

Studies in Qumran Law and Thought

Studies on the Texts of the Desert of Judah

Edited by

George J. Brooke

Associate Editors

Eibert J.C. Tigchelaar

Jonathan Ben-Dov

Alison Schofield

VOLUME 138

The titles published in this series are listed at brill.com/stdj

Studies in Qumran Law and Thought

By

Joseph M. Baumgarten

Edited by

Ruth A. Clements and Daniel R. Schwartz

With an introductory essay by

Lawrence H. Schiffman



BRILL

LEIDEN | BOSTON

Library of Congress Cataloging-in-Publication Data

Names: Baumgarten, Joseph M., author. | Clements, Ruth A., editor. | Schwartz, Daniel R., editor.

Title: Studies in Qumran law and thought / by Joseph M. Baumgarten ; edited by Ruth A. Clements and Daniel R. Schwartz ; with an introductory essay by Lawrence H. Schiffman.

Description: Leiden ; Boston : Brill, 2022. | Series: Studies on the texts of the desert of Judah, 0169–9962 ; volume 138 | Includes index. | Summary: “The study of the laws of the Dead Sea Scrolls in the light of ancient rabbinic law, and vice versa, by a master of both corpora, sheds light on their interpretation, their history, and the spiritual stances they bespeak. The thirty-two studies united in this volume, a selection of Joseph M. Baumgarten’s work in the three decades that followed the appearance of his *Studies in Qumran Law* (Brill, 1977), focus on legal concerns, both general and detailed, shared by the Qumran sectarians and the ancient rabbis—concerns that elicited responses that were sometimes similar, sometimes different, even to the extent of arousing polemics. An introductory essay by Lawrence H. Schiffman contextualizes the studies and points out the broader themes to which they relate.”— Provided by publisher.

Identifiers: LCCN 2021059499 (print) | LCCN 2021059500 (ebook) | ISBN 9789004504585 (hardback) | ISBN 9789004505087 (ebook)

Subjects: LCSH: Dead Sea scrolls. | Qumran community. | Jewish law.

Classification: LCC BM487 .B38 2022 (print) | LCC BM487 (ebook) | DDC 296.1/55—dc23/eng/20211223

LC record available at <https://lcn.loc.gov/2021059499>

LC ebook record available at <https://lcn.loc.gov/2021059500>

Typeface for the Latin, Greek, and Cyrillic scripts: “Brill”. See and download: brill.com/brill-typeface.

ISSN 0169-9962

ISBN 978-90-04-50458-5 (hardback)

ISBN 978-90-04-50508-7 (e-book)

Copyright 2022 by Joseph M. Baumgarten, Ruth A. Clements, and Daniel R. Schwartz. Published by Koninklijke Brill NV, Leiden, The Netherlands.

Koninklijke Brill NV incorporates the imprints Brill, Brill Nijhoff, Brill Hotei, Brill Schönigh, Brill Fink, Brill mentis, Vandenhoeck & Ruprecht, Böhlau and V&R unipress.

Koninklijke Brill NV reserves the right to protect this publication against unauthorized use. Requests for re-use and/or translations must be addressed to Koninklijke Brill NV via brill.com or copyright.com.

This book is printed on acid-free paper and produced in a sustainable manner.

Contents

Editors' Foreword XI

Ruth A. Clements and Daniel R. Schwartz

Abbreviations XIII

Publications of Joseph M. Baumgarten XVI

Introduction: The Contribution of Joseph M. Baumgarten to the Study of the Dead Sea Scrolls and Ancient Judaism 1

Lawrence H. Schiffman

PART 1

General Essays on Qumran Law

- 1 **The Religious Law of the Qumran Community 31**
English original of: "La loi religieuse de la communauté de Qoumrân,"
Annales: Histoire, Sciences Sociales 51 (1996): 1005–25
- 2 **Recent Qumran Discoveries and Halakhah in the Hellenistic–Roman Period 53**
Jewish Civilization in the Hellenistic–Roman Period (ed. S. Talmon;
Sheffield: Sheffield Academic Press, 1991), 147–58

PART 2

Rabbinic Literature and Qumran Law

- 3 **The Relevance of Rabbinic Sources to the Study of Qumran Law 67**
Proceedings of the Twelfth World Congress of Jewish Studies, Jerusalem, July 29–August 5, 1997, Division A: The Bible and Its World (Jerusalem: World Union of Jewish Studies, 1999), 73–78
- 4 **The Laws of the *Damascus Document*—Between Bible and Mishnah 74**
The Damascus Document: A Centennial of Discovery
(ed. J.M. Baumgarten and E.G. Chazon; Leiden: Brill, 2000), 17–26

- 5 **Tannaitic Halakhah and Qumran—A Re-Evaluation** 84
Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls
 (ed. S.D. Fraade, A. Shemesh, and R.A. Clements; Leiden: Brill,
 2006), 1–11

PART 3

Pharisees and Sadducees, Essenes, and Qumran

- 6 **4Q502: Marriage or Golden Age Ritual?** 97
JJS 34 (1983): 125–35
- 7 **The Qumran–Essene Restraints on Marriage** 109
Archaeology and History in the Dead Sea Scrolls
 (ed. L.H. Schiffman; Sheffield: Sheffield Academic Press, 1990),
 13–24
- 8 **The Pharisaic–Sadducean Controversies about Purity and the
 Qumran Texts** 120
JJS 31 (1980): 157–70
- 9 **Immunity to Impurity and the Menorah** 137
JSIJ 5 (2006): 141–45
- 10 **Sadducean Elements in Qumran Law** 142
The Community of the Renewed Covenant (ed. E. Ulrich and
 J. VanderKam; Notre Dame: University of Notre Dame Press, 1994),
 27–36
- 11 **The Heavenly Tribunal and the Personification of *Ṣedeq* in Jewish
 Apocalyptic** 152
ANRW 2.19.1 (ed. W. Haase; Berlin: De Gruyter, 1979), 219–39
- 12 **The “Sons of Dawn” in CD 13:14–15 and the Ban on Commerce among
 the Essenes** 175
IEJ 33 (1983): 81–85

