

THE SCRIBAL AND TEXTUAL TRANSMISSION
OF THE TORAH ANALYZED IN LIGHT OF ITS SANCTITY

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The present study concerns the question whether or not the scribal and textual transmission of the Torah and, at an earlier period, the last stage of its editing and literary growth were influenced by the special status of these books in Judaism. To the best of my knowledge, this issue has not been discussed in the literature, not even in surveys of the Torah manuscripts at Qumran.¹

The Torah has always enjoyed a greater degree of sanctity than the other Scripture books, but did this sanctity influence its textual transmission and the last stage of its editing? We are faced with multiple forms of the Torah, in Hebrew and translation, and it is possible that some or all of them were transmitted with greater care than the other Scripture books. Ours is not a study on canon or on the reception of the Torah books—a popular term in modern research—but a study on the history of the text. After a certain period, within rabbinic Judaism, the Torah was copied with greater precision than the other books; special scribal rules were instituted for its copying, and we wish to investigate how far back we can trace this increased precision. Our investigation will proceed backwards, starting with the writing of the Torah in the Talmudic and medieval periods and ending with the earlier periods. The areas to be examined are scribal habits applied to the writing of Torah scrolls, their orthographical and textual features, the scripts used for writing, and the degree of variation between the different texts. Our working hypothesis is that the *further* back we go in time, the *less* the sanctity of the Torah influenced its textual transmission, and at an earlier stage, its editing. At the same time, even in earlier periods the sanctity of the Torah influenced a few aspects of its

¹ G.J. Brooke, "Torah in the Qumran Scrolls," in *Bibel in jüdischer und christlicher Tradition—Festschrift für Johann Maier* (ed. H. Melklein et al.; BBB 88; Frankfurt: Anton Hain, 1993), 97–120; H.-J. Fabry, "Der Umgang mit der kanonisierten Tora in Qumran," in *Die Tora als Kanon für Juden und Christen* (ed. E. Zenger; Freiburg/Basel/Vienna/Barcelona/Rome/New York: Herder, 1996), 293–327.

scribal transmission. Paradoxically, the interest in the Torah also created multiple textual forms in the last centuries BCE.

For different periods in the history of the Torah, we focus on different texts. After the first century CE, we focus on a single text tradition, the proto-Masoretic tradition, while before that time we are faced with multiple textual forms. These different parameters need to be taken into consideration when reviewing the data.

1. *The Precise Copying of Scripture in the MT Tradition*

Within the corpora of Judean Desert texts, the Torah undeniably holds a central place. Within the Qumran corpus of some 930 texts, the 200 biblical texts constitute 22 percent (not counting *tefillin* and *mezuzot*), while the biblical texts in the Masada corpus constitute a larger percentage, 46.6 or 43.75 percent depending on a calculation of either fifteen or sixteen literary texts at Masada. Within the biblical corpus, a special interest in the Torah is visible in the corpora found at all the sites in the Judean Desert: 87 texts or 43.5 percent of the Qumran biblical corpus represent the books of the Torah. At sites other than Qumran, this percentage is even higher: fifteen of the twenty-five biblical texts, or 62.5 percent, preserve fragments of the Torah. The centrality of the Torah in the life of the Qumran community is emphasized further in some of the sect's regulations. For example, whenever a group of ten men convened, it was required that among them should be someone who could expound the Torah (1QS VI 6) and the members studied the Law one third of the night (*ibid.*, 7). Stegemann points out that the Torah was the main focus of biblical interest to the Qumran community, which called itself the *beth ha-Torah* in CD XX 10, 13.²

Within these Judean Desert corpora, the largest group of texts is proto-Masoretic, or proto-rabbinic in F.M. Cross's terminology.³ In the forty-six Torah texts from Qumran that are sufficiently extensive for analysis (out of

² H. Stegemann, "Die 'Mitte der Schrift' aus der Sicht der Gemeinde von Qumran," in *Mitte der Schrift? Ein jüdisch-christliches Gespräch. Texte des Berner Symposions vom 6.–12. Januar 1985* (ed. M. Klopfenstein et al.; Bern: Peter Lang, 1985), 179–184 (151–152, 159, and *passim*).

³ F.M. Cross, Jr., "The History of the Biblical Text in the Light of the Discoveries in the Judean Desert," *HTR* 57 (1964): 281–299, esp. 287–292; "Some Notes on a Generation of Qumran Studies," in *The Madrid Qumran Congress—Proceedings of the International Congress on the Dead Sea Scrolls—Madrid, 18–21 March, 1991* (ed. J. Trebolle Barrera and L. Vegas Montaner; STDJ 11; Leiden/Madrid: E.J. Brill, 1992), 1–14, esp. 9.

a total of 51 such texts), 24 (52%) reflect MT (or are equally close to the MT and SP), 17 (37%) are non-aligned, 3 (6.5%) *exclusively* reflect the SP, and 2 (4.5%) the LXX. In the remainder of Hebrew Scripture, in the seventy-five texts that are sufficiently extensive for analysis (out of a total of 76 such texts), 33 texts (44%) reflect MT (or are equally close to the MT and LXX), 40 (53%) are non-aligned, 2 (3%) reflect the LXX. The overall preponderance of MT in the Qumran corpus is thus evident, in the Torah more so than in the other books, followed by a large contingency of non-aligned texts.

