

Sefer HeHago: The Community and the Book

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The meaning of the term ספר ההגו¹ and the identity of the book to which it refers has been discussed extensively in the literature on the Dead Sea Scrolls. While scholars are divided as to the identity of the book as the Torah² or as a sectarian work,³ both camps tend to see the word הגו as deriving from Josh. 1:8.⁴ The purpose of this article is to suggest an alternative explanation of the origin and meaning of the word הגו. My goal is not to prove this alternative explanation, but simply to offer a possibility that has not, to my knowledge, been considered, but that I think bears consideration. In the process, I hope to point to some interesting ideas and questions that this possibility raises.

The word הגו appears twice toward the beginning of Prov. 25: סִגִּים: הֲגוּ מִכֶּסֶף וַיֵּצֵא לְצֶרֶף כָּלִי. הֲגוּ רֹשַׁע לִפְנֵי מֶלֶךְ וַיִּכּוֹן בַּצֶּדֶק כִּסְאוֹ. (Prov. 25:4–5). The word here appears to signify removal—one removes dross from silver and evil people from before a king, in both cases enabling something worthwhile to emerge. The meaning of הֲגוּ as to move aside is attested in II Sam. 20:13. There are two or three other verses in which this meaning may be attested, as well; these verses will be discussed in the notes. If ספר ההגו takes its name from this meaning of the word, we have a very different connotation from the usual understanding of the term as ‘a book of meditation or study’—what this might suggest will be discussed below in the second half of this article. First, we will look at the context of these verses in Proverbs, at how these verses are interpreted in midrashic literature, and at selected uses of the word הגו in rabbinic texts. Finally, we will turn to possible implications for an understanding of the term ספר ההגו.

¹ The term appears in CD 10:6, 13:2, 14:7–8, 1QSa 1:7. The reading of final *vav* rather than *yod* is debated by scholars. The word הגו also appears in *Hodayot* 11:22 (and 11:2, where it is preceded by a lacuna); both Goshen-Gottstein and Rabinowitz (see n. 3, below) try to explain the name of the book in reference to their understanding of the meaning of the word in *Hodayot*. See n. 62, below, for the term חזון ההגוי in 4Q417.

² J. Licht, *מגילת הסריס ממצילות מדבר יהודה*, (Jerusalem, 1965), pp. 255–256; L. Schiffman, *הליכה*, (Jerusalem, 1993), p. 63; G. Vermes, *Introduction to the Complete Dead Sea Scrolls* (London, 1999), pp. 104, 224–225. I. Rabinowitz, ‘The Qumran Authors’ SPR HHGWY’, *JNES* 20 (1961), 109–114 understands the term as referring to the collection of sacred scriptures.

³ See, for example, A. M. Honeyman, ‘Notes on a Teacher and a Book’, *JJS* 4 (1953), 181–182; Ch. Rabin, *The Zadokite Documents* (Oxford, 1958), p. 50; M. H. Goshen-Gottstein, ‘“Sefer Hagu”—The End of a Puzzle’, *VT* 8 (1958), 286–288; Y. Yadin, *Megilat Hamiqdash* (Jerusalem, 1977), p. 301; J. Baumgarten, ‘The Unwritten Law in the Pre-Rabbinic Period’, in *Studies in Qumran Law* (Leiden, 1977), p. 16. L. Ginzberg, *An Unknown Jewish Sect* (New York, 1970), pp. 49–51 discusses the use of הֲגוּ in rabbinic texts (see below) and posits that ספר ההגו is a book of the sect’s interpretations of Scripture, though he offers two other possibilities: a book of judicial decisions (from הֲגוּ as utterance) or a ‘corrected’ text of Scripture (as in ספר מגו).

⁴ An exception is Goshen-Gottstein (see n. 3, above), who understands the term as connoting mournful moaning, as in Ezek. 2:10; see below for a discussion of a midrash on this verse.

The Context

The passage in Proverbs in which the word הגו appears is understood in rabbinic texts as warning against metaphysical and eschatological speculation. The passage is introduced as containing additional proverbs of Solomon ‘that the men of Hezekiah king of Judah copied’ (Prov. 25:1), an obscure reference which we will revisit shortly. The passage begins by comparing or contrasting the honor of God with the honor of kings: כְּבֹד אֱלֹהִים הַסֹּתֵר דְּבַר וּכְבֹד מַלְכִים חָקֵר דְּבַר (Prov. 25:2). This verse is cited in *yChagiga* 2:1; 77c as well as in *Bereshit Rabba* 9 as referring to what preceded the end of creation, which ought to remain hidden, as opposed to what comes after creation, which may be investigated.⁵ As for speculation about the end of time, *Bereshit Rabba* 96 cites this same verse to explain why Jacob was not permitted to reveal (לגלות) the end-time (קץ) to his children.⁶

Another verse from this passage is cited regularly with respect to the dangers of metaphysical speculation: דְּבַשׁ מִצָּתָא אַכְל דִּיךְ פִּן תִּשְׁבַּעוּ וְהִקְאֵתוּ (Prov. 25:16). This verse is quoted in the story of the four who entered the *pardes* concerning the one who peeked and was stricken.⁷ It would seem that a third verse from the same passage serves as the exegetical key that links honey with dangerous speculation: אַכְל דְּבַשׁ הַרְבוֹת לֹא טוֹב וְחָקֵר כְּבוֹד (Prov. 25:27). This third verse is particularly obscure since the two parts seem unrelated to each other, but each part links up with one of the previously cited verses. Thus, if ‘their honor’ (end of 25:27) is identified with ‘the honor of kings’ (end of 25:2), and the second half of each of these verses is read as contrasting with the first half (rendering the *vav* in each case as ‘but’), then the honey of which it is not good to eat too much (beginning of 25:27) can be read to refer to the ‘hidden things’ (beginning of 25:2). This, then, defines the honey which one vomits if one eats too much (25:16) as esoteric knowledge. I point out this three-verse exegesis to suggest that the rabbinic reading of Prov. 25:2 as referring to metaphysical speculation is not limited to that verse, but rather may reflect an extended reading of the passage as warning about the dangers of certain kinds of inquiry, of subjects which are better left hidden and which it is dangerous to reveal.⁸

As noted above, the passage in Proverbs is introduced with a reference to the activities of ‘the men of Hezekiah king of Judah’ (25:1). What these

⁵ *bShabbat* 153b cites the first part of this verse to explain why, according to R. Yitzchaq, the sages refrained from revealing (לגלות) a point of *halakha*. Note the *baraita* which follows, in which R. Yehoshua compares the issuing of rabbinic rulings to a situation in which a tub filled with honey becomes overfilled and ‘vomits’—see below on Prov. 25:16. See below on connections between metaphysical or eschatological speculation and halakhic innovation.

⁶ Parallels in *Tanchuma*, *Tanchuma Buber* and *Agadat Bereshit* on Gen. 49:1 (note the words אַחֲרֵית in this verse) and in *Yalqut Shimoni* 157 and 961. Note that *Bereshit Rabba*, *Tanchuma*, and *Agadat Bereshit* go on to cite Prov. 11:13 about one who reveals a secret (מְלִילָה); compare Prov. 25:9. (A kabbalistic passage in *Otzar Midrashim*, Eisenstein, vol. 1, p. 67, includes the teaching that engaging in hidden things is, in fact, an honor to God.)

⁷ Texts vary as to whether this was Ben Azai or Ben Zoma. See *tChagiga* 2:3, *bChagiga* 14b, *yChagiga* 2:1; 77b, *Shir Hashirim Rabba* 1 (הַבִּיאִי). *Midrash Mishlei* 25:16 sees the first part of the verse as referring to Ben Azai and the second part as referring to Ben Zoma.

