

SCROLL IDOLIZATION

Dr. Baumgarten interprets my reaction to the Scrolls as asserting "that the validity of the faith is dependent upon the successful denial of the antiquity of the Scrolls." This is a most misleading interpretation. Rereading my original statement on page 67 of the first issue of TRADITION, one will find that I emphasized that rabbinic authorities surely do not look to the Dead Sea Scrolls to explain any phase of Jewish practice even if recorded in the Manual of Discipline, or to support any notion of halakhic conduct even if elaborated in the Zadokite or Damascus Fragment. "To them these Scrolls are not and never will be in the category of sacred literature. For them the Dead Sea Scrolls are only irrelevant relics." The validity of the Jewish faith definitely is not dependent upon any of the Scrolls, even if, as held by Baumgarten, they are of antiquity. The present writer, hence, in no wise "confounds antiquity with authority."

The pages of TRADITION are not designed to weigh the relative merits of the various scholarly approaches, or even to repeat the entire story of the Battle of the Scrolls and Baumgarten's strictures against Professor Solomon Zeitlin. Every argument which Baumgarten has set forth has already been discussed in the current issues of the *Jewish Quarterly Review*. Every phase of law that he enumerates and repeats—marriage of niece, testimony

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of witnesses, Tetragrammaton, *techum*, and so forth—has been analyzed and refuted in those pages. Basically, as I already noted on page 76, “What we really possess in these Scrolls are early Karaite writings. These dissidents against Halakhah sought to organize their lives on the basis of anti-rabbinic traditions, and there were many ‘fringe’ groups. Their philosophies, religious ideas, and teachings, therefore, are not a menace to our tradition.”

The essential question whether the Scrolls are ancient or medieval, which Baumgarten finally discusses at the end of his paper, also has been amply reviewed before. To the present writer, despite Baumgarten’s reliance on Burrows or Cross, the paucity of scientific proofs for an early dating is still evident. The Carbon 14 test is not final; the analysis was not made on the scrolls themselves, but only on the linen. In this age of photostats and new processes of printing, the contents of texts (which *are* the important items in question) can definitely be preserved for posterity, even if the parchment material itself disintegrates because of the scientific test. There is, moreover, no proof that the scrolls were actually in the jars, since the “discoverer,” Muhammad Adh-Dhib himself, declared that he broke all the jars in the cave and that he cut off pieces of the scrolls for sandals. Scholars now reveal that different columns of parchment were joined together artificially to make a complete scroll. The archaeologists at Qumran also concede that the Bedouin, and not *they*, are the actual “discoverers,” and that it is most probable that some of the scrolls were brought from Egypt. The fact that there are caves containing linen wrappings and jars from the Roman period strewn about does not prove that the Scrolls were wrapped in *these* linens or were found in *these* jars. Much more documentation and proof are needed to authenticate the association. Baumgarten’s published scientific evidence that “one of the linen wrappings found by excavators in the first Qumran cave still has part of a scroll attached to it,” is still eagerly awaited!

Doubts arise, too, about the nature of the Qumran scriptorium—doubts that the Scrolls were penned there. Moreover, the internal literary evidence, such as terminology (*bet mishpat* instead of *bet din*), ignorant modes of writing (משפטות התורה), distorted references to rabbinic concepts, and similarities to Targum Jonathan lead perforce to a medieval dating for these non-biblical manuals or commentaries which were written by semi-literate

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Karaitic sectarians who were acquainted with and even followed a solar calendrical system such as that of Jubilees. This will explain the Qumran-Karaitic affinities. That the Qumran sectarians were Essenes is also most uncertain, for even among those seeking an ancient dating for the Scrolls there are scholars like Dr. Cecil Roth who identify the group with the Zealots; the Essenes are not even mentioned in these Scrolls! That the text of the biblical scrolls do not add to an understanding of the Masoretic text has already been shown by Professor Harry M. Orlinsky. In general, the weaknesses of the external evidence from archaeology for dating the Scrolls has already been voiced publicly by one of the outstanding Scroll scholars at the recent winter public meeting of the Society of Biblical Literature, at which Dr. Baumgarten and the writer were both present. The authenticity of these finds is neither as apparent nor as conclusive as held by Baumgarten. The inter-relationship of the medieval texts of the Cairo Genizah to the Qumran material, on the other hand, becomes stronger and more vivid with continued comparative research.