At the sites in the Judean Desert other than Qumran (Masada, Wadi Sdeir, Naḥal Še'elim, Naḥal Hever, and Murabba'at), *all* the biblical fragments reflect MT.⁴ ■ three times corrupted characters, subdots added

Our investigation starts with the later periods when, according to the available information, the proto-Masoretic text was the most frequently used text (the Qumran evidence covers manuscripts copied between 250 BCE and 70 CE) or the sole text used (the evidence relating to other sites in the Judean Desert covers manuscripts copied between 100 BCE and 135 CE).

The proto-Masoretic texts were internally identical, and they agree with the medieval MT. Texts found at the various sites in the Judean Desert other than Qumran were copied with great care; they should be considered on a par with the medieval Masorah manuscripts since they differ as little from the medieval manuscripts as these differ among each other. The proto-Masoretic manuscripts from Qumran are slightly more distant from the medieval manuscripts. It seems to us that this identity could have been achieved only if all the manuscripts from the Judean Desert were copied from a single source, (a) master copy (copies) located in a central place, probably the temple until 70 CE, and subsequently in another central location (Jamnia?).⁵ This master copy is known from rabbinic sources as the *sefer ha-'azara* probably referring only to the Torah, but it stands to reason that the other Scripture books were also found in the temple.⁶ In rabbinic literature, a scroll copied from this master copy was named a "corrected scroll,"

⁴ For detailed statistics and an analysis, see I. Young, "The Stabilization of the Biblical Text in the Light of Qumran and Masada: A Challenge for Conventional Qumran Chronology?" *DSD* 9 (2002) 364–390.

⁵ See my study "The Text of the Hebrew/Aramaic and Greek Bible Used in the Ancient Synagogues," in *The Ancient Synagogue: From Its Origins until 200 C.E.—Papers Presented at an International Conference at Lund University October 14–17, 2001* (ed. B. Olsson and M. Zetterholm; ConBNT 39; Stockholm: Almqvist & Wiksell International, 2003) 237–259.

⁶ This is evident from the discussion in *b. b. Bat.* 14b and from the names of the three scrolls found in the temple court relating to passages in the Torah. See *m. Kel.* 15.6; *m. Moed Qatan* 3.4; *b. b. Bat.* 14b; *b. Yoma* 69a–b; *y. San.* 2.20c.

sefer muggah. For this purpose, the temple employed professional *maggihim*, “correctors” or “revisers,” whose task it was to safeguard precision in the copying of the text. For example, “*maggihim* of books in Jerusalem received their fees from the temple funds” (*b. Ketub.* 106a). We suggested that some of these “corrected copies” were found in the Judean Desert at sites other than Qumran (the first circle), and that the **proto-Masoretic** copies found at Qumran (the second circle), which are more distant from MT, were copied from them.⁷

The medieval copies of the Masoretic family contain a number of scribal features that go back to the Second Temple period, such as cancellation dots, paragraph indications (open and closed sections), small raised letters originally meant as correcting elements, broken letters representing damaged elements, majuscule and minuscule letters representing different sizes of letters in the original manuscripts, and a pair of *sigma* and *antisigma* parenthesis signs.⁸ All these features must have been present in the master copy from which the “corrected copies,” including the Judean Desert scrolls, had been copied.

Within the tradition of the careful transmission of MT, the Torah may have been given special care, as suggested by two features:

a. *Unequal distribution of cancellation dots*. The precision in the transmission of texts in the MT tradition is proverbial, and within that tradition the Torah was probably given special care. The relatively large number of cancellation dots (*puncta extraordinaria*)⁹ in the Torah (ten out of fifteen for the whole Bible) is probably significant. The unequal distribution of these cancellation dots in Hebrew Scripture does not imply that fewer words were corrected with cancellation dots in the post-Pentateuchal books, but that more care was taken to copy them in the MT archetype of the Torah.¹⁰

⁷ See the study quoted in n. 5.

⁸ Appearing in Num 10:35–36, these signs indicate the wrong positioning of these verses, transformed in the Masoretic tradition to inverted *nunim*. For details on all these features, see my *Textual Criticism of the Hebrew Bible* (2d rev. ed.; Minneapolis and Assen: Fortress Press/Royal Van Gorcum, 2001), 59–87 (henceforth: *TCHB*).

⁹ The earliest list of these instances is found in *Sifre* Numbers § 69 to Num 9:10 (the ten instances in the Torah) and the full list is in the *Masorah magna* on Num 3:39. In each of these instances, the scribes of the original manuscripts, which later became MT, intended to erase the letters, as in the Qumran manuscripts.

¹⁰ Since these scribal dots were meant to erase letters, there was no need to copy them into subsequent copies. See the discussion in my monograph *Scribal Practices and Approaches Reflected in the Texts Found in the Judean Desert* (STDJ 54; Leiden/Boston: E.J. Brill, 2004), 187–218.

b. *Unequal distribution of the Qere notes.* The relatively small number of *Qere* instances in the Torah seems to lead to the assumption of a smaller range of textual variation in the Torah than in the other books.¹¹ By way of explanation, the *Ketiv* text probably represents the ancient copy in the temple in which the ancients would have preferred to incorporate some variants when these became available. However, that copy evidently could no longer be changed,¹² since otherwise either the *Qere* readings would have been incorporated in the text or the whole scroll would have been replaced with the *Qere* scroll. The preference for the *Qere* scroll was perhaps due to its being a newer version,¹³ replacing several groups of archaic *Ketiv*s such as the female *Qere* form *atti* corrected to *'at* and the archaic third person plural feminine *qatlah* corrected to *qatlu*.¹⁴ The nature of the *Qere* text differed from book to book as may be expected in a corpus composed of different scrolls, and possibly a smaller number of variants was included in the Torah than in the other books.