⁸ Note that Maimonides cites both 25:16 and 25:27 in *Guide* 1:32.

men did—the *העתיק*—is discussed toward the beginning of *Avot de Rabbi Natan*⁹ where two opinions are offered: that they delayed judgment concerning whether the writings of Solomon should be published or concealed (apparently interpreting the *העתיק* as related to *עתיק*) or that they interpreted these writings, which had been concealed previously, in a way that made them acceptable for publication (interpreting the *העתיק* as moving or shifting the understanding of the text from the simple meaning to a different, acceptable meaning). Both of these opinions relate to the questionable nature of Solomon's teachings¹⁰ and to the issue of whether or not these teachings ought to be made public. Note that it is Hezekiah, too, who is credited by the rabbis with concealing items that could lead people astray: the bronze serpent and the book of remedies.¹¹ The biblical Hezekiah who orchestrates Temple reform (II Chron. 29–31) is seen by the rabbis as working with his men¹² to decide which texts ought to be hidden and which ought to be published. He is also credited in rabbinic tradition with making Torah study so widespread that every member of the community, man and woman, boy and girl, knew the details of the laws of purity.¹³ Lieberman suggests that both opinions in *Avot de Rabbi Natan* are reading the first verse of Prov. 25, about the men of Hezekiah, together with the second verse, discussed above. 'The honor of God is in hiding things', he suggests, is being understood as explaining why Solomon spoke in allusions and parables; 'the honor of kings is in investigating things' is being seen as explaining the activities of Hezekiah's men, who investigated or explicated Solomon's words. All in all, the rabbinic texts portray Hezekiah as creating a community immersed in Torah study and of

⁹ See both versions on *הווי מתנין בדין*; see *Midrash Mishlei* on 25:1 and the parallels and references cited in the edition of B. Visotzky (New York, 1990), pp. 165–166; see also L. Ginzberg, *Legends of the Jews* (Philadelphia, 1966) IV 276–277 and VI 368–369. *bBava Batra* 15a (see Rashi) sees the men of Hezekiah as writing down / publishing the works of Solomon and the prophecies of Isaiah. S. Lieberman, 'He'arot lePereq Aleph shel Qohelet Raba', in *Studies in Mysticism and Religion Presented to Gershom G. Scholem*, pp. 163–179, sees both opinions in *Avot de Rabbi Natan* as offering alternatives to *bBava Batra*'s interpretation. My presentation of the *Avot de Rabbi Natan* passage follows Lieberman's understanding of this text.

¹⁰ What, exactly, is the problem with the teachings in one or all of the books attributed to Solomon is variously explained in the rabbinic sources concerning these books: they contradict Torah or are self-contradictory; they lean toward heretical teachings; they direct readers to sensual pleasures. See the sources listed in Lieberman and in Visotzky (previous note). Note the connection between Hezekiah and Solomon in II Chron. 30:26. J. Myers sees Chronicles as presenting Hezekiah as a second Solomon in *The Anchor Bible: II Chronicles* (New York, 1965), pp. 179 and 183.

¹¹ See *bBerakhot* 10b, *bPesachim* 56a, *yPesachim* 9:1; 36c–36d, *yNedarim* 6:13; 40a, *ySanhedrin* 1:2; 18d.

¹² Note that the rabbinic sources see these men as continuing their work long after Hezekiah's death (again reading the word *העתיק* as connecting old age); some sources, in fact, clearly identify these men with the Men of the Great Assembly, while others differentiate between these two groups. See *Avot de Rabbi Natan* and *bBava Batra* and Lieberman's discussion, cited in n. 9, above.

¹³ See *bSanhedrin* 94b and other sources cited in Ginzberg, *Legends* IV 266–267 and VI 361. Note how this tradition connects Hezekiah the Temple-reformer to Hezekiah the publisher / educator—his work to disseminate Torah creates a community steeped in the laws of purity, ignorance or disregard of which had presented an obstacle to the proper observance of Passover during the beginning of Hezekiah's reform efforts (what, in fact, went wrong is much discussed in rabbinic texts—see *bSanhedrin* 12a–b and parallels).

working to seek out the meaning of hidden teachings while deciding what texts ought to be hidden and what texts ought to be made public.

The connection between Hezekiah and hidden knowledge appears to be very old. Ben Sira concludes its description of Hezekiah's deeds thus: *ברוך גבורה חזה אחרית וינחם אבלי ציון. עד עולם הגיד נהיות ונסתרות לפני בואן.* (48:33–34).¹⁴ Here, the king¹⁵ is portrayed as envisioning and foretelling future events: *אחרית*—the end of time; *נהיות*—that which will come to pass; *נסתרות*—hidden things. Similar language appears in relation to God in another passage in Ben Sira particularly reminiscent of Prov. 25:2–3: *היום ולב תהום ולב חקר* (42:18–19). A third passage in Ben Sira warns against certain kinds of investigation, once again in similar language: *פלאות ממך אל תדרוש ומכוסה ממך אל תחקור. במה שהורשית פלאות ממך אל תבונן ואין לך עסק בנסתרות.* (3:19–20). This passage brings us full-circle, because it is cited in both *Bavli* and *Yerushalmi Chagiga*, once again to warn against forbidden esoteric speculation.¹⁶ Putting these three Ben Sira passages together, we have a type of knowledge which is in God's domain, which is off-limits to most people, yet with which Hezekiah is associated.

Midrashim on Prov. 25:4

The first of the two verses in Prov. 25 that begin with the word *הגו* forms the basis of two midrashim.¹⁷ Both midrashim implicitly address the non-causal relationship between the first and second parts of the verse: removing impurities from silver does *not*, after all, leave a vessel in the smith's hands.

A midrash in *Bereshit Rabba* 10¹⁸ interprets this verse in reference to creation, no doubt reading it in the context of the preceding verse, about heaven and earth, and perhaps also the verse before that which, as we have seen, was interpreted in reference to speculation about the world's beginnings in *Bereshit Rabba* 9 and parallels. The midrash plays on the word *יכלו*—'vessel'—in Prov. 25:4 and the word *יכלו*—'they were completed'—

¹⁴ The text is taken from M. Segal, *ספר בן-סירא השלם* (Jerusalem, 1972).

¹⁵ Alternatively, the subject of these verses may be Isaiah; the link between Hezekiah's reign and esoteric teachings remains nonetheless. See also *bBava Batra* 15a, which sees Hezekiah's men as committing Isaiah's prophecies to writing.

¹⁶ *bChagiga* 13a, *yChagiga* 2:1; 7c; see also *Bereshit Rabba* 8 and other sources cited by Segal, p. 17. Segal points out that Yerushalmi's version—*פליאה ממך מה תדע עמוקה משאול מה*—is influenced by Psalms 139:6 and Job 11:8. On this latter verse, see below. Maimonides cites this verse from Ben Sira together with the verses from Prov. 25 about eating honey in Guide 1:32.

¹⁷ A third midrash, in *Tanchuma Ki Tisa* 26 ('ירדבר ה'), includes this verse in reference to the weeding out of the sinners in the Golden Calf episode, a theme similar to the idea discussed more extensively in the second midrash which will be presented.

¹⁸ The midrash appears also in *Yalqut Shimoni* 16, *Yalqut Mishlei* 961, and *Yalqut Makiri* on Prov. 25:4. The passage immediately preceding in *Bereshit Rabba* 10 discusses the completing of the created world in the context of Job 11:7–9, a passage which is very similar to our Proverbs passage. There, the midrash plays with the words *יכלו* (Gen 2:1) and *תכלית* (Job 11:9) and contrasts finite creation with infinite Torah. See n. 16 for a suggestion that Yerushalmi's quotation of Ben Sira on hidden knowledge is influenced by the Job passage, and see the discussion below of a lengthy parallel from *bEruvin*.

describing the end-point of God's creation of heaven and earth (Gen. 2:1). How were heaven and earth completed or, to use the word from Proverbs, shaped into vessels? A parable is offered: a tub full of water that has within it two beautiful forms—as long as there is water in the tub, the artistry of the forms is not visible, but, as soon as the water is drained from the tub, the artistry becomes visible. Similarly, the artistry of heaven and earth was hidden until **תהו ובהו** were uprooted. The image of creation in this midrash is not one of creating something new or even of shaping primordial substance into a new form; the image, rather, is of creation as revealing—just as the vessel in Proverbs emerges as a completed object (**ויכלו / כלי**) once impurities are removed, so are heaven and earth revealed as fully shaped entities (**כלי / ויכלו**) when **תהו ובהו** are removed.

A similar idea, this time applied to the community of Israel, is at the heart of the second midrash,¹⁹ which describes the Israelites who left Egypt as full of blemishes because of the perilous work they were forced to do as slaves. When they come to Sinai, God wonders what to do—it seems to violate the honor of the Torah for it to be given to this blemished generation, yet it is not right to delay the giving of the Torah until a new generation arises. God's solution is to send angels to heal the people; the people stand at Sinai unblemished, and the Torah is given to this generation. No sooner do the people worship the Golden Calf, though, than their blemishes reappear. And thus, when the Tabernacle is built and it is time for the divine presence to dwell among the people, God commands the Israelites to send out of the camp those who are leprous or who have a genital flow (Num. 5:1–3).