- 13 **The Disqualifications of Priests in 4Q Fragments of the *Damascus Document*: A Specimen of the Recovery of Pre-Rabbinic Halakhah** 180
The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March 1991 (ed. J. Treballe Barrera and L. Vegas Montaner; 2 vols.; Leiden: Brill; Madrid: Complutense, 1992), 2:503–13
- 14 **Halakhic Polemics in New Fragments from Qumran Cave 4** 192
Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem, April 1984 (Jerusalem: Israel Exploration Society, 1985), 390–99

PART 4

Halakhic Topics

- 15 **On the Non-Literal Use of *Ma'āsēr/Dekatē*** 205
JBL 103 (1984): 245–51
- 16 **The First and Second Tithes in the *Temple Scroll*** 213
Biblical and Related Studies Presented to Samuel Iwry (ed. A. Kort and S. Morschauser; Winona Lake: Eisenbrauns, 1985), 5–15
- 17 **The Laws of 'Orlah and First Fruits in the Light of Jubilees, the Qumran Writings, and *Targum Ps.-Jonathan*** 224
JJS 38 (1987): 195–202
- 18 **The Use of *מי נדה* for General Purification** 234
The Dead Sea Scrolls Fifty Years after Their Discovery (ed. L.H. Schiffman; E. Tov, and J.C. VanderKam; Jerusalem: Israel Exploration Society, 2000), 481–85
- 19 **Yom Kippur in the Qumran Scrolls and Second Temple Sources** 241
DSD 6 (1999): 184–91
- 20 **Exclusions from the Temple: Proselytes and Agrippa I** 250
JJS 33 (1982): 215–25

- 21 **Hanging and Treason in Qumran and Roman Law** 261
Eretz-Israel 16 (1982): 7*–16*
- 22 **The Avoidance of the Death Penalty in Qumran Law** 277
Reworking the Bible: Apocryphal and Related Texts at Qumran
(ed. E.G. Chazon, D. Dimant, and R.A. Clements; Leiden: Brill,
2005), 31–38
- 23 **Qumran and the Halakhah in the Aramaic Targumim** 284
*Proceedings of the Ninth World Congress of Jewish Studies: Panel
Sessions—Bible Studies and Ancient Near East* (Jerusalem: World
Union of Jewish Studies, 1985), 45–60
- 24 **Some “Qumranic” Observations on the Aramaic Levi Document** 297
*Sefer Moshe: The Moshe Weinfeld Jubilee Volume: Studies in the Bible
and the Ancient Near East, Qumran, and Post-Biblical Judaism* (ed.
C. Cohen, A. Hurvitz, and S.M. Paul; Winona Lake: Eisenbrauns,
2004), 393–401

PART 5

Theology and Apocalypticism

- 25 **Theological Elements in the Formulation of Qumran Law** 307
*Emanuel: Studies in Hebrew Bible, Septuagint, and Dead Sea Scrolls
in Honor of Emanuel Tov* (ed. S.M. Paul et al.; Leiden: Brill, 2003),
33–41
- 26 **Some Theological Aspects of Second Temple Shabbat Practice** 317
Sabbath: Idea, History, Reality (ed. G.J. Blidstein; Beer-Sheva:
Ben-Gurion University of the Negev Press, 2004), 35–41
- 27 **The Purification Liturgies** 323
The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment
(ed. P.W. Flint and J.C. VanderKam; Leiden: Brill, 1999), 200–212
- 28 **The Law and Spirit of Purity at Qumran** 330
*The Bible and the Dead Sea Scrolls, 2: The Dead Sea Scrolls and
the Qumran Community* (ed. J.H. Charlesworth; Waco, TX: Baylor
University Press, 2006), 93–105

- 29 **On the Nature of the Seductress in 4Q184** 344
RevQ 15 (1991–1992): 133–43
- 30 **The Book of Elkesai and *Merkabah* Mysticism** 355
JSJ 17 (1986): 212–23
- 31 **The Qumran Sabbath *Shirot* and Rabbinic *Merkabah* Traditions** 367
RevQ 13 (1988): 199–213
- 32 **Messianic Forgiveness of Sin in CD 14:19 (4Q266 10 i 12–13)** 383
The Provo International Conference on the Dead Sea Scrolls
(ed. D.W. Parry and E. Ulrich; Leiden: Brill, 1999), 537–44
- Index of Modern Authors** 391
- Index of Ancient Sources** 395

Editors' Foreword

The author of the studies presented in this volume, Joseph M. Baumgarten (1928–2008), was a humble man, a servant of God who devoted his scholarly life to examining—bit by bit, detail by detail, **שם זעיר שם זעיר**—the relics of the religious law and teachings of Jews of the late Second Temple period. Apart from his doctoral dissertation, which remained unpublished, he never wrote anything approaching a monograph; short articles were his *métier*, and he was content to leave them as such, scattered in numerous scholarly journals and collective volumes. Although the late Jacob Neusner managed to persuade him to publish a small volume of fourteen such studies in 1977 (*Studies in Qumran Law*), a note found among Baumgarten's papers, relating to the possibility of another such collection, sums up his diffidence by citing Genesis 29:7: **לא עת האסף המקנה**. So it happens that the present volume, which includes thirty-two studies originally published between 1979 and 2006, appears only posthumously.

