of this military division stems perhaps from David’s arrangement of the people into three companies (II Sam. xviii. 2; cf. also xxiii. 18, 19 where read br(y)fy for llyb (Keth. once llyf)).

9. ‘wrhmym: cf. 1QS* ii. 1.

10. [‘lymy wbrhm syl: i.e. the mina consisted of 50 shekels as in Ezek. xlv. 12 (LXX); cf. l. 11 below.

11. blypb: the ydb first omitted and then inserted above the line. For the equation of ephah and bath, cf. Ezek. xlv. 11 and 4QD I. ii. 2.

12. ‘nwn: M.T. Ezek. ntkn (defect.).

13. ‘swls ‘hwrmym: cf. Lev. xiv. 10; Num. xv. 9; xxviii. 12, 20, 28; xxix. 3, 9, 14.

14. ‘ybyhn: so possibly to be reconstructed, since fragments 2–4 of this work, lines 6–7, refer to the biblical ordinance of Deut. xxii. 5 against a man’s wearing feminine apparel. The exact sequence of these columns of the text is, however, not entirely clear.

15. Possibly a reference to Exod. xxxii. 20.