The people of Israel who left Egypt are, according to this midrash, essentially worthy of receiving the Torah. God has simply to remove their blemishes, and a perfect people stands at the foot of the mountain prepared to encounter God and receive God's Torah. Sin brings blemishes again, though, and the community cannot receive God's presence unless it removes the stricken individuals from its midst. Most probably, the midrash is reading Prov. 25:4 in the context of the verse immediately following, a verse that talks of removing—**הגו**—the wicked before the king so that his throne be established in righteousness. Perhaps these two verses are being understood sequentially: remove blemishes from the people, and a fully shaped nation emerges at Sinai; but, when the people sin, you must remove those who show the blemish of sin in order for the divine presence to establish its residency among the people.

¹⁹ *Bemidbar Rabba* 7:1; partial parallels, none of which includes the exegesis of Prov. 25:4, in *Mekhilta Yitro, Bachodesh* 9; *Sifre Bemidbar* 1; *Vayiqra Rabba* 18:4; *Bemidbar Rabba* 7:6 and 13:8; *Shir Hashirim Rabba* 4:7 (note the inclusion of people with blemishes together with lepers and people with a genital flow); *Pesiqa de Rav Kahana* 106b (note the idea here and in the final source cited of making something new by fixing something old and damaged); *Pesiqa Rabati* 25a and 78b.

ה-ג-ה and Torah in Rabbinic Texts

Ginzberg and Rabin cite a number of rabbinic sources in which the word **ה-ג-ה** seems to refer to a kind of study that goes beyond meditation on or study of Scripture.²⁰ In this section, I want to revisit a few of these sources to see in reference to what *type* of study the word **ה-ג-ה** is used: is there a particular process or content with which this word is associated?

Rabin, after stating that biblical **ה-ג-ה** means 'to study', cites three rabbinic texts in which the word appears,²¹ two of which will be discussed here. *yMegila* (1:13; 72b) has Noah inferring from biblical verses (which represent God's instructions to Noah himself) that only pure animals may be brought as sacrifices: **הגה נח תורה מתוך תורה**. Rabin characterizes this use of the word **הגה** as meaning 'to apply a homiletic rule'. But Noah, it seems to me, is not applying a homiletical rule to Scripture; he is, rather, taking out Torah from Torah—from the Torah text before him (the words which God has spoken to him) he discloses a new meaning, a new law.

Another text that Rabin cites is particularly interesting. The word **הגה** comes up here in one of a series of midrashim in *Bereshit Rabba* 49²² on God's words in Gen. 18:17: 'Am I to cover up from Abraham what I am about to do?' At the end of a list of several things that God may have revealed to Abraham,²³ the passage concludes: **אין כל יום ויום שאין הקדוש ברוך הוא מחדש**,²⁴ **הלכה בבית דין של מעלה מאי טעמא שמעו שמוע ברוגו קולו והגה מפיו יצא**, ואין הגה אלא דברי תורה כמה דאמר ר' יוחנן וליה אפילו אותו היה. Interpreting **ה-ג-ה** in reference to Josh. 1:8, the midrash gives a particular connotation to the **הגה** of Job 37:2. The Job passage from which the midrash quotes speaks of the unknowableness of God and of God's fearful power as manifested in nature. *Bereshit Rabba* cites this passage in reference to God's *revealing* knowledge—rather than demonstrating the unknowableness of the Creator of the natural world, the **הגה** is interpreted as ever newly created knowledge which is knowable by Abraham. The passage juxtaposes creation of the natural world with creation of Torah, of hidden knowledge with revealed knowledge. The connotation of **ה-ג-ה**, here, is neither simply

²⁰ See n. 3, all references to the work of these scholars refer to the above-cited passages. See also Honeyman and Baumgarten.

²¹ Rabin also cites the passage from Saadya noted below. Rabin's second source is *Eikha Rabba* (*petichta* 2, in Buber's edition): . . . **אלו סופרים ומשנים שהם הוגים ומשכרין את התורה**. The midrash describes the activities of these people as taking place day and night and cites Joshua 1:8. Rabin infers from the juxtaposition of **הוגים** and **משנים** that the terms are equivalent and, from this source together with the *yMegila* passage, concludes: 'h. is an etymological substitute for *mishnah*'. In fact, it seems clear that **סופרים** and **משנים** engage in different activities, and that **הוגים** refers here to study and teaching of Scripture, not of *mishna*. Rabin's characterization of the biblical use of **ה-ג-ה** as study is an overgeneralization; the meaning of the word seems to range from utter (including speech and other kinds of sounds; this might, in fact, derive from a primary meaning of 'to bring out') to meditation or study (probably an extension of the former meaning); see Rabinowitz, cited in n. 3.

²² Also *Bereshit Rabba* 64; *Yalqut Shimoni* 921.

²³ Including both details of rabbinic law and eschatological knowledge; see above, n. 5, and the discussion of the passage in *bEruvin*, below.

²⁴ See Rabin on the Septuagint's rendering of **הגה** in the verse cited here, Job 37:2.

the study or meditation of Josh. 1:8 nor the utterance of Job 37:2—in this midrash, *ה-ג-ה* refers to the creation and revealing of knowledge.

Ginzberg cites a number of rabbinic sources in which the word *ה-ג-ה* appears and argues that the word connotes interpretation;²⁵ he does not attempt to connect this meaning with scriptural occurrences of the word. One of the statements that he cites—*כל ההוגה בהן טועם טעם בשר*²⁶—and for which he suggests the meaning ‘explain’ rather than ‘study’, is particularly interesting because of the larger context in which it is embedded, a *sugya* that, like the passage in *Bereshit Rabba* 49, includes in its opening section a midrash on a Scriptural use of the word *הגה*. Before turning to that section, I want to point out a number of things about the *sugya* as a whole, first to demonstrate that the parts of the *sugya* are interconnected and second to highlight central themes of the *sugya*.

The *sugya*²⁷ begins and ends with *derashot* on the fate of the righteous and the wicked in the hereafter. In between, there are a series of *derashot* by R. Chisda and Rava on passages from Song of Songs (5:11; 7:11–14) and Ecclesiastes (12:9, 12²⁸) interpreting these passages in relation to Torah study and, in particular, to *divrei sofrim*.²⁹ At the center is a *baraita* about R. Aqiva's commitment to rabbinic teaching, as manifested by strict adherence to the law of *netilat yadaim* even while in danger, and a *derasha* on Prov. 23:15 and 27:11³⁰

²⁵ Other interesting sources cited by Ginzberg in reference to *ה-ג-ה* as deeper understanding or interpretation are *bBerakhot* 63b and the use by Saadya Gaon of *הגה* in reference to *tora shebe'al pe*.

²⁶ *bEruvin* 21b. Compare *bEruvin* 54b, also cited by Ginzberg: *אף דברי תורה כל זמן שאדם הוגה בהן מוצא בהן טעם*; the passages share similar imagery, as well. Ginzberg suggests that in these two passages is a play on words, since it means both ‘taste’ and ‘explanation of a biblical passage’.

²⁷ How this *sugya* relates to its context is a difficult question. Immediately preceding it is a conversation in which R. Chisda is a participant (in which he mentions the synagogue of Daniel—the paradigmatic speculator about the eschaton), and the *sugya* includes reference to the laws of *eruv*, the subject of this tractate. Beyond this, there may be a relationship between the central ideas of this *sugya* and a conception of the laws of *eruv*—see below, n. 31.

²⁸ Rashi suggests that Eccl. 12:12 is being read in the context of the midrashic understanding of 12:11 as referring to *tora shebe'al pe*.

²⁹ See the comparison between *divrei tora* and *divrei sofrim*, based on verses from Song of Songs, and between *divrei nevi'im* and *divrei zeqenim* in *yBerakhot* 1:7; 33b, *ySanhedrin* 11:6; 30a–30b, *yAvoda Zara* 2:8; 41c. Note, in connection with the latter, the citation of Micah 2:6, 11, verses which yield the ‘spouter of lies’ of Dead Sea texts.

³⁰ Note the verse which follows this second verse—*ערום ראה רעה נסתר פתאים עברו ועשו* (Eccl. 27:12)—if the *midrash* is reading the verses that it cites in relation to their contexts, then Solomon's wisdom allows him to see hidden things, which foolish people cannot see and therefore trespass and are punished. See n. 58, below.