¹¹ See my paper "The *Ketiv-Qere* Variations in Light of the Manuscript Finds in the Judean Desert," in *Text, Theology & Translation, Essays in Honour of Jan de Waard* (ed. S. Crisp and M. Jambachian; United Bible Societies, 2004), 199–207. J. Barr, "A New Look at Kethib-Qere," *OTS* 21 (1981): 19–37 (32) was the first to pay attention to the statistical aspects of the occurrences of the *Ketiv/Qere* variations based on Dothan's edition of codex L (Tel Aviv: Adi, 1976):

Low figures: Genesis (15), Exodus (10), Leviticus (5), Numbers (9), MP (29)
 Medium figures: Isaiah (53), Psalms (68), Job (52)
 High figures: Samuel (155), Kings (118), Jeremiah (142), Ezekiel (123).

According to Barr, Daniel with 140 instances of K/Q is a special case, since most of them are in the Aramaic section.

¹² This situation reminds us of the procedures followed by the Masoretes at a later period. When adding vowels to the text, the Masoretes could no longer change the consonantal framework because that was sacrosanct, requiring them sometimes to superimpose on the letters a vocalization that went against the letters themselves. For examples, see Tov, *TCHB*, 43.

¹³ Thus also R. Gordis, *The Biblical Text in the Making—A Study of the Kethib-Qere* (Philadelphia: Dropsie College, 1937; repr. New York: Ktav, 1971) xxviii. In Gordis's view, after the master copy was deposited in the temple, and when it was recognized that the scroll was occasionally in error, it was annotated with marginal corrections from other manuscripts. The procedure followed for the addition of these corrections was described in the *baraita* in y. *Ta'an.* 4.68a about the three scrolls found in the temple court (Gordis, p. xli). However, such a procedure is not described in this *baraita*.

¹⁴ For the former, see, for example, Judg 17:2 and for the latter 1 Kgs 22:49 K *nshbrh* /Q *rw*. For the full evidence, see Gordis, *Biblical Text*, lists 13–25. See also M. Cohen, *The Kethib and the Qeri System in the Biblical Text—A Linguistic Study of the Various Traditions* (Jerusalem: Magnes, 2007); S.E. Fassberg, "The Origin of the Ketib/Qere in the Aramaic Portions of Ezra and Daniel," *VT* 29 (1989): 1–12.

This precision of the Masoretic tradition created a climate that influenced generations of copying. Although all the books of Scripture are sacred, the Torah is traditionally conceived of as having the highest level of sanctity and is therefore guided by a more stringent set of rules than those guiding scribes of other texts.¹⁵ These rules were finalized in the post-Talmudic period in the tractate *Soferim*¹⁶ and later sources, but differences between the writing of the Torah and the other Bible books were recorded already in the Talmud. Talmudic instructions distinguishing between the copying of the Torah and the other Scripture books pertain to the sizes of the bottom and top margins,¹⁷ the adding of handle sheets to scrolls,¹⁸ use of wooden bars,¹⁹ and the amount of space left between books.²⁰ All these instructions

¹⁵ In more recent centuries, this sanctity was translated into stringent sets of rules. Thus, *Ozar Yisrael, An Encyclopedia of All Matters Concerning Jews and Judaism, in Hebrew* vol. 4 (ed. J.D. Eisenstein, [1906–1913], repr. Jerusalem n.d.) s.v. “Sepher Torah,” pp. 251, 253 notes that the scribe of a Torah scroll should be a God-fearing person, he has to say a blessing before the beginning of the writing and before each writing of a holy name, and he has to bless the ink. S. Ganzfried, *Keset Ha-sofer* (Bnei-Brak: Lion, 1961) 10.18 notes that the scribe has to immerse himself in a *mikvah* before writing a divine name or group of such names. In J.T. Friedman’s English translation, this paragraph is presented as: “There are some zealous scribes who do not write the Name unless in a state of purity, and this is good. Sometimes, on account of this, they write a complete sheet and leave blank spaces for the Names, to write them in after they have been to the mikveh, and this is also good” (www.geniza.net/ritual/keset/kesetindex.shtml).

¹⁶ This tractate is quoted from the edition of M. Higger, *Mskt swprym wnlbw ‘lyh mdrš mskt swprym b* (New York 1937; repr. Jerusalem 1970). The translation is quoted from A. Cohen, *The Minor Tractates of the Talmud, Massektoth Ketannoth I* (London: Soncine Press, 1965).

