4Q159: LEGISLATION FOR AN ESSENE COMMUNITY OUTSIDE OF QUMRAN?

BY

FRANCIS D. WEINERT
Fordham University, Bronx, N.Y., U.S.A.

J. M. Allegro’s publication in 1968 of twenty-nine texts allotted him from Qumran Cave IV1) in many respects has, as others have observed 2), left much to be desired. Unfortunately, not all the 4Q texts that Allegro published have subsequently received equal care and attention from others. This is undoubtedly due to the fragmentary nature of some of these texts, their poor state of preservation, or their unusually cryptic character. Therefore it is all the more interesting that a text such as 4Q1593) which is clearly written, well-preserved and relatively complete in certain parts, has not received more attention before now.

4Q159 has not been completely ignored previously. However, the only partly available text prior to 1968 necessarily limited the examination of it up to that time. Even after Allegro’s publication of the complete text, only restricted discussions have appeared, or else studies of too wide a scope to allow detailed consideration of 4Q159 as a whole 4). Such a treatment, which takes 4Q159 as its primary focus and deals with it as a whole, is the purpose of this study.

1) J. M. Allegro (with the collaboration of A. Anderson), *Qumran Cave 4: I (4Q158-4Q186)* (Discoveries in the Judaean Desert of Jordan, V), Oxford 1968, 6-9 (+ pl. II).
As Allegro finally published it, 4Q159 appears in three major parts. The first is a composite of twelve pieces forming one large fragment which provides traces of the end of one column and what proves to be two-thirds of the following column. This portion of the text, containing legislation of a biblical and cultic orientation, constituted Allegro’s initial publication in 1961, and in the editio princeps he has labelled it “fragment 1”. The second part appears as the greater portion of another column from what is most probably the same work and is composed of three separate fragments (labelled 2, 3 and 4). It too contains legislative material of a biblical orientation, but ordered to dealing with issues of practical living rather than with cultic concerns.

Finally, along with four small dislocated fragments (labelled 6-9), Allegro provides us with “fragment 5”, the third major part of 4Q159. Despite the close similarity between the script of fragment 5 and that of the other eight fragments of 4Q159, however, the content of this fragment, which seems to have come from a pesher concerning Levitical practice, strongly suggests that it may not actually be part of 4Q159. It has a genre of expression decidedly different from 4Q159 at large and should probably be listed as a separate text. For this reason, the present study concentrates on the first two parts of 4Q159, providing only a transcription and translation of fragment 5 along with certain brief comments.

Determination of the genre of the first two parts of 4Q159 is a more difficult task than that involved in fragment 5. The material contained in fragments 1-4 is evidently legislative, based on or dealing with biblical laws drawn almost exclusively 5) from the Pentateuch. The rendering of Torah-legislation found in this text differs enough on certain points from the version contained in the MT to amount to a distinct interpretation 6). Nevertheless, on other points 4Q159

5) The citation of Ezek. 45:11 in 4Q159 i 13 is an exception among texts otherwise all taken from Exodus, Leviticus, Numbers, and Deuteronomy.

6) For example, the legislation in 1 ii 2-5 concerning disposition of the harvest for the sake of the poor, 1 ii 6-12 concerning the half-shekel censustax, and 2-4:8-10 on the issue of a husband’s challenge of his new wife’s honor. For further details, see below.