Later in this *sugya*, there is a midrash on Eccl. 12:9—beyond being wise, the verse tells us, Solomon taught the people and *אין וחקר*. What exactly the midrash is attributing to Solomon is unclear. Classical commentaries tend to link this midrash with the innovations of *eruv* and *netilat yadaim* mentioned earlier in the *sugya*. Rashi and Tosafot, both of whom cite *bYevamot* 21a, see Solomon as putting a hedge around the law, an interpretation which fits nicely with Eccl. 27:12. Interestingly, R. Matiyahu Stern (in the standard edition of the Talmud), who also understands the *derasha* as relating to *eruv* and *netilat yadaim*, sees both of these innovations as leniencies (thus responding to Tosafot's question about the omission of the law of secondary forbidden relationships, mentioned in *bYevamot*)—since *netilat yadaim* obviates the need to immerse before eating. See Y. Sussmann, ‘The History of Halakha and the Dead Sea Scrolls—A Preliminary

describing God's delight in King Solomon's halakhic innovations: *eruv* and *netilat yadaim*. Solomon, the wise king who authored books of philosophy, ethical teachings, and love poems, has all three of his works plumbed in this *sugya* for messages about the infinite meanings that Torah discloses when newly explained and interpreted by its students. Not only that, but he is credited with the creation of two paradigmatic rabbinic laws—laws which have no basis in Scripture and which, at least in the case of *eruv*, simply undercut biblical law.³¹ It is the idea of knowledge which goes beyond what is revealed or what is apparent that joins the body of this *sugya* with its opening *derasha*. Both sections include the word *קץ* in reference to that which is finite, as opposed to knowledge that extends beyond the boundaries of the present world or the revealed text, and both use *ה-ג-ה* in relation to meanings or understandings that extend beyond these boundaries.

The opening section brings together four verses, the first three of which are

to the Publication of 4QMMT’ (Hebrew), *Tarbiz* 59 (1990), 11–76, notes 208 and 211 on *eruv* and *netilat yadaim* and G. Leibson, ‘Determining Factors in Herem and Nidui During the Tannaitic and Amoraic Periods’ (Hebrew), *Shenaton HaMishpat Halvri* 2 (1975), 292–342 on *netilat yadaim*.

In *Shir Hashirim Rabba* 1:1, the midrash on *אין וחקר* does not refer to halakhic innovations but rather to making knowledge accessible or to revealing hidden knowledge; the first two analogies which are cited there occur in *Bereshit Rabba* 12 in relation to esoteric knowledge. See the *Bereshit Rabba* passage and its *derasha* on Job 26:14; compare this to the midrash on Job 37:2 discussed above. Note the word *הינינו* here; Ginzberg relates this word as it occurs in *bBerakhot* 28a to the idea of what one can infer from logic and notes the parallel in *Avot deRabbi Natan* b 31 and the *Bereshit Rabba* passage. For parallels to the passages from *Shir Hashirim Rabba* 1:1 and *Bereshit Rabba* 12, see *Kohelet Rabba* 2:11, *Yalqut Shimoni* Job 914, *Yalqut Shimoni* Proverbs 939, *Yalqut Shimoni* Ecclesiastes 979, *Bemidbar Rabba* 19:3 and *Qohelet Rabba* 7:23 have Solomon justifying rabbinic laws, such as the law that fish do not require slaughtering, in the face of an opposing argument. (For the question of whether fish require slaughtering, see *Bereshit Rabba* 7:2 and the parallels cited in Albeck's edition, pp. 50–51. See CD 12:13–14 and the sources cited by Rabin, p. 62; see also S. Lieberman, ‘Light on the Cave Scrolls from Rabbinic Sources’, *PAAJR* 20 [1951], 395–404 and M. Broshi, ‘Anti-Qumran Polemics in the Talmud’, *The Madrid Qumran Congress*, vol. 2, ed. J. T. Barrera and L. V. Montaner, p. 599.)

³¹ *Eruv* is the classic example of the far reaches of Abraham's knowledge—he *even* know the laws of *eruv*; see *Bereshit Rabba* 49, discussed above (what *kind* of *eruv* varies among the versions of this midrash; see Albeck's notes on p. 501 of his edition of *Bereshit Rabba*).

Some areas of law seem particularly paradigmatic of rabbinic innovation and / or of the power of human beings to arrogate to themselves what would seem to be divine prerogatives. I would include in this category, besides *eruv*, *megila* (a human addition to the body of Scripture that, like Torah, there is a commandment to read—see *bMegila* 7a on the problematic nature of this addition to Scripture), *qidush hachodesh* (note R. Aqiva's claim in *mRosh Hashana* 2:9 that the holidays are on the days established, whether accurately or inaccurately with respect to the heavenly bodies, by the human court), and *hatarat nedarim* (see *mChagiga* 1:8; note R. Aqiva's annulment of his father-in-law's vow in *bKetubot* 63a—the fact that he can annul vows is not merely *useful* in this story; his ability is actually the most potent demonstration that R. Aqiva has become someone whom Ben Kalba Savua would never have wanted to disown, and thus it serves implicitly, as the *basis* for the annulment of the vow; for non-rabbinic views on vows, see CD 16:7–8 and Charlesworth, p. 41, n. 135 and see *Mishneh Torah*, *Hilkhot Shevuot* 12:12). *Eruv* is, perhaps, particularly interesting, because it not only overturns a biblical law, as does *hatarat nedarim*, but it puts boundaries on or civilizes undelineated space, making the natural world into a human domain, much as *qidush hachodesh* takes cosmic markers of time and declares the calendar to be under human control. Note that the opening section of this *sugya* delineates that which would seem to be infinite by figuring out the dimensions of the scroll on which is inscribed divine knowledge.

presented as posing a mystery solved by the fourth. The first two verses are Psalms 119:96—**לכל תכלה ראיתי קץ רחבה מצותך מאד**—and Job 11:9—**החקר ארכה מארץ מדה ורחבה מני ים**—which refers back to Job 11:7–8—**אלוה תמצא אם עד תכלית שדי תמצא. גבהי שמים מה תפעל עמקה משאול**.³² Our *sugya* points out that each of these passages contrasts the finite (כ-ל-ה), knowable world with an infinitely more extensive (רחבה) realm of knowledge of divine things. Both realms, according to this *derasha*, are revealed to Ezekiel, who sees a vision of an extended hand holding a scroll—(2:10).³³ No doubt interpreting *אחור* as referring to that which comes after,³⁴ the *derasha* identifies *קיום* with the bad things that happen to the righteous in this world, *הגה* with the good that will happen to the righteous in the future time, and *די* with the bad that will befall evil people in the future time.³⁵ The mystery, according to the *sugya*, is exactly how big this body of knowledge is. A fourth verse which also tells of a vision of a scroll but which gives the measurements of the scroll (Zech. 5:2) is finally analyzed to arrive at the relative dimensions of the natural world and of the realm of divine knowledge.

In fact, it is hard to find the right term to characterize the kind of knowledge that is being spoken of—the first verse talks of commandments, the second of knowledge of God, and the third of what will befall people in the future.³⁶ All of these, the *derasha* seems to say, constitute knowledge that is hidden yet not fully unknowable—note that the goal of the *derasha* is to find the limits of this huge body of knowledge. When the *sugya* goes on to focus on *divrei sofrim*, on the halakhic innovations of King Solomon, and on the mandate to expound mounds of *halakhot* on every tittle, we are left with the distinct impression that divine knowledge *is*, in fact, the domain of human beings.³⁷ Beyond the written Torah there is *tora sheba'al pe*; beyond the nat-

³² On this passage, see notes 16 and 18. Note the striking similarity between this passage and Prov. 25:2–3.

³³ Parallel in *Sifrei Beha'alotkha* 103.

³⁴ As in, for example, *מה לפנים ומה לאחור* in *mChagiga* 2:1; *bMenachot* 29b—see E. S. Rosenthal, 'Tradition and Innovation in the *Halakha* of the Sages', (Hebrew) *Tarbiz* 63 (1994), 321–374, n. 70; *Bereshit Rabba* 8, in which *אחור וקדם* of Psalms 139:5 is seen as referring to the present world and to the world to come. See Rashi's commentary on Ezek. 2:10. (See Maharsha's extensive interpretation of this passage, including an analysis of the four sections of the folded scroll as containing four kinds of knowledge: the *פשה*—*peshat* and *derash*—and the *משה*—*meshe* and *braishit*—*braishit*.)