¹⁷ Large bottom margins enabled easy handling of the scroll and, as such, they were prescribed for Scripture by rabbinic sources, see *b. Menah.* 30a (cf. *Massekhet Sefer Torah* 2.4): The width of the bottom margin shall be one handbreadth (7.62 cm), of the top margin three fingerbreadths (4.56 cm), and of the intercolumnar margin two fingerbreadths (3.04 cm) (in all the books of Scripture). In the books of the Torah the bottom margin shall be three fingerbreadths (4.56 cm), the top margin two fingerbreadths (3.04 cm), and the inter-columnar margin a thumb-breadth (2.0 cm). The calculations are quoted from Y. Yadin, *The Temple Scroll* (Jerusalem: Israel Exploration Society, Institute of Archaeology of the Hebrew University of Jerusalem and the Shrine of the Book, 1983) 1.16. Likewise, *y. Meg.* 1.71d and *Sof.* 2.5 prescribe two fingerbreadths (3.04 cm) above the text and three below (4.56 cm) for all the books of Scripture, except the Torah. The discussion in these places also mentions the view of Rabbi prescribing for the Torah three fingerbreadths above the text and a handbreadth below the text.

¹⁸ According to *Sof.* 1.8, handle sheets should be attached to both sides of the Torah scrolls and only at the beginning of the scrolls of the Prophets (note that 1QIsa^a did not have such a handle sheet at its end).

¹⁹ According to *Sof.* 2.5, a single bar needs to be attached to the end of a regular scroll and two bars for the Torah scrolls, each attached to one of the extremities (*y. Meg.* 1.71d).

²⁰ According to *y. Meg.* 1.71d, “(In the Torah) one has to finish in the middle of a page and to commence in the middle of the (same) page. In the Prophets one finishes at the end and begins at the top of a page, but in the Dodekapropheton this is forbidden.”

pertain to Torah scrolls meant for liturgical reading, only for MT.²¹ When the tractate *Soferim* speaks about the care taken in copying Torah scrolls, it is usually mentioned in conjunction with that of ceremonial objects, *tefillin*, and *mezuzot*. Sometimes references to the writing of Torah scrolls are made in contrast to that of the Prophets and Writings, and sometimes to that of any text.

2. Precision in the Writing of Scripture in the Judean Desert Texts

The precise instructions in rabbinic literature for writing Torah scrolls are reflected not only in the medieval MT scrolls, but also in many of the scrolls from the Judean Desert that are 1,000 years older. This precision does not characterize all the texts that were extant at one time in ancient Israel, but only texts that derived from the circles that created and espoused MT. When we go back in time from the Middle Ages and the rabbinic period to the era of the Judean Desert texts, we can easily identify the proto-Masoretic texts as the forerunners of the medieval texts, but we recognize that these texts co-existed with many others. In the Middle Ages, MT was the only text used, but in the last centuries BCE, the proto-Masoretic texts co-existed with many others. Not all these texts shared the precision ideals of the proto-Masoretic texts, but some may have been as precise as MT. For example, we have no reason to believe that the few Qumran texts that are close to the LXX do not present a precise transmission history. These remarks pertain to 4QDeut^a, 4QJer^{b,d}, and 4QSam^a, the latter being a very carefully written scroll.

It is further remarkable that the Samaritan Pentateuch (SP), which is considered very imprecise or even “vulgar,” was copied after the Qumran period with the same precision as MT. The SP has a Masorah (*tashqil*), similar to that of MT, and it has very meticulous rules for the writing and layout of the text.²²

²¹ For example, *Sof.* 3.8 “A scroll [some of whose letters] are faded may not be used for the lections ... (g) A scroll of the Torah in which a whole line is faded may not be used for the lections. If the greater part of a line is faded and the smaller part intact, the use of the scroll is permitted. If a Torah scroll contains an error, it may not be used for the lections. How many? One in a column, is the view of R. Judah. R. Simeon b. Gamaliel says: Even if there be one error in three columns the scroll may not be used for the lections.” 3.14 “A scribe may not put upon the written part [of a Torah scroll] a reed-pen with ink on it ...” 3.17 “It is obligatory to make beautiful zizith, beautiful mezuzoth, to write a beautiful scroll of the Torah with choice ink ...” Chapters 4 and 5 of *Soferim* deal with the writing and erasure of divine names.

²² See A.D. Crown, *Samaritan Scribes and Manuscripts* (TSAJ 80; Tübingen: Mohr Siebeck, 2001), 43.

The Torah in the versions of the MT and SP was transmitted with great precision, but the other books of Scripture in MT were also transmitted precisely. Since the Samaritans only accepted the Torah, their approach cannot be compared with that of other books. Further, the transmission of MT and the SP after the first century CE cannot be compared with that of other groups since after the destruction of the Second Temple there were no other organized Jewish groups except for rabbinic Judaism. We now examine the arguments *pro* and *contra* the assumption of a precise copying of the Torah in all the Judean Desert texts.