Indeed, this volume appears, to our regret, much later than we imagined when we undertook to produce it not long after Baumgarten's death. "Life happened"; delays and competing obligations were followed by other delays and other competing obligations. It is, therefore, with mixed feelings—with sorrow at the delay, with satisfaction at nevertheless completing the project, and with sweet memories of a great scholar and teacher, gentleman and friend—that we present this collection to the scholarly world.

While much has moved forward in Qumran and cognate scholarship in the years since these articles appeared, we believe they retain their value—and not only as evidence for an earlier stage of Qumran scholarship. They also retain their value as detailed contributions to the elucidation and contextualization of the texts and laws they discuss; as examples of the fruitful results of integration of the study of rabbinic literature into the study of the Scrolls; and as models of research that is painstakingly thorough, careful, honest, and calm, corresponding both to the belief that "God is in the details" and to Isaiah's promise, and admonition, that Baumgarten took as something of a motto: "by stillness and quiet shall you be saved; your heroism—in calm and confidence" (Isa 30:15; see p. 151).

In preparing these papers for publication, we did not attempt to update them systematically. We corrected errors (and hopefully did not add many of our own); filled in allusions to texts or then forthcoming publications; added various cross-references among the studies; and strove—but without undue insistence—to introduce a measure of consistency concerning citations,

transliterations, and the like; sometimes this entailed changes in the numbering of footnotes. In one case, we eliminated part of an article because it was basically identical with text in another. Throughout, apart from trivialities, we have used square brackets to indicate our interventions. For abbreviations of ancient sources and of bibliography, we depended, for the most part, on the lists in the Society of Biblical Literature's *Handbook of Style*.

We are grateful to many who helped bring this project to fruition—to the Baumgarten family, particularly Meir Neuberger, for their support and assistance; to Prof. Lawrence Schiffman (New York), who undertook to write the introductory essay characterizing Baumgarten and his oeuvre; to Prof. Francis Schmidt (Paris), who located the original English file of the first article in the collection; and to the publishing houses that generously agreed to allow the republication of the essays included in the volume. Here at the Hebrew University of Jerusalem, generous financial assistance was afforded by the Mandel Institute of Jewish Studies' Joseph J. and Diana H. Schwartz Fund and by the Herbst Family Chair of Judaic Studies; two students, Yifah Eisenmann and Chananya Rothner, did yeoman service, respectively, in retyping the original articles and in proofreading and indexing. The Orion Center for the Study of the Dead Sea Scrolls at the Hebrew University is an institution that Baumgarten supported by his friendly counsel and encouragement, as well as by his scholarly contributions to its international symposia and publications, through the first ten years of its existence; we thank the Center for the use of its resources in the preparation of the volume. Finally, we want to express our appreciation to Prof. George J. Brooke (Manchester, UK), who agreed to accept this collection as a volume in the STDJ series, and to our friends at Brill, especially Marjolein van Zuylen and Dirk Bakker, who, as always, have been both efficient and friendly, a pleasure to work with.

Ruth A. Clements and Daniel R. Schwartz

The Hebrew University of Jerusalem

July 2021

Abbreviations

<i>ABD</i>	<i>Anchor Bible Dictionary</i> . Edited by D.N. Freedman. 6 vols. New York, 1992
<i>AFO</i>	<i>Archiv für Orientforschung</i>
<i>ANET</i>	<i>Ancient Near Eastern Texts Relating to the Old Testament</i> . Edited by J.B. Pritchard. 3rd ed. Princeton, 1969
<i>ANRW</i>	<i>Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung</i> . Part 2, <i>Principat</i> . Edited by H. Temporini and W. Haase. Berlin, 1972–
<i>BA</i>	<i>Biblical Archaeologist</i>
<i>BASOR</i>	<i>Bulletin of the American Schools of Oriental Research</i>
Baumgarten, <i>Studies</i>	Baumgarten, J.M. <i>Studies in Qumran Law</i> . Leiden, 1977
<i>BHM</i>	<i>Bet Ha-Midrash</i> . Ed. A. Jellinek. 6 vols. 2nd edition. Jerusalem, 1967 (in Hebrew)
<i>Bib</i>	<i>Biblica</i>
<i>BRev</i>	<i>Bible Review</i>
<i>CBQ</i>	<i>Catholic Biblical Quarterly</i>
<i>CRAI</i>	<i>Comptes rendus de l'Académie des inscriptions et belles lettres</i>
<i>DACL</i>	<i>Dictionnaire d'archéologie chrétienne et de liturgie</i> . Edited by F. Cabrol. 15 vols. Paris, 1907–1953
<i>DJD</i>	<i>Discoveries in the Judaean Desert</i>
<i>DSD</i>	<i>Dead Sea Discoveries</i>
<i>EDSS</i>	<i>Encyclopedia of the Dead Sea Scrolls</i> . Edited by L.H. Schiffman and J.C. VanderKam. 2 vols. Oxford and New York: Oxford University Press, 2000
<i>EJL</i>	<i>Early Judaism and Its Literature</i>
<i>EncJud</i>	<i>Encyclopaedia Judaica</i> . 16 vols. Jerusalem, 1971–1972
<i>ERE</i>	<i>Encyclopædia of Religion and Ethics</i> . Edited by J. Hastings. 13 vols. New York, 1908–1927. Reprint, 7 vols., 1951
<i>EstEcl</i>	<i>Estudios eclesiásticos</i>
<i>ExpTim</i>	<i>Expository Times</i>
<i>GCS</i>	Die griechischen christlichen Schriftsteller der ersten Jahrhunderte
<i>HTR</i>	<i>Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
<i>IEJ</i>	<i>Israel Exploration Journal</i>
<i>IOS</i>	<i>Israel Oriental Studies</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>