³⁵ The *derasha* cites the joyful *הניין* of Psalms 92:4 and the disastrous *הזה* of Ezek. 7:26—note the extensive use of the word *קץ* in the opening verses of this prophecy about the end-time (7:2–6).

³⁶ Note that Rashi, in his comment on what was spread out before Ezekiel, says 'he showed him a scroll of *tora sheba'al pe*', an odd way to characterize the eschatological knowledge that the *derasha* sees as being revealed to the prophet, but perhaps the closest one can come to a term that connotes the larger body of understanding that the opening section of this *sugya*, and the *sugya* as a whole, is discussing.

³⁷ Of course, it is R. Aqiva who is the figure most associated with halakhic innovation as well as with successful engagement in esoteric speculation; it is he who expounds mounds of *halakhot* on every tittle (*bMenachot* 29b). In our *sugya*, R. Aqiva is evoked in a central position as confirming the power of *divrei sofrim*, but it is Solomon who is the central figure, both explicitly, in the accomplishments attributed to him, and implicitly, in the fact that his writings serve as the

ural world there is the metaphysical; beyond the present is the future—all of these are hidden and huge, but none of these is unrevealable.

* * *

Before moving to the Dead Sea Scrolls, I want to sum up what we have seen so far. We began by looking at the context of Prov. 25:4–5, and noted two points. First, verses from the larger passage are understood in rabbinic texts to refer to secret knowledge, knowledge which it is better to leave unrevealed—especially, though not exclusively,³⁸ metaphysical or eschatological knowledge. Second, this passage is introduced by an obscure reference to Hezekiah (Prov. 25:1), the reformer who is linked in rabbinic tradition with hiding and revealing potentially dangerous texts and in Ben Sira with knowledge of hidden things, knowledge of the kind described in Ben Sira in language that strikingly resembles Prov. 25:2–3.

Next, we looked at rabbinic midrashim on Prov. 25:4 and found the verse interpreted in reference both to the creation of the world (perhaps in the context of Prov. 25:2–3) and to the creation of a community fit to encounter God (perhaps in the context of Prov. 25:5). In both cases, something is revealed to be inherently well-formed and fit once that which obscures it is removed.

Finally, we looked at a few rabbinic texts in which *ה-ג-ה* is used in reference to finding or disclosing new meanings in Torah. The first passage makes no reference to a biblical use of the word; the second cites Job 37:2 (*הגה*), which it interprets by referring to Josh. 1:8 (*והגית*); and the third cites Ezek. 2:10 (*הגה*), which it interprets in light of Psalms 92:4 (*הניין*). In both of the latter two cases, there is a reinterpretation of the nature of the utterance that the primary citation speaks of, so that the utterances of Job and Ezekiel are seen as revelations of new *halakhot* or of the fate of the righteous in the end-time. In none of these passages is reference made either to Prov. 25:4–5 or to any other biblical verse in which *ה-ג-ה* is used in the sense of 'remove', yet the notion of removing or revealing that we saw in the traditions surrounding the Proverbs passage certainly fits these passages well.³⁹

basis for the central series of *derashot*.

³⁸ See n. 5, above.

³⁹ Note that meditation or recitation / study, as in Josh. 1:8, is not presented in these midrashim as the primary meaning of *ה-ג-ה*; Josh. 1:8 is cited only to define the utterance of Job 37:2 as referring to Torah, not to redefine the nature of the activity that the word connotes.

It is worthwhile, in this context, to look at other verses (besides Prov. 25:4–5 and II Sam. 20:13) in which *ה-ג-ה* appears and in which it seems to mean—or has been interpreted to mean—remove. (1) Isaiah 27:8—*הגה ברוחו הקשה ביום קדים*—while the meaning 'move aside' fits the context well and *ה-ג-ה* here is understood this way by many commentators, it is noteworthy that Rashi interprets the word as referring to speech / utterance; (2) Isaiah 59:13—*היו והגו מלב*—forms of *ה-ג-ה* come up a number of times in this passage, clearly in the sense of utterance, yet both Rashi and Metzudat David interpret *הגו* as 'bringing out', citing Proverbs and, in the case of Rashi, II Sam. (see above, end of n. 21, for a possible connection between these two meanings); (3) Hosea 5:13—*ולא יגה זכם מזור*—the word *יגה* is a hapax legomenon, though some link it with the equally obscure word *גהה* in Prov. 17:22. Some see it as a variant of *ה-ג-ה*, yielding the meaning 'he cannot remove from you your sore.' Rashi offers the meaning 'remove' and cites *ה-ג-ה* in II Samuel, Isaiah 59, and Proverbs.

It seems, then, that the word *ה-ג-ה* represented a range of meanings both for classical com-

deemed unworthy and in the exclusion from the congregation of those who are blemished or impure.⁴⁶

The motif of refining metal and of removing the wicked, both described with the word *הגו* in Prov. 25:4–5, captures the ways in which the sect sees itself as a pure, rarified community prepared to encounter God and preparing the way for God's dominion.

Revealing What is Hidden

We saw above that elements from the larger context of Prov. 25:4–5 are associated with secret knowledge in rabbinic texts and that Hezekiah, to whose men Prov. 25:1 attributes the publication of these teachings, is associated both in rabbinic texts and in Ben Sira with secret knowledge and with making known secret teachings. In addition, I suggested that the word *ה-ג-ה* is at times used in rabbinic texts to refer specifically to the revealing of knowledge. If either the link between Prov. 25 and secret knowledge or between the word *ה-ג-ה* and revealing knowledge is related to Prov. 25:4 (which remains only a conjecture), then what emerges is a particular image or conception of such knowledge.⁴⁷ As in the image of God's creation of the world in *Bereshit Rabba* 10, discussed above, the appearance of something new is actually the revelation of what has been there all along, yet disclosing what has been hidden requires active engagement on the part of the discloser. Using the imagery of Prov. 25:4, the vessel is there to be discovered, but the metallurgist must work to remove the obscuring imperfections.⁴⁸

The idea of revealing or disclosing hidden teachings⁴⁹ comes up frequently

⁴⁶ See IQSa 2:4–9; precisely what group is being referred to here is not significant for this discussion. The juxtaposition of those who are blemished with those who are impure recalls the midrash on Prov. 25:4–5 (*Bemidbar Rabba* 7:1) discussed above—God removes the Israelites' blemishes so they can receive the Torah, but they become impure again after they sin, and the impure are excluded from the camp before the divine presence can dwell among the people (note the juxtaposition of blemishes and impurities in the parallel in *Shir Hashirim Rabba* 4:7, cited in n. 19, above). Note the midrash in *Tanchuma Ki Tisa* 26, cited above in n. 17, in which Moses' destruction of the sinners is a prerequisite to God sending the angel with the people. Compare the reason given for the exclusion in IQSa 2:8–9—[בעצתם] קודש. See the impossibility of the wicked / outsider achieving purification in IQS 2:26–3:6. Note especially 3:5—טמא טמא—recalling the impure leper who must dwell temporarily outside of the camp in Lev. 13:46–47.

⁴⁷ What emerges also is a connection between this conception of knowledge and the conception of a righteous community in Prov. 25:5; see below.

⁴⁸ See the discussion of the metaphors of digging the well and clearing the path in CD 6:2–11 and IQS 8:10–16 in A. Shemesh and C. Werman, 'The Hidden Things and their Revelation' (Hebrew), *Tarbiz* 66 (1997), 471–482.

⁴⁹ There are striking similarities between the vocabulary of the texts we have cited in relation to hidden knowledge and the vocabulary of the Dead Sea texts. Note especially *ה-ס-ה* (sometimes with *סדר*—see n. 6, above), *אחרית* / *קץ* / *נחיות* (and other: nominal forms of *ה-ו-ה*; the word *נחיות* appears, other than in the Dead Sea texts, only in Ben Sira; note also the interpretation of *ה* in relation to *היה* in the *beruvim* passage discussed above), *פלא* (appearing frequently together with *רו* in the Dead Sea texts). Note also that *ערמה* appears generally in a positive sense in the Dead Sea texts; this use of the word is attested in Tanakh only in Proverbs and occurs also in Ben Sira. On the term *רו* in Dead Sea texts, see A. Lange, 'Wisdom and Predestination in the Dead Sea Scrolls', *DSD* 2 (1995), 340–354; J. Collins, 'Wisdom Reconsidered, in Light of the

in Dead Sea texts.⁵⁰ The members of the sect have access to נסתרות, which are revealed to them but are concealed from outsiders who, in fact, have not sought to know them and who have sinned in not following even the נגלות—and who are thus doubly guilty.