3. *Special Scribal Approaches to the Torah: Positive Evidence*

An examination of the writing conventions applied to the Judean Desert texts shows that *grosso modo* there is no distinction between biblical and non-biblical, or sacred and non-sacred texts. However, there are a few exceptions pertaining to differences in a few select areas in the copying of biblical and nonbiblical texts found in the Judean Desert. We first focus on the Torah scrolls:

- *De luxe* Torah scrolls. A *de luxe* format was used especially for biblical scrolls, and among them especially for Torah scrolls. From 50 BCE onwards, large *de luxe* scroll editions were prepared especially for MT biblical scrolls,²³ and within that group, mainly for the Torah.²⁴ The assumption of such *de luxe* editions is based on the following parameters: (1) Large margins usually accompany texts with a large format. (2) The great majority of the scrolls written in *de luxe* format reflect the medieval text of MT. Since the *de luxe* format was used mainly for scrolls of the Masoretic family, we assume that these scrolls followed the rules of the spiritual center of Judaism in Jerusalem, the same center that subsequently formulated the writing instructions that were transmitted in the Talmud and *Massekhet Soferim*. (3) As a rule, *de*

²³ Among the 30 Judean Desert scrolls with wide top and bottom margins, twenty-two (or 73.3%) are biblical.

²⁴ For a list, see *Scribal Practices*, 125–129. The Torah scrolls are: 2QNum^a, 4QGen^b, 4QExod^c, 4QpaleoGen-Exod^d, 4QpaleoExod^m, 4QDeut^s 11, 4QDeut^{k1}, MurGen 1, MurNum 6, XH ev/SeNum^b, 34S eNum, MasDeut. Among the 30 Judean Desert luxury scrolls, twelve (40%) are of the Torah. This ratio is much larger than that of the Torah scrolls among *all* the literary Judean Desert scrolls: 101 (87 + 14) Torah scrolls among 1068 (930 + 138) literary scrolls or 9.5%. In these figures, the numbers in parenthesis list the Qumran scrolls first, followed by scrolls from the other sites in the Judean Desert.

luxe rolls are characterized by a low level of scribal intervention, and therefore had fewer mistakes that needed correction. However, the exponent of scribal intervention pertains not only to the correction of mistakes, but also to the insertion of changes in the text.²⁵

- *Paleo-Hebrew Torah Scrolls*. The preserved Bible texts written in the paleo-Hebrew script contain only texts of the Torah and Job—note that the latter is traditionally ascribed to Moses (cf. *b. B. Bat.* 14b–15a; cf. also manuscripts and editions of the Peshitta in which Job follows the Torah). These ancient books were thus singled out for writing in the ancient script. Texts written in the paleo-Hebrew script were copied more carefully than most texts written in the square script (see n. 33). Most of these paleo-Hebrew texts reflect the proto-Masoretic text, but since 4QpaleoExod^m (close to SP) reflects a different tradition, the very minimal scribal intervention should not be connected to the proto-Masoretic character of these scrolls,²⁶ but rather to the milieu in which scribes wrote in this special script (Sadducees?).²⁷

The following practices pertain not only to Torah scrolls, but to all biblical scrolls:

- Biblical texts from the Judean Desert were almost exclusively written on parchment (thus also the rabbinic prescriptions for the writing of biblical texts in *m. Meg.* 2:2; *y. Meg.* 1.71d).²⁸
- Biblical texts were inscribed on only one side of the parchment unlike an undetermined (small) number of nonbiblical opisthographs from the Judean Desert.²⁹
- A special stichographic layout was devised for the writing of several poetical sections in many biblical scrolls, as well as in one nonbiblical scroll.³⁰

²⁵ In fact, *all* the scrolls from Nahal Hever, Murabba'at and Masada, for which the margins are known are of this type, while MasLev^a (2.8 cm), MasLev^b (2.7 cm), and 5/6HevPs (2.5–2.7 cm) come very close (all the biblical scrolls found at these sites attest to the medieval text of MT).

²⁶ See n. 33.

²⁷ See *Scribal Practices*, 248.

²⁸ The relatively small number of papyrus fragments of biblical texts (4–6 copies out of a total of 200 biblical manuscripts; see *Scribal Practices*, 51) possibly served as personal copies. On the other hand, papyrus was used for almost all documentary texts from the Judean Desert and several literary works from Qumran.

²⁹ See *Scribal Practices*, 68–74 and Appendix 3.

³⁰ For details, see *Scribal Practices*, 166–178 and Table 8.

In short, while some exclusive scribal traditions are known for all Scripture scrolls, only two could be located that were applied only to Torah scrolls, the writing in the paleo-Hebrew script and the employment of a luxury format.

4. *Special Scribal Approaches to the Torah: Negative Evidence*

In most technical areas, scribes did not distinguish between biblical and non-biblical scrolls.³¹ This conclusion pertains to the following parameters: writing materials, technical aspects of the writing such as the length of scrolls, sheets, and columns, number of columns per sheet, height of columns, margins, horizontal and vertical ruling, repair-stitching, patching, initial and final handle sheets, use of guide dots/strokes; writing practices, such as divisions between words, small sense units (*stichs* and *verses*), and larger sense units, the special layout of poetical units, scribal marks, correction procedures, and scripts.³² Although further research is required, seemingly the leather used for Scripture texts was not of superior quality to that used for nonbiblical compositions. All these areas have been described in detail in my monograph *Scribal Practices*. Neither in these technical aspects nor in three additional aspects of the scribal approach were biblical scrolls singled out for special treatment:

a. *Scribal intervention*. A calculation of the average number of corrections in each scroll³³ shows that the approach towards biblical texts is *no* more careful than that towards nonbiblical texts. The level of scribal intervention can be measured by dividing the number of lines preserved (in full or in part)

³¹ Under these circumstances, it would not be unusual to find scribes who copied both a Torah scroll and other scrolls. However, so far, only one such scribe has been identified, viz., the scribe who copied the nonbiblical texts 1QS, 1QSa, 1QSB and the biblical 4QSam^c, and his hand is also visible in several corrections in 1QIsa^a. For further details regarding Qumran scribes writing more than one manuscript, see my *Scribal Practices*, 23–24.