<i>JBC</i>	<i>Jerome Biblical Commentary</i> . Edited by R.E. Brown et al. Englewood Cliffs, N.J., 1968
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JE</i>	<i>The Jewish Encyclopedia</i> . Edited by I. Singer. 12 vols. New York, 1901–1905
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JSIJ</i>	<i>Jewish Studies—An Internet Journal</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism in the Persian, Hellenistic and Roman Periods</i>
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
JSOTSup	Journal for the Study of the Old Testament Supplement Series
LCL	Loeb Classical Library
<i>MGWJ</i>	<i>Monatschrift für Geschichte und Wissenschaft des Judentums</i>
<i>NPNF</i> ²	<i>Nicene and Post-Nicene Fathers</i> , Series 2
<i>NTS</i>	<i>New Testament Studies</i>
<i>OTP</i>	<i>Old Testament Pseudepigrapha</i> . Edited by J.H. Charlesworth. 2 vols. New York, 1983, 1985
<i>OtSt</i>	<i>Oudtestamentische Studiën</i>
<i>PAAJR</i>	<i>Proceedings of the American Academy for Jewish Research</i>
<i>PEQ</i>	<i>Palestine Exploration Quarterly</i>
PL	Patrologia Latina [= <i>Patrologiae Cursus Completus: Series Latina</i>]. Edited by J.-P. Migne. 217 vols. Paris, 1844–1864
PTSDSSP	Princeton Theological Seminary Dead Sea Scrolls Project
PW	Pauly, A.F. <i>Paulys Realencyclopädie der classischen Altertumswissenschaft</i> . New edition: G. Wissowa. 68 vols. Munich, 1980
PWSup	Supplement to PW
<i>RAC</i>	<i>Reallexikon für Antike und Christentum</i> . Edited by T. Kluser et al. Stuttgart, 1950–
<i>RAr</i>	<i>Revue archéologique</i>
<i>RB</i>	<i>Revue biblique</i>
<i>REJ</i>	<i>Revue des études juives</i>
<i>RevQ</i>	<i>Revue de Qumrân</i>
<i>RHPR</i>	<i>Revue d'histoire et de philosophie religieuses</i>
<i>RLA</i>	<i>Reallexikon der Assyriologie</i> . Edited by E. Ebeling et al. Berlin, 1928–2018
SC	Sources chrétiennes. Paris: Cerf, 1943–
SJLA	Studies in Judaism in Late Antiquity
STDJ	Studies on the Texts of the Desert of Judah

- TDNT* *Theological Dictionary of the New Testament*. Edited by G. Kittel and G. Friedrich. Translated by G.W. Bromiley. 10 vols. Grand Rapids, 1964–1976
- ThWAT* *Theologisches Wörterbuch zum Alten Testament*. Edited by G.J. Botterweck, H. Ringgren, and H.-J. Fabry. 10 vols. Stuttgart, 1973–2015
- TLZ* *Theologische Literaturzeitung*
- VT* *Vetus Testamentum*
- VTSup* Supplements to *Vetus Testamentum*
- ZDMG* *Zeitschrift der deutschen morgenländischen Gesellschaft*
- ZPE* *Zeitschrift für Papyrologie und Epigraphik*

Publications of Joseph M. Baumgarten

The first part of this list, down to 1996, is based on that prepared by Florentino García Martínez and published in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge, 1995, Published in Honour of Joseph M. Baumgarten* (STDJ 23; ed. M. Bernstein, F. García Martínez, and J. Kampen; Leiden: Brill, 1997), xix–xxv. The editors thank Prof. García Martínez for his permission to include the list here as well. The continuation was prepared by Ruth Clements, Nadav Sharon, and Chananya Rothner with the help of the Online Bibliography of the Orion Center for the Study of the Dead Sea Scrolls. Studies marked with a single asterisk were included in Baumgarten's *Studies in Qumran Law* (1977); studies marked with two asterisks are included in the present volume. We have striven to list all of Baumgarten's contributions to scholarship, but have not attempted to locate and list publications from the context of his work as an active congregational rabbi.

1953

- “Sacrifice and Worship among the Jewish Sectarians of the Dead Sea (Qumrân) Scrolls.” *HTR* 46 (1953): 141–59.*

1954

- “The Covenant Sect and the Essenes.” PhD dissertation, Johns Hopkins University, 1954.

1955

- “The Dead Sea Scrolls.” *Orthodox Jewish Life* 22/5 (May–June 1955): 7–14.
- “Studies in the New *Hodayot* (Thanksgiving Hymns) I.” *JBL* 74 (1955): 115–24.
- “Studies in the New *Hodayot* (Thanksgiving Hymns) II.” *JBL* 74 (1955): 188–95.

1956

- “Studies in the New *Hodayot* (Thanksgiving Hymns) III.” *JBL* 75 (1956): 107–13.

1957

- “On the Testimony of Women in 1QSa.” *JBL* 76 (1957): 266–69.*

1958

- “1QSa 1.11—Age of Testimony or Responsibility?” *JQR* 49 (1958/59): 157–60.
- “The Beginning of the Day in the Calendar of Jubilees.” *JBL* 77 (1958): 355–60,* with “Reply,” *ibid.* 78 (1959): 157.
- Review of Chaim Rabin, *Qumran Studies*. *JBL* 77 (1958): 249–57.*
- Review of Jacob Liver, ed., *Iyyunim bi-megillot midbar Yehudah* [Studies in the Dead Sea Scrolls]. *JBL* 77 (1958): 284–85.

1959

- “The Dead Sea Scrolls: A Threat to Halakhah?” *Tradition* 1 (1958/59): 209–21; along with “Communication,” *Tradition* 2 (1959/60): 188.