A key passage for trying to determine the meaning of נגלות is IQS 5:7–13—the one who wishes to join in the yachad's covenant with God must swear לשוב אל תורת משה ככול אשר צוה . . . לכול הנגלה ממנה לבני צדוק הכהנים שומרי הברית ודורשי רצונו . . . להבדל מכול אנשי העול ההולכים בדרך הרשעה כי לא בקשו ולא דרשהו בחוקיהו לדעת הנסתרות אשר תעו . . . במ לאשמה והנגלות עשו ביד רמה . . . Schiffman⁵¹ points out an apparent difference in signification between the two occurrences of הנגלה / הנגלות in this passage: the first refers to the teachings revealed only to the sect and, hence, is equivalent to the נסתרות mentioned just below, while the second refers to that which is revealed to all. נגלה, according to this interpretation, is generally—though not in the first occurrence in this passage—used to refer to Scripture, while נסתר refers to the sect's inspired interpretations of Scripture, which are revealed to members of the sect alone.

Schiffman applies this understanding of נגלה to a difficult passage in CD 5:1–5, which explains King David's violation of the law against taking multiple wives (Deut. 17:17)⁵² in the following way: דויד לא קרא בספר התורה החתום אשר היה בארון כי לא נפתח בישראל מיום מות אלעזר ויהושע ויהושע ויהושע. Schiffman understands this to mean that David did not read the Torah, since the ark had been closed since the Israelites had become idolators; the נגלה (=Scripture) was hidden until Zadok⁵⁴ arose.

I want to suggest an interpretation of נגלה different from Schiffman's only in a subtle way, yet in a way which I think has significant implications. My starting point is to try to maintain a single meaning for נגלה, and I want also to address why, on the one hand, the sectarians are enjoined to keep their

Scrolls', *DSD* 4 (1997), 265–281; D. Harrington, 'The *Raz Nihyeh* in a Qumran Wisdom Text', *RQ* 17 (1996), 549–553.

Note that, in both sets of texts, the secret knowledge can include both halakhic and metaphysical or eschatological teachings. See Shemesh and Werman on possible rabbinic interpretations of Deut. 29:28 as referring to both halakhic and metaphysical knowledge. See D. Flusser on the type of esoteric teachings referred to as נסתרות in Dead Sea texts in 'The Secret Things Belong Unto the Lord our God': Ecclesiasticus and the Essenes' (Hebrew), *Tarbiz* 67 (1998), 407–410.

⁵⁰ For a discussion of נגלה and נסתר, see Schiffman, *Halakha* (n. 2, above), pp. 45–53 and Shemesh and Werman.

⁵¹ *Halakha*, p. 46, following Licht, *מגילת הסריס*, pp. 131–132.

⁵² This is understood by the sect as prohibiting taking a second wife in the lifetime of the first wife, thus the relevance of this law to the context of this CD passage. See also the Temple Scroll 57:17–18 and n. 63, below.

⁵³ See the note on this text in Charlesworth, p. 21, n. 42 and Schiffman, p. 52, n. 55.

⁵⁴ Schiffman agrees with scholars such as Ginzberg who identify this figure with Hilkiyah, Zadok's descendant, who found the Torah in Josiah's time—see II Kings 22:8 and II Chron. 34:14. See J. Vanderkam, 'Zadok and the SPR HTWRH HHTWM in Dam. Doc. V, 2–5', *RQ* 44 (1984), 561–570 for a review of interpretations of this passage and a different identification of Zadok. Note also the mention of צדוק in the context of Hezekiah's reform in II Chronicles 31:10 (and note the description of the Levites as משכילים in 30:22). See n. 61, below.

understandings secret from outsiders and why, on the other hand, outsiders are held accountable for violating understandings that have not been revealed to them.

Schiffman describes the sect's notion of progressive, ongoing revelation and sees that which is progressively revealed, the נסתר, as deriving exclusively from the sect's inspired interpretation of Scripture, the נגלה.⁵⁵ While I agree with the notion that the sect sees its teachings as newly revealed understandings of *what is there*, I want to question the supposition that *what is there* is necessarily coterminous with Scripture as we understand it—תורה שבכתב. If instead we use the word 'Torah' to refer to some larger body of knowledge, then at any given time more or less of this 'Torah' might be known, or revealed. Thus נגלה would refer to whatever elements of this 'Torah' have been revealed *already*, and נסתר to whatever elements have not *yet* been revealed. Some of the 'Torah' (Scripture as we know it? additional elements of 'Torah' as well? a different text?⁵⁶) was revealed to the Israelites of long ago but was sealed up when the Israelites became sinful; Zadok re-disclosed that which had previously been revealed; Zadok's descendants now continue to reveal 'Torah' within this group of people who have purified themselves of sin, while the wicked outsiders have access only to what was already revealed or re-disclosed at an earlier time. The degree of revelation of 'Torah', then, correlates with the purity of the community.⁵⁷ Outsiders are stuck in an earlier degree of revealedness of 'Torah', while members of the new covenant continue to have 'Torah' revealed among them. Sectarians cannot disclose these new meanings to outsiders, because outsiders are not part of the covenantal community that is capable of receiving revelation. Meanwhile, it is the sinfulness of the outsiders that keeps them from gaining access to these new understandings, and thus non-sectarians are mired in the double wickedness of violating that which was formerly revealed to the entire community and of being incapable of the revelation that is now occurring within the community of the righteous.⁵⁸

⁵⁵ See also Schiffman's discussion of פ-ר-ש, מ-צ-א, מדוקדק, pp. 54–61. Schiffman sees the sectarian notion as different from the rabbinic notion of *torah shebe'al peh* in that he sees as fundamental to the latter the idea of a *separate* body of knowledge which the rabbis connect through *midrash* to Scripture.

⁵⁶ Yadin suggests that ספר התורה החתום refers to a sectarian work (possibly the Temple Scroll) in *Megilat Hamiqdash* I, p. 302. See below on the question of the status of such texts as the Temple Scroll in relation to our notion of 'Scripture.' For sealed texts, see Daniel 12:4 and Jeremiah 32:10–14, concerning two very different texts, both of which are not to be opened until a different age. B. Z. Wacholder analyzes the Jeremiah passage and suggests that the sealed נגלה in CD is the Temple Scroll which the sect saw as the Torah for the messianic age that Moses composed along with the Pentateuch, the 'ephemeral' Torah for his own time—see 'The "Sealed" Torah Versus the "Revealed" Torah: An Exegesis of Damascus Covenant V, 1–6 and Jeremiah 32, 10–14', *RQ* 12 (1986), 351–367.

⁵⁷ I use 'purity' here in the double sense of purity from טומאה and from sin, as the sectarians used it. Note that the passage cited above from IQS 5:7–13 goes on to say that those who have not sought the נסתר and who have violated the נגלה are excluded on account of their wickedness from purification and from contact with the purities of the sect. See J. Baumgarten, 'The Purification Liturgies', in *The Dead Sea Scrolls After Fifty Years*, vol. 2, pp. 200–212, especially 206–212.

⁵⁸ CD 15:10–11 enjoins the sect not to disclose laws to the candidate until he has been exam-

If this interpretation of נסתר and נגלה is correct, it raises a number of issues and questions which bear mentioning, though I will not attempt to address them here. Let me first clarify what I am suggesting: a dichotomy between text and interpretation is an inaccurate way to characterize the sect's view of נגלה and נסתר. It is not only, as Schiffman and others have noted, that sectarian interpretation is seen as emerging *from* the text,⁵⁹ as a revelation of the meaning of what is written. I am suggesting, beyond this, that the sect sees what is written—Scripture—as itself a partial, thus *incomplete* or even, possibly, *imperfect* revelation of 'Torah'. What is now being revealed by the sect, then, is not necessarily the true meaning of *Scripture* but, rather, fuller and more perfect understandings of God's true 'Torah', which may or may not be reflected in Scripture. This possibility raises important questions about the sect's process of revealing new knowledge and about the sect's relationship to the text and to the content of Scripture in relation to sectarian texts and teachings. I will note three such questions:

1. Schiffman and others emphasize the interpretive activity of the sect and its inspired teachers. While the degree to which the sect derived its teachings from scriptural exegesis certainly demands further investigation, the view suggested here of Scripture as merely that *part* of 'Torah' that was revealed to the entire nation at Sinai, plus later revelations to the prophets,⁶⁰ raises again the question of the process or processes through which the sect saw itself as disclosing as-yet-unrevealed understandings of 'Torah', *besides* through interpretation of Scriptural texts.⁶¹

ינה, ויתפתה בו בדרשו אתו, שמה. (2) Perhaps this should be understood in light of Prov. 27:11 (see n. 30, above): ערום ראה רעה נסתר פתאים עברו נעשו. פתי, then, would be the opposite of ערום and would connote one who cannot see what is hidden and thus transgresses and is punished (see Ezek. 45:20 for the פתי as one who, it seems, has sinned through ignorance). If so, this passage does not mean that the examiner might find the candidate to be foolish and thus would disqualify him; rather, יתפתה שמה (?) would simply mean—lest the candidate be determined not to be qualified (because of his sinfulness or some other factor relating to his inability to accept the sect's teachings) to join the group of those who *are* able to see נסתרות.