³² The rules for the writing of sacred texts recorded in *Massekhet Soferim* and in earlier rabbinic sources create the impression that these rules were devised especially for the writing of sacred books. However, most details recorded there pertain to writing practices employed in an identical way in nonsacred texts during the Second Temple period. For example, *Sof.* 1.15 states that texts that deviate from the norm regarding the indication of open and closed sections cannot be used as sacred writings. However, this practice, which is basically a paragraphing system, was followed in most compositions written in the Qumran period, biblical and nonbiblical. Thus, the practice itself was not sacred, but the tradition of indicating a specific type of paragraphing in a given instance was considered sacred.

³³ See the tabulations in *Scribal Practices*, 279–275, 332–335.

by the number of instances of scribal intervention (linear or supralinear corrections, deletions, erasures, reshaping of letters). A high level of scribal intervention (an average of one correction in less than 10 lines) is visible in 1QIsa^a and several other biblical scrolls, including two Torah scrolls.³⁴ At the same time, many biblical scrolls display a low level of scribal intervention, especially texts written in the paleo-Hebrew script³⁵ as well as several other texts.³⁶ Most other Torah texts hold an intermediate position regarding the amount of scribal intervention.

b. *Harmonizations.* The manuscripts of the Torah contain many harmonizing additions and changes in small details.³⁷ Contrary to the majority view, this phenomenon actually prevails more in the LXX than in the SP.³⁸ Although there are no comparative statistics regarding the level of harmonization in the various Scripture books, we cannot avoid the impression that there are more such phenomena in the Torah than in the other books. There is much occasion for harmonization in the prose books from Joshua to 2 Kings and in Chronicles that has been overlooked. The absence of major harmonizing in the post-Pentateuch books must be ascribed to lack of interest in making the details in these books match one another. Presumably there was a constant interest in improving the divine message of the Torah; from a textual point of view, these improvements involved a great amount of textual freedom as opposed to conservatism.

c. *Orthography and morphology.* The scribal practice of applying a special, very full orthography and a special morphological system to a number of Qumran scrolls was used for Torah scrolls as well. This aberrant orthography and morphology, best known from 1QIsa^a, is found also in

³⁴ 4QDeut^m (Qumran scribal practice), 5QDeut, 4QJosh^b, 4QJudg^b, 4QIsa^a, 4QJer^a, 4QXII^c, 4QXII^e, 11QPs^a, 4QCant^b, 4QQoh^a.

³⁵ 4QpaleoGen-Exod^l (MT), 4QpaleoExod^m (SP), 4QpaleoDeut^r (MT), 11QpaleoLev^a (independent).

³⁶ 1QDeut^b (MT and SP), that 4QLev^e (MT and SP), 4QSam^a, 4QPs^a, MurXII, 5/6HevPs.

³⁷ For an analysis, see my study "The Nature and Background of Harmonizations⁷ in Biblical MSS," *JSOT* 31 (1985) 3–29; Kyung-Rae Kim, *Studies in the Relationship between the Samaritan Pentateuch and the Septuagint*, unpubl. Ph.D. diss., Hebrew University, Jerusalem, 1994.

³⁸ See R.S. Hendel, *The Text of Genesis 1–11—Textual Studies and Critical Edition* (New York/Oxford: Oxford University Press, 1998) 81–92; E. Tov, "Textual Harmonizations in the Ancient Texts of Deuteronomy," *Mishneh Todah. Studies in Deuteronomy and Ancient Israelite Religion Presented to Jeffrey H. Tigay* (ed. N. Fox et al.; Winona Lake, Ind: Eisenbrauns 2008), forthcoming.

1QDeut^a, 2QExod^{b?}, 2QNum^{b?}, 2QDeut^{c?}, 4Q[Gen]Exod^b, 4QExod^d, 4QNum^b, 4QDeut^j V–XII, 4QDeut^{k1}, 4QDeut^{k2}, 4QDeut^m.

In short, in the details described in this section, the scribal approach towards the Torah was one of freedom, such as in the matter of scribal intervention, harmonizing additions, and orthography and morphology. Within the Qumran corpus, only a few features are recognizable that single out the Torah for careful treatment, viz., the use of paleo-Hebrew script and the employment of luxury scrolls, possibly only in certain religious circles.

5. *The Development of Different Textual Forms of the Torah*

The further we go back in time, the less the sanctity of the Torah influenced the textual transmission and, at an earlier stage, the final stage of editing. In the last centuries before the Common Era, the transmission of the Torah manuscripts as reflected in the Judean Desert texts was no more precise than that of the other books, except for the two features recognized (luxury Torah scrolls and use of the paleo-Hebrew script) and they may have pertained only to certain groups within Judaism. This approach is also visible in the development of textual variety everywhere except for the Masoretic family.³⁹ Because of the great interest in the Torah, a sizeable number of manuscripts and new compositions were circulating, which ultimately gave rise to greater textual variation in the Five Books of Moses than in the other books. Paradoxically, because of its popularity, the sacred Torah was edited and rewritten more extensively than the other biblical books.