1962

- “The Talmud in Anglo-Saxon Garb.” Review of *The Soncino Talmud, Tractate Berakhot*, trans. and ed. Maurice Simon. *Tradition* 4 (1961/62): 293–98.

1963

- “The Calendar of the Book of Jubilees and the Bible.” *Tarbiz* 32 (1962/63): 317–28 (in Hebrew). An English translation appeared in the author’s *Studies* (1977).*

1964

- Review of Meir Ben-Horin et al., eds., *Studies and Essays in Honor of Abraham A. Neuman. Tradition* 6 (1963/64): 159–60.

1966

- “The Counting of the Sabbath in Ancient Sources.” *VT* 16 (1966): 277–86.*

1967

- “The Essene Avoidance of Oil and the Laws of Purity.” *RevQ* 6 (1967–1969): 183–92.*
- “The Meaning of 1Q Serek III, 2–3.” *RevQ* 6 (1967–1969): 287–88.

1968

- “Some Notes on the Ben Sira Scroll from Masada.” *JQR* 58 (1967/68): 323–27.*

1970

- “Art in the Synagogue: Some Talmudic Views.” *Judaism* 19 (1970): 196–206. Reprinted as: Pages 79–89 in *The Synagogue: Studies in Origins, Archaeology and Architecture*, selected with a prolegomenon by Joseph Gutmann. New York: Ktav, 1975.

1972

- “Does *TLH* in the Temple Scroll Refer to Crucifixion?” *JBL* 91 (1972): 472–81.*
- “The Exclusion of ‘Netinim’ and Proselytes in 4QFlorilegium.” *RevQ* 8 (1972–1975): 87–96.*
- “The Unwritten Law in the Pre-Rabbinic Period.” *JSJ* 3 (1972): 7–29.*

1974

- “Form Criticism and the Oral Law.” *JSJ* 5 (1974): 34–40.

1976

- “4QHalakah^a 5, the Law of Ḥadash, and the Pentecontad Calendar.” *JJS* 27 (1976): 36–46.*
- “The Duodecimal Courts of Qumran, Revelation, and the Sanhedrin.” *JBL* 95 (1976): 59–78.*

1977

- “The Essenes and the Temple: A Reappraisal.” Pages 57–74 in Joseph M. Baumgarten, *Studies in Qumran Law*. SJLA 24. Leiden: Brill, 1977.* (Initial publication.)
- *Studies in Qumran Law*. SJLA 24. Leiden: Brill, 1977.

1978

- “*Perek Shirah*, an Early Response to Psalm 151.” *RevQ* 9 (1977–1978): 575–78.
- Review of Yigael Yadin, מגילת המקדש. *JBL* 97 (1978): 584–89.

1979

- “The Heavenly Tribunal and the Personification of Šedeq in Jewish Apocalyptic.” Pages 219–39 in *ANRW* 2.19.1. Edited by Hildegard Temporini and Wolfgang Haase. Berlin: De Gruyter, 1979.**

1980

- “The Pharisaic–Sadducean Controversies about Purity and the Qumran Texts.” *JJS* 31 (1980): 157–70.**

1982

- “The Book of Elkesai and Merkabah Mysticism.” Pages 13–18 in *Proceedings of the Eighth World Congress of Jewish Studies, Jerusalem, August 16–21, 1981, Division C: Talmud and Midrash, Philosophy and Mysticism, Hebrew and Yiddish Literature*. Jerusalem: World Union of Jewish Studies, 1982.
- “Exclusions from the Temple: Proselytes and Agrippa I.” *JJS* 33 (*Essays in Honour of Yigael Yadin*) (1982): 215–25.**
- “Hanging and Treason in Qumran and Roman Law.” *Eretz-Israel* 16 (*Harry M. Orlinsky Volume*) (1982): 7*–16**.
- “Some Problems of the Jubilees Calendar in Current Research.” *VT* 32 (1982): 485–89.

1983

- “4Q502, Marriage or Golden Age Ritual?” *JJS* 34 (1983): 125–35.**
- “The ‘Sons of Dawn’ in *CDC* 13:14–15 and the Ban on Commerce among the Essenes.” *IEJ* 33 (1983): 81–85.**

1984

- “On the Non-Literal Use of *Ma’āsēr/Dekatē*.” *JBL* 103 (1984): 245–51.**
- Review of Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code*. *JQR* 74 (1984): 434–35.

1985

- “The First and Second Tithes in the Temple Scroll.” Pages 5–15 in *Biblical and Related Studies Presented to Samuel Iwry*. Edited by Ann Kort and Stuart Morschauer. Winona Lake: Eisenbrauns, 1985.**
- “Halakhic Polemics in New Fragments from Qumran Cave 4.” Pages 390–99 in *Biblical Archaeology Today: Proceedings of the International Congress on Biblical Archaeology, Jerusalem April 1984*. Israel Exploration Society/ The Israel Academy of Sciences and Humanities, in cooperation with the American Schools of Oriental Research. Jerusalem, 1985.**

1986

- “4Q503 (Daily Prayers) and the Lunar Calendar.” *RevQ* 12 (1986–1987): 399–407.
- “The Book of Elkesai and Merkabah Mysticism.” *JSJ* 17 (1986): 212–23.**
- “The Qumran Songs against Demons.” *Tarbiz* 55 (1985/86): 442–45 (in Hebrew).
- Review of David Weiss Halivni, *Midrash, Mishnah, and Gemara: The Jewish Predilection for Justified Law*. *JQR* 77 (1986/87): 59–64.
- Review of Gerard P. Luttikhuisen, *The Revelation of Elchasai*. *JSJ* 17 (1986): 257–59.
- Review of Yigael Yadin, *The Temple Scroll*. *BASOR* 264 (1986): 91–92.