⁵⁹ See B. Nitzan's discussion of the *pesharim* as revelations of hidden meanings rather than as *parshanut* in *יהודה מדרב חבקים ממילות מדבר יהודה* (Jerusalem, 1986), pp. 27–28 and see *Pesher Habakkuk* 6:12–7:5. See n. 61, below, for the question of whether this is equally true of all genres and kinds of teachings.

⁶⁰ For mention of the prophets together with Moses, see IQS 1:3; 8:15–16; CD 7:15–17; see G. Brin, *סוגיות במקרא ובמגילות* (Tel Aviv, 1994), pp. 149–151. The issue of the status of post-mosaic revelation in relation to the Pentateuch is related to the question about the revelation of knowledge within the sect as well as to the second and third questions mentioned here, about the status of the text and the content of Scripture in relation to sectarian texts and teachings.

⁶¹ Related to this is how one understands the verb ש-ר-ש and its grammatical objects. See Shemesh and Werman's reading of passages in which they see the word as referring to exegesis of Scripture; J. Baumgarten sees the word as predominantly *not* referring to such exegesis—see 'Unwritten Law', 31–33, especially n. 78 and the references there.

It is worthwhile to consider, as well, whether the process or processes of disclosing hidden meanings were similar or different for the domains of halakha, eschatology, etc. (Note the juxtaposition of these domains in several of the rabbinic texts discussed above.) It is also important to take into account different genres (such as *pesharim* and 'rewritten Bible', for example), especially the degree to which newly disclosed understandings are or are not presented in relation to the scriptural text and, if they are, the way in which this relationship is expressed. See S. Fraade, 'Looking for Legal Midrash at Qumran', in E. Chazon and M. Stone, eds., *Biblical Perspectives:*

2. Such a view of Scripture also raises the possibility of greater freedom to 're-write' in accordance with newly revealed understandings—are texts such as the Temple Scroll seen by the sect more as what we would call 'midrash' or commentary (at least in the sense that they take for granted the pride of place and the integrity of Scripture) or what we would call 'scripture', perhaps even a more perfect scripture than Scripture itself in that the sectarian work more accurately reflects God's 'Torah'?⁶²

Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls (Leiden, 1998), 59–79.

M. Stone raises similar questions, in relation to apocalyptic literature, about whether these texts reflect a different attitude toward Scripture, revelation, and inspiration, in *Jewish Writings of the Second Temple Period*, ed. M. Stone (Assen and Philadelphia, 1984), pp. 390–391 and 427–433. J. Collins, 'Wisdom Reconsidered', and D. Harrington, 'Ten Reasons Why the Qumran Wisdom Texts are Important', *DSD* 4 (1997), 245–254, note the emphasis on the need for revelation in Qumran wisdom texts. See also G. Nickelsburg, 'The Nature and Function of Revelation in 1 Enoch, Jubilees, and Some Qumranic Documents', in E. Chazon and M. Stone, eds., *Pseudepigraphical Perspectives: The Apocrypha and the Pseudepigrapha in Light of the Dead Sea Scrolls* (Leiden, 1999), 91–119. See also Sussmann, r. 185.

The ritual described in 4Q375 is intriguing in light of these questions—what is the priest trying to find out in relation to the prophet or his prophecy, and how is he going about getting this knowledge as he approaches the ark? It is interesting that, while ongoing revelation or perhaps even oracular activity seems to be a possibility in Dead Sea texts, rabbinic tradition does away with the capacity for priest and Temple to serve an oracular function. According to rabbinic tradition, not only are oracular objects absent from the Second Temple, but Josiah—the very king who, like Hezekiah, is credited with reform (and with seeking—ש-ד-ר-ש—God: II Chron. 31:21 and 34:3, 21) and in whose time Hilkiyah the priest finds משה ביד משה (II Chron. 34:14; see n. 54, above)—is said, based on an interpretation of the difficult II Chron. 35:3, to have hidden away the ark (compare the hiding away of objects attributed in rabbinic texts to Hezekiah, discussed above) already in the time of the First Temple—see *bYoma* 21b, *tSota* 13, *bYoma* 52b, *ySheqalim* 6:1; 49c, and parallels. Priests have access to the Torah and can make people aware of its teachings—note the term מבינים in this verse—but they have no access to the ark. Thus, rabbinic tradition differentiates sharply between Scripture as a source of knowledge and anything else (including the ark, from above which God might speak) that might have the capacity to reveal new knowledge. CD 5:1–5, on the other hand, places the text squarely inside the ark. Does a priest who enters the precincts of the ark, such as in 4Q375, intend to consult the sacred text, or does he hope to receive newly revealed knowledge? Does 5Q13 (according to the recent reconstruction presented by M. Kister at the Orion Symposium in Jerusalem, 23 January 2000) suggest that the priest has special access, perhaps also in approaching the ark, to a body of not-yet-revealed knowledge (note, in Kister's reconstructed text, the inclusion of Enoch in the list of ancient figures who have preceded the priest)? Note that, in rabbinic tradition, the High Priest, after completing the Yom Kippur ritual in the Holy of Holies, reads the Torah to the people; he certainly has not disclosed new teachings in the course of his activities! (My thanks to A. Shemesh who called these two texts to my attention.)

⁶² Obviously, questions about the genres and about the status of Dead Sea texts depend on many other considerations besides the conception of revelation discussed here. But note that Jubilees, one of the outstanding representatives of what we call 'rewritten Bible', seems to reflect a view of revelation and of 'Torah' quite similar to that which I've suggested here. See C. Werman, 'The Torah and the Te'uda on the Tablets' (Hebrew), *Tarbiz* 68 (1999), 473–492, on the broader conception of Torah in Jubilees and on the relationship between this conception and that of Qumran wisdom texts (note her discussion, on p. 485, of הוֹזֵן הַהֹרֵי in 4Q417, and see Lange, 'Wisdom and Predestination'). Werman sees the teachings of Jubilees as constituting a second scripture given to Moses that elaborates on and explains the teachings of Scripture, and she compares this to the Temple Scroll. It would seem, though, that the notion of a text such as Jubilees or the Temple Scroll as constituting scripture raises questions about the status of Scripture itself—if the sectarian works reflect more accurate or more complete teachings of a pre-existent 'Torah', then we have a different conception of 'Torah' and of revelation and, necessarily, of Scripture. And, then, the notion that sectarian texts can be seen as an elaboration or explanation of Scripture

3. Closely related to both of these issues is the question of whether sectarian law was necessarily seen as an *interpretation* of scriptural law or whether sectarian law could, at times, simply *reject* or *supersede* scriptural law.⁶³

הגו סיגים מכסף . . . הגו רשע לפני מלך . . .

That the Qumran sect saw itself as progressively revealing hidden understandings (both of law and of human and cosmic history) seems clear, and the notion of hidden knowledge, as we saw, fits well both with rabbinic interpretations of elements of Prov. 25 and with some rabbinic uses of the word ג-ה. Beyond this, I have suggested the possibility that the sect had a particular understanding of Torah. Rather than the notion of fixed bodies of exoteric and esoteric teachings—of a written revealed Torah (=Scripture) with hidden understandings being progressively revealed exclusively through interpretation of the written text or, at least, as supplements to or explanations of that text—I have suggested the possibility that the sect saw *both* Scripture *and* its own teachings as revelations within the covenantal community of a larger, perfect 'Torah'. If so, then the model is not a *cumulative* one—with new laws and ideas added on to the already revealed plain meaning of a perfect Scripture—it is, rather, a model of *refining*—with new understandings more completely and more perfectly revealing 'Torah' while refining previously revealed, but incomplete or imperfect understandings. This notion fits the image of Prov.

might need to be revised. See Wacholder's thesis about the nature of the Temple Scroll in relation to the nature of Scripture, n. 56, above.