These manifold manuscripts and new compositions were based on earlier texts and textual families, which, as far as we know, were mainly the proto-Masoretic and pre-Samaritan texts. The essence of the new entities cannot be defined easily, and therefore I speak about both manuscripts such as 4QRP and the pre-Samaritan texts and new *compositions* such as the rewritten Bible texts. What all these sources have in common is the endeavor to enrich the Torah literature with an exegetical layer. Just as the Torah manuscripts contain more small harmonizing variants than the post-Pentateuchal books that literature was the inspirational source of many new creations that differ in small or large ways from the base texts. Not all these Torah-based texts carried authority in a religious community, but several of

³⁹ *Within* the Masoretic family, only a limited amount of textual variety was created.

them did. Some of the new texts were in due course accepted as authoritative, while others did not receive that status. When subdividing below the exegetical texts into authoritative and non-authoritative, we move into a subjective area of evaluation in which no certainty can be had. For example, we do not know whether the Temple Scroll had an authoritative status in the Qumran community or elsewhere. The non-authoritative text forms served certain literary, exegetical, and liturgical needs. All these texts illustrate the freedom in creating new shapes of the Torah, ultimately resulting in a greater textual variety in the Torah than in the other books.

The following (groups of) manuscripts are known among the *authoritative* Bible texts.

a. The SP group (the SP as well as the pre-Samaritan texts, such as 4Qpaleo-Exod^m, 4QNum^b, 4QExod-Lev^f, and secondarily also 4QDeutⁿ and possibly also 4QLev^d) reflects content editing in major details. The editing itself is meant to impart a more perfect and internally consistent structure to the text. The editing is inconsistent, that is, certain details were changed while others that were similar in nature were left untouched. The editor was especially attentive to what he considered to be imperfections within and between units. This imperfection pertained especially to the incongruence—according to a formalistic view of Scripture—between details within and between specific stories. In this regard, special attention was paid to the presentation of the spoken word, especially that said by God, which was added to the text when the reviser was able to add the details from a similar context. Special attention was paid to the story of the Ten Plagues in Exodus 7–11, Moses' summarizing speech in Deuteronomy 1–3, and the Decalogue.⁴⁰ Furthermore, the chronological data in the genealogies of MT, especially in Genesis 5, 8, and 11, have been rewritten extensively in the SP and LXX (albeit with differences between them). The originality of any one system has not been determined.⁴¹ Ultimately, based on the proto-Masoretic text family, the pre-Samaritan texts became very popular in ancient Israel, and were the source of several rewritten Bible compositions (Jubilees and 4QTestimonia).

⁴⁰ For details, see my paper "Rewritten Bible Compositions and Biblical Manuscripts, with Special Attention to the Samaritan Pentateuch," *DSD* 5 (1998) 334–354.

⁴¹ See my *The Text-Critical Use of the Septuagint in Biblical Research* (Second Edition, Revised and Enlarged; Jerusalem Biblical Studies 8; Jerusalem: Simor, 1997) 253 (henceforth: *TCU*).

b. 4QReworked Pentateuch (4QRP = 4Q158, 4Q364–367) holds a special place among the presumably authoritative texts since it differs more extensively from MT than the other Qumran texts. This composition, published by E. Tov and S. White as a non-biblical composition,⁴² has been reclassified by myself as a Bible text.⁴³ Beyond its long stretches of uninterrupted text that may be classified as Scripture such as found in either MT or the SP group,⁴⁴ 4QRP rearranges some Torah pericopes, and contains a small number of extensive exegetical additions.

c. Beyond the Torah, the Hebrew compositions behind the LXX version of 1 Kings, Esther, and Daniel extensively reworked, shortened, and expanded the proto-Masoretic text.⁴⁵

The often widely diverging textual forms of the Torah are based on various types of earlier text forms. These developments should not be confused with earlier developments that took place in the course of the internal literary growth of the Torah, when segments that are now incorporated in the LXX were further developed into the present MT text, such as in the case of Jeremiah.⁴⁶

The following *non-authoritative* Torah texts, based on earlier texts, increased the textual multiplicity of the Torah:

a. *Liturgical texts.* Among the Qumran texts, we find a rather sizeable group of liturgical texts composed of biblical sections or combinations of biblical and nonbiblical sections. The best-known Torah texts are 4QDeut^a and 4QDeut^b as well as all the *tefillin* and *mezuzot*.

⁴² E. Tov and S. White in H. Attridge et al., in consultation with J. VanderKam, *Qumran Cave 4.VIII: Parabiblical Texts, Part 1* (DJD XIII; Oxford: Clarendon, 1994), 187–351.

⁴³ See my paper “The Many Forms of Scripture: Reflections in Light of the LXX and 4QReworked Pentateuch,” *volume Vienna, 2007*.

⁴⁴ The pre-Samaritan text is clearly the underlying text of 4Q158 and 4Q364, and possibly so in the case of 4Q365 (see *DJD* XIII, 192–196). On the other hand, A. Kim, “The Textual Alignment of the Tabernacle Sections of 4Q365 (Fragments 8a–b, 9a–b i, 9b ii, 12a i, 12b iii),” *Textus* 21 (2002) 45–69 claims that 4Q365 is not close to SP.

