Since the first news of the contents of the Qumran scroll known as Miqṣat ma'asei ha-Torah (henceforth: MMT) leaked out to the scholarly world, it gradually became accepted that Qumranic halakhah was essentially Sadducean halakhah. The main characteristic of this legal system was its stringency, particularly regarding the laws of purity and impurity as well as the laws of sacrifices, and it was usually defined as “Priestly halakhah.”

Some of the parallels between the halakhic documents of the Dead Sea Scrolls and the opinions attributed to the Sadducees in rabbinic literature were already noted by Y. Yadin, and especially Joseph Baumgarten. The view that there is a close similarity between the two was developed by L.H. Schiffman, and even more strongly by Yaakov Sussmann, both had written before the full publication of MMT.

---


2 Y. Yadin (The Temple Scroll [Jerusalem: Israel Exploration Society and the Shrine of the Book, 1977] [Hebrew]) already noted that “although there is occasional similarity between some of the halakhot of the Temple Scroll and the halakhot of the Sadducees...there is undoubtedly some dissimilarity between them” (305–306). J.M. Baumgarten, “The Pharisaic-Sadducean Controversies about Purity and the Qumran Texts,” JJS 31 (1980) 157–70, esp. 167; idem, “Polemics in New Fragments from Qumran Cave 4,” Biblical Archaeology Today (Jerusalem: Israel Exploration Society, 1985) 396–397. While it was the Karaites who first identified the Sadducees with a halakhic system which (due to the discovery of the scrolls) should be related to the Temple Scroll, they did so for apologetic motives and without the backing of historical data. See Y. Erder, “Precedents Cited by ‘Anan for the Postponement of Passover that Falls on Sabbath” Zion 52 (1987) 163–65 (Hebrew); idem, “The Karaites’ Sadducee Dilemma,” IOS 14 (1994) 195–226. It was on such sources that Wacholder relied when he linked the origins of the Sadducees with those of the Qumran sect; see B.Z. Wacholder, The Dawn of Qumran (Cincinnati: Hebrew Union College Press, 1983) 141–60.
According to Schiffman, since “MMT takes the ‘Sadducee’ position... we must reopen the question of the relationship of the Sadducees to our sect... Qumran may provide us with some Sadducean documents. The Sadducean connection may also be a clue to the provenance of the Temple Scroll. Indeed, these texts [the Temple Scroll and MMT] raise anew the need to reevaluate our views on the Sadducees and to determine if we can recover further evidence of their beliefs and practices with the help of the manuscripts of the Qumran corpus.”

Sussmann concluded that “the halakhic position of the sect was Sadducean... I would venture to say that those of the sect’s halakhot which are not explicitly identified by the rabbinic sources as Sadducean may be assumed to be such, since these rulings were followed by the members of the sect, whose halakhic views are otherwise known to be Sadducean.”

This thesis has since been repeated by diverse scholars as a fait accompli. The main argument invoked by Schiffman and Sussmann is the presence in MMT of certain laws attributed in Rabbinic literature to the Sadducees: the red heifer could be burned only by priests who were in a state of complete ritual purity; non-kosher animals’ bones were considered impure; and liquid poured from a pure vessel into an impure one rendered the former impure (see below; the first two are also mentioned in the Temple Scroll). Therefore, they conclude, the

---


2 “Appendix 1: The History of Halakhah and the Dead Sea Scrolls”, in E. Qimron and J. Strugnell, Qumran Cave 4, V Miqṣat Ma‘ase ha-Torah, DJD 10 (Oxford: Clarendon, 1994) 179–200, here 195–196. Sussmann reiterated this as a major point in the Postscript (200). For a full presentation of his ideas, see his “The History of Halakhah and the Dead Sea Scrolls—Preliminary Observations on Miqṣat Ma‘asei Ha-Torah (4QMMT),” Tarbiz 59 (1990) 11–76 (Hebrew). Sussmann expanded his basic idea into a historical thesis, according to which the Boethusians who figure in Rabbinic literature as a parallel to the Sadducees were essentially identical with the Qumranites. This thesis will be refuted below, in the Appendix.