See Yadin's discussion of the form and status of the Temple Scroll in *Megilat Hamiqdash* I, pp. 60–73 and 298–300. Schiffman rejects the notion that the conception of the Temple Scroll as a revealed text might be consistent with the sect's view of נסתר, since Schiffman maintains that נסתר is derived exclusively from sectarian biblical exegesis; see 'The Temple Scroll and the Halakhic Pseudepigrapha of the Second Temple Period', in *Pseudepigraphical Perspectives*, pp. 121–131. See Flint's discussion of which apocryphal and pseudepigraphical texts might have been viewed as scripture at Qumran, 'Apocrypha', pp. 62–66. See also S. Talmon, 'Between the Bible and the Mishna—The World of Qumran From Within' (Hebrew), and D. Dimant, 'The Character of the Writings of the Judaean Desert as a Key to its Origin and Beginning' (Hebrew), both in *מגילות מדבר יהודה: ארבעים שנות מחקר*, ed. M. Broshi, S. Japhet, D. Schwartz and S. Talmon (Jerusalem, 1992), pp. 10–48 and 182–186. See also J. Baumgarten's discussion of non-scriptural quotations in Dead Sea texts in 'A "Scriptural" Citation in 4Q Fragments of the Damascus Document', *JJS* 43 (1992), 95–98 and G. Vermes, 'Biblical Proof-Texts in Qumran Literature', *JSS* 34 (1989), 493–508.

⁶³ How, for example, did the sect relate to the biblical laws permitting marriage to more than one woman and permitting a divorced woman to remarry in her husband's lifetime? Did they reinterpret these biblical passages, or did they see their law as superseding the imperfect (though perhaps the best that the imperfect community of old could receive) understanding of 'Torah' reflected in the biblical text while representing more perfectly the 'Torah' whose imperatives are manifest in the laws of creation and early human history? See CD 4:20–5:5 and A. Shemesh, '4Q271.3: A Key to Sectarian Matrimonial Law', *JJS* 49 (1998), 244–263. See D. Schwartz, 'Law and Truth: On Qumran-Sadducean and Rabbinic Views of Law', in *The Dead Sea Scrolls: Forty Years of Research*, pp. 229–240. Schwartz relates the contrast between Qumran 'realism' and rabbinic 'nominalism' (more commonly, natural law and positive law, as J. Rubinstein notes in 'Nominalism and Realism in Qumranic and Rabbinic Law: A Reassessment', *DSS* 6 [1999], 157–183, n. 5) to, among other things, the acceptance or rejection of contemporary revelation.

25:4—revealing a well-wrought vessel by clearing away imperfections, much as *Bereshit Rabba* 10 describes the world as having been revealed, not created, by removing the *תהו ובהו* which had obscured it.

The idea of progressively *refined* Torah parallels the sect's self-understanding as a *refined* community.⁶⁴ Only in such a community can the divine presence be manifest, and only in such a community can hidden things be revealed.⁶⁵

I have no conjecture to offer about what book *ספר ההגו* is, but I do want to offer the conjecture that the term refers to this process of revealing perfection through refinement that I have suggested characterizes both the sect's self-understanding and the sect's understanding of Torah. Whether *ספר ההגו* refers to a sectarian work or whether it refers to Scripture as re-understood by the sect, the possibility that *הגו* derives from Prov. 25:4–5 lends a very different significance to the name of this book. Josh. 1:8 gives us the sense of a community meditating on the divine words of Scripture. Prov. 25:4–5 offers an image of a community engaged in dynamic interaction with Torah and history: re-creating a pure community⁶⁶ in covenant with God, revealing God's *true* Torah, and setting the stage for God's dominion in a perfect world refined of wickedness.⁶⁷

⁶⁴ Note that biblical uses of *ה-ר-צ*, other than those referring exclusively to the process of refining metal, refer either to people (individuals or the community) or to God's word. See, in addition to the passages noted above and in n. 40, Psalms 12:7, 17:3, 18:31 (=II Sam. 22:31), 26:2, 66:10, 105:19, 119:140, Prov. 17:3, 27:21, 30:5. These two referents of *ה-ר-צ* occur also in 4Q177 (cols. 1 and 2, as reconstructed by Allegro; see also the term *ספר התורה שנית* in 3:14).

⁶⁵ Schiffman, p. 53, suggests that CD 7:14–16 plays on *ה-ל-ה* in the senses of exile and of revelation; thus, the moving aside of the community from the way of the many is connected with the ability of the community to reveal secret understandings. Schiffman suggests (p. 74) a similar play on the meanings 'to move out' and 'to find / disclose' (*א-צ-א* / *א-צ-י*) in CD 6:1–11. See n. 44, above, for the motif of moving aside. Perhaps the words *עצה* and *סוד*, both of which refer to the community as well as to its special understandings, also underscore the close connection between this rarified community and its refined Torah.

⁶⁶ Note the use of the word *ה-ר-צ* in reference both to examining a person and seeking understandings of Torah.

⁶⁷ J. Collins discusses the apocalypticism of the Dead Sea sect in relation to the apparent absence of the apocalyptic genre in its writings in 'Apocalypticism and Literary Genre in the Dead Sea Scrolls', *The Dead Sea Scrolls After Fifty Years*, pp. 403–430. See especially Collins' discussion on pp. 426–428 of the sect as already participating in the eschaton and of apocalyptic teachings thus being embedded in books of hymns, exhortations, and rules.

Two Models of Medieval Jewish Marriage: A Preliminary Study¹

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Introduction

The contemporary plight of the *agunah*, the Jewish woman 'anchored' or 'chained' to a dead marriage, has led to increased interest in the details of Jewish divorce.² As was to be expected, the laws and practices of Jewish divorce differed over time and place, especially as the Jewish diaspora widened in the early medieval period. The central aim of this article is to argue that this variety is rooted in differing conceptions of marriage.³ Issues such as the role and obligations of each spouse, the ends which the marital state served, and when the marriage could rightly be deemed 'over' emerge as constellations of law and lore which appear to revolve around varying views as to the nature of marriage and how it is formed. In a word, law or other practices are the phenotype of an underlying 'genotypical' conception of marriage, whether in the mind of the jurists or prevailing in the society as a whole. How communities and scholars dealt with specific problems, indeed whether they saw a situation as a problem at all, is ineluctably a consequence of thinking within such models.

In this paper, I will examine two medieval examples that serve as rather integrated conceptions of marriage: one that emerges from the Near East (Persia, Palestine, Egypt) and the other from northern Europe. Ideally, one would cast a relatively wide net to explore a variety of sources, both legal and non-legal, to ensure that the particular conception truly reflects the model of marriage prevailing in a specific society. However, given the limits of space, we will focus this preliminary study on the legal texts available to us, as these too (and perhaps especially) develop along paths of increasing coherence.⁴

Moreover, the particular medieval Jewish view must be located within the broader cultural and historical context, be it Muslim or Christian, in which it was articulated. At the most basic level, the different social and political reali-

¹ The author would like to thank Michael Brody of Emory University's School of Law for his careful review of earlier drafts of this article. The responsibility for the final form, of course, lies completely with the author.

² See Irwin H. Haut, *Divorce in Jewish Law and Life* (New York: Sepher-Hermon Press, 1983); Shlomo Riskin, *Women and Jewish Divorce: The Rebellious Wife, the Agunah and the Right of Women to Initiate Divorce in Jewish Law, A Halakic Solution* (Hoboken, N.J.: Ktav Publishing House, 1989); Irving A. Breitowitz, *Between Civil and Religious Law: the Plight of the Agunah in American Society* (Westport, Conn.: Greenwood Press, 1993); Michael Brody, *Marriage, Divorce, and the Abandoned Wife in Jewish Law* (Hoboken, N.J.: Ktav Publishing House, 2000).

³ For the purposes of this paper, I will be using the terms 'conception', 'notion', and 'view' somewhat interchangeably.

⁴ I intend to develop the other manifestations of each conception in an upcoming book.