⁴⁵ For a summary of the free approach in these compositions, see my paper “Many Forms of Scripture.”

⁴⁶ See my study “The Nature of the Large-Scale Differences between the LXX and MT S T V, Compared with Similar Evidence in Other Sources,” in *The Earliest Text of the Hebrew Bible. The Relationship between the Masoretic Text and the Hebrew Base of the Septuaginta Reconsidered* (ed. A. Schenker; SCS 52; Atlanta, Ga.: Scholars Press, 2003), 121–144.

b. *Abbreviated and excerpted* biblical texts were prepared for special purposes that are not always clear to us.⁴⁷ The common denominator of these texts is that they present large or small segments of the biblical text without accompanying commentaries or reflections on the texts. However, the methods of excerpting differ in the various texts in accordance with their purpose. Some of these collections were liturgical, such as the previously mentioned group and possibly also 4QExod^d.⁴⁸ Others probably served a literary purpose, such as 4QDeut^a that contains only the Song of Moses (Deuteronomy 32).

c. *Reworked biblical texts* are newly created literary compositions that to a great extent overlap with biblical manuscripts. The definition of what constitutes a rewritten Bible text is less clear now than it was a few years ago.⁴⁹ Several compositions rewrote the Bible in some way, in varying degrees of closeness to the biblical text. The further removed the text is from MT, the more easily its exegetical character is recognized. The closer the text is to MT, the more difficult it is to define its character.⁵⁰ In Qumran we found a group of fragmentary rewritten Bible texts, ranging from compositions that change the biblical text only minimally to those in which the substratum of the biblical text is only seldom visible, since the text was completely rewritten. Each composition is a unicum with regard to its approach to the Bible and the act of rewriting. The second half of the Temple Scroll (11QT^a LI–LXVI) only changed the biblical text to a small extent, although the text sequence is completely different, while a much greater degree of change is visible in the Jubilees texts from cave 4, 4QExposition on the Patriarchs, 4QCommGen-Exod, and in the various compositions that have the component “apocryphon” or “pseudo-” as part of their title (see *DJD* XIII, XIX, XXII).

⁴⁷ See my study “Excerpted and Abbreviated Biblical Texts from Qumran,” *RevQ* 16 (1995) 581–600.

⁴⁸ After the laws of the Mazzot festival ending at 13:16, this scroll omits the narrative section of 13:17–22 and all of chapter 14, thus continuing immediately with the Song at the Sea. In her edition of the text in *DJD* XII, J. Sanderson suggests that this text constituted a fragment of a liturgical scroll.

⁴⁹ See M.J. Bernstein, “‘Rewritten Bible’: A Generic Category Which Has Outlived its Usefulness?,” *Textus* 22 (2009) 9–196 (p. 18: “One person’s reworked Bible is another’s Bible”).

⁵⁰ Before the Qumran texts were found, scholars were aware of a series of rewritten biblical texts of very diverse nature. Foremost among them is the book of Jubilees, represented by many copies at Qumran. Pseudo-Philo created another rewritten text, as did Josephus in his rewritten story of Hebrew Scripture in *Jewish Antiquities*.

The creation of all these texts increased the textual variation of the Torah since all these texts influenced one another.

Summary. Our point of departure was the question whether or not the scribal and textual transmission of the Torah and, at an earlier period, the last stage of its editing and literary growth were influenced by the special status of these books in Judaism. From the first centuries BCE onwards, the proto-Masoretic text, was copied and transmitted very carefully, also in the Torah. In the rabbinic literature and medieval Jewish tradition, the copying of the Torah in the Masoretic tradition was singled out for special treatment in some areas. However, the further back we go in time, the less the sanctity of the Torah influenced its textual transmission and, at an earlier stage, its editing. In the Qumran manuscripts, there are only two features that single out the Torah for careful treatment (luxury Torah scrolls and use of the paleo-Hebrew script), and they may have pertained only to certain groups within Judaism. In all other details, the scribal approach towards the Torah was one of freedom, such as in copious scribal intervention, a multitude of harmonizing additions, and unusual orthography and morphology. This approach is also visible in the creation of textual variety in all textual traditions with the exclusion of the Masoretic family.⁵¹ Because of the great interest in the Torah, a large number of new texts and compositions were created that ultimately gave rise to more textual variation in the Five Books of Moses than in the other books. Because of its popularity and sanctity, paradoxically the Torah was edited, rewritten, and changed much more than the other biblical books.

⁵¹ This description does not imply that there was no textual variety in the other Scripture books. We merely want to record our impression that there was a smaller amount of activity in those books than in the Torah. Further, we did not speak about the *degree* of divergence from MT. It would be difficult to compare the degree of divergence of, for example, the LXX of Exodus 35–40 with that of the LXX in 1 Kings, Esther, and Daniel, but my general impression is that the latter differ more from MT than the former. Besides, I believe that in none of these cases was the divergence created by textual activity, but rather by literary developments, which were not discussed in this study. Generalizing, we would thus say that the frequency of textual activity was greater in the Torah than in the other books, while the degree of divergence of the textual sources from MT in these other books often equaled and sometimes surpassed that in the Torah.