The issue to be emphasized here, in TRADITION, is a broad one: are, or are not, the Scrolls authoritative for the study of the accepted Halakhah? Suffice it to say that the present writer does not refuse to recognize the existence of the Scrolls, neither does he "take refuge in pious solipsism." He agrees with Baumgarten that "the mere fact that the Scrolls are ancient does not invest them with a sanctity as sources for Jewish teaching." But there is a remarkable inconsistency in Baumgarten's thesis. He notes: "... it is from them (the Pharisees), and only from them, that we derive our legal traditions" and that "the Dead Sea Scrolls are not sacred scriptures . . . despite their unquestioned antiquity." But what is beyond comprehension and inconsistent with this premise is his *conclusion*: "... these sectarian documents *do* contain elements which *throw important light* on the background of halakhic institutions." "... In this text (Manual of Discipline) are many points of *contact with rabbinic halakhah*." . . . "the over-all impact of the Scrolls . . . has been to *enhance tremendously* the respect of scholars for the Masoretic tradition."¹ Thus, on the one hand, Baumgarten honestly regards the findings as sectarian, with no authority for religious teaching and no bearing on normative Halakhah. Yet on the other hand he speaks of their "contact with Halakhah" and the fact that "they shed

1. Italics are mine.

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important light on the background of Halakhah” and how they “enhance tremendously the respect for the Masorah.”

It is exactly such a *non sequitur* view of making the Scrolls akin to sacred Scriptures and devoting many pages to seeking *corroboration* from the Scrolls for such items as “not only the antiquity of the *techum* but its direct connection with the limits of the Levitical cities” which is disconcerting. There would be no cause for alarm if Baumgarten would only be faithful to his own statement: “Certainly there is no peril in the study of the Scrolls, if one keeps in mind their provenience and does not blindly elevate them to the levels of authoritative literature.” Alas, he devotes pages to show that the Damascus Document corroborates the antiquity of the “Sabbath limits.” The cause for alarm is in such views as: “the extended argument of R. Hisda . . . which connects *makom* in Exodus 16.29 with Numbers 35.5, is strikingly supported by the Scrolls.” *The alarm is in attempting to corroborate Halakhah or normative Judaism from material in the sectarian Scrolls.* It is precisely such views that put the Scrolls in a “shrine,” even selling replicas of them for display in one’s home. *The alarm is due to the new idolatry—abodah zarah—developing about the Scrolls.* The spread of this *abodah zarah* is corroborated by news items such as that quoting Dr. Yadin (*Day-Jewish Journal* of Monday, January 5, 1959), where it is asserted that in the Scrolls Christian scholars have found proof that the Christian religion is in truth more Jewish than had been previously thought, and hence the scrolls will bring about a change in the relationships of Jews and Christians in the future!

Let it be emphasized that one may study Sadducean halakhah, as recorded in the Talmud, or Essene (?) or Qumran literature in the Scrolls for purposes of historic analysis, knowing that these are not authoritative, and yet justifiably fear their acceptance by unsuspecting or misled students as normative for Jews. Jubilees was a threat to tradition and, therefore, banned from the canon. *It was not put into a shrine as are the Scrolls today.*

As “outside,” “rejected,” “sectarian” works, and as Karaitic writings, the attribution of authority or sanctity to these Scrolls would be most incompatible with the traditional halakhic authority of the rabbis. The Scrolls are subsumed under the interdiction of the Mishnah Sanhedrin: אף הקורא בספרים החצונים אין לו חלק לעולם הבא Only he who closes his eyes to the continuity

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of Jewish tradition, its adherence to halakhic interpretations, and its constant impulse throughout history to preserve and define the canon versus "outside books" will raise the accusation of "obscurantism" against one who courageously sees in them direct opposition to Jewish tradition and who does not accept the "sacred authority" of the Scrolls and their imputed relationship to Halak-hah.