1987

- “The Calendars of the Book of Jubilees and the Temple Scroll.” *VT* 37 (1987): 71–77.
- “The Laws of ‘Orlah and First Fruits in the Light of Jubilees, the Qumran Writings, and Targum Ps. Jonathan.” *JJS* 38 (1987): 195–202.**
- “The Sabbath Trumpets in 4Q493 Mc.” *RevQ* 12 (1986–1987): 555–59.

1988

- “Qumran and the Halakha in the Aramaic Targumim.” Pages 45–60 in *Proceedings of the Ninth World Congress of Jewish Studies: Panel Sessions—Bible Studies and Ancient Near East*. Jerusalem: World Union of Jewish Studies, 1988.**
- “The Qumran Sabbath *Shirot* and Rabbinic *Merkabah* Traditions.” *RevQ* 13 (1988): 199–213.**
- Review of Eileen M. Schuller, *Non-Canonical Psalms from Qumran: A Pseudepigraphic Collection*. *JBL* 107 (1988): 748–50.

1989

- “4Q500 and the Ancient Conception of the Lord’s Vineyard.” *JJS* 40 (1989): 1–6.

1990

- “The 4QZadokite Fragments on Skin Disease.” *JJS* 41 (1990): 153–65.
- “The Qumran–Essene Restraints on Marriage.” Pages 13–24 in *Archaeology and History in the Dead Sea Scrolls: The New York University Conference in Memory of Yigael Yadin*. Edited by Lawrence H. Schiffman. JSOTSup 8; JSOT/ASOR Monographs 2. Sheffield: JSOT Press, 1990.**

1991

- “On the Nature of the Seductress in 4Q184.” *RevQ* 15 (1991–1992): 133–43.**
- “Recent Qumran Discoveries and Halakhah in the Hellenistic–Roman Period.” Pages 147–58 in *Jewish Civilization in the Hellenistic–Roman Period*. Edited by Shemaryahu Talmon. Philadelphia: Trinity Press International, 1991.**
- “Some Remarks on the Qumran Law and the Identification of the Community.” Pages 115–17 in *Qumran Cave IV and MMT: Special Report*. Edited by Zdzisław J. Kapera. Kraków: Enigma, 1991.

1992

- “The Cave 4 Versions of the Qumran Penal Code.” *JJS* 43 (1992): 268–76.
- “The Disqualifications of Priests in 4Q Fragments of the ‘Damascus Document,’ a Specimen of the Recovery of Pre-Rabbinic Halakha.” Pages 503–13 in vol. 2 of *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls, Madrid 18–21 March 1991*. Edited by Julio Trebolle Barrera and Luis Vegas Montaner. 2 vols. Leiden: Brill; Madrid: Complutense, 1992.**
- “The Laws of the *Damascus Document*.” Pages 51–62 in *The Damascus Document Reconsidered*. Edited by Magen Broshi. Jerusalem: Israel Exploration Society, 1992.
- “A New Qumran Substitute for the Divine Name and Mishnah Sukkah 4.5.” *JQR* 83 (1992/93): 1–5.
- “The Purification Rituals in *DJD* 7.” Pages 199–209 in *The Dead Sea Scrolls: Forty Years of Research*. STDJ 10. Edited by Devorah Dimant and Uriel

Rappaport. Leiden: Brill; Jerusalem: The Hebrew University Magnes Press and Yad Izhak Ben-Zvi, 1992.

- “A ‘Scriptural’ Citation in 4Q Fragments of the Damascus Document.” *JJS* 43 (1992): 95–98.
- Review of Iain Ruairidh Mac Mhanainn Bóid, *Principles of Samaritan Halachah*. *JQR* 82 (1991/92): 496–97.

1993

- “The Qumran Cave 4 Fragments of the *Damascus Document*.” Pages 391–97 in *Biblical Archaeology Today, 1990: Proceedings of the Second International Congress on Biblical Archaeology, Jerusalem, June–July 1990*. Jerusalem: Israel Exploration Society and Israel Academy of Sciences and Humanities, 1993.
- Review of E.P. Sanders, *Jewish Law from Jesus to the Mishnah*. *JQR* 83 (1992/93): 405–7.

1994

- “Liquids and Susceptibility to Defilement in 4Q Fragments.” Pages 193–97 in *Proceedings of the Eleventh World Congress of Jewish Studies, Jerusalem, June 22–29, 1993, Division A: The Bible and Its World*. Jerusalem: World Union of Jewish Studies, 1994.
- “Liquids and Susceptibility to Defilement in New 4Q Texts.” *JQR* 85 (1994/95): 91–101.
- “Purification after Childbirth and the Sacred Garden in 4Q265 and Jubilees.” Pages 3–10 in *New Qumran Texts and Studies: Proceedings of the First Meeting of the International Organization for Qumran Studies, Paris 1992*. Edited by George J. Brooke with Florentino García Martínez. STDJ 15. Leiden: Brill, 1994.
- “Sadducean Elements in Qumran Law.” Pages 27–36 in *The Community of the Renewed Covenant: The Notre Dame Symposium on the Dead Sea Scrolls*. Edited by Eugene Ulrich and James VanderKam. Notre Dame: University of Notre Dame Press, 1994.**
- “Zab Impurity in Qumran and Rabbinic Law.” *JJS* 45 (1994): 273–77.
- “אונג הו הכול—את הו הכול, A Reply to M. Kister.” *JQR* 84 (1993/94): 485–87.

1995

- “A Fragment on Fetal Life and Pregnancy in 4Q270.” Pages 445–48 in *Pomegranates and Golden Bells. Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*. Edited by David Wright, et al. Winona Lake: Eisenbrauns 1995.
- “The Laws about Fluxes in 4QTohora^a (4Q274).” Pages 1–8 in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls*. Edited by Devorah Dimant and Lawrence H. Schiffman. STDJ 16. Leiden: Brill, 1995.
- “A Qumran Text with Agrarian Halakhah.” *JQR* 86 (1995/96): 1–8.
- “The Red Cow Purification Rites in Qumran Texts.” *JJS* 46 (1995): 112–19.
- With Daniel R. Schwartz. “The Damascus Document (CD).” Pages 4–57 in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations, Vol. 2: Damascus Document, War Scroll, and Related Documents*. Edited by James H. Charlesworth. PTSDSSP 2. Tübingen: Mohr (Siebeck); Louisville: Westminster John Knox, 1995.
- With Michael T. Davies. “Cave IV, V, VI Fragments Related to the Damascus Document.” Pages 59–79 in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations, Vol. 2: Damascus Document, War Scroll, and Related Documents*. Edited by James H. Charlesworth. PTSDSSP 2. Tübingen: Mohr (Siebeck); Louisville: Westminster John Knox, 1995.
- Review of Florentino García Martínez, *The Dead Sea Scrolls Translated: The Qumran Texts in English*. *DSD* 2 (1995): 357–59.
- Review of James C. VanderKam, *The Dead Sea Scrolls Today*. *JAOS* 115 (1995): 551–52.
- Review of Lawrence H. Schiffman, *Reclaiming the Dead Sea Scrolls. Jewish Action* (Fall 1995): 82–94.

1996

- “The ‘Halakha’ in *Miqṣat Ma‘aśe Ha-Torah (MMT)*.” (Review of Elisha Qimron and John Strugnell, eds., *Qumran Cave 4.V: Miqṣat Ma‘aśe ha-Torah* [DJD 10]). *JAOS* 116 (1996): 512–16.
- “La loi religieuse de la communauté de Qoumrân.” *Annales* 51 (1996): 1005–25. The unpublished English original, “The Religious Law of the Qumran Community,” appears in the present volume.**

- *Qumran Cave 4.XIII: The Damascus Document (4Q266–273)*. Edited by Joseph M. Baumgarten on the basis of transcriptions by Jozef T. Milik, with contributions by Stephen Pfann and Ada Yardeni. DJD 18. Oxford: Clarendon, 1996.

1997

- “The Religious Law of the Qumran Community.” *Qadmoniot* 30 (1997): 97–100 (in Hebrew).
- “Some Notes on 4Q408.” *RevQ* 18 (1997–1998): 143–44.

1998

- “Scripture and Law in 4Q265.” Pages 25–33 in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls. Proceedings of the First International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 12–14 May 1996*. Edited by Michael E. Stone and Esther G. Chazon. STDJ 28. Leiden: Brill, 1998.
- “The Purification Liturgies.” Pages 200–212 in vol. 2 of *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment*. Edited by Peter W. Flint and James C. VanderKam. 2 vols. Leiden: Brill, 1998–1999.**
- Review of Florentino García Martínez and Julio Trebolle Barrera, *The People of the Dead Sea Scrolls*. *JAOS* 118 (1998): 143–44.

1999

- “264a. 4QHalakha B,” “265. 4QMiscellaneous Rules,” “274–278. 4QTohorot A-C: Introduction,” “274. 4QTohorot A,” “276. 4QTohorot B^a,” “277. 4QTohorot B^b,” “278. 4QTohorot C,” “284. 4QPurification Liturgy,” “284a. 4QHarvesting.” Pages 53–56, 57–78, 79–97, 99–109, 111–13, 115–19, 121–22, 123–29, 131–33 in *Qumran Cave 4.XXV: Halakhic Texts*. Edited by Joseph M. Baumgarten et al. DJD 35. Oxford: Clarendon, 1999.
- “Corrigenda to the 4Q MSS of the *Damascus Document*.” *RevQ* 19 (1999–2000): 217–25.

- “The Damascus Document Reconsidered,” and “A Response to the Discussion of DJD XVIII.” Pages 149–50, 199–201 in *The Dead Sea Scrolls at Fifty: Proceedings of the 1997 Society of Biblical Literature Qumran Section Meetings*. Edited by Robert A. Kugler and Eileen M. Schuller. EJL 15. Atlanta: Scholars Press, 1999.
- “Messianic Forgiveness of Sin in CD 14:19 (4Q266 10 i 12–13).” Pages 537–44 in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues*. Edited by Donald W. Parry and Eugene C. Ulrich. STDJ 30. Leiden: Brill, 1999.**
- “The Relevance of Rabbinic Sources to the Study of Qumran Law.” Pages 73–78 in *Proceedings of the Twelfth World Congress of Jewish Studies, Jerusalem, July 29–August 5, 1997, Division A: The Bible and Its World*. Jerusalem: World Union of Jewish Studies, 1999.**
- “Yom Kippur in the Qumran Scrolls and Second Temple Sources.” *DSD* 6 (1999): 184–91.**
- *Qumran Cave 4.xxv: Halakhic Texts*. Edited by Joseph M. Baumgarten, Torleif Elgvin, Esther Eshel, Erik Larson, Manfred R. Lehmann, Stephen Pfann, and Lawrence H. Schiffman. DJD 35. Oxford: Clarendon, 1999.

2000

- “Celibacy,” “Damascus Document,” “Gentiles,” “Judicial Procedures,” “Proselytes,” “Tithing.” Pages 1–2, 122–25, 166–70, 304–6, 455–60, 700–701, 947–48 in *Encyclopedia of the Dead Sea Scrolls*. Edited by Lawrence H. Schiffman and James C. VanderKam. 2 vols. New York: Oxford University Press, 2000.
- “The Laws of the Damascus Document—Between Bible and Mishnah.” Pages 17–26 in *The Damascus Document: A Centennial of Discovery. Proceedings of the Third International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 4–8 February 1998*. Edited by Joseph M. Baumgarten, Esther G. Chazon, and Avital Pinnick. STDJ 34. Leiden: Brill, 2000.**
- “The Use of נדה מי for General Purification.” Pages 481–85 in *The Dead Sea Scrolls: Fifty Years after Their Discovery. Proceedings of the Jerusalem Congress, July 20–25, 1997*. Edited by Lawrence H. Schiffman, Emanuel Tov, and James C. VanderKam. Jerusalem: Israel Exploration Society in Cooperation with the Shrine of the Book, Israel Museum, 2000.**
- *The Damascus Document: A Centennial of Discovery. Proceedings of the Third International Symposium of the Orion Center for the Study of the*

Dead Sea Scrolls and Associated Literature, 4–8 February 1998. Edited by Joseph M. Baumgarten, Esther G. Chazon, and Avital Pinnick. STDJ 34. Leiden: Brill, 2000.

2001

- “The Seductress of Qumran.” *BRev* 17 (2001): 21–23, 42.

2003

- “Some Astrological and Qumranic Terms in *4QInstruction* (*Mūsār Lē Mēvîn*).” *Tarbiz* 72 (2002/3): 321–28 (in Hebrew).
- “Theological Elements in the Formulation of Qumran Law.” Pages 33–41 in *Emanuel: Studies in Hebrew Bible, Septuagint, and Dead Sea Scrolls in Honor of Emanuel Tov*. Edited by Shalom M. Paul, Robert A. Kraft, Lawrence H. Schiffman, and Weston W. Fields, with the assistance of Eva Ben-David. VTSup 94. Leiden: Brill, 2003.**
- Review of Shemaryahu Talmon, Jonathan Ben-Dov, and Uri Glessmer, eds., *Qumran Cave 4.XVI: Calendrical Texts* (DJD 21). *AJS Review* 27 (2003): 316–19.

2004

- “Some ‘Qumranic’ Observations on the Aramaic Levi Document.” Pages 393–401 in *Sefer Moshe: The Moshe Weinfeld Jubilee Volume. Studies in the Bible and the Ancient Near East, Qumran, and Post-Biblical Judaism*. Edited by Chaim Cohen, Avi Hurvitz, and Shalom M. Paul. Winona Lake: Eisenbrauns, 2004.**
- “Some Theological Aspects of Second Temple Shabbat Practice.” Pages 35–41 in *Sabbath: Idea, History, Reality*. Edited by Gerald J. Blidstein. Beer-Sheva: Ben-Gurion University of the Negev Press, 2004.**

2005

- “The Avoidance of the Death Penalty in Qumran Law.” Pages 31–38 in *Reworking the Bible: Apocryphal and Related Texts at Qumran. Proceedings of a Joint Symposium by the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature and the Hebrew University Institute for*

Advanced Studies Research Group on Qumran, 15–17 January, 2002. Edited by Esther G. Chazon, Devorah Dimant, and Ruth A. Clements. STDJ 58. Leiden: Brill, 2005.**

2006

- With James H. Charlesworth, Lidija Novakovic, and Henry W.M. Rietz. “Damascus Document.” Pages 1–185 in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Vol. 3: Damascus Document II, Some Works of the Torah, and Related Documents*. Edited by James H. Charlesworth and Henry W.M. Rietz. PTS/DSSP 3. Tübingen: Mohr Siebeck; Louisville: Westminster John Knox, 2006.
- “Immunity to Impurity and the Menorah.” *JSIJ* 5 (2006): 141–45.**
- “The Law and Spirit of Purity at Qumran.” Pages 93–105 in *The Bible and the Dead Sea Scrolls, Vol. 2: The Dead Sea Scrolls and the Qumran Community*. Edited by James H. Charlesworth. The Second Princeton Symposium on Judaism and Christian Origins. Waco, TX: Baylor University Press, 2006.**
- “Tannaitic Halakhah and Qumran—A Re-Evaluation.” Pages 1–11 in *Rabbinic Perspectives: Rabbinic Literature and the Dead Sea Scrolls. Proceedings of the Eighth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 7–9 January, 2003*. Edited by Steven D. Fraade, Aharon Shemesh, and Ruth A. Clements. STDJ 62. Leiden: Brill, 2006.**
- With Lidija Novakovic. “Miscellaneous Rules (4Q265).” Pages 253–69 in *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations. Vol. 3: Damascus Document II, Some Works of the Torah, and Related Documents*. Edited by James H. Charlesworth and Henry W.M. Rietz. PTS/DSSP 3. Tübingen: Mohr Siebeck; Louisville: Westminster John Knox, 2006.

2009

- “A Proposed Re-Interpretation of Qumran Shabbat Regulations.” Pages 9*–13* in *Zaphenath-Paneah: Linguistic Studies Presented to Elisha Qimron on the Occasion of His Sixty-Fifth Birthday*. Edited by Daniel Sivan, David Talshir and Chaim Cohen. Beer-Sheva: Ben-Gurion University of the Negev Press, 2009.
- “מסורות ‘הלכתיות’ קדומות במגילות ים המלח [Common Legal Exegesis in the Scrolls and Tannaitic Sources.]” Pages 649–65 in vol. 2 of *The Qumran Scrolls and Their World*. Edited by Menahem Kister. 2 vols. Jerusalem: Yad Ben-Zvi, 2009 (in